



An  
Bord  
Pleanála

**Board Order**  
**ABP-308911-20**

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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Galway County Council**

**Planning Register Reference Number: 20/221**

**Appeal** by Chris Day of Middlequarter, Inishbofin, County Galway and by Vincent and Margaret Lennon of Robin Villa, Middlequarter, Inishbofin, County Galway against the decision made on the 19<sup>th</sup> day of November, 2020 by Galway County Council to grant subject to conditions a permission to Simon Murray care of John Lambe Architectural and Engineering Services Limited of Quay Street, Westport, County Mayo in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Demolition of agricultural sheds and construction of an agricultural barn which will be used for the purpose of fodder storage and the storage of agriculture related materials, at Middlequarter, Inisbofin, County Galway.

## **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.

## **Reasons and Considerations**

Having regard to the established agricultural use of the site and its location within a rural area, the character and pattern of development in the area, and the modest scale of the proposed development, 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 the amenities of property in the vicinity, would be acceptable in terms of traffic safety and convenience, and would not be prejudicial to public health. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **Appropriate Assessment Screening**

The Board agreed with the screening assessment and conclusion carried out in the Inspector's report (dated 5<sup>th</sup> May 2021) that the Inishbofin, Omev Island and Turbot Island Special Protection Area (Site Code: 004231) is the European Site for which there is a possibility of significant effects and must therefore be subject to Appropriate Assessment.

## Appropriate Assessment

The Board considered the Natura Impact Statement and all other relevant submissions and carried out an appropriate assessment of the implications of the proposed development for European Sites in view of the site's conservation objectives (Inishbofin, Omey Island and Turbot Island Special Protection Area (Site Code: 004231)). The Board considered that the information before it was sufficient to undertake a complete assessment of all aspects of the proposed development in relation to the site's conservation objectives using the best available scientific knowledge in the field.

In completing the assessment, the Board considered, in particular, the following

- (i) the Site Specific Conservation Objectives for this European Site,
- (ii) the likely direct and indirect impacts arising from the proposed development, both individually and in combination with other plans or projects, and
- (iii) the mitigation measures which are included as part of the current proposal.

In completing the appropriate assessment, the Board accepted and adopted the screening and appropriate assessment carried out in the Inspector's Report (Report dated 05/05/21) in respect of the potential effect of the proposed development on the aforementioned European Site, having regard to the site's conservation objectives. The Board was satisfied that the mitigation measures proposed are in line with best practice and are proven mitigation measures, and as applicable adequate monitoring was proposed to ensure the effectiveness of measures proposed.

In overall conclusion, the Board was satisfied that the proposed development would not adversely affect the integrity of the European site in view of the site's conservation objectives and there is no reasonable scientific doubt as to the absence of such effects.

## 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 on the 27<sup>th</sup> day of October 2020, 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 in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The proposed development shall be used only for the purpose described in the public notices, storage for fodder and agricultural equipment.

**Reason:** In the interest of clarity.

3. Water supply and drainage arrangements for the site, including the disposal of surface and soiled water, shall comply with the requirements of the planning authority for such works and services. All surface water generated shall be disposed of within the site and shall not be discharged onto the public road or adjoining property.

**Reason:** In the interest of environmental protection and public health.

4. The external finishes of the proposed development shall be black, brown, grey or green in colour unless otherwise agreed in writing with the planning authority.

**Reason:** In the interest of visual amenity.

5. Site development and building works shall be carried only out between the hours of 0700 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 amenities of property in the vicinity.

6. The construction of the development shall be managed in accordance with a 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 details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interests of public safety and residential amenity.

*DR. Maria FitzGerald*

**Maria FitzGerald**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

Dated this 9<sup>th</sup> day of June 2021

