



An
Bord
Pleanála

Inspector's Report ABP-303654-19

Development	Maritime and Cultural Heritage Centre
Location	An Sruthán Pier, Carraroe, County Galway
Planning Authority	Galway County Council
Planning Authority Reg. Ref.	18/1605
Applicant(s)	Ionad Oidhreachta na mBádóirí
Type of Application	Permission
Planning Authority Decision	Refusal
Type of Appeal	First Party
Appellant(s)	Ionad Oidhreachta na mBádóirí
Observer(s)	None
Date of Site Inspection	14 th May, 2019
Inspector	Kevin Moore

1.0 Site Location and Description

1.1. The site of the proposed development is located approximately 1.5km north-east of the village of Carraroe in west County Galway. It comprises a plot of land on the coastal edge of Cashla Bay on which there is a small storage shed. It is located opposite An Sruthán Pier. There is extensive one-off housing from Carraroe on the approach to this location. The site is accessed via a minor local road linking to Regional Road R343, which is the main road linking Carraroe to the R336 and on to Galway City.

2.0 Proposed Development

2.1. The proposed development would comprise:

- The demolition of an existing storage compound;
- A commercial building incorporating boat storage, boat building craft centre, a cultural heritage and display base, café, office, meeting room, and ancillary facilities
- New vehicular entrance;
- Car park providing 25 spaces;
- Connection to public sewerage system;
- Sewage treatment unit discharging to the public system;
- Road infrastructure upgrading works;
- Signage; and
- Associated service provisions.

The development would have a stated gross floor area of 1,236.08 square metres. The building would be single storey in height, with walls finished in a mix of plaster and stone cladding and the roof completed with a zinc cladding / copper effect. The development would be served by a mains water supply. The proposed development would be located on a site with a stated area of 0.521 hectares.

2.2 Details submitted with the application on 9th November, 2018 included copies of the design proposal and application overview, a Feasibility Study and Business Plan,

Land Registry information, landscape provisions, a letter of consent from an adjoining landowner, and documentation relating to the proposed primary treatment plant and rain water harvesting unit.

- 2.3 On 12th December, 2018, the planning authority received a Natura Impact Statement, a Flood Risk Assessment, and a Construction Waste Management Plan.

3.0 Planning Authority Decision

3.1. Decision

On 11th January, 2019, Galway County Council decided to refuse permission for the proposed development for five reasons relating to prematurity pending the provision of public sewerage facilities, the likely adverse impact on a nearby SAC, traffic impact, the lack of infrastructural connectivity to Carraroe, and the absence of a potable water supply.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planner acknowledged that 52 submissions had been received on the application. Noting that an NIS was submitted, it was stated that there is a lacunae as it is indicated the sewage treatment would be via the public sewer to EPA standards, which is unachievable. It was considered that the proposal would endanger public safety by reason of traffic hazard and that it was premature pending sewerage upgrade works. It was noted that consent from Irish Water for connection to mains water was absent. There was no objection to the proposed demolition of the existing store and the form of the proposed building was considered acceptable. It was concluded that, in principle, in the absence of existing pedestrian connectivity with Carraroe and the fact that a significant part of the route is along a regional road at a point where the maximum speed limit applies, the proposal would not comply with Objectives EDT 11, 14 and 17 of the County Plan (It is noted that no details were provided on these Objectives). A refusal of permission was recommended for five reasons.

3.2.2. Other Technical Reports

The Roads Section recommended that permission be refused for reasons relating to the inadequacy of the access road to accommodate the development, lack of pedestrian access, inadequate provisions for coaches, and lack of trailer and vehicle parking.

3.3. Prescribed Bodies

Irish Water noted that the Carraroe wastewater treatment system discharges untreated waste water to Casla Bay and noted the developer is proposing primary treatment before connecting to the public sewer. It was submitted that Irish Water has an objective to provide a new treatment plant in Carraroe and is included in its Capital Investment Plan. It is stated that the subject site has been identified as the preferred site for a new treatment plant, it is intended to progress a Compulsory Purchase Order for the site, and that Irish Water had engaged with the landowner. It was concluded that the Planning Department is cognisant of the position.

3.4. Third Party Observations

The Council's Planner refers to 52 submissions having being made to the authority. All of the submissions on the appeal file were in support of the proposal. These submissions were from Máirtín Óg Lally, Cumann Bádóireachta agus Seoltóireachta, Gasóga Mara na Gaeltachta, Máire Treasa Mhic Dhonnacha, Eibhlín de Bhailís, Sinéad Uí Eochagáin agus Páraic Mac Eochagáin, Cósta Gaelach Chonamara agus Árainn, Majella Ní Chríocháin, Máire agus Gearóid Denvir (Coláiste Chamuis), Gearóid Ó Murchú (An Spailpín Fánach), Seán Ó Ciardha, Kevin O'Hara, Maeve agus Paraic Mc Tavis, Daithí Ó Madáin, Bríd Ní Liathain agus Máirtín Breathnach, Peadar Ó Loideain, Dr Síle Denvir, Micheál Ó Gaoithín, Barraí Ó Griofa, Bríd Treasa Wyndham, Máirtín Ó Laoi, Noel Ó Tiarnaigh, Caitríona Uí Loideáin, Caitlín Ó Loideáin, Seán Ó Loideáin agus Máire Uí Loideáin, Síle Flaherty and others, Colm Joe Mac Donncha, Clann Mhic Dhonnacha, P. Breathnach, Sarah Ní Choistealbha, Máire Mhic Dhonnacha, Mairéad Ní Mhocháin, Bairbre Uí Chonfhaola, Eileen Nic Dhonncha, Stiofán de Bhailís (Féile an tSrutháin), Pól Mac Donncha, Grúpa Pobail Chéibh an tSrutháin, Áine Nic Dhonncha, Ursula Ní Loideáin, Bríd Ní Dhonncha,

Bríd Uí Loideáin, Micheál A. Ó Loideáin, Seán Ó Loideáin, Cian de Buitléar, Kevin Carolan, Katie Ní Chonghaile, Caroline Ní Fhríghíl, and Brian Ó Murchú.

4.0 Planning History

P.A. Ref. 04/5270

An application for a Bed & Breakfast and waste water treatment system was withdrawn.

5.0 Policy Context

5.1. Galway County Development Plan 2015-2021

There is a wide range of provisions, policies and objectives in the Plan that could be construed as applicable to the proposed development. These include the following:

Waste Water

Table 6.6 of the Plan shows “Indicative Infrastructure Capacity for Core Strategy Settlements”. With regard to An Cheathrú Rua, it is acknowledged that there is a sea outfall with no treatment, with adequate capacity in the short-term. The following provisions of the Water Services Investment Programme 2010-2012 are noted:

Contracts to Start: Costello Regional Water Supply Scheme Network & Water Treatment Plant Upgrade Network under construction. Tenders due end of May for Treatment Plant – unlikely to start construction before end of 2014.

Policies include:

Policy WW 1 – Collaborative Provision of Wastewater Collection and Treatment Systems

Co-operate with Irish Water in the delivery of the *Proposed Capital Investment Plan 2014-2016* (or updated plan) and to increase capacity to service settlements, to jointly investigate proposals for future upgrades of treatment plants; and participate in the provision of a long term solution for waste water treatment in the West Region.

Objectives include:

Objective WW 1 – EU Policies and Directives

Ensure that all waste water generated is collected, treated and discharged after treatment in a safe and sustainable manner, having regard to the standards and requirements set out in EU and national legislation and guidance and subject to compliance with the provisions and objectives of the *EU Water Framework Directive*, relevant *River Basin Management Plans*, *Urban Waste Water Directive* and the *EU Habitats Directive*.

Objective WW 2 – Provision of Wastewater Collection and Treatment Systems

Support, in conjunction with Irish Water, during the lifetime of the plan the provision, extension and upgrading of waste water collection and treatment systems in all towns and villages of the County to serve existing and planned future populations.

Objective WW 6 – Adherence to Environmental Standards

Promote the provision of safe and secure waste water infrastructure to ensure that the public is protected and that permitted development, is within the environmental carrying capacity and does not negatively impact on habitat quality or species diversity.

Economic Development and Tourism

Objectives include:

Objective EDT 14 – Tourism Infrastructure and Services

Provide where feasible, and support the provision of tourism infrastructure and services including greenway amenity and water based tourism infrastructure throughout the County in appropriate locations.

Objective EDT 17 – Outdoor Pursuits

Support the provision of sporting, sailing, boating, kayaking and angling facilities, pier and marina development, pony trekking routes, golf courses, adventure and interpretative centres and associated ancillary uses throughout the County in appropriate locations including former quarry sites.

Natural Heritage and Biodiversity

Policies include:

Policy NHB 1 – Natural Heritage and Biodiversity

It is the policy of Galway County Council to support the protection, conservation and enhancement of natural heritage and biodiversity, including the protection of the integrity of European sites, that form part of the Natura 2000 network, the protection of Natural Heritage Areas, proposed Natural Heritage Areas Ramsar Sites, Nature Reserves, Wild Fowl Sanctuaries and Conamara National Park (and other designated sites including any future designations) and the promotion of the development of a green/ecological network within the plan area, in order to support ecological functioning and connectivity, create opportunities in suitable locations for active and passive recreation and to structure and provide visual relief from the built environment.

Landscape Character

The site lies within a Landscape Sensitivity area designated Class 3 – Medium.

Policies include:

Policy LCM 1 – Preservation of Landscape Character

Preserve and enhance the character of the landscape where, and to the extent that, in the opinion of the Planning Authority, the proper planning and sustainable development of the area requires it, including the preservation and enhancement, where possible of views and prospects and the amenities of places and features of natural beauty or interest.

Cultural Heritage

Strategic Aims

These include:

- To promote and facilitate the sustainable development of An Ghaeltacht and Island communities in County Galway;

Other policies and objectives include:

Objective CF 9 – Support the Development of the Unique Culture of the County

Facilitate the development of cultural infrastructure within communities throughout the County that will further enhance the cultural vibrancy of the County.

5.2. Gaeltacht Plan (Variation No. 2(b) Galway County Development Plan 2015-2021)

This Variation incorporates the Gaeltacht Plan into the Galway County Development Plan 2015-2021. It includes the settlement of An Cheathrú Rua. The Plan recognises that the harbour of An tSean Chéibh is an essential component of the fabric and character of the community. The site of the proposed development lies to the north-east and outside of the Plan boundary for An Cheathrú Rua.

5.3. Natural Heritage Designations

The site of the proposed development is located approximately 1.5km east of Kilkierin Bay and Islands SAC (Site Code 002111).

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of the first party appeal may be synthesised as follows:

Reason for Refusal No. 1

- There is an existing public piped sewerage facility serving the area.

- It is proposed to upgrade the proposed on-site waste water treatment plant to one that provides primary, secondary and tertiary treatment prior to discharge to the public system. This would have a proposed PE of 100.
- The developer is willing to provide an alternative solution if the above is not acceptable, one similar to that provided by Galway County Council at Pearse's Cottage Visitor Centre, namely the storage of sewage in a concrete underground tank that is emptied by a licensed waste management company on an as required basis.

The appeal includes an Engineering Report providing further details on these grounds of appeal.

Reason for Refusal No. 2

The applicant's NIS assessed potential direct and indirect pathways for adverse effects on European Sites and all potential pathways are robustly blocked using avoidance, appropriate design (including the waste water treatment proposals) and mitigation measures. The measures will ensure that the construction and operation of the proposal will not adversely affect the integrity of European Sites.

Reason for Refusal No. 3

- The site is accessed off an existing pier and there is good forward visibility along the Quay Road, with opportunities for traffic to pull in at wider locations along the route. Sight lines at the new road entrance will meet DMURS requirements and there will be minimal traffic passing the junction.
- Auto tracking has been carried out for a coach for both access and egress and the analysis shows access and egress is possible. Internal road provisions allow successful bus turning capability and pedestrian provisions have been made.
- The applicant is in control of additional land adjacent to the site which could be conditioned for use for parking. The applicant's revised proposals provide 1 parking space per 25 sqm of floor area and a bus bay.

The appeal includes an Engineering Report providing further details on these grounds of appeal.

Reason for Refusal No. 4

- The pier is extensively used by the community without existing footpaths and is accessed via a cul-de-sac off a regional road.
- The Board's attention is drawn to Pearse's Cottage Visitor Centre at Rosmuc and the lack of reference by the Roads Section to connectivity via footpaths between the visitor centre and the village of Rosmuc. Reference is also made to the Dingle Skelligs and Cliffs of Moher visitor centres.
- The appellant proposes a 2m wide footpath along the length of the land under its control.
- The most appropriate location for a visitor centre that celebrates Galway's and the Gaeltacht's marine cultural heritage is at a coastal/pier location. The provision of changing and shower facilities enhances its attractiveness as a location for sailing, boating, kayaking and diving activities. The facilities also support the promotion of the location as a tourism venue.

Reason for Refusal No. 5

- There is an existing potable water supply scheme to Carraroe and its environs. The water supply source is due east of the pier and the reservoir is 950m south of the site. Water supply rehabilitation works were completed in 2017 and the proposed supply would be taken from this mains supply.
- There is an existing potable water supply along the pier.

The appeal includes an Engineering Report providing further details on these grounds of appeal.

6.2. Planning Authority Response

I have no record of any response to the appeal from the planning authority.

6.3. **Observations**

Irish Water was invited by the Board to make a submission in response to the first party appeal. Irish Water reiterated the background to the proposals for a new waste water treatment plant for An Cheathrú Rua and the selection of this site as the preferred site for the scheme, as was submitted in its submission to the planning authority. With regard to the appellant's proposals to provide a private waste water treatment plant providing tertiary treatment, it was stated that Irish Water generally does not support developments that require their own treatment nor would it take them in charge. It was submitted that the treated discharge to the public sewer would not be expected to cause a further deterioration in water quality or exacerbate the current situation of untreated waste water discharging to Cashla Bay.

7.0 **Assessment**

7.1. Introduction

7.1.1 I consider that the principal planning issues relating to this appeal are Irish Water plans for the site, effluent treatment, impact on European Sites, traffic impact, connectivity to An Cheathrú Rua, and water supply.

7.2. Irish Water Proposals

7.2.1 Irish Water has stated that waste water in An Cheathrú Rua's waste water collection system is not treated in advance of discharge to Cashla Bay. It has an objective to bring the An Cheathrú Rua agglomeration into compliance with the Urban Waste Water Treatment Directive and national regulations. To do so it is proposing to provide a new waste water treatment plant. This appeal site has been selected by Irish Water as the preferred site for this new waste water treatment plant. Irish Water previously issued landowner notices and published notification of its intent to progress a Compulsory Purchase Order for this site. While Irish Water withdrew from this process it intends to recommence the CPO process in the near future. Should this be confirmed Irish Water has stated that it will be lodging a planning application for permission for the treatment plant.

- 7.2.2 Irish Water has acknowledged that the site was acquired by auction. It wrote to the auctioneer and solicitor dealing with the site advising of its intent to acquire the lands. It engaged with the landowner in advance of the auction and sale.
- 7.2.3 It is clear from the above that the process by Irish Water to acquire this site by CPO remains a priority for Irish Water. I further note that the project is included in Irish Water's Capital Investment Plan and funding will be available to deliver on this project.
- 7.2.4 I note that there is nothing prohibiting the applicant from seeking permission for development proposed on these lands. However, it is significant that Irish Water has selected this site as its preferred location for the urgently needed waste water treatment plant for An Cheathrú Rua. In my opinion, it is also a relevant observation to make that neither the appellant nor the planning authority has mentioned this most significant issue in any reports or submissions. This is a critical issue, in my opinion, when discussing such a proposal in terms of the sustainable development of this area and development in the interest of the common good.
- 7.2.5 I note that the current Galway County Development Plan includes the following policy and objectives:

Policy WW 1 – Collaborative Provision of Wastewater Collection and Treatment Systems
Co-operate with Irish Water in the delivery of the Proposed Capital Investment Plan 2014-2016 (or updated plan) and to increase capacity to service settlements, to jointly investigate proposals for future upgrades of treatment plants; and participate in the provision of a long term solution for waste water treatment in the West Region.

Objective WW 1 – EU Policies and Directives

Ensure that all waste water generated is collected, treated and discharged after treatment in a safe and sustainable manner, having regard to the standards and requirements set out in EU and national legislation and guidance and subject to compliance with the provisions and objectives of the EU Water Framework Directive, relevant River Basin Management Plans, Urban Waste Water Directive and the EU Habitats Directive.

Objective WW 2 – Provision of Wastewater Collection and Treatment Systems

Support, in conjunction with Irish Water, during the lifetime of the plan the provision, extension and upgrading of waste water collection and treatment systems in all towns and villages of the County to serve existing and planned future populations.

7.2.6 It is my submission to the Board that the proposed development can only reasonably be considered to be premature pending the determination of the site selection for An Cheathrú Rua Waste Water Treatment Plant. The necessity for a new treatment plant for An Cheathrú Rua, the determination of this site as the preferred site for it, and the policies and objectives set out in the current Galway County Development Plan seeking to support Irish Water in its delivery of such essential infrastructure for this location must be understood as priority in this instance.

7.3 Effluent Treatment

7.3.1 The existing sewerage scheme for An Cheathrú Rua consists of a small collection system with a sea outfall. It discharges untreated sewage directly to the sea. As referenced above, there are plans by Irish Water for a new treatment plant to be developed, coincidentally on the site the subject of this appeal.

7.3.2 The current Galway County Development Plan includes the following objective:

Objective WW 6 – Adherence to Environmental Standards

Promote the provision of safe and secure waste water infrastructure to ensure that the public is protected and that permitted development, is within the environmental carrying capacity and does not negatively impact on habitat quality or species diversity.

7.3.3 The proposed development, arising from the appeal, seeks to provide a private on-site waste water treatment plant that would provide tertiary treatment for a population equivalent (PE) of 102. There is also an alternative proposal to provide a holding tank that would be emptied on a regular basis. I anticipate that these would most likely function until a public waste water treatment plant has been developed for An Cheathrú Rua. It is intended that the private on-site treatment plant would provide treatment for BOD₅, suspended solids, fats, oils and greases, ammonia and

phosphates prior to discharge to the Irish Water network. Solid waste would likely be required to be emptied by a licensed waste disposal specialist and a maintenance agreement would likely be required to be put in place.

7.3.4 I acknowledge the difficulties of seeking to service a development such as this that is remote from a settlement and where such difficulties are even greater given that the entire settlement of An Cheathrú Rua does not have a waste water treatment plant, but rather only a collection system, and also given that this site adjoins the coastal edge. I further note the alternative proposal of providing an effluent holding tank that would be emptied on a regular basis. I accept that there are examples, such as at Pearse' Cottage in Rosmuc, where such a practice is in operation. However, I must question the sustainability of putting in place such an arrangement, particularly when the development of a public waste water treatment plant is imminent. With regard to the on-site treatment proposal, I also consider such a proposal to be wholly premature for the same reason. In addition, it must be recognised that the provision of a private waste water treatment plant will still generate effluent. Thus, such development (and in relative terms this is a large development for this area) would be exacerbating the pollution problem that is existing for Cashla Bay. One cannot ignore this reality. One would be intensifying the pollution being discharged to the bay and this would continue to pose a significant pollution threat to the coastal waters.

7.3.5 Overall, I must reasonably conclude that the proposed development would be premature pending the provision of a public waste water treatment plant for An Cheathrú Rua.

7.4 Impact on European Sites

7.4.1 It is reasonable to conclude from my submission above that the proposed development would pose a pollution risk to the coastal waters in this location. The nearest European Site to the appeal site is across the peninsula and on the far side of the settlement of An Cheathrú, namely Kilkierin Bay and Islands SAC (Site Code 002111). The applicant submitted a Natura Impact Statement as part of its

submission to the planning authority, which concluded that the proposed development would not adversely affect the integrity of this European Site.

7.4.2 I first concur with the applicant that the only European Site that could be affected by the proposed development is Kilkierin Bay and Islands SAC and that any such indirect impact would arise from the impact on the coastal waters from discharges into Cashla Bay at the construction and operational stages. I consider that the construction impacts of the proposed development could reasonably be contained by standard practices and work methodologies to ensure that there would be no significant discharges to the coastal waters, and consequently no significant indirect adverse impacts for Kilkierin Bay and Islands SAC.

7.4.3 I note that the lack of treatment of waste water in An Cheathrú Rua undoubtedly has potential adverse impacts for Kilkierin Bay and Islands SAC. To be adding to the effluent load could reasonably be viewed as potentially adding to the adverse indirect impacts on this European Site. Thus, it could be considered that the planning authority's second reason for refusal is warranted, based on the precautionary principle. In examining this issue, one must have regard to the applicant's proposals relating to effluent discharges. Clearly, the development would seek to provide a high standard of treatment, albeit that it would continue to result in an effluent discharge to coastal waters. The development in itself, I would argue, is not likely to result in significant adverse indirect impacts for Kilkierin Bay and Islands SAC due to the proposed level of treatment, separation distance, dispersion, etc. I do accept that it cumulatively increases the volume of effluent being disposed to the bay and that it is difficult to separate the effect of the individual proposed development from the insufficient public system. However, I consider that it would be unreasonable to conclude that the proposed development itself would adversely affect the integrity of this European Site by indirect affects given its relative location, separation distance, and treatment proposed.

7.5 Traffic Impact

7.5.1 I note firstly that the site for the proposed development lies less than one kilometre outside of the development envelope for the village of An Cheathrú Rua as set out in the Galway County Development Plan. The site lies approximately 2km to the north-

east of the village centre and is accessed via Regional Road No. R343 and a minor local road leading to An Sruthán Pier. The site is adequate in land area to accommodate pedestrian and vehicular traffic associated with the proposed activity, inclusive of available land area to accommodate bus and car parking. The appellant has clarified the latter issue in its appeal submission. In terms of the functionality of the site itself for the activity proposed, I have no particular traffic concerns at the site. Auto tracking details have been provided in the appeal and the site can accommodate traffic turning movements that would be generated by the proposed development.

7.5.2 The critical traffic issue that arises relates to the adequacy of the public road network to accommodate the traffic generated by the proposed development. It is my submission to the Board that the proposed development constitutes a maritime facility. It would be expected that a maritime facility could reasonably seek to be sited at a coastal location. In this instance, the proposed development, promoting the Galway Hooker and the sailing tradition in this area of the Gaeltacht, would be located at a maritime location, An Sruthán Pier, a pier that is intrinsically linked with sailing and with the traditional boat type proposed to be promoted in this development now before the Board. Thus, in principle, I can wholly accept the siting of the development where it is proposed.

7.5.3 It is evident that a facility seeking to attract over 40,000 visitors per annum would require safe access. I do not accept that the principal visitor target for this facility would be greatly reliant on pedestrian traffic. I accept that the proximity of the site to the village of An Cheathrú Rua may draw some pedestrian activity in that direction. However, I do not accept that this would necessitate the deliverance of an expansion of the village's footpath network from the church in the village to this site, an extended public lighting system, etc. that would link back to the village core from the site in order for this development to be construed as sustainable and devoid of traffic hazard. Furthermore, it is my submission that the capacity of the regional road is not in question to accommodate the visitor traffic that would be generated. This is a route that forms part of 'The Wild Atlantic Way,' which already accommodates significant volumes of traffic. It is the local road that is the most restricted part of the road infrastructure. However, the local road in question would be a short stretch of approximately 200 metres linking the site to the R343. This is a local road that

accommodates two-way vehicular movement, for all but a 70 metre stretch, to and from the pier on an ongoing basis and facilitates a number of sailing festivals annually at this location.

7.5.4 Having regard to the above, I cannot reasonably accept that the proposed development would constitute a significant traffic hazard.

7.6 Connectivity to An Cheathrú Rua

7.6.1 To some extent, this issue has been addressed above. This maritime facility would rightly be sited at a maritime location. It is perhaps the closest maritime location to the village of An Cheathrú Rua. The reliance on visitors to this site would be premised upon visitors arriving by car and bus primarily. There is adequate road connectivity to the R343 and to An Cheathrú Rua.

7.6.2 I note in its decision that the planning authority considered that the proposed development would be contrary to Objectives EDT 14 and 17 of the Galway County Development Plan. I note that at no time were these objectives set out in any reports and that at no time was it explained how the proposed development was contrary to these objectives. They are tourism-related objectives and they are as follows:

Objective EDT 14 – Tourism Infrastructure and Services

Provide where feasible, and support the provision of tourism infrastructure and services including greenway amenity and water based tourism infrastructure throughout the County in appropriate locations.

Objective EDT 17 – Outdoor Pursuits

Support the provision of sporting, sailing, boating, kayaking and angling facilities, pier and marina development, pony trekking routes, golf courses, adventure and interpretative centres and associated ancillary uses throughout the County in appropriate locations including former quarry sites.

7.6.3 With regard to Objective EDT 14, it is my submission to the Board that this maritime-related development would be appropriately sited at a maritime location, as close to the village of An Cheathrú Rua as is feasible in geographical terms. The planning

authority has not explained how the proposed development is contrary to this objective. In my opinion, it clearly is not.

7.6.4 With regard to Objective EDT 17, it is my submission that this is an appropriate location for the type of development proposed and, thus, I cannot see how it would be contrary to this objective. Again the planning authority did not explain how it considered the proposal to be contrary to this objective.

7.6.5 Overall, I am satisfied that the proposed development would be appropriately sited and with adequate connectivity to the village of An Cheathrú Rua and to the regional road network in the wider area. I do not see any merit in refusing permission for the proposed development based upon lack of connectivity with An Cheathrú Rua.

7.7 Water Supply

7.7.1 Based upon the information available in the appeal file, I can see no details as to why the planning authority would conclude that a potable water supply to serve the proposed development is absent at this location. I further note the submission by Irish Water to the planning authority and to the Board and it is apparent that no reference was made to the lack of any water supply to serve the site. It is particularly notable that the Planner's report states on this issue: "*Public mains. The requisite consent of Irish Water is absent from the file.*" In my opinion, such a reference cannot reasonably merit the attachment of a reason for refusal in any planning application. The planning authority has at no time demonstrated that a potable water supply is absent at this location. The applicant has highlighted the existence of a potable water supply at An Sruthán Pier and has provided details of the upgrade of water infrastructure in this area in recent years by Irish Water. I can see no reason to refuse the proposed development based upon any lack of potable water supply.

8.0 **Recommendation**

8.1. Having regard to the issues of prematurity relating to waste water treatment at this location, it is my submission that I can only conclude that the proposed development should be refused for the reasons and considerations set out below.

9.0 Reasons and Considerations

1. It is considered that development of the kind proposed would be premature pending the determination by Irish Water of a preferred site for Carraroe's new waste water treatment plant.
1. Meastar go mbeadh sé ró-luath forbairt den chineál beartaithe a dhéanamh go dtí go mbeidh breith tugtha ag Uisce Éireann maidir le láithreán is dealraithe a roghnófar don chóras cóireála fuíolluisce nua na Ceathrún Rua.
2. It is considered that the proposed development would be premature by reference to the existing deficiency in the provision of public piped sewerage facilities serving the area and the period within which the constraint involved may reasonably be expected to cease. It is further considered that discharge from a private sewerage plant into an inadequate public sewerage network would be prejudicial to public health, having regard to the additional hydraulic loadings involved.
2. Meastar go mbeadh an fhorbairt bheartaithe ró-luath, ag féachaint don easnamh láithreach ar sholáthar saoráidí séarachais píopaithe poiblí ag freastal ar an limistéar agus don tréimhse a bhféadfaí le réasún a bheith ag súil go mbeadh deireadh leis na sriantachtaí atá i gceist. Meastar freisin go mbeadh sé dochrach do shláinte an phobail cead a thabhairt eisílteach a scaoileadh isteach i gcóras séarachais poiblí easpach, na hualaí breise hidrálacha curtha san áireamh.

Kevin Moore

Senior Planning Inspector

16th May, 2019