

An
Coimisiún
Pleanála

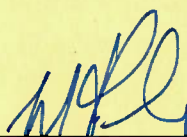
Direction
CD-022359-26
ACP-323493-25

The submissions on this file and the Inspector's report were considered at a meeting held on 28/07/2026.

The Commission decided to grant substitute consent generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Planning

Commissioner:


Mary Henchy

Date: 28/07/2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

The Commission, in accordance with section 177K of the Planning and Development Act, 2000, as amended, and based on the Reasons and Considerations set out below, decided to **GRANT** substitute consent in accordance with the following conditions.

Reasons and Considerations

In coming to its decision, the Commission had regard to the following:

- (a) the EU Habitats Directive (92/43/EEC),
- (b) the European Union (Birds and Natural Habitats) Regulations 2011-2015,
- (c) the likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely significant effects of the proposed development on a European Site,
- (d) the conservation objectives, qualifying interests and special conservation interests for the Twelve Bens/Garraun Complex Special Area of Conservation (site code 002031).
- (e) the policies and objectives of the Galway County Development Plan 2022-2028,
- (f) the nature and limited extent of the proposed works as set out in the application for approval,
- (g) the information submitted in relation to the potential impacts on habitats, flora and fauna, including the remedial Natura Impact Statement,
- (h) the submissions and observations received in relation to the proposed development, and
- (i) the report and recommendation of the person appointed by the Commission to make a report and recommendation on the matter.

The Commission agreed with and adopted the screening assessment and conclusion carried out in the Inspector's report that the Twelve Bens/Garraun Complex Special Area of Conservation (site code 002031), is the only European Site in respect of which the proposed development has the potential to have a significant effect.

The Commission considered the remedial Natura Impact Statement and associated documentation submitted with the application for approval, the submissions and observations on file, and the Inspector's assessment. The Commission completed an appropriate assessment of the implications of the proposed development for the affected European Site, namely the Twelve Bens/Garraun Complex Special Area of Conservation (site code 002031), in view of the site conservation objectives. The Commission considered that the information before it was adequate to allow the

carrying out of an appropriate assessment. In completing the appropriate assessment, the Commission considered, in particular, the following:

- i. the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
- ii. the absence of any requirement for significant mitigation measures as part of the current proposal, and
- iii. the conservation objectives for the European Sites.

In completing the appropriate assessment, the Commission accepted and adopted the appropriate assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the integrity of the aforementioned European Sites, having regard to the site's conservation objectives.

In overall conclusion, the Commission was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Sites, in view of the sites' conservation objectives.

Having regard to: -

- (a) the Galway County Development Plan 20220-2028,
- (b) the planning history of the site, and
- (c) the submitted remedial Natura Impact Statement,

it is considered that, subject to compliance with the conditions set out below, the development for retention has not had and will not have a significant negative effects on the environment or the community in the vicinity, would not give rise to a risk of pollution, would not be detrimental to the visual or landscape amenities of the area, would not seriously injure the amenities of property in the vicinity, and would not interfere with the existing land uses in the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained in accordance with the plans and particulars lodged with the application.

Reason: In the interests of clarity and the proper planning and sustainable development of the area and to ensure the protection of the environment.

2. The sheds and agricultural buildings shall be used for agricultural/horticultural storage and associated purposes only. These structures shall not be used for human habitation, the housing of animals or any commercial purpose other than a purpose incidental to farming/horticulture, whether or not such use might otherwise constitute exempted development.

Reason: In the interests of orderly development and the amenities of the area.

3. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution, if applicable, shall be paid shall be paid within 3 months of the date of this order or as otherwise agreed with the planning authority and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.