



An
Bord
Pleanála

Inspector's Report

ABP-316037-23

Development	Extension (281 sqm) to an existing building.
Location	Unit 5, Costelloe Industrial Estate, Costelloe, CO Galway. H91 A7Y2.
Planning Authority	Galway County Council
Planning Authority Reg. Ref.	2261261.
Applicant(s)	Mylan Teoranta.
Type of Application	Permission.
Planning Authority Decision	Grant permission.
Type of Appeal	Third Party.
Appellant(s)	Michael Breathneach.
Observer(s)	None.
Date of Site Inspection	18 September 2023.
Inspector	Stephen Rhys Thomas.

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1.0 Site Location and Description

1.1. The appeal site, which has a stated area of 0.37 hectares, is located in Casla approximately 37km to the west of Galway City. The appeal site is occupied by an existing commercial unit currently used as an industrial storage unit. The appeal site is part of an existing industrial park (Udaras na Gaeltachta) with other similar installations and buildings. A new commercial building is currently under construction opposite the site. There is an existing service road providing access to the site running to the north of the site and providing a loop road off the R336 to the east. Beyond the R336 and to the east of the site is a larger area of open countryside.

2.0 Proposed Development

2.1. The proposed development comprises:

- An extension of 281 sqm to the side and rear of an existing industrial/warehouse building.

A Report for the purposes of Appropriate Assessment Screening was submitted 3rd February 2023 as unsolicited information.

3.0 Planning Authority Decision

3.1. Decision

The planning authority issued a notification to grant permission subject to 10 conditions, all conditions are of a standard and technical nature.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The site is located within an existing industrial estate.
- No roads, traffic or car parking issues arise.
- Existing water connection and existing wastewater treatment system, no issues arise. Surface water disposal, existing.

- Site is located within a class 3 landscape with the designation special, extension design matches existing building in design, though slightly higher it will be located to the rear. No issues arise.

The recommendation of the Planner to grant permission subject to conditions issued.

3.2.2. Other Technical Reports

None on file.

3.3. Prescribed Bodies

TII – no observations.

Department of Housing Local Government and Heritage – Given the proximity of the site to the Special Bog Complex Conservation Area (Site Code: 002034) and the chance of input into a European site, this project should be examined for an Appropriate Assessment under Regulation 42 of the European Communities Regulation (Birds and Natural Habitats), 2011.

3.4. Third Party Observations

A single observation, with reference to environmental legislation.

4.0 Planning History

4.1. Site

Relevant planning applications include:

15/247 - permission granted to Údarás na Gaeltachta to demolish an abandoned shed, to build an extension of 16 sqm in area, with a masonry chimney, as a boiler house, to make minor changes to the elevations and to situate four prefabricated refrigerated containers on the site ag Factory 5.

97/3510 - permission granted to Údarás na Gaeltachta to extend Factory No. 5 (Transnova) on the industrial estate and to install windows and an additional loading bay in the factory.

4.2. Wider Industrial Site

22/19 -- Permission granted to Údarás na Gaeltachta to (a) extend a store of 1741 sqm. to the side of the existing industrial building to provide a carpark, signage, photovoltaic panels on the roof, a link to existing services together with a landscaping work and accompanying site works; (b) to put a new cover on the front and side elevations of the building so that it matches the new extension. (c) minor changes to the walls on the wing going into the estate to facilitate better sight lines. Gross floor space of proposed works: 1741 sqm.

08/1518 (wider site - incorporating subject site) - permission granted to Údarás na Gaeltachta to adapt part of factory 3 on the industrial estate for a display cabinet-making light industry together with expansion, change of elevations and building a dust extraction system (Gross floor area 1638 sqm).

07/3535 (wider site incorporating subject site) permission granted to Údarás na Gaeltachta to add an extension and make changes to factory no. 7 on the industrial estate. It is intended to divided the production areas into a meeting room, a utility room, a kitchen and classrooms together with changes to the elevations, to supply new escape doors and to build an extension as a sun room (gross floor area 21 sqm).

06/1658 (wider site incorporating subject site) - permission granted to Nioclás Ó Conchubhair Teoranta to a) use a manufacturing factory on the site as a storage place which will include manufacturing, offices and goods shops and b) to renovate the factory and c) to build a new yard outside on the industrial estate (Gross floor are 2718 sqm.)

01/4492 -- permission granted to Údarás na Gaeltachta for permission to retain two extensions and for change of use permission of the factory at the industrial estate.

5.0 Policy Context

5.1. Development Plan

The Galway County Development Plan 2022 -2028 is the operative statutory plan for the area. The appeal site is located on lands within the coastal landscape and with a sensitivity rating of special, maps 8.1 and 8.2 of the development plan refer.

Relevant parts of the development plan include:

5.2. **Natural Heritage Designations**

- 5.2.1. The site is not located within or directly adjacent to any Natura 2000 sites. There is a designed site located 30m to the north east, the Connemara Bog Complex SAC (site code 002034). The applicant submitted an AA Screening Report as part of unsolicited further information.

5.3. **EIA**

- 5.3.1. The scale of the proposed development is well under the threshold set out by the Planning and Development Regulations 2000 (as amended) in Schedule 5, Part 2(10) dealing with Infrastructure projects, specifically paragraph (a) Industrial estate development projects, where the area would exceed 15 hectares, and I do not consider that any characteristics or locational aspects (Schedule 7) apply. I conclude that 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**

The third party's grounds of appeal can be summarised as follows:

- Planning application contains insufficient information to allow a full assessment in accordance with domestic and EU law. The existing operations, water services and licences, operational phase are all unknown and potential environmental effects are not known. Hence by granting permission there has been a failure to apply the principles of sustainable development, the precautionary approach, the provisions of the Birds and Habitats, Water Framework and EIA Directives.
- AA Screening – hydrological links and emissions to air have not been assessed.

- EIA – the nature of the proposed extension has not been included and this prevents proper EIA assessment.
- There has been a lack of engagement with the EPA, the site is subject to an IPPC licence (IPPC Facility Details P0210 – IEL License Number P0210-10).
- Condition 4 requires further assessments post consent that would be required for assessment under EU law.

6.2. Applicant Response

The applicant has responded to the issues raised in the grounds of appeal; they can be summarised as follows:

- Unsolicited information was submitted on the 3rd February 2023, with reference to an Appropriate Assessment Screening report prepared by Moore Group Environmental Consultants.
- The extension is to an existing industrial storage unit, no production or manufacturing takes place in this facility. No additional toilets are included, and surface water will be drained to existing services. The building does not emit any air pollutants that would have a negative impact on the environment.
- A CEMP will be drafted, and no works will begin until approved by the Council.
- The extension will provide cold storage for product from facilities at Coill Rua and Casla.

6.3. Planning Authority Response

None on file.

7.0 **Assessment**

7.1. The main issues in this appeal are those raised in the grounds of appeal, and I am satisfied that no other substantive issues arise. The issue of appropriate assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Information Deficit
- Water Services
- Condition 4
- Other Matters
- Appropriate Assessment

7.2. **Information Deficit**

7.2.1. The appellant has raised concerns that there is not enough information on the file to allow a full examination consistent with all relevant domestic and EU environmental legislation and case law. In addition to the information already on file, the applicant has submitted a response and explains the nature of the development. The applicant states that the existing building is an industrial storage unit, no manufacturing or production takes place on site and hence no emissions. The extension will provide 281 sqm of cold storage for finished pharmaceutical products.

7.2.2. The planning application was validated by the planning authority, and I am satisfied that the requisite drawings and documentation were submitted as required for an application made under section 34 of the Planning and Development Act 2000 (as amended) and the requirements of Article 297 of the Planning and Development Regulations 2001 (as amended). The drawings are adequately detailed and show the scale and extent of the extension proposed. In addition, the applicant prepared and submitted as unsolicited further information a Report for the purposes of Appropriate Assessment Screening received by the planning authority on the 3rd of February 2023. Finally, I note the contents of the Planner's Report and the recommendation to grant permission subject to conditions that include the requirement to prepare a Construction and Environmental Management Plan.

7.2.3. The site is located in a purpose built industrial estate with existing road and wastewater infrastructure already in place. There are other industrial and storage facilities spread throughout the estate and construction is underway opposite the site for another large commercial building. The appeal site is occupied by a large warehouse building with all the facilities and services associated with same. The proposed development will add a moderately scaled extension to provide cold storage. I am satisfied that the planning application alone contained sufficient information to allow a full examination of the case. In addition, the applicant's response to the appeal adds operational information for the facility and confirms that no production is carried at this site.

7.3. **Water Services**

7.3.1. The appellant references and quotes the comments of an Inspector with regard to wastewater infrastructure, water services and operational phase impacts. However, I fail to see what relevance they have to this case, the Planner's Report (if that is what they mean) holds no doubts about the development and the information that forms the application. In any case, the applicant states that the proposed extension will not increase demand on water services and that no additional toilets are proposed. The drawings illustrate that the proposed extension is simply the addition of space for storage purposes.

7.3.2. The site layout drawing shows surface water and foul water connections to the north of the main building, the proposed development will not interfere significantly with this infrastructure. The proposed extension will occupy a space to the rear where a surface water pipe is delineated and where a combination of hardstanding and grass is currently located. I note that condition 6 refers to surface water drainage and the requirements contained therein are technically standard and reasonable in the circumstances. No new employee or visitor facilities are proposed that would add any loading to the wastewater treatment system on or off site and so I see no reason to require information in that regard. I am satisfied that the proposed development will not adversely impact water service infrastructure and that subject to a suitably worded condition surface water management can be contained on site and stormwater managed up to the standards of the planning authority for such matters.

7.4. **Condition 4**

- 7.4.1. The appellant has raised concerns about the attachment of condition 4 that requires the preparation of a Construction and Environmental Management Plan (CEMP). The appellant has concerns that the preparation of a such a plan excludes the opportunity for further assessment under domestic and EU Law.
- 7.4.2. The requirement to produce a CEMP or Construction Management Plan (CMP) after consent is given for a development proposal is not an unusual occurrence. In fact, in cases where a CEMP has already been submitted, planning authority's can sometimes require updated CEMPs to take account of certain factors as they arose during the consent procedure. In this case, the planning authority require a CEMP to outline the intended construction practice, onsite storage arrangements, traffic management, hour of working, noise management measures, off-site disposal of construction waste/material, construction lighting, a scheme for dust and dirt control, road cleaning of access/egress routes to/from the site, vibration issues, and foul and surface water discharges. A CEMP is an industry standard for good practice in safe and environmentally responsible construction activities and complies with environmental regulations, local authority guidelines and other statutory legislation. The CEMP is not plan or project that requires environmental impact assessment it is a plan to contain and minimise impacts that might arise for a development that has already received consent. In this instance a project has received consent from the planning authority, it did not require an EIAR and hence the production of a CEMP or CMP post consent does not exclude any assessment that would be required under Planning and Development Act and other relevant legislation.

7.5. **Other Matters**

- 7.5.1. EIA – the appellant questions why the development was not screened for EIA and further reiterates that there is insufficient information on file to allow proper EIA assessment. Section 5.3 of my report explains that the development is well below any threshold and that the need for environmental impact assessment can be excluded at preliminary examination and a screening determination is not required.
- 7.5.2. EPA – the appellant questions why no engagement occurred with the EPA, when the site is the location of IPPC licence requirements. The application is for a minor extension to a storage warehouse. Notifiable substances are not stored here and I note that the facility is not classified as a Seveso Site because there is an absence

of dangerous substances in sufficient quantities, as regulated under Council Directives 96/82/EC and 2003/105/EC. If the appeal site is subject to an IPPC licence, and I have no information to say that it is, then that is a matter for the relevant licensing authority, not a planning concern in this instance.

7.6. Appropriate Assessment

Introduction

- 7.6.1. This section of my report considers the likely significant effects of the proposal on European sites with each of the potential significant effects assessed in respect of each of the Natura 2000 sites considered to be at risk and the significance of same. The assessment is based on the Appropriate Assessment Screening Report submitted as unsolicited further information (February 2023) prepared by Moore Group – Environmental Services. I have had regard to the submissions of observers in relation to the potential impacts on Natura 2000 sites. The requirements of Article 6(3) as related to screening the need for appropriate assessment of a project under part XAB, section 177U and section 177V of the Planning and Development Act 2000 (as amended) are considered fully in this section.

The Project and Its Characteristics

- 7.6.2. The detailed description of the proposed development can be found in section 2.0 above.

Submissions and Observations

- 7.6.3. The submissions and observations from the Local Authority, Prescribed Bodies, and third parties are summarised in sections 3 and 6 above. The appellant points out that there is a lack of information with regard to: connections to wastewater services, surface water disposal, hydrological links and marine waters, emissions and zone of influence. The planning application was referred to a number of statutory consultees, including An Taisce, Irish Water and the Minister for Housing, Local Government and Heritage (NPWS). With specific reference to appropriate assessment matters, I note that the NPWS made a submission that stated a requirement for the project to be examined for an Appropriate Assessment (Irish translation).

The European Sites Likely to be Affected (Stage I Screening)

- 7.6.4. A summary of European Sites that are considered to be within a zone of influence of the site is presented in *Identification of European Sites* section of the applicant's AA Screening Report. The development site is not within or directly adjacent to any Natura 2000 site. However, the Connemara Bog Complex SAC lies across a regional road to the east of the site. The site is located in an area surrounded by an existing industrial estate. The site comprises an operational warehouse with extensive grounds including surface car parking, yard areas and wide grassed margins.
- 7.6.5. I have had regard to the submitted Appropriate Assessment screening report that identifies a likely zone of impact of the proposed development that includes the following sites: Connemara Bog Complex SAC, Kilkieran Bay and Islands SAC and Connemara Bog Complex SPA, table 1 of the applicant's report refers. In addition, the screening section of the applicant's document outlines through figure 4, the geographical spread of sites and proximity to the subject site.
- 7.6.6. The AA Screening Report explains that the site is located within the existing boundary of the Mylan Teoranta facility in Casla, Co. Galway. After review of aerial photography, Ordnance Survey Ireland (OSI) mapping and OSI Geographical Information System (GIS) data for rivers and streams indicates that there are no notable surface water features onsite and no direct hydrological pathways to offsite surface water bodies. For this reason the applicant selected the Connemara Bog Complex SAC, being the nearest designated site to the proposed development for further examination.
- 7.6.7. The specific qualifying interests and conservation objectives of the above site is described below. In carrying out my assessment I have had regard to the nature and scale of the project, the distance from the site to Natura 2000 sites, and any potential pathways which may exist from the development site to a Natura 2000 site, aided in part by the EPA Appropriate Assessment Tool (www.epa.ie), as well as by the information on file, including observations on the application made by prescribed bodies and other observers, and I have also visited the site.
- 7.6.8. I concur with the conclusions of the applicant's screening for AA, in that the only Natura 2000 site where there is potential for likely significant effects is the Connemara Bog Complex SAC (002034) as a result of proximity, but that there is no direct connectivity.

7.6.9. Significant impacts on the remaining SAC and SPA sites are considered unlikely, due to the distance, dilution factor and the lack of hydrological connectivity or any other connectivity with the application site in all cases having consideration of those site's conservation objectives. As such, it is reasonable to conclude that on the basis of the information on file, which I consider 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 European Sites:

- Connemara Bog Complex SPA (004181)
- Kilkieran Bay and Islands SAC (002111)

7.6.10. The qualifying interests of all three Natura 2000 Sites considered are listed below:

Table of European Sites/Location and Qualifying Interests

Site (site code) and Conservation Objectives	Distance from site (approx.)	Qualifying Interests/Species of Conservation Interest (Source: EPA / NPWS)
<p>Connemara Bog Complex SAC (002034)</p> <p>To maintain or restore the favourable conservation condition of habitats as listed in Special Conservation Interests.</p>	<p>30 metres</p>	<p>Coastal lagoons [1150]</p> <p>Reefs [1170]</p> <p>Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>) [3110]</p> <p>Oligotrophic to mesotrophic standing waters with vegetation of the <i>Littorelletea uniflorae</i> and/or <i>Isoeto-Nanojuncetea</i> [3130]</p> <p>Natural dystrophic lakes and ponds [3160]</p> <p>Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation [3260]</p> <p>Northern Atlantic wet heaths with <i>Erica tetralix</i> [4010]</p> <p>European dry heaths [4030]</p>

		<p>Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410]</p> <p>Blanket bogs (* if active bog) [7130]</p> <p>Transition mires and quaking bogs [7140]</p> <p>Depressions on peat substrates of the Rhynchosporion [7150]</p> <p>Alkaline fens [7230]</p> <p>Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]</p> <p>Euphydryas aurinia (Marsh Fritillary) [1065]</p> <p>Salmo salar (Salmon) [1106]</p> <p>Lutra lutra (Otter) [1355]</p> <p>Najas flexilis (Slender Naiad) [1833]</p>
<p>Connemara Bog Complex SPA (004181)</p> <p>To maintain or restore the favourable conservation condition of the bird species and habitats listed as Special Conservation Interests.</p>	1.1km	<p>Cormorant (Phalacrocorax carbo) [A017]</p> <p>Merlin (Falco columbarius) [A098]</p> <p>Golden Plover (Pluvialis apricaria) [A140]</p> <p>Common Gull (Larus canus) [A182]</p>
<p>Kilkieran Bay and Islands SAC (002111)</p> <p>To maintain or restore the favourable conservation condition of habitats as listed in Special Conservation Interests.</p>	0.83km	<p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Coastal lagoons [1150]</p> <p>Large shallow inlets and bays [1160]</p> <p>Reefs [1170]</p> <p>Atlantic salt meadows (Glaucopuccinellietalia maritimae) [1330]</p>

		<p>Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]</p> <p>Machairs (* in Ireland) [21A0]</p> <p>Oligotrophic to mesotrophic standing waters with vegetation of the <i>Littorelletea uniflorae</i> and/or <i>Isoeto-Nanojuncetea</i> [3130]</p> <p>Lowland hay meadows (<i>Alopecurus pratensis</i>, <i>Sanguisorba officinalis</i>) [6510]</p> <p><i>Lutra lutra</i> (Otter) [1355]</p> <p><i>Phoca vitulina</i> (Harbour Seal) [1365]</p> <p><i>Najas flexilis</i> (Slender Naiad) [1833]</p>
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7.6.11. The Table above reflects the EPA and National Parks and Wildlife Service (NPWS) list of qualifying interests for the SAC/SPA areas requiring consideration, also note Table 2 contained within the applicant's report.

Potential Effects on Designated Sites

7.6.12. The proposed development site is close to the borders of the Connemara Bog Complex SAC, albeit it separated by a regional road. Table 3 of the applicant's report sets out the Assessment of Likely Significant Effects, during construction and operational phase, no significant impacts are anticipated.

7.6.13. The appellant is specifically concerned that emissions to air have not been taken into account in the AA screening exercise. I can see from table 3 of the applicant's report that dust and noise during construction and direct emission to air and water during operation have all been taken into account. I am satisfied that the AA screening report has identified the potential for impacts during the construction and operational phase of the development.

7.6.14. In-combination Effects – Table 4 of the applicant's report sets out a list of planning consents in the area and concludes no potential for in-combination effects given the scale and location of the project.

7.6.15. **Consideration of Impacts:**

- There is nothing unique or particularly challenging about the proposed brownfield development, either at construction phase or operational phase.
- With regard to impacts on sites within a 15 km radius due to ecological connections, I am satisfied having regard to the nature and scale of the proposed development on serviced land, the minimum separation distances from European sites, the intervening uses, and the absence of direct source – pathway – receptor linkages, that there is no potential for indirect impacts on sites in the wider area (e.g. due to habitat loss / fragmentation, disturbance or displacement or any other indirect impacts) and that no Appropriate Assessment issues arise in relation to the European sites listed above.
- During the operational stage, after passing through surface water management systems, all stormwater generated onsite will be managed on-site through infiltration and to the existing estate stormwater water network. The surface water pathway creates the potential for an interrupted connection between the site and the Connemara Bog Complex and a distant hydrological connection between the proposed development and Kilkieran Bay and Islands SAC.
- During the construction phase standard pollution control measures are to be used to prevent sediment or pollutants from leaving the construction site and entering the water system. During the operational phase clean, attenuated surface water will be collected into the existing estate surface water system. The pollution control measures to be undertaken during both the construction and operational phases are standard practices for construction sites and would be required for a development on any site in order to protect local receiving waters, irrespective of any potential hydrological connection to Natura 2000 sites. In the event that the pollution control and surface water treatment measures were not implemented or failed, I remain satisfied that the potential for likely significant effects on the qualifying interests of Natura 2000 sites downstream can be excluded given the distant and interrupted hydrological connection, the nature and scale of the development and the distance and volume of water separating the application site from Natura 2000 sites in the Kilkieran Bay and Islands area (dilution factor).
- In terms of in combination impacts other projects within the west Galway area which can influence conditions in the Connemara Bog Complex via rivers and

other surface water features are also subject to AA. In this way in-combination impacts of plans or projects are avoided.

- 7.6.16. Surface water from the proposed development will combine with existing onsite measures already in place. These waters will ultimately drain to Galway Bay via a variety of watercourses. These are not works that are designed or intended specifically to mitigate an effect on a Natura 2000 site. They constitute the standard approach for construction works in an existing industrial estate area. Their implementation would be necessary for a commercial development on any similar site in order to protect the receiving local environment and the amenities of the occupants of neighbouring land regardless of connections to any Natura 2000 site or any intention to protect a Natura 2000 site. It would be expected that any competent developer would deploy them for works in an industrial estate site whether or not they were explicitly required by the terms or conditions of a planning permission.
- 7.6.17. The good construction practices are required irrespective of the site's hydrological connection via the estate surface water drainage system and groundwater catchment system to those Natura 2000 sites. They are not required for the purpose of mitigating any potential impact to those Natura sites, given the distance and levels of dilution that would occur in any event. There is nothing unique, particularly challenging or innovative about this commercial development on a brownfield site, either at construction phase or operational phase. It is therefore evident from the information before the Board that the proposed construction on the applicant's landholding would not be likely to have a significant effect on the Connemara Bog Complex SAC, Stage II AA is not required.

7.7. AA Screening Conclusion:

- 7.7.1. In reaching my screening assessment conclusion, no account was taken of measures that could in any way be considered to be mitigation measures intended to avoid or reduce potentially harmful effects of the project on any European Site. In this project, no measures have been especially designed to protect any European Site and even if they had been, which they have not, European Sites either located within the same groundwater catchment or located downstream are so far removed from the subject lands and when combined with the interplay of a dilution affect such potential impacts would be insignificant. I am satisfied that no mitigation measures

have been included in the development proposal specifically because of any potential impact to a Natura 2000 site.

- 7.7.2. It is reasonable to conclude that on the basis of the information on file, which I consider 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 the Connemara Bog Complex SAC, or any European site, in view of the sites' Conservation Objectives, and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required. In reaching this conclusion I took no account of mitigation measures intended to avoid or reduce the potentially harmful effects of the project on any European Sites.

8.0 Recommendation

- 8.1. Having regard to the above assessment, and based on the following reasons and considerations, it is recommended that permission be granted subject to conditions.

9.0 Reasons and Considerations

Having regard to the pattern of development in the vicinity and the policies of the Galway County Development Plan 2022 -2028, and the scale and nature of the proposed development, it is considered that the proposed development would not seriously injure the amenities of property in the vicinity, would not be prejudicial to public health and would be acceptable in terms of traffic and pedestrian safety and visual amenity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application and by the further particulars received by An Bord Pleanála on the 6th day of April 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 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 extensions shall be as submitted with the application, unless otherwise agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to commencement of development the developer shall submit to the Planning Authority a detailed surface water design proposal that incorporates an element of Sustainable Urban Drainage System measures if feasible, such a report and/or drawings shall be submitted to the planning authority for written agreement.

Reason: In the interest of public health and surface water management.

4. A plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

5. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of

development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management.

6. 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:

- (a) Location of the site and materials compound(s) including area(s) 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) Details of on-site car parking facilities for site workers during the course of construction;
- (e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
- (f) Measures to obviate queuing of construction traffic on the adjoining road network;
- (g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- (h) 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;

- (i) Provision of parking for existing properties at [specify locations] during the construction period;
- (j) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (k) 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;
- (l) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- (m) 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 Management Plan shall be kept for inspection by the planning authority.

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

7. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Saturdays inclusive, and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

8. 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 prior to commencement of development 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.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Stephen Rhys Thomas
Senior Planning Inspector

23 October 2023