

Planning and Development Act 2000, as amended

Planning Authority: Galway County Council

Planning Register Reference Number: 26/60091

APPEAL by Joe Carty against the decision made on the 1st day of May, 2026 by Galway County Council to refuse permission for the proposed development.

Proposed Development: Farm Road at Northbrook and Cappagh, Kilconnell, Ballinasloe, County Galway.

Decision

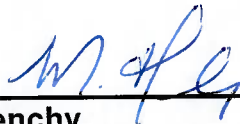
REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

1. Having regard to the nature, scale, and location of the proposed development, and in particular the proximity to the DERRYMULLAN_010 (River) which is designated as a good status waterbody under the Water Framework Directive, the Commission is not satisfied that, in the absence of a sufficient buffer, the proposed development would not give rise to a risk of deterioration in the ecological and/or chemical status of the said water body. Permitting the proposed development would

therefore be contrary to the requirements of Article 4 of the EU Water Framework Directive (2000/60/ EC), as transposed into Irish law by the European Communities (Water Policy) Regulations 2003 (S.I. No. 722 of 2003), as amended, and would be inconsistent with the objectives of the Water Action Plan 2024, and contravene Policy Objective WR1 objective of the Galway County Development Plan 2022-28.

2. The applicant has not demonstrated that the proposed road accords with the Department of Agriculture Food and the Marine's Minimum Specifications for Farm Roads and Underpasses, specifically with regard to the alignment of the road relative to the watercourse and the proposals for the management of surface water during construction and operation Furthermore, the applicant has not provided adequate design and construction details of the proposed river crossing to enable this aspect of the proposed works to be assessed. Due to this lack of detail, the applicant has not demonstrated that the proposed development would accord with Galway County Development Plan 2022-2028, Policy IW1 (Inland Waterways) and Policy FL7 (protection of Waterbodies / Watercourses). The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Mary Henchy

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

Dated this 22nd day of September 2026