

An
Coimisiún
Pleanála

**Commission Order
PL-500574-GY-26**

Planning and Development Act 2000, as amended

Planning Authority: Galway County Council

Planning Register Reference Number: 2461738

Appeal by Miriam Derham against the decision made on the 5th day of December, 2025 by Galway County Council to grant subject to conditions a permission to Jason Collins for the proposed development.

Proposed Development: (1) refurbishment and extension of existing traditional storey and a half dwelling house; (2) conversion of existing adjoining barn into useable living space with link to existing house; and (3) construct a new domestic garage and upgrade existing septic tank with new wastewater system and all associated site development works at Lurgan, Loughrea, County Galway. The proposed development was revised by further public notices received by the planning authority on the 11th day of November 2025.

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 planning policies, objectives and development standards of the Galway City Development Plan 2022-2028, and specifically to Policy Objective RH 7 (Renovation of Existing Derelict Dwellings), Development Management Standard 4 (House Extensions) and Policy NHB 9 (Protection of Bats and Bats Habitats), the presence of a bat roost and bats on the site and the issuing of a Derogation by the Competent Authority in relation to same, It is considered that, subject to compliance with the conditions set out below, the proposed development is an acceptable form of development at this location, would not seriously injure local ecology or the amenities of adjoining properties and would be acceptable in terms of traffic safety and convenience, the proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

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 11th day of November 2025, and by information received by An Coimisiún Pleanála on the 22nd 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 measures contained in the Bat derogation issued by the National Parks and Wildlife Service dated 22nd of May 2026 shall be carried out in full and in accordance with the terms and conditions of the said Derogation in the timeframe required (that is, between September 1st 2026 and December 31st 2026 inclusive).

Reason: To protect the integrity of the Annex bat species on site.

3. A pre-works barn owl survey shall be undertaken by a licensed surveyor prior to the removal of the roof of the existing structure with appropriate mitigation to be agreed with the planning authority, following consultation with the National Parks and Wildlife Service, as required.

Reason: To protect the integrity of a species protected under the Wildlife Acts.

4. Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

5. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

6. Drainage arrangements, including 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 and surface water management.

7. (a) The wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with this application and shall be in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021.
- (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- Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" Environmental Protection Agency, 2021.
- (c) Within three months of the first occupation of the dwelling, 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.

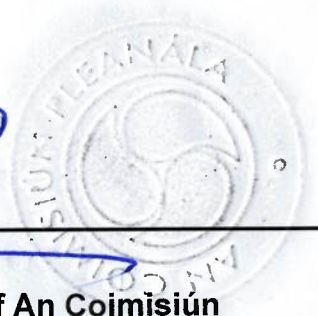
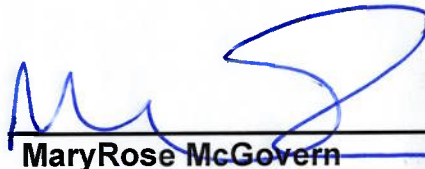
Reason: In the interest of public health and to prevent water pollution

8. 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 and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

9. 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 shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate 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 or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

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.



MaryRose McGovern

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 31st day of July 2026