

---

**Planning and Development Acts 2000 to 2021**

**Planning Authority: Galway County Council**

**Planning Register Reference Number: 21/2059**

**Appeal** by Eoin Butler of 12 Ocean Drive, Oranmore, County Galway against the decision made on the 6<sup>th</sup> day of January, 2022 by Galway County Council to grant subject to conditions a permission to Aldi Stores (Ireland) Limited care of MKO of Tuam Road, Galway in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Extension of the existing supermarket carpark to provide for an additional 39 number carparking spaces (including alterations to existing carparking layout). The provision of landscaping and boundary treatments. Connection to existing services and all associated site development works to facilitate the proposed development, all at Aldi, New Town Centre, Oranmore, County Galway, as revised by the further public notices received by An Bord Pleanála on the 25<sup>th</sup> day of November, 2022 which included the submission of a Natura Impact Statement.

## **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.**

## **Reasons and Considerations**

Having regard to:

- (a) the nature and layout of the proposed development,
- (b) the demonstrated requirement for additional car parking to serve the store,
- (c) the pattern of development in the area,
- (d) the provisions of the Galway County Development Plan 2022-2028,
- (e) the conclusion of the Appropriate Assessment Stage 2, and
- (f) the adopted Galway County Council Development Contribution Scheme (as revised 1st August 2019),

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, would not adversely impact the archaeology or built heritage of the area, including the Oranmore Architectural Conservation Area, would not negatively impact traffic safety within the site or in the vicinity of the site, and would not have a significant impact on ecology or on European Sites in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **Appropriate Assessment: Stage 1:**

The Board completed an appropriate assessment screening exercise in relation to the potential effects of the proposed development on designated European Sites taking into account the Screening Report for Appropriate Assessment, and the report and screening assessment as completed by the Inspector which concluded that the Galway Bay Complex Special Area of Conservation (Site Code: 000268) and the Inner Galway Bay Special Protection Area (Site Code: 004031) are the European Sites for which the proposed development has the potential to have significant effects. The Board concluded that appropriate assessment is required for these two European Sites.

### **Appropriate Assessment: Stage 2:**

The Board considered the Natura Impact Statement and associated documentation submitted, the mitigation measures contained therein and the submissions on file and carried out an appropriate assessment of the implications of the proposed development for the Galway Bay Complex Special Area of Conservation (Site Code: 000268) and the Inner Galway Bay Special Protection Area (Site Code: 004031) in view of the Conservation Objectives for the sites. The Board considered that the information before it was adequate to allow the carrying out of an appropriate assessment and to allow it to reach complete, precise and definitive conclusions for appropriate assessment. In completing the assessment, the Board considered, in particular, the likely direct and indirect impacts arising from the proposed development, both individually and in combination with other plans and projects, and the mitigation measures which are included as part of the current proposal. In completing the appropriate assessment, the Board accepted and adopted the appropriate assessment carried out by the Inspector of the potential effects of the proposed development on the

2011

aforementioned European Sites, having regard to the sites' Conservation Objectives. In overall conclusion, the Board was satisfied that the proposed development would not adversely affect the integrity of the Galway Bay Complex Special Area of Conservation (Site Code: 000268) and the Inner Galway Bay Special Protection Area (Site Code: 004031) in view of the Conservation Objectives of those sites and that there is no reasonable scientific doubt as to the absence of such effects.

## Conditions

1. The proposed 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 received by An Bord Pleanála on the 25<sup>th</sup> day of February, 2022, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

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

2. The number of car parking spaces granted by this permission is 31 number.

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

3. All mitigation measures contained in the Natura Impact Statement (dated the 21<sup>st</sup> February, 2022) and the best practice/mitigation measures contained in the Ecological Impact Assessment (dated the 21<sup>st</sup> February, 2022) shall be implemented in full and shall be supervised by a suitably qualified ecologist.

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

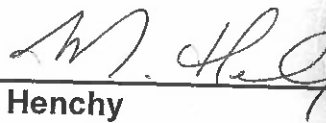
4. Prior to commencement of development, the developer shall submit the following for the written agreement of the planning authority:
  - (a) A site plan indicating the location of the silt fence proposed as mitigation in Section 4 of the Natura Impact Statement.
  - (b) A drainage plan indicating the proposed development connecting into the existing surface water drainage system serving the existing car park and details, including the location of the hydrocarbon interceptor.

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

5. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall:
- (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operations (including hydrological and geotechnical investigations) relating to the proposed development,
  - (b) employ a suitably qualified archaeologist who shall monitor all site investigations and other excavation works, and
  - (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the planning authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter(s) shall be referred to An Bord Pleanála for determination.

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



**Mary Henchy**

**Member of An Bord Pleanála**

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

Dated this 9<sup>th</sup> day of June 2023.