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**Planning and Development Act 2000, as amended**

**Planning Authority: Galway County Council**

**Planning Register Reference Number: 2461709**

**APPEAL** by Enda Corbett against the decision made on the 26<sup>th</sup> day of September 2025 by Galway County Council to refuse permission for the proposed development.

**Proposed Development:** To construct dwelling house, install wastewater treatment system and polishing filter as well as all ancillary site works and services at Derreen, Clifden, County Galway.

## **Decision**

**REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.**

## **Reasons and Considerations**

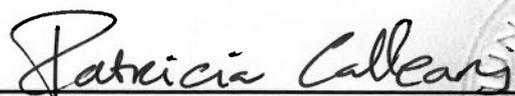
1. Annex 1 habitat referred to as Northern Atlantic Wet Heaths with *Erica tetralix* is present within the curtilage of the site. Policy Objective NHB 4 (Ecological Appraisal of Biodiversity) of the Galway County Development Plan 2022-2028, seeks to protect and conserve areas, sites, species and ecological/networks of biodiversity value outside designated sites.

Having regard to unresolved conflicts between the Ecological Impact Assessment and the application drawings, submitted regarding the location of the habitat and associated five metre buffer exclusion zone, and the positioning of the polishing bed element of the on-site wastewater treatment plant which appears to be proposed within the exclusion zone, the Commission is not satisfied that the proposed mitigation measures would be achievable and implementable. Furthermore, having regard to the absence of a detailed assessment of the impact to the Annex 1 habitats, following alteration of the hydrological regime on the site, it is not clear if sufficient mitigation measures have been identified to adequately protect the habitat and ensure compliance with Policy Objective NHB 4. The proposed development would, be contrary to Policy Objective NHB 4 of the Galway County Development Plan 2022-2028 and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The site is situated on an exposed area, alongside a maritime scenic route, visible from another maritime scenic route across Streamstown Bay, and in a Class 3 special sensitivity landscape. Policy Objective LCM 1 (Preservation of Landscape Character) of the Galway County Development Plan 2022-2028, seeks to preserve and enhance the character of the landscape, including the preservation and enhancement of views and prospects and the amenities of places and features of natural beauty or interest. Policy Objective LCM 3 (Landscape Sensitivity Ratings) requires the consideration of landscape sensitivity ratings as well as the design and the choice of location of proposed development in the landscape. Development Management Standard 8 refers to site selection and design for rural housing and requires site specific sensitivity to the landscape and clearly states that cut and fill proposals are not desirable. The layout and design of the proposed development requires significant alterations to the landscape, in terms of cut and fill, which would materially alter the character of the landscape and negatively impact the visual amenity of sensitive receptors in the area

including views from the scenic route. The proposed development would, materially contravene Policy Objective LCM 1 given the specifics of the sensitive receiving landscape and the policy intention to seek preservation and enhancement of such a landscape. Furthermore, to permit the development would be contrary to LCM 3 and Development Management Standard 8 of the Galway County Development Plan 2022 – 2028 and the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

The Commission agreed with the Inspector's recommendation overall, however, while the Commission concluded that the proposal would be contrary to Policy Objectives LMC3 and NBH 4, given the more general wording of these policies as set out in the Galway Development Plan 2022-2028, and the specifics of the case, the conflict between the proposed development and those policies does not meet the level to be considered a material contravention of the plan. The commission similarly found that the development would not materially contravene Development Management Standard 8 which provides general guidance for the assessment of planning applications for rural housing and differed from the Inspector's findings in this regard.



**Patricia Calleary**

**Planning Commissioner of An Coimisiún**

**Pleanála duly authorised to authenticate**

**the seal of the Commission.**

Dated this *27<sup>th</sup>* day of *February* 2026.