



An
Bord
Pleanála

Inspector's Report

ABP-319444-24

Development	Construction of private dwellinghouse & private store including all associated site works.
Location	Canteeny, Coolarne, Turloughmore, Co. Galway
Planning Authority	Galway County Council
Planning Authority Reg. Ref.	23269
Applicant(s)	Patrick Morris
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Fergal McGrane Mary King
Observer(s)	None
Date of Site Inspection	30/10/2024
Inspector	Darragh Ryan

1.0 Site Location and Description

- 1.1. The site is located off a narrow local road L-71171 in the townland of Canteeny, southwest of the village of Turloughmoe Co Galway. The lands at this location are flat agricultural lands.
- 1.2. There are a number of single dwellings in the vicinity of the site. To the east of the proposed site there are two detached properties on approx. 1 acre sites facing onto local road L3103. The proposed site is situated to the rear of these properties. There is a two storey residential dwelling currently under construction immediately adjacent to the site. Further west of the site there is a further three detached properties. Coolrane House is located to the south west of the proposed site and local GAA field.
- 1.3. There is a low scrub boundary with low stone wall to the southern (front) boundary of the site. To the eastern boundary of the site there is a low stone wall and the western boundary there is a mature hedgerow. The lands at this location are flat with indiscernible changes in level from north to south. The site has a stated area of 0.510ha.

2.0 Proposed Development

- 2.1. The proposed development consists of the following:
 - Construction of a dwelling 135.18m² – FFL 9.30OD, ridge height 5.6m
 - Proposed Store 55m²
 - Waste water treatment system

3.0 Planning Authority Decision

- 3.1. **The planning authority issued a Decision to grant permission subject to 17 conditions:**

C3 – Use of the proposed house shall be restricted to use as a house by the applicant, applicants family, heirs, executors and administrations or persons

involved in agricultural or related activities, retuning emigrants or those with an essential housing need in this rural area unless otherwise agreed by the Planning Authority for a period of 7 years.

C6 – A parking space, minimum 3m width and a minimum 15m length shall be provided immediately adjoining the edge of the margin of the roadway. The space shall be cleared , graded , levelled and surfaced to a suitable standard for use as off-road parking to the satisfaction of the area Engineer and Planning Authority.

C13 – Any in situ stonewall; hedgerows and/or trees bounding the site shall be retained except for the provision of the site entrance works/ sight distance triangles

C17 – The applicant to pay a financial contribution of €3,098.35 to the Planning Authority

3.2. Planning Authority Reports

- 3.2.1. There are two Planning Reports on file. The issues raised can be summarised as follows:

Planning Reports dated 17th January 2022 and 24th May 2022 have been provided. The first report states that the site is located inside the GTPS area, where a housing need must be demonstrated. Concerns are expressed regarding the applicant's housing need - additional information sought. Further details with regard to sightline are also sought. A flood risk assessment is required to determine the risk of flood to the site. The second report followed receipt of the FI response. It summarises and responds to the individual FI response items and recommends that permission be granted subject to conditions.

- 3.2.2. Other Technical Reports

- None

3.3. Prescribed Bodies

- None

3.4. Third Party Observations

There was two third party submissions on file, the issues raised are also brought up as part of the appeal. The issues raised can be summarised as follows:

- The site of the proposed development is at risk of flooding.
- Concentration of domestic wastewater treatment systems
- Piecemeal Development related to adjoining planning application
- Speculative development – absence of genuine rural housing need.
- Sightlines
- Design

4.0 Planning History

There is no recent Planning History for this site.

Adjacent Site:

PA reg ref 23/60617 – Permission granted on the 19th of February 2024 for the construction of a two storey dwelling. (Under Construction)

5.0 Policy Context

5.1. Galway County Development Plan 2022 -2028

It has regard to national and regional policies in respect of rural housing, chapter 1 and section 4.6 of the plan refer.

The subject site is located in a Low Landscape Sensitivity 1 area.

Relevant policies and objectives include:

- Policy Objective RC 2 Rural Housing 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 RH2 Rural Housing Zone 2 (Rural Area Under Strong Urban Pressure-GCTPS-Outside Rural Metropolitan Area Zone 1).
- RH 13 Rural Housing Capacity - Residential Development on landholdings in Zones 1, 2 4 and 5, will be limited where there is a history of development through the sale or development of sites, notwithstanding an applicant's compliance with the local need criteria.
- RH 14 Linear Development - Discourage the extension of linear development (defined as five or more houses alongside 250 meters of road frontage). The Council will assess whether a given proposal will exacerbate such linear development, having regard to the site context.
- Policy Objective RH 9 – Design Guidelines
- Policy Objective WW 6 – Private Wastewater Treatment Plants
- Policy Objective WW 10 - Surface Water Drainage
- Policy Objective FL 2 - Flood Risk Management and Assessment
- DM Standard 28 - Sight Distances Required for Access onto National, Regional, Local and Private Roads
- DM Standard 47 - Field Patterns, Stone Walls, Trees and Hedgerows
- DM Standard 68 – Flooding

Appendix 5: Design guidelines for the single rural house

AD 2 Agricultural Lands - To protect good quality agricultural lands from development which could be accommodated elsewhere and that would undermine the future agricultural productivity of the lands or irreversibly harm the commercial viability of existing or adjoining agricultural land.

5.2. Natural Heritage Designations

Lough Corrib SAC 2km West of the site

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 third-party appeal against the decision of Galway County Council to grant permission. There are two appellants on file, the issues raised by both appellants overlap with each other.

6.1.1. Flood Risk

- There is currently an issue with surface water from the land flowing into appellant's rear garden. The field has a long history of flooding. The construction of a dwelling and adjacent dwelling permitted under planning 23/60617 will have a cumulative negative impact as existing flood storage will be lost.
- The flood risk assessment as submitted is not considered adequate, it doesn't adequately identify the flood risk for the site. A thorough and expert appraisal of flood risk is required. There was a flood risk assessment carried out for the adjacent site which contains evidence of ponding on the subject site. The issue of ponding appears to have been ignored within the Flood Risk Assessment provided. (Pictures and video of flooding events have been provided)

6.1.2. Concentration of domestic wastewater treatment systems

- The proposed dwelling along with the granted permission 23/60617 will significantly intensify the level of wastewater being treated in a very small

area. The site is located in an area of Extreme Groundwater Vulnerability, alongside the area being within a Regionally Important Aquifer. The planners report does not actually assess the Site Suitability Assessment but notes one has been provided. The cumulative impact needs to be examined.

6.1.3. Speculative Development – Housing Need

- The application is made by a cousin of the landowner, not a son, daughter, niece, nephew as mandated by the County Development Plan. Not all information was available for public viewing but it appears that the applicant does not comply with County Development Plan policy. Precedents have been provided where the board determined the applicant did not qualify to construct a dwelling in the local rural area.

6.1.4. Ribbon Development

- The proposal as presented will represent a ribbon development when examined in conjunction with recently granted permission to the west of the development.

6.1.5. Sightlines

- In order to achieve sightlines a significant level of hedgerow is required to be removed to achieve sightlines contrary to Development Plan policy. A 70m sight distance is too low for the actual travelling speed of the road. The real speed limit is 70kph and a 120m sightline is required,

6.2. **Applicant Response**

6.2.1. Flood Risk

- The lands at this location have been used for some years by a local farmer for the overwintering of cattle and horses. This has resulted in the compaction of the ground during the wet winters and restricted the permeability of lands. Depressions in the field have been compacted so much depressions have filled with water. The pond has not been visible since the applicant unsealed the ground with an iron bar.

- The topsoil consists of clay which due to its nature has slow percolation, the underlying soil is silt/clay which has good percolation values. The proposed development will actually improve the ability of the site to dispose of surface waters.
- The topsoil and subsoil shall be stripped of the areas associated with the House, Store, Driveway and parking area and these areas shall be filled with broken stone during construction.
- A number of soakpits shall be dug and filled with stone. These soakpits shall allow any uncontaminated surface water to permeate quickly down through the silt layer which has a fast percolation rate. Water from driveways and dwelling shall be directly to these soak pits.
- The entire site shall be subsoiled levelled and reseeded which will eliminate a risk of run off from the site.

6.2.2. Concentration of Domestic Wastewater treatment systems

The minimum site size is 0.2ha. The proposed dwelling house and treatment system is located on a site of .51ha. The three adjoining sites have areas of .51ha, .32ha and .36ha these areas are in compliance with requirements set out by the EPA and Galway County Council.

6.2.3. Sightlines

The proposed entrance is on a quiet cul de sac country road, a sight distance of 70m is all that is required. The applicant shall remove the long front boundary to achieve sightlines.

6.2.4. Design

The design of the dwelling is a simple single storey dwelling which complies with the design Guidelines for rural houses. A landscaping plan is proposed to help assimilate the dwelling into surrounding countryside.

6.3. **Planning Authority Response**

- None

6.4. Observations

- None

6.5. Further Responses

- None

7.0 Assessment

7.1. 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:

- Housing Need
- Ribbon Development
- Sightlines
- Flood Risk
- Site Suitability Assessment
- Appropriate Assessment

7.2. Housing Need

7.2.1. The appellant sets out that the housing need of the applicant requires further assessment. The applicant has submitted a detailed case to demonstrate their rural housing need, in accordance with the Galway County Development Plan. The subject site is located within the Rural Area Under Strong Urban Pressure (GCTPS), specifically outside the Rural Metropolitan Area Zone 1. To satisfy the requirements for rural housing in this designated area, the applicant has provided a supplementary rural housing need form, along with a range of supporting documentation, including:

- Applicant's birth certificate
- Applicant's father's birth certificate
- Letter from River Clare Family Practice

- Letter from Lackagh Parish Secretary confirming applicant's residence in the parish since Christmas 2006
- Letter from applicant's uncle confirming the applicant's residence at the family home, with supporting documentary evidence
- Land registry and folio details for both the application site and the applicant's uncle's home
- Tax credit certificates dating back to 2008

7.2.2. In response to a request for further information, the applicant has clarified their place of residence since 2007, providing additional confirmation of residence at Lackaghmore. Further supporting documents include:

- Tax credit certificates from 2008 onwards
- Letter from St. Vincent's National School confirming the applicant was a past pupil in the local area
- Additional evidence confirming the applicant has resided at their uncle's dwelling in the area since 2021

7.2.3. Under the Galway County Development Plan 2022-2028, Policy Objective RH2 outlines the criteria for demonstrating rural housing need in areas designated under the Rural Area Under Strong Urban Pressure (GCTPS). Specifically, Policy Objective RH2 1(b) relates to applicants who, although not having direct access to family lands, wish to build their first home within a community to which they have long-standing, demonstrable social and/or economic links.

7.2.4. This policy states that applicants who have spent a substantial, continuous part of their lives in the local area (i.e., grew up in the area, attended school in the area, or maintained a continuous, long-term residence) and who have immediate family connections (e.g., parents or guardians residing in the area) will be considered for accommodation, subject to normal development management criteria. To meet this policy requirement, the applicant must demonstrate a continuous seven-year residence in the area, which is deemed to represent a "substantial, continuous part of life."

7.2.5. Based on the evidence provided by the applicant, I consider the applicant has established a strong rural link to the area, as they reside within an 8km radius of the

proposed development site. The applicant has resided in the local area, specifically in Lackaghmore and at their uncle's home, for a continuous period of more than seven years. Documentary evidence, including tax credit certificates, confirms the applicant's long-standing residence in the area. A letter from the local parish secretary supports the applicant's claim of residency in the parish since 2006.

The applicant's connection to the area is further substantiated by the letter from St. Vincent's National School, confirming their attendance as a past pupil in the local community.

- 7.2.6. Based on the submitted documentation and in consideration of Policy Objective RH2 1(b) of the Galway County Development Plan 2022-2028, the applicant has demonstrated a valid rural housing need in the area. The applicant has established a long-standing, continuous residence within the local community for a period exceeding the required minimum of seven years. Furthermore, the applicant has immediate family connections within the area and has provided sufficient evidence to substantiate their claim for rural housing need. In light of the above, I am satisfied that the applicant meets the criteria set out in Policy Objective RH2 of the Galway County Development Plan 2022-2028 and has demonstrated a rural housing need.

7.3. Ribbon Development

- 7.3.1. The appellant contends that the proposed development will contribute to the ongoing trend of piecemeal development in the area, particularly with respect to the creation of ribbon development. The site is situated approximately 1.7 km southeast of Turloughmore and 3 km east of Baile Chlair, the closest settlement within the Rural Area Under Strong Urban Pressure as identified in Chapter 4 of the Galway County Development Plan. The area is described as being under significant pressure for one-off rural dwellings, and the local road serving the site (L3105) has notable levels of rural dwellings, exacerbating these pressures.
- 7.3.2. Along the northern stretch of the L3105 road, which precedes the proposed site, a series of 19 dwelling houses are located, forming a ribbon of development spanning over 400 meters on both sides of the road. The proposed dwelling would be located as the first dwelling after the junction with the local road L71171. Prior to the junction, there are three existing dwellings, and immediately following the site, there are four

dwelling under construction immediately adjacent to the applicants site. (23/60617)

- 7.3.3. Under the “Sustainable Rural Housing Guidelines for Planning Authorities” (2005), ribbon development is defined as the presence of five or more houses within a 250-meter stretch of road frontage. Policy RH 14 of the Galway County Development outlines a policy to discourage linear development in rural locations. Linear Development is defined under this objective as five or more houses along 250 meters of road frontage. Having visited the site and carried out a measurement using plan maps for the area I consider the proposed dwelling meets the definition of ribbon development and linear Development as defined by the “Sustainable Rural Housing Guidelines for Planning Authorities” and the Galway County Development Plan. The Development will be the 5th dwelling in a 250m stretch of road. In this regard I consider granting permission for a dwelling in this instance will exacerbate existing ribbon development in this rural location.
- 7.3.4. The site is located within an area designated as a “Rural Area Under Strong Urban Pressure” (GCTPS) as defined in Chapter 4 of the Galway County Development Plan. This designation applies to areas that are under significant pressure for urban-generated housing, particularly where they are in proximity to strategic growth towns or metropolitan areas. The Galway County Development Plan specifically aims to focus urban-generated housing demand into established settlements, rather than allowing for continued one-off rural development in these pressure zones.
- 7.3.5. A review of the development pattern in the area reveals that within a 1 km radius of the proposed site, there are a total of 32 dwellings. This density is indicative of the significant pressure for one-off rural housing in this part of the county. The addition of another dwelling in this location would further exacerbate the existing pressures. In addition to exacerbating ribbon development at this location, I consider the proposal contributes to the wider trend of urban-generated housing. This could exacerbate existing pressures on infrastructure, services, and the rural character of the area. The cumulative impact of such developments undermines the sustainable management of rural housing in areas under strong urban pressure.
- 7.3.6. Policy RH13 of the Galway County Development Plan states that residential development on landholdings in Zones 1,2,4 and 5 will be limited where there is a

history of development through sale or development of sites, notwithstanding the applicants compliance with the local need criteria. In this instance I note the grant of permission for adjacent site under PA reg ref 2360617. This grant of permission is for a dwelling house off the same landholding as the applicant seeks permission. I consider the above policy to be a safeguarding measure against the proliferation of urban generated housing. The granting of permission for a dwelling in this instance would not be in keeping with the above policy objective and in this regard I consider the proposed development, in contributing to the existing pressures in an area under urban influence and extension of linear development, is at variance with Development Plan policies. The development does not meet the criteria for either rural community housing or sustainable development, and its location would result in the further urbanisation of a rural area, contrary to policy objective RH 13 and RH 14 as set out in the Galway County Development Plan 2022 to 2028.

7.4. Sightlines

- 7.4.1. The appellant has raised concerns regarding the adequacy of the proposed sightlines from the new entrance and the potential impact on the surrounding natural features, particularly hedgerows and stone walls. The site is located on the local road L71171, which serves a significant number of one-off housing developments, including the Coolarane GAA pitch. The road varies in width from approximately 2.5 meters to 3.5 meters. The stretch of road outside the site is approximately 3.5m.
- 7.4.2. The applicant has provided a sightline drawing which indicates a 70-meter sightline in both the south-west and north-east directions. However, in order to achieve these sightlines, it is proposed that the entirety of the front roadside boundary of the proposed site, along with the boundary of the adjacent site to the west, will be removed. This includes the removal of a stone wall and a mature hedgerow. The Galway County Development Plan, under Policy Objective TWHS1 of the Natural Heritage Chapter, seeks to protect and retain natural boundaries such as trees, hedgerows, and stone walls. In my view, the removal of these natural features to achieve the proposed sightlines would significantly undermine this policy objective. Given the importance of maintaining local biodiversity and the aesthetic value of such boundaries, I do not consider the proposed level of removal of hedgerow and stone wall to align with this Development Plan objective.

- 7.4.3. I consider the 70m sightline as presented to be sufficient for exit onto the public road however there is a concern regarding safe entry onto the site from the public road. According to Development Management (DM) Standard 28 of the County Development Plan, for a design speed of 60 km/h, a "Y" distance of 90 meters is required to ensure adequate visibility for safe entry into the site and to avoid rear-end collisions. Given the alignment of the road and proximity to the junction, as well as the fact that the 85th percentile speed for drivers on this road is likely to be lower than the posted speed limit, I consider the realistic design speed of the road to be closer to 60 km/h.
- 7.4.4. The submitted details indicate that the proposed entry sightlines of 70 meters do not meet the required 90-meter visibility standard for a 60 km/h design speed, as specified in DM Standard 28. Moreover, due to the proximity of the junction between the L71171 and the L3105 to the east of the site, it is possible that a 90-meter sightline may not be achievable in this location. Therefore, I consider the proposed sightlines to be inadequate and not in compliance with DM standard 28.
- 7.4.5. Given the alignment and condition of the local road, the inadequacy of the proposed sightlines, and the extensive removal of hedgerow and stone wall to achieve these sightlines, I am of the opinion that the proposed development cannot be considered to meet the necessary road safety requirements. The development fails to comply with the sightline and visibility standards set out in DM Standard 28 of the Galway County Development Plan, which is critical for ensuring safe and efficient road use.

Furthermore, the removal of mature hedgerows and stone walls to facilitate the sightlines is contrary to Policy Objective TWHS1 of the County Development Plan, which aims to protect and retain important natural features in the landscape.

In light of these concerns, it is recommended that the application be refused on the grounds of non-compliance with DM Standard 28 and Policy Objective TWHS1 of the Galway County Development Plan, due to inadequate sightlines and the unsatisfactory impact on the local natural heritage.

7.5. Flood Risk

The appellants have indicated that the site is at risk of flooding and that the development as proposed would increase the incidence of potential flooding to neighbouring dwellings. Photographs and video footage has been supplied of a local flood event and evidence of surface water ponding on the site. As part of original response to further information the applicant has submitted a site-specific flood risk assessment for the proposed development.

- 7.5.1. A Flood Risk Assessment report for the site has been prepared by Hydro-S. The Preliminary Flood Risk Assessment (PFRA) map suggests that the subject site may be in a pluvial flood risk area (Figure 9), although this map's low resolution makes it difficult to identify individual sites accurately. The medium priority CFRAM (Catchment-based Flood Risk Assessment and Management) flood risk map indicates that the site is not at risk of flooding. Historical flooding is shown within figure 6 and Figure 7 to the East of the Subject Site. There are karst features present in the general area, this is shown on Figure 4. I consider the main flood risk mechanisms for this site are pluvial and groundwater.
- 7.5.2. With regard to pluvial flooding two low -lying areas are identified to the east of the site within Figure 6 and Figure 7. Low-lying area 2 overflows into low-lying area 1 and the design flood volume of low -lying area 1 takes account of overflow flood volume from low-lying area 2. The pluvial flood risk area 1 is estimated as 31.6m AOD and the pluvial flood risk level with an allowance for climate change is calculated at 31.07m AOD based on levels within Figure 10. The freeboard of the finished floor level that includes allowance for climate change is 1.57m. I consider the pluvial flood risk in this instance to be low.
- 7.5.3. Regarding ground water there are no Karst features on the site as per Figure 4. Figure 7 however shows water spread of the flooded area to the East of the subject site is groundwater. The groundwater flow is towards the west and has a significant gradient as per the contour map within Figure 10. (This analysis differs from the site characterisation report where its stated groundwater flow is to the east) The groundwater flood risk areas are to the south-east and to the north -west of the subject sites. The risk of groundwater flooding from rising groundwater levels is also low. The proposed wastewater system is located north-west of the proposed dwelling house. The top of the treatment unit is at 32.57 m AOD and the top of the soil polishing filter is at 32.47 m AOD. While not addressed or referenced in the Site

characterisation report submitted with the application, the flood risk assessment recommends the installation of raised polishing filter and percolation area – this will ensure the unsaturated depth below the percolation pipes is 1.3m above the pluvial flood risk level that includes for an allowance for climate change. Therefore, the risk of submergence of the wastewater system is low.

7.5.4. According to the sequential approach outlined in the Planning Systems and Flood Risk Management guidelines, the entire development site is not located in any Flood Zone. Therefore, a justification test is not required. The sequential approach next considers surface water management. The appellants on file have raised concerns over flooding events that have occurred on site in the past. The applicant has set out that this was a historical land management issue on site that over a number of years of land been compacted owing to the overwintering of cattle, two areas of the site got severely compacted and surface water was not allowed to permeate to the subsoils. Following some minor drainage works on site, it is deemed this is no longer an issue. Furthermore the applicant has set out how surface water will be managed on site. It is noted from the site characterisation report on file that the drainage potential of the site is very good with SILT/CLAY subsoils present. It is proposed the topsoil and subsoil from the site will be stripped of the areas associated with house, store, driveway and parking area and these areas shall be filled with stone during construction, to allow water permeate the ground for soakage. The number of soak pits have been provided that will allow water to permeate down through the SILT layer and water from driveways and buildings shall be piped directly to these soak pits. I do not consider that the development will elevate flood risk at the site or elsewhere.

7.5.5. In conclusion, the proposed development is suitable under the Planning Systems and Flood Risk Management guidelines (OPW, 2009) and will not have adverse effects on flood risk to adjacent properties, as detailed in the report.

7.6. Waste Water

7.6.1. The Site Characterisation Report submitted with the application identifies that the subject site is located in an area with a Regionally Important Aquifer where the bedrock vulnerability is Extreme. A ground protection response to R2² 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.

7.6.2. The trial hole depth referenced in the Site Characterisation Report was 3 metres. Bedrock or water table was not encountered in the trial hole. The soil conditions found in the trial hole are described as clay for the topsoil (P) and SILT/CLAY for the (T). Percolation test holes were dug and pre-soaked. A T value/sub-surface value of 13.00 was recorded and a P value/surface test was subsequently carried out and a value of 14.03 recorded.

7.6.3. Based on the EPA CoP 2021 (Table 6.4) the site is suitable for a septic tank system and percolation area. Table 6.3 of the EPA CoP 2021 requires a minimum depth of unsaturated permeable subsoil of 2 metres below the base of the percolation area. The applicants' Site Characterisation Report and longitudinal section indicates that there would be 2 metres of unsaturated subsoil below the base of the percolation area. Based on the site layout drawing submitted I note that the proposal complies with the required separation distances set out in Table 6.2 of the CoP 2021. The Site Characterisation Report submitted with the application concludes that the site is suitable for treatment of waste water. I note that the flood risk assessment included a recommendation for the installation of a secondary waste water treatment system and the inclusion of a raised polishing filter to ensure that there is no submergence of percolation area on site when climate change is taken into account. Where the board is of a mind to grant permission in this instance, I recommend that a condition attach to include for the provision of a secondary waste water treatment system and polishing filter to ensure the unsaturated depth below the percolation pipes is 1.3m above the pluvial flood risk level.

7.6.4. Based on the submitted information and reference to Groundwater Data Ireland, it has been demonstrated that the proposed wastewater treatment system, complies with the 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 wastewater treatment system in this instance to be acceptable.

8.0 AA Screening

I have considered the proposal to construct 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 2km to the east of Lough Corrib SAC. The development proposal consists of construction of a single dwelling.

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 Recommendation

I recommend that the planning permission be refused for the following reasons.

10.0 Reasons and Considerations

1. The proposed development, when taken in conjunction with existing development in the vicinity of the site, would consolidate and contribute to the build-up of one-off type rural dwellings and ribbon development in a rural area identified as Rural Area Under Strong Urban Pressure within the Galway County Development Plan 2022 – 2028. This would militate against the preservation of the rural environment and lead to demands for the provision of further public services and community facilities. The proposed development would be contrary to Policy RH 13, where Galway County Council aims to limit development on landholdings in Zones 1,2,4 and 5, where there is a history of development through sale or development of sites, notwithstanding the applicant's compliance

with the local need criteria. The proposal would conflict with Policy RH 14 where it is a policy of Galway County Council to discourage the extension of linear development (defined as five or more houses alongside 250 meters of road frontage). The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

2. Having regard to the horizontal and vertical alignment of the local road, the site entrance is deemed unsatisfactory owing to restricted sight distances. The applicant has not satisfactorily demonstrated that the proposed site entrance on the public road has sufficient sightline entry visibility in accordance with the requirements of DM Standard 28 of the Galway County Development Plan 2022 to 2028. In this regard, it is considered that turning movements generated by the proposed development into the site would interfere with the safety and free flow of traffic on the public road and would endanger public safety by reason of a traffic hazard, or obstruction of road users. Furthermore, it is also considered that the additional remedial works required to provide visibility sightlines from the entrance of the site would constitute a significant intervention that would undermine the principles of the Policy Objective TWHS1 of the Natural Heritage Chapter of the County Development Plan 2022 – 2028 which seeks to protect and retain trees, hedgerows, natural boundaries, and stone walls. Therefore, the proposed development 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

15th of November 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	319444 -24		
Proposed Development Summary	Construction of a dwelling house, installation of on site waste water treatment system		
Development Address	Canteeny, Coolarne, Turloughmore, 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	
		No	No further action required
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		Class.....	EIA Mandatory EIAR required
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)
No	X	N/A	No EIAR or Preliminary Examination required
Yes		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	319444-24	
Proposed Development Summary	Construction of a dwelling house and onsite waste water treatment system	
Development Address	Canteeny, Coolarne, Turloughmore, Co. Galway	
<p>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.</p>		
	Examination	Yes/No/ Uncertain
<p>Nature of the Development</p> <p>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 in a predominately rural location with significant levels of one -off type rural dwellings. The proposed development is not exceptional in the context of existing environment.</p> <p>No not exceptional in the context of constructing a single dwelling</p>	No
<p>Size of the Development</p> <p>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 .51ha.</p> <p>There are no other developments under construction in proximity to the site. All other development are established uses.</p>	No
Location of the Development	The proposed development is located 2km to the	No

<p>Is the proposed 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>east of Lough Corrib SAC. The proposal includes standard best practices methodologies for the control and management of surface water and waste 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)