



Planning and Development Acts 2000 to 2022

Planning Authority: Galway County Council

Planning Register Reference Number: 221082

Appeal by Confidential Shredding Specialists Ireland care of TOBIN Consulting Engineers of Fairgreen House, Fairgreen Road, Galway against the decision made on the 22nd day of November, 2022 by Galway County Council to refuse permission.

Proposed Development: Retention of two number units (one x 1,235 square metres and one x 2,060 square metres gross floor area), as constructed, and existing 39 car parking spaces, as amended from two number units (two x 557 square metres gross floor area) permitted under planning register reference number 70429. Planning permission for change of use from storage/warehousing to a use for confidential shredding and packaging, recycling facility, in the two number units. Planning permission for junction revision/upgrade at access to the N84 granted under planning register reference number 70429. Planning permission for revisions to the car parking layout permitted under planning register reference number 09/1478 to facilitate the access upgrade to service the site. Planning permission for connection to existing services, including foul water and surface water, including new filter strips and infiltration basin storage at the adjoining site. Planning permission for decommissioning of existing wastewater treatment

system on site and to be replaced with proposed foul pumping station with connection via rinsing main to adjacent foul treatment system. Planning permission for the removal of totem signage. The above works include fencing, weighbridge and all other associated site works, all at Sylau, Headford Road, 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.

Reasons and Considerations

Having regard to the policies and objectives of the Galway County Development Plan 2022-2028 and the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009), the planning history of the site, and the established pattern of authorised development in the surrounding area, it is considered that, subject to compliance with the conditions set out below, the proposed retention of the units on the site and their use as a confidential shredding and packaging recycling facility would complement existing adjoining land uses and so, notwithstanding the rural location of the site, these units and this facility would not materially contravene the development plan and would be compatible with the pattern of commercial and industrial development in its vicinity. Traffic generated by the proposal would be capable of being accommodated on the public road network and, subject to conditions limiting the operation of the confidential shredding and packaging recycling facility to a collection only basis, the use of the proposed upgrade of the junction between the N84 and the proposed dedicated access to the site would improve road safety. Furthermore, subject to compliance with the conditions restricting the parking provision on the site to provide for the stated needs of the staff of the proposed confidential shredding and

packaging recycling facility, and the 18 spaces displaced by the construction of the proposed access road, it is considered the development as permitted would be satisfactory. No issues in respect of water or Appropriate Assessment arise. The development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development and proposed change of use of retained 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 works on the site to facilitate the development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. 24 number car parking spaces only shall be retained. 15 of the 18 spaces along the frontage of the site with the N84 shall be omitted, and the area cleared shall be the subject of a detailed landscaping scheme for the dense planting of indigenous tree species. Revised drawings showing compliance with these requirements shall be submitted for the written agreement of the planning authority prior to the commencement of works on the site to facilitate the development.

Reason: In order to avoid the overprovision of parking spaces and in the interests of visual amenity.

3. Tree planting shall be undertaken in the first available planting season following the grant of this Order. All planting shall be adequately protected from damage until established. Any trees which die, are removed or become seriously damaged or diseased, within a period of five years from being planted shall be replaced within the next available planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity.

4. Prior to the commencement of works to facilitate the development, a scheme for the proposed stormwater drainage system shall be submitted to, and agreed in writing with, the planning authority. This scheme shall demonstrate that the proposed system would be capable of handling a one in 100-year rainfall event plus a 20% allowance for climate change. Any consequential changes that may be needed to the proposed stormwater drainage system submitted with the application shall be made explicit.

Reason: In order to ensure the resilience of the proposed stormwater drainage system.

5. The proposed confidential shredding and packaging recycling facility shall operate strictly on the basis that confidential documents for shredding are collected from customers workplaces with no customer drop-offs of such documents permitted as part of this permission. No visiting members of the public shall be permitted on site.

Reason: In order to limit vehicular movements to and from the site, in the interest of road safety.

6. No signage for the proposed recycling facility shall be installed on the two number units or within the site, including on any boundary fencing, other than by a separate grant of permission.

Reason: In the interests of consistency, road safety, and visual amenity.

7. The use of the site hereby permitted is a recycling facility for the shredding of confidential documents and the subsequent recycling of paper, plastic, and cardboard. Any future change of use shall be required to be the subject of a further planning permission.

Reason: In order to ensure that the planning authority has the opportunity to control the future use of the site, in the interests of road safety and amenity.

8. Prior to the change of use of the units to use as a confidential shredding and packaging recycling facility, the existing accesses to the forecourt and yard of the site of the proposed confidential shredding and packaging recycling facility shall be permanently closed and the proposed upgrade of the priority junction to this site shall be fully implemented, along with the dedicated access road to it, to the satisfaction of the planning authority with their written agreement. The junction shall be accompanied, from the outset, by infiltration basins on either side of it and this road shall be accompanied at all times by fencing with the insertion of only those vehicular gates that are shown on drawing number 1015-2159 Revision P2.

Reason: In order to ensure that a satisfactory means of access is available to the site, in the interest of road safety.

9. Prior to the commencement of the operation of the confidential shredding and packaging recycling facility, the existing wastewater treatment plant within the site of this facility shall be de-commissioned, and the proposed pumping station and rising main to the existing wastewater plant to the south-east of this facility shall be installed and made ready for operation.

Reason: In order to ensure that wastewater can be handled satisfactorily at all times, in the interest of public health.

10. 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 hours of working, noise management measures and off-site disposal of construction/demolition waste.

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

11. 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 within 12 weeks of the date of this Order 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 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.

Reason: 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.

Una Crosse



Una Crosse

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this

26th

day of

April

2024.