

#### COMHAIRLE CLARE CONTAE AN CHLÁIR COUNTY COUNCIL

Armada Hotel Holdings Ltd. C/o Mary Kelleher, MKO **Tuam Road** Galway H91 VW84

#### 25/04/2025

# Section 5 referral Reference R24-6 – Armada Hotel Holdings Ltd.

Whether works undertaken to maintain/improve the existing wastewater treatment system at Armada Hotel are considered development and if so is it exempted development? The maintenance/improvement works comprised of the replacement of the wastewater treatment plant.

A Chara,

I refer to your application received on 22nd January 2024 under Section 5 of the Planning & Development Act 2000 (as amended) in relation to the above and subsequent correspondence in relation to this matter.

Please note that An Bord Pleanála have made a determination on the above-mentioned section 5 referral. Please find enclosed a copy of the determination from An Bord Pleanála.

Mise, le meas

**Planning Department** 

**Economic Development Directorate** 

An Roinn Pleanála An Stiúrthóireacht Forbairt Gheilleagrach Áras Contae an Chláir, Bóthar Nua, Inis, Co. an Chláir, V95 DXP2

**Planning Department Economic Development Directorate** 

Áras Contae an Chláir, New Road, Ennis, Co. Clare, V95 DXP2





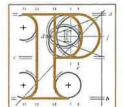






Our Case Number: ABP-319064-24

Planning Authority Reference Number: R24-06



An Bord Pleanála

Clare County Council Planning Department New Road Ennis Co. Clare



Date: 2 3 APR 2025

Re: Whether works undertaken to maintain/improve the wastewater treatment system is or is not

development or is or is not exempted development.

Armada Hotel, Spanish Point, Miltown Malbay, Co. Clare

Dear Sir / Madam,

An order has been made by An Bord Pleanála determining the above-mentioned referral under the Planning and Development Acts 2000 to 2022. A copy of the order is enclosed.

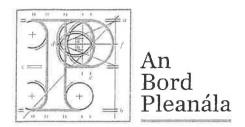
In accordance with section 146(5) of the Planning and Development Act 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to any matter falling to be determined by it, within 3 days following the making of its decision. The documents referred to shall be made available for a period of 5 years, beginning on the day that they are required to be made available. In addition, the Board will also make available the Inspector's Report, the Board Direction and Board Order in respect of the matter on the Board's website (www.pleanala.ie). This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

The Public Access Service for the purpose of inspection/purchase of file documentation is available on weekdays from 9.15am to 5.30pm (including lunchtime) except on public holidays and other days on which the office of the Board is closed.

Yours faithfully,

Kieran Somers Executive Officer

RL100n



# Board Order ABP-319064-24

Planning and Development Acts 2000 to 2022

Planning Authority: Clare County Council

Planning Register Reference Number: R24-06

WHEREAS a question has arisen as to whether works undertaken to maintain/improve the existing wastewater treatment system, which comprise of the replacement of the wastewater treatment plant, at the Armada Hotel, Spanish Point, Miltown Malbay, County Clare is or is not development or is or is not exempted development,

AND WHEREAS Armada Hotel Holdings Limited care of MKO Planning and Environmental Consultants of Tuam Road, Galway requested a declaration on the said question from Clare County Council and the Council did not issue a declaration,

**AND WHEREAS** Clare County Council referred the question to An Bord Pleanála on the 16<sup>th</sup> day of February, 2024,

**AND WHEREAS** An Bord Pleanála, having considered the nature of the question, is satisfied that the referral should not be further considered by it,

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by section 138(1) of the Planning and Development Act 2000, as amended, hereby dismisses the said referral under subsection (1)(b)(ii) of section 138 of the said Act based on the reasons and considerations set out below.

# Reasons and Considerations

The referral relates to the replacement of the wastewater treatment plant which was previously deemed not to be exempted development under planning register reference number R21-38. The Board notes that the previous determination of the planning authority in relation to substantially the same question, and in respect of the same land, has been declared as development which is not exempted development and that there has been no change in the question, planning facts or circumstances since the previous determination was made that would have relevance to the referral case now before the Board. The Board is, therefore, satisfied that, in the particular circumstances, the referral should not be further considered by it.

Mick Long

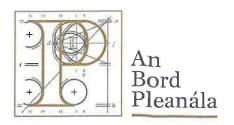
Member of An Bord Pleanála duly authorised to authenticate the seal of the Board.

Dated this 23 day of April

2025.

Our Case Number: ABP-319064-24

Planning Authority Reference Number: R24-06



Clare County Council Planning Department New Road Ennis Co. Clare



Date: 24 October 2024

Re: Whether works undertaken to maintain/improve the wastewater treatment system is or is not

development or is or is not exempted development.

Armada Hotel, Spanish Point, Miltown Malbay, Co. Clare

Dear Sir / Madam,

I have been asked by the Board to refer to the above-mentioned case and in particular, to the Board's notice to you under section 126 of the Planning and Development Act 2000, in which it was indicated that the Board intended to determine this case before **24 October 2024**.

I regret to inform you that, the Board will not now be in a position to determine the case before that date.

There has been a significant turnover of personnel at board level in the organisation over recent months which has resulted in severely restrained capacity at board level and a consequent backlog of cases for determination. The replacement of board members and recruitment of additional overall staff resources is progressing and will provide the necessary capacity to address current delays in determining cases.

This case will be determined as soon as practicable.

The delay in determining the case is regretted.

Yours faithfully,

Karen Hickey

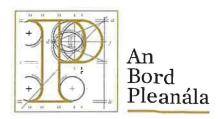
Karen Hickey Executive Officer

Direct Line: 01-8737295

BPRL91A

Our Case Number: ABP-319064-24

Planning Authority Reference Number: R24-06



Clare County Council Planning Department **New Road Ennis** Co. Clare



Date: 24 June 2024

Re: Whether works undertaken to maintain/improve the wastewater treatment system is or is not

development or is or is not exempted development. Armada Hotel, Spanish Point, Miltown Malbay, Co. Clare

Dear Sir / Madam,

I have been asked by An Bord Pleanala to refer to the above mentioned referral.

In accordance with section 126(2)(a) of the Planning and Development Act, 2000, (as amended), it is a statutory objective of the Board to ensure that every referral received is determined within 18 weeks beginning on the date of receipt of the referral. Where it appears to the Board that it would not be possible or appropriate to determine a referral within this period, a notice must be sent to the parties to the referral in accordance with section 126(3)(a) of the 2000 Act, (as amended).

The Board hereby serves notice under section 126(3)(a) that it will not be possible to determine the case within the statutory objective period due to a backlog of cases.

The Board now intends to determine the above referral before 24th October 2024. The Board will take all such steps as are open to it to ensure that the referral is determined before that date.

Yours faithfully,

Kale

Karen Hickey **Executive Officer** 

Direct Line: 01-8737295

**BPRL90** Registered Post



REGISTERED POST The Secretary An Bord Pleanála 64 Marlborough Street, Dublin 1. D01 V902

27th February 2024

An Bord Pleanála Reference Number: ABP-319064-24

# Section 5 referral Reference R24-6 – Armada Hotel Holdings Ltd.

Whether works undertaken to maintain/improve the existing wastewater treatment system at Armada Hotel are considered development and if so is it exempted development? The maintenance/improvement works comprised of the replacement of the wastewater treatment plant.

Dear Sir/Madam,

I refer to the above and enclose herewith all documents as requested in your submission dated 19th February 2024.

- (i) Please see attached previous planning decisions on this particular site.
- (ii) Please see attached previous Section 5 declaration application decisions and correspondence with the applicant.
- (iii) The name and address of the owner is Armada Hotel Holdings Ltd, Spanish Point, Miltown Malbay, Co. Clare. The occupier of the land is the same.
- (iv) Armada Hotel Holdings Ltd, Spanish Point, Miltown Malbay, Co. Clare
- The Section 5 declaration was due to be issued on the 15th February 2024. (v)

An Roinn Pleanála An Stiúrthóireacht Forbairt Gheilleagrach

Áras Contae an Chláir, Bóthar Nua, Inis, Co. an Chláir, V95 DXP2

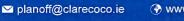
**Planning Department Economic Development Directorate** 

Áras Contae an Chláir, New Road, Ennis, Co. Clare, V95 DXP2













Yours sincerely,

**Brian Fahy** 

**Planning Department** 

**Economic Development Directorate** 

Enc.

Note: If you have any queries on the appeal, please contact the Planning Section, Clare

County Council on telephone number (065) 6846382.

Our Case Number: ABP-319064-24

Planning Authority Reference Number: R24-06



Clare County Council Planning Department New Road Ennis Co. Clare



Date: 19 February 2024

Re: Whether works undertaken to maintain/improve the wastewater treatment system at Armada Hotel are considered is or is not development and if so is or is not exempted development? The maintenance/improvement works comprised of the replacement of the wastewater treatment plant Armada Hotel, Spanish Point, Miltown Malbay, Co. Clare

Dear Sir / Madam,

An Bord Pleanála has received your referral and will consider it under the Planning and Development Act, 2000, (as amended). A receipt for the fee lodged is enclosed.

In order to comply with section 128 of the Planning and Development Act, 2000, (as amended), please forward, within a period of 2 weeks beginning on the date of this letter, copies of any information in your possession which is relevant to the referral, including:

- (i) details of previous decisions affecting the site;
- (ii) any correspondence that has taken place between the person(s) issued with a declaration under subsection (2)(a) of section 5 of the 2000 Act, (as amended), and the planning authority;
- (iii) the name and address of the owner of the land in question and the name of the occupier of the said land, if different;
- (iv) the names and addresses of all persons notified by you under subsection (2) of section 5 of the 2000 Act, (as amended);
- (v) where no declaration was issued by you, indicate the date that the declaration was due to be issued in accordance with subsection (2) of section 5 of the 2000 Act, (as amended).

Please note that under section 127(3) of the Planning and Development Act, 2000, (as amended), the person by whom the referral is made shall not be entitled to elaborate in writing upon or make further submissions in writing in relation to the grounds of the referral unless requested to do so by An Bord Pleanála.

Yours faithfully,

Daniel Moore

**Administrative Assistant** 

Direct Line:

BPRL01PA



# Táille Reachtúil Statutory Receipt

Ainm an Chustaiméara:	Clare County Council
Name of Customer:	
Gníomhaire:	
Agent:	
Íocaíocht Faighte:	€110
Payment Received:	
Modh Íocaíochta:	Money Order
Payment Method:	
Uimh. Aitheantais Lóisteála:	LDG-069917-24
Lodgement ID:	
Cineál na Lóisteála:	Referral
Lodgement Type:	
larratas ar éisteacht ó bhéal	No
Oral Hearing Request:	
Dáta Faighte:	16/02/2024
Date Received:	
Faighte ag: Received by:	Andrea Caraus



REGISTERED POST The Secretary An Bord Pleanála 64 Marlborough Street, Dublin 1, D01 V902

15th February 2024

# Section 5 referral Reference R24-06 – Armada Hotel Holdings Ltd

Q1. Whether works undertaken to maintain/improve the existing wastewater treatment system at the Armada Hotel are considered development and if so is it exempted development. The maintenance improvement works comprised the replacement of the wastewater treatment plant.

A Chara,

The Planning Authority has received a Section 5 declaration with respect to the above works.

I wish to advise that the Planning Authority has not made a declaration in this instance and is now referring the matter to An Bord Pleanála for a determination under Section 5(4) of the Planning and Development Act, 2000, as amended.

I attach relevant details in relation to same along with fee of €110.00 for the referral.

Mise, le meas

Kieran O'Donnell

**Administrative Officer** 

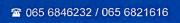
**Planning Department** 

**Economic Development Directorate** 

Áras Contae an Chláir, Bóthar Nua, Inis, Co. an Chláir, V95 DXP2

An Roinn Pleanála An Stiúrthóireacht Forbairt Gheilleagrach

**Economic Development Directorate** Áras Contae an Chláir, New Road, Ennis, Co. Clare, V95 DXP2







**Planning Department** 









stal Mo	one	y O	rde	160	ĀTĀ				or D	ost
ACCOUNT PAYER  ACCOUNT PAYER  OATE 15 February	otha ag C		ist lice	C. LOOP	3 AME	) X	MXX	18080	2000549464322X	
DC/PAY/AN	Bo	RD	PL	EAN	AMT	nor e	ONE -	HUNDR	ED AND ELEVEN E	URO
MÉID AMOUNT	10 000 XXXXX	1000 XXXXX	100 UNE	10 ONE	1 ZERO	c 00		€	EUR110.00XXXXXX	(
AG AT								29	=	
INIOCHTA I BPOBLAC	HT NA	<b>hEIRE</b> Uaslua	ch Mio	AMHAI ndíola €	650 M	ABLE I	n Retail	Value	BLIC OF IRELAND €650.	ONLY.

#976732# 99#0205# 0000000# 09

### CLARE COUNTY COUNCIL

#### **SECTION 5 REFERRAL**

Reference No: R24-06

Applicant:

Armada Hotel Holdings Ltd

Location:

**Armada Hotel, Spanish Point** 

Proposal:

Whether works undertaken to maintain / improve the existing waste

water treatment system at the Armada Hotel are considered

development and if so is it exempted development. The maintenance

improvement works comprised the replacement of the waste water

treatment plant.

**Due Date:** 

15 Jan 24

This proposal is a request for a declaration under Section 5 of the Planning and Development Act, 2000 as amended to determine whether or not the following constitutes exempted development.

'Whether works undertaken to maintain / improve the existing waste water treatment system at the Armada Hotel are considered development and if so is it exempted development. The maintenance improvement works comprised the replacement of the waste water treatment plant'.

Previous planning decisions affecting the site

23/ 60374 Armada Hotel Holdings Ltd . Retention of the wastewater treatment plant serving the existing Armada Hotel Complex along with associated site works. WITHDRAWN

22/ 677 Armada Hotel Holdings Ltd RETENTION\_of the wastewater treatment plant serving the existing Armada Hotel Complex along with associated site works. Deemed WITHDRAWN

21/999 Armada Hotel Holdings Ltd. Application for permission to install a new wastewater treatment plant and polishing filter to serve the existing Armada Hotel Complex along with associated site works. The application will be accompanied by a Natura Impact Statement. Deemed WITHDRAWN

20/84\_Armada Hotel Holdings Ltd. Permission granted to construct/install a cabin to be used as short-term tourist accommodation ancillary to the existing Armada Hotel Complex and to install a waste water storage tank along with associated site works.

19-849: Permission granted for a) to construct an extension and outside winter garden area to the bar/dining room area on the south elevation b) to construct an extension and outside terrace area to the pre-wedding reception area on the south elevation along with associated site works.

18/89 –Granted - to retain indefinitely the existing Snug and Covered Smoking Area to the front of the building. To retain indefinitely the existing Store on the West side of the building and for permission to alter to incorporate an external door. For permission to construct two new Stores, one on the West side and one on the East side and to extend the existing ground storey offices.

13-386 – GRANTED - to alter the existing building to incorporate 2 no. shops, in place of 2 no. bedrooms, including all associated works including new shop fronts and entrances, and to provide signage and lighting externally at the Armada Hotel.

08-293 — GRANTED - To reposition some of the car parking proposed under Permission No.P04/2697 from the area south of the hotel to a location to the east of the hotel including all works associated with construction of the new car park and to alter the layout to integrate the new car park with the existing.

08-15 – GRANTED - permission to change the proposed Sewage Treatment System from that approved under existing Permission No. P04/2697. It is now proposed to retain the existing Sewage Treatment Plant and to construct an additional Treatment Plant to serve the additional proposed bedrooms and part of the existing Hotel and to construct a new Sand Polisher Filter and Percolation System in a new location to serve the additional Treatment Plant.

07-2809 – Incomplete application.

04-2697 – GRANTED - construct an extension to Burke's Armada Hotel. The works will include construction of a 3 storey extension to provide 28 no. additional bedrooms with ancillary accommodation including a laundry, linen store, cleaners store and boiler house together with alterations to the existing building to connect to the extension. The acc. on the top storey will be partly contained in the roof space. Works will also inc. altering & ext. car parking areas & the storage yard & ext. the sewerage treatment & percolation systems.

95-991 - GRANTED - Permission to alter and extend the Armada to change it to a Hotel.

# Section 5 History on site.

Section 5 R 23-79 A question has arisen as to whether the installation of 156 kw solar panel on the roof of the Armada Hotel is or is not development and is or is not exempted development.

The Planning Authority determined that:

- (a) the installation of solar panels constitutes "works" which come within the scope of section 2 (1) of the Planning and Development Act 2000, as amended.
- (b) the said works constitute "development" which comes within the scope of section 3 (1) of the Planning and Development Act 2000, as amended.
- (c) the said development consisting of the installation of solar panels is development which is exempted development having regard to the extent of works involved, and the provisions of Class 56 (e) Schedule 2 of Part 1 , Planning and Development Regulations 2001 as amended,

Clare County Council decided that development consisting of the installation of 156kw solar panels on the roof of the Armada Hotel, Spanish Point is development and is exempted development.

### **Section 5 R21/38**

A question had arisen as to whether full upgrade / replacement of an existing waste water treatment plant at the Armada Hotel Spanish Point is or is not development and is / is not exempted development

The Planning Authority determined that:

- (a) The proposed full upgrade/ replacement of an existing waste water treatment plant constitutes both works and development.
- (b) Section 4 (g) of Planning and Development Act allow for renewal of apparatus. However this exemption only refer to statutory under takers and does not refer to a private developer carrying out such works within a business premises.
- (c) Section 4 (g) of the Act does not expressly refer to 'replacement' of apparatus, like for like as being exempted development.
- (d) The Planning and Development Regulations 2001 as amended relating to works with the curtilage of a business premises ( Class 56 ) relates only to renewable energy technologies and not to waste water treatment units.
- (e) there are no other exemptions that can be availed of under the Planning Act or the Planning Regulations which would render the development to be exempted development,

Clare County Council, decided that full upgrade / replacement of an existing waste water treatment plant at the Armada Hotel Spanish Point constitutes development which is <u>not</u> exempted development.

## **UD History**

UD22-031 – File open, Warning Letter sent as below on the  $10^{th}$  of August 2023. Relates to Armada Hotel

- 1. The installation of a Wastewater Treatment /Plant without the benefit of Planning Permission
- The provision of an outdoor dining area including canopy structure, food truck and coffee bar together with all associated seating, tables, signage, and ancillary structures.

On lands at Spanish Point, Miltown Malbay, Co. Clare

- UD23-065 File Open, Warning Letter issued 10<sup>th</sup> August 2023. Relates to Spanish Point House, owned by Armada.
- 1. Carrying out works to RPS-025, Spanish Point House (Formerly Mother McAuley House)
- 2. Operating a guesthouse
- 3. Operating a café and bar
- 4. Creating and extending parking/hardstanding

All with or within the curtilage of a Recorded Protected Structure without the benefit of Planning Permission.

On lands at Spanish Point, Miltown Malbay, Co. Clare

Recommendation

(1) Having regard to the nature of the Section 5 request and noting that there are

unauthorised development files open on this property, it is considered appropriate that this

Section 5 referral be referred to An Bord Pleanala for determination in accordance with

Section 5 (4) of the Planning and Development Act 2000, as amended.

(2) It is recommended that the referrer/ applicant of the subject property be advised in

writing that the Planning Authority has referred this Section 5 referral to An Bord Pleanala

for determination once this as been done.

Signed <u>Elev</u> Coey E.P. Date <u>15/02/24</u>.





Planning Department, Clare County Council, Áras Contae an Chláir New Road, Ennis, Co. Clare V95DXP2

19th January 2023

Our ref: 221203 Your ref: n/a

Re: Request for a declaration on exempted development under Section 5 of the Planning and Development Act 2000 (as amended).

Dear Sir/Madam,

On behalf of our client, Armada Hotel Holdings Ltd., Spanish Point, Milltown Malbay, Co. Clare, MKO wish to seek a declaration from Clare County Council as to whether works undertaken to maintain/improve the existing wastewater treatment system at Armada Hotel are considered exempted development within the meaning of Section 4(1)(h) of the Planning and Development Act 2000 (as amended) ('the 2000 Act'). The maintenance/improvement works comprised the replacement of the wastewater treatment plant.

The following is enclosed with this submission:

- Completed Application Form (Form P16)
- Application Fee
- Site Location Map (Scale 1:1000)
- Site Layout Drawings (Scale 1:200)
- Appropriate Assessment Screening Report prepared by MKO

# **Background**

The wastewater treatment system at the subject site was installed in 1997 on foot of a planning permission granted by Clare County Council (Pl. Ref. 95/991) on 28th February 1996 and operates under a discharge licence issued by Clare County Council (Ref: WP 096). Over a period of time, the performance of the treatment plant continued to deteriorate resulting in performance issues in the wider wastewater treatment system and subsequently resulting in breaches of the terms of the discharge license. In order to address the ongoing performance issues, the applicant replaced the wastewater treatment plant in January 2022.

<sup>+353 (0)91 735 611 |</sup> mkoireland.ie | info@mkoireland.ie

The works included the removal of the underground elements of the wastewater treatment plant and the replacement of same. The works were as follows:

- The existing tanks were emptied and de-sludged by licensed contractor;
- Tanks were emptied and cleaned and emptied again by licensed contractor;
- Tanks excavated and removed off site to a licensed disposal facility;
- A minor containment tank was put in place to reconnect the existing pipework;
- The excavated area was prepared to accommodate new tanks, within the footprint of the plant;
- Excavated material was removed from site by a licenced contractor;
- New tanks were installed into the ground and connected to the existing pipe network;
- Area around tanks were backfilled with gravel imported from a licensed quarry;
- The plant was commissioned by contractor;
- The area was covered by topsoil imported from a licenced site by truck;
- All works were carried out within the boundary of the existing screening wall and hedgerow;
- None of the elements are visible from the public road;
- No works were carried out on any other element of the wastewater treatment system.

# Previous section 5 referral

A Section 5 application was made on 30 June 2021 which sought a declaration on whether works to upgrade the existing wastewater treatment plan would be considered development and whether that development was exempt. The package of information submitted included drawings and a Tender Document (dated 09/6/21) which we understand was intended to provide a detailed description of the works, for the benefit of the Planning Authority. The Tender Document framed the works as being intended to facilitate the future expansion of the hotel to include, inter alia, a spa facility (see Section 2.1 of the Tender Document) and referred to alterations to the existing percolation area (Section 2.3 of the Tender Document).

The Planning Authority concluded that, having regard to Section 2, 3 and Section 4 and with reference to Section 4(1)(h) that the works as proposed constitutes works and development is not exempted development.

The present Section 5 declaration request relates only to the replacement of one particular element of the wastewater treatment system i.e. the wastewater treatment plant. The pre-existing pipework connecting the plant to the wider system, as well as the polishing filter have all been retained. These works were undertaken to provide for wastewater treatment capacity commensurate with that which was provided by the plant prior to its replacement and in accordance with the Discharge License that is in place for the system as issued by Clare County Council (Ref: WP96). In contrast to the works the subject matter of the previous section 5 referral, these works were not/are not intended to facilitate expansion/upgrade of the system capacity to service potential future development projects that may be associated with the existing Hotel i.e. a spa facility etc.

On this basis it is considered that the matters in relation to which a determination is sought from Clare County Council in this instance, are materially different to those in relation to which the previous Declaration was sought in July 2021 (Ref: R21/38).

# Exempted Development under s. 4(1)(h)

MKO, Tuam Road, Galway, H91 VW84

+353 (0)91 735 611 | mkoireland.ie | info@mkoireland.ie

Reliance is placed on the exemption under s. 4(1)(h) of the Planning and Development Act 2000 (as amended ('the 2000 Act'). This exemption was not relied upon in the previous Section 5 referral (in which MKO were not the agents) and was not considered in the decision of the Council as a consequence under the previous Section 5 referral.

The wastewater treatment plant that was replaced in January 2022 is a constituent part of the wider wastewater treatment system serving the Armada Hotel. The wastewater treatment system is a structure comprising a network of pipes, grease trap, wastewater treatment plant and the associated polishing filter and percolation area. In and of themselves, none of these component elements serve any purpose on their own. All of these elements form part of the wider structure which provides for the conveyance, treatment and discharge of effluent generated by the Hotel. On the basis of the foregoing, it is considered that the wastewater treatment *system* comprises a structure as per the definition set out in Section 2 of the 2000 Act)

"structure" means any building, structure, excavation, or other thing constructed or made on, in or under any land, or any part of a structure so defined'

As the entirety of the wastewater treatment system comprises a structure, it is considered that that any works undertaken to maintain or improve this structure are capable of amounting to exempted development under the provisions of Section 4(1)(h) of the 2000 Act, which provides that the following is exempted development:

"development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;"

The replacement of a deficient component of the wastewater treatment system is considered to constitute the maintenance and/or improvement of said structure as per Section 4(1)(h) above. The nature of the works undertaken relate to predominantly underground elements and therefore, it is considered reasonable to conclude that the replacement of these elements did not materially affect the external appearance of the structure so as to render its appearance inconsistent with the character of the structure itself or of neighbouring structures. The use of the plant remains the same and has not been intensified in that it simply caters for the existing demand arising from the hotel use and does not cater for an expansion of the hotel as was the case with the previous application for a Section 5 declaration July 2021.

In terms of the overground elements forming part of the overall development, it is considered that these fall within the scope of the exemption under s. 4(1)(h) for the following reasons. The extent to which overground elements are visible in the post development scenario has been significantly reduced. The previous overground elements comprised 3 no. tanks as well as manholes, vents and supporting infrastructure. The visible overground elements associated with the replacement plant constitute only 3 no. overground control units. None of these overground elements are visible from the public road and are entirely screened by the existing hedgerow.

The overground elements (3 no. control units) are not visible from the public road or from other public areas due to the visual screening effect of the exiting wall and hedge and therefore, it can be concluded that these works do not materially affect the external appearance of the structure as to render the structure inconsistent with the character of the structure, or of neighbouring structures.

The extent of visibility from the public realm is very relevant in considering the scope of the exemption as is evident from the Supreme Court decision in *Cairnduff v O'Connell* [1986] IR 83. While the facts of that case are different, the underlying legal principle is equally applicable to the present works. The facts of the case concerned the replacement of an exterior balcony and staircase to the rear of one of the Victorian terraced houses on Waterloo Road in Dublin. The new balcony was different in size and appearance from that which had existed 15 years previously. In planning injunction proceedings the applicant argued that the respondent could not rely on the exemption for external works because the appearance of the house had been affected materially by reference to its condition at the time of the replacement of the stairs and balcony. Finlay CJ stated:

"On the question as to whether these works affected the external appearance of this structure so as to be inconsistent either with its character or the character of the neighbouring structures, it seems to me the following considerations must apply. Firstly, in relation to a terraced house, at least, its character would, it seems to me, be much more dominantly affected by its street appearance than by its rear appearance...."

It follows that in the present case, the fact that the overground works are not visible from the public realm means that they do not materially affect the appearance of the structure and, therefore, fall within the scope of the exemption under section 4(1)(h).

# Are there any restrictions on the exemption which are applicable?

Section 4(4) of the Act sets out the following restriction on certain categories of exempted development but notably the restriction does not apply to developments under section 4(1)(h):

"Notwithstanding paragraphs (a), (i), (ia) and (l) of subsection (1) and any regulations under subsection (2), development shall not be exempted development if an environmental impact assessment or an appropriate assessment of the development is required."

The effect of this provision is to *de-exempt* the relevant categories of works specified in subsection (4), where they would require EIA or AA. However, it is important to note that the requirement to undertake EIA (and/or AA) only 'de-exempts' development benefiting from exemption under Sections 4(1)(a), 4(1)(i), 4(1)(ia), 4(1)(l) and regulations set out under Section 4(2). Section 4(4) does not make any reference to development which is exempted under Section 4(1)(h) Therefore, Section 4(4) does not apply to exemptions under section 4(1)(h).

# Is there a potential requirement for AA?

Notwithstanding this, and to address any argument that the exemption could not apply under EU law if AA or EIA was required, an Appropriate Assessment Screening Report (AASR) has been prepared by MKO in relation to the works that were undertaken (i.e. replacement of an element of the wastewater treatment system) for the purposes of providing the information necessary to allow the competent authority to conduct a screening for the purposes of article 6(3) of the Habitats Directive In that regard, s.177U(9) of the 2000 Act provides:

'(9) In deciding upon a declaration or a referral under section 5 of this Act a planning authority or the Board, as the case may be, shall where appropriate, conduct a screening for appropriate assessment in accordance with the provisions of this section'.

The assessment in the AASR enclosed with this referral is based on a desk study and field visit undertaken in March 2023. It specifically assesses the potential for the proposed development to result in significant effects on European sites in the absence of any best practice, mitigation or preventative measures.

The AASR is enclosed with this submission and states that:

'It is concluded beyond reasonable scientific doubt, in view of best scientific knowledge, on the basis of objective information and in light of the conservation objectives of the relevant European sites, that the proposed retention, individually or in combination with other plans and projects, has not had and will not have a significant effect on any European Site'.

The AASR concludes that the works that have been carried out, considered on their own or in combination with other projects or plans, are not likely to have a significant effect on any European Site and that the risk of such an effect can be excluded beyond a reasonable scientific doubt.

### Is there a requirement for EIA?

The development that was undertaken is not of a type/scale that triggers the requirement for mandatory EIA as per the provisions set out in Schedule 2, Part 5 of the Planning and Development Regulations 2001 (as amended). The wastewater treatment plant is already *in situ* and, therefore, falls to be considered under Class 13 under Schedule 2, Part 5, as a change to an existing development:

- 13. Changes, extensions, development, and testing
- (a) Any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part 1) which would:-
  - (i) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, and
  - (ii) result in an increase in size greater than -

- 25 per cent, or

- an amount equal to 50 per cent of the appropriate threshold,

whichever is the greater.

The development in the present case does not fulfil any of the criteria for the purposes of Class 13 and, accordingly, is not subject to the requirement for EIA. It clearly does not result in an increase in size greater than 25%, or an amount equal to 50% of the appropriate threshold (the threshold under Class 11(c) of Schedule 5, Part 2, is a population equivalent of 10,000.)

## Conclusion

To conclude, the works undertaken and in respect of which this Section 5 Declaration is sought, comprised the maintenance/improvement of an existing structure in the form of the wastewater treatment system that services the Armada Hotel. These works are exempted development under the provisions of Section 4(1)(h) of the Planning and Development Act 2000 (as amended). In MKO's opinion, these works can be screened out for Appropriate Assessment as per the content and findings of the AASR enclosed with this submission. Similarly, the requirement for EIA can also be screened out for the reasons provided above.

The development does not involve any material change of use of the structure as it will continue to operate as a wastewater treatment plant for the purposes of the hotel only and the works carried out do not facilitate any intensification of that use. Moreover, the AASR concludes that there will be no significant effects on any European Site. The purpose of these improvement works is to reduce the effects on the environment and, accordingly, the use of the improved treatment plant will not have any additional adverse effects on the environment but instead will reduce the adverse impacts associated with the plant which was operating defectively prior to these improvement works.

We trust that the above is in order and request that the Planning Authority issue a declaration under Section 5 of the Planning and Development Act 2000 (as amended) that the works comprise development but are exempted development.

Yours sincerely,

Mary Kelleher

Project Planner

# Enclosed

- > Completed Application Form (Form P16)
- > Application Fee
- > Site Location Map (Scale 1:1000)
- > Site Layout Drawings (Scale 1:200)
- > Appropriate Assessment Screening Report prepared by MKO



Armada Hotel Holdings Ltd. C/o Mary Kelleher, MKO **Tuam Road** Galway H91 VW84

#### 22/01/2024

# Section 5 referral Reference R24-6 – Armada Hotel Holdings Ltd.

Whether works undertaken to maintain/improve the existing wastewater treatment system at Armada Hotel are considered development and if so is it exempted development? The maintenance/improvement works comprised of the replacement of the wastewater treatment plant.

A Chara,

I refer to your application received on 22nd January 2024 under Section 5 of the Planning & Development Act 2000 (as amended) in relation to the above.

Please note that the Planning Authority is considering the matter and a reply will issue to you in due course.

Mise, le meas

**Planning Department** 

**Economic Development Directorate** 

An Roinn Pleanála An Stiúrthóireacht Forbairt Gheilleagrach

Áras Contae an Chláir, Bóthar Nua, Inis, Co. an Chláir, V95 DXP2

**Planning Department Economic Development Directorate** 

Áras Contae an Chláir, New Road, Ennis, Co. Clare, V95 DXP2











P07

# CLARE COUNTY COUNCIL COMHAIRLE CONTAE AN CHLÁIR

Planning Department, Economic Development Directorate, Clare County Council, New Road, Ennis, Co. Clare. V95DXP2 Telephone No. (065) 6821616 Fax No. (065) 6892071 Email: planoff@clarecoco.ie Website: www.clarecoco.ie



R24-6

# REQUEST FOR A DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT (Section 5 of the Planning & Development Act 2000 (as amended))

FEE: €80

This following form is a non-statutory form which has been prepared by Clare County Council for the purpose of obtaining the necessary information required for a declaration to be made under Section 5 by the Planning Authority

1. CORRESPONDENCE DETA	ILS.	ARECO
(a) Name and Address of person seeking the declaration	Armada Hotel Holdings Ltd., Spanish Point, Miltown Malbay, Co. Clare	2 2 JAN 2024
(b) Telephone No.:		*
(c) Email Address:	,	
(d) Agent's Name and address:	Mary Kelleher - MKO, Tuam Road, Galway H91 VW84	

#### 2. DETAILS REGARDING DECLARATION BEING SOUGHT

(a) PLEASE STATE THE SPECIFIC QUESTION FOR WHICH A DECLARATION IS SOUGHT Note: only works listed and described under this section will be assessed.

Whether works undertaken to maintain/improve the existing wastewater treatment system at Armada Hotel are considered exempted development under the meaning of Section 4(1)(h) of the Planning and Development Act 2000 (as amended). The maintenance/improvement works comprised the replacement of the wastewater treatment plant.

(b) Provide a full description of the question/matter/subject which arises wherein a declaration of the question is sought.

The wastewater treatment plant was identified to have internal damage and as such the wastewater treatment system was unable to operate within the limits of its discharge licence. As such, the applicant replaced the wastewater treatment plant at the Armada Hotel in January 2022.

The works included the removal of the underground elements of the wastewater treatment plant and the replacement of same. All works were carried out within the boundary of the existing screening wall and hedgerow. None of the elements are visible from the public road.

(c) List of plans, drawings etc. submitted with this request for a declaration:

(Note: Please provide a site location map to a scale of not less than 1:2500 based on Ordnance Survey map for the areas, to identify the lands in question)

Site Location Map (Scale 1:1000) Site Layout Drawing (Scale 1:100)

(a)	Postal Address of the Property/Site/Building for which the declaration sought:	Armada Hotel, Spanish Point, Miltown Malbay, Co. Clare
(b)	Do the works in question affect a Protected Structure or are within the curtilage of a Protected Structure? If yes, has a Declaration under Section 57 of the Planning & Development Act 2000 (as amended) been requested or issued for the property by the Planning Authority?	NO
(c)	Legal interest in the land or structure in question of the person requesting the declaration (Give Details):	Owner
(d)	If the person in (c) above is not the owner and/or occupier, state the name and address of the owner of the property in question:	N/A
	Note: Observations in relation to a referral may be requested from the owner/occupier where appropriate.	
(e)	Is the owner aware of the current request for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended)?:	N/A
(f)	Are you aware of any enforcement proceedings connected to this site? If so please supply details:	UD22-031
(g)	Were there previous planning application/s on this site? If so please supply details:	PI. Ref. 22/677 PI. Ref. 08/15 PI. Ref. 21/130 PI. Ref. 95/991 PI. Ref. 08/293 PI. Ref. 21/999 PI. Ref. 04/2697 PI. Ref. 13/386 PI. Ref. 21/1055 PI. Ref. 07/2809 PI. Ref. 18/89 PI. Ref. 21/1168 PI. Ref. 20/84 PI. Ref. 23/60374
(h)	Date on which 'works' in question were completed/are likely to take place:	January 2022

SIGNED: Way Kelles

DATE: 19th January 2024

# **GUIDANCE NOTES**

This following are non-statutory advice notes prepared by Clare County Council for the purpose of advising people what information is required for a decision to be made under Section 5 by the Planning Authority

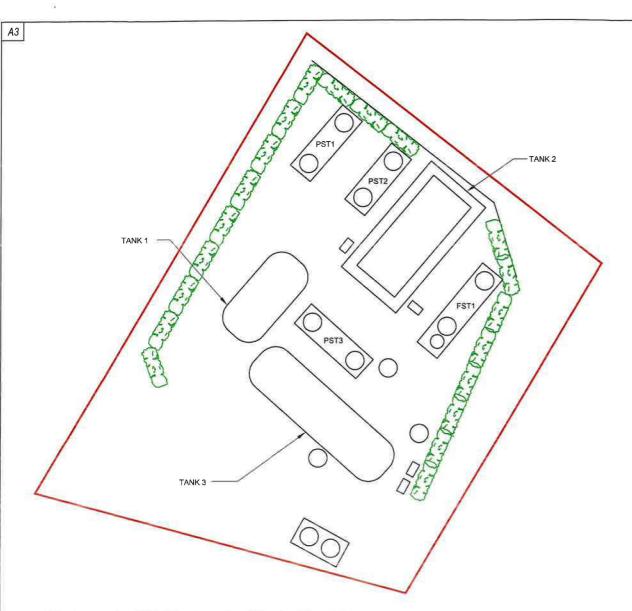
- (i) The request for a declaration under Section 5 must be accompanied by 2 copies of site location map based on the Ordnance Survey map for the area of a scale not less than 1:1000 in urban areas and 1:2500 in rural areas and should clearly identify the site in question.
- (ii) The request for a declaration under Section 5 must be accompanied by the required fee of €80.00.
- (iii) If submitting any additional plans/reports etc. as part of the request for a declaration, please submit 2 copies.
- (iv) The request for a declaration should be sent to the following address:

Planning Department,
Economic Development Directorate,
Clare County Countil
Aras Contae an Chlair,
New Road,
Ennis,
Co. Clare
V95DXP2

- (v) Notwithstanding the completion of the above form, the Planning Authority may require the submission of further information with regard to the request in order to enable the Authority to issue a declaration on the question.
- (vi) The Planning Authority may also request other persons to submit information on the question which has arisen and on which the declaration is sought

FOR OFFICE USE ONLY			
Date Received:	***************************************	Fee Paid:	
Date Acknowledged:	*******	Reference No.:	
Date Declaration made:	******************	CEO No.:	
Decision:			

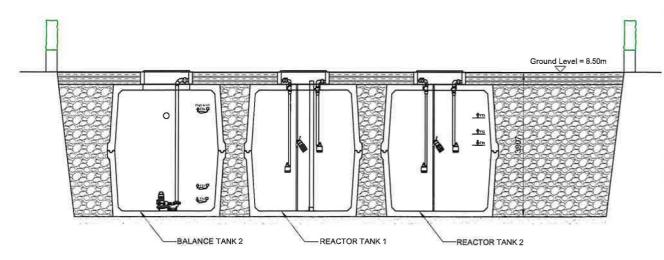
Ordnance Survey **Planning Pack Map** 503343 **National Mapping Agency** SITE LOCATION MAP Applicant: Armada Hotel Holdings Ltd. CENTRE COORDINATES: Address: Armada Hotel, Spanish Point, Co. Clare ITM 503227,678098 SITE NOTICES PUBLISHED: **ORDER NO.:** 27/10/2021 50229219\_1 McKenna Consulting Engineers MAP SERIES: MAP SHEETS: 1:2,500 4256-D 1:2,500 4314-B 1.54 **COMPILED AND PUBLISHED BY:** Ordnance Survey Ireland, Phoenix Park, Dublin 8. Car Park Ireland. 1.63 Unauthorised reproduction Car Park infringes Ordnance Survey Ireland and Government of Ireland copyright. All rights reserved. No part of this publication may be copied, reproduced or transmitted in any form or by any means without the prior  $\boldsymbol{a}$ S written permission of the copyright owners. a h a u The representation on this map of a road, track or footpath is not evidence of the existence of a right of way. Cave Ordnance Survey maps never show legal property boundaries, nor do they 1.45 show ownership of physical features. © Suirbhéireacht Ordanáis Éireann, © Ordnance Survey Ireland, 2021 www.osi.ie/copyright 678012 CAPTURE RESOLUTION: 40 metres The map objects are only accurate to the resolution at which they were captured. **OUTPUT SCALE: 1:1,000** LEGEND: Output scale is not indicative of data capture scale. http://www.osi.ie; 80 100 Feet 0 20 40 60 Further information is available at: search 'Large Scale Legend' http://www.osi.ie; search 'Capture Resolution'



# Site Layout - Old Wastewater Plant - Plan View

SCALE 1:200

EXTENT OF 'WORKS AREA' OUTLINED IN RED



# Site Section X-X

Scale 1:10



Site Layout - New Wastewater Plant - Plan View
SCALE 1:200

EXTENT OF 'WORKS AREA' OUTLINED IN RED

REACTOR TANK 1

TERTIARY PUMP STATION

BALANCE TANK 2-

#### **GENERAL NOTES**

THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT
 ENGINEERS ARCHITECTS AND SERVICE ENGINEERS DRAWINGS AND SPECIFICATION.

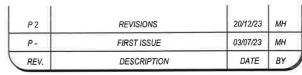
0

0

0

- 2. DO NOT SCALE USE FIGURE DIMENSIONS ONLY.
- 3. ALL LEVELS ARE STRUCTURAL UNLESS NOTED OTHERWISE.
- 4, ALL DRAWINGS TO BE CHECKED BY THE CONTRACTOR PRIOR TO THE COMMENCEMENT OF WORKS AND PRIOR TO COMMENCEMENT OF ANY MATERIALS BEING ORDERED AND ANY DISCREPANCIES TO BE BROUGHT TO THE ATTENTION OF THE DESIGNERS IMMEDIATELY.
- 5, THE CONTRACTOR IS RESPONSIBLE FOR THE TEMPORARY SUPPORT OF ALL WORK.
  ALL FILL MATERIAL TO COMPLY WITH SPECIFICATION FOR ROAD WORKS SERIES 800 (NRA)
  ALL EXCAVATIONS AND ROCK BREAKING TO BE CARRIED OUT IN STRICT ACCORDANCE
  WITH THE SPECIFICATION AND IN STRICT ACCORDANCE WITH SERIES 600, SPECIFICATIONS
  FOR ROADWORK'S AS PUBLISHED WITH THE NRA

ALL WORK TO BE CARRIED OUT IN STRICT ACCORDANCE WITH CURRENT BUILDING REGULATIONS - AS PER THE BUILDING CONTROL REGULATIONS 1997-2014 & THE BUILDING REGULATIONS 1997-2017 WITH REFERENCE TO UPDATES TO THE TECHNICAL GUIDANCE DOCUMENTS AS PER THE DEPARTMENT OF ENVIRONMENT, HERITAGE & LOCAL GOVERNMENT.



BALANCE TANK 1

PRIMARY TANK 1

-REACTOR TANK 2

-	_	
	CLIENT	Armada Hotel Holdings Ltd.
	JOB	Armada Hotel Spanish Point, Co. Clare
	TITLE	Planning Permission Drawings



Bank Place, Miltown Malbay, Co Clare. Email - info@mckennace.com Tel. - 065 7085651

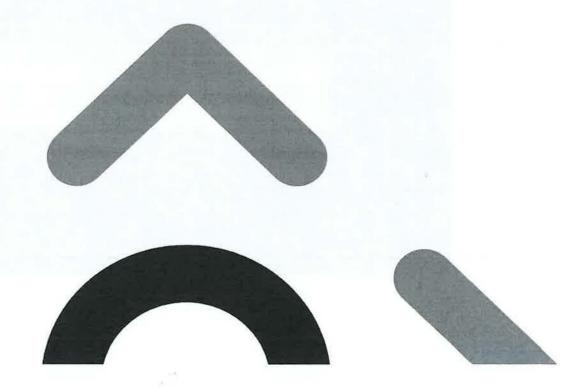
1	SCALES	AS SHOWN	
	DATE	03/07/'23	DRG. No.
Г	DRAWN	MH	23253/P/002/P2
	CHECKED	SC	
1	APPROVED	TMcK	





# Article 6 (3) Appropriate Assessment Screening Report

Retention of Wastewater Treatment System Replacement, Armada Hotel, Spanish Point, Co. Clare



# **DOCUMENT DETAILS**

0>

Client:

Armada House Hotel

Project Title:

Retention Application, Wastewater

Treatment System Replacement, Spanish

Point, Co. Clare

Project Number:

221203

Document Title:

Appropriate Assessment Screening Report

Document File Name:

AASR F-2023.07.20 - 221203

Prepared By:

MKO Tuam Road Galway Ireland H91 VW84



Rev	Status	Date	Author(s)	Approved By
01	Final	11.09.2023	RW	PR



# **Contents**

1.	INTRODUCTION	2
1.1 1.2	Background	
2.	DESCRIPTION OF THE PROPOSED DEVELOPMENT	3
	Site Location	3 3
3.	IDENTIFICATION OF RELEVANT EUROPEAN SITES	16
3.1 3.2	Identification of the European Sites within the Likely Zone of ImpactLikely Cumulative Impact of the Proposed Works on European Sites, in-combination	
	other plans and projects	
	3.2.1 Conclusion of Cumulative Impact Assessment	35
4. CO	ARTICLE 6(3) APPROPRIATE ASSESSMENT SCREENING STATEMENT AND NCLUSIONS	36
4.1 4.2	Data Collected to Carry Out Assessment	
BIB	LIOGRAPHY	37
	BLE OF FIGURES  re 2-1 Site location	8
Figu	re 2-2 Hotel Site Plan	9
-	re 2-3 Plan of Works Undertaken	
Ü	re 2.1 Furanean Sites	17



1.1

## INTRODUCTION

# Background

MKO has been appointed to provide the information necessary to allow Clare County Council to conduct an Article 6(3) Screening for Appropriate Assessment for retention of a replacement WwTP at Armada Hotel, Spanish Point (grid ref: R 03212 78037).

Screening for Appropriate Assessment is required under Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive). Where it cannot be excluded that a project or plan, either alone or in combination with other projects or plans, would have a significant effect on a European Site then same shall be subject to an appropriate assessment of its implications for the site in view of the site's conservation objectives. The current project is not directly connected with, or necessary for, the management of any European Site consequently the project has been subject to the Appropriate Assessment Screening process.

The assessment in this report is based on a desk study and field visit undertaken in March 2023. It is specifically assesses the potential for the proposed development to result in significant effects on European sites in the absence of any best practice, mitigation or preventative measures.

This Appropriate Assessment Screening Report has been prepared in accordance with the European Commission's Assessment of Plans and Projects Significantly affecting Natura 2000 Sites: Methodological Guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC (EC, 2021) and Managing Natura 2000 Sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC (EC, 2018) as well as the Department of the Environment's Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities (DoEHLG, 2010) and the Appropriate Assessment Screening for Development Management. Office of the Planning Regulator, Dublin 7, Ireland OPR (2021).

# **Statement of Authority**

A field visit was undertaken by Rachel Walsh (BSc. Env) of MKO on the 20<sup>th</sup> of March 2023. Rachel has significant experience in the undertaking of Ecological Impact Assessment and Habitats Directive reporting. She has undertaken numerous assessments covering a wide range of projects including wastewater treatment plants, wind farms, road and rail infrastructure and housing developments. This report has been reviewed by Pat Roberts (B.Sc., MCIEEM). Pat has over 18 years' experience in ecological assessment and management and is a member of the Chartered Institute of Ecology and Environmental Management (CIEEM).



# DESCRIPTION OF THE PROPOSED DEVELOPMENT

# do

### Site Location

The retention application relates to a small area of approx. 270sqm on the Armada Hotel premises in Spanish Point. The works area comprised the existing WwTP compound located southwest of the hotel building.

The site location is shown in Figure 2-1. The location of the works area is shown in Figure 2-2 and 2-3.

# **Characteristics of the Proposed Retention**

### Works carried out

The Armada Hotel is applying for retention for remedial works to the onsite wastewater treatment plant (WwTP). These upgrades were carried out in January 2022 in order to ensure that the current treatment of effluent from the plant is such that it is in compliance with the existing discharge licence.

The site layout is shown in Figure 2-2. The works in question were carried out within the red line boundary only. The full extent of the works area is shown in Figure 2-3.

The existing WwTP had deteriorated and had ceased to treat wastewater flows efficiently. It was necessary to replace a component of the system. The replacement was carried out completely within the existing treatment plant compound as depicted by a red line in Figure 2-2. There were no changes to sewer lines, grease trap, main tank, rising main, pumping unit or infiltration unit. There were no changes to the walls of the WwTP compound. There was no increase in capacity of the plant or development associated with this. The works were carried out in January 2022 by CDME Ltd in conjunction with Molloy Environmental Systems The hotel was closed for the duration of works.

The following works were carried out:

- > The area around the WwTP was fenced off with heras panels according to the works area outlined in red in Figure 2-2 and 2-3.
- > All construction works were confined to this works area.
- > The existing tanks were emptied and de-sludged by a licensed contractor and brought to a licensed waste facility (as evidenced in confidential appendix 1). A tractor and slurry tank were used for this process and took 2 days to complete.
- > The emptied tanks were then cleaned, power hosed and emptied again by a licensed contractor using a tractor and slurry tank and brought to a licensed waste facility (as evidenced in confidential appendix 1). This took a day to complete.
- > The tanks were excavated and removed off site to a licensed disposal facility (as evidenced in confidential appendix 1). This was done using a digger machine to break the tanks into sections and loaded onto a truck for removal offsite.
- A minor containment tank was retained for the new treatment tank to connect into.
- > The excavated area was enlarged within the confines of the working area depicted with a red outline in Figure 2-2 and 2-3 to accommodate the new tanks and was completed over 3 days.
- All excavated material was removed from site to a licensed waste facility (as evidenced in confidential appendix 1) by a licensed contractor using a truck over 3 days. No excavated material was stored or piled on site.

nu Nut.





- > The new tanks, manufactured by Molloy Environmental, were delivered to site.
- > The new tanks were installed into the ground and connected to the minor containment tank with a mobile crane. The tanks were back-filled with imported gravel which was imported by truck from a licensed quarry. All works were undertaken above the water table and there was no requirement to pump out the excavations at any stage.
- Molloy Environmental commissioned the new WwTP for use.

  The area was returned to its original state through application of topsoil over imported gravel areas. The topsoil was imported to the site from a licensed site by truck.



Plate 2-1 The WwTP before works were carried out.





Plate 2-2 The WwTP compound walls and hedging.



Plate 2-3 Works being carried out within the WwTP compound walls surrounded with heras fencing.





Plate 2-4 The area post-works.

### 2.2.1.1 Replacement WwTP Specifications

The design loading for the replacement WwTP was developed in consultation with hotel management and in accordance with the EPA document – *Treatment Systems for Small Communities, Business, Leisure Centres and Hotels.* (1999). These loadings were established in the understanding that they represent a peak day, the system has a buffering capacity which can be used to buffer short term shock loading.

The design loading is for 51,410L (hydraulic loading) and 19,190g BOD5 (organic loading). This equates to 343PE and 320PE respectively.

The installed replacement is a Molloy Environmental System's M1 system. The system is capable of treating the design loading as described above. The system in summary consists of the following components:

- > 2 no. precast concrete primary tanks (25,000 litres each)
- > 2 no. precast concrete buffer tank (38,000 litres each)
- > 2 no. precast concrete reaction tanks (38,000 litres each)

The plan layout and section view of the replacement plant is shown on Figure 2-3.

# 2.2.1.2 **Effluent Sampling and Discharge Licence**

The discharge licence (WP 96) issued by Clare County Council stipulated that the following Emission Limit Values are set:

BOD - 25 mg/l O2, Suspended solids - 35mg/l pH - 6-9 Fats, Oils and Greases - 50mg/l.



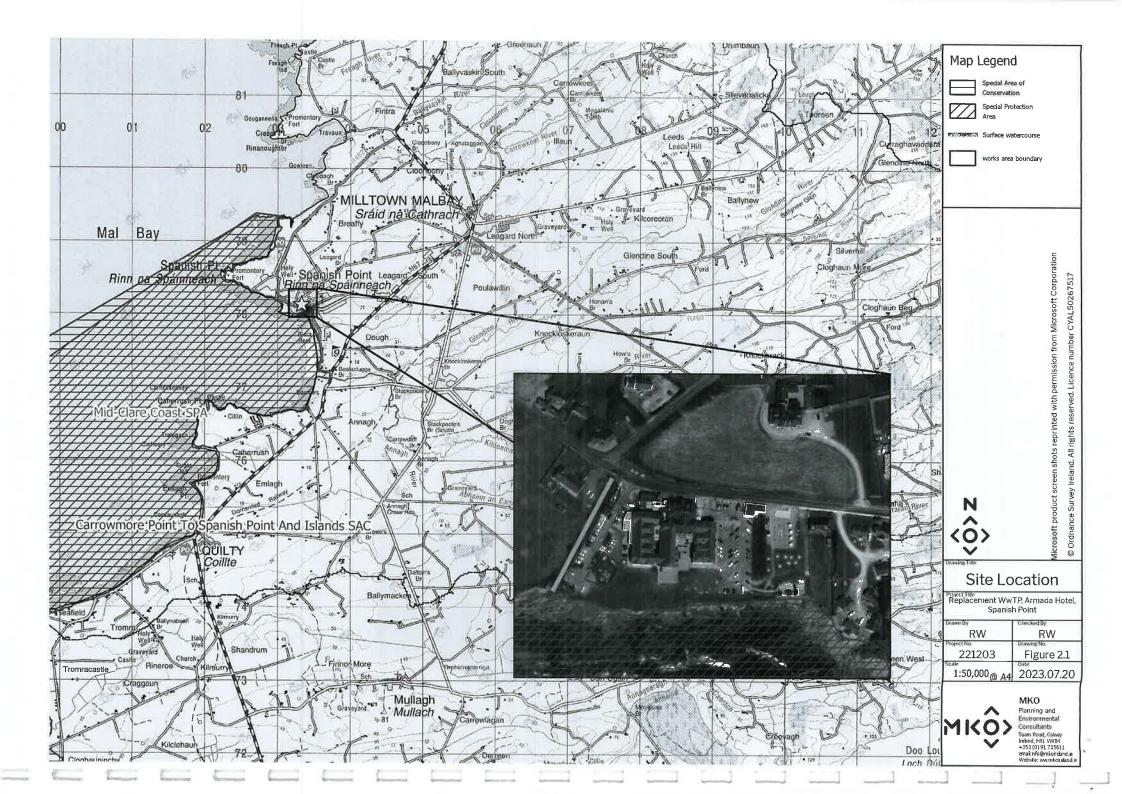
No ELVs were set for Total Nitrogen or Phosphorus. The tables below show sampling results undertaken by Molloy Environmental Systems from the effluent dated  $6^{\rm th}$  June 2023 and  $21^{\rm st}$  August 2023. The sample results show that the replacement WwTP system is treating the effluent in line with the Emission Limit Values set out in the discharge licence.

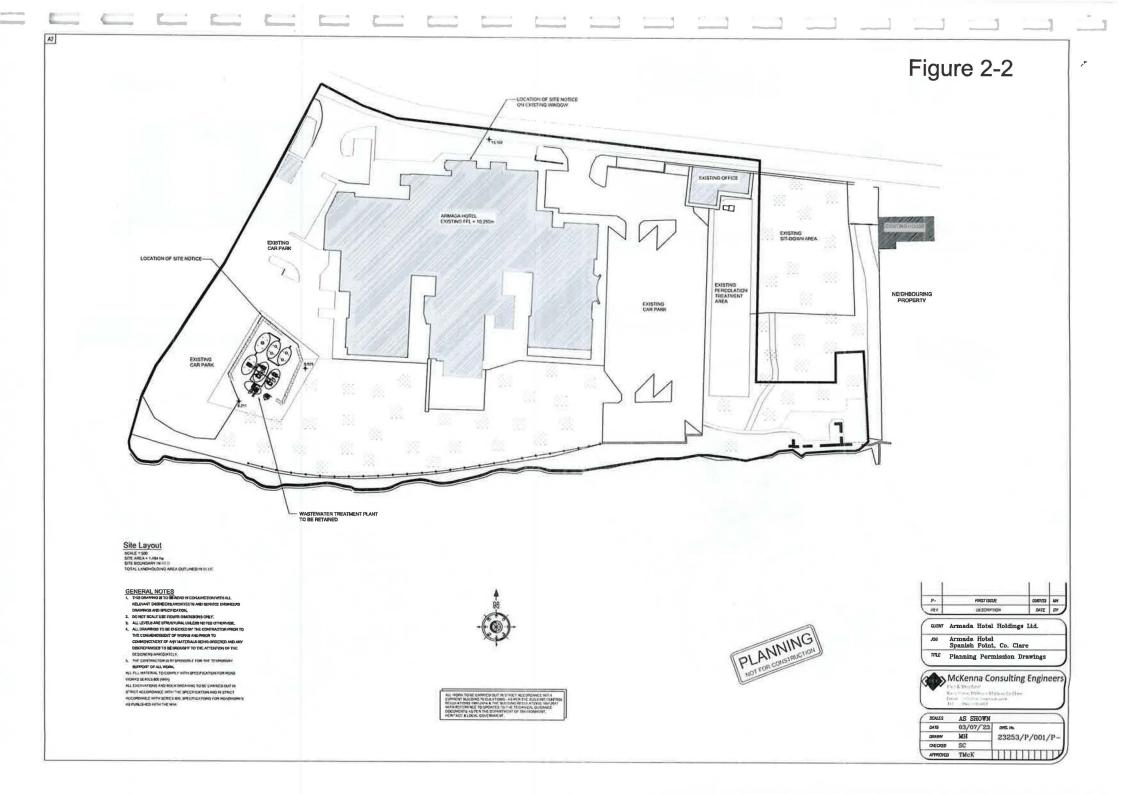
Table 2-1 Effluent sample results from 6th June 2023.

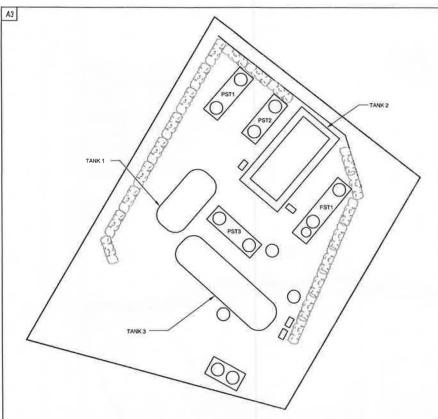
			A A AIR - A
Test	Units	Emission Limit Value	Result
COD	mg/l		29
BOD5	mg /l	25	<3
Ammonia	mg NH3-N/l		13.8
Orthophosphates	mg PO4-P/l	-	2.78
Nitrates	mg NO3-N/I		0.2
pН	@20° C	6-9	6.9
Suspended Solids	mg /l	35	34

Table 2-2 Effluent sample results from 21st August 2023.

Test	Units	Emission Limit Value	Result
COD	mg/l		66
BOD5	mg /l	25	25
Ammonia	mg NH3-N/l		20.7
Orthophosphates	mg PO4-P/I	-	3.3
Nitrates	mg NO3-N/I	=	11
pН	@20° C	6-9	7.19
Suspended Solids	mg /l	35	35



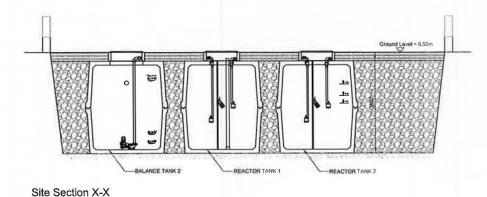




#### Site Layout - Old Wastewater System - Plan View

SCALE 1:200

EXTENT OF 'WORKS AREA' OUTLINED IN RED



Site Layout - New Wastewater System - Plan View

SCALE 1:200 EXTENT OF 'WORKS AREA' OUTLINED IN RED

REACTOR TANK 1-

TERTIARY PUMP STATION

BALANCE TANK 2-

#### GENERAL NOTES

- THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT ENGINEERS, ARCHITECTS AND SERVICE ENGINEERS DRAWINGS AND SPECIFICATION.
- 2. DO NOT SCALE USE FIGURE DIMENSIONS ONLY.
- 3. ALL LEVELS ARE STRUCTURAL UNLESS NOTED OTHERWISE.
- 4. ALL DRAWINGS TO BE CHECKED BY THE CONTRACTOR PRIOR TO THE COMMENCEMENT OF WORKS AND PRIOR TO COMMENCEMENT OF ANY MATERIALS BEING ORDERED AND ANY DISCREPANCIES TO BE BROUGHT TO THE ATTENTION OF THE DESIGNERS IMMEDIATE
- 5. THE CONTRACTOR IS RESPONSIBLE FOR THE TEMPORARY SUPPORT OF ALL WORK, ALL FILL MATERIAL TO COMPLY WITH SPECIFICATION FOR ROAD WORKS SERIES 800 (MRA) ALL EXCAVATIONS AND ROCK BREAKING TO BE CARRIED OUT IN STRICT ACCORDANCE WITH THE SPECIFICATION AND IN STRICT ACCORDANCE WITH SERIES 800, SPECIFICATIONS FOR ROADWORKS AS PUBLISHED WITH THE RIVA

ALL WORK TO BE CARRIED OUT IN STRICT ACCORDANCE WITH CURRENT BUILDING REGULATIONS -AS PER THE BUILDING CONTROL REGULATIONS 1997-2014 THE BUILDING REGULATIONS 1997-2017 WITH REFERENCE TO UPGATES TO THE TECHNICAL CUIDANCE DOCUMENTS AS PER THE BEPRATIKENT OF ENVIRONMENT, HERITAGE & LOCAL GOVERNMENT.

1		- 1	
ρ.	FIRST ISSUE	03/07/23	МН
REV.	DESCRIPTION	DATE	BY

Figure 2-3

BALANCE TANK 1

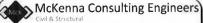
0

PRIMARY TANK 1

PRIMARY TANK 2

REACTOR TANK 2

CLIENT	Armada Hotel Holdings Ltd.
JOB	Armada Hotel Spanish Point, Co. Clare
TITLE	Planning Permission Drawings



Bank Place, Miltown Malbay, Co Clare, Fmail - info@mckennace.com Tel = 065 7085651

SCALES	AS SHOWN	
DATE	03/07/'23	DRG, No.
DRAWN	МН	23253/P/002/P-
CHECKED	SC	
APPROVED	TMcK	VIIIIIII V



2.2.2

## **Description of the Baseline Ecological Environment**

Assessing the impacts of any project and associated activities requires an understanding of the ecological baseline conditions prior to and at the time of the project proceeding. Ecological baseline conditions are those existing in the absence of proposed activities (CIEEM 2018, updated 2022).

A multidisciplinary walkover survey was conducted on the 20<sup>th</sup> of March 2023 in line with NRA (2009) guidelines (Ecological Surveying Techniques for Protected Flora and Fauna during the Planning of National Road Schemes) by Rachel Walsh (BSc.) of MKO.

The existing WwTP area where the works were undertaken is located on Amenity Grassland (GA2) to the southwest of the Hotel (Plate 2-5). The works were carried out within a small area (approx. 270sqm) which is surrounded by a box hedgerow (WL1) and mortar stone wall (BL3) which surrounds the area on its northern, eastern and western sides.

A watercourse, a lowland/depositing river (FW2), is located along the western boundary of the Hotel premises. This is approx. 30m west of the works area and is completely separated from the area by the hedgerow and stone wall surrounding the WwTP, and the existing car park and fence (Plate 2-6).

The works area is approx. 25m from the cliff edge located to the south. This intervening area consists of an area of amenity grassland and a rope fence (Plates 2-3 to 2-6). No evidence of any run off from the proposed works was recorded in this area and the topography was such that, it is highly unlikely that there was any run off from the works area to the cliff edge.

None of the habitats within the site boundary of the hotel premises correspond to those listed in Annex I of the EU Habitats Directive. The Annex I habitat 'Petrifying springs with tufa formation (Cratoneurion) [7220]' is mapped within the cliff face to the south of the site boundary, according to Map 6 of the site-specific conservation objectives for Carrowmore Point to Spanish Point and Islands SAC. This habitat was visible as tufa cascades during the site visit (Plate 2-11).

No invasive species listed under Regulations 49 and 50 of the Third Schedule of the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. 477 of 2011) were recorded during the field survey.





Plate 25 Existing WwTP area in which upgrade works were undertaken



Plate 2-6 Existing stone wall (right of image), carpark and fence separating the works area from the nearby watercourse (left of image)





Plate 2-7 Amenity grassland area separating works area from cliff edge



Plate 2-8 Amenity grassland area separating works area from cliff edge





Plate 2-9 Amenity grassland area separating works area from cliff edge



Plate 2-10 Cliff edge and adjacent rocky shore





Plate 2-11 Tufa cascade visible from cliff face to the south of the hotel.



# IDENTIFICATION OF RELEVANT EUROPEAN SITES

# Identification of the European Sites within the Likely Zone of Impact

The following methodology was used to establish any European Sites upon which there is a potential for a likely significant effect to occur either individually or in combination with other plans and projects as a result of the proposed development:

- > Initially the most up to date GIS spatial datasets for European designated sites and water catchments were downloaded from the NPWS website (www.npws.ie) and the EPA website (www.epa.ie) on the 21/08/2023.
- All European Sites that could potentially be affected were identified using a sourcepathway - receptor model. To provide context for the assessment, European Sites surrounding the development site are shown on Figure 3.1. Information on these sites according to the site-specific conservation objectives is provided in Table 3-1.
- > The catchment mapping was used to establish or discount potential hydrological connectivity between the site of the proposed development and any European Sites. The hydrological catchments are also shown in Figure 3.1.
- In relation to Special Protection Areas, in the absence of any specific European or Irish guidance in relation to such sites, the Scottish Natural Heritage (SNH) Guidance, 'Assessing Connectivity with Special Protection Areas (SPA)' (2016) was consulted. This document provides guidance in relation to the identification of connectivity between proposed development and Special Protection Areas. The guidance takes into consideration the distances species may travel beyond the boundary of their SPAs and provides information on dispersal and foraging ranges of bird species which are frequently encountered when considering plans and projects.
- Table 3.1, provides details of all relevant European Sites as identified in the preceding steps and assesses the potential for likely significant effects on each.
- The assessment considers any likely direct or indirect impacts of the proposed development, both alone and in combination with other plans and projects, on European Sites by virtue of criteria including the following: size and scale, land-take, distance from the European Site or key features of the site, resource requirements, emissions, excavation requirements, transportation requirements and duration of construction, operation and decommissioning were considered in this assessment.
- > The site synopses and conservation objectives of these sites, as per the NPWS website (www.npws.ie), were consulted and reviewed at the time of preparing this report 21/08/2023.
- > The potential for the proposed development to result in cumulative impacts on any European Sites in combination with other plans and projects was considered in the assessment that is presented in Table 3.1. Plans and projects considered include those that are listed in Section 3.2.

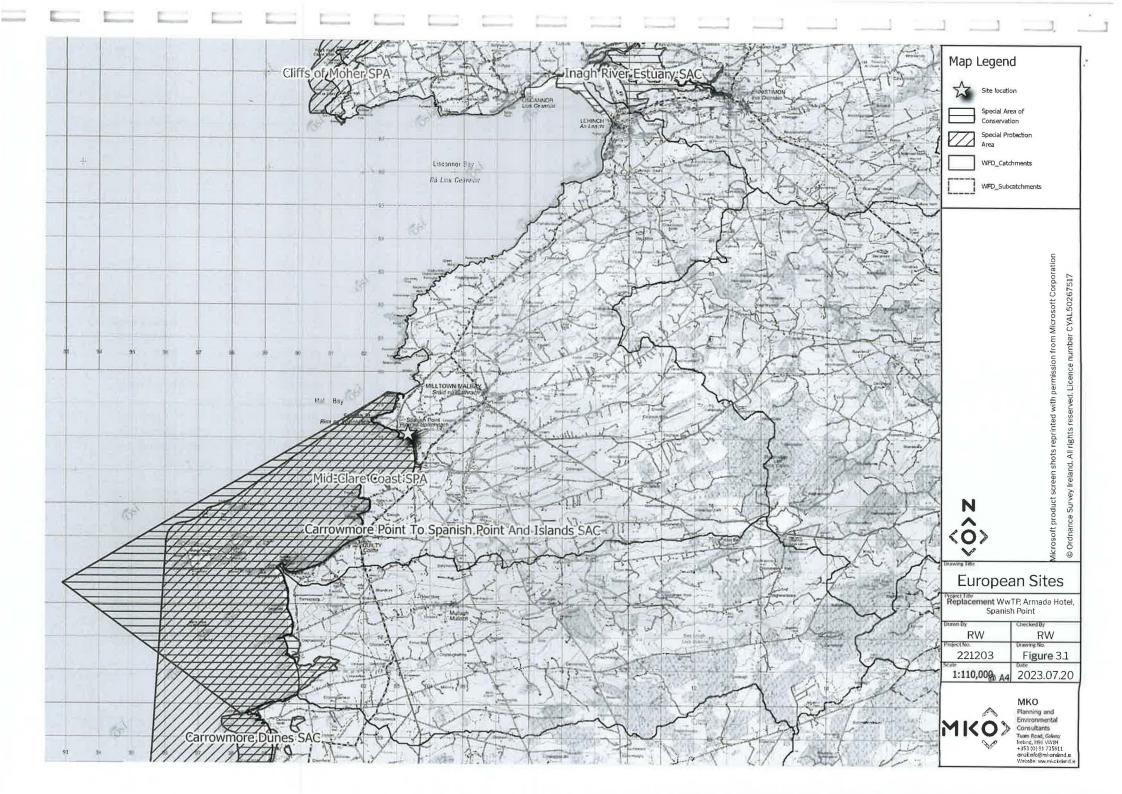




Table 3-1 Identification of E	uropean Sites in the Vicinity of the Proposed L	Development	
European Sites and distance from proposed development	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie on the 21/08/2023	Conservation Objectives	Identification of Source-Pathway-Receptor chain and Likely Zone of Impact Determination
Special Areas of Con-	servation (SAC)		
Carrowmore Point to Spanish Point and Islands SAC [001021]  Distance: approx. 20m from the works area boundary	<ul> <li>1150 Coastal lagoons</li> <li>1170 Reefs</li> <li>1220 Perennial vegetation of stony banks</li> <li>7220 Petrifying springs with tufa formation (Cratoneurion)</li> </ul>	Detailed conservation objectives for this site, (Version 1, April 2014), were reviewed as part of the assessment and are available at <a href="https://www.npws.ie">www.npws.ie</a>	There is no potential for direct effect as the study area is located completely outside of this SAC.  Perennial vegetation of stony banks [1220] - There is no potential for likely significant effect on this QI habitat, due to its terrestrial nature and separation in distance between the works area and the SAC.  Coastal lagoons [1150] - According to Map 3 of the Site-specific conservation objectives, the 'coastal lagoon' habitat for which this SAC is designated is located approximately 7.4km away within a separate hydrological subcatchment. Therefore, there is no potential for likely significant effect on this QI habitat.  Reefs [1170] - As described in Section 2.2.1, the construction works undertaken to replace the WwTP were short term in duration. The works area was completely restricted to the red outlined area in Figure 2-2 and 2-3. All excavated material was removed from the site by the contractor and no materials were stored onsite. No pumping out of the excavations was



European Sites and distance from proposed development	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie on the 21/08/2023	Conservation Objectives	Identification of Source-Pathway-Receptor chain and Likely Zone of Impact Determination
			required. During the site survey that was undertaken, no evidence of pathways or channels to facilitate runoff from the works area to the SAC were found. Due to the nature and scale of the works and the buffering capacity of the amenity grassland area between the works area and the cliff edge, the potential for significant surface run-off from the works area to have occurred is extremely low and no evidence of any such event was recorded. The river which runs alongside the western boundary of the Armada Hotel is also buffered from the works area by the stone wall, hedgerow and carpark. Therefore, there is no potential for likely significant effect on this QI habitat as a result of surface water pollution. No other pathways for effect were identified.  Petrifying springs with tufa formation (Cratoneurion) [7220] - As described above in relation to 'Reefs', there is no potential for significant effects as a result of surface water run off to have occurred due to the works undertaken.  Similarly, there is no potential for pollution of groundwaters to have occurred during construction as the excavations were limited to the area above the groundwater table and were of a nature and scale such



European Sites and distance from proposed development	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie on the 21/08/2023	Conservation Objectives	Identification of Source-Pathway-Receptor chain and Likely Zone of Impact Determination
			that significant groundwater pollution can be discounted.  In respect of ongoing operational impacts, it is noted that the conservation objective for 'Petrifying springs with tufa formation (Cratoneurion) [7220]' is:  "To maintain the favourable conservation condition of Petrifying springs with tufa formation (Cratoneurion) in Carrowmore Point to Spanish Point and Islands SAC"  As the works have improved the standard of the discharge from the WWTP, there is no potential for them to result in a likely significant effect that would prevent the conservation objective being maintained.  The works undertaken have resulted in improved functionality of the WwTP such that the effluent is treated efficiently before discharge to ground. This is evidenced by water samples undertaken and shown in Section 2.2.1.2. The effluent is being treated in accordance with the ELVs of the existing wastewater discharge licence.  There is no potential for likely significant effect on the groundwater dependent habitat, 'Petrifying springs with



European Sites and distance from proposed development	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie on the 21/08/2023	Conservation Objectives	Identification of Source-Pathway-Receptor chain and Likely Zone of Impact Determination
			tufa formation (Cratoneurion) [7220]', or on surface water dependant QIs of the SAC.  No pathway for significant effect on this European Site was identified, when considered in the absence of any mitigation, individually or cumulatively with other plans or project. The site is not within the Likely Zone of Impact and is not considered further in this Screening assessment.
Carrowmore Dunes SAC [002250] Distance: 9km	<ul> <li>1014 Narrow-mouthed Whorl Snail Vertigo angustior</li> <li>1170 Reefs</li> <li>2110 Embryonic shifting dunes</li> <li>2120 Shifting dunes along the shoreline with Ammophila arenaria (white dunes)</li> <li>2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)*</li> </ul>	Detailed conservation objectives for this site, (Version 1, March 2014), were reviewed as part of the assessment and are available at www.npws.ie	There is no potential for direct effect as the proposed development site is located completely outside of this SAC.  There is no potential for likely significant effect on the following QI habitats due to their terrestrial nature and the separation in distance between the proposed development and the SAC:  > 2110 Embryonic shifting dunes > 2120 Shifting dunes along the shoreline with Ammophila arenaria (white dunes) > 2130 Fixed coastal dunes with herbaceous



ikely Zone of Impact Determination
Due to the small scale of the proposed development involving minor excavation works within a limited area outlined in Figure 2-2 and 2-3, and the separation in distance between the SAC and the proposed development site, there is no potential for likely significant on the following QI species or its supporting vetland habitat:  1014 Narrow-mouthed Whorl Snail Vertigo angustior  Furthermore, there is no potential for likely significant effect on the QI habitat, 'Reefs [1170]' due to the eparation in distance and buffer between the works ite and the shore, and the intervening distance of 9km between the works site and this QI habitat within the SAC.  No pathway for significant effect on this European Site was identified, when considered in the absence of any nitigation, individually or cumulatively with other plans or project. The site is not within the Likely Zone
nothing with the state of the s



European Sites and distance from proposed development	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie on the 21/08/2023	Conservation Objectives	Identification of Source-Pathway-Receptor chain and Likely Zone of Impact Determination
Inagh River Estuary SAC [000036]  Distance: 11.2km	<ul> <li>1310 Salicornia and other annuals colonising mud and sand</li> <li>1330 Atlantic salt meadows (Glauco-Puccinellietalia maritimae)</li> <li>1410 Mediterranean salt meadows (Juncetalia maritimi)</li> <li>2120 Shifting dunes along the shoreline with Ammophila arenaria (white dunes)</li> <li>2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)</li> </ul>	Detailed conservation objectives for this site, (Version 1, January 2017), were reviewed as part of the assessment and are available at www.npws.ie	There is no potential for direct effect as the proposed development site is located completely outside of this SAC.  There is no potential for likely significant effect on the following QI habitats due to their terrestrial nature and the separation in distance between the proposed development and the SAC:  > 2120 Shifting dunes along the shoreline with Anmophila arenaria (white dunes)  > 2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)*  There is no potential for likely significant effect on the following QI habitats due to the small scale of works, the separation in distance and buffer between the works site and the shore, and the intervening distance of 11.2km between the works site and these QI habitats within the SAC:  > 1310 Salicornia and other annuals colonising mud and sand  > 1330 Atlantic salt meadows (Glauco-Puccinellietalia maritimae)



European Sites and distance from proposed development	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie on the 21/08/2023	Conservation Objectives	Identification of Source-Pathway-Receptor chain and Likely Zone of Impact Determination
			> 1410 Mediterranean salt meadows (Juncetalia maritimi)  No pathway for significant effect on this European Site was identified, when considered in the absence of any mitigation, individually or cumulatively with other plans or project. The site is not within the Likely Zone of Impact and is not considered further in this Screening assessment.
Special Protection Ar	rea (SPA)	<b>用于公共的</b> 有民主主义	
Mid-Clare Coast SPA [004182]  Distance: approx. 20m from the works area	> A017 Cormorant Phalacrocorax carbo > A045 Barnacle Goose Branta leucopsis > A137 Ringed Plover Charadrius hiaticula	Detailed conservation objectives for this site, (Version 1, September 2014), were reviewed as part of the assessment and are available at <a href="https://www.npws.ie">www.npws.ie</a>	There is no potential for direct effect as the proposed development site is located completely outside of this SPA.  This SPA is located offshore, approx. 20m south of the works area as outlined in Figure 2-2 and 2-3.
boundary	A144 Sanderling Calidris alba A148 Purple Sandpiper Calidris maritima A149 Dunlin Calidris alpina alpina A169 Turnstone Arenaria interpres		As described in Section 2.2.1, the construction works undertaken to replace the WwTP were short term in duration. The works area was completely restricted to the red outlined area in Figure 2-2 and 2-3. All excavated material was removed from the site by the contractor and no materials were stored onsite. During the site survey that was undertaken, no evidence of



European Sites and distance from proposed development	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie on the 21/08/2023	Conservation Objectives	Identification of Source-Pathway-Receptor chain and Likely Zone of Impact Determination
	> A999 Wetlands		pathways or channels to facilitate run-off from the works area to the SPA were found. Due to the buffering capacity of the amenity grassland area between the works area and the cliff edge, the potential for significant surface run-off from the works area would have been highly unlikely. The river which runs alongside the western boundary of the Armada Hotel is also buffered from the works area by the stone wall, hedgerow and carpark. Therefore there is no potential for likely significant effect on the marine SCI supporting habitat.  The works area is on the grounds of a busy hotel environment which is subject to high levels of human activity. There is therefore no suitable SCI supporting habitat in the vicinity of the works area. There was no potential for significant effect to the SPA via ex-situ disturbance or displacement of SCI species.
			There has been no potential for significant effect via groundwater deterioration during the works undertaken. Furthermore, as described in Section 2.2.1.2, the works undertaken have resulted in improved functionality of the WwTP such that the effluent is treated efficiently before discharge to ground. The effluent is being treated in accordance



European Sites and distance from proposed development	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie on the 21/08/2023	Conservation Objectives	Identification of Source-Pathway-Receptor chain and Likely Zone of Impact Determination
			with the ELVs of the existing wastewater discharge licence. Therefore, there has not been, nor is there any, potential for likely significant effect during operation of the WwTP.  No pathway for significant effect on this European Site was identified, when considered in the absence of any mitigation, individually or cumulatively with other plans or project. The site is not within the Likely Zone of Impact and is not considered further in this Screening assessment.
Cliffs of Moher SPA [004005] Distance: 9.4km	<ul> <li>A009 Fulmar Fulmarus glacialis</li> <li>A188 Kittiwake Rissa tridactyla</li> <li>A199 Guillemot Uria aalge</li> <li>A200 Razorbill Alca torda</li> <li>A204 Puffin Fratercula arctica</li> <li>A346 Chough Pyrrhocorax pyrrhocorax</li> </ul>	This site has First Order Site-Specific Conservation Objectives, which includes the following:  To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA  NPWS (2022) Conservation objectives for Cliffs of Moher SPA [004005]. First Order Sitespecific Conservation Objectives Version 1.0. Department of	There is no potential for direct effect as the proposed development site is located completely outside of this SPA.  There is no potential for likely significant effect on SCI supporting habitat due to the small scale of works, the separation in distance and buffer between the works site and the shore, and the intervening distance of 9.4km between the works site and the SPA.  There is no suitable supporting habitat for the listed SCI species within the development site which comprises buildings, surfaced areas and managed lawn. The development site is subject to high levels of

Colors.



European Sites and distance from proposed development	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie on the 21/08/2023	Conservation Objectives	Identification of Source-Pathway-Receptor chain and Likely Zone of Impact Determination
		Housing, Local Government and Heritage.	human activity. Therefore, there was no potential for ex-situ disturbance or displacement of SCI species.  No pathway for significant effect on this European Site was identified, when considered in the absence of any mitigation, individually or cumulatively with other plans or project. The site is not within the Likely Zone of Impact and is not considered further in this Screening assessment.



of his book of the state of the

# Likely Cumulative Impact of the Proposed Works on European Sites, in-combination with other plans and projects

The potential for the proposed works to contribute to a cumulative impact on European Sites was considered. The online planning system for Clare County Council was consulted on the 20/07/2023 for additional projects identified within the area around Spanish Point in the last 5 years.

The following planning applications at Armada Hotel have been considered:

Permission for the following a) to construct an extension and outside winter garden area to the bar/dining room area on the south elevation b) to construct an extension and outside terrace area to the pre-wedding reception area on the south elevation along with associated site works (pl ref: 19849).

Permission to construct/install a cabin to be used as short-term tourist accommodation ancillary to the existing Armada Hotel Complex and to install a waste water storage tank along with

associated site works (pl ref. 2084).

Permission to RETAIN indefinitely the existing Snug and Covered Smoking Area to the front of the building. To RETAIN indefinitely the existing Store on the West side of the building and for PERMISSION to alter to incorporate an external door. For PERMISSION to Construct two new Stores, one on the West side and one on the East side and to extend the existing ground storey offices, all at the Armada Hotel, Spanish Point, Co. Clare (pl ref: 1889).

The following applications submitted for Spanish Point House, across the road form the development site, have been considered:

Permission for development which will consist of the removal of the existing septic tank and the installation of a new septic tank and sewage treatment system, with 3 No. 5M flag poles, at MacAuley House, which is a Protected structure (pl ref: 1783)

Permission for the following: a) new pedestrian path, b) new opening on the existing stone boundary wall, c) setback a section of the existing stone boundary wall, d) low lights beside

the new pedestrian path along with associated site works.

Plans for expansion of single storey porch extensions, other minor improvements and the extension of the existing sewage treatment plant capacity to cater for the proposed development. This application (22873) was withdrawn and no plans are in place to expand the sewage treatment system or to tie into the existing system at the Armada Hotel.

The following planning applications at St Joseph's Secondary School, which is the east of the proposed development site, have been considered:

Permission for the construction of a single storey extension consisting of an A.S.D. Unit and G.P. Hall to the rear of the existing school and associated alterations including a new effluent treatment system, realignment of the front entrance gate and all ancillary site works at St. Joseph's Secondary School (pl ref: 1762)

Permission for development which will consist of the partial demolition of area 5.5sq.M and construction of an accessible lift, lobby and accessible toilet of area 39sq.M within an existing

internal courtyard (pl ref: 1847)

> Permission for the installation of a flexible supplementary static water storage tank for fire fighting purposes and construction of a fenced compound with appropriate signage around the tank, and all ancillary site works, to the rear of the existing school and adjacent to the



proposed single storey extension consisting of an A.S.D. Unit and G.P. Hall - Planning Ref. P17-62, at St. Joseph's Secondary School, Spanish Point, Co. Clare (pl ref: 17656)

> The development will consist of the installation of a solid under ground supplementary static water storage tank for fire-fighting purposes, with site works and services. This tank is to replace the flexible over-ground tank approved by planning permission P17-656 (pl ref: 19911)

### Other projects in the area include:

> Permission for development which will consist of alterations and an extension to existing dwelling including all ancillary site works (pl ref: 19771).

> Permission for development which will consist of (1) the removal of an existing entrance porch, (2) alterations and extensions to existing dwelling, (3) All ancillary site works (pl ref: 18467)

> Permission to alter and extend existing dwelling of 2 no. extensions and minor elevation changes (pl ref: 18845)

Permission for development which will consist of the construction of a detached four car domestic garage with attic storage space over and rooflights all to the rear garden of the existing single storey dwelling. (pl ref: 18289)

Permission to construct a dwelling house, garage, proprietary waste water treatment system and ancillary site works (pl ref: 16966)

> The development will consist of a 23sqM single storey extension to the side/west, and a 30.5sqM single storey extension to the rear/north, new rooflight, and alterations to existing windows and to site works and services (pl ref: 20113)

Permission to construct a building for the purposes of using it as an Art Studio and to connect to existing site services along with associated site works (pl ref: 18220)

Permission to convert and extend existing service/utility building to storage building and office incorporating the following works: Ground floor extensions and eleavational changes, raised roof/ridge level to accommodate first floor storage plus all ancillary site works. (pl ref: 18287)

202

The following plans have also been reviewed and relevant objectives are shown in Table 3-2 below:

- > Draft Clare County Development Plan 2023-2029
- > Clare County Development Plan 2017-2023
- > Clare Biodiversity Action Plan 2017-2023



Table 3-2 Review of Plans

Plans	Key Policies/Issues/Objectives Directly Related to European Sites in The Zone of Influence	Assessment of Potential Effects on European Sites
Oraft Clare County Development Plan 2023-2029	CDP3.1 Development Plan Objective: Appropriate Assessment, Strategic Environmental Assessment and Strategic Flood Risk Assessment  It is an objective of the Development Plan:  a) To require compliance with the objectives and requirements of the Habitats Directive, specifically Article 6(3) and where necessary 6(4), Birds, Water Framework, and all other relevant EU Directives and all relevant transposing national legislation  b) To require project planning to be fully informed by ecological and environmental constraints at the earliest stage of project development and any necessary assessment to be undertaken, including assessments of disturbance to species, where required	The Development Plan was comprehensively reviewed, with particular reference to Policies and Objectives that relate to the Natura 2000 network. No potential for cumulative impacts were identified in conjunction with the proposed retention application.
	c) To protect, manage and enhance ecological connectivity and improve the coherence of the Natura 2000 Network  CDP15.3 Development Plan Objective: European Sites	
	It is an objective of Clare County Council:  a) To afford the highest level of protection to all designated European sites in accordance with the relevant Directives and legislation on such matters;  b) b) To require all planning applications for development that may have (or cannot rule out) likely significant effects on European Sites in view of the site's Conservation Objectives, either in isolation or in combination with other plans or projects, to submit a Natura Impact Statement in accordance with the requirements of the EU Habitats Directive and the Planning and Development Act, 2000 (as amended); and  c) c) To recognise and afford appropriate protection to any new or modified SPAs or SACs that are identified during the lifetime of this Development Plan through the planning application process bearing in mind proposals for development outside of a European site may also have an indirect effect	



It is an objective of the Development Plan:

a) To implement Article 6(3) and where necessary 6(4) of the Habitats Directive and to ensure that Appropriate Assessment is carried out in relation to works, plans and projects likely to impact on European sites (SACs and SPAs), whether directly or indirectly or in combination with any other plan(s) or project(s); and

b) To have regard to Appropriate Assessment of Plans and Projects in Ireland – Guidelines for Planning Authorities 2009 or any updated version

#### CDP14.14 Development Plan Objective: Inland Waterways and River Corridor

It is an objective of Clare County Council:

- a) To work with all relevant stakeholders to protect from degradation and damage and manage inland waters, river corridors and their floodplains, turloughs, lakes, fens and other water bodies, and to recognise and promote them as natural assets and key elements in the green infrastructure network in the County;
- b) To protect riparian areas, where appropriate, in the Plan area;
- c) To ensure that, where development occurs within a riparian zone, it does not have a negative impact on associated habitats and species and to have regard for Inland Fisheries Ireland guidance 'Planning For Watercourses In The Urban Environment' and any updated versions;
- d) To work with all relevant stakeholders to protect and improve appropriate access to waterways and river corridors whilst ensuring their conservation and the protection of the resource and water quality;
- e) To encourage development proposals to I. Maintain an appropriate width for the riparian zone to be protected; II. Improve appropriate access and compatible leisure activities; III. Maintain and enhance the fishing potential for both local interests and tourism by protecting the natural spawning beds of trout and salmon; and
- f) To protect the County's valuable inland fishery resource and support its sustainable development through the protection of water quality and facilitation of ancillary infrastructure at appropriate locations.

#### CDP15.17 Development Plan Objective: Freshwater Pearl Mussels

It is an objective of the Development Plan:



	<ul> <li>a) To have regard to the potential impacts of developments within or in close proximity to the Cloon River freshwater pearl mussel catchment including impacts arising downstream within the Shannon Estuary and Clonderalaw Bay;</li> <li>b) To have regard to the Cloon Freshwater Pearl Mussel Sub-Basin Management Plan in the assessment of planning applications;</li> <li>c) To ensure careful consideration is given to all proposed developments within the Doonbeg, Shannon – Graney/Scarriff and the Shannon – Woodford Freshwater Pearl Mussel sensitive areas; and</li> <li>d) To ensure full compliance with Objective CDP3.1 in relation to any future developments in close proximity to a freshwater pearl mussel catchment or sensitive area.</li> </ul>	
Clare County Development Plan 2017-2023	Natural Heritage and Biodiversity Policies and Objectives  Objective CDP2.1– It is an objective of the Development Plan: a To require the preparation and assessment of all planning applications in the Plan area to have regard to the information, data and requirements of the Natura Impact Report, SEA Environmental Report and Strategic Flood Risk Assessment Report contained in Volume 10 of this Development Plan; b To require projects to be fully informed by ecological and environmental constraints at the earliest stage of project planning and any necessary assessment to be undertaken, including assessments of disturbance to species, where required; c To require compliance with the objectives and requirements of the Habitats Directive, the Bird Directive, Water Framework Directive, all other relevant EU Directives and all relevant transposing legislation.	The Development Plan was comprehensively reviewed, with particular reference to Policies and Objectives that relate to the Natura 2000 network. No potential for cumulative impacts were identified in conjunction with the proposed retention.
	Objective CDP11.2 – It is an objective of the Development Plan: a To support and implement the interjurisdictional Strategic Integrated Framework Plan (SIFP) for the Shannon Estuary in conjunction with the other relevant local authorities and agencies. All proposed developments shall be in accordance with the Birds and Habitats Directive, Water Framework Directive and all other relevant EU Directives. All proposed developments shall incorporate the Mitigation Measures as contained in the SIFP – Volume 7 of this Plan - for ensuring the integrity of the Natura 2000 Network;	
	Objective CDP11.5 – It is an objective of Clare County Council: To facilitate and promote the sustainable development of the lands at Strategic Development Location A – Innismurry / Cahiracon (as per Map 11A) for marine-related industry. All proposed developments shall be in accordance with the Birds and Habitats Directive, Water Framework Directive and all other relevant EU Directives; All proposed development at SDL A shall incorporate the Mitigation Measures as contained in the SIFP – Volume 7 of this Plan - for ensuring the integrity of the Natura 2000 Network.	



Objective CDP11.6 - It is an objective of Clare County Council: a To safeguard the role and function of Strategic Development Location B -Moneypoint (as per Map 11B) as a key strategic driver of economic growth in the country, facilitating its sustainable growth, operational expansion and diversification, in accordance with national and regional energy objectives - ensuring in particular that all such developments shall not adversely affect species and habitats designated by the Habitats Directive; b To support and facilitate the development of marine-related industry on lands adjacent to Moneypoint which is compatible with the primary use of the SDL as a Strategic Energy Location. All proposed developments shall be in accordance with the Birds and Habitats Directive, Water Framework Directive and all other relevant EU Directives. All proposed development at SDL B shall incorporate the Mitigation Measures as contained in the SIFP - Volume 7 of this Plan - for ensuring the integrity of the Natura 2000 Network. Objective CDP11.8 - It is an objective of Clare County Council: a To ensure that the Shannon Estuary fulfils it optimum role in contributing to the diversity and security of energy supply; b To harness the potential of the estuary for the sustainable development of renewable energy sources to assist in meeting renewable energy targets. All proposed developments shall be in accordance with the Birds and Habitats Directive, Water Framework Directive and all other relevant EU Directives. All development associated with the energy sector shall incorporate the sector and site specific Mitigation Measures as contained in the SIFP - Volume 7 of this Plan - for ensuring the integrity of the Natura 2000 Network. Objective CDP9.13 - It is an objective of the Development Plan: To support the development of tourism activities in lakeland areas and waterways subject to normal planning and environmental criteria. All proposed developments shall be in accordance with the Birds and Habitats Directive, Water Framework Directive and all other relevant EU Directives. Objective CDP9.13- It is an objective of Clare County Council: a To implement Article 6(3) and where necessary Article 6(4) of the Habitats Directive and to ensure that Appropriate Assessment is carried out in relation to works, plans

### Clare Biodiversity Action Plan 2017-2023

Relevant objectives of the Clare Biodiversity Action Plan include:

Guidelines for Planning

> To ensure the Clare County Biodiversity Action Plan 2017-2023 fully informs all planning policy within the County, including the biodiversity objectives in the Clare County Development Plan 2017-2023

and projects likely to impact on European sites (SACs and SPAs), whether directly or indirectly or in combination with any other plan(s) or project(s). All assessments must be in compliance with the European Communities (Birds and Natural Habitats) Regulations 2011; b To have regard to 'Appropriate Assessment of Plans and Projects in Ireland –

> Promote the retention and conservation of existing trees and hedgerows, and to prevent the disruption of connectivity between woodlands, hedgerows and other valuable habitats;

The Biodiversity Action Plan was comprehensively reviewed. No potential for cumulative effects, considered in conjunction with the proposed retention was identified.



Continue to raise awareness of bats in County Clare and the importance of hedgerows as wildlife corridors;
In addition, the following were identified as key threats to biodiversity:
> Fragmentation of Habitats and Loss of Wildlife Corridors.
Potential impacts from developments can be minimised, or even avoided, when the local biodiversity is taken into account at the earliest stages of project planning.
> Water Pollution and Changes to Hydrology
> Spread of Invasive Species



## 2.1 Conclusion of Cumulative Impact Assessment

The cumulative impact assessment included a review of other projects in the areas around Spanish Point, including previous projects at Spanish Point House and Armada Hotel. However, it has been identified in Table 3-1 that there was and is no potential for any individual effect on the SAC as a result of the replacement of the WwTP, including via groundwater or surface water pathways. Therefore, there was no potential for cumulative effects in-combination with other projects in the area. There is no potential for future in-combination construction-related effects. There are no pathways for indirect effect during operation of the proposed development.

Following the detailed assessment provided in the preceding sections, it is concluded that, the proposed retention has not and will not result in any significant effects on any of the European Sites, their integrity or their conservation objectives when considered on its own. There is therefore no potential for the proposed retention to contribute to any cumulative significant effects on any European Site when considered in-combination with other plans and projects.

In the review of the projects that was undertaken, no connection, that could potentially result in additional or cumulative impacts was identified. Neither was any potential for different (new) impacts resulting from the combination of the various projects and plans in association with the proposed retention.



# ARTICLE 6(3) APPROPRIATE ASSESSMENT SCREENING STATEMENT AND CONCLUSIONS

The findings of this Screening Assessment are presented following the European Commission's Assessment of Plans and Projects Significantly affecting Natura 2000 Sites: Methodological Guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC (EC, 2021) and Managing Natura 2000 Sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC (EC, 2018) as well as the Department of the Environment's Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities (DoEHLG, 2010).

# **Data Collected to Carry Out Assessment**

In preparation of the report, the following sources were used to gather information:

- > Review of NPWS Site Synopses, Conservation Objectives for the European Sites
- Review of 2019, 2013 and 2007 EU Habitats Directive (Article 17) Reports.
- Review of online web-mappers: National Parks and Wildlife Service (NPWS), EPA, Water Framework Directive (WFD), Geological Survey of Ireland (GSI)
- > Review of OS maps and aerial photographs of the site of the proposed project.
- Review of other plans and projects within the area.
- > Site visit carried out on the 20th of March 2023 by MKO.

# **Concluding Statement**

It is concluded beyond reasonable scientific doubt, in view of best scientific knowledge, on the basis of objective information and in light of the conservation objectives of the relevant European sites, that the proposed retention, individually or in combination with other plans and projects, has not had and will not have a significant effect on any European Site.



## **BIBLIOGRAPHY**

 $\label{lem:birds} \begin{tabular}{ll} Birds \ Directive \ (2009/47/EC) - http://ec.europa.eu/environment/nature /legislation/birdsdirective /index \_en.htm \end{tabular}$ 

CIEEM, 2018, updated 2022- Guidelines for Ecological Impact Assessment in the UK and Ireland. Terrestrial, Freshwater, Coastal and Marine.

Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (Habitats Directive) and Directive 2009/147/EC (codified version of Directive 79/409/EEC as amended) (Birds Directive) – transposed into Irish law as European Communities (Birds and Natural Habitats) Regulations 2011 (SI 477/2011).

DEHLG (2009) Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities. DEHLG, Dublin.

DoEHLG (2010). Appropriate Assessment of Plans and Projects in Ireland. Guidance for Planning Authorities. Revision, February, 2010. Department of the Environment, Heritage and Local Government.

EC (2018) Managing Natura 2000 Sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC, Office for Official Publications of the European Communities, Luxembourg. European Commission.

EC (2021) Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Articles 6(3) and (4) of the Habitats Directive 92/43/EEC.

EC (2007a) Guidance document on Article 6(4) of the 'Habitats Directive' 92/43/EEC – Clarification of the concepts of: alternative solutions, imperative reasons of overriding public interest, compensatory measures, overall coherence, opinion of the commission. Office for Official Publications of the European Communities, Luxembourg. European Commission.

EC (2007b) Interpretation Manual of European Union Habitats. Version EUR 27. European Commission, DG Environment.

European Communities (Conservation of Wild Birds) Regulations, 1985, SI 291/1985 & amendments – <a href="http://www.irishstatutebook.ie">http://www.irishstatutebook.ie</a>

European Communities (Natural Habitats) Regulations, SI 94/1997, SI 233/1998 & SI 378/2005 – http://www.irishstatutebook.ie

Fossitt, J. A. (2000). A Guide to Habitats in Ireland. Dublin: The Heritage Council.

NPWS (2019) The Status of EU Protected Habitats and Species in Ireland. Habitat Assessments Volume 2. Version 1.0. Unpublished Report, National Parks and Wildlife Services. Department of Arts, Heritage and the Gaeltacht, Dublin, Ireland.

NPWS (2019), The Status of EU Protected Habitats and Species in Ireland. Species Assessments Volume 3, Version 1.0. Unpublished Report, National Parks and Wildlife Services. Department of Arts, Heritage and the Gaeltacht, Dublin, Ireland.

NPWS of the DEHLG (2008) The Report on Status of Habitats and Species in Ireland: Technical Reports and Forms.

NPWS Protected Site Synopses and maps available on http://www.npws.ie/en/ProtectedSites/



NRA (2009). Ecological Surveying Techniques for Protected Flora and Fauna during the Planning of National Road Schemes. Dublin: National Roads Authority.

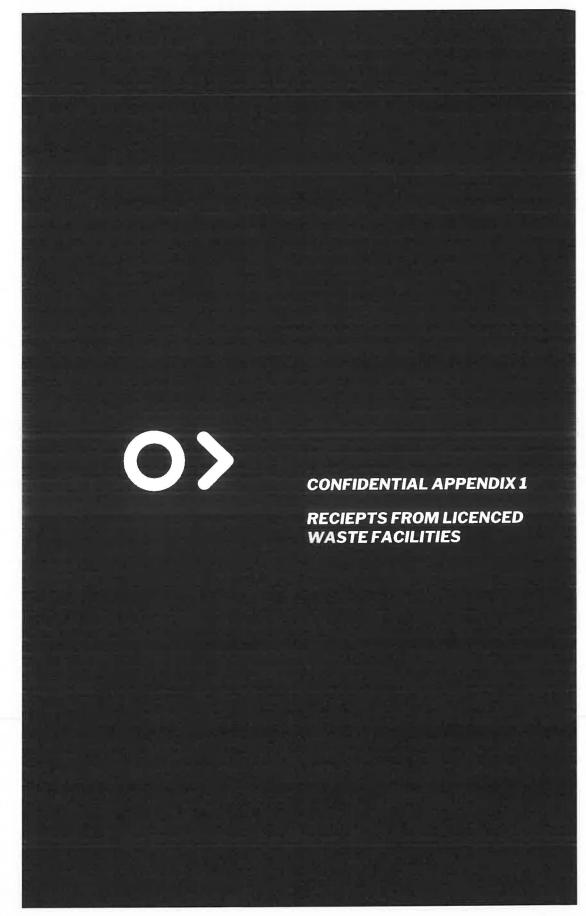
Scottish Natural Heritage (SNH) (July 2016) Assessing Connectivity with Special Protection Areas (SPA)

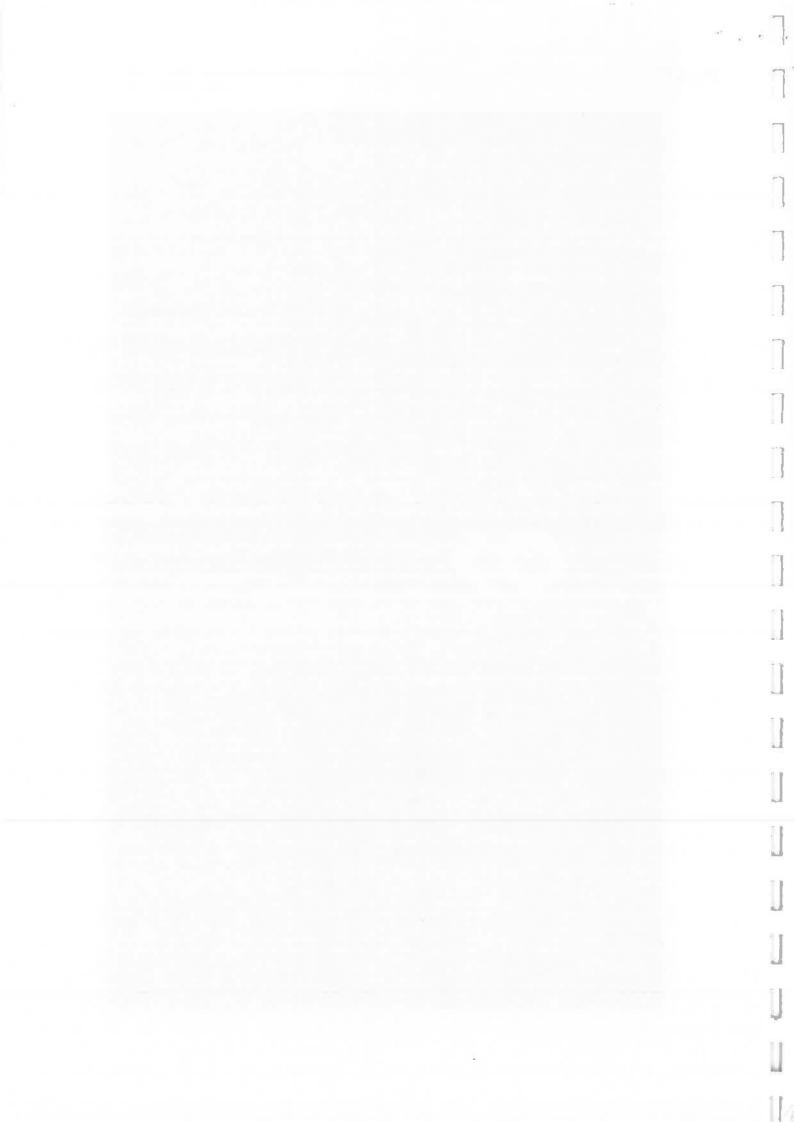
Stace, C. A. (1997). New Flora of the British Isles. Cambridge: Cambridge University Press.

Therivel R. (2009) Workshop Material on the Habitats Directive Assessment of Plans Levett-Therivel Sustainability Consultants on behalf of the Heritage Council, Kilkenny.

Therivel, R. (2009) 'Appropriate assessment of plans in England', Environmental Impact Assessment Review 29(4), pp. 261-272.









Date: 06/09/2023

CDME Contracting Ltd.
Liscaninane
Claregalway
Co. Galway

Phone: 086-6082499 E-Mail: info@cdme.ie

<u>Project: Installation of new treatment plant at the Armada Hotel, Spanish Point, Co. Clare</u>

#### Brief description of the works carried out:

In January 2021 our company was appointed as the main contractor to carry out the safe removal of an existing live treatment plant and installation of a new upgraded treatment plant at the Armada Hotel. These works had to be carried out within a period of 3 weeks while the Hotel was closed for business.

This is a description of the safeguards and procedures we put in place to manage the removal of the existing treatment plant, management of the limited live effluent coming from the staff toilets during the works and the steps undertaken to ensure the operatives carrying out the works were not exposed to any live effluent at any point throughout the working programme.

We engaged Clare Drains Environmental Ltd. (CDEL) to assist with the management system put in place to empty and remove the existing sludge in the system, clean the existing tanks internally prior to removal and to provide the means to cater for the limited live effluent for the duration from the disconnection of the existing plant to the reconnection to the new upgraded system. We will reference the relevant invoices/dockets related to the work carried out by CDEL during the steps below and attach copies of same.

We also engaged Clean Ireland Recycling Ltd. to safely dispose of the existing treatment plant tanks. The relevant invoices for skips provided for this means are referenced below and also attach copies of same.

#### Step 1 Date: (04.01.2021)

#### NOTE: Step 1 was carried out by CDEL and is detailed on invoice 1019064 reference RS616 attached

• A confined space crew entered the manhole on the existing effluent feed from the hotel to the existing treatment plant and installed a bung in the outlet pipe to trap any live effluent for the duration of the works.





Date: 06/09/2023

• A 35 m3 capacity sealed storage tank was placed beside the manhole and a 2" macerating effluent pump with automatic float switch fed the effluent from the back-up in the manhole directly into the storage tank as required.

• This facility was kept in place for the duration of the works until the effluent feed was reconnected to the new treatment plant.

#### Step 2 Date; (04/05 .01.2021)

#### NOTE: Step 2 was carried out by CDEL and is detailed on invoice 1019064 dockets RS 616, 16202, 16203 and 16204

- The live effluent was no longer entering the existing treatment plant as referenced in step 1 so CDEL commenced the de-sludge of the existing tanks.
- The process of de-sludge was completed early on the 05.01.2021 and the cleaning of the tanks internally and the internal workings of the system were jet vacced and cleaned in preparation for removal.
- When CDEL confirmed that the tanks were cleaned and de-sludge completed we commenced excavation around the tanks and removed the tanks to the waiting Clean Ireland Recycling skips for safe disposal. <a href="Note: Clean Ireland recycling invoice reference INA158629 dockets JPS97705">Note: Clean Ireland recycling invoice reference INA158629 dockets JPS97705</a>, JPS97156 and JPS97707 Attached.

#### Step 3 Date: (05 to 20. 01.2021)

- When the existing treatment system was fully removed and disposed of, excavation to accommodate the new treatment plant commenced.
- It was decided to leave a minor containment tank from the existing treatment plant in place to utilise as an extra effluent storage tank while the works were ongoing. This tank along with the 35m3 temporary storage tank were emptied as required until the existing pipe network was re-connected to the newly installed treatment plant. Note: CDEL Invoice 1019064 dockets 16402, 16144, 14886 and 14889 reference the servicing of the temporary storage tanks throughout the works.

#### Step 4 Date: (20.01.2021)

- The new treatment plant works are completed and the existing feed pipe from what will be the live hotel effluent is re-connected for use.
- The manhole that was blocked by CDEL in step 1 above is emptied and jet vacced by CDEL (Reference docket 14889). The confined space crew re-enter the manhole to remove the bung blocking the feed pipe to the new treatment plant. This allows the effluent to flow directly into the new treatment plant. No spillage of effluent occurred throughout the works period ensuring the operatives working on the project were not exposed to hazardous material at any point.
- The temporary storage tank was then removed from site.

#### Step 5 Date: (21.01.2021)





Date: 06/09/2023

- Final commissioning of the new treatment plant completed.
- De-mobilisation from site.





#### **Clean Ireland Recycling**

Quin Road Business Park, Ennis, Co. Clare Tel: +353 (0) 65 689 1350 Fax: +353 (0) 65 689 1349 Email: admin@cleanirl.com Web: www.cleanireland.ie





Waste Collection Permit Number: NWCPO-09-05595-05 EPA Facility Number: WO 253-01

To pay account by EFT:

Account No: 05008143 Sort Code: 93-54-25 Bank Name & Address: AIB, 7 Francis Street, Kilrush, Co. Clare IBAN No: IE21 AIBK 9354 2505 008143 Swift Code: AIB KIE 2 D Please email remittance advice to sslattery@cleanirl.com.

1 of 2

Invoice To: **CDME Contracting Ltd**  **Invoice Number:** 

INA158629

Liscaninane

**Invoice Date:** 

31/01/2022

**Due Date:** 

02/03/2022

Claregalway

**Account No:** 

991118447

Co Clare

Site Name:

CDME Contracting LTD - Armadamada Hotel

Hotel

Spanish Point

Clare

Date	Docket	Description	Qty	Value	Rate
05/01/2022	JPS97155	Processing of 1 x Open Type 35 containing Bulky @ €164.8 per tonne	5.60	922.88	13.5
05/01/2022	JPS97155	Skip Job of Open Type 35 containing Bulky @ €154.50 per job	1.00	154.50	13.5
05/01/2022	JPS97705	Processing of 1 x Type 20 containing Bulky @ €164.8 per tonne	4.38	721.82	13.5
05/01/2022	JPS97705	Skip Job of Type 20 containing Bulky @ €154.50 per job	1.00	154.50	13.5
06/01/2022	JPS97156	Processing of 1 x Open Type 35 containing Bulky @ €164.8 per tonne	4.02	662.50	13.
06/01/2022	JPS97156	Skip Job of Open Type 35 containing Bulky @ €154.50 per job	1.00	154.50	13.
07/01/2022	JPS97707	Processing of 1 x Open Type 35 containing Bulky @ €164.8 per tonne	9.24	1,522.75	13.
07/01/2022	JPS97707	Skip Job of Open Type 35 containing Bulky @ €154.50 per job	1.00	154.50	13.
13/01/2022	JPS97948	Processing of 1 x Open Type 35 containing Bulky @ €164.8 per tonne	4.00	659.20	13.5
13/01/2022	JPS97948	Skip Job of Open Type 35 containing Bulky @ €154.50 per job	1.00	154.50	13.5
18/01/2022	JPS98106	Processing of 1 x Open Type 35 containing Bulky @ €164.8 per tonne	6.30	1,038.24	13.5
18/01/2022	JPS98106	Skip Job of Open Type 35 containing Bulky @ €154.50 per job	1.00	154.50	13.5
21/01/2022	JPS98239	Processing of 1 x Type 20 containing Bulky @ €164.8 per tonne	2.62	431.78	13.5
21/01/2022	JPS98239	Skip Job of Type 20 containing Bulky @ €154.50 per job	1.00	154.50	13.5



#### **Clean Ireland Recycling**

Quin Road Business Park, Ennis, Co. Clare
Tel: +353 (0) 65 689 1350 Fax: +353 (0) 65 689 1349
Email: admin@cleanirl.com Web: www.cleanireland.ie





Waste Collection Permit Number: NWCPO-09-05595-05 EPA Facility Number: WO 253-01

2 of 2

Date	Docket	Description	Qty	Value	Rate
21/01/2022	JPS98240	Processing of 1 x Open Type 35 containing Bulky @ €164.8 per tonne	6.72	1,107.46	13.5
21/01/2022	JPS98240	Skip Job of Open Type 35 containing Bulky @ €154.50 per job	1.00	154.50	13.5
26/01/2022	JPS98364	Processing of 1 x Type 20 containing Bulky @ €164.8 per tonne	2.78	458.14	13.5
26/01/2022	JPS98364	Skip Job of Type 20 containing Bulky @ €154.50 per job	1.00	154.50	13.5
26/01/2022	JPS98365	Processing of 1 x Open Type 35 containing Bulky @ €164.8 per tonne	3.32	547.14	13.5
26/01/2022	JPS98365	Skip Job of Open Type 35 containing Bulky @ €154.50 per job	1.00	154.50	13.5

VC	Rate	Goods	VAT	Goods	€9,616.91
13.5	13.5%	€9,616.91	€1,298.28	VAT	€1,298.28
				Total	€10,915.19





Tel: 065-6825437

Email: accounts@cdenviro.ie **VAT Reg No:** 9777676B

CDME Contracting Ltd Claregalway Co. Galway



INVOICE	Page 1		
Invoice No	1019064		
Invoice Date	26/01/2022		
<b>Customer Order No</b>			
Account Ref	CDMECONT		
Workbook Job No			

ntity Description	Unit Price	Net Amt	VAT %	VAT
-------------------	------------	---------	-------	-----

1.00

Reference: RS616

04/01/2022 & 05/01/2022

Provision at Armada Hotel of:

Jet vac truck & artic tanker on Jan 4th
Jet vac truck on Jan 5th
hire of mobile storage tank for 2 weeks
mobilisation on & off site of mobile storage tank
Confined space crew to install bung and
temporarily seal manhole

6,900.00

6,900.00

0.00

0.00

Tel: 065-6825437

Email: accounts@cdenviro.ie **VAT Reg No:** 9777676B

CDME Contracting Ltd Claregalway Co. Galway



INVOICE	Page 2		
Invoice No	1019064		
Invoice Date	26/01/2022		
Customer Order No			
Account Ref	CDMECONT		
Workbook Job No			

Quantity	Description	<b>Unit Price</b>	Net Amt	VAT %	VAT
1.00	Waste Docket: 16202				
	Waste Docket. 16202				
	04/01/2022				
	Overtime Rate -				
	Recycler & Labour: 1 hour @ €150 per hour Artic Tanker & Labour: 1 hour @ €150 per hour Waste Disposal: 74.98 Tonne @ €15 per Tonne -	1,424.70	1,424.70	0.00	0.00
1.00	€1,124.70	1,424.70	1,424.70	0.00	0.00
	Waste: 16203				
	05/01/2022				
	Overtime Rate -				
	Recycler & Labour: 2 hours @ €150 per hour CCTV: 7 hours @ €75 per hour Waste Disposal: 9.28 Tonne @ €15 per Tonne - €139.20	964.20	964.20	0.00	0.00

Tel: 065-6825437

Email: accounts@cdenviro.ie **VAT Reg No:** 9777676B

CDME Contracting Ltd Claregalway Co. Galway



INVOICE	Page 3
Invoice No	1019064
Invoice Date	26/01/2022
Customer Order No	
Account Ref	CDMECONT
Workbook Job No	

Quantity	Description	<b>Unit Price</b>	Net Amt	VAT %	VAT
1.00	Waste Docket: 16204				
	06/01/2022				
	Transfer Load from 05/01/2022 to Waste Licensed Facility				
1.00	Transfer: €300 Waste Disposal: 9 Tonne @ €15 per Tonne - €135	435.00	435.00	0.00	0.00
1.00	06/01/2022				
	Collection of Load from Armada Hotel & Transfer to Waste Licensed Facility				
	Transfer: €700 Waste Disposal: 25 Tonne @ €15 per Tonne - €375	1,075.00	1,075.00	0.00	0.00

Tel: 065-6825437

Email: accounts@cdenviro.ie **VAT Reg No:** 9777676B

CDME Contracting Ltd Claregalway Co. Galway



INVOICE	Page 4		
Invoice No	1019064		
Invoice Date	26/01/2022		
Customer Order No			
Account Ref	CDMECONT		
Workbook Job No			

6 VAT	VAT %	Net Amt	<b>Unit Price</b>	Description	Quantity
				Wests Declery 16402	1.00
				Waste Docket: 16402	
				11/01/2022	
				Collection of Load from Armada Hotel & Transfer to Waste Licensed Facility	
				Transfer: €700	
0.00	0.00	1,085.50	1,085.50	Waste Disposal: 25.7 Tonne @ €15 per Tonne - €385.50	1.00
				Waste Docket: 16144	1.00
				14/01/2022	
				Collection of Load from Armada Hotel & Transfer to Waste Licensed Facility	
0.00	0.00	944 50	944 50	Waste Disposal: 16.3 Tonne @ €15 per Tonne -	
	0.00	1,085.50 944.50	1,085.50 944.50	€385.50  Waste Docket: 16144  14/01/2022  Collection of Load from Armada Hotel & Transfer to Waste Licensed Facility  Transfer: €700	1.00

Tel: 065-6825437

Email: accounts@cdenviro.ie **VAT Reg No:** 9777676B

€244.20

CDME Contracting Ltd Claregalway Co. Galway



INVOICE	Page 5		
Invoice No	1019064		
Invoice Date	26/01/2022		
Customer Order No			
Account Ref	CDMECONT		
Workbook Job No			

944.20

0.00

0.00

Quantity	Description	<b>Unit Price</b>	Net Amt	VAT %	VAT
1.00					
	Waste Docket: 14886				
	17/01/2022				
	Collection of Load from Armada Hotel & Transfer to Waste Licensed Facility				
	Transfer: €700				
	Waste Disposal: 16.28 Tonne @ €15 per Tonne -	044.00	044.00	0.00	0.00

944.20

Tel: 065-6825437

Email: accounts@cdenviro.ie **VAT Reg No:** 9777676B

CDME Contracting Ltd Claregalway Co. Galway



INVOICE	Page 6		
Invoice No	1019064		
Invoice Date	26/01/2022		
<b>Customer Order No</b>			
Account Ref	CDMECONT		
Workbook Job No			

Quantity Description	<b>Unit Price</b>	Net Amt	VAT %	VAT
----------------------	-------------------	---------	-------	-----

1.00

Waste Docket: 14889

20/01/2022

Collection of Load from Armada Hotel & Transfer to Waste Licensed Facility

Transfer: €700

Waste Disposal: 10.50 Tonne @ €15 per Tonne -

€157.50

VAT to be PAID by PRINCIPAL CONTRACTOR

857.50

857.50

0.00

0.00

Bank Details:

Bank Name: AIB Bank, Ennis, Co. Clare IBAN: IE84AIBK93538722610058

BIC: AIBKIE2D

We can take credit card payments over the phone

Payment Terms - 30 days from date of invoice

Total Net Amount	€	14,630.60	
Total Tax Amount	€	0.00	
Invoice Total	€	14,630.60	

WASTE DOCKET NUMBER: OA-00701

DATE: 11/01/2022

DRIVER: SEAN IRVINE

VEHICLE REG: 152CE1671

TONNAGE: 1 Load

**EWC/PRODUCT DETAILS: Soil and Stones** 

CUSTOMER NAME: CDME CONTRACTING LTD.

CUSTOMER ADDRESS/EIRCODE: N/A

WASTE COLLECTED FROM SITE ADDRESS/EORCODE: Same as Customer Eircode

DESTINATION WASTE FACILITY: Western Excavations and Groundworks Ltd

DESTINATION WASTE FACILITY PERMIT NO: COR-CE-22-0004-01

TREATMENT AT WASTE FACILITY: Disposal

CUSTOMER NAME: CDME CONTRACTING LTD.

DRIVER: SEAN IRVINE

SI



WASTE DOCKET NUMBER: OA-00700

DATE: 12/01/2022

DRIVER: SEAN IRVINE

VEHICLE REG: 152CE1671

TONNAGE: 1 Load

**EWC/PRODUCT DETAILS: Soil and Stones** 

CUSTOMER NAME: CDME CONTRACTING LTD.

CUSTOMER ADDRESS/EIRCODE: N/A

WASTE COLLECTED FROM SITE ADDRESS/EORCODE: Same as Customer Eircode

DESTINATION WASTE FACILITY: Western Excavations and Groundworks Ltd

DESTINATION WASTE FACILITY PERMIT NO: COR-CE-22-0004-01

TREATMENT AT WASTE FACILITY: Disposal

CUSTOMER NAME: CDME CONTRACTING LTD.

DRIVER: SEAN IRVINE

SI

WASTE FACILITY OPERATOR NAME: Shane Ryan

SK

WASTE DOCKET NUMBER: OA-00699

DATE: 12/01/2022

DRIVER: SEAN IRVINE

VEHICLE REG: 152CE1671

**TONNAGE: 1 Load** 

**EWC/PRODUCT DETAILS: Soil and Stones** 

CUSTOMER NAME: CDME CONTRACTING LTD.

CUSTOMER ADDRESS/EIRCODE: N/A

WASTE COLLECTED FROM SITE ADDRESS/EORCODE: Same as Customer Eircode

DESTINATION WASTE FACILITY: Western Excavations and Groundworks Ltd

DESTINATION WASTE FACILITY PERMIT NO: COR-CE-22-0004-01

TREATMENT AT WASTE FACILITY: Disposal

CUSTOMER NAME: CDME CONTRACTING LTD.

DRIVER: SEAN IRVINE

SI



WASTE DOCKET NUMBER: OA-00698

DATE: 12/01/2022

DRIVER: SEAN IRVINE

VEHICLE REG: 152CE1671

TONNAGE: 1 Load

**EWC/PRODUCT DETAILS: Soil and Stones** 

CUSTOMER NAME: CDME CONTRACTING LTD.

CUSTOMER ADDRESS/EIRCODE: N/A

WASTE COLLECTED FROM SITE ADDRESS/EORCODE: Same as Customer Eircode

DESTINATION WASTE FACILITY: Western Excavations and Groundworks Ltd

DESTINATION WASTE FACILITY PERMIT NO: COR-CE-22-0004-01

TREATMENT AT WASTE FACILITY: Disposal

CUSTOMER NAME: CDME CONTRACTING LTD.

DRIVER: SEAN IRVINE

SI

WASTE FACILITY OPERATOR NAME: Shane Ryan

SR

WASTE DOCKET NUMBER: OA-00697

DATE: 12/01/2022

DRIVER: Brian Hanrahan
VEHICLE REG: 131CE2178

TONNAGE: 1 Load

**EWC/PRODUCT DETAILS: Soil and Stones** 

CUSTOMER NAME: CDME CONTRACTING LTD.

CUSTOMER ADDRESS/EIRCODE: N/A

WASTE COLLECTED FROM SITE ADDRESS/EORCODE: Same as Customer Eircode

DESTINATION WASTE FACILITY: Western Excavations and Groundworks Ltd

DESTINATION WASTE FACILITY PERMIT NO: COR-CE-22-0004-01

TREATMENT AT WASTE FACILITY: Disposal

CUSTOMER NAME: CDME CONTRACTING LTD.

DRIVER: Brian Hanrahan

74



WASTE DOCKET NUMBER: OA-00696

DATE: 10/01/2022

DRIVER: **Brian Hanrahan**VEHICLE REG: **131CE2178** 

TONNAGE: 1 Load

**EWC/PRODUCT DETAILS: Soil and Stones** 

CUSTOMER NAME: CDME CONTRACTING LTD.

CUSTOMER ADDRESS/EIRCODE: N/A

WASTE COLLECTED FROM SITE ADDRESS/EORCODE: Same as Customer Eircode

DESTINATION WASTE FACILITY: Western Excavations and Groundworks Ltd

DESTINATION WASTE FACILITY PERMIT NO: COR-CE-22-0004-01

TREATMENT AT WASTE FACILITY: Disposal

CUSTOMER NAME: CDME CONTRACTING LTD.

DRIVER: Brian Hanrahan

PA



WASTE DOCKET NUMBER: OA-00695

DATE: 10/01/2022

DRIVER: SEAN IRVINE

VEHICLE REG: 152CE1671

TONNAGE: 1 Load

**EWC/PRODUCT DETAILS: Soil and Stones** 

CUSTOMER NAME: CDME CONTRACTING LTD.

CUSTOMER ADDRESS/EIRCODE: N/A

WASTE COLLECTED FROM SITE ADDRESS/EORCODE: Same as Customer Eircode

DESTINATION WASTE FACILITY: Western Excavations and Groundworks Ltd

DESTINATION WASTE FACILITY PERMIT NO: COR-CE-22-0004-01

TREATMENT AT WASTE FACILITY: Disposal

CUSTOMER NAME: CDME CONTRACTING LTD.

**DRIVER: SEAN IRVINE** 

SI

WASTE FACILITY OPERATOR NAME: Shane Ryan

SK

#### Western Excavation & Groundworks Ltd

Derrymore, Lahinch, Co Clare Shane Ryan @ 0872806199

# Waste Collection Docket Waste Collection Permit No: **NCWPO-19-12342-01**

WASTE DOCKET NUMBER: OA-00694

DATE: 21/01/2022

DRIVER: SEAN IRVINE

VEHICLE REG: 152CE1671

TONNAGE: 1 Load

**EWC/PRODUCT DETAILS: Soil and Stones** 

CUSTOMER NAME: CDME CONTRACTING LTD.

CUSTOMER ADDRESS/EIRCODE: N/A

WASTE COLLECTED FROM SITE ADDRESS/EORCODE: Same as Customer Eircode

DESTINATION WASTE FACILITY: Western Excavations and Groundworks Ltd

DESTINATION WASTE FACILITY PERMIT NO: COR-CE-22-0004-01

TREATMENT AT WASTE FACILITY: Disposal

CUSTOMER NAME: CDME CONTRACTING LTD.

DRIVER: SEAN IRVINE

SI

WASTE FACILITY OPERATOR NAME: Shane Ryan

SK

WASTE DOCKET NUMBER: OA-00693

DATE: 21/01/2022

DRIVER: **Brian Hanrahan**VEHICLE REG: **131CE2178** 

**TONNAGE: 1 Load** 

**EWC/PRODUCT DETAILS: Soil and Stones** 

CUSTOMER NAME: CDME CONTRACTING LTD.

CUSTOMER ADDRESS/EIRCODE: N/A

WASTE COLLECTED FROM SITE ADDRESS/EORCODE: Same as Customer Eircode

DESTINATION WASTE FACILITY: Western Excavations and Groundworks Ltd

DESTINATION WASTE FACILITY PERMIT NO: COR-CE-22-0004-01

TREATMENT AT WASTE FACILITY: Disposal

CUSTOMER NAME: CDME CONTRACTING LTD.

DRIVER: Brian Hanrahan

FA



#### Western Excavation & Groundworks Ltd

Derrymore, Lahinch, Co Clare Shane Ryan @ 0872806199

# Waste Collection Docket Waste Collection Permit No: **NCWPO-19-12342-01**

WASTE DOCKET NUMBER: OA-00691

DATE: 20/01/2022

DRIVER: Brian Hanrahan

VEHICLE REG: 131MN1718

**TONNAGE: 1 Load** 

**EWC/PRODUCT DETAILS: Soil and Stones** 

CUSTOMER NAME: CDME CONTRACTING LTD.

CUSTOMER ADDRESS/EIRCODE: N/A

WASTE COLLECTED FROM SITE ADDRESS/EORCODE: Same as Customer Eircode

DESTINATION WASTE FACILITY: Western Excavations and Groundworks Ltd

DESTINATION WASTE FACILITY PERMIT NO: COR-CE-22-0004-01

TREATMENT AT WASTE FACILITY: Disposal

CUSTOMER NAME: CDME CONTRACTING LTD.

DRIVER: Brian Hanrahan

PA



WASTE DOCKET NUMBER: OA-00690

DATE: 20/01/2022

DRIVER: SHANE RYAN

VEHICLE REG: 131MN1718

**TONNAGE: 1 Load** 

**EWC/PRODUCT DETAILS: Soil and Stones** 

CUSTOMER NAME: CDME CONTRACTING LTD.

CUSTOMER ADDRESS/EIRCODE: N/A

WASTE COLLECTED FROM SITE ADDRESS/EORCODE: Same as Customer Eircode

DESTINATION WASTE FACILITY: Western Excavations and Groundworks Ltd

DESTINATION WASTE FACILITY PERMIT NO: COR-CE-22-0004-01

TREATMENT AT WASTE FACILITY: Disposal

CUSTOMER NAME: CDME CONTRACTING LTD.

DRIVER: SHANE RYAN

SR



WASTE DOCKET NUMBER: OA-00689

DATE: 20/01/2022

DRIVER: SHANE RYAN

VEHICLE REG: 152CE1671

**TONNAGE: 1 Load** 

**EWC/PRODUCT DETAILS: Soil and Stones** 

CUSTOMER NAME: CDME CONTRACTING LTD.

CUSTOMER ADDRESS/EIRCODE: N/A

WASTE COLLECTED FROM SITE ADDRESS/EORCODE: Same as Customer Eircode

DESTINATION WASTE FACILITY: Western Excavations and Groundworks Ltd

DESTINATION WASTE FACILITY PERMIT NO: COR-CE-22-0004-01

TREATMENT AT WASTE FACILITY: Disposal

CUSTOMER NAME: CDME CONTRACTING LTD.

**DRIVER: SHANE RYAN** 

SR

WASTE FACILITY OPERATOR NAME: Shane Ryan

SK

WASTE DOCKET NUMBER: OA-00688

DATE: 19/01/2022

DRIVER: SEAN IRVINE

VEHICLE REG: 152CE1671

TONNAGE: 1 Load

**EWC/PRODUCT DETAILS: Soil and Stones** 

CUSTOMER NAME: CDME CONTRACTING LTD.

CUSTOMER ADDRESS/EIRCODE: N/A

WASTE COLLECTED FROM SITE ADDRESS/EORCODE: Same as Customer Eircode

DESTINATION WASTE FACILITY: Western Excavations and Groundworks Ltd

DESTINATION WASTE FACILITY PERMIT NO: COR-CE-22-0004-01

TREATMENT AT WASTE FACILITY: Disposal

CUSTOMER NAME: CDME CONTRACTING LTD.

**DRIVER: SEAN IRVINE** 

SI

WASTE FACILITY OPERATOR NAME: Shane Ryan

SR

WASTE DOCKET NUMBER: OA-00687

DATE: 18/01/2022

DRIVER: SEAN IRVINE

VEHICLE REG: 152CE1671

TONNAGE: 1 Load

**EWC/PRODUCT DETAILS: Soil and Stones** 

CUSTOMER NAME: CDME CONTRACTING LTD.

CUSTOMER ADDRESS/EIRCODE: N/A

WASTE COLLECTED FROM SITE ADDRESS/EORCODE: Same as Customer Eircode

DESTINATION WASTE FACILITY: Western Excavations and Groundworks Ltd

DESTINATION WASTE FACILITY PERMIT NO: COR-CE-22-0004-01

TREATMENT AT WASTE FACILITY: Disposal

CUSTOMER NAME: CDME CONTRACTING LTD.

DRIVER: SEAN IRVINE

SI



WASTE DOCKET NUMBER: OA-00686

DATE: 17/01/2022

DRIVER: SEAN IRVINE

VEHICLE REG: 152CE1671

**TONNAGE: 1 Load** 

**EWC/PRODUCT DETAILS: Soil and Stones** 

CUSTOMER NAME: CDME CONTRACTING LTD.

CUSTOMER ADDRESS/EIRCODE: N/A

WASTE COLLECTED FROM SITE ADDRESS/EORCODE: Same as Customer Eircode

DESTINATION WASTE FACILITY: Western Excavations and Groundworks Ltd

DESTINATION WASTE FACILITY PERMIT NO: COR-CE-22-0004-01

TREATMENT AT WASTE FACILITY: Disposal

CUSTOMER NAME: CDME CONTRACTING LTD.

**DRIVER: SEAN IRVINE** 

SI



#### Western Excavation & Groundworks Ltd

Derrymore, Lahinch, Co Clare Shane Ryan @ 0872806199

# Waste Collection Docket Waste Collection Permit No: **NCWPO-19-12342-01**

WASTE DOCKET NUMBER: OA-00685

DATE: 14/01/2022

DRIVER: SHANE RYAN

VEHICLE REG: 131MN1718

**TONNAGE: 1 Load** 

**EWC/PRODUCT DETAILS: Soil and Stones** 

CUSTOMER NAME: CDME CONTRACTING LTD.

CUSTOMER ADDRESS/EIRCODE: N/A

WASTE COLLECTED FROM SITE ADDRESS/EORCODE: Same as Customer Eircode

DESTINATION WASTE FACILITY: Western Excavations and Groundworks Ltd

DESTINATION WASTE FACILITY PERMIT NO: COR-CE-22-0004-01

TREATMENT AT WASTE FACILITY: Disposal

CUSTOMER NAME: CDME CONTRACTING LTD.

**DRIVER: SHANE RYAN** 

SR



WASTE DOCKET NUMBER: OA-00684

DATE: 14/01/2021

DRIVER: **SEAN IRVINE** 

VEHICLE REG: 152CE1671

TONNAGE: 1 Load

**EWC/PRODUCT DETAILS: Soil and Stones** 

CUSTOMER NAME: CDME CONTRACTING LTD.

CUSTOMER ADDRESS/EIRCODE: N/A

WASTE COLLECTED FROM SITE ADDRESS/EORCODE: Same as Customer Eircode

DESTINATION WASTE FACILITY: Western Excavations and Groundworks Ltd

DESTINATION WASTE FACILITY PERMIT NO: COR-CE-22-0004-01

TREATMENT AT WASTE FACILITY: Disposal

CUSTOMER NAME: CDME CONTRACTING LTD.

**DRIVER: SEAN IRVINE** 

SI

WASTE FACILITY OPERATOR NAME: Shane Ryan

SK

#### Western Excavation & Groundworks Ltd

Derrymore, Lahinch, Co Clare Shane Ryan @ 0872806199

# Waste Collection Docket Waste Collection Permit No: **NCWPO-19-12342-01**

WASTE DOCKET NUMBER: OA-00683

DATE: 13/01/2022

DRIVER: **Brian Hanrahan**VEHICLE REG: **131CE2178** 

TONNAGE: 1 Load

**EWC/PRODUCT DETAILS: Soil and Stones** 

CUSTOMER NAME: CDME CONTRACTING LTD.

CUSTOMER ADDRESS/EIRCODE: N/A

WASTE COLLECTED FROM SITE ADDRESS/EORCODE: Same as Customer Eircode

DESTINATION WASTE FACILITY: Western Excavations and Groundworks Ltd

DESTINATION WASTE FACILITY PERMIT NO: COR-CE-22-0004-01

TREATMENT AT WASTE FACILITY: Disposal

CUSTOMER NAME: CDME CONTRACTING LTD.

DRIVER: Brian Hanrahan

P#



WASTE DOCKET NUMBER: OA-00682

DATE: 13/01/2022

DRIVER: **Brian Hanrahan**VEHICLE REG: **131CE2178** 

TONNAGE: 1 Load

**EWC/PRODUCT DETAILS: Soil and Stones** 

CUSTOMER NAME: CDME CONTRACTING LTD.

CUSTOMER ADDRESS/EIRCODE: N/A

WASTE COLLECTED FROM SITE ADDRESS/EORCODE: Same as Customer Eircode

DESTINATION WASTE FACILITY: Western Excavations and Groundworks Ltd

DESTINATION WASTE FACILITY PERMIT NO: COR-CE-22-0004-01

TREATMENT AT WASTE FACILITY: Disposal

CUSTOMER NAME: CDME CONTRACTING LTD.

DRIVER: Brian Hanrahan

FA



WASTE DOCKET NUMBER: OA-00682

DATE: 19/01/2022

DRIVER: SEAN IRVINE

VEHICLE REG: 152CE1671

TONNAGE: 1 Load

**EWC/PRODUCT DETAILS: Soil and Stones** 

CUSTOMER NAME: CDME CONTRACTING LTD.

CUSTOMER ADDRESS/EIRCODE: N/A

WASTE COLLECTED FROM SITE ADDRESS/EORCODE: Same as Customer Eircode

DESTINATION WASTE FACILITY: Western Excavations and Groundworks Ltd

DESTINATION WASTE FACILITY PERMIT NO: COR-CE-22-0004-01

TREATMENT AT WASTE FACILITY: Disposal

CUSTOMER NAME: CDME CONTRACTING LTD.

DRIVER: SEAN IRVINE

SI

WASTE FACILITY OPERATOR NAME: Shane Ryan

SK