



An
Bord
Pleanála

Ordú Boird
Board Order
ABP-302847-18

Na hAchtanna um Pleanáil agus
Forbairt 2000 go 2018

Planning and Development Acts
2000 to 2018

Údarás Pleanála: Comhairle
Contae na Gaillimhe

Planning Authority: Galway County
Council

Uimhir Thagartha i gClár Pleanála:
18/766

Planning Register Reference
Number: 18/766

Uimhir Thagartha an Bhoird
Phleanála: ABP-302847-18

An Bord Pleanála Reference
Number: ABP-302847-18

Achomharc ó Bríd Uí Mhaolallaigh,
Sráidbhaile an Spidéil, An Spidéal,
Contae na Gaillimhe agus ón mBord
Bainistíochta Scoil Éinne, An Spidéal,
Contae na Gaillimhe.

Appeal by Bríd Uí Mhaolallaigh of
Sráidbhaile an Spidéil, An Spidéal,
Contae na Gaillimhe and by An Bord
Bainistíochta Scoil Éinne, An Spidéal,
Contae na Gaillimhe.

An Fhorbairt Bheartaithe:

Tógáil ionad cóireála fuíolluisce in aice le hionad cóireála fuíolluisce na Ceardlainne atá ann. San áireamh sna hoibreacha beidh tógáil oibreacha ionraoin nua, bunumair shíothlaithe amháin, ceithre uimh. aonad RBC, umair shíothlaithe deiridh amháin agus umair stórála sloda amháin, chomh maith leis na hoibreacha coimhdeacha, an phíobobair idircheangailte agus hoibreacha forbartha an láithreáin go léir. San áireamh sna hoibreacha beidh díchoimisiúnú an ionaid cóireála fuíolluisce atá ar an láithreán. Beidh sé seo go léir ag An Spidéal Thiar, An Spidéal, Contae na Gaillimhe.

Proposed Development: Construction of a new wastewater treatment plant adjacent to the existing Craft Village wastewater treatment plant. The works will include the construction of new inlet works, one number primary settlement tank, four number RBC units, one number final settlement tank and one number sludge storage tank, along with all ancillary works, interconnecting pipework, and site development works. The works will also include the decommissioning of the existing wastewater treatment plant on the site. All at An Spidéal Thiar, An Spidéal, Contae na Gaillimhe.

An Cinneadh

Cead a DHEONÚ don fhorbairt bheartaithe thuasluaite de réir na bpleananna agus na sonraí atá

Decision

GRANT permission for the above proposed development in accordance with the said plans and

bunaithe ar na cúiseanna agus na tuisceana atá faoi réir na gcoinníollacha a leagtar amach thíos.

particulars based on the reasons and considerations under and subject to the conditions set out below.

Na hÁbhair Curtha san Áireamh

Ag déanamh a chinnidh, thug an Bord aird ar na nithe áirithe atá dualgas air, de bhua na n-Achtanna um Pleanáil agus Forbairt agus na Rialachán arna ndéanamh fúthu, aird a thabhairt dóibh. San áireamh bhí aon aighneacht agus tuairim a fuair an Bord faoi réir forálacha reachtúla.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with the statutory provisions.

Cúiseanna agus Tuisceana

Ag féachaint do nádúr agus do chuspóir na forbartha beartaithe ina mbeidh cóireáil fuíolluisce, d'achair scartha na forbartha ó ghabhdóirí soghonta agus d'fheidhm sheanbhunaithe an láithreáin maidir le cóireáil fuíolluisce, meastar nach mbeadh drochthionchar ag an bhforbairt bheartaithe, faoi réir géilliúntais do na coinníollacha a leagtar amach thíos, ar thaitneamhachtaí an cheantair nó ar réadmhaoin sa cheantar agus bheadh sí inghlactha maidir le sábháilteacht choisithe agus tráchta. Bheadh an fhorbairt bheartaithe de réir phleanáil chúí agus fhorbairt inbhuanaithe an cheantair.

Tástáil i leith Measúnú Oiriúnachta

Thug an Bord faoi deara nach bhfuil ceangail ag an bhforbairt bheartaithe le Láithreán Eorpach nó nach bhfuil sí riachtanach do bhainistíoch

Reasons and Considerations

Having regard to the nature and purpose of the proposed development which will involve the treatment of wastewater, to the separation distances of the development from sensitive receptors and to the established use of the site for wastewater treatment, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would be acceptable in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment Screening

The Board noted that the proposed development is not directly connected with or necessary to the management

Láithreáin Eorpaigh. Le linn tástáil i leith Measúnú Oiriúnachta a chríochnú, ghlac an Bord leis an measúnú tástála agus leis an gconclúid ar a thángthas i dtuarascáil an chigire maidir le haithin na Láithreán Eorpach a bhféadfaí tionchar a bheith orthu, agus aithint agus measúnú thionchair fhéideartha shuntasacha na forbartha beartaithe amháin, nó chomh maith le pleananna agus tionscadail eile, ar na Láithreáin Eorpacha seo ag féachaint do chuspóirí caomhnaithe na láithreán. Bhí an Bord sásta nach mbeadh tionchar suntasach ag an bhforbairt bheartaithe amháin, nó in éineacht le pleananna nó tionscadail eile, ar Limistéar faoi Chaomhnú Speisialta Choimpléasc Phortach Chonamara (Cód Láithreáin: 002034), Limistéar faoi Chosaint Speisialta Choimpléasc Phortach Chonamara (Cód Láithreáin: 004181), Limistéar faoi Chaomhnú Speisialta Choimpléasc Cheann Boirne- Pholl Salach (Cód Láithreáin: 000020), Limistéar faoi Chaomhnú Speisialta Choimpléasc Chuan na Gaillimhe (Cód Láithreáin: 000268), Limistéar faoi Chaomhnú Speisialta Chuan agus Oileáin Chill Chiaráin

of a European Site. In completing the screening for Appropriate Assessment, the Board accepted and adopted the screening assessment and conclusion carried out in the Inspector's report in respect of the identification of the European Sites which could potentially be affected, and the identification and assessment of the potential likely significant effects of the proposed development, either individually or in combination with other plans or projects, on these European Sites in view of the sites' conservation objectives. The Board was satisfied that the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on the Connemara Bog Complex Special of Area Conservation (Site Code: 002034), Connemara Bog Complex Special Protection Area (Site Code: 004181), Black Head-Poulsallagh Complex Special Area of Conservation (Site Code: 000020), Galway Bay Complex Special Area of Conservation (Site Code: 000268), Kilkieran Bay and Islands Special Area of Conservation (Site Code: 002111), Inishmore Island Special Area of Conservation (Site Code: 000213), Inishmaan Island

(Cód Láithreáin: 002111), Limistéar faoi Chaomhnú Speisialta Inis Meáin (Cód Láithreáin: 000212), Limistéar faoi Chaomhnú Speisialta Oileán Inis Mór (Cód Láithreáin: 000213), Limistéar faoi Chaomhnú Speisialta Oileán Inis Oírr (Cód Láithreáin: 001275), Limistéar faoi Chaomhnú Speisialta Chuan na Gaillimhe Laistigh (Cód Láithreáin: 004031), nó ar aon Láithreán Eorpach eile ag féachaint do chuspóirí caomhnaithe na láithreán agus níl gá le Mheasúnacht Chúí Chéim 2 (agus aighneacht de Ráiteas Tionchar Timpeallachta), mar sin.

Special Area of Conservation (Site Code: 000212), Inisheer Island Special Area of Conservation (Site Code: 001275), Inner Galway Bay Special Protection Area (Site Code: 004031) or any other European Sites in view of the sites' conservation objectives and a Stage 2 Appropriate Assessment (and a submission of a Natura impact statement) is not, therefore, required.

Tástáil i leith Mheasúnacht Tionchair Timpeallachta

Thug an Bord faoi deara nach bhfuil gá le Tuarascáil ar Mheasúnacht Tionchair Timpeallachta don fhorbairt bheartaithe seo. Ghlac an Bord leis an gconclúid a leagtar amach i dtuarascáil an chigire nach bhfuil cuma air go mbeadh tionchair shuntasacha ag an bhforbairt ar an timpeallacht agus nach bhfuil measúnacht ag teastáil. San iomlán, meastar nach bhfuil sé riachtanach

Environmental Impact Assessment Screening

The Board noted that the proposed development is not one for which a mandatory Environmental Impact Assessment Report is required. The Board agreed with the conclusion set out in the Inspector's report that the development would not result in a likelihood of significant effects on the environment and that a screening determination is not required. Overall, it considered that the development is

go gcuirtear Tuarascáil ar Mheasúnacht Tionchair Timpeallachta isteach maidir leis an bhforbairt seo faoi réir alt 172 den Acht um Pleanáil agus Forbairt, 2000, arna leasú.

not one in respect of which an Environmental Impact Assessment Report was required to be submitted in accordance with section 172 of the Planning and Development Act, 2000, as amended.

Coinníollacha

1. Déanfar agus críochnófar an fhorbairt de réir na bpleananna agus na sonraí a cuireadh isteach leis an iarratas, arna leasú ag na pleananna agus na sonraí breise a cuireadh chuig an údarás pleanála ar an 4ú lá de mhí Mheán Fómhair, 2018, seachas mar a bheadh ag teastáil chun go gcloífi leis na coinníollacha seo a leanas. Sa chás go bhfuil na sonraí le socrú leis an údarás pleanála de réir na gcoinníollacha, socróidh an forbróir na sonraí i scríbhinn leis an údarás pleanála roimh thús na forbartha agus déanfar agus críochnófar an fhorbairt de réir na sonraí comhaontaithe.

Cúis: Ar mhaithe le soiléire.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted to the planning authority on the 4th day of September, 2018, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to the commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Le linn feidhmithe, reáchtálfar an tionad cóireála fuíolluisce sa chaoi nach gcuirfidh bolaithe núise isteach ar ghabhdóirí soghonta. Ní bheidh leibhéil na mbolaithe ag an ngabhdóir soghonta is gaire níos airde ná 3 ouE/m^3 mar theorainn ar thiúchan bholaithe ar bhonn 98ú peircintíl na meán rialta. Cuirfear na nósanna imeachta chun comhlíonadh leis an teorainn seo a chinntiú chuig an údarás pleanála agus socrófar i scríbhinn iad roimh thús na forbartha.
2. During operation, the wastewater treatment plant shall be operated to ensure it will not give rise to any odour nuisance to sensitive receptors. Odour levels at the nearest sensitive receptor shall not exceed an odour concentration limit of 3 ouE/m^3 on a 98th percentile basis of hourly averages. Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Cúis: Chun na taitneamhachtaí teorantacha a chosaint.

Reason: To protect adjoining amenities.

3. Ní bheidh an leibhéal torainn ag na gabhdóirí soghonta is gaire níos airde ná 55 dB(A) le linn fheidhmiú an ionaid cóireála fuíolluisce idir 0800 uair agus 2000 uair Luan go hAoine san áireamh, agus idir 0800 uair agus 1400 uair Dé Sathairn, agus ní bheidh sé níos airde ná 45 dB(A) ag on uair eile. Cuirfear na nósanna imeachta chun comhlíonadh leis an teorainn seo a chinntiú chuig an údarás pleanála agus socrófar i scríbhinn iad roimh thús na forbartha.

Cúis: Chun na taitneamhachtaí teorantacha a chosaint.

3. The maximum noise level at the nearest sensitive receptors during the operation of the wastewater treatment plant shall not exceed 55 dB(A) rated sound level between 0800 hours and 2000 hours Monday to Friday inclusive, and between 0800 hours and 1400 hours on Saturdays and it shall not exceed 45 dB(A) at any other time. Procedures for the purpose of determining compliance with these limits shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To protect adjoining amenities.

4. Roimh thús na forbartha, cuirfear Plean Bainistithe Tógála agus Timpeallachta áirithe agus Plean Bainistithe Dramhaíola chuig an údarás pleanála agus socrófar i scríbhinn iad maidir leis an bhforbairt. Beidh sonraí sa Phlean Bainistithe Tógála agus Timpeallachta agus sa Phlean Bainistithe Dramhaíola maidir le Dea-chleachtais Tógála agus maidir le comhlíonadh le hoibleagáidí reachtúla agus cinnteofar é ann chomh maith. Cuirfear béim ar athúsáid na n-ábhar a thochlófar, nuair is féidir.

Cúis: Ar mhaithe le cosaint timpeallachta agus chun dramhaíl a íoslaghdú.

4. Prior to commencement of development, a contract specific Construction and Environmental Management Plan and a Waste Management Plan shall be submitted to, and agreed in writing with, the planning authority in respect of the development. The Construction and Environmental Management Plan and Waste Management Plan shall detail and ensure Best Construction Practice and compliance with statutory obligations. Emphasis shall be placed on re-use of excavated material where practical.

Reason: In the interest of protection of the environment and to minimise waste.

5. Roimh thús na forbartha, cuirfear Plean Bainistithe Tráchtá don chéim thógála chuig an údarás pleanála maidir leis an bhforbairt agus socrófar i scríbhinn é. Cloífidh an forbróir le riachtanais an údaráis pleanála maidir le cur isteach ar thrácht phobail na háite a íoslaghdú, agus maidir le haon damáiste a dhéantar le linn chéim na tógála don ghréasán bóithre poiblí a ní agus a dheisiú.

Cúis: Chun an gréasán bóithre poiblí a chosaint agus ar mhaithe le sábháilteacht tráchtá.

5. Prior to commencement of development, a Traffic Management Plan for the construction phase shall be submitted to, and agreed in writing with, the planning authority in respect of the development. The developer shall comply with the requirements of the planning authority in respect of minimising traffic disruption on the local communities, cleaning and repair of any damage to the public road network during the construction phase.

Reason: To protect the public road network and in the interest of traffic safety.

6. Ní chuirfear forbairt an láithreáin agus oibreacha tógála i gcrích ach idir 0800 uair agus 1900 uair ó Luan go hAoine san áireamh, agus idir 0800 uair agus 1400 uair Dé Sathairn agus ní chuirfear i gcrích ar chor ar bith iad Dé Domhnaigh nó ar laethanta saoire poiblí. Ní cheadófar aon athrú ar na hamanna seo ach i gcásanna faoi leith nuair a fuarthas cead i scríbhinn ón údarás pleanála cheana féin.

Cúis: Chun taitneamhachtaí cónaithe na réadmhaoine sa cheantair a chosaint.

6. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

7. (a) Ullmhóidh agus cuirfidh an forbróir scéim tírdhreachta i crích a chuireann plandaí síos taobh istigh den claí atá timpeall an láithreáin ionas go scáthófar an fhorbairt bheartaithe i gceart.
- (b) Cosnófar na plandaí go léir i gceart ó dhamáiste go dtí go mbeidh siad réidh. Cuirfear plandaí nua de thomhas agus speiceas dá leithéid in áit na bplandaí a bhásóidh, a mbainfear ón áit, a ndéanfar damáiste dóibh nó a éireoidh siad galrach sa séasúr plandála dar gcionn laistigh de thréimhse chúig bliana ón am a chríochnófar an fhorbairt bheartaithe.

Cúis: Ar mhaithe le taitneamhacht amhairc.

7. (a) The developer shall prepare and fully implement a landscaping scheme which provides planting around the inside of the perimeter fence so as to adequately screen the proposed development.
- (b) All planting shall be adequately protected from damage until established. Any plants which die, are removed, become seriously damaged or diseased within a period of five years from the completion of the proposed development shall be replaced within the next planting season with others of similar size and species.

Reason: In the interest of visual amenity.

8. Feidhmeoidh an forbróir

8. The developer shall facilitate the

caomhnú, taifead agus cosaint ábhar nó gnéithe seandálaíochta gur féidir leo a bheith ann. Ina thaobh seo, tá ar an bhforbróir –

preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall -

(a) fógra i scríbhinn a chur chuig an údarás pleanála ar a laghad ceithre seachtaine roimh thús oibríochtaí láithreáin maidir leis an bhforbairt bheartaithe,

(a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation relating to the proposed development,

(b) seandálaí atá na cáilíochtaí cuí aige nó aici a fhostú, agus beidh ar an seandálaí monatóireacht a dhéanamh ar gach fiosrúchán láithreáin agus ar oibreacha tochailte eile, agus

(b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and

(c) socruithe a chur ar fáil, agus a bhfuil an t-údarás pleanála sásta leo, maidir le taifead a dhéanamh ar aon ábhar seandálaíochta agus maidir leo a bhaint ón áit mar is cuí de réir an údaráis pleanála.

(c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

Cuireadh an ceist ar aghaidh

In default of agreement on any of these requirements, the matter shall be

chuig an mBord Pleanála chun cinneadh a dhéanamh uirthi má loictear ar chomhaontú maidir le haon de na riachtanais seo.

referred to An Bord Pleanála for determination.

Cúis: Chun caomhnú agus cosaint a chinntiú maidir le haon iarsma atá ar an láithreán.

Reason: In order to secure the preservation and protection of any remains that may exist within the site.

Maria FitzGerald
Ball den Bhord Pleanála a bhfuil Údarás aige séala an Bhord a fhíordheimhniú

Maria Fitzgerald
Member of An Bord Pleanála duly authorised to authenticate the seal of the Board.

Dátaithe ar an lá seo de 2019

Dated this the day of 2019