



An
Bord
Pleanála

Inspector's Report

ABP-319862-24

Development	Construction of 2 houses and all associated site works.
Location	Claremount, Oughterard, Co. Galway
Planning Authority	Galway County Council
Planning Authority Reg. Ref.	24/60051
Applicant(s)	Bartley Molloy
Type of Application	Permission
Planning Authority Decision	Grant Permission with Conditions
Type of Appeal	Third Party
Appellant(s)	Michael O'Mahony
Observer(s)	None
Date of Site Inspection	3 rd September 2024
Inspector	Kathy Tuck

1.0 Site Location and Description

- 1.1. The subject site, which has a stated area of 0.110ha, is a greenfield site located at Claremount, Oughterard, Co. Galway. Oughterard is located c.26km to the north west of Galway City Centre.
- 1.2. The subject site is located approximately 1.2km to the west of the Oughterard Village Centre and is accessed from a local county road (L-5330).
- 1.3. The site is relatively flat but slopes slightly in a northerly direction away from the boundary which is formed with the road. The southern boundary of the site is formed by a stone wall which is typical of the surrounding area. The western boundary of the subject site, which is shared with a dormer dwelling, comprises of a low stone wall with wooden fencing attached.
- 1.4. The Canrawer stream is located c. 234m to the north of the site and flows in an eastward direction to where it meets the Owenriff River which flows to meet Lough Corrib.

2.0 Proposed Development

- 2.1. This is an application for permission for the provision of two detached dwelling houses with all associated works and ancillary services. The 2-no. dwellings are identical in design with a stated floor area of 174sq.m. The proposed dwellings are dormer bungalows with a ridge level of 6.732m and have a south-eastern orientation addressing the L-5330.
- 2.2. Vehicular access is proposed off the L5330 via a shared entrance which is segregated internally to provide for 2 no. separate driveways. Private amenity space is provided to the rear of each dwelling.
- 2.3. The additional information request from the Planning Authority, on the 14th March 2024, sought the applicant to submit a speed survey, amend the vehicular access in terms of dimensioned, and redesigned for provision of a singular vehicular entrance which accords with DMURS, provide for a set back along the L-5330 to provide for the potential of a public footpath and provide details of surface water proposals. Overall, the additional information request did not impact on the overall design of the development proposed.

3.0 Planning Authority Decision

Grant of permission subject to 14 no. conditions which are standard in nature for this type of development.

- *Condition no. 13*

Refers to a Section 48 Special Contribution of €25,500.00 and relates to works in respect of public infrastructure along the existing L-5330.

Calculation of contribution:

- New footpath 50m @ €150/m² = €13,500
 - New Public Lighting over 50m – (2 new columns including ducting) @ €5,000/column = €10,000
 - Drainage – Additional gullies + Soakpits required = €2,000
-
- *Condition no. 14*

Section 48 Contribution of € 6,914.

3.1.1. Planning Report

The first report of the Area Planner dated the 14th March 2023, notes the site's planning history, the policy context, reports received, and third-party submission made in respect of the planning application. The principle of the proposed development was considered acceptable given the residential zoning of the site.

The report considered that the proposal in terms of design was acceptable and a sensitive response to the context of the site. It was concluded that based upon a report received from the Transportation Section that further information is required. The further information sought was as follows:

1. A speed survey on the public road in the proximity of proposed entrance is required to be completed by an independent competent Road Engineer for further review in order to ascertain the sight distance triangles correlate to the design speed of this local road, L-5330.
2. The proposed vehicular arrangement and current junction radii design onto the L-5330 is extensive and shall be amended, dimensioned and redesigned for

provision of a singular vehicular entrance in accordance to Design Manual for Urban Roads & Streets.

3. The x-splay distance of 2.4m set back shall also be amended to represent an existing vehicle's position, hence the exit visibility sightline shall correlate to a drivers sightline from the development exit point.
4. The applicant shall clarify the proposed development boundary treatments along red and blue line holdings thus clarify provision of set back adjacent to L-5330 public road margin in order to future proof the design to enable provision of potential public infrastructure improvements whilst further encouraging multi modal splits from Oughterard town to the development.
5. Given the elevated nature of the development, the applicant shall provide a site specific cross and longitudinal section drawing of proposed drainage infrastructure incorporating hydrocarbon measures, bisecting the proposed entranceway including structural dimensions and proposed road datums inclusive of proposed road make up and proposed tie in details.

The second report of the Area Planner, dated the 7th May 2024, notes that a response from the applicant was received by the Local Authority on the 11th of April 2024 and included the following:

- Cover letter
- Speed survey
- Site layout plan
- Landscape and boundary treatment
- Service layout and foul water section drawing

The response was considered to have adequately addressed the concerns raised as part of the further information request and the Planning Officer recommended that permission be granted.

3.1.2. Other Technical Reports

The Planning Authority received a report from the Road and Transportation Department on the 13th March 2024 which sought additional information. This has been set out above.

Reference is made within the Planners report to comments made by Roads and Transportation Section of review of the additional information submission. It is noted that these comments are not available to view on file.

3.2. Prescribed Bodies

Transportation Infrastructure Ireland (TII) was received by the Planning Authority and requests that the Planning Authority have regard to the provisions of Chapter 3 of the DoECLG Spatial Planning and National Roads Guidelines in the assessment and determination of the subject planning application.

3.3. Third Party Observations

One third-party submission was received by the Planning Authority in respect of the proposed development. The main issues raised are set out as follows:

- Planning history pertaining to the subject site and refusal reasons need to be considered as part of the assessment.
- The Sustainable Residential Development in Urban Areas – guidelines for Planning Authorises recommend sequential and coordinated approach to residential development.
- The reduction in units being proposed could lead to additional permissions being sought in the future.
- Creation of a new entrance onto the road will result in the destruction of part of the historical wall related to National Inventory of Architectural Heritage No. 30326003.
- Lack of sufficient car parking space, which will likely result in highly problematic 'on street parking'.
- Proposal will change the character of the road to a more densely populated area and as per previous refusals will be car dependent.

4.0 Planning History

The following applications pertain to the subject site:

PA Ref 23/60808: Permission REFUSED for two detached dwelling/houses with all associated works & ancillary services. The reasons for refusal related to 1. Traffic Hazard and 2. Public health. They were as follows:

1. *Based on the information submitted and the plans and particulars received and having regard to the horizontal and vertical alignment of the local public road within the vicinity of proposed development, the proposed site entrance is deemed unsatisfactory owing to the restricted forward sight distance of vehicles exiting and entering the subject site, from both eastern and western directions. It is considered the remedial works required to provide the aforementioned visibility sightlines from the entrance of the site, would constitute significant intervention on a local route, in conjunction with the absence of satisfactorily demonstrated sightlines in accordance to DM Standard 28 and Policy Objective NNR2 safeguard regional and local roads of the Galway county Development Plan 2022-2028. It is considered that, if permitted as proposed, the development would interfere with the safety and free flow of traffic on the public road and would endanger public safety by reason of traffic hazard, obstruction of road users, or otherwise, and therefore would be contrary to the proper planning and sustainable development of the area.*
2. *Based on the information submitted in relation to water supply and wastewater discharge and in the absence of an up to date development specific Irish water connection response, the Planning Authority is not satisfied based on submissions received that the development if permitted as proposed would not pose a serious risk to the public health of persons occupying this dwelling house. The proposed development would accordingly be contrary to Policy Objectives WS5 and WS7 and Development Management Standard 36 of the*

Galway County Development Plan, 2022-2028 and therefore, would be contrary to the proper planning and sustainable development of the area.

PA Ref 20/1442: *Permission REFUSED for five detached dwelling houses, access road & landscaping with all associated works and ancillary services. Gross floor space of proposed works: 2 no. House type A (348.0 sqm), 3 No. House type B (483 sqm). The reasons for refusal referred to lack of connectivity and pedestrian hazard.*

PA Ref 19/1781: Application withdrawn for five detached dwelling houses.

PA Ref 19/172: Permission REFUSED for five detached dwelling houses, access road and landscaping with all associated works and ancillary services. Gross floor space of proposed works: 2 no. House Type A; and 3 no. House Type. The reason for refusal related to lack of current pedestrian linkage and excessively car dependent.

5.0 Policy Context

5.1. Galway County Development Plan 2022-2028

The subject site is located within the development settlement of the Oughterard Small Growth Town (OSGT) Area and has been zoned under objective R-Residential (Phase 1) which seeks to *‘protect, provide and improve residential amenity areas within the lifetime of this plan’*.

The vision seeks to facilitate for the provision of high quality new residential developments at appropriate densities with layout and design well linked to the town centre and community facilities. To provide an appropriate mix of house sizes, types and tenures in order to meet household needs and to promote balanced communities.

The Plan, within Volume 2 Section 4.6, states with regard to Small Growth Towns – SGT 1 – Residential Development Phasing that the policy seeks to *‘Support the development of lands designated as Residential (Phase 1) within the lifetime of the Plan, subject to normal planning, access and servicing requirements, and reserve the*

lands designated as Residential (Phase 2) for the longer-term growth needs of each SGT. ‘

Other relevant chapters include:

Chapter 3 – Core Strategy, Settlement Strategy and Housing Strategy.

Chapter 7 – Infrastructure, Utilities and Environment Protection.

Chapter 8 –Section 8.13 Landscape.

Chapter 15 – Development Management Standards.

- Objective DM Standard 28 : Sight Distances Required for Access onto National, Regional, Local and Private Road.
- Table 15.3: Sight Distances required for Access onto National, Regional and Local Roads

5.2. National Planning Policy

The following are considered to be of relevance to the proposed development:

- National Planning Framework (NPF) is the Government’s high-level strategic plan for shaping the future growth and development of Ireland to the year 2040. In terms of Compact Urban Growth, it includes a target of 50% of new housing growth in the five cities within the existing built-up footprint, on infill and brownfield lands.
- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024). Section 1.3.2 relating to Compact Growth notes the following: In order to achieve compact growth, we will need to support more intensive use of existing buildings and properties, including the re-use of existing buildings that are vacant and more intensive use of previously developed land and infill sites, in addition to the development of sites in locations served by existing facilities and public transport
- Design Manual for Urban Roads and Streets (DMURS)

5.3. Natural Heritage Designations

The subject site is located c.72m to the north of the Lough Corrib SAC and c.1.77km to the south-west of the Lough Corrib SPA.

5.4. EIA Screening

Having regard to the limited nature and scale of the proposed development, 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. (See Form 1 Appendix 1).

6.0 The Appeal

6.1. Grounds of Appeal

A third-party appeal has been received from Michael O'Mahony. The appellant submits that permission should not have been granted for the following reasons:

1. Planning History

- Previous reasons for refusal on the subject site were not adequately addressed and include poor sightlines, lack of pedestrian connection to the town centre, would result in a pedestrian hazard, and car dependency based development.

2. Boundary Treatment and Car parking

- New entrance results in destruction of part of historic wall related to National Inventory of Architectural Heritage (NIAH) no. 30326003.
- Lack of sufficient car parking to serve proposal will lead to inappropriate on street car parking.

3. Character of the area and other issues

- Proposal will change the character of the road to a more densely populated area.

- The change in development proposal in terms of the reduction in numbers is a prelude to further dense development in the future.

6.2. Applicant Response

The agent for the applicant responded to each aspect of the 3rd party appeal as follows:

- Planning History
 - PA Reg Ref: 23/60808 has been assessed under the current development plan - New confirmation from Irish Water has been obtained and submitted and vehicular access now DMURs compliant and has been based upon a traffic study.
- Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities, 2009
 - The land has been zoned for residential development since 1997 and is fully serviced. the use of infill opportunities, such as the subject site, and that development should be contiguous with existing residential land; and
- Roadside boundary
 - Roadside boundary to remain substantially intact. NIAH no. 30326009 relates to the property located to the south of Local Road L5330 and does not appear to reference the subject site.

6.3. Planning Authority Response

- None received.

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 local policy guidance, I consider the main issues in relation to this appeal are as follows:

1. Traffic
2. Public Health

3. Architectural Heritage
4. Parking
5. Other Matters

7.1. Traffic

- 7.1.1. The appellant in the grounds of their appeal submits that the Planning Authority (PA) in their assessment did not adequately consider the planning precedent pertaining to the subject site and that the previous reasons have remained unchanged. It is noted that there is a significant planning history pertaining to the subject site for developments varied in scale.
- 7.1.2. The current application which forms the appeal before the Board is an attempt by the applicant address/overcome the reasons for refusal under PA Ref 24/60051 which have been set out in detail under Section 4.0 of my report. I note that the previous decision was not appealed to An Bord Pleanála.
- 7.1.3. Galway County Council's Transportation Section raised concern over the entrance as proposed and sought that additional information be submitted by the applicant. This has been set out in detail in section 3.2.1 of this report.
- 7.1.4. Included in the further information received by the Planning Authority was a speed survey. This indicated that an 85th Percentile speed of 24.66kph was recorded. The response noted sight lines available comply with the requirements of Table 4.2 of DMURs and Objective DM Standard 28 of the Galway County Development Plan 2022-2028. This was considered acceptable to the Planning Authority.
- 7.1.5. Following a review of the documentation on file and in particular traffic visibility drawing, drawing no. 2355/16/P1 (received by the Planning Authority on the 11/4/2024) I am satisfied that the applicant has clearly demonstrate that the proposed vehicular entrance accords with the requirements of DMURs and Objective DM Standard 28 of the Galway County Development Plan 2022-2028.

7.2. Public Health

- 7.2.1. Permission was also refused under PA Ref 24/60051 on the premise of public health. The applicant had not provided an up-to-date Irish water connection response, and at the time the Planning Authority were not satisfied based on submissions received that the development would not pose a serious risk to the public health of persons

occupying this dwelling house. Under the current application to the Planning Authority (24/60051) the documentation included a confirmation of feasibility from Uisce Eireann, dated the 11/01/2024. This states that there is capacity within the network to cater for effluent disposal and water supply to cater for the proposed development. The Planning Authority makes reference to the confirmation of feasibility from Uisce Eireann within their assessment with regard to Water Supply and Effluent Disposal.

- 7.2.2. From review of Uisce Eireann's Water Supply Capacity Register, on the 11th September 2024, I note that there is capacity available for Oughterard while the Wastewater treatment capacity register has also indicated capacity with a green status for Oughterard. I consider that this adequately addressed the concerns raised with regard to public health.

7.3. Architectural Heritage

- 7.3.1. The appellant raises concern that the proposed vehicular access will result in the destruction of part of the history wall related to National Inventory of Architectural Heritage (NIAH) no. 30326003. The applicant, in their response has stated that the boundary wall will remain substantially intact and that NIAH no. 30326003 relates to the dwelling to the south and does not appear to make reference to the subject boundary wall. The Planning Authorities report makes reference to NIAH no. 30326003 as 'Clareville House' and states that it is located on the opposite side of the local road (L-5330).
- 7.3.2. It is noted that Clareville House is listed on the Record of Protected Structures (RPS), within Appendix 6 of the Galway County Development Plan as RPS no. 673 and is described as a Detached 5 bay 2 storey gable ended house with rendered facade, round headed tripartite doorcase and paired sash windows, built c 1820. No reference is made within the Record of Protected Structures (RPS) to the boundary walls.
- 7.3.3. I have undertaken a review of the National Built Heritage Services and note that NIAH no. 30326003 pertains to Clareville House and has been given regional importance status. Reference is made to rubble limestone boundary walls but no refence is made to boundary walls pertaining to Clareville House and not within the vicinity of such. As such, I am of the opinion that proposed development would not lead to the loss of a historic wall related to NIAH no. 30326003.

7.4. Parking

- 7.4.1. The appellant raises concerns with regard to the proposed quantum of car parking being provided to serve the proposed development and that it will lead to inappropriate on streetcar parking. The applicant states that the quantum being provided accords with the requirements of the County Development Plan.
- 7.4.2. Table 15.5 of the Galway County Development Plan 2022-2028 sets out car parking standards required to be provided. With regard to 4 bed dwellings the table requires the provision of 2 car parking spaces.
- 7.4.3. I consider that the plans submitted with the application indicate that 2 no. in curtilage car parking spaces can be accommodated to serve each of the dwellings proposed. As such the development accords with the requirements of Table 15.5 of the Galway County Development Plan 2022-2028.

7.5. Other Matter

- 7.5.1. The appellant does not raise issue with the design and layout of the proposed development which is also considered to be acceptable to the Planning Authority. I concur with this assessment and do not consider that the design will impact on the residential or visual amenity of the surrounding area and is therefore not an issue to be considered as part of this appeal. However, the appellant does state that the proposed development will give rise to a change in the character of the road by providing for a more densely populated area. The subject site comprises of zoned lands which is serviced and accessible. I consider that the provision of 2 no. dwellings, as proposed, would be in keeping with the character of area and therefore acceptable.
- 7.5.2. Concern is also raised by the appellant that the reduction in dwelling numbers being proposed as part of this application is a prelude to further dense residential developments on site in the future. While I note the concern raised with regard to the future development potential of the subject lands, this is not a matter that I consider as an issue at this point as my assessment is limited to that of the statutory notices which are associated with this application for permission.
- 7.5.3. Condition no. 13 of the grant of permission included a Section 48 - Special Contribution of €25,500 (break-down of which is provided under Section 3.1 of my report) for works including the provision of a footpath, public lighting and surface water works. If the Board are minded to grant permission for this application, a condition should be included for a S.48 special contribution so that the Local Authority can provide for a

public footpath and associated works at this location which in turn will help promote a sustainable modal choice for the surrounding existing and potential population.

8.0 Appropriate Assessment Screening

I have considered the proposed development in light of the requirements of S177U the Planning and Development Act 2000 as amended. The subject site is not located within or adjacent to any European Site. The subject site is located c.72m to the north of the Lough Corrib SAC and c.1.77km to the south-west of the Lough Corrib SPA.

The proposed development comprises of the construction of 2 no. dormer dwellings and all associated site works. Having considered the nature, scale and location of the proposed development I am satisfied that it can be eliminated from further assessment because it could not have any appreciable effect on a European Site. The reason for this conclusion is as follows:

- The proposed works are limited in scale and located with Residential zoned lands within the town boundary of Oughterard. There are existing connections into the public sewer available to serve the subject site. There are no impacts/effects predicted in this regard.
- Due to the distance of the site and intervening land uses from any SAC and SPA, no impacts/ effects are predicted in this regard.
- There are no identifiable hydrological/ecological connector pathways between the application and the SAC or SPA.

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. Please refer to appendix 2 of my report for a full screening assessment.

9.0 Recommendation

Having regard to the above it is recommended that permission is granted based on the following reasons and considerations and subject to the attached conditions.

10.0 Reasons and Considerations

The proposed development which is seeking permission for the provision of 2 no. dormer dwellings and all associated site works complies with the provisions of the Galway County Development Plan 2022-2028. It is considered that, subject to compliance with the conditions set out below, the proposed development would not be out of character with the surrounding area, would not be visually detrimental to the area, would not impact upon the local road L-5330 and would not negatively impact upon any protected historic inventory within the vicinity and would not be prejudice to public health.

11.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on 19th January 2024 as amended by the further plans and particulars submitted on the 11th April 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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p>

	Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.
3.	<p>Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health</p>
4.	<p>The developer shall enter into water and wastewater connection agreements with Irish Water.</p> <p>Reason: In the interest of public health.</p>
5.	<p>The landscaping scheme as submitted to the planning authority on the 11th April 2024 shall be carried out within the first planting season following substantial completion of external construction works.</p> <p>Reason: In the interest of residential and visual amenity.</p>
6.	<p>The existing front boundary hedge and wall shall be retained except to the extent that its removal is necessary to provide for the entrance to the site.</p> <p>Reason: In the interest of visual amenity.</p>
7.	<p>Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
8.	<p>The developer shall pay to the planning authority a financial contribution of in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the</p>

	<p>planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. The application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine.</p> <p>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.</p>
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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.

.Kathy Tuck
Planning Inspector

26th September 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference			
Proposed Development Summary	Provision of 2 no. Infill dwellings and associated site works.		
Development Address	Claremount, Oughterard, 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			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		N/A	No EIAR or Preliminary Examination required
Yes	X		Proceed to Q.4

4. Has Schedule 7A information been submitted?

No	X	Preliminary Examination required
Yes		Screening Determination required

Inspector: _____ **Date:** _____

Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	ABP- 319862-24	
Proposed Development Summary	Construction of 2 no. Dwellings	
Development Address	Claremount, Oughterard, Co. Galway	
<p>The Board carried 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> <p>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</p>		
	Examination	Yes/No/ Uncertain
Nature of the Development. Is the nature of the proposed development exceptional in the context of the existing environment.	The proposed development is for 2 no. dwelling houses. There are existing dwelling houses in the proximity of the site. The proposed development would not be exceptional in the context.	No
Will the development result in the production of any significant waste, emissions or pollutants?	The development would not result in the production of significant waste, emissions, or pollutants - the subject site is serviced	No
Size of the Development Is the size of the proposed development exceptional in the context of the existing environment?	The proposed development is 2 no. dormer dwellings. The size is not exceptional	No

Appendix 2
Appropriate Assessment Screening

I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located c.72m to the north of the Lough Corrib SAC and c.1.77km to the south-west of the Lough Corrib SPA. The proposed development comprises of the provision of 2 no. dormer dwellings with Vehicular access and all associated site works.

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any appreciable effect on a European Site. The reason for this conclusion is as follows:

- The proposed works are limited in scale and located with Residential zoned lands within the town boundary of Oughterard. There are existing connections into the public sewer available to serve the subject site. There are no impacts/effects predicted in this regard.
- Due to the distance of the site and intervening land uses from any SAC and SPA, no impacts/ effects are predicted in this regard.
- There are no identifiable hydrological/ecological connector pathways between the application and the SAC or SPA

I consider that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on a European Site and appropriate assessment is therefore not required.

Inspector: _____ **Date:** _____