

An
Coimisiún
Pleanála

**Commission Order
PL-500131-GY-25**

Planning and Development Act 2000, as amended

Planning Authority: Galway County Council

Planning Register Reference Number: 24/61227

Appeal by Louise Callaghan and Others against the decision made on the 25th day of September, 2025 by Galway County Council to grant subject to conditions a permission to Oughterard Sports and Recreational Partnership in accordance with plans and particulars lodged with the said Council.

Proposed Development: Provision of new grass multi-sport playing pitch, grass amenity areas, lighting 275 Lux to new pitch and lighting 261 Lux to existing rugby pitch, advertising boards, goal posts and ball stop nets to all pitches, three multi-purpose hard surface ball courts, astro amenity area with fencing, car parking for 58 spaces and bus parking, facilities building including meeting rooms, toilets, showers, administration and ancillary facilities 644 square metres with on-site sewerage treatment plant and sand polishing filter, relocation of existing entrance and provision of internal access road, rainwater

harvesting storage and all associated site works. This application includes an Appropriate Assessment and a Natura Impact Statement; all at Lemonfield, Oughterard, County Galway as amended by the revised public notice received by An Coimisiún Pleanála on the 25th day of May, 2026 .

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 provisions of the Galway County Development Plan 2022 – 2028, to the location of the appeal site in a rural area and proximate to the settlement boundary of Oughterard and within walking distance of the town, to the absence of appropriately zoned lands in the town, to the nature, scale and design of the proposed sports related development and to the nature of adjoining Pier Road and the passing-bay upgrades proposed, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area, the local landscape character or the quality of local waters and would be acceptable in terms of traffic safety and convenience.

The Commission did not share the Inspector's concern regarding the floodlighting and poles for the multi-sports pitch; it considered that these were part of the overall facility and when in use would integrate into the wider sports grounds. In addition, the hours of use will be limited by condition.

Furthermore, the Commission noted the opportunity for alternative pedestrian access as shown in the applicant's planning report and, therefore, considered liaison with the planning authority's active travel would benefit the scheme and improve accessibility. The Commission concurred with the planning authority that signage should be limited, as signage is not required for the operation of the sports facility.

Notwithstanding the location of the site within an area identified as a Class 4 iconic landscape, having regard to the nature of the development and the proximity to the Small Growth Town and the assessed impacts on the local landscape character, the Commission was satisfied that a material contravention of Development Plan standard DM Standard 46 is warranted in this instance. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment Screening

In accordance with Section 177U of the Planning and Development Act 2000, as amended, and on the basis of the information considered in the Appropriate Assessment screening, as set out in the Inspector's report (see details in Appendix 3), the Commission concluded that it is not possible to exclude that the proposed development, either individually or in combination with other plans and projects, would give rise to significant effects on Lough Corrib Special Area of Conservation (Site Code: 000297) and Lough Corrib Special Protection Area (Site Code: 004042) in view of the sites' conservation objectives. An Appropriate Assessment Stage 2 (and submission of a Natura Impact Statement) is, therefore, required.

This determination is based on:

- the potential water-based connection route from the land drains on the site via the Owenriff River to the European Sites.
- the potential for negative impacts on water quality via sedimentation and/or release of hydrocarbons which water quality could degrade habitat and negatively impact on the qualifying interests of the Lough Corrib Special Area of Conservation (Site Code: 000297) and Lough Corrib Special Protection Area (Site Code: 004042).
- The potential for invasive species to be transmitted to the Lough Corrib Special Area of Conservation (Site Code: 000297) and Lough Corrib Special Protection Area (Site Code: 004042).

Appropriate Assessment

Following an examination, analysis and evaluation of the revised Natura Impact Assessment (see Appendix 4), all associated material submitted, and taking into account the observations of the Department of Housing, Local Government and Heritage, the Commission concluded that adverse effects on site integrity of the Lough Corrib Special Area of Conservation (Site Code: 000297) and Lough Corrib Special Protection Area (Site Code: 004042) can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.

This conclusion is based on the following:

- Detailed assessment of construction and operational impacts.

- The mitigation measures provided to prevent sediment run-off or emission of pollutants or untreated surface water from the site into water bodies linked to the European Sites.
- The proposed development will not affect the attainment of conservation objectives for Lough Corrib Special Area of Conservation (Site Code: 000297) and Lough Corrib Special Protection Area (Site Code: 004042) or prevent or delay the restoration of favourable conservation condition associated with the conservation objectives for these sites.
- The effectiveness of mitigation measures proposed and adoption of the Construction Environmental Management Plan.
- Application of planning conditions to require the implementation to the mitigation measures outlined in the revised Natura Impact Statement.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 6th day of August, 2025 and by An Coimisiún Pleanála on the 11th day of May, 2026 and the 25th day of May, 2026, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The mitigation measures contained in the submitted Natura Impact Statement received by An Coimisiún Pleanála on the 11th day of May, 2026 and those contained within the Natura Impact Statement (as revised on the 6th day of August, 2024) and submitted to the planning authority on the 18th day of September, 2024 and Natura Impact Statement Passing Points (as revised on the 6th day of December, 2024) and submitted to the planning authority on the 6th day of August, 2025 shall be implemented.

Reason: To protect the integrity of European sites.

3. Prior to commencement of development, all measures as detailed in the submitted Invasive Species Management Plan to eradicate the Montbretia (*Crocasmia pottsii*) on the project site, as received by the planning authority on the 18th day of September, 2025, shall be implemented in full on site unless otherwise agreed in writing with the planning authority.

Reason: In the interests of public health and of proper planning and sustainable development.

4. (a) The upgrade works to the public road shall be completed prior to the commencement of the operation of the development.

- (b) The internal road network serving the proposed development, including turning bays, junctions, sight distances, footpaths and kerbs shall be in accordance with the detailed requirements of the planning authority for such works, and shall comply in all respects with the provisions of the Design Manual for Urban Roads and Streets.
- (c) Proposed internal finished roads layout in the format of cross/longitudinal sections details presenting geometrical parameters such as road gradients shall not exceed 1:20.

Reason: In the interest of road safety.

- 5. (a) Sight distance triangles shall be maintained and kept free from obstructions that would reduce the minimum visibility required.
- (b) Prior to commencement of the development, the applicant shall submit detailed design drawings and measures incorporating the recommendations arising from its submitted Stage 1 Road Safety Audit submitted to the planning authority on the 6th day of August, 2025.
- (c) On completion of the development, a stage 3 Road Safety Audit shall be completed by an independent road safety auditor, at the developer's expense, and submitted for the written approval of the planning authority. Any safety issues highlighted in the audit shall be reviewed and addressed by the developer at their expense and shall be submitted for the written approval of the planning authority.

- (d) The public road and margins that incorporate any proposed works adjacent to the LS-5334 and any proposed associated new surfacing pavement, kerbing, drainage infrastructure headwalls and culverts, signage and line marking including any public road margin reinstatement works and/or any public lighting works that shall be constructed and/or where proposed alterations, amendments and provision of new infrastructure that includes provisions of local road passing bays that will form part of the public road margins, shall comply with the standards and specification set out, in particular to Transport Infrastructure Ireland Standards, and shall be agreed in advance and constructed to the satisfaction of the planning authority.
- (e) Any damage including alterations to existing road, footpath or other public facilities or services caused by the proposed development shall be fully reinstated and specifications finished to the satisfaction of the planning authority.
- (f) All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble, or other debris on adjoining roads during the course of the works.

Reason: In the interest of road safety.

- 6. (a) Provision of bicycle facilities including stands, shall be in accordance with DM Standard 31(f) of County Galway Development Plan 2022 - 2028 whilst the positioning of same shall be located within strategic locations per desire lines for the benefit of the wider community.

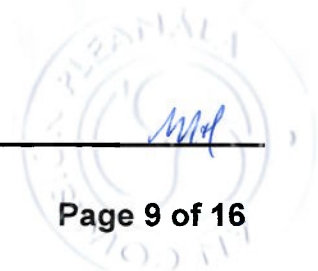
- (b) The applicant shall make provision for Electric Charge point infrastructure and spaces in accordance with DM Standard 31(g) of the Galway County Development Plan 2022 - 2028 with provision of future EV ducting.
- (c) The applicant shall liaise with Galway County Council Active Travel Department to develop and encourage instilling permeability links to the development from Oughterard in accordance with WC4 of the Galway County Development Plan objectives 2022 - 2028.

Prior to the commencement of development, final details in this regard shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of sustainable transportation.

- 7. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

- (a) A plan to scale of not less than 1:200 showing –
 - (i) Existing trees and hedgerows, specifying which are proposed for retention as features of the site landscaping.
 - (ii) The measures to be put in place for the protection of these landscape features during the construction period.



- (iii) The species, variety, number, size and locations of all proposed trees and shrubs.
 - (iv) Details of screen planting [which shall not include cupressocyparis x leylandii].
 - (v) Details of roadside/street planting which shall not include prunus species.
 - (vi) Hard landscaping works, specifying surfacing materials and finished levels.
- (b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment
- (c) A timescale for implementation.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interests of residential and visual amenity.

8. The noise levels from the facilities building generated during the operation of the development shall not exceed 55 dB(A) Leq, 1hr when measured at the nearest occupied house and shall not exceed 45 dB(a) leq 15 mins at any other time. When measuring the specific noise, the time shall be any one hour.

Reason: In order to protect the residential amenities of property in the vicinity.

9. No advertisement or advertisement structure shall be erected or displayed on the building or within the curtilage of the site, unless exempt from planning permission under the Planning and Development Regulations 2001, as amended, or as authorised by a further grant of planning permission.

Reason: To protect the amenities of the area.

10. Site development and building works shall be carried out only between the hours of 0700 and 1900 from Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays and 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: To safeguard the amenity of property in the vicinity.

11. Prior to the commencement of development the developer shall enter into Connection Agreement(s) with Uisce Éireann (Irish Water) to provide for service connection(s) to the public water supply network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

12. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the drainage and attenuation details submitted in the Soakaway and Rainwater Harvesting Calculations report submitted to the planning authority on the 18th day of September, 2024 and with requirements of the relevant Section of the Council for such works and services.

Reason: In the interests of public health and surface water management.

13. (i) The developer is requested to engage the services of a suitably qualified Archaeologist to carry out an Archaeological Impact Assessment (AIA) which shall include a programme of Archaeological Test Excavation to respond to this request for Further Information. No sub-surface work shall be undertaken in the absence of the Archaeologist without his/her express consent.
- (ii) The Archaeologist shall inspect the proposed development site and detail the historical and archaeological background of the site (consulting appropriate documentary sources) and review all cartographic sources and aerial photographs for the area.

- (iii) The Archaeological Test Excavation must be carried out under licence from the National Monument Service (NMS) of the Department of Housing, Local Government and Heritage and in accordance with an approved method statement; note a period of four to five weeks should be allowed to facilitate processing and approval of the licence application and method statement.
- (iv) Test trenches shall be excavated at locations chosen by the Archaeologist, having consulted the site drawings. Excavation is to take place to the uppermost archaeological horizons only, where they survive. Where archaeological material is shown to be present, the Archaeologist shall suspend works in the area of archaeological interest pending a decision of the planning authority, in consultation with this Department, regarding appropriate mitigation. Please note that all features/archaeological surfaces within the test trenches are to be hand-cleaned and clearly visible for photographic purposes.
- (v) Having completed the work, the Archaeologist shall submit a written report to the planning authority and describing the findings of the AIA, including the results of the Archaeological Test Excavation. The report shall comment on the degree to which the extent, location and levels of all proposed foundations, services trenches and other subsurface works required for the development will affect the archaeological remains. This should be illustrated with appropriate plans, sections, etc.

- (vi) Where archaeological material is shown to be present, further mitigation measures will be required; these may include refusal, redesign to allow for preservation in situ, excavation and/or monitoring as deemed appropriate. The Department will advise the planning authority with regard to these matters. No decision should be made on this application until this Department and the planning authority have had the opportunity to fully evaluate the findings of the AIA.
- (vii) The Construction Environment Management Plan (CEMP) (required per the NIS mitigation measures) shall be updated to incorporate any significant findings that emerge from the AIA process including (but not limited to) the location of any archaeological or cultural heritage constraints relevant to the proposed development and shall present appropriate mitigation measures to protect the archaeological or cultural heritage environment.

Reason: To ensure the continued preservation [either in situ or by record] of places, caves, sites, features or other objects of archaeological interest.

14. (a) The septic tank/wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with this application on the 18th day of September, 2024 and shall be in accordance with the standards set out in the document entitled Code of Practice - Wastewater Treatment and Disposal Systems Serving Small Communities, Business, Leisure Centres and Hotels (p.e. ≥ 10) – Environmental Protection Agency, 1999.
- (b) Treated effluent from the septic tank/wastewater treatment system shall be discharged to a percolation area/polishing filter which shall be provided in accordance with the standards set out in the document entitled Code of Practice - Wastewater Treatment and Disposal Systems Serving Small Communities, Business, Leisure Centres and Hotels (p.e. ≥ 10) – Environmental Protection Agency, 1999. Prior to commencement of development details of such compliance and that the soil polishing filter design includes provision for an unsaturated depth above the flood levels for its location shall be submitted to the planning authority for agreement.

- (c) Within three months of the first public use of the development, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the septic tank/wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.

Reason: In the interest of public health and to prevent water pollution.



Mary Henchy

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



Dated this 10th day of September 2026.