



An
Bord
Pleanála

Inspector's Report ABP-318966-24

Development	Retention of sheds and containers and permission for house.
Location	Poll na Cloiche, Moycullen, Co. Galway
Planning Authority	Galway County Council
Planning Authority Reg. Ref.	2361373
Applicant(s)	Christopher Hynes
Type of Application	Retention and Permission.
Planning Authority Decision	Refusal
Type of Appeal	First
Appellant(s)	Christopher Hynes
Observer(s)	None
Date of Site Inspection	02/05/2024
Inspector	Darragh Ryan

1.0 Site Location and Description

- 1.1.1. The existing site is located at Poll Na Cloiche, Moycullen. Co Galway. The subject site is 2.0km southeast of the village of Moycullen and 8km from the centre of Galway City. Site area .44ha
- 1.1.2. The subject site is a flat site immediately adjacent to a dormer bungalow dwelling. There are a number of existing structures on site including storage containers and polytunnels. The applicant is seeking retention permission for some of these structures as part of the application.
- 1.1.3. All boundaries of the site have recently benefited from native tree planting of Black Alder and Silver Birch. The boundary with immediate neighbour to the west has been planted with native Black Alder. The site is accessed off a local road L-5377, the road is a cul-de-sac road that serves two additional dwellings and other agricultural land.

2.0 Proposed Development

- 2.1.1. The proposed development consists of the following:
 - Retention of existing storage sheds and containers on site (267m²)
 - Construction of a dwelling house (90.8m²) Ridge Height 5.2m
 - Provision of wastewater treatment system

3.0 Planning Authority Decision

3.1. Decision

The planning authority issued a decision to refuse permission on the 19th of January 2024 for 4 reasons:

1. The applicant has not adequately demonstrated compliance with Policy Objective RH2 of the Galway County Development Plan 2022 – 2028 to develop their first home in a rural area which is under strong urban pressure within the GCTPS. The proposed development would contravene materially Policy Objective RH2.

2. The applicant has not adequately demonstrated entry and exist visibility sight lines from the access in accordance with DM Standard 28 of the County Development Plan 2022 – 2028.
3. Noting the sensitivities of this Class 3 landscape, the proposed site configuration and design of the proposed development does not assimilate effectively into this rural location and would materially contravene Policy Objectives LCM 1, LCM 2, LCM 3 and Policy objective RH9 of the County Development plan.
4. There are a number of shipping containers and other structures within the confines of the site for which retention has not been sought, therefore the proposed development would potentially result in the consolidation of unauthorised development.

3.2. Planning Authority Reports

3.2.1. Planning Reports

There is a single planning report on file, the report addressed the following:

- Based on the information received with the planning application details, the planning authority is not fully satisfied that the Applicant has satisfactorily demonstrated compliance with Policy Objective RH 2 to build their first home in the local rural area. The primary reason cited is that the applicants home house is within Bushypark Ballagh which is within the Galway City boundary, therefore it is deemed the applicant does not have a rural link to the area.
- The Applicant is proposing a vehicular entrance on the northern boundary of the site along the L-5377 at an existing agricultural entrance to the site. This is a narrow local road with poor horizontal and vertical alignment in general. 35m sight lines are shown in both directions. However, the planning authority has concerns with the entry and exit vision lines as presented on the Site Layout Map. The vision lines do not comply with DM Standard 28 of the Galway County Development Plan.
- The proposed dwelling has an indicated floor area of 90.86m², with a proposed ridge height of approximately 5.52m with a reduced plan depth.

Although the proposed dwelling has a moderate floor area it is considered that the proposal as submitted is not in accordance with the Galway County Council Design Guidelines for the Single Rural House by means of its massing on this site. Noting the sensitivities of this Class 3 'Special' Landscape, the proposed site configuration and design of the proposed development, it is considered that it would not assimilate effectively into this rural location.

3.2.2. Other Technical Reports

None

3.3. Prescribed Bodies

None

3.4 Third Party Observations

None

4.0 Planning History

- PA reg ref: 22/61042 – permission refused December 2022 to J. Hynes for the construction of a dwelling house. Reasons for refusal are similar to reasons for refusal on current application.
- PA reg ref: 00/967 – Permission granted in December 2000 to Kieran Curran for the construction of a dwelling house and provision of a septic tank.

5.0 Policy Context

5.1 Galway County Development Plan 2022 – 2028

Policy Objective RH 2 -(Rural Area Under Strong Urban Pressure-GCTPS-Outside Rural Metropolitan Area Zone 1)

It is policy objective to facilitate rural housing in this rural area under strong urban pressure subject to the following criteria:

1(a) Those applicants with long standing demonstrable economic and/or social Rural Links* or Need to the area through existing and immediate family ties seeking to develop their first home on the existing family farm holding. Consideration shall be given to special circumstances where a landowner has no immediate family and wishes to accommodate a niece or nephew on family lands. Documentary evidence shall be submitted to the Planning Authority to justify the proposed development and will be assessed on a case by case basis.

OR

1(b) Those applicants who have no family lands, or access to family lands, but who wish to build their first home within the community in which they have long standing demonstrable economic and or social Rural links* or Need and where they have spent a substantial, continuous part of their lives i.e. have grown up in the area, schooled in the area or have spent a substantial, continuous part of their lives in the area and have immediate family connections in the area e.g. son or daughter of longstanding residents of the area. Having established a Substantiated Rural Housing Need*, such persons making an application on a site within an 8km radius of their original family home will be accommodated, subject to normal development management.

To have lived in the area for a continuous seven years or more is to be recognised as a substantial, continuous part of life and also as the minimum period required to be deemed longstanding residents of the area.

Documentary evidence shall be submitted to the Planning Authority to justify the proposed development and will be assessed on a case by case basis.

OR

1(c) Those applicants who can satisfy to the Planning Authority that they are functionally dependent in relation to demonstrable economic need on the immediate rural areas in which they are seeking to develop a single house as their principal family Residence in the countryside. Documentary evidence shall be submitted to the Planning Authority to justify the proposed development and will be assessed on a case by case basis.

OR

1(d) Those applicants who lived for substantial periods of their lives in the rural area, then moved away and who now wish to return and build their first house as their permanent residence, in this local area. Documentary evidence shall be submitted to the Planning Authority to illustrate their links to the area in order to justify the proposed development and it will be assessed on a case by case basis.

OR

1(e) Where applicants can supply, legal witness or land registry or folio details that demonstrate that the lands on which they are seeking to build their first home, as their permanent residence, in the area have been in family ownership for a period of 20 years or more, their eligibility will be considered. Where this has been established to the satisfaction of the Planning Authority, additional intrinsic links will not have to be demonstrated.

OR

1(f) In cases where all sites on the family lands are in a designated area, family members will be considered subject to the requirements of the Habitat's Directive and normal planning considerations

OR

1(g) Rural families who have long standing ties with the area but who now find themselves subsumed into Rural Villages. They have no possibility of finding a site within the particular Rural Villages. Rural Villages dwellers who satisfy the requirements for Rural Housing Need as outlined in RH2 will not be considered as Urban Generated and will have their Housing Need upheld.

An Enurement condition shall apply for a period of 7 years, after the date that the house is first occupied by the person or persons to whom the enurement clause applies.

Definitions applied above:

* Rural Links

For the purpose of the above is defined as a person who has strong demonstrable economic or social links to the rural area and wishes to build a dwelling generally within an 8km radius of where the applicant has lived for a substantial continuous part of their life. To have lived in the area for a continuous seven years or more is to be recognised as a substantial, continuous part of life and also as the minimum period required to be deemed longstanding residents of the area.

* Substantiated Rural Housing Need:

Is defined as supportive evidence for a person to live in this particular area and who does not or has not ever owned a house/received planning permission for a single rural house or built a house (except in exceptional circumstances) in the area concerned and has a strong demonstrable economic or social need for a dwelling for their own permanent occupation. In addition, the applicants will also have to demonstrate their rural links as outlined above.

* Urban generated housing demand Rural Village Dwellers:

Urban generated housing is defined as housing in rural locations sought by people living and working in urban areas, including second homes. There are many rural families who have long standing ties with the area but who now find themselves subsumed into Rural Villages. They have no possibility of finding a site within the particular Rural Villages. Rural Villages dwellers who satisfy the requirements for Rural Housing Need as outlined in RH2 will not be considered as Urban Generated and will have their Housing Need upheld.

4.1.1. LCM 2 -Landscape Sensitivity Classification

The Planning Authority shall have regard to the landscape sensitivity classification of sites in the consideration of any significant development proposals and, where necessary, require a Landscape/Visual Impact Assessment to accompany such

proposals. This shall be balanced against the need to develop key strategic infrastructure to meet the strategic aims of the plan.

4.1.2. LCM 3 Landscape Sensitivity Ratings

Consideration of landscape sensitivity ratings shall be an important factor in determining development uses in areas of the County. In areas of high landscape sensitivity, the design and the choice of location of proposed development in the landscape will also be critical considerations.

- DM Standard 28 – Sightlines (Table 15.3)
- The site is located in the Gaeltacht.
- The site is located in the GCTPS.
- The site is located in a Special Landscape Sensitivity Area.

5.2 **Natural Heritage Designations**

- Moycullen Bogs NHA – 400m to the West
- Lough Corrib SAC 1.9km to northeast

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

Compliance with policy Objective RH2 of County Development Plan

- Applicant has lived the entirety of his life at Ballagh, Bushypark, Co Galway
- Employed at Medtronic Parkmore Galway as administrative IT support
- Certified volunteer for Special Olympics Ireland
- Active committee member of Moycullen Heritage
- Documentary evidence provided to demonstrate Rural links to the area.

Sightlines

- The sightlines as provided comply with DM standard 28 of the Galway County Development Plan. It is determined that the safe design speed is 30km/h. This implies a Y – distance of 35 meters on a major road per Table 15.3 of Galway County Development Plan. The site layout plan shows the proposed entrance in accordance with same.

Design – Class 3 Lake Environs

- The design and site layout takes account of the location of the site within a designated Class 3 Lake environs Landscape. The proposal respects existing building line. House design is simple design form with clean roof shape and finishes of a traditional vernacular dwelling.

Structure for retention

- The fourth reason for refusal is erroneous as all structures for retention are clearly labelled. Everything is clearly set out in public notices.

6.2 Planning Authority Response

None

6.3 Observations

None

6.4 Further Responses

None

7.0 Assessment

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:

- Compliance with rural settlement strategy
- Sightlines
- Design
- Other Matters
- Appropriate Assessment

7.1.1 Compliance with Rural Housing Policy Objective RH2

The proposed development under consideration is located within a rural housing pressure area outside the Galway metropolitan area. As per the County Development Plan, prospective applicants must comply with Policy Objective RH2 to qualify for constructing a dwelling in such areas. The planning authority has deemed the applicant ineligible to build a dwelling at this location, primarily because their primary residence (home house falls within the Galway City Boundary. The applicant argues that, although their current primary residence is in Galway City, they have intrinsic links to the rural area of Moycullen and are seeking to build their first home there. Furthermore, they assert that the land in question is utilised for a horticultural business, thereby necessitating the construction of a dwelling on site.

- 7.1.2 Intrinsic Rural Link: The applicant has not provided sufficient evidence to demonstrate that they grew up or attended school in the Moycullen area. As per Policy Objective RH2, an intrinsic rural link necessitates a clear and substantiated connection to the local rural area, which the applicant has failed to establish. The applicants claim of being from Moycullen lacks the necessary documentation or historical ties to support this assertion.
- 7.1.3 Residency and Local Connection: Despite the applicant's proximity to the site (within 8km), their primary residence is located within the Galway City Boundary. This situates them outside the local rural area of Poll na Cloiche, Moycullen. The desire to construct a dwelling at this location appears to be driven by urban-generated housing demand rather than a genuine need from a local person with established ties to the area. The applicant's primary residence and employment are both situated within the Galway City area, further diminishing the claim of a local rural connection.
- 7.1.4 Economic Need and Horticulture Business: The site currently supports a family-owned horticulture business, including a limited tree nursery and propagation area for plants used in landscape maintenance projects. Some organic vegetables and flowers are also grown on-site and supplied to local shops and farmers market stallholders. While the horticulture business contributes to local markets and shops, the limited scale of the operation constrains its potential to provide a sustainable income sufficient to support a household. The Galway County Development Plan policy requires applicants to demonstrate a substantiated economic need to reside at the proposed location. The applicant is required to demonstrate that they are "functionally dependent... on the immediate rural area in order to construct a dwelling at this location.

The applicant has not provided sufficient evidence that the current horticultural activities on-site make the applicant "functionally dependent" on the immediate rural area. The constraints imposed by the size and scope of the operation suggest that the business cannot be scaled up to a level that would justify a residential presence

based on economic grounds alone. Given the limited scale and economic impact of the horticultural business, the applicant has not demonstrated a substantiated economic need to reside at this location as required by the Development Plan policy.

Community Involvement: While the applicant has mentioned their involvement in volunteering and other activities with Moycullen heritage, these activities do not substantiate a requirement to construct a dwelling at this location. Community involvement, does not alone satisfy the criteria for establishing a rural housing need under Objective RH2.

7.1.5 Based on the above points, it is my assertion that the applicant has not demonstrated a substantiated rural housing need to reside at this location. The proposed development appears to be urban-generated, and the applicant does not possess an intrinsic rural link to the area as required by Policy Objective RH2 of the Galway County Development Plan. Consequently, I concur with the original assessment of the planning authority and conclude that the applicant has not demonstrated compliance with Objective RH2. Therefore, the application should not be granted permission based on the current evidence and arguments presented. It is recommended that An Bord Pleanála uphold the decision of the planning authority and refuse the application on the grounds of non-compliance with Policy Objective RH2 of the Galway County Development Plan.

7.2 Sightlines

7.2.1 The planning authority concluded that based on the information provided the applicant has not satisfactorily demonstrated that the entry and exist sightlines can be provided in accordance with DM standard 28 of the County Development Plan. The applicant, however, contends that the sightlines have been accurately demonstrated in compliance with Table 15.3 of the County Development Plan and argues that the reduced speed of traffic on the local road justifies a sightline

distance of 35 meters. The applicant has also stated that the sightlines are within their landholding and that landscape plans can accommodate the necessary visibility splays.

- 7.2.2 Having conducted a site visit and observed traffic conditions, I concur with the applicant's assessment that the actual travelling speed on this road is significantly lower than the general speed limit. This observation aligns with the allowances made in Table 15.3 for lower speed limits, which provide for reduced sightline distances in such circumstances. Furthermore, I agree with the applicant that a traffic speed survey would not be possible on the road due to the low volume of traffic thereon. The road is not a through road and services two additional dwellings and agricultural fields further west of the site. The proposed sightlines of 35 meters, as indicated by the applicant, fall within the applicant's landholding. The landscape plans submitted demonstrate that these sightlines can be accommodated without infringing on adjacent properties or requiring third-party consent.

It is acknowledged that the local road network is narrow and that there is considerable pressure for one-off housing developments in this area. The general poor condition of the road network underscores the need to carefully manage and limit development to ensure road safety. However, in this specific case, the proposed development, with the demonstrated sightlines, does not pose a significant road safety issue. The low speed of traffic reduces the potential risk, and the sightlines provided are in accordance with the standards outlined for such conditions.

- 7.2.3 In light of the applicant's submission and the site assessment conducted, I find that the applicant has satisfactorily demonstrated compliance with DM Standard 28 of the Galway County Development Plan. The sightlines of 35 meters are appropriate given the observed low travelling speeds on the local road. The provision of these sightlines within the applicant's landholding further substantiates their compliance. Although the broader road network issues and development pressure are

recognised, the specific circumstances of this application do not present a substantive road safety concern. Consequently, I do not consider road safety to be a material contravention of the cited provisions of the development plan or a valid reason for refusal in this instance.

7.3 Design – Class 3 Landscape

7.3.1 The proposed site is situated within a designated Class 3 Lake Environs Landscape as defined by the Galway County Development Plan. This designation identifies the area as being highly sensitive to change, necessitating careful consideration of any proposed developments to ensure minimal adverse impact on the landscape.

7.3.2 The application includes for the construction of a dwelling with a modest footprint of 9.0m by 11.19m and a height of 5.52 meters. The design is for a simple generic design and presents as a single block. From the perspective of the front elevation, the design may present as a prefab or modular structure with no distinguishing design contributions that highlight the dwelling as a vernacular build. The proposal also includes the retention of several sheds and steel containers on the site, which significantly contributes to the overall visual impact.

While the proposed dwelling, on its own, might not constitute a significant negative impact on the landscape due to its small scale, the cumulative visual impact of the dwelling combined with the existing sheds and steel containers raises concerns. The sheds and containers introduce a level of visual clutter that is incongruent with the highly sensitive nature of the Class 3 landscape.

7.3.3 The applicant has proposed certain landscaping measures to mitigate the visual impact of the development. However, these measures are deemed insufficient to offset the cumulative negative effects of the multiple structures on site. Effective assimilation into the landscape would require a significant reduction in the number of sheds and steel containers.

7.3.4 Given the high sensitivity of the landscape, the retention of the existing sheds and steel containers, alongside the proposed dwelling, is not acceptable. The proposal, in its current form, fails to adequately integrate with the surrounding environment. Therefore, I concur with the planning authority's assessment that the development, as proposed, cannot be effectively assimilated into the landscape at this location. A revised proposal, with a substantial reduction in the ancillary structures, would be

necessary to mitigate the visual impact and align with the landscape sensitivity requirements.

Based on the above considerations, it is recommended that the application be refused in its current form due to the significant cumulative visual impact on the Class 3 Lake Environs Landscape

7.4 Other Matters

7.4.1 Unauthorised Structures

As indicated within refusal reason 4, the planning authority considered that there was a number of structures and shipping containers on the site for which retention has not been sought, therefore the proposed development would result in the consolidation of an unauthorised use. The applicant has submitted a counterargument clearly outlining sheds to be retained and sheds to be removed. It is stated that all structures for retention were indicated on the site layout plan and described in the development description. The applicant acknowledges that the container structures on site are not aesthetically compatible and seek that a time limit be allowed for the phasing out of these structures.

7.4.2 In total there are eleven structures indicated on site layout for retention. These include:

- a) Storage container (Tools)
- b) Storage container (Fertiliser)
- c) Storage container (small tools)
- d) Storage container (Rotavator and Irrigators)
- e) Infill Shed (Groundcover materials)
- f) Trailer Shed
- g) Equipment Storage
- h) Potting Shed
- i) Flower Shed
- j) Polytunnel (potted Plants)
- k) Polytunnel (flowers)

I agree that the applicant has clearly set out each of the structures for retention on site within the site layout. Therefore I do not agree with the assessment of the planning authority that the granting of permission for the existing structures on site would result in consolidation of unauthorised development. I do not find this reason

as identified by the planning authority to be a substantive reason for refusal. However there are concerns with regard to the cumulative impact of these structures as outlined under point 4.3 above.

7.4.3 Site Suitability Assessment

The applicant has completed a Site Characterisation Form that concludes the site is suitable for a secondary treatment system and soil polishing filter (Tricel Novo Package Plant and Pumped Soil Polishing filter). The vulnerability of the site R21 (Poorly productive Aquifer) may be suitable for a standard septic tank system and percolation area, however owing to “Extreme” vulnerability of groundwater a packaged wastewater treatment system is required. I note that within the trial hole excavated to 2.4m no ground water or bedrock was encountered. The soil profile as described includes a peat, sand gravel with silt /sand with granular below 1.2m. An average subsurface percolation value of 36.86min was recorded. Based on the submitted information it has been demonstrated that the proposed wastewater treatment system, complies with EPA Code of Practice guidance in terms of ground conditions and separation distance. I note the Planning Authority conclude that the site is suitable for the treatment of wastewater. I consider the proposal to install a packaged wastewater treatment system in this instance to be acceptable.

8.0 AA Screening

8.1 Appropriate Assessment

I have considered the proposal to retain existing sheds storage containers and construction of a dwelling in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is located within a rural location 1.9km southwest of the nearest European Site, Lough Corrib SAC. The development proposal consists of construction of a single dwelling an retention of existing sheds/structures on site.

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.

9.0 Material Contravention

8.1 Material Contravention

The planning authority issued two reasons for refusal whereby it determined that the proposal would “materially contravene” the development plan. To ensure clarity, I will address the two refusal reasons individually.

4.1.3. Policy Objective RH2

The Galway County Development Plan Policy Objective RH2, sets out rural housing policy for the provision of single residential developments in strong urban pressure. The planning authorities’ reason for refusal states that the proposed development “materially contravenes” Policy Objective RH2 of the County Development Plan.

Having regard to Section 37 (2) of the Planning and Development Act:

The Board may in determining an appeal under this section decide to grant a permission even if the proposed development contravenes materially the development plan relating to the area of the planning authority to whose decision the appeal relates.

- i. the proposed development is of strategic or national importance,
- ii. there are conflicting objectives in the development plan, or the objectives are not clearly stated, insofar as the proposed development is concerned, or
- iii. permission for the proposed development should be granted having regard to regional planning guidelines for the area, guidelines under section 28 , policy directives under section 29 , the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government, or

- iv. permission for the proposed development should be granted having regard to the pattern of development, and permissions granted, in the area since the making of the development plan.

Having regard to the above provisions I see no validity in the appeal to material contravene the County Development Plan for the following reasons:

- i. The development of a single rural dwelling is not considered to be of strategic or national importance.
- ii. The objectives in the development plan are clear with regard to Rural Housing Policy, where residential development is restricted in areas of strong urban pressure.
- iii. There are no Section 28 or Section 29 Guidelines which indicate that planning permission should be granted in this instance.
- iv. There is no evidence provided that other dwelling houses have been granted on this stretch of road or surrounding area since the introduction of the Galway County Development Plan 2022 – 2028

8.1.1 Policy Objective LCM 1, LCM 2 & LCM 3 and Objective RH9

Policy Objectives LCM 1 , LCM 2, LCM 3 and Policy Objective RH 9 deal with landscape sensitivity issues. The planning authority's reason for refusal states that the proposed development materially contravenes Policy Objective LCM 1, LCM 2 & LCM 3 & Objective RH 9 of the Galway County Development Plan. These policies refer to a general approach to development in an area of High Landscape Sensitivity and is not, in my view, sufficiently specific to justify the use of the term "materially contravene" in terms of normal planning practice. The Board should not, therefore, consider itself constrained by Section 37(2) of the Planning and Development Act.

10.0 Recommendation

I recommend planning permission be refused for the following reasons.

Reasons and Considerations

1. Based on the information submitted with the planning application, the planning authority is not satisfied that the Applicant satisfactorily demonstrated compliance with Policy Objective RH 2 of the Galway County Development Plan 2022-2028 to develop their first home in a rural area which is under strong urban pressure. Therefore, the proposed development is considered contrary to the rural housing provisions of the said county development plan. Accordingly, to grant the proposed development would be at variance with Policy Objective RH 2 contained in the Galway County Development Plan 2022-2028, would set an undesirable precedent for similar future development in the area, and would be contrary to the proper planning and sustainable development of the area.
2. Noting the site of the proposed development is located within a designated Class 3 Lake Environs Landscape with a sensitivity rating of “special” with high sensitivity to change. Noting the sensitivities of this Class 3 landscape, the proposed site configuration, and the cumulative impact of all structures on site, it is considered the proposed development and structures for retention would not assimilate effectively into this rural location. Accordingly, to grant the proposed development would interfere with the character of the landscape and pattern of development in the area, would detract from the visual amenity of the area, would militate against the preservation of the rural environment and would be at variance Policy Objective LCM 3 contained in the Galway County Development Plan, 2022-2028, would set an undesirable precedent of similar future development in the area, and therefore would be contrary to the proper planning and sustainable development of the area.

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

14th June 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	318966-23		
Proposed Development Summary	Construction of a dwelling house, with onsite waste water treatment system, retention permission for sheds and containers and all associated site works.		
Development Address	Poll na Cloiche, Moycullen, Co. 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	X	Class/Threshold.....	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	318966-23	
Proposed Development Summary	Construction of a dwelling house, with onsite waste water treatment system, retention permission for sheds and containers and all associated site works.	
Development Address	Poll na Cloiche, Moycullen, Co. 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 0.44ha.</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>	The proposed development is located 1.9km southwest of Lough Corrib SAC. The proposal includes standard best practices methodologies for the control and	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>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)

