



An
Bord
Pleanála

Inspector's Report

ABP-320263-24

Development

Demolition of licensed premises/shop and construction of 3 no. residential units, together with all associated site works.

Location

Caltrapallas, Caltra, Ballinasloe, Co. Galway.

Planning Authority

Galway County Council.

Planning Authority Reg. Ref.

24/60526.

Applicant(s)

Padraig & Margaret Killilea.

Type of Application

Permission.

Planning Authority Decision

Refuse Permission.

Type of Appeal

First Party.

Appellant(s)

Padraig & Margaret Killilea.

Observer(s)

None.

Date of Site Inspection

11th December 2024.

Inspector

Kathy Tuck.

1.0 Site Location and Description

- 1.1. The subject site, with stated area of 0.310ha, is located at Caltrapallas Caltra, Ballinasloe Co. Galway H53XV21, c.47.6km to the north-east of Galway City Centre and 20.4km to the north-west of Ballinasloe, Co. Galway.
- 1.2. The site currently comprises of a two-storey building which is currently unoccupied and comprises a number of dilapidated shed structures and an area of open space to the rear.
- 1.3. The site addresses the R358 and shares its western boundary with a single storey derelict building. There is an entrance to the east of the building which provides for access to the rear of the site. The southern boundary of the site is formed with agricultural lands.

2.0 Proposed Development

- 2.1. Permission is being sought for the demolition of the existing licensed premises, shop and living accommodation which has a stated area c.462.1sq.m and for the construction of a terrace of 3 residential units comprising of a total floor area of 297.7 sq.m.
- 2.2. The proposed units are two storeys in height and provide for 2 no. bedrooms at first floor level. The proposed units have a maximum ridge level of c.8.019m. Each of the end units are served with a dormer feature along the front elevation.
- 2.3. It is proposed to provide for 3 no. car parking spaces which are to be provided to the rear of the proposed dwellings. In addition, permission is also sought for the decommissioning of existing sub-standard septic tank and associated soakpit and the provision of a new proprietary effluent treatment system.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority refused permission for the proposed development for the following reasons:

1. Having regard to the proposed development which consists of 3 dwellings utilising a singular communal on-site wastewater treatment system (developer provided), the Planning Authority is not satisfied on the basis of the evidence submitted with the planning application that the permitted wastewater treatment plant will adequately service the proposed development, and that the effluent disposal proposal represents a sustainable approach to servicing the proposed development. The Planning Authority is not satisfied that the development would not be prejudicial to public health and would be contrary to DM Standard 38 (b) of the Galway County Development Plan 2022-2028 relating to Effluent Treatment Plants. The proposed development would therefore be contrary to the proper planning and sustainable development on the area.
2. In the absence a suitable connection to a public sewer network and of any evidence of a sustainable approach to servicing the proposed development, the Planning Authority consider that adverse impacts on nearby European Sites cannot be excluded. Therefore, if permitted as proposed, with the absence of a suitable connection to public foul sewer infrastructure, the Planning Authority cannot be satisfied that the proposal will not adversely affect the integrity of European sites in view of their conservation objectives and in this regard the development has the potential to adversely affect the qualifying interests and conservation objectives of a protected European site and would materially contravene Policy Objective NHB 1 and DM Standard 50 of the Galway County Development Plan 2022-2028 and would be contrary to the proper planning and sustainable development of the area

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the Planning Officer notes the location of the site, the planning history of the site, the relevant national, regional and local planning policy and screening for appropriate assessment and EIA.

While the report of the Planning Officer consider the proposal to be acceptable in terms of design and layout, it noted concern over the proposed wastewater treatment plant which was considered not to represent a suitable solution for effluent disposal having

regard to Section 7.5.5 and DM Standard 38 of the Galway County Development Plan 2022-2028.

The report further considered that with the absence of a suitable connection to public foul sewer infrastructure, the Planning Authority cannot be satisfied that the proposal will not adversely affect the integrity of European sites in view of their conservation objectives.

As such, the report concluded by recommending permission be refused in line with that of the final decision of the Planning Authority.

3.2.2. Other Technical Reports

None received.

3.3. **Prescribed Bodies**

None received.

3.4. **Third Party Observations**

None received.

4.0 **Planning History**

PA Ref 97/804	Retention Permission GRANTED for alterations to front facade, change of use of stores to lounge retail outlet and new toilets.
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Within the vicinity

PA Ref 03/4005	Permission GRANTED for the demolition of an existing dwellinghouse and for the construction of 3 new houses and associated carpark, footpath, services and effluent treatment plant at Caltra, Co. Galway.
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5.0 Policy Context

5.1. Galway County Development Plan 2022-2028

There is no specific plan within the County Plan available for Caltra. Policy Objective SS7 of the Settlement Strategy - Development of Rural Settlements and Rural Nodes (Level 7) states that in the case of smaller settlements for which no specific plans are available, development shall be considered on the basis of its connectivity, capacity (including social, cultural, and economic, infrastructural and environmental capacity) and compliance with the Core Strategy and Settlement Hierarchy, good design, community gain and proper planning and sustainable development. Caltra is identified within Table 2.12 - Settlement Hierarchy as being a rural node.

The subject site is located within the settlement area of Caltra in an area of low landscape sensitivity classification (1) as per map 8.2 – Landscape Sensitivity of the County Plan.

Relevant Policy Objectives and Standard are considered as follows:

- Policy Objective CS 2 – Compact Growth
- Policy Objective CRG 1 – Compact Growth
- Policy Objective CRG 6 – Density

Promote the provision of higher density development in close proximity to sustainable transport corridors such as train stations.

- Policy Objective PM 10 – Design Quality
- Policy Objective KSGV 2 - Sustainable Residential Communities
- Policy Objective NBH 1 - Natural Heritage and Biodiversity of Designated Sites, Habitats and Species
- Policy Objective NHB 3 - Protection of European Sites
- Policy Objective WR 1 - Water Resources
- Policy Objective LCM 3 – Landscape Sensitivity Ratings
- Policy Objective WW 6 – Private Wastewater Treatment Plants

- Policy Objective WW 11 - Surface Water Drainage
- DM Standard 11 - Landscaping
- DM Standard 28 - Sight Distances Required for Access onto National, Regional, Local and Private Roads
- DM Standard 36 - Public Water Supply and Wastewater Collection
- DM Standard 38 - Effluent Treatment Plants
- DM Standard 47 - Field Patterns, Stone Walls, Trees and Hedgerows

5.2. **Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, (2024)**

These Guidelines set out national planning policy and guidance in relation to the creation of settlements that are compact, attractive, liveable and well designed. There is a focus on the renewal of settlements and on the interaction between residential density, housing standards and placemaking to support the sustainable and compact growth of settlements.

Caltra is identified as being a rural node within the housing strategy of the Galway County Development Plan 2022-2028. According to the results from the 2022 Census, Caltra has a population of c.380 people and as such is considered to be a Rural Towns and Villages with the Compact Settlement Guidelines. These settlements are not identified for significant population growth under the NPF and should grow at a limited pace that is appropriate to the service and employment function of the settlement, and the availability and capacity of infrastructure to support further development.

Table 3.7 of the Guideline identify areas and density ranges for rural towns and villages and states *“Rural Towns and Villages are small in scale with limited infrastructure and services provision. It is a policy and objective of these Guidelines that development in rural towns and villages is tailored to the scale, form and character of the settlement and the capacity of services and infrastructure (including public transport and water services infrastructure). Lands zoned for housing at the edge of rural towns and villages at locations that can be integrated into the settlement and are connected to existing walking and cycling networks can offer an effective alternative, including*

serviced sites, to the provision of single houses in the countryside. The density of development at such locations should respond in a positive way to the established context.”

Section 3.3.6 (c) of the guidelines further states *“In the case of very small infill sites that are not of sufficient scale to define their own character and density, the need to respond to the scale and form of surrounding development, to protect the amenities of surrounding properties and to protect biodiversity may take precedence over the densities set out in this Chapter.”*

Development standards for housing are set out in Chapter 5, including:

1. SPPR 1 in relation to separation distances (16 m above ground floor level),
2. SPPR 2 in relation to private open space (2-bed 30 m² ; 3-bed 40 m² ; 4+bed 50 m²),
3. SPPR 3 in relation to car parking (1.5 spaces per dwelling in accessible locations) and
4. SPPR 4 in relation to cycle parking and storage.

5.3. EPA Code of Practice -Domestic Wastewater Treatment Systems, 2021.

The EPA code of practice provides guidance on DWWTSs for single houses or equivalent developments with a population equivalent (PE) of less than or equal to 10. It sets out a methodology for site assessment and selection, installation and maintenance of an appropriate Domestic Wastewater Treatment Systems (DWWTS).

The code of practice requires that site characterisation, design, installation and commissioning of DWWTSs should be carried out and supervised by an appropriately trained and qualified assessor. It is essential that any DWWTS installed on a site complies with relevant conditions of planning and that the system is properly installed and maintained. Following the guidance contained within the code of practice does not remove the obligation to comply with relevant legislation and to prevent pollution.

Section 6.3 together with Table 6.2 of the code of practice sets out the minimum separation distance required from the entire system being proposed. It requires that 7m be provided from the onsite dwelling to the tank/plan and 10m from the free water surface constructed wetland and infiltration/ treatment area.

5.4. Natural Heritage Designations

The subject site is not located within or adjacent to any Natura 2000 sites. The subject site is located c.11km to the west of the River Suck Callows SPA (site code 004097).

5.5. EIA Screening

The development does fall within a class of development set out in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations, 2001, (as amended), however it does not exceed the threshold identified. Therefore it is not subject to EIA requirements (See Form 1 Appendix 1 and Appendix 2).

6.0 The Appeal

6.1. Grounds of Appeal

This is a first party appeal against the decision by Galway County Council to refuse permission. The grounds of appeal are as follows:

1. Waste Water Treatment

- DMS Standard 38 is meant for greenfield sites in un-serviced villages on sites having an area of 0.2ha – should not be applied in this instance.
- The existing scenario on site could be retained and converted entirely into residential units under exempted development regulations without modifications to the existing septic tank.
- Continued use of septic tank would be undesirable from an environmental viewpoint.
- Decommissioning of existing septic tank and provision of a tertiary treatment plant with smaller loadings would greatly reduce risk to the groundwater aquifers and any European Sites.
- Individual treatment plants would be on sites of c.0.337ha.

2. Impact on European Sites

- DMS Standard 50 refers to Environmental Assessment and outlines measures to be applied in respect of designated sites.
- The proposed development does not impact directly or indirectly on any European Sites and there is no connectivity from the development site to any European Site.
- Policy Objective NHB1 refers to Natural Heritage and Biodiversity of European sites – the proposal does not interfere with the integrity of any European sites.
- No European Site is located within 5km from the subject site.
- In view of the domestic nature and scale of the proposal which is located outside of any European Site, the conservation objectives and qualifying interests of the proposed use of a packaged on-site wastewater treatment system to current EPA standards and requirements – the proposed development by itself or in combination with other development in the vicinity, would not likely have a significant effect on European sites, their qualifying interests or conservation objectives.

3. Planning Precedent

- Under PA Ref 20/908 the Planning Authority granted permission for the demolition of an existing dwelling and a new two storey dwelling/house and change of use of existing bar / licensed premises to use as a café. The application also provided for the replacement of existing sub-standard septic tank with a proprietary effluent treatment system.
- This was granted on a restricted site in the centre of Ballinderreen Village – in close proximity to several designated sites (adjacent to Lough Fingall Complex SAC).

6.2. **Planning Authority Response**

None received.

6.3. Observations

None received.

7.0 Assessment

Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are as follows:

- Principle of Development.
- Wastewater Treatment.
- Appropriate Assessment.
- Other Issues.

7.1. Principle of Development

- 7.1.1. This appeal is seeking permission for the demolition of an existing licenced premise, shop and habitable accommodation above which has a stated area of 462.1sq.m, the construction of 3 no. residential units comprising of a total floor area of 297.7 m2 and the decommissioning of existing sub-standard septic tank and the provision of a new proprietary effluent treatment system. The site is located within the rural node of Caltrapallas Caltra, Ballinasloe Co. Galway.
- 7.1.2. The structure to be demolished is currently derelict and comprises of a two-storey building which is dilapidated in nature and a number of shed structures located to the rear. In addition, the site also comprises of a large area of undeveloped lands to the rear. The building to be demolished is not afforded any level of protection within the Galway County Development Plan 2022-2028 and is not located within a conservation area. I note that the planning application was accompanied by a condition survey of the buildings to be demolished which concludes that the overall structural integrity of the property has been severely compromised and this is supported by photographic evidence.
- 7.1.3. The Galway County Development Plan 2022-2208 does not provide for a specific plan for the Caltra Area but states that development shall be considered on the basis of its

connectivity, capacity (including social, cultural, and economic, infrastructural and environmental capacity) and compliance with the Core Strategy and Settlement Hierarchy, good design, community gain and proper planning and sustainable development. The site is identified on Map 8.2 - Landscape Sensitivity of the County Plan as being within an area of low landscape sensitivity classification (1).

- 7.1.4. I note that while the subject site is not afforded a specific land use zoning under the current Galway County Development Plan due to its location within an identified Rural Node the applicant is not required to demonstrate that they have a rural housing need.
- 7.1.5. I consider that the proposed development would not adversely affect the surrounding landscape and would be acceptable in terms of its location within the settlement of Caltra subject to compliance with the relevant development management standards of the Galway County Development Plan 2022-2028.

7.2. Waste Water Treatment

- 7.2.1. The appellant contends that the Planning Authority in their assessment has incorrectly applied DM Standard 38 of the Galway County Development Plan 2022-2028. It is stated that this standard is meant to apply for greenfield sites in un-serviced villages where individual wastewater treatment plants would be permitted for individual houses on sites having an area of 0.20 hectares.
- 7.2.2. The appellant further states that the existing scenario on site could be retained and converted entirely into residential units under exempted development regulations, introduced in 2018, without modifications to the existing septic tank and that the proposed development provides for a more sustainable approach to the development of the subject lands.
- 7.2.3. I note that there is no record of the appellant having sought a Section 5 declaration for the works from the Planning Authority but instead sought permission for such. As such I do not consider that this statement with regard to exempted development being relevant to this appeal assessment.
- 7.2.4. The Planning Officer in their assessment refers to section 7.5.5 of the Galway County Development Plan 2022-2028 which states that *'In the case of small cluster type developments (<5 houses) within settlements which do not have the benefit of Irish Water public sewer infrastructure the Council will facilitate proposals which can provide individual wastewater treatment systems to serve each individual house*

separately. Proposals such as these will need to meet the requirements are set out in the EPA Code of Practice for Wastewater Treatment Systems and Disposal Systems Serving Single Houses (2009). In instances such as these developers will need to be mindful of Policy Objective WS 8 which *states ‘Discourage the over-concentration/proliferation of individual septic tanks and treatment plants to minimise the risk of groundwater pollution’.* The assessment conclude that the proposal would be variance to section 7.5.5 of the Galway County Development Plan 2022-2028 and DM Standard 38 Effluent Treatment Plants (b) Clustered Housing of same. I note that the EPA code of practice referenced within the County Development Plan has now been updated and replaced with the 2021 guidance document.

- 7.2.5. DM Standard 38(b) of the Galway County Development Plan 2022-2028 states *“in the case of clustered housing schemes, public (Irish Water) wastewater connection is encouraged. In the case of un-serviced villages, private wastewater treatment plants for each dwelling shall be permitted where the treatment systems are in compliance with the standards in the Environmental Protection Agency (EPA), Code of Practice for Wastewater Treatment Systems for Single Dwellings.”*
- 7.2.6. I note that there is no reference within section 7.5.5, DM Standard 38, or any other section within the Galway County Development Plan 2022-2028 to a specific site area or greenfield development with regard to the provision of wastewater treatment plants.
- 7.2.7. While Table 6.3 of the EPA Code of Practice (CoP 2021) sets out the required minimum separation distances that should be provided, no reference is made within the Code of Practice to the site area or site type with regard to the provision of wastewater treatment plants. The appellant in this instance has not specified where the comments they have presented with regard to DMS Standard 38(b) of the County Plan being relevant to a specific site area or greenfield developments is set out within either the Galway County Development Plan 2022-2028 or the EPA Code of Practice 2021.
- 7.2.8. I therefore conclude, having regard to the proposed development which is seeking to provide for 3 residential units which would be served by 1 no. waste-water treatment plant, that DM Standard 38(b) is relevant in this instance. As such the proposed development would not be in accordance with Section 7.5.5 or DM Standard 38 of the Galway County Development Plan 2022-2028 and as such, I recommend that permission be refused on that basis.

7.3. Appropriate Assessment

- 7.3.1. The second reason for refusal considered that if permitted as proposed, with the absence of a suitable connection to public foul sewer infrastructure, the Planning Authority cannot be satisfied that the proposal will not adversely affect the integrity of European sites in view of their conservation objectives and in this regard the development has the potential to adversely affect the qualifying interests and conservation objectives of a protected European site and would materially contravene Policy Objective NHB 1 and DM Standard 50 of the Galway County Development Plan 2022-2028.
- 7.3.2. The 1st party Appellant contends that the proposed development does not impact directly or indirectly on any European Sites and there is no connectivity from the development site to any European Site. It is further stated that Policy Objective NHB1 refers to Natural Heritage and Biodiversity of European sites.
- 7.3.3. I note that the application submitted was not accompanied by any appropriate assessment screening assessment. The Planning Authority, being the competent Authority, concluded that Appropriate Assessment screening cannot be fully carried out in the absence of any evidence of a suitable connection to the public foul network.
- 7.3.4. From undertaking assessment of the information available to me on the EPA mapping System I note that there is no direct hydrological connection from the subject site to the River Suck Callows SPA (site code 004097) or any other Nature 2000 sites. I refer the Board to Section 8.0 of my report where I have undertaken a screening assessment of the proposed development.
- 7.3.5. The appellant is seeking permission to provide for 3 no. residential units which would be served by 1 no. wastewater treatment plant. There is no connection available at this location to serve the proposed development to the public foul network. As set out above, within section 7.2 of this assessment, I consider that the proposal would be contrary to Objective DM Standards 38(b) of the Galway County Development Plan 2022-2028 which requires *private wastewater treatment plants for each dwelling where a connection to the public foul network is not available*.
- 7.3.6. The proposed wastewater treatment system discussed above has been designed in accordance with the EPA guidelines on the treatment of domestic wastewater and is adequately removed from existing watercourses (EPA's Code of Practice: Wastewater

Treatment and Disposal Systems Serving Single Houses). Consequently, deleterious effects on either surface or groundwater in the vicinity of the site, or at distance from it, are unlikely. Notwithstanding this, the proposed development as a whole fails to comply with Objective DM Standards 38(b) of the Galway County Development Plan 2022-2028, and as such taking into consideration the nature and scope of the proposed development, the requirement of the Galway County Development Plan 2022-2028, I am of the opinion that I cannot rule out appropriate assessment issues which may arise in the absence of the required waste water facilities required to serve the proposed development.

7.4. Other Issues

7.4.1. Planning Precedent

I note that the Appellant has made reference to precedent of a permission similar in scale which was granted by Galway County Council. While consideration is given to precedent, all appeals must be determined on their own merits having regard to the sensitivity of the receiving environment and the specifics of the development.

8.0 **AA Screening**

8.1. I have considered the proposed development in light of the requirements of S.177U 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.11km to the west of the River Suck Callows SPA (site code 004097).

8.1.1. The applicant is seeking permission for the demolition of the existing licensed premises and associated buildings and the construction of 3 no. two storey two-bedroom dwellings. It is proposed to serve this development with a single new wastewater treatment plant and all associated site works.

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

authority must be satisfied that the proposal will not adversely affect the integrity of the European site before consent can be given.

- 8.1.3. The application was not accompanied by an Appropriate Assessment Screening Report however the Planning Authority, being the competent authority, determined concluded that Appropriate Assessment Screening cannot be fully carried out in the absence of any evidence of a suitable connection to the public foul network. The assessment stated that *“The European Site(s) most at risk, by reason of catchment (Suck South groundwater body & Upper Shannon surface water catchment), size & scale, land-take, distance from European sites or key features of the site, resource requirements, underlying aquifer type & vulnerability, emissions, excavations, transportation requirements & duration of construction, operation are the Suck Callows SPA. Therefore, if permitted as proposed, with the absence of a suitable connection to public foul sewer infrastructure, the Planning Authority cannot be satisfied that the proposal will not adversely affect the integrity of European sites in view of their conservation objectives.”*
- 8.2. I note that the Rural Node of Caltra currently does not have the benefit of Irish Water public sewer infrastructure and as such it would not be possible to provide for such connection. The Galway County Development Plan 2022-2028 recognises this and states under 7.5.5 and DM Standard 38 that in the case of un-serviced villages, private wastewater treatment plants for each dwelling shall be permitted where the treatment systems are in compliance with the standards in the Environmental Protection Agency (EPA), Code of Practice for Wastewater Treatment Systems for Single Dwellings.
- 8.3. The subject site has been in operation as a licenced premises and shop previously and is serviced by an in-situ wastewater treatment plant. From assessment of the EAP Mapping tool on the 10th January 2024, I note that there is no direct hydrological connection from the subject site to the River Suck Callows SPA (site code 004097). Having reviewed the Conservation Objectives pertaining to the SPA and having regard to context of the subject site which is located within a rural node together with the separation distance to the subject SPA, I do not consider that the proposal would neatly impact upon such.
- 8.4. Notwithstanding the above, the development as a whole the proposal fails to comply with Objective DM Standards 38(b) of the Galway County Development Plan 2022-

2028, and as such taking into consideration the nature and scope of the proposed development, the requirement of the Galway County Development Plan 2022-2028, I am of the opinion that I cannot rule out appropriate assessment issues which may arise in the absence of the required waste water facilities required to serve the proposed development.

- 8.5. Overall, to conclude on the basis of the information provided with the application and appeal and in the absence of an appropriate level of a waste water treatment to serve the proposed development which complies with the requirements of the Galway County Development Plan 2022-2028, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not be likely to have a significant effect on River Suck Callows SPA (site code 004097).

9.0 Recommendation

I recommend that the permission is refused for the reasons and considerations set out below.

10.0 Reasons and Considerations

1. Having regard to the proposed development which comprises of the provision of a terrace of 3 no. dwellings which rely on utilising a singular communal on-site wastewater treatment system it is considered that the proposal would be contrary to Section 7.5.5 and DM Standard 38 of the Galway County Development Plan 2022-2028 which requires the provision of individual wastewater treatment plants for each dwelling proposed for schemes of 5 units or less located within identified settlements. As such, it is considered that to permit the proposed development would be prejudicial to public health and contrary to the proper planning and sustainable development of the area.
2. In the absence of a suitable waste water treatment plant to serve the proposed development, which would comply with requirements of the Galway County Development Plan 2022-2028, adverse impacts on nearby European Sites cannot be excluded. The Board cannot be satisfied that the proposal will not adversely affect the integrity of European sites in view of their conservation

objectives and in this regard the development has the potential to adversely affect the qualifying interests and conservation objectives of a protected European site, would not be in keeping with Objective NHB1 of the County Development Plan 2022-2028 and 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.

Kathy Tuck

Planning Inspector

5th February 2025

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	ABP-320263-24		
Proposed Development Summary	Demolition of licensed premises/shop and construction of 3 no. residential units, together with all associated site works.		
Development Address	Caltrapallas, Caltra, Ballinasloe, Co. Galway.		
5. 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		
6. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	x	S. 5 P.2 10(b)(ii) construction of more than 500 dwelling units.	Proceed to Q3.
No			Tick if relevant. No further action required
7. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes	Tick/or leave blank		EIA Mandatory EIAR required
No	x	S. 5 P.2 10(b)(ii) construction of more than 500 dwelling units.	Proceed to Q4
8. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	x	S. 5 P.2 10(b)(ii) construction of more than 500 dwelling units.	Preliminary examination required (Form 2)
9. Has Schedule 7A information been submitted?			

No	X	Screening determination remains as above (Q1 to Q4)
Yes		Screening Determination required

Inspector: _____ **Date:** _____

Form 2
EIA Preliminary Examination

An Bord Pleanála Case Reference	ABP- 320263-24
Proposed Development Summary	Demolition of licensed premises/shop and construction of 3 no. residential units, together with all associated site works.
Development Address	Caltrapallas, Caltra, Ballinasloe, 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>	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	<p>This is an application for the demolition of the existing derelict/licenced premises and associated structures on site and the construction of a terrace of 3 no. two storey two bed dwelling units, a new waste-water treatment plant and associated site works. The development has a stated floor area of 297.7 sq.m.</p>
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	<p>The subject site is location within the rural node of Caltra.</p> <p>The subject site is not located within or adjacent to any Natura 2000 sites. The site is located c. 11km to the west of the River Suck Callows SPA (site code 004097).</p>

Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	
Conclusion	
There is no real likelihood of significant effects on the environment. EIA is not required.	

Inspector: _____

Date: _____

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 not located within or is not immediately adjacent to any Natura 2000 sites. The site is located c.11km to the west of the River Suck Callows SPA (site code 004097).

The application is seeking permission for the demolition of the existing licensed premises, shop and living accommodation which has a stated area c.462.1sq.m and for the construction of a terrace of 3 residential units comprising of a total floor area of 297.7 sq.m. It is proposed to provide for 3 no. car parking spaces which are to be provided to the rear of the proposed dwellings. In addition, permission is also sought for the decommissioning of existing sub-standard septic tank and associated soakpit and the provision of a new proprietary effluent treatment system.

Having considered the nature, scale and location of the project, I am not satisfied that it can be eliminated from further assessment because it could have appreciable effect on a European Site.

In the absence of an appropriate level of a waste water treatment to serve the proposal which complies with the requirements of the Galway County Development Plan 2022-2028, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not be likely to have a significant effect on River Suck Callows SPA (site code 004097). In such circumstances the Board is precluded from granting permission.

Inspector: _____

Date: _____