



An
Bord
Pleanála

Board Order ABP-317920-23

Planning and Development Acts 2000 to 2022

Planning Authority: Mayo County Council

Planning Register Reference Number: 22/550

Appeal by John Kearns of Midgefield, Westport, County Mayo against the decision made on the 3rd day of August, 2023 by Mayo County Council to grant subject to conditions a permission to The Board of Management of St. Joseph's National School care of Taylor McCarney Architects of Breaffy Road, Castlebar, County Mayo in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a new single storey extension within the school site. the block will include three number new classrooms, one number set room, one number user assisted WC/shower and two number classroom base special needs suite and circulation. The development will also include all associated site works, connection to existing services, removal of existing wastewater treatment system and provision of new system, relocation of playing pitch, new fencing and additional parking spaces, all at Saint Joseph's National School, Brackloon, Westport, County Mayo, as revised by the further public notices received by the planning authority on the 20th day of June, 2023 which included for a proposed new discharging drainage pipe from the school to the Owenwee River.

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 established and permitted educational uses on the site,
- (b) the location, nature, scale and design of the proposed development,
- (c) the policy provisions of the Mayo County Development Plan 2022-2028, including policy SCP 25, and
- (d) the specific characteristics of the site and the pattern of development in the area,

it is considered that, subject to compliance with the conditions set out below, the proposed school extension development would appropriately integrate with the receiving environment, would not increase the risk of flooding on site or within the adjoining lands or watercourse, would not be prejudicial to public health or adversely impact on road safety, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment: Stage 1:

The Board agreed and adopted the screening assessment and conclusion carried out in the Inspector's report that the Clew Bay Complex Special Area of Conservation (Site Code: 001482) is the only European Site in respect of which the proposed development has the potential alone to have a significant effect on its water-dependent habits and species and for which Appropriate Assessment is, therefore, required.

Appropriate Assessment: Stage 2:

The Board considered the Natura Impact Statement, and all the other relevant submissions on file and carried out an Appropriate Assessment of the implications of the proposed development on the Clew Bay Complex Special Area of Conservation (Site Code: 001482) in view of the site's Conservation Objectives. 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 scientific knowledge in the field. In completing the assessment, the Board considered, in particular, the following:

- (a) the site-specific Conservation Objectives for the European Site,
- (b) the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects, and
- (c) 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 in the Inspector's report in respect of the potential effects of the proposed development on the aforementioned European Site.

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

This conclusion is based on:

- (a) A full and detailed assessment of all aspects of the proposed development, including proposed mitigation measures and ecological monitoring in relation to the Conservation Objectives of the aforementioned designated site.
- (b) A detailed assessment of in-combination effects with other plans and projects, including historical projects, current proposals, and future plans.
- (c) No reasonable scientific doubt as to the potential for likely adverse effects on the integrity of the Clew Bay Complex Special Area of Conservation (Site Code: 001482).

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 the planning authority on the 26th day of October, 2022 and on the 7th day of June, 2023, 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. (a) The proposed effluent treatment and disposal system shall be located and constructed in accordance with the details submitted to the planning authority on the 6th day of July, 2022 and as amended in the further plans and particulars submitted to the planning authority on the 26th day of October, 2022 and on the 7th day of June, 2023.
- (b) Within three months of the occupation of the school extension, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner and that the raised percolation area is constructed in accordance with the prescribed EPA Guidance.

Reason: In the interest of public health.

3. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

5. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services and in accordance with the details submitted to the planning authority on the 6th day of July, 2022 and as amended in the further plans and particulars submitted to the planning authority on the 26th day of October, 2022 and the 7th day of June, 2023.

Reason: In the interest of public health.

6. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interest of visual and residential amenity.

7. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority. Construction work times relating to the public road shall also be agreed in writing with the planning authority prior to commencement.

Reason: In order to safeguard the amenities both of the application site and adjoining sites.

8. The developer shall comply with the requirements of the planning authority in relation to electrical connection points to allow for electric vehicle charging.

Reason: In the interest of traffic safety and orderly and sustainable development.

9. All mitigation measures included within the Natura Impact Statement and within the Construction and Environmental Management Plan submitted to the planning authority on the 7th day of June, 2023 shall be implemented in full. The additional mitigation measures identified within the Construction Environmental Management Plan shall be submitted to, and agreed in writing with, the planning authority and shall be implemented in full.
- Reason:** In the interest of protecting natural heritage.



Eamonn James Kelly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this ^{2nd} day of August, 2024.