



An
Bord
Pleanála

Inspector's Report ABP-318819-24

Development	To construct a new dwelling house and all ancillary site works and site services. A Natura Impact Statement accompanies this application.
Location	Aughrus More, Claddaghduff, County Galway.
Planning Authority	Galway County Council
Planning Authority Reg. Ref.	2360491
Applicant(s)	Gerard McNamara
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First
Appellant(s)	Gerard McNamara
Observer(s)	None
Date of Site Inspection	02/05/25
Inspector	Darragh Ryan

1.0 Site Location and Description

- 1.1. The proposed site is located in the townland of Aughrus More which is 1.5km northwest of Claddahduff Village and 13.8km northwest of Clifden Town. The site is an infill green field site of .379ha.
- 1.2. The site rises slightly above the public road. The site slopes away from the public road south to north, with a 5 meter level difference through the site. The site is within an open and exposed costal landscape area with the public road designated as part of the Maritime Scenic Route. The lands at this location appear wet with bedrock evident on the surface. The site is bordered by drainage ditches to the east and west. The boundaries consist of low stone walls with some scrub hedging.
- 1.3. The road is a local secondary road L-5116 of approx 4m in width. There are two properties immediately adjacent to the site to the east and west which have been recently constructed.

2.0 Proposed Development

- 2.1. The proposal is outlined as follows:
 - Construction of a single storey dwelling house of 137sqm (5m high ridge height)
 - Construction of a new access
 - Installation of onsite waste water treatment system(A Natura Impact Statement accompanies the planning application)

3.0 Planning Authority Decision

3.1. Decision

The planning authority issued a decision to refuse permission for one reason:

1. Having regard to the plans/ particulars and Road Layout plan submitted as part of Clarification of Further information, the planning authority have concerns with the entry visibility to the subject site. The Planning Authority are

not satisfied that the Applicant has satisfactorily demonstrated that entry visibility to the site or submitted evidence of sufficient control over the relevant lands to maintain vision lines associated with the site. Accordingly, to grant the proposed development where there is limited visibility at the proposed site entrance, would interfere with the safety and free flow of traffic on the public road, would endanger public safety by reason of a traffic hazard or obstruction of road users or otherwise, and therefore, would be contrary to the proper planning and sustainable development of the area as per DM Standard 28 of the County Galway Development Plan 2022 – 2028.

3.2. Planning Authority Reports

3.2.1. Planning Reports

There are three planning reports on file, the assessment can be summarised as follows:

- The applicant meets the Policy Objective RH4 in terms of Rural Housing need.
- The site suitability assessment indicates ground conditions are acceptable for the design solution proposed. Detail is lacking with regard to a longitudinal section for the percolation area and waste water treatment system.
- Having regard to the proposed new entrance there are concerns that the forward vision lines to the west of the site as presented do not comply with DM Standard 28 of County Development Plan
- Having regard to design and the Special Landscape Sensitivity, the design proposal is not considered appropriate or in accordance with DM standard 46 of the County Development Plan.

A further information request was sought with regard to the above three issues. On receipt of further information the planning authority was not satisfied that the issue raised with regard to site access was addressed and recommended clarification of further information.

Following receipt of clarification of further information a decision to refuse was issued as outlined under Section 3.1 above.

3.2.2. Other Technical Reports

None

3.3. Prescribed Bodies

None

3.4. Third Party Observations

None

4.0 Planning History

Existing Site

- PA reg ref 04/2638 – Permission granted August 2008 to Patricia and Decland McGenara for the construction of a dwelling house and septic tank.

Adjacent site to the west

- PA reg ref 20/1560 – Permission granted to Emer Heaney March 2021 to construct a dwelling, effluent treatment system and polishing filter.

Lands to the east – 50m from the site

- PA reg ref 22/60636 – permission refused to Breda Ann O Toole August 2022 for the construction of a dwelling, effluent treatment system, polishing filter. Permission refused for 3 reasons:
 1. Site deemed unsuitable for the treatment of effluent
 2. Development in close proximity to Aughrusbeg Machair and Lake Special Area of Conservation (SAC, code: 001228) – concerns that in the absence of appropriate discharge to ground water there may be an impact on the SAC
 3. Proposal would be contrary to DM standard 28 of the County Development Plan in relation to site vision lines.

5.0 Policy Context

5.1. Development Plan

Galway County Development Plan 2022 – 2028

Policy Objective RC 2 – Rural Houses in the Countryside

- To manage the development of rural housing in the open countryside by requiring applicants to demonstrate compliance with the Rural Housing Policy Objectives as outlined in Section 4.6.3.

Policy Objective NBH 1 – Natural Heritage and Biodiversity of Designated Sites, Habitats and Species

- Protect and where possible enhance the natural heritage sites designated under EU Legislation and National Legislation (Habitats Directive, Birds Directive, European Communities (Birds and Natural Habitats) Regulations 2011 and Wildlife Acts) and extend to any additions or alterations to sites that may occur during the lifetime of this plan.
- Protect and, where possible, enhance the plant and animal species and their habitats that have been identified under European legislation (Habitats and Birds Directive) and protected under national Legislation (European Communities (Birds and Natural Habitats) Regulations 2011 (SI 477 of 2011), Wildlife Acts 1976-2010 and the Flora Protection Order (SI 94 of 1999).
- Support the protection, conservation and enhancement of natural heritage and biodiversity, including the protection of the integrity of European sites, that form part of the Natura 2000 network, the protection of Natural Heritage Areas, proposed Natural Heritage Areas, Ramsar Sites, Nature Reserves, Wild Fowl Sanctuaries (and other designated sites including any future designations) and the promotion of the development of a green/ ecological network.

Policy Objective WW6 – Private Waste Water Treatment Plants

- Ensure that private wastewater treatment plants, where permitted, are operated in compliance with Environmental Protection Agency (EPA) Code of Practice for Domestic Waste Water Treatment System 2021 (Population Equivalent ≤ 10).

DM Standard 28 – Sight Distances required for access onto National, Regional, Local and Private Roads

- Vehicular entrances and exit points must be designed by the developer as part of a planning application with adequate provision for visibility so that drivers emerging from the access can enjoy good visibility of oncoming vehicles, cyclists and pedestrians. Where a new entrance is proposed, the Planning Authority must consider traffic conditions and available sight lines. Road junction visibility requirements shall comply with Geometric Design of Junctions (priority junctions, direct accesses, roundabouts, grade separated and compact grade separated junctions) (DN-GEO-03060) for rural roads and Design Manual for Urban Roads and Streets for urban roads (including any updated/ superseding document). Where substantial works are required in order to facilitate the provision of adequate sight distances lands within the sight distance triangles shall be within the control of the applicant and shall be subject of a formal agreement with the adjacent landowner which ensures certainty that the applicant is in a position to comply with the relevant condition and or standard

5.2. Natural Heritage Designations

Aughrusbeg Machair & Lake SAC (Site Code: 001228) – c 5m

West Connaught Coast SAC (Site Code: 002998) – c950m

Omev Island Machair SAC (Site Code: 001309) – 1.1km

5.3. EIA Screening

See completed form 2 on file. Having regard to the limited nature and scale of development and the absence of any significant environmental sensitivity in the vicinity of the site as well as the criteria set out in Schedule 7 of the Planning &

Development Regulations there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

This is a first party appeal against the decision of Galway County Council to refuse permission:

- The proposed development would not endanger public safety by reason of traffic hazard or obstruction of road users in the locality. The entrance has been strategically located and correctly designed which makes it suitable for the site location;

Based on the road alignment and design, and

Factoring the actual vehicular road speed achievable on this rural road.

- A number of precedents have been identified including similar residential dwellings located within the townland. These precedents indicate planning approval granted for residential development without adequate vision lines demonstrated.
- The applicant has supplied details and a breakdown of how the proposed development complies with “Entry Visibility” requirements of DM standard 28 of the County Development Plan 2022 – 2028.

6.2. Planning Authority Response

None

6.3. Observations

None

7.0 Assessment

7.1.1. Having examined the application details and all other documentation on file, including the appeal, and having inspected the site and having regard to the relevant national and local policy guidance, I consider the main issues in relation to this appeal are as follows:

- Sightlines/ Entry visibility
- Waste Water Treatment System
- Other Matters
- Appropriate Assessment

7.2. Sightlines/ Entry visibility

7.2.1. The proposed development is situated along the local secondary road (L-5116). The sole reason for refusal concerns the inadequate "Entry Visibility" from the west. Consequently, the proposal is considered non-compliant with Development Management (DM) Standard 28 of the County Development Plan.

7.2.2. DM Standard 28 specifies that a vehicle turning right into the proposed development must have forward visibility to the centre of the opposite lane for a distance of 'Y' to ensure safe crossing in the path of an oncoming vehicle. According to Table 15.3 of the Galway County Development Plan, the required 'Y' distance on major roads is determined by the designated speed limit. For the road in question, with a speed limit of 50 km/h, the required forward visibility is 70 meters.

7.2.3. The applicant has submitted a series of images and extracts from the site layout, indicating a forward visibility line of 120 meters to the centre of the opposite lane. This significantly exceeds the required 70 meters stipulated under DM Standard 28. The forward visibility line does not encroach upon third-party boundaries, thus no setbacks from third parties are necessary to achieve the required sightlines. I am satisfied that the applicant has adequately addressed this issue, ensuring compliance with DM Standard 28 of the County Development Plan.

- 7.2.4. During the site inspection, it was observed that the sightlines from the proposed access point and its intersection with the public road meet acceptable standards. There are sightlines exceeding 100 meters in both westerly and easterly directions from the proposed access point along the public road. The road is approximately 4 meters in width and is in good surface condition. Given the traveling speed on this public road, it is my assessment that the applicant has demonstrated sufficient compliance with DM Standard 28 of the County Development Plan.
- 7.3. The applicant has referenced precedent cases where the planning authority accepted lesser forward visibility sightlines. While this submission is acknowledged, it is not considered relevant to the current application. All referenced applications were assessed under a previous County Development Plan.

7.4. **Waste Water Treatment System**

The applicant has submitted a site suitability assessment along with details for the installation of a packaged waste water treatment system and polishing filter on site. (Tricel Novo Package Plant and Pumped Soil Polishing filter 6 PE Wastewater Treatment System).

- 7.4.1. The Site Characterisation Report submitted with the application identifies that the subject site is located in an area within a Locally Important Aquifer where the Aquifer vulnerability is High. A ground protection response to R2(1) is noted. Accordingly, I note the suitability of the site for a treatment system (subject to normal good practice, i.e. system selection, construction, operation and maintenance). The applicant's Site Characterisation Report identifies that there is no Groundwater Protection Scheme in the area.
- 7.4.2. The trial hole depth referenced in the Site Characterisation Report was 1.5 metres. Bedrock was encountered in the trail hole at a depth of 1.5 metres, the water table was encountered at 1.3m. A T value/sub-surface value was not provided. A P value/surface test was subsequently carried out and a value of 9.11 was recorded. The house is a 3 bedroom bungalow therefore a population equivalence of 6 is noted. The proposal as set out complies with table 6.3 in relation to minimum depths of unsaturated sub soil.

- 7.4.3. A longitudinal section of the proposed system has been provided. Details of unsaturated and imported soil has been provided. I am satisfied the size 45m² of percolation area and depths to subsoils comply with Table 6.3 of the EPA Code of Practice 2021
- 7.4.4. It is proposed to install a secondary wastewater treatment system and a raised percolation area/polishing bed. Based on the results of the site characterisation report based on EPA CoP 2021 (Table 6.4) the site is suitable for a secondary treatment system and a soil polishing filter. I note the Planning Authority concluded that the site is suitable for the treatment of wastewater.

7.5. **Appropriate Assessment**

See appendix 2 for Appropriate Assessment Screening

7.5.1. **Context**

The applicant submitted a Natura Impact Statement report for the proposed development (Claddagh Ecology). 2 no. European sites were identified on the basis of proximity/potential hydrological connectivity with the appeal site, specifically Aughrushbeg Machair & Lake SAC (Site Code 001228) and West Connaught Coast SAC (Site Code 000278).

- 7.5.2. It is noted the applicant has not carried out an Appropriate Assessment Screening but proceeded straight to a Natura Impact Statement phase. The applicant states that due to the location of the site which lies inside the Aughrushbeg Lake and Machair SAC it was deemed appropriate that an NIS is prepared. I consider this to be an error, the subject site is outside the SAC, however it is immediately adjacent approx. 3m.

- Section 1 of the NIS provides a legislative context and the background for the need for an NIS
- Section 2 provides for a description of the site and a project description. A zone of influence and a Table of all Natura 2000 sites within a 15km radius has been identified.
- Section 3 provides a description of the Natura 2000 sites.

- Section 4 outlines the receiving environment. No Annex 1 habitats exist on site. Species/habitats which have been identified on -site do not represent the conservation objectives of Aughrushbeg Lake and Machair SAC. Details of other flora and fauna on site have been indicated. Details of hydrology in the area has also been provided.
- Section 5 sets out the impact prediction and assessment during construction phase and operational phase. Surface water drains are identified as a connector pathway to Aughrushbeg Lake and Machair SAC and possible impacts are recognised as the migration of pollutants (e.g. hydrocarbons, fuel, sedimentation, cement) off-site into surrounding areas of ecological sensitivity. Another potential impact pathway is identified as deterioration of groundwater due to percolation of polluting materials through the bedrock beneath the site. Best practice environmental control measures have been incorporated in the design of the development to prevent significant impacts on water quality and downstream aquatic ecological receptors.

A cumulative impact assessment carried out, where it is determined that there shall be no potential for the proposal to contribute to any potential cumulative impacts.

- Section 6 Mitigation measures outlined in relation to management of surface water and wastewater on site.
- Section 7 concludes that once mitigation measures are carried out as recommended under section 6, there shall be no significant impact on the Conservation status of any European site.

7.5.3. Notwithstanding the findings of the applicant with respect to potential for a deterioration of ground water quality potentially impacting the SAC's as a result of wastewater, the provision of a wastewater treatment system is a standard measure for the provision of a dwelling in a rural area. I do not consider the provision of domestic wastewater treatment system to be a mitigation measure but a standard best practice approach for the provision of a single domestic dwelling in a rural area. The site characterization form and supporting documentation indicate that the site is suitable for the treatment of wastewater on site. The site is at a sufficient distance

from the SAC's to conclude that significant negative effects on groundwater and surface water quality are not likely.

- 7.5.4. Having regard to the findings of Section 5 of the NIS in relation to control and management of soiled surface water during the construction phase of the development, I do not consider the implementation of construction and environmental management plan during the construction phase to be a mitigation measure but a standard construction methodology. I am satisfied that there is adequate control measures in place to ensure no significant effects on surface water arise as a result of the construction of the dwelling.
- 7.5.3 Furthermore it is noted the Planning Authority raised no concerns or objections to the development on the grounds of potential Impacts on any European site.
- 7.5.4 Having considered the nature, scale, and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows:

- scale and nature of the development]
- Location-distance from nearest European site and lack of connections

I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

8. Recommendation

The proposed development is in compliance with the guidelines outlined in the Galway County Development Plan 2022-2028, specifically adhering to Development Management Standard 28 concerning entrances and sightlines. It is considered that, subject to compliance with the conditions set out below, the proposed development would not be seriously injurious to the amenities of the area or and would not give rise to implications for traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

9. 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 plans and particulars received on the 9th of January 2024 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 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.

(b) 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

3. The treatment plant and polishing filter shall be located, constructed and maintained in accordance with the details submitted to the planning authority and in accordance with the requirements of the document entitled "Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)" – Environmental Protection Agency, 2021. No system other than the type proposed in the submissions shall be installed unless agreed in writing with the planning authority.

(b) Certification by the system manufacturer that the system has been properly installed shall be submitted to the planning authority within four weeks of the installation of the system.

(c) A maintenance contract for the treatment system shall be entered into and paid in advance for a minimum period of five years from the first occupancy of the dwellinghouse and thereafter shall be kept in place at all times. Signed and dated copies of the contract shall be submitted to, and agreed in writing with, the planning authority within four weeks of the installation.

(d) Surface water soakaways shall be located such that the drainage from the dwelling and paved areas of the site shall be diverted away from the location of the polishing filter.

(e) Within three months of the first occupation of the dwelling, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner and that the polishing filter is constructed in accordance with the standards set out in the EPA document.

Reason: In the interest of public health

4. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works.

Reason: To ensure adequate servicing of the development, and to prevent pollution

5. The roof colour of the proposed house shall be blue-black, black, dark brown or dark-grey. The colour of the ridge tile shall be the same as the colour of the roof.

The external walls shall be finished in neutral colours such as grey or off-white.

Reason: In the interest of visual amenity.

6. 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.

(b) The access driveway to the proposed development shall be provided with adequately sized pipes or ducts to ensure that no interference will be caused to existing roadside drainage.

Reason: In the interest of traffic safety and to prevent surface water pollution.

7. The development shall be managed in accordance with the Construction and Environmental Management Plan as submitted with the planning application. Any deviation in construction methodology shall be agreed in writing with the Planning authority prior to any works commencing on site.

Reason: In the interest of clarity and environmental protection.

8. 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 Bord 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.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Darragh Ryan
Planning Inspector

11th of June 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	318819- 23		
Proposed Development Summary	Construction of new dwelling house with onsite waste water treatment system and all associated site works.		
Development Address	Aughrus More, Claddaghduff, County Galway.		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes			
No	X		Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
	Threshold	Comment (if relevant)	Conclusion
No			
Yes			Proceed to Q.4

4. Has Schedule 7A information been submitted?

No		Preliminary Examination required
Yes		Screening Determination required

Inspector: _____ **Date:** _____

Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	318819-23	
Proposed Development Summary	Construction of a dwelling house, installation of onsite waste water treatment system	
Development Address	Aughrus More, Claddaghduff, County Galway.	
The Board carries out a preliminary examination [Ref. Art. 109(2)(a), Planning and Development Regulations 2001 (as amended)] of, at least, the nature, size or location of the proposed development having regard to the criteria set out in Schedule 7 of the Regulations.		
	Examination	Yes/No/ Uncertain
<p>Nature of the Development Is the nature of the proposed development exceptional in the context of the existing environment?</p> <p>Will the development result in the production of any significant waste, emissions or pollutants?</p>	<p>The site is located on a site of agricultural land. The proposed development is not exceptional in the context of existing environment.</p> <p>No the proposal is to construct a dwelling house. All waste can be managed through standard construction management measures.</p>	No
<p>Size of the Development Is the size of the proposed development exceptional in the context of the existing environment?</p> <p>Are there significant cumulative considerations having regard to other existing and/or permitted projects?</p>	<p>No the red line boundary of the site remains the same. There is no extension to boundary as a result of proposed development. The site area is 0.379ha.</p> <p>There are no other developments under construction in proximity to the site. All other development are established uses.</p>	No
<p>Location of the Development Is the proposed</p>	<p>The proposed development is located 5 south of the Aughrushbeg Machair & Lake SAC (Site Code 001228)</p> <p>The proposal includes standard best practices</p>	No

<p>development located on, in, adjoining or does it have the potential to significantly impact on an ecologically sensitive site or location?</p> <p>Does the proposed development have the potential to significantly affect other significant environmental sensitivities in the area?</p>	<p>methodologies for the control and management of wastewater and surface water on site.</p> <p>There are no other locally sensitive environmental sensitivities in the vicinity of relevance.</p>	
<p style="text-align: center;">Conclusion</p>		
<p>There is no real likelihood of significant effects on the environment.</p> <p>EIA not required.</p>		

Inspector: _____

Date: _____

DP/ADP: _____

Date: _____

(only where Schedule 7A information or EIAR required)

Appendix 2 – Appropriate Assessment Screening

1. Compliance with Article 6(3) of the Habitats Directive

The requirements of Article 6(3) as related to screening the need for appropriate assessment of a project under part XAB, section 177U of the Planning and Development Act 2000 (as amended) are considered fully in this section.

The Habitats Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Article 6(3) of this Directive requires that any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. The competent authority must be satisfied that the proposal will not adversely affect the integrity of the European site before consent can be given.

2. Description of project

The proposed development was considered in light of the requirements of Section 177U of the Planning and Development Act, 2000, as amended. I note the proximity of the site to the, Aughrushbeg Machair & Lake SAC (Site Code 001228) 5m from site boundary. I am satisfied that all development related to the project is located entirely outside of the designated sites.

The proposed development comprises the construction of a single dwelling house and installation of a waste water treatment system

3. Potential impact mechanisms from the project – Test of Likely Significant effect

The proposed development is examined in relation to any possible interaction with European sites designated Special Conservation Areas (SAC) and Special Protection Areas (SPA) to assess whether it may give rise to significant effects on any European Site. Taking account of the characteristics of the proposed development in terms of its location and the scale of works, the following issues are considered for examination in terms of implications for likely significant effects on European sites:

- Habitat loss/ fragmentation/alteration
- Habitat degradation as a result of hydrological impacts.

- Disturbance and displacement impacts on QI/SCI
- Changes in water quality and resource.

Given the nature and scale of the proposed development, discharge of waste water to on site waste water treatment system, the lack of a direct hydrological connection, the dilution provided, I consider the following Natura 2000 sites to be within the Zone of Influence, Aughrushbeg Machair & Lake SAC (Site Code 001228) and West Connaught Coast SAC (Site Code 000278). In determining the zone of influence, I have had regard to the nature and scale of the project, the distance from the development site to the European Sites, and any potential pathways which may exist from the site to a European Site.

I do not consider that any other European sites fall within the zone of influence of the project based on a combination of factors including the nature and scale of the project, the distance from the site to European sites, and any potential pathways which may exist from the development site to a European site, the conservation objectives of Natura 2000 sites, the lack of suitable habitat for qualifying interests, as well as by the information on file and I have also visited the site.

Adjacent European Sites

- **Aughrushbeg Machair & Lake SAC (Site Code 001228) – 5m from site**

3130 Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or Isoëto-Nanojuncetea

4010 Northern Atlantic wet heaths with Erica tetralix

- **West Connaught Coast SAC (Site Code 000278) – 950m west of site**

1349] Bottle-nosed Dolphin (Tursiops truncatus)

[1351] Harbour Porpoise (Phocoena phocoena)

I. Habitat loss/ fragmentation/alteration

There are no European site(s) at risk of direct habitat loss/fragmentation or alteration impacts given that the proposed development does not overlap with the boundary of any European site. The site does not support populations of any fauna species linked with the QI/SCI populations of any European site(s),

II. Habitat degradation as a result of hydrological impacts.

The site is outside of any designated SAC. Surface water shall be managed on site and wastewater shall be managed through onsite wastewater treatment system before being discharged to groundwater. There will be no direct effects as the project footprint is located entirely outside of the designated site.

Having assessed all information available, I consider that the potential for indirect impacts are unlikely given the nature and scale of the development, distance between the site and Aughrushbeg Machair & Lake SAC (Site Code 001228) and dilution rate between this site and the SAC. Disturbance related impacts are unlikely given the lack of habitats on site suitable for Qualifying Interests, no ex situ impacts given the location and context of the site. Further, I am of the view that the matter of accidental pollution at construction stage can be addressed by way of incorporating best practice measures at construction stage as opposed to mitigation measures should the Board be of a view to grant permission.

III. Disturbance and displacement impacts on QI/SCI

Having assessed all information available, I am of the view that the proposal, if permitted would not result in the disturbance/displacement of the Qualifying/Special Conservation Interest species of any European site for the following reasons,

- The scale and nature of the works are small and localised and construction stage works are short-term.
- The site and lands in immediate proximity provide no suitability for nesting of foraging SCI species.
- The site is located within an area where other anthropogenic activities are ongoing. (domestic dwelling houses)

IV. Changes in water quality and resource.

As stated above, given the nature and scale of the development, with no direct hydrological connection to a European site, provision of a waste water treatment system and in applying best practice principles at construction stage, I consider that the proposal would not give rise to changes in water quality and resource, either individually or cumulatively.

4. Mitigation measures

No measures designed or intended to avoid or reduce any harmful effects of the project on a European Site have been relied upon in this screening exercise.

5. Determination

Having considered the nature, scale, and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows:

- scale and nature of the development]
- Location-distance from nearest European site and lack of connections

I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

Inspector: _____

Date: _____