



An  
Coimisiún  
Pleanála

Commission Order  
ABP-322096-25

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Galway County Council**

**Planning Register Reference Number: 2461323**

**Appeal** by Michael Mullen care of John M. Gallagher of 1 Oldfield, Kingston, Galway against the decision made on the 4<sup>th</sup> day of March 2025, by Galway County Council to grant, subject to conditions, a permission to Patrick Mullin care of Shane Hanniffy and Associates of Cottage, Maree, Oranmore, County Galway in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of a domestic garage at Cill Einne, Kilronan Lower, Kilronan, Aran Islands, County Galway.

## **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## **Reasons and Considerations**

Having regard to the nature and scale of the proposed development, the location and character of the site in a rural area, together with the provisions of the Galway County Development Plan 2022-2028, including Policy Objective IS 2 (Invasive Species) and DM Standard 6 (Domestic Garages), the landscape sensitivity of the site, and its location adjacent to the Inishmore Island Special Area of Conservation (Site Code: 000213), it is considered that, subject to compliance with the conditions set out below, the proposed development would be generally acceptable, and would not seriously injure the residential or visual amenities of the area or the character of the landscape. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **Appropriate Assessment: Stage 1:**

The Commission considered the documents submitted with the application, and all other relevant submissions on file, and carried out an Appropriate Assessment in relation to the potential effects of the proposed development on designated European sites. The Commission agreed with the screening assessment and conclusion carried out in the Inspector's Report that the Inishmore Island Special Area of Conservation (Site Code: 000213) is the only European Site in respect of which the proposed development has the potential to have a significant effect in view of the Conservation Objectives for the site and that Stage 2 Appropriate Assessment is, therefore, required.

## **Appropriate Assessment: Stage 2:**

The Commission considered the Natura Impact Statement, and all the other relevant submissions on file, and carried out an Appropriate Assessment of the implications of the proposed development on the Inishmore Island Special Area of Conservation (Site Code: 000213) in view of the site's Conservation Objectives. The Commission considered that the information before it was sufficient to undertake a complete assessment of all aspects of the proposed development in relation to the site's Conservation Objectives, using the best scientific knowledge in the field. In completing the assessment, the Commission considered, in particular, the following:

- (i) the nature and scale of the proposed development,
- (ii) the site-specific Conservation Objectives for the European Site,
- (iii) the likely direct and indirect impacts arising from the proposed development, both individually or in combination with other plans or projects, and
- (iv) the mitigation measures which are included as part of the current proposal.

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 aforementioned European Site. In overall conclusion, the Commission was satisfied that the proposed development would not adversely affect the integrity of the European Site, in view of the site's Conservation Objectives and that there is no reasonable scientific doubt as to the absence of such effects.

## Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 20<sup>th</sup> day of January 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars.

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

2. The mitigation measures contained in the submitted Natura Impact Statement shall be implemented in full.

**Reason:** To protect the integrity of European Sites.

3.
  - (a) The domestic garage shall be for private use only by the resident(s) of the existing dwellinghouse on the site. It shall be ancillary to the dwellinghouse and shall not be open to visiting members of the public.
  - (b) The domestic garage shall not be utilised independently of the main dwellinghouse, either by way of sale, letting or otherwise.

- (c) The domestic garage shall not be used for habitable or commercial purposes or any other purpose other than those incidental to the enjoyment of the dwellinghouse.

**Reason:** In the interest of the proper planning and sustainable development of the area and residential amenity.

- 4. The measures contained in the Construction Environmental Management Plan shall be implemented in full and shall include the following:
  - (a) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network.
  - (b) Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

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

- 5. The measures contained in the submitted Site-Specific Flood Risk Assessment shall be implemented in full.

**Reason:** In the interest of proper planning and sustainable development.



6. The southern elevation of the garage shall be finished with a natural stone native to the area.

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

7. The attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services.

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



**Paul Caprani**

**Planning Commissioner of An Coimisiún  
Pleanála duly authorised to authenticate  
the seal of the Commission.**



Dated this 10<sup>th</sup> day of July 2025.