



An  
Bord  
Pleanála

Ordú Boird  
Board Order  
ABP-305079-19

**Na hAchtanna um Pleanáil agus  
Forbairt 2000 go 2019**

**Údarás Pleanála: Comhairle  
Contae na Gaillimhe  
Uimhir Thagartha sa Chlár  
Pleanála: 19/746**

**Uimhir Thagartha an Bhoird  
Pleanála: ABP-305079-19**

**An Fhorbairt Bheartaithe:** Saoráidí taitneamhachta le haghaidh caladh bád a thógáil ag Ionad lascaigh Cuain Ros an Mhíl, comhdhéanta de shaoráidí leasa ar an mbunurlár agus oifig riaracháin ar an gcéad urlár mar aon le gach fo-sheirbhís ghaolmhar ag Ionad lascaigh Cuain Ros an Mhíl, Ros an Mhíl, Contae na Gaillimhe.

**Planning and Development Acts  
2000 to 2019**

**Planning Authority: Galway County  
Council  
Planning Register Reference  
Number: 19/746**

**An Bord Pleanála Reference  
Number: ABP-305079-19**

**Proposed Development:** Construction of amenity facilities for the small craft harbour at Rossaveel Fishery Harbour Centre consisting of welfare facilities at ground floor level and an administration office at first floor level with all associated ancillary services at Rossaveel Fishery Harbour Centre, Rossaveel, County Galway

## **An Cinneadh**

**Cead a THABHAIRT don fhorbairt bheartaithe thuasluaite de réir na bpleananna agus na sonraí réamhráite bunaithe ar na cúiseanna agus na cúrsaí de réir agus faoi réir na gcoinníollacha atá leagtha amach thíos.**

## **Na Nithe a Cuireadh san Áireamh**

Agus a chinneadh á dhéanamh, d'fhéach an Bord do na nithe a cheanglaítear air, de bhua na nAchtanna Pleanála agus Forbartha agus na Rialachán a rinneadh fúthu, féachaint dóibh. Áirítear ar na nithe sin aon aighneacht agus tuairim a fhaigheann sé de réir na bhforálacha reachtúla.

## **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below**

## **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 statutory provisions.

## **Cúiseanna agus Tosca**

Ag féachaint do nádúr agus do scála na forbartha beartaithe, pátrún na forbartha sa chomharsanacht agus beartais Phlean Forbartha Chontae na Gaillimhe 2015-2021, meastar nach ndéanfaidh an fhorbairt bheartaithe, faoi réir chomhlíonadh na gcoinníollacha atá leagtha amach thíos, aon díobháil shuntasach do thaitneamhachtaí amhairc an cheantair. Mar sin bheadh an fhorbairt bheartaithe ag teacht le pleanáil chuí agus forbairt inbhuanaithe an cheantair.

## **Céim 1 Scagadh do Mheasúnú Oiriúnachta**

Thug an Bord ar aird nach bhfuil aon bhaint dhíreach idir an fhorbairt bheartaithe agus bainistíocht Láithreán Eorpaigh agus níl sé riachtanach dó. Agus an scagadh don Mheasúnú Oiriúnachta á dhéanamh, ghlac an Bord leis an measúnú ar an scagadh agus leis an gconclúid i dtuarascáil an Chigire maidir le láithreáin Eorpacha a shainnint, láithreáin a bhféadfaí difear a dhéanamh dóibh, agus sainnint agus measúnú na n-éifeachtaí suntasacha a d'fhéadfadh a bheith

## **Reasons and Considerations**

Having regard to the nature and scale of the proposed development, the pattern of development in the vicinity and the policies of the Galway County Development Plan 2015-2021, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **Stage 1 Screening for Appropriate Assessment**

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

mar thoradh ar an bhforbairt bheartaithe, cibé ina n-aonar nó in éineacht le pleananna nó tionscadail eile, ar na láithreáin Eorpacha seo i bhfianaise Chuspóirí Caomhantais an láithreáin. Bhí An Bord sásta nach dócha go mbeadh éifeacht shuntasach ag an bhforbairt bheartaithe, ina haonar nó in éineacht le pleananna nó tionscadail eile, ar láithreáin Eorpacha, ar Limistéar faoi Chaomhnú Speisialta Choimpléasc Phortach Chonamara (Cód Láithreáin: 002034) ná ar Limistéar faoi Chaomhnú Speisialta Chuan agus Oileáin Chill Chiaráin (Cód Láithreáin:002111), ná aon láithreán Eorpach eile, i bhfianaise Chuspóirí Caomhantais na láithreán.

development, either individually or in combination with other plans or projects, on these European sites in view of the site's 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 European sites, the Connemara Bog Complex Special Area of Conservation (Site Code:002034) and the Kilkieran Bay and Islands Special Area of Conservation (Site Code:002111), or any other European site, in view of the sites' Conservation Objectives.

## Coinníollacha

## Conditions

<p>1. Cuirfear an fhorbairt i gcrích de réir na bpleananna agus na sonraí a taisceadh leis an iarratas, ach amháin nuair is gá a mhalairt a dhéanamh chun na coinníollacha seo a leanas a chomhlíonadh. I gcás ina gceanglaíonn na coinníollacha sin sonraí a aontú leis an údarás pleanála, aontóidh an forbróir na sonraí sin i scríbhinn leis an údarás pleanála sula gcuirtear tús leis an bhforbairt agus cuirfear an fhorbairt i gcrích de réir na sonraí aontaithe.</p> <p><b>Cúis:</b> Ar mhaithe le soiléire.</p>	<p>1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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 commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p><b>Reason:</b> In the interest of clarity.</p>
<p>2. Sula gcuirfear tús leis an bhforbairt, ullmhóidh an forbróir líníochtaí leagain amach ar scála oiriúnach agus trasghearrthacha a thaispeánfaidh an ceangal leis an ionad cóireála fuíolluisce agus an soláthar uisce poiblí.</p> <p>Cuirfear na líníochtaí athcheartaithe a thaispeánann comhlíonadh na riachtanas isteach chuig, agus aontófar iad i scríbhinn leis, an údarás pleanála sula gcuirfear tús leis an bhforbairt.</p>	<p>2. Prior to commencement of development, the developer shall prepare appropriately scaled layout drawings and cross sections showing connection to the wastewater treatment facility and the public water supply.</p> <p>The revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p>

<p><b>An chúis:</b> Ar mhaithe le pleanáil chuí agus forbairt ordúil.</p>	<p><b>Reason:</b> In the interest of proper planning and orderly development.</p>
<p>3. Socruithe draenála, lena n-áirítear uisce dromchla a dhiúscairt, a chomhlíonfaidh riachtanais an údaráis pleanála maidir leis na hoibreacha agus na seirbhísí sin.</p>	<p>3. Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p>
<p><b>An chúis:</b> Ar mhaithe le sláinte an phobail.</p>	<p><b>Reason:</b> In the interest of public health.</p>
<p>4. Déanfaidh an t-iarratasóir nó an forbróir comhaontú/uithe ceangal uisce agus/nó fuíolluisce le hUisce Éireann, sula gcuirfear tús leis an bhforbairt.</p>	<p>4. The applicant or developer shall enter into water and/or waste water connection agreement(s) with Irish Water, prior to commencement of development.</p>
<p><b>An chúis:</b> Ar mhaithe le sláinte an phobail.</p>	<p><b>Reason:</b> In the interest of public health.</p>
<p>5. Cuirfear sonraí, lena n-áirítear samplaí de na hábhair, na ndathanna agus na n-uigeachtaí ar gach bailchríoch sheachtrach ar an bhfoirgneamh isteach, agus aontófar iad i scríbhinn leis an údarás pleanála sula gcuirfear tús leis an bhforbairt.</p>	<p>5. Details, including samples, of the materials, colours and textures of all the external finishes to the building shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p>
<p><b>An chúis:</b> Ar mhaithe le taitneamhacht amhairc.</p>	<p><b>Reason:</b> In the interest of visual amenity.</p>

<p>6. Cuirfear sonraí na húsáide iarbhír a bhainfear as an spás oifige agus as an gceaintín isteach agus aontófar iad i scríbhinn leis an údarás pleanála sula n-áiteofar an foirgneamh.</p> <p><b>An chúis:</b> Ar mhaithe le forbairt ordúil.</p>	<p>6. Details of the exact use of the office space and canteen shall be submitted to and agreed in writing with the planning authority prior to any occupation of the building.</p> <p><b>Reason:</b> In the interest of orderly development.</p>
<p>7. Idir na huaireanta 0700 go 1800 Luan go hAoine agus an dá lá sin san áireamh agus idir 0800 agus 1400 ar an Satharn a dhéanfar oibreachta forbartha láithreáin agus tógála. Ní dhéanfar aon obair ar an Domhnach ná ar laethanta saoire poiblí. Ní cheadófar imeacht ó na hamanna seo ach amháin i gcásanna eisceachtúla ina gcuireann an t-údarás pleanála ceadú ar fáil roimh ré.</p> <p><b>An chúis:</b> Chun taitneamhachtaí cónaithe réadmhaoine sa chomharsanacht a chosaint.</p>	<p>7. Site development and building works shall be carried out only between the hours of 0700 to 1800 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.</p> <p><b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.</p>
<p>8. Bainisteofar tógáil na forbartha de réir Phlean Bainistíocht Tógála mionsonraithe, a chuirfear isteach chuig an údarás pleanála agus a aontófar leis i scríbhinn, sula gcuirfear tús leis an bhforbairt.</p>	<p>8. The construction of the development shall be managed in accordance with a detailed Construction Management Plan, which shall be submitted to, and agreed in writing with the planning authority prior to commencement of development. This plan shall provide</p>

<p>Cuirfear ar fáil sa phlean seo sonraí an chleachtais cheaptha tógála a ghlacfar san fhorbairt, lena n-áirítear bearta bainistithe torainn agus deannaigh, uaireanta oibre an tsuímh, agus an tslí a ndéantar dramhaíl foirgníochta/scartála a dhiúscairt amach ón láithreán.</p> <p><b>An chúis:</b> Ar mhaithe le sábháilteacht an phobail agus taitneamhachtaí cónaithe.</p> <p>9. Íocfaidh an forbróir leis an údarás pleanála ranníocaíocht airgeadais maidir le bonneagar agus saoráidí poiblí a théann chun leasa forbartha i gceantar an údaráis pleanála a chuirtear ar fáil nó atá ceaptha le cur ar fáil ag nó thar ceann an údaráis de réir théarmaí na Scéime don Ranníocaíocht Forbartha a rinneadh faoi alt 48 den Acht um Pleanáil agus Forbairt 2000, leasaithe. Íocfar an ranníocaíocht sula gcuirfear tús leis an bhforbairt nó ina thráth-íocaíochtaí de réir mar a éascóidh an t-údarás pleanála agus beidh sí faoi réir aon fhorálacha ábhartha innéacsaithe den Scéim tráth na híocaíochta. Aontófar sonraí chur i bhfeidhm théarmaí na Scéime idir an t-údarás pleanála agus</p>	<p>details of intended construction practice for the development, including noise and dust management measures, site operational hours, and off-site disposal of construction/demolition waste.</p> <p><b>Reason:</b> In the interest of public safety and residential amenity.</p> <p>9. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms</p>
--	--



<p>an forbróir nó, mura ndéantar comhaontú den sórt sin, tarchuirfear an cheist don Bhord Pleanála chun cuíchur i bhfeidhm théarmaí na Scéime a chinneadh.</p> <p><b>An chúis:</b> Ceanglaíonn an tAcht um Pleanáil agus Forbairt 2000 (leasaithe) coinníoll trína n-éilítear ranníocaíocht de réir na Scéime do Ranníocaíocht Forbartha, a rinneadh faoi alt 48 den Acht, a chur ag gabháil leis an gcead.</p>	<p>of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p><b>Reason:</b> It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>
---	--

---

**Maria FitzGerald**

**Ball den Bhord Pleanála a bhfuil an t-údarás aici séala an Bhord a fhíordheimhniú.**

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

Dátaithe ar an

lá seo de

2019