



An
Bord
Pleanála

Inspector's Report

ABP-319403-24

Development

Change of use of factory unit to use for educational and training purposes, removal and replacement of internal stairs, construction of a protected stairwell, provision of new windows on southern elevation and ramped access at southern and western entrances.

Location

Eastát Tionsclaíoch Chasla, Casla, Doire Né, Co. na Gaillimhe.

Planning Authority

Galway County Council

Planning Authority Reg. Ref.

23/297

Applicant(s)

Udarás na Gaeltachta

Type of Application

Permission

Planning Authority Decision

Grant Permission

Type of Appeal

Third Party V. Grant

Appellant(s)

Michael Breathnach

Observer(s)

None

Date of Site Inspection

13th day of November 2024

Inspector

Fergal O'Bric

1.0 Site Location and Description

- 1.1. The subject site has a stated area of 0.3 hectares and is located within the Eastát Tionsclaíoch Chasla (Casla industrial estate) within the townland Dóire Né, north of the settlement of Casla in Connemara, Galway. The appeal site comprises an existing vacant industrial building, identified as 'Aonad 1' within the industrial estate. The appeal site is accessed off the internal industrial estate road, just west of the main vehicular access to the industrial estate off the R336, and in turn just north of its junction with the regional route, the R343, a regional thoroughfare linking Galway city with Carraroe via Casla. There is surface car parking within the confines of the appeal site, immediately east of the industrial unit. There is a public and footpath and streetlighting located on the opposite side of the internal service road.
- 1.2. Within the wider industrial estate, there is an industrial unit on the opposite side of the internal service road which operates as a builder's providers business and there are a number of other industrial units located further south within the overall industrial estate, many of which are occupied. The ground levels of the industrial building are located below the ground levels of the internal industrial estate road. The ground levels of the industrial building are consistent with those within its adjoining surface car parking area. There is hedgerow and landscaping along the northern and eastern site boundaries.

2.0 Proposed Development

- 2.1. The applicants are seeking to change the use of the existing vacant industrial building from industrial use to use as an education and training facility. A number of internal and external alterations are also proposed and would include the following:
- Removal and replacement of internal stairs,
 - Construction of a protected stairwell (internally),
 - Provision of new windows on the southern (front) elevation,
 - Ramped access at the southern and western entrances to the building.

- 2.2. Further information was submitted by the applicants on the 12th day of February 2024 in relation to: A car and bicycle parking layout, including details of a covered bicycle stand to serve the development in compliance with the Development Management Standards of the Development Plan; Details of on-site surface water management layout including the provision of a hydrocarbon interceptor and a justification for the education and training use proposed at the site. The applicants also submitted details of the precise nature of the educational training courses that would be provided within the factory unit and the numbers of staff/students that would be expected to attend the training courses.
- 2.3. The Planning Authority (PA) conducted an Appropriate Assessment (AA) screening exercise and concluded that the change of use at the site and the proposed minor alterations to the structure which would consist mainly of internal works, individually or in combination with other plans or projects, would not have a likely significant effect, direct or indirect, on any European designated site, their qualifying interests or conservation objectives and that a Stage 2 Appropriate Assessment is, therefore, not required.
- 2.4. The Planning Authority (PA) conducted an Environmental Impact Assessment (EIA) preliminary examination exercise and concluded that there is no real likelihood of significant effects on the environment arising from the development in the context of the EIA Directive, and that the need for EIA can, therefore, be excluded at preliminary examination stage and that a screening determination is not required.

3.0 Planning Authority Decision

Decision

Planning permission was granted subject to nine conditions. The pertinent conditions are as follows:

Condition number 3 and 4: Signage and advertisements

Condition number 5: Sight distance triangles shall be kept free from obstruction.

Condition 6: Surface water management.

Condition 8: lighting on site.

Condition 9: Construction hours.

4.1 Planning Authority Reports

4.1.1 Planning Report

Planning Reports were prepared by the Planning Authority on the 14th day of September 2023 and on the 1st day of March 2024.

Following the initial assessment of the development by Galway County Council's Planning Department, further Information was submitted by the applicants in relation to the following: Proposals to demonstrate compliance with the car parking/bicycle requirements set out within the Development Plan; Surface water management proposals for the development. Details of the proposed adult education training uses that would be conducted on site and details of the numbers of staff/students the training course(s) would cater for. The applicant submitted a response to the Request for Further Information on 24th day of November 2020.

Following their assessment of the further information response, the Planning Authority (PA) were satisfied that the proposed change of use and alterations to the building were acceptable and recommended that planning permission be granted, subject to the conditions as set out within Section 3.1 above.

4.1.2 Other Technical Reports

None received.

4.2 Prescribed Bodies

Transport Infrastructure Ireland – No objections.

4.3 Third Party Submissions

A third-party submission was received by the Planning Authority from a resident of An Tulach, Baile na hAbhann, Co. na Gaillamh. The issues raised within the submission can be summarised as follows:

- Sustainable development is welcome.
- The Planning Authority should exercise its expertise in assessing the proposals and that they are consistent with all relevant domestic and EU planning, environmental protection, human health and safety legislation.

4.4 Planning History

The following is considered to be the relevant planning history pertaining to the appeal site and the wider Casla industrial estate.

Subject Site:

I am not aware of any specific planning history pertaining to the appeal site.

History within wider Casla industrial estate:

Planning Authority Reference number 06/994: In 2006, Galway County Council granted planning permission for a new entrance onto the local road from the industrial estate to replace the access off the R336 to serve two industrial units.

Planning Authority Reference number 95/270: In 1995, Galway County Council granted planning permission for the development of a butterfly farm, horticultural centre and tea rooms.

5.0 Policy Context

5.1 Galway County Development Plan 2022-2028

The appeal site and the broader industrial estate lands are located within the Connemara Gaeltacht, although no specific land use zonings exist within the Casla area as set out with the current Galway County Development Plan (GCDP). Section 2 of the Plan sets out the Core and Settlement Strategies for the County and Casla is identified as being within Tier 7(b) -a rural node. Section 2.4.11 sets out the following in relation to rural settlements/nodes 'Rural population will continue to be supported through the villages and through a sustainable approach to maintaining the rural economy and population, balanced against reasonable environmental protection'.

Chapter 11: Community Development and social infrastructure

Policy Objective EDU1: Educational facilities:

Facilitate the provision of primary, second-level, third-level, vocational, outreach, research, adult and further educational facilities, lifelong learning facilities and digital capacity for distance learning to meet the needs of the County. Multiuse facilities which can accommodate both educational and childcare facilities are also encouraged.

Chapter 13 of the Plan specifically pertains to the Galway Gaeltacht and the Islands. The village settlement of Casla is located within District C: Ceantar na nOileán/An Cromptán.

Section 13.6 Preserving and promoting An Ghaeltacht in the planning process.

The Council will seek to support An Ghaeltacht by considering favourably appropriate development within the Gaeltacht area.

The following policy objectives are considered relevant to the current proposals:

GA 3 Support the Statutory Development Agencies

Support all of the statutory development agencies, especially Údarás na Gaeltachta, to achieve sustainable development in the Galway Gaeltacht while protecting and promoting the Irish language as the first community language of the area.

Section 13.8-Economic Development of Gaeltacht and Islands.

GIED 1 Economic Development in An Ghaeltacht and the Islands.

To promote and support developments that contribute to the economic development of the Gaeltacht and Islands in a sustainable manner at suitable locations.

GIED 2 Development of Brownfield sites within Gaeltacht settlements

Encourage the redevelopment of existing brownfield sites within established villages in the Gaeltacht area in order to maximise the sustainable regeneration of underutilised/vacant lands and/or buildings for potential commercial, cultural, retail, community and residential developments.

Chapter 15: Development Management standards

Table 15.5 of the development plan sets out car parking standards for a multiplicity of uses. However, there are no specific standards set out for education and training facilities.

5.2 Natural Heritage Designations

The closest Natura 2000 sites are the Connemara Bog Complex SAC (site code (002034), located on the opposite side of the R336 from the industrial estate, the Connemara Bog Complex SPA (site code (004081) located approximately 2.71 kilometres north-east of the appeal site and the Kilkieran Bay and islands SAC (site code 002111) located approximately 2.5 kilometres north-west of the appeal site.

5.3 Environmental Impact Assessment (EIA) Preliminary Screening

5.3.1 Having regard to the nature and scale of the proposed works within the confines of an established industrial unit and the proposed change of use to an educational and training facility which is partially serviced by means of a connection to the watermains and to the nature of the receiving environment there is no real likelihood of significant effects on the environment arising from the proposed development. The

need for environmental impact assessment can, therefore, be excluded at preliminary examination.

6.0 The Appeal

6.1 Grounds of Appeal

A third-party appeal has been lodged by a resident of 'An Tulach', Baile na hAbhann, Co. na Gaillimhe, the grounds of which can be summarised as follows:

- The planning decision was made by the Planning Authority (PA) on the 1st day of March 2024, but they failed to post notification of the planning decision until the 12th day of March 2024.
- The planning and environmental assessments are incomplete and insufficiently detailed to enable environmental protection and sustainable development.
- The impact of the proposed change of use on a development permitted under planning reference 95/270 which related to the development of a horticultural centre, tea rooms and butterfly farm within the industrial estate is an issue.
- There is insufficient information as to the exact nature of the education and training use proposed, in terms of the number of students and staff that the development would accommodate.
- The Planning Authority (PA) erred in failing to identify in-combination effects with other plans and projects, both internally and externally to the industrial estate.
- It appears the PA conducted an incomplete assessment of the proposed development at a sensitive location under the Birds and Habitats directive, the Water Framework Directive (WFD) and the Environmental Impact Assessment (EIA) Directive.
- Within the Appropriate Assessment (AA) screening conducted by the PA, there is an absence of reference relating to emissions to air, soil or water during the construction phase. The failure to identify a connection between the appeal site and European sites is in error, since air is a direct ecological conduit for pollution such as noise and light.

- The PA failed to screen the proposed change of use under the provisions of the EIA directive. The assessment conducted is based on incomplete and insufficient details regarding the nature and size of the proposed change of use development.
- There was no consultation with the Environmental Protection Agency (EPA), since the industrial estate is currently recorded as being subject to an Integrated Pollution Prevention Control (IPPC) licence (licence number P0210-01).
- There is an absence of assessment regarding discharge of surface waters and wastewater to the nearby marine waters.
- The Board are requested to assess the proposals in a manner fully consistent with all relevant domestic and EU environmental legislation and case law.

6.2 Applicant's response to appeal submission

6.2.1 None received.

6.3 Planning Authority Response

6.3.1 None received.

7.0 Assessment

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

- Principle of Development
- Traffic and Car parking
- Environmental Impact Assessment
- Alterations to Building
- Other Issues

- Appropriate Assessment

7.2 Principle of Development

- 7.2.1 The site is located within the Connemara Gaeltacht, although no land use zonings exist within the rural node of Casla as set out with the current GCDP 2022-28. However, the appeal site is located within an established industrial estate, managed and developed by Udarás na Gaeltachta. It is apparent that the appeal site and the lands immediately south of the appeal site have been developed to provide for the creation and promotion of industry and enterprise and to facilitate opportunities for employment expansion and creation and ancillary uses.
- 7.2.2 Within the Settlement Strategy of the current GCDP, Casla is identified as being within Tier 7(b) -a rural node. Section 2.4.11 sets out the following in relation to rural settlements/nodes 'Rural population will continue to be supported through the villages and through a sustainable approach to maintaining the rural economy and population, balanced against reasonable environmental protection'. Section 13 of the GCDP pertains to An Ghaeltacht and the Islands. I note that there are a number of specific policy objectives set out within this section within the Development Plan which the current proposal would be consistent with, namely GIED 1 'To promote and support developments that contribute to the economic development of the Gaeltacht and Islands in a sustainable manner at suitable locations and GIED 'Encourage the redevelopment of existing brownfield sites within established villages in the Gaeltacht area in order to maximise the sustainable regeneration of underutilised/vacant lands and/or buildings for potential commercial, cultural, retail, community and residential developments. Within Section 11 of the Plan there is a specific policy objective UD1 which seeks to' Facilitate the provision of primary, second-level, third-level, vocational, outreach, research, adult and further educational facilities, lifelong learning facilities and digital capacity for distance learning to meet the needs of the County. Multiuse facilities which can accommodate both educational and childcare facilities are also encouraged. I consider that the current proposals would assist in realising these specific policy objectives.
- 7.2.3 The applicants submitted information as to the nature of the proposed education and training use as part of their further information response to the PA. The applicants

stated that the proposed use would provide opportunities for the upskilling of adult learners specifically focusing on green skills and retrofit training, all of which are related to the green circular economy, sustainable development and assisting in reducing our carbon footprint. Therefore, in this instance, I consider that the proposed education and training use would be appropriate within the industrial estate location, given it would involve the use of an underutilised and vacant industrial building on a brownfield site, accessible to and in close proximity to a rural node in Casla, which is served by public transport and accessible to the wider Galway, Carna, Clifden, Letterfrack and wider Connemara hinterland.

- 7.2.4 In Conclusion, I consider that the change of use and modifications to the industrial building represent an appropriate and sustainable form of development within an underutilised and brownfield site and within a rural settlement node as designated within the Development Plan, subject to other issues in relation to traffic and car parking, environmental and appropriate assessment being in order. I am satisfied that the proposed development would result in a positive employment benefit on the subject site. As such, I am satisfied that the principle of the proposed development is acceptable in this instance.

7.3 Traffic and Car Parking

- 7.3.1 The development would provide an additional 6 spaces to the west of the building within the appeal site in addition to the eight car parking spaces to the east of the building. The applicants stated within their further information response that on average ten to twelve students would attend their training course but a maximum of fourteen students would be accommodated on a course. It is also stated that up to five staff would also be employed on site. This would provide for a maximum of nineteen people attending the site at any one time. I consider that the provision of 14 car parking spaces (including the provision for three electric vehicle charge spaces and one wheelchair accessible space) would be sufficient to serve the car parking needs of the education and training facility. The appeal site is located within the 50 kilometres per hour speed control zone and in proximity to the settlement of Casla and the R336 regional route (approximately 500 metres north of this route) which is served by a regular bus service linking Galway City and the wider Connemara

hinterland and also having regard to the proposal to provide ten covered bicycle parking spaces.

7.3.2 Table 15.5 within the Development Plan does not set out any specific car parking standards for education and training facilities. The closest use that would be applicable would be an education use, which sets out a requirement of two spaces per classroom for secondary schools. However, given that the current proposals relate to the provision of an adult education and training facility, where car ownership would be more prevalent, a higher standard of car parking provision would be required in this instance. I consider that the provision of fourteen on site car parking spaces would be sufficient to serve the staff and students that would attend the adult education and training facility. I am of the opinion that a number of the staff/students would carpool, others would cycle or use public transport to get to and from the education and training facility and, therefore, the level of on-site car parking provision is considered acceptable.

7.3.3 In conclusion, I am satisfied that the level of car and bicycle parking provision is acceptable and would accord with the policies and objectives of the Development Plan. I note that Transportation Infrastructure Ireland has outlined no objections to the proposals in this regard.

7.4 Environmental Impact Assessment

7.4.1 An Environmental Impact Assessment Screening report was not submitted with the application.

7.4.2 Class (10)(a) and (b) of Schedule 5, Part 2 of the Planning and Development Regulations 2001 (as amended) provides that mandatory EIA is required for the following classes of development:

- Industrial estate development projects, where the area would exceed 15 hectares.

- Construction of a car park providing more than 400 spaces, other than a car park provided as part of, and incidental to the primary purpose of a development.

7.4.3 It is proposed to develop 6 additional car parking spaces to the west of the industrial unit to serve the development in addition to nine covered bicycle parking spaces to serve the education and training facility. The area of the overall site at 0.3 hectares is well below the threshold of 15 hectares for an industrial estate development project. The number of car parking spaces proposed is well below the threshold of 400 spaces noted above. The site is located within a permitted and established industrial estate and currently comprises a vacant industrial unit. The site area is, therefore, well below the applicable threshold of 15 ha for the development of an industrial estate development project. The alterations to the building nor its proposed change of use within a predominantly industrial/commercial area will not have an adverse impact in environmental terms on surrounding land uses. It is noted that the site is not located within an area of landscape sensitivity or of natural or cultural heritage and the proposed development is not likely to have a significant effect on any European Site (as discussed below in section 8 of my report). There is no hydrological connection present such as would give rise to significant impact on nearby water courses (whether linked to any European site/or other). The proposed development would not give rise to waste, pollution or nuisances that differ from that arising from other development in this vicinity. It would not give rise to a risk of major accidents or risks to human health. The proposed development would use the public water and drainage services of Irish Water and Galway County Council, upon which its effects would be marginal.

7.4.4 Having regard to: -

- The nature and scale of the proposed development, which is under the mandatory threshold in respect of Class 10 - Infrastructure Projects of the Planning and Development Regulations 2001 (as amended),
- The location of the site on lands that are identified as industrial, by virtue of the planning history associated with the lands, and the results of the strategic

environmental assessment of the Galway County Development Plan, undertaken in accordance with the SEA Directive (2001/42/EC),

- The location of the site within a permitted and established industrial area, which is served by public watermain, and the existing pattern of industrial development in the vicinity,
- The location of the site outside of any sensitive location specified in article 109 of the Planning and Development Regulations 2001 (as amended) and the mitigation measures proposed to ensure no connectivity to any sensitive location,
- The guidance set out in the “Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development”, issued by the Department of the Environment, Heritage and Local Government (2003), and
- The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended).

7.4.5 I have concluded that, by reason of the relatively minor nature and scale of the development and the location of the subject site, the proposed development would not be likely to have significant effects on the environment and that, on preliminary examination, an Environmental Impact Assessment Report (EIAR) for the proposed development is not necessary in this case.

7.5 Alterations to Building

7.5.1 The applicants acknowledge that the alterations proposed represent a departure from the building permitted on site. The extent of the departure is clearly set out within the planning documentation submitted. The alterations are significant enough to require planning permission. However, I consider that the departures have been clearly illustrated and justified within the planning documentation submitted, in terms of the industrial uses permitted within the appeal site and the established industrial/commercial/community uses that exist within the Casla industrial estate. which are considered to be acceptable.

- 7.5.2 The development as proposed would provide for new ramped access points to the existing southern and western entrances to the building. These ramped accesses are required in order to demonstrate compliance with Part M of the current Building Regulations. I consider that the alterations to the access points are, therefore, acceptable. The issue of compliance Building Regulations will be evaluated under a separate legal code and thus need not concern the Board for the purposes of this appeal.
- 7.5.3 Aside from the change of use proposed, the applicants are proposing to make a number of alterations to the building. Internally, it is proposed to remove and replace an internal stairs linking the ground floor to the first-floor mezzanine floor area to the south of the building and the construction of a protected stairwell in place of the existing open stairs. These alterations to the internal stairs' arrangement are required in order to comply with current fire regulation standards whereby a one-hour fire protected stairwell would be provided, so that a fire safety certificate could be sought in order that the education and training facility would be in compliance with current fire safety regulations. The footprint of the building will largely remain as is, however, a reconfiguration of the ground and first floor spaces to the front (south of the building is proposed). The alterations will include current ground floor offices being replaced with a reception area, training room and canteen and a wheelchair accessible ground floor toilet would be provided, where the existing toilets are located. At first floor level, one window would be removed, and two new windows would be provided within the front (southern) elevation and a new partition wall is proposed in order to provide for a number of separate office spaces, all within the same footprint of what currently exists on site. The issue of compliance Fire Regulations will be evaluated under a separate legal code and, thus, need not concern the Board for the purposes of this appeal.
- 7.5.4 Externally, accessibility ramps would be provided at the existing entrance points to the building on the southern and western elevations. The ramps would be 4.8 metres in length long and 1.8 metres wide and would be enclosed by a metal railing. The ramped area would incorporate a 1.8 square metre landing area (level area) beside the access door. These alterations are required to demonstrate compliance with Part M of the Building Regulations, in terms of having all buildings and their sanitary

facilities accessible. The other external alterations, relating to the opening of the two additional windows and removal of one window on the southern (front elevation) at first floor level are considered acceptable.

7.5.5 In conclusion, the alterations are of a modest scale and are mainly required to demonstrate compliance with other legal codes, outside of the planning legislation. I consider that the alterations which will provide for a safe education and training environment for the staff and students that would attend the proposed education and training facility and would accord with the proper planning and sustainable development of the area.

7.6 Other Issues

7.6.1 From the information provided by the Planning Authority, there is correspondence on the file dated the 1st day of March 2024 (same date of the planning decision) and addressed to the appellant notifying him of the decision to grant planning permission for the development and informing him of his right to appeal the planning decision within four weeks of the decision date.

7.6.2 From the planning reports prepared by the Planning Authority, it is apparent that they carried out an Appropriate Assessment (AA) screening exercise and a preliminary examination in relation to Environmental Impact Assessment (EIA). I note, that as part of their further information response they submitted details of surface water management within the site, which comprises a storm sewer pipeline which outfall to an existing soakaway and that hydrocarbon interceptors would be provided prior to discharge on the soakaway. Therefore, I consider that the surface water management proposals would be compliant with best practice surface water management standards. Therefore, I am satisfied that the proposals will not adversely impact water quality in the area. Wastewater discharge is into the existing wastewater treatment plant (WWTP) serving the industrial estate. I do not consider that the Population Equivalent (PE) emanating from the development will be significantly different than emanates from the existing factory building on site and, therefore, no additional pressure would be added to the wastewater treatment plant. The outfall from the on WWTP is managed by a discharge licence, a process that is monitored by the Environmental Protection Agency (EPA).

- 7.6.3 In relation to emissions from the site, I acknowledge there would be some minor emissions in terms of noise, dust and vibration during the construction of the two ramped access points to the building. However, most of the works proposed are of an internal nature and any noise or dust would be contained within the intern of the building. The two ramped accesses would be constructed over a relatively short duration, and I consider that any emissions would be of a minor nature and would not adversely impact upon the local receiving environment. I am satisfied that the operation of the development as an education and training facility would not generate any adverse emissions to the local environment.
- 7.6.4 Each application or appeal is considered on its own planning merits. The nature of the change of use, and/or the relatively minor internal and external alterations would not require consultation with the Environmental Protection Agency given that the emissions that would be generated would be of a very modest scale as referenced in Section 7.6.8 above.
- 7.6.5 The appellant makes reference to an Integrated Pollution Control (IPC) licence P0210-01. However, this particular licence relates to a Polymer manufacturing facility located further south within the industrial estate and the licence was issued by the Environmental Protection Agency (EPA) in the late 1990's. Each application/appeal must be considered on its planning merits and this particular appeal is no different in this regard.
- 7.6.6 The appellant also references a historic planning permission, planning reference 95-270 in relation to the development of a horticultural centre, tea rooms and butterfly farm further south within the industrial estate. I am unaware as to how the current proposals could impact upon that permitted development.
- 7.6.7 In conclusion, the issue of compliance with Fire and Building Regulations will be evaluated under a separate legal code and thus need not concern the Board for the purposes of this appeal.

8.0 Appropriate Assessment

8.1 Appropriate Assessment-Screening

8.1.1 The appeal site is located approximately 5 metres west of the Connemara Bog Complex SAC (site code (002034), located on the opposite side of the R336 from the industrial estate, the Connemara Bog Complex SPA (site code (004081) located approximately 2.71 kilometres north-east of the appeal site) and the Kilkieran Bay and islands SAC (site code 002111) located approximately 2.5 kilometres north-west of the appeal site.

8.1.2 There are no surface water drains or watercourses within the appeal site boundary. Therefore, there are no surface water pathways linking the appeal site to any European site. I am satisfied that by virtue of the fact that a change of use within an existing structure is proposed and by virtue of the modest scale of the proposed works and the absence of hydrological and/or ecological connectivity between the appeal site and the Natura 2000 sites, that it is unlikely that the proposals would adversely impact upon these European sites qualifying interests or adversely impact upon water quality and, therefore, these two sites can be screened out.

8.1.3 I am satisfied that having regard to the modest nature of the proposed alterations to the building and that the subject site is located sufficiently far away from the Natura 2000 sites in question to ensure that no adverse impact arises during the construction phase to the qualifying interests associated with the Natura 2000 sites identified. There is no surface water hydrological or ecological connectivity between the subject site and the Natura 2000 sites referred to above. I am, therefore, satisfied that the proposal will not pose a risk to any of the qualifying interests associated with the Natura 2000 sites during the construction phase. During the operational phase, the only discharge arising from the proposed project will be surface water runoff and any such surface water would discharge to ground. On this basis, I am satisfied that the proposed development will not give rise to any adverse impacts on the qualifying interests associated with the two European sites. Therefore, having regard to the relatively modest nature and scale of the proposed development and the nature of the receiving environment together with the

separation distance to the nearest European sites, no appropriate assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect individually, or in combination with other plans or projects on a European site.

8.1.4 I also consider that with the implementation of the best practice construction measures and the standard construction pollution control measures included in the design of the development, it is not expected that the development would give rise to any direct, indirect or secondary impacts on the Connemara Bog Complex SAC, the Connemara Bog Complex SPA nor the Kilkieran Bay and islands SAC).

8.1.5 In conclusion, having regard to the location of the development on a brownfield site within an existing telecommunications exchange compound and the fact that the proposals relate to replacement telecommunications infrastructure, albeit up to four metres taller, where there is no requirement for watermain or foul sewer services, the lack of suitable habitat within the appeal site boundary and the separation distance from Natura 2000 sites and absence of ecological/hydrological connectivity to any European site via surface or groundwater, I consider that the proposed development either alone, or, in combination with other plans or projects, would not be likely to have significant effects on a European site, in view of the sites' conservation objectives and that, therefore, a Stage 2 Appropriate Assessment and the submission of a Natura Impact Statement is not required.

9.0 Recommendation

I recommend that planning permission be granted.

10.0 Reasons and Considerations

Having regard to the brownfield nature of the appeal site, the underutilised status of the industrial building and the proposals to introduce educational and training uses within the building which would provide opportunities to upskill adults in the areas of the green circular economy, including the retrofit of buildings. The proposals would also support the realisation of policy objective EDU 1 within the current Galway County Development Plan 2022-28 in relation to facilitating educational and training

needs within the County. The alterations to the building are of a relatively modest scale, mainly affecting the interior of the building and largely relate to updating the building in terms of current building and fire regulation standards. I am satisfied that the nature of the relatively minor works proposed would not result in the creation of a traffic hazard, would provide for a building in accordance with current building and fire standards, would not adversely impact upon the local receiving environment nor upon any of the European designated sites. Therefore, on balance, it is considered that, subject to compliance with the conditions set out below, the proposed development would accord 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, as amended by the further plans and particulars submitted on the 24th day of July 2023 and on the 12th day of February 2024, 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. Drainage arrangements, including the 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.

3. The applicant or developer shall enter into a water and/or wastewater connection agreement(s) with Irish Water.

Reason: In the interest of public health.

4. The construction of the development shall be managed in accordance with a Construction and Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall contain details for the management of waste, including the provision of facilities for the storage, noise management measures, separation and collection of the waste and in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority within eight weeks of the date of grant of this planning application. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: To ensure the provision of adequate refuse storage.

- 5 Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, 0800 to 1400 on Saturdays 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.

- 6 Storage of materials shall not be permitted on the public road or footpath

Reason: In the interest of pedestrian and traffic safety.

- 7 Details of external signage shall be agreed in writing with the Planning Authority prior to the commencement of development.

Reason; In the interest of architectural heritage.

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.

Fergal Ó Bric

Planning Inspectorate

23rd day of December 2024