



An  
Coimisiún  
Pleanála

**Commission Direction**  
**CD-000432**  
**PL-500644-GY-26**

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The submissions on this file and the Inspector's report were considered at a meeting held on 17 April 2026.

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

**Planning Commissioner:**

**Stephen Bohan**

**Date:**

**17<sup>th</sup> day of April 2026**

**DRAFT WORDING FOR ORDER**

**Reasons and Considerations**

The proposed development, which is seeking permission for the provision of a dwelling, with site wastewater treatment plant complies with the provision of the

Galway County Development Plan 2022-2028. It is considered that subject to compliance with the conditions set out below, the development would not be out of character with the surrounding area, would not give rise to undue negative impacts upon the residential or visual amenity of the surrounding area and would therefore be in keeping 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, on the 31<sup>st</sup> March 2025, the further information on the 30<sup>th</sup> June 2025, and the clarification of Further Information on the 24<sup>th</sup> October 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 development shall be carried out and completed in accordance with the agreed particulars.

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

2.

(i) The mitigation measures as set out in the Natura Impact Statement, as received by the Planning Authority on the 30<sup>th</sup> June 2026 shall be strictly carried out in full as part of the proposed development.

(ii) The management procedures as set out in the Construction & Environmental Management Plan shall be adhered to and strictly carried out in full as part of the proposed development.

(iii) An appointed qualified ecologist shall oversee the implementation of the mitigation measures of the Natura Impact Statement.

**REASON:** In the interest of proper planning and sustainable development and to protect European sites.

3. The proposed dwelling, when completed, shall be first occupied as a place of permanent residence by the applicant, members of the applicant's immediate family or their heirs, and shall remain so occupied for a period of at least seven years thereafter [unless consent is granted by the planning authority for its occupation by other persons who belong to the same category of housing need as the applicant]. Prior to commencement of development, the applicant shall enter into a written agreement with the planning authority under section 47 of the Planning and Development Act, 2000 to this effect.

Within two months of the occupation of the proposed dwelling, the applicant shall submit to the planning authority a written statement of confirmation of the first occupation of the dwelling in accordance with paragraph (a) and the date of such occupation. This condition shall not affect the sale of the dwelling by a mortgagee in possession or the occupation of the dwelling by any person deriving title from such a sale.

**Reason:** To ensure that the proposed house is used to meet the applicant's stated housing needs and that development in this rural area is appropriately restricted [to meeting essential local need] in the interest of the proper planning and sustainable development of the area.

4.

- (a) The proposed dwelling house shall have a nap plaster and/or natural local stone external finish.
- (b) The proposed windows shall be of powder coated aluminum and/or timber framed and/or nonwhite uPVC.
- (c) The external door(s) shall be of timber construction, unless otherwise agreed in writing with the planning authority, prior to the commencement of development on site.
- (d) The roof of the dwelling house shall be black/brown/grey slates/tiles.
- (e) The colour of any rainwater goods shall be dark in colour/match the colour of the roof.
- (f) Eaves and verges shall be flush.

**REASON:** In the interest of visual amenity.

5. All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.

**REASON:** In the interest of public health

6. Sight distance triangles shall be maintained and kept free from vegetation or other obstructions that would reduce the minimum visibility required.

**REASON:** In the interests of public and road safety and proper planning and development.

7. Prior to the commencement of development the applicant shall enter into a Connection Agreement with Irish Water in respect to the water supply to serve the development.

**REASON:** In the interests of public health

8.

(a) The development shall be served by the proposed wastewater treatment plant and polishing filter area which shall be designed, located, constructed and maintained in accordance with the details received with the planning application, and shall be in accordance with the requirements of the document "Code of Practice Domestic Waste Water Treatment Systems (p.e<10)", Environmental Protection Agency, 2021).

(b) Any change to an equivalent and equal system shall be agreed in writing with the planning authority prior to works being started and the system being installed and shall be in accordance with the Environmental Protection Agency publication "Code of Practice: Domestic Wastewater Treatment Systems (Population Equivalent  $\leq 10$ ), 2021".

(c) The proposed polishing filter shall maintain a minimum separation distance of 10 metres from any house, existing or proposed land drain or watercourse.

(d) Immediately following installation, the developer shall submit to the Planning Authority, a report from a suitably qualified person with professional indemnity insurance certifying that the wastewater treatment plant has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner and that the proposed polishing filter is constructed in

accordance with the standards set out in the Environmental Protection Agency document.

(e) A maintenance contract for the treatment system shall be entered into and paid for in advance and shall be kept in place at all times. Signed and dated copies of the contract shall be made available to the Planning Authority on request.

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

9. Electricity, Telecom, Cable T.V. and other services shall be laid underground, where possible.

**REASON:** In the interest of visual amenity and proper planning and development.

10. Construction on site shall be limited to between 0800 hours and 1800 hours, Monday to Friday and between 0900 hours and 1700 hours on Saturday, unless otherwise agreed in writing with the Planning Authority. No work shall take place on Sundays, Bank or Public Holidays.

**REASON:** In the interest of residential amenity and orderly development.

11. All public roads and footpaths shall be maintained free from dirt and debris during construction stage of the proposed development. All necessary measures shall be undertaken by the applicant to prevent the spillage or deposit of clay, rubble or other debris on adjoining lands during the course of the works.

**REASON:** In the interests of proper planning and sustainable development of the area.

12. Any in-situ stonewalls; hedgerow and/or trees bounding the site, shall be retained, except for the provision of the site entrance works/sight distance triangles.

**REASON:** In the interest of visual amenity and in order to screen the development and assimilate it into the area.

13.

(a) The landscaping plan shall be carried out in accordance with the details submitted.

(b) The lateral boundaries of the site shall be landscaped with native plant and tree species. In addition, the front boundary of the site shall be planted with semi-mature native indigenous deciduous trees and hedging species. Any plants/trees 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.

**REASON:** In the interest of visual amenity and in order to screen the development and assimilate it into the area.

14. The developer shall pay to the planning authority a financial contribution of 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. The

application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine.

**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.

**[Note:** The Commission noted no proposed works on third-party lands and that the entrance utilises the approved family access (Pl. Ref. 96359) abutting the public road L-5372. Any underlying title dispute is historic and not a material consideration for this application under s.34 PDA 2000.]