



An  
Bord  
Pleanála

## Inspector's Report ABP-305129-19

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<b>Development</b>	Construct a two-storey coastguard station, two vehicular accesses and associated works and services
<b>Location</b>	Roman Island, Westport, County Mayo
<b>Planning Authority</b>	Mayo County Council
<b>Planning Authority Reg. Ref.</b>	P/19/395
<b>Applicant(s)</b>	The Commissioners of Public Works in Ireland
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant
<b>Type of Appeal</b>	Third-Party
<b>Appellant(s)</b>	Westport Quay Boat Owners' Association
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	1 <sup>st</sup> November 2019
<b>Inspector</b>	Colm McLoughlin

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## **1.0 Site Location and Description**

- 1.1.** The appeal site is located along the quayside, approximately 1.9km west of Westport town centre in County Mayo. It is stated to measure 0.32ha, part of which currently accommodates the storage of boats. Vehicular access to the site is available from the northwest corner over a gravel track traversing the lands. The front boundary is marked by a low stone wall, while the remainder of the boundaries do not appear to be physically marked on the ground. The lands to the east of the site are used as a boatyard and a car park, while the lands immediately to the west accommodate a building understood to be used for recreational purposes. An informal recreational route is situated to the rear of the site.
- 1.2.** The surrounding area is characterised by a variety of quayside uses, including industrial, tourism, recreational, maritime and related uses. The existing coastguard facility, primarily comprising a steel shed structure and space to park coastguard vehicles is situated 50m to the northwest of the site.

## **2.0 Proposed Development**

- 2.1.** The proposed development comprises the following:
  - construction of a part-single, part two-storey coastguard station building, with a stated gross floor area of 657sq.m and a sedum roof;
  - vehicular access to a service yard and a second vehicular access to a car park;
  - site development works, including removal of sections of the low stonewall along the harbour road and ramped raising of ground levels into the site, connections to local services, three flagpoles, a communications mast, landscaping and boundary treatments.
- 2.2.** In addition to the standard documentation and drawings, the planning application was accompanied by a Construction & Environmental Management Plan (CEMP), a Natura Impact Statement (NIS) and a letter of consent from Mayo County Council; the stated owner of the site.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

3.1.1. The planning authority decided to grant permission for the proposed development, subject to 11 conditions of a standard nature, including the following:

- condition no.4 – flood resilient measures;
- condition no.10 – extend footpath to the front;
- condition no.11 – material finishes.

### **3.2. Planning Authority Reports**

3.2.1. Planning Reports

The recommendation within the planning report (July 2019) reflects the decision of the planning authority and noted the following:

- the proposed development would not be subject of development contributions;
- the proposed development complies with the zoning objectives for the site;
- permission was recently granted for a three-storey coastguard station building on the site under Mayo County Council (MCC) Ref. P/16/50;
- the project would not be likely to have a significant effect on designated sites.

3.2.2. Other Technical Reports

- Area Engineer – grant permission, subject to conditions;
- Area Architect – grant permission, subject to conditions;
- Engineer (Flood Risk) – no objection, subject to conditions;
- Roads Engineer - grant permission, subject to conditions;
- Road Design Office – no response;
- Environment Section – no response.

### **3.3. Prescribed Bodies**

- An Taisce – no response;
- Department of Culture, Heritage and the Gaeltacht – no response.

### **3.4. Third-Party Observations**

- 3.4.1. During consideration of the application by the planning authority, one submission was received from Westport Quay Boat Owners' Association, who use the immediate area for the transfer, repair and storage of boats. The issues raised in the submission are similar to those also raised in the grounds of appeal and are summarised within the grounds of appeal below.

## **4.0 Planning History**

### **4.1. Appeal Site**

- 4.1.1. According to the planning authority report, pre-planning discussions took place between representatives of the planning authority and the applicant. The following recent planning application relates to the appeal site:
- MCC Ref. P16/50 – permission was granted by the planning authority in October 2016 for a three-storey coastguard station, two vehicular accesses, three flagpoles, a communications mast, landscaping, boundary treatments and associated works.

### **4.2. Surrounding Sites**

- 4.2.1. The following recent planning application relates to a site 250m to the northwest of the site on Roman Island:
- ABP-302783-18 / MCC Ref. P17/864 – permission was refused by An Bord Pleanála in September 2019 for a four to five-storey office block with public café and exhibition space at ground floor, due to the flood risk associated with the site and the adjoining road network and the potential impacts that would arise for future occupants and users of the development.

## 5.0 Policy & Context

### 5.1. Development Plan

- 5.1.1. Westport Town & Environs Development Plan 2010-2016 remains the statutory Plan for this area. Within the Development Plan the appeal site is zoned for ‘marine-related tourism’, which has a stated land-use zoning objective ‘to provide for marine related tourism development, whilst having regard to the existing natural and built environment’. Views northwards along the quayside (V7) and westwards over Clew Bay (V7) are protected.
- 5.1.2. The quay front, causeway and quay wharf to the front of the site are included in the Record of Protected Structures (RPS Refs. 119, 120 and 121) forming Appendix 1 to the Development Plan and also within Map 3 of the Development Plan.
- 5.1.3. Section 4 of the Development Plan comprises policies and objectives relating to various areas and categories of development, including objectives OO-06, OO-07 and OO-08 relating to the provision of open space and recreation facilities on Roman Island.

### 5.2. National Guidelines

- 5.2.1. The following planning guidance document is relevant:
- The Planning System and Flood Risk Management: Guidelines for Planning Authorities (including the associated Technical Appendices) (2009).

### 5.3. Natural Heritage Designations

- 5.3.1. The nearest designated sites to the appeal site, including Special Areas of Conservation (SACs) and Special Protection Areas (SPAs), are listed in table 1 below.

**Table 1.** Natural Heritage Designations

Site Code	Site Name	Distance	Direction
001482	Clew Bay Complex SAC	20m to 25m	north & south
000471	Brackloon Woods SAC	4km	south

## **5.4. Environmental Impact Assessment - Preliminary Examination**

- 5.4.1. Having regard to the nature and scale of the proposed development, it is considered that the issues arising from the proximity and connectivity to European Sites can be adequately dealt with under the Habitats Directive (Appropriate Assessment), as there is no likelihood of other significant effects on the environment. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

- 6.1.1. A third-party appeal has been lodged by Westport Quay Boat Owners' Association, and, in conjunction with their third-party observation, the grounds of appeal can be summarised as follows:

#### Use of the Site

- the proposed use of the site on reclaimed harbour land, where space is at a premium, would be inappropriate, excessive and would conflict with other existing and future uses;
- a coastguard station does not need adjacent quayside access and it is only an ancillary service for the harbour area that is not a fundamental function of the harbour;
- the proposed development would restrict the development potential of lands to the west and south, and the layout of the development should be revised to be more open with an absence of physical barriers to avoid restrictions on the movement of vehicles, trailers and boats;
- a reduced hardstand area for ongoing boat storage would arise, with limited space for a crane to lift boats to and from the water;

#### Flood Risk

- the area is at significant risk of flooding and photographs are included as evidence of same. Given that coastguard services would be in most demand

during periods of flooding, it does not make sense to position the coastguard in this location;

- increased potential for flood risk would arise for the site and adjoining lands, as a result of the partial removal of the roadside wall;
- an extensive coastal protection plan is required to deal with food risk;

#### Design & Visual Amenities

- the proposed building would be excessive in scale and the design would be inappropriate and obtrusive;

#### Other Matters

- the decision of the planning authority fails to recognise the important input of the appellant's regarding the operation and management of the harbour area;
- legal title to the lands is not clear.

## **6.2. Applicant's Response**

- 6.2.1. The applicant's response to the grounds of appeal, including images extracted from various referenced planning documents and chart datum, can be summarised as follows:

#### Use of the Site

- the subject site was identified following consideration of alternative sites, the local and wider environmental conditions, and the objectives of a Draft Local Area Plan for South Westport, Westport Environs and Roman Island 2005-2011. The Draft Local Area Plan included a new hardstanding for boats, which the local authority constructed in 2014;
- the site for the coastguard station formed part of a Council masterplan for the harbour and planning permission for a larger coastguard facility was granted on this site in 2016;
- where possible, the future occupant, the Irish Coast Guard, are keen to have direct access to water to facilitate rapid response in service delivery;
- use of the site is in line with the zoning objectives of the Westport Town & Environs Development Plan 2010-2016;



## Siting

- the positioning of the building on site was primarily determined by the need to provide sufficient access and area for coastguard vehicles and boat trailers, as well as the need to raise the finished-floor level of the proposed building 1.4m above the road level to suitably address flood risk;

## Flood Risk

- coastguard stations are classified as 'water-compatible' developments in the Office of Public Works (OPW) document 'The Planning System and Flood Risk Management: Guidelines for Planning Authorities', and this facility is an appropriate type of development in all flood zones, therefore, a justification test for the proposed development is not necessary;
- flood resistance rather than flood avoidance measures were considered necessary given that the proposed ground-floor level is at the level of a 1 in 1,000 flood event;
- mitigation measures are incorporated, including non-return valves to prevent water backing up at high tides in the surface water system;
- the proposed development has been designed in order to avoid contributing to the flood risk of neighbouring properties;
- the appellant uses a chart datum (marine side) when referring to flood levels, which differ from the ordnance datum (land side) used by the applicant;
- the coastguard are supplied with specialised vehicles, including a vehicle fitted with an air intake snorkel that allows travel through deeper than normal waters;
- there would be scope for additional attenuation on site during severe flood events.

### **6.3. Planning Authority Response**

6.3.1. The planning authority did not respond to the grounds of appeal.

## **6.4. Observations**

6.4.1. None received.

## **6.5. Further Submissions**

6.5.1. Following consultation by An Bord Pleanála with An Taisce, the Department of Culture, Heritage and the Gaeltacht, the Heritage Council, Fáilte Ireland and the Department of Agriculture, Foods and the Marine, a submission was received from the Department of Culture, Heritage and the Gaeltacht, and this can be summarised as follows:

- the proposed development has the potential to impact on the Clew Bay Complex SAC, particularly during the construction phase via deterioration of water quality;
- the Board should carry out a screening for appropriate assessment and determine if an appropriate assessment would be necessary.

## **7.0 Assessment**

### **7.1. Introduction**

7.1.1. I consider the substantive planning issues arising from the grounds of appeal and in the assessment of the application and appeal, relate to:

- use of the site;
- flood risk;
- visual amenities.

### **7.2. Use of the Site**

7.2.1. The applicant has outlined that the facility would replace the existing coastguard facility, 50m to the west of the appeal site. While it would be possible to use a boat lift on the immediate quayside, it was noted that use of the quay is restricted by tides and for incidents further afield, coastguard boats would be transported by trailer to the closest slipway. The proposed drainage layout drawing (no.2653-DR-002-P7)

submitted with the application suggests that future formal recreational walking routes would be facilitated along the east side and rear boundaries of the site and the proposed service yard access would tie in with a new roadway that would be provided adjoining the western boundary of the site.

- 7.2.2. The site is zoned for 'marine-related tourism' in the Westport Town & Environs Development Plan 2010-2016. While the Development Plan does not address whether or not a coastguard facility would be a land use that is generally permitted, open for consideration or not permitted in this zone, given the broad planning objectives for this area outlined in the Development Plan, the nature and function of the proposed facility, the fact that the proposed development would replace an existing neighbouring facility and the recent grant of planning permission for a coastguard facility on the site (MCC Reg. Ref. P16/50), I am satisfied that the proposed use would not conflict with the objectives for the area and would be appropriate, subject to planning and environmental considerations addressed below.
- 7.2.3. The primary issues raised within the grounds of appeal refer to the potential for the layout of the site to conflict with other quayside uses, in particular the area available for the transfer, repair and storage of boats. Part of the site is currently used for the storage of boats and there is a recently developed hardstanding for boat storage adjacent to the east of the site; according to the applicant this was constructed in 2014 by the local authority. The proposed development would not interfere with the ongoing storage of boats within this adjacent purpose-built boatyard. Properties further west along the harbour feature buildings with staggered setbacks from the roadside and the proposed site layout, with the building set back approximately 19m from the roadside, would not interfere with the established pattern of development and would provide for a consolidated and coherent use of zoned lands within the harbour.
- 7.2.4. In conclusion, I am satisfied that the proposed use and layout would be acceptable in this location and would not conflict with the existing uses immediate to the site and within the harbour complex.

### **7.3. Flood Risk**

- 7.3.1. The site is situated on reclaimed land along a causeway leading to Roman Island to the northwest. The grounds of appeal assert that the area is at significant risk of coastal flooding, while the applicant does not contest this noting that coastguard stations are classified as 'water-compatible' developments in the OPW flood risk guidelines.
- 7.3.2. It is proposed to set back the coastguard building approximately 20m to 25m from the high tide marks to the front and rear of the site. A flood risk assessment report was not submitted with the planning application. Drawing no.2653-DR-001-P4 includes a site survey and a section through the site, with the 0.1%, 0.5% and 10% annual exceedance probability (AEP) flood levels illustrated. The drawings submitted identify that the proposed finished-floor level for the building would be set at 4.2m ordnance datum (OD), which is the same level as the 0.1% AEP flood level or a 1 in 1,000 flood event. Ground levels on site would be raised, ramping up by approximately 1.4m from the road to the north. Low stonewalls would be incorporated into a stepped front landscaping arrangement and also along the rear boundary of the site. The existing low stonewall fronting the site would be largely maintained, albeit with two sections removed to facilitate the vehicular accesses off the road to the site. In response to the grounds of appeal, the applicant outlines that the layout of the building is designed to resist ingress of water by the provision of flood resisting gates to the entrance court and the service yard, and also between the boathouse and the accommodation area. To mitigate the risk of material damage to the building during a 1 in 1,000 flood event, floor and wall construction at the lower level would be designed and constructed to be resistant to water damage.
- 7.3.3. A Flood Risk Management Plan for the Erriff - Clew Bay - Blacksod - Broadhaven River Basin (UOM32-33) was undertaken by the OPW, with the Westport Quay area identified as an area for further assessment (AFA). As a result detailed flood maps were prepared in relation to the sources of flood risk deemed to be significant along the harbour. Various tidal flood events along Westport Quay are referenced and the study concludes that no potentially viable flood relief works would be feasible for Westport Quay. The Catchment Flood Risk Assessment and Management Study (CFRAMS) illustrates that the majority of the site is within flood zone B, which covers

the 1 in 200 flood event extents (0.5% AEP), while the front edge of the site is partially within flood zone A, which covers the 1 in 10 flood event extents (10% AEP). The CFRAM maps also reveal the estimated flood depths during flood events, including a 1 in 1,000 flood event (0.1% AEP).

- 7.3.4. For the purposes of flood risk assessment coastguard developments, are in the 'water-compatible' category of development in flood zones A, B and C, and based on tables 3.1 and 3.2 of the OPW Flood Risk Guidelines, the proposed development does not need to be justified in planning terms and the use would be appropriate from a flood risk perspective for the area, given the facility function and its necessity for a waterside location. In terms of proper planning and sustainable development, measures to reduce the impact of flood risks should be incorporated into the design of the proposed development.
- 7.3.5. The OPW guidelines emphasise that a precautionary approach should be applied to reflect uncertainties in flooding datasets and risk assessment techniques. The minimum floor levels for new development should be set above the 1 in 200 coastal-flood level, including an allowance for climate change. The applicant has proposed to set the ground-floor level at the same level as the 1 in 1,000 coastal-flood level, approximately 0.5m above the 1 in 200 coastal flood level, although it is not clear whether or not the proposed finished-floor level includes an allowance for climate change. Nonetheless, when assessing the proposed finished-floor level with respect to the OPW guidance, the existing surveyed surface levels on site and the CFRAM maps for the area, including those illustrating flood depths, I am satisfied that the applicant has been sufficiently cautious in setting the ground-floor level for the proposed development relative to flood risk.
- 7.3.6. The appellant asserts that the partial removal of the roadside wall would increase the potential for flood risk to neighbouring properties. In response, the applicant highlights that flood resistance measures are incorporated into the design of the proposed development and that the proposed layout and design, including land-raising, would serve to reduce the potential for flooding of neighbouring properties. The OPW guidelines note that land-raising may reduce the potential amount of flood storage or affect a flood-flow route. Considering the coastal site context on a low-lying narrow causeway between two linked bodies of water and the flood extents illustrated on the CFRAM maps, I am satisfied that land raising on the appeal site

could not be reasonably considered to lead to increased flood risks for neighbouring properties via displacement of tidal flood waters.

- 7.3.7. In recently refusing permission for a five-storey office block on a site 250m to the northwest of the site (ABP Ref. 302783-18), the Board highlighted concerns regarding the potential flood risk associated with the access road serving the site. The existing neighbouring coastguard facility, which this facility would replace, uses this access road at present. In contrast to the neighbouring refused office development featuring exhibition space and a café at ground floor, the proposed facility solely serving the security and safety functions of the Irish Coast Guard, is required to be located on the waterside and the applicant has stated that vehicles allocated to the facility would be capable of travelling through deeper water than normal.
- 7.3.8. In conclusion, I am satisfied that permission for the proposed development should not be refused for reasons relating to flood risk, noting the location of the site and access road in a flood risk area and the characteristics of the receiving environment and the potential impacts of the proposed development on flood risk to neighbouring properties.

#### **7.4. Visual Amenities**

- 7.4.1. The proposed building would feature two interlocking design elements, including a ground-floor natural-stone clad structure and a white-render structure wrapping onto this. Zinc materials would be used for the parapet details and the rainwater goods. Aluminium framed windows would be installed and discrete steel lettering referring to the occupants would be fixed to two locations on the front roadside facade. Computer-generated images of the proposed development are submitted as part of the drawings included with the planning application.
- 7.4.2. The appeal site is not situated in an area with conservation status. The Development Plan identifies two protected views in the vicinity of the site, comprising views from Westport Quay to Clew Bay (V7) and views from Roman Island in all directions (V15). The proposed development would have greatest visual impact when approaching from the southeast along the quay. Views of the proposed two-storey building on raised ground, would be set against the backdrop of drumlins

sloping into the bay, including the wooded southeast flank of Roman Island, and the Irish Pet Foods building, which is approximately 24m in height and situated 150m to the northwest of the appeal site. The proposed flagpoles and communications mast are typical of this type of development and there is a clear functional necessity for the communications mast.

- 7.4.3. I am satisfied that the proposed building would not substantially interfere with protected views or the coastal landscape and the proposed development would not be incongruous or out-of-character with the surrounding area. Accordingly, permission for the proposed development should not be refused for reasons relating to the impact on the visual amenities of the area.

## **8.0 Appropriate Assessment**

### **8.1. Stage 1 - Screening**

- 8.1.1. The site location is described in section 1 of this report above. A description of the proposed development is provided in section 2 of this report and expanded upon below where relevant. A Natura Impact Statement (NIS), which included a screening for appropriate assessment, was submitted with the application. I also note the contents of the submission from the Department of Culture, Heritage and the Gaeltacht, as referenced above in section 6.5.

### **8.2. Is the Project necessary to the Management of European sites?**

- 8.2.1. The project is not necessary to the management of a European site.

### **8.3. Direct, Indirect or Secondary Impacts**

- 8.3.1. The potential direct, indirect and secondary impacts that could arise as a result of the proposed works and which could have a negative effect on the qualifying interests of European sites, include the following:
- loss of habitat and species or disturbance or fragmentation;
  - impacts on water quality, including the release of suspended solids, accidental spills or release of contaminants from made ground;

- spread of invasive species.

#### 8.4. Description of European Sites

- 8.4.1. There are two European sites within 5km of the appeal site and these are listed in section 5.3 above. European sites located more than 5km from the proposed development are excluded from this assessment, based on the separation distance from the appeal site to the European sites, the location of the European sites upstream of the appeal site and the dilution effect of intervening marine waters to European sites.
- 8.4.2. The following conservation objectives are set for the Clew Bay Complex SAC:

**Table 2.** Conservation Objectives for Clew Bay Complex SAC (Site Code: 001482)

The status of Geyer's whorl snail as a qualifying Annex II species for Clew Bay Complex SAC is currently under review. The outcome of this review will determine whether a site-specific conservation objective is set for this species;
To maintain the favourable conservation condition of mudflats and sandflats not covered by seawater at low tide;
To maintain the favourable conservation condition of lagoons;
To maintain the favourable conservation condition of large shallow inlets and bays;
To maintain the favourable conservation condition of annual vegetation of driftlines;
To maintain the favourable conservation condition of perennial vegetation of stony banks;
To restore the favourable conservation condition of Atlantic salt meadows;
To restore the favourable conservation condition of otter;
To maintain the favourable conservation condition of harbour seal;
To restore the favourable conservation condition of embryonic shifting dunes;
To restore the favourable conservation condition of shifting dunes along the shoreline with <i>Ammophila arenaria</i> (European marram grass).



8.4.3. Given the proximity of the works site to Clew Bay Complex SAC (Site Code: 001482), approximately 20m to 25m to the north and south, and tidal flood risks, there are potential pathways from the source site to the receptor site and indirect effects on supporting marine habitat and species cannot be excluded.

8.4.4. The following conservation objective is set for the Brackloon Woods SAC:

**Table 3.** Conservation Objective for the Brackloon Woods SAC (Site Code: 000471)

To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected	
Code	Description
91A0	Old sessile oak woods with ilex and blechnum in the British Isles.

8.4.5. There is no connectivity between Brackloon Woods SAC (Site Code: 000471) and the proposed works site, as it is upstream of the works and due to the distance over ground between this designated site and the proposed works site.

### 8.5. Stage 1 – Screening Conclusion

8.5.1. It is reasonable to conclude on the basis of the information on the file, which I considered to be adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects, would not be likely to have a significant effect on Brackloon Woods SAC (Site Code: 000471) given the absence of any link between this site and the appeal site. Potential for significant indirect effects on the features of interest of the Clew Bay Complex SAC (Site Code: 001482) arising from impacts on water quality, loss or disturbance of habitat and/or species and the spread of invasive species during the construction or operational phases cannot be screened out. Accordingly a Stage 2 Appropriate Assessment is required to determine the potential of the proposed development to adversely affect the integrity of the Clew Bay Complex SAC (Site Code: 001482).

## **8.6. Stage 2 - Appropriate Assessment**

8.6.1. The conservation objectives for the Clew Bay Complex SAC (Site Code: 001482) are detailed in Table 2 above.

## **8.7. Potential Effects**

8.7.1. Clew Bay Complex SAC is selected for a range of habitats, including tidal mudflats and sandflats, coastal lagoons, large shallow inlets and bays, annual vegetation of drift lines, perennial vegetation of stony banks, Atlantic sea meadows, embryonic shifting dunes, machairs and Old Oak Woodlands. This site is of high conservation importance owing to the presence of otter, Geyer's whorl snail and common (harbour) seal, which are listed for protection in Annex II of the EU Habitats Directive. The development site is separated from the Clew Bay Complex SAC by the harbour road and the quay wall to the north and by residual ground and an informal recreation route to the south.

8.7.2. The maps accompanying the site conservation objectives on the National Parks & Wildlife Service website identify that the closest habitat to the appeal site is an area of intertidal sandy mud, which has potential to be used by otter.

8.7.3. As the site of the proposed development is at a remove from the SAC, no direct impacts would occur. In terms of indirect effects, the key elements are the potential for emissions to surface water and the downstream potential for water pollution principally from sediment and pollutant run-off from the construction works and from pollutant run-off during the operational phase, including during possible flood events. Various surveys were undertaken as part of the preparation of the NIS. Non-native invasive species, comprising Montbretia, Winter Heliotrope and Japanese Knotweed were identified adjacent to the site, but works would not be undertaken in these areas, while the Japanese Knotweed is currently being treated by the local authority. There is potential for disturbance to common seal and otter during the construction phase arising from increased noise and vibration disturbance. Moulting, breeding and resting sites for common seal were not identified close to the site, and holts or couches used by otter were not identified within 150m of the site.

- 8.7.4. The proposed mitigation measures to avoid impacts are listed in section 7 of the NIS and I note that the proposed development and mitigation measures include design elements associated with best practice for this type of development. Further to this a Construction and Environmental Management Plan (CEMP) would be put in place to oversee the safe construction management of the proposed development. The CEMP includes recommendations to be followed with regard to the site compound, water quality, pollution control and spill prevention, dust minimisation, noise and vibration.
- 8.7.5. The proposed development would be served by wastewater and a vehicle wash-down area that would discharge via silt traps to the public sewer. Stormwater would be discharged into the bay after passing through fuel interceptors, with non-return valves fitted to prevent return flow into the surface water system. No residual impacts on water quality, otter or common seal are anticipated during the operation of the facility.

## **8.8. In-combination Effects**

- 8.8.1. I note that the NIS includes an assessment of the potential in-combination effects that could possibly arise with due cognisance of recent planning applications granted in the wider Westport area, the current available capacity of the Westport wastewater treatment plant, the Mayo County Development Plan 2014-2020, the Westport Town & Environs Development Plan 2010-2016 and Destination Mayo – A Strategy for the Future Development of Tourism in County Mayo 2016-2021. I am satisfied that likely significant in-combination effects would not arise.

## **8.9. Appropriate Assessment – Stage 2 Conclusion**

- 8.9.1. On the basis of the information provided with the application, including the Natura Impact Statement, which I consider adequate in order to carry out a Stage 2 Appropriate Assessment, and the assessment carried out above, I am satisfied that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of Clew Bay Complex SAC (Site Code: 001482), or any other European site, in view of the sites' Conservation Objectives.

## 9.0 Recommendation

- 9.1. I recommend that planning permission for the proposed development should be granted, subject to conditions, for the reasons and considerations set out below.

## 10.0 Reasons and Considerations

- 10.1. Having regard to the existing facility that the proposed development would replace, the nature, scale, design and siting of the proposed development, the requirement for the facility to have a waterside location and the pattern of development in the area, it is considered that subject to compliance with the conditions below, the proposed development would be an appropriate use in this area, would not increase flood risk to neighbouring properties, would comply with the provisions of the Office of Public Works 'The Planning System and Flood Risk Management: Guidelines for Planning Authorities (2009)' and would not seriously injure the amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 11.0 Conditions

1. The 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 the commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

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

2. Details of the materials, colours and textures of all the external finishes to the proposed building, flagpoles and communications mast shall be submitted to, and agreed in writing with, the planning authority prior to

commencement of development.

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

3. Resilience measures shall be undertaken as part of the proposed development to minimise the potential impact of flood damage. These measures shall include raising electrical fittings to a suitable height, water-compatible floor coverings and wall tiles, non-return valves on waste outlets and removable flood gates on all access points.

**Reason:** To mitigate the risk of flooding and in the interest of clarity.

4. A comprehensive boundary treatment and landscaping scheme shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. This scheme shall include the following:-
  - (a) details of all proposed hard surface finishes, including samples of proposed paving slabs/materials for footpaths, kerbing and road surfaces within the development;
  - (b) proposed locations of trees and other landscape planting in the development, including details of proposed species and settings;
  - (c) details of proposed boundary treatments at the perimeter of the site, including heights, materials and finishes.

The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.

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

5. Comprehensive details of the proposed public lighting system to serve the development shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. The agreed lighting system shall be fully implemented and operational, before occupation of the development.

**Reason:** In the interest of public safety and visual amenity.

6. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

**Reason:** To protect the visual amenity of the area.

7. a) The applicant or developer shall enter into water and/or waste water connection agreement(s) with Irish Water, prior to commencement of development.
- b) Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

8. The construction of the development shall be managed in accordance with a Construction Environmental 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:

(a) Location of the site and materials compound including area identified for the storage of construction refuse;

(b) Location of areas for construction site offices and staff facilities;

(c) Details of site security fencing and hoardings;

(d) Measures to obviate queuing of construction traffic on the adjoining road network;

(e) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;

(f) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;

(g) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;

(h) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;

(i) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;

(j) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

A record of daily checks that the works are being undertaken in accordance with the Construction Environmental Management Plan shall be kept for inspection by the planning authority.

**Reason:** In the interest of amenities, public health and safety and the protection of the environment.

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Colm McLoughlin  
Planning Inspector

4<sup>th</sup> December 2019