



An
Coimisiún
Pleanála

Inspector's Report

ABP-320605-24

Development

Permission for the renovation of an existing derelict single storey cottage and the construction of a new single storey extension with glass link connection, installation of new wastewater treatment system and percolation area and all associated site works, new site entrance access road and landscaping. A Natura Impact Statement is submitted as part of the proposals.

Location

Aughrusmore, Cleggan, Co. Galway

Planning Authority

Galway County Council

Planning Authority Reg. Ref.

24/60670

Applicant(s)

Gary O Sullivan and Annemarie Murphy

Type of Application

Permission

Planning Authority Decision

Refuse Permission

Type of Appeal

First Party V. Refusal

Appellant(s)

Gary O Sullivan and Annemarie
Murphy

Observer(s)

Laurence & Dorothy Conneely

Date of Site Inspection

18th day of April 2025

Inspector

Fergal O'Bric

1.0 Site Location and Description

- 1.1 The appeal site is located within the rural townland of Aughrusmore in Connemara in West County Galway. The subject site is located approximately 2.4 kilometres west of the rural node of Claddaghduff and approximately 4.5 kilometres south-west of the rural village of Cleggan and approximately 12 kilometres northwest of the coastal town of Clifden.
- 1.2 The site itself has a stated area of 2.186 hectares. And is irregular in shape with a narrow strip of land connecting a ruinous cut stone structure on site with the adjoining county road, the L51172 to its west. The site becomes more rectangular in shape south of the ruinous structure and ground levels fall in a southerly direction towards the Connacht coast.
- 1.3 The subject site comprises a number of small agricultural fields and a ruin of a building located in the second field removed from the public road. The ruin is constructed at an angle to the public road. The ruin comprises a stone structure with no roof in place, and many of the rising walls are also partially collapsed to below the eaves level on the two side (east and west) gables and one of the end gables (northerly one). Many of the fallen cut stones from the gables of the ruin have fallen within the intern if the structure and there are remains of an internal dividing wall however, similarly this wall is also falling and contains the remains of an old stone open fire place, however the stones at the head of the fire place are starting to collapse and would not appear to be stable. The rising gable walls are missing many of the original cut stone composition and the two internal rooms are divided by a partially falling dividing wall, which contains an old stone fireplace where many of the supporting stones are not structurally sound and have sunken from their original position. There are several window and door heads missing or partially missing.
- 1.4 The adjoining public road has a carriageway width of approximately 4 metres and ground levels fall from the road to the adjoining lands, which are boggy on each side. There are cut stone walls dividing many of the fields and post and wire fencing along the roads' edge. The public road is located to the west of the appeal site, however, currently there is no vehicular nor pedestrian connectivity from the ruin to the public road, requiring a pedestrian to navigate fences and cut stone walls to access the ruin. There are a number of rural; dwellings dispersed in the vicinity of the appeal

site, located south-west, north-west and north-east of the ruin structure. There is also a fishing pier located further south-west of the appeal site, further along the L51172. The Planning Authority state that there are no protected structures or recorded monuments within the appeal site boundary nor in the vicinity of the appeal site.

2.0 Proposed Development

2.1 The development would comprise the following:

- The applicants are seeking planning permission for the renovation of an existing derelict single storey cottage with a stated gross floor area of 38.7 square metres,
- the demolition of an existing internal wall and the e-opening of two original windows/doors on the western façade, works to the eastern façade to facilitate the extension connections,
- Provision of a new raft foundation and insulated inner walls,
- The restoration of the pitched roof with a natural slate finish,
- The construction of a new single storey extension with a stated gross floor area of 107.9 square metres,
- A glass link connection to the existing structure,
- Installation of a and the construction of a new single storey extension with glass link connection,
- Installation of new wastewater treatment system and percolation area and all associated site works,
- New site entrance access road and landscaping.
- A Natura Impact Statement is submitted as part of the proposals.

2.2 Access to the site would be from the adjoining public road, the L51172, a link road that connects back to Claddghduff to the east of the site. It is proposed to install a packaged wastewater treatment system and soil polishing filter whilst a water supply would be obtained from a connection to the public watermain.

2.3 The planning application was accompanied by a number of supporting reports including an Appropriate Assessment (AA) Screening Report, a Natura Impact Statement, A Visual Impact Statement, a Design Statement and a Site

Characterisation Report (SCR) and generic details of an Oakstown packaged wastewater treatment system.

- 2.4 An Appropriate Assessment (AA) screening report and an NIS was submitted by the applicants as part of their original planning documentation submitted to the Planning Authority (PA). The applicants submitted an updated and revised AA screening report and NIS as part of their appeal submission and concluded that 'As a result of the appropriate design of the proposed activities and the proposed mitigation measures, this report concludes that the proposed development will have no significant residual impacts on the integrity of the Natura 2000 sites'.
- 2.5 The Planning Officer (PO) noted the location of the appeal site in proximity to the West Connacht Coast SAC, located approximately 80 metres south of the appeal site boundary. The PO noted that the site slopes in the direction of the coastline and having regard to the proposals to develop a new vehicular entrance and driveway to access the proposed development through a greenfield site, with no particular mitigation measures included within the NIS, and with potential hydrological connections to the SAC, the PA concluded 'noting concerns in relation to potential hydrological connections to the West Connacht Coast SAC, in conjunction with concerns regarding the treatment of wastewater owing to the site characteristics in order to issue a screening determination, the Planning Authority cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not be likely to have adverse impacts on these or any European site'.
- .
- 2.6 A letter of consent from the landowners, Brian and Elizabeth Egan has been submitted, consenting to the applicants making a planning application on their lands.
- 2.7 The Board referred this appeal to An Taisce for comment and no response was received from them.

3.0 Planning Authority Decision

3.1 Decision

Planning permission was refused by the Planning Authority for five reasons which are summarised below.

- 1) Based on the existence of a substantially ruinous structure on site, it is considered that planning permission is required to bring this structure into habitable use. Given the location of the site within a highly sensitive Class 3 landscape, a housing need would be required to be substantiated.
The PA were not satisfied based on the information submitted that the applicants had demonstrated a rural housing need in accordance with policy objectives RH 4 or RH 7 as set out within the current Galway County Development Plan 2022-28. Therefore, the development would be contrary to these policy objectives and the provisions of the Sustainable Rural Housing Guidelines, would establish an undesirable precedent and be contrary to the proper planning and sustainable development of the area.
- 2) The subject site is located in close proximity to the West Connacht Coast SAC, and by virtue of the direct hydrological connection from the appeal site to the SAC, the PA consider that adverse impacts on the integrity and conservation objectives of the SAC cannot be ruled out as a result of the proposed project and would contravene policy objectives NHB-1-3 as set out within the current Galway County Development Plan 2022-28. regarding the protection of European sites.
- 3) The subject site is located within a class 3 landscape of special landscape sensitivity, it is considered that the scale and form of the proposed development is not sensitive to its surroundings and would be visually obtrusive and discordant and contravene policy objectives LCM 2 and 3 and RH9 and DM standards 8 and 46 as set out within the current Galway County Development Plan 2022-28. The proposed development would interfere with the character of the area and militate against the preservation of the rural environment would contravene these policy objectives as referenced above, would establish an undesirable precedent and be contrary to the proper planning and sustainable development of the area.
- 4) By virtue of the exposed and elevated nature of the site in an area of special landscape sensitivity, the excessive siting setback, lack of an existing vehicular access to the site, inadequate sightlines and elongated access driveway, the PA are not satisfied that the proposed development would effectively assimilate into this sensitive rural setting. The built form would not

integrate appropriately and contravene policy objectives LCM 2 and 3 and RH9 and DM standards 8, 28 and 46 as set out within the current Galway County Development Plan 2022-28. The proposed development would interfere with the character of the landscape detract from the visual amenity of the area, militate against the preservation of the rural environment would contravene these policy objectives, would establish an undesirable precedent and be contrary to the proper planning and sustainable development of the area.

- 5) The applicants have failed to submit written correspondence from Uisce Eireann confirming the feasibility of a new watermain connection to the appeal site. The proposals would be prejudicial to public health and contrary to DM standard 36 (public water supply connection) as set out within the current Galway County Development Plan 2022-28.

3.2 Planning Report

The Planning Officers report dated the 25th day of July 2024 set out the following.

- The site is located in a rural area and constitutes a brownfield site containing a ruinous structure in a large field within a Class 3 landscape setting which has a special sensitivity rating.
- The structure is not habitable or liveable and has not been inhabited for a substantial period of time.
- Planning permission would be required to bring the ruinous structure on site to habitable use and same should have been sought.
- The applicants would be required to demonstrate compliance with the Rural Housing policies as set out within the current Galway County Development Plan 2022-28.
- There is insufficient structure remaining of the original stone building to consider it as a dwelling.
- Under the County Development Plan provisions, only dwellings which are substantially intact may be considered for renovation or rebuild without a housing need being required to be demonstrated

- The existing ruinous structure is not in a stable or sound condition.
- There is presently no vehicular access or driveway to the structure from the local road, the L51172. The PA have serious concerns regarding the availability of sightlines in both directions and the impact of the proposed entrance and driveway upon this class 3 landscape.
- No correspondence from Uisce Eireann (UE) has been submitted confirming feasibility of a watermain connection for the site.
- In terms of ground conditions, it was noted the site contained many rushes and reeds and winter monitoring results of water levels within the trial hole would be required to demonstrate compliance with the EPA Code of Practice 2021 guidance.
- The overall design approach is not considered to be reflective of the requirement of the Galway County Council design guidelines for single houses.
- The overall scale, massing and design would not comply with the provisions of policy objective RH9 and DM Standard 4 within the current Galway County Development Plan 2022-28.

3.3 **Other Technical Report(s).**

None received.

3.4 **Prescribed Bodies**

None received.

3.5 **Third Party Observations**

One observation was received by the Planning Authority (PA). This was received from neighbouring residents, stated to be resident within Aughrusmore. The issues raised in the observation include the following:

- There is insufficient structure remaining of the original stone building to consider it as a dwelling.

- Under the provisions of the current Galway County Development Plan 2022-28, only dwellings which are substantially intact may be considered for renovation or rebuild without a housing need being required.
- The applicants have not demonstrated a housing need nor intrinsic connections to this locality.
- The scale of the proposed development would dwarf that of the existing ruin.
- The design of the new build would detract from the visual amenity of the area.
- The site is located within an area of consecrated ground and contains burials from the early 20th century and 19th century famine graves.
- No such remains have been identified within the planning documentation submitted.
- No sightline triangles have been submitted, and sightlines would cross third party lands, outside of their ownership.
- An AA screening report was only submitted as part of the planning documentation and not an NIS.
- No Construction and Environmental Management Plan (CEMP) was submitted as part of the planning documentation.
- The development would constitute backland development.
- The development of the access driveway would provide a scar within the local landscape.
- No structural report was submitted demonstrating the ability of the stone ruin to be successfully renovated.
- People with genuine local needs have been previously refused planning permission in this area.

4.0 Planning History

I am not aware of any relevant planning history pertaining to the appeal site.

5.0 Policy and Context

5.1 Galway County Development Plan, 2022-2028

The Galway County Development Plan 2022 -2028 was adopted by the Planning Authority on 9th May 2022 and came into effect on the 20th day of June 2022. It has regard to national and regional policies in respect of rural housing and access to national routes. Chapters 4, 6 and 15 of the plan refer.

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 RH 4 Rural Housing Zone 4 (landscape Classification 2,3 and 4)).

It is policy objective to facilitate rural housing in this Rural Metropolitan Area subject to the following criteria:

Those applicants with long standing demonstrable economic and/or social Rural Links* or Need to the area through existing and immediate family ties, seeking to develop their first home on the existing family holdings or lands.

OR

Applicants who have long standing demonstrable economic and/or social Rural Links or Need* to the area, i.e., who have grown up in the area, schooled in the area or who have spent a substantial, continuous part of their lives in the area and/or have or have had, immediate family connections in the area e.g., son or daughter of

longstanding residents of the area seeking to develop their first home within the Rural Metropolitan Area.

Applicants will be requested to establish a substantiated Rural Housing Need* and only this category of persons will be allowed to construct a dwelling on a greenfield site in these areas. To have lived in the area for a continuous seven years or more is to be recognised as a substantial, continuous part of life and also as the minimum period required to be deemed longstanding residents of the area

OR

Documentary evidence shall be submitted to the Planning Authority to justify the proposed development and will be assessed on a case-by-case basis. An enurement condition shall apply for a period of 7 years, after the date that the house is first occupied by the person or persons to whom the enurement clause applies.

Definitions applied above:

* Rural Links

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

* Substantiated Rural Housing Need:

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

Policy Objective RH 7 Renovation of Existing Derelict Dwelling

It is a policy objective of the Planning Authority that proposals to renovate, restore or modify existing derelict or semi-derelict dwellings in the County are generally dealt with on their merits on a case by case basis, having regard to the relevant policy objectives of this plan, the specific location and the condition of the structure and the scale of any works required to upgrade the structure to modern standards. The derelict/semi derelict dwelling must be structurally sound and have the capacity to be renovated or extended and have the majority of its original features in place. A structural report will be required to illustrate that the structure can be brought back into habitable use, without compromising the original character of the dwelling. Where the total demolition of the existing dwelling is proposed an Enurement Clause for seven years duration will apply.

Policy Objective RH 9 Rural Housing Design Guidelines

Policy Objective WS8: Proliferation of individual wastewater treatment systems.

Policy Objective WW6: Private wastewater treatment systems.

Policy Objective WW 10 - Surface Water Drainage.

Chapter 8: Tourism and landscape

Section 8.1.3.2 Landscape sensitivity

Class 3-Special sensitivity rating. High sensitivity to change

Policy objectives LCM 1-3-preservation of landscape character, landscape sensitivity ratings and classification.

Chapter 15: Development Management Standards

DM Standard 7: Rural Housing

DM Standard 8: Site Selection and Design

DM Standard 28: Sight distances

DM Standard 36-Public water supply and wastewater collection

DM Standard 38: Effluent Treatment Plants

DM Standard 50-Environmental Assessments

5.2 Sustainable Rural Housing Development Guidelines

The Guidelines require a distinction to be made between 'Urban Generated' and 'Rural Generated' housing need. Section 2.3 pertains to Strengthening Rural towns and villages. A number of rural area typologies are identified including rural areas under strong urban influence which are defined as those in proximity to the immediate environs or close commuting catchment of large cities and towns. Examples are given of the types of circumstances for which 'Rural Generated Housing Need' might apply. These include 'persons who are an intrinsic part of the rural community' and 'persons working full time or part time in rural areas.

Section 3.2.2 of the guidance specifically relates to 'Holiday and second home' development as sets out the following in relation to ruinous or disused dwellings 'Proposals to reinstate, conserve and or replace existing, ruinous or disused dwellings will be looked on favourably by the planning authority subject to satisfying normal planning considerations relating to the provision of safe access and the design and provision of any necessary wastewater disposal facilities'.

5.3 National Planning Framework as revised 2025.

The revised National Planning Framework (NPF) was published in April 2025. The following is set out in relation to rural housing:

National Policy Objective 24 is to: Support the sustainable development of rural areas by encouraging growth and arresting decline in areas that have experienced low population growth or decline in recent decades and by managing the growth of areas that are under strong urban influence to avoid overdevelopment, while sustaining vibrant rural communities.

National Policy Objective 28: Ensure, in providing for the development of rural housing, that a distinction is made between areas under urban influence, i.e. within the commuter catchment of cities and large towns and centres of employment, and elsewhere:

- In rural areas under urban influence, facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic

or social need to live in a rural area and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.

- In rural areas elsewhere, facilitate the provision of single housing in the countryside based on siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.

5.4 Natural Heritage Designations

The West Connacht Coast SAC (site code 002998) is located approximately 70 metres south of the appeal site.

The Aughrusbeg Machair and Lake SAC (site code 001228) is located approximately 360 metres north of the appeal site.

The Omev Island Machair SAC (site code 001309) is located approximately 600 metres south of the appeal site.

5.5 Environmental Impact Assessment-Preliminary Assessment

(See Appendix 1 at the end of this report). Having regard to the nature of the proposed rural house development and its location removed from any sensitive locations or features and the absence of direct connectivity to any sensitive location, there is no real likelihood of significant adverse effects on the environment. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

5.6 Water Framework Directive-Screening

The subject site is located approximately 80 metres north of Western Connacht Coastline.

The development would comprise the renovation of a ruin structure and the construction of an extension and glazed link, new access and driveway, proprietary wastewater treatment system and percolation area. The detailed development description is set out within Section 2.0 of my report above.

Impact upon water quality within the adjacent Connacht coastline was not raised as an issue within the third-party observation.

I have assessed the planning documentation and have considered the objectives as set out in Article 4 of the Water Framework Directive which seeks to protect and, where necessary, restore surface & ground water bodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the relatively minor 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 surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- Having regard to the relatively minor scale and nature of the development proposed
- The location removed from the nearest waterbody.

Conclusion

I conclude that on the basis of objective information, the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment

6.0 The Appeal

6.1 Grounds of Appeal

A first party appeal against the Planning Authority's decision to refuse planning permission has been received from the applicants, Gary O Sullivan and Annmarie Murphy. The main issues raised within the appellants' submission relate to the reasons refusal as set out within the Planning Authority decision and include the following:

Rural Housing Policy:

- The proposals would comply with policy objective RH7 as set out within the current Galway County Development Plan 2022-28 in relation to the renovation of an existing derelict dwelling.
- The applicants have provided additional supporting documentation from their Consultant Engineers stating that approximately 98% of the existing external wall structure will be retained under the proposals with one opening being widened to facilitate the link to the proposed extension.
- The majority of the existing features and characteristics will be retained and, therefore, the existing structure has been deemed suitable for renovation and extension.
- As the proposed development is compliant with policy objective RH7, therefore, the provisions of RH4 requiring the demonstration of a rural housing need do not apply in this instance
- Section 3.2.2 of the Sustainable Rural Housing Guidelines provide for 'proposals to reinstate, conserve and/or replace existing, ruinous or derelict dwellings will be looked favourably upon by the Planning Authority subject to normal planning provisions in relation to safe access, design and wastewater treatment facilities'

Layout and Design:

- The applicants' architects have submitted a revised Visual Impact Assessment as part of their appeal submission and are satisfied that the proposals would not adversely affect the visual amenity of the area nor the landscape sensitivity of the area.
- The applicants' Consultant Engineers submitted an Engineering services report (RP-001-Rev 4) which deemed the structure on site to be structurally sound and feasible for development following minor consolidation works. Inset as per PLA architects cover letter in appeal sub
- Approximately 98% of the external walls structure will be retained with the opening on the eastern elevation to be widened to provide for a link to the

new extension. Two original openings on the western elevation will be reinstated. The internal cross wall will be removed to facilitate a modern layout.

- The proposed development meets the requirements of the RH07 policy objective regarding the renovation of existing derelict dwellings.
- The majority of the existing features and characteristics will be retained.
- The existing structure has been deemed suitable for renovation and extension.
- The planning documentation was supported by a design statement. The extension provides for a sensitive design, form scale and proportion and siting and results in the A-pitched linear narrow plan form results in it being subservient to the existing structure. The extension provides for a contemporary form, albeit heavily influenced by vernacular forms and styles.
- The Galway Guidelines for single rural housing stress the importance of simplicity, refinement, proportion and quality of materials and that site specific contemporary design will result in a skilful and well executed design on appropriate sites.
- A Visual Impact Assessment is submitted demonstrating how the proposals will integrate with the existing structure on site and within the local landscape.

Access:

- The applicants' have submitted a 'proposed entrance sightline drawing' demonstrating 70 metres sightlines to the south and to the north, although the northern sightline bisects a neighbours' lands. A letter of consent from the adjoining landowners to the north has been submitted consenting to carrying out necessary works in order to achieve and maintain sightlines.
- As the provision of adequate sightlines has been demonstrated, the fourth reason for refusal has been addressed and this refusal reason should be dismissed.

- The access driveway would comprise a stone/gravel track without formal kerbing, similar to other access lanes in the area and will not be visible from the south due to the existence of a stone wall to its immediate south nor have any visual impact from the north due to the undulations in topography and the existence of low-level vegetative growth. The Visual Impact Assessment (VIA) has been updated as part of the appeal submission illustrating the proposed access driveway location.

Water Supply and Wastewater

- The Site Assessor has confirmed as part of the appeal submission that there is dry ground in the area the percolation tests were conducted and that no rushes nor reeds are growing in the area of the proposed wastewater treatment system.
- There is no evidence of a high winter water table in the area where soil tests were conducted.
- The percolation tests were carried out after a period of high rainfall and monitoring of water levels over the winter months is not deemed necessary in this instance.
- Photographs of the trial holes have been submitted from August 2024 where dry conditions within the trial holes was observed even after the high rainfall volumes experienced in the West of Ireland during that Summer.
- There is an existing watermain connection along the local county road the L51172 which is not reflected in the Uisce Eireann (UE) GIS mapping.
- The applicants have submitted correspondence from UE acknowledging receipt of a pre-connection watermain enquiry
- Photographs of existing watermain connections serving neighbouring dwellings further north and south of the appeal site along the L-51172 have been submitted.

Appropriate Assessment:

- The AA screening report and the NIS have both been revised and updated as part of the appeal submission in response to refusal reason number 2. A silt containment barrier is now proposed as part of the mitigation measures

within the NIS to protect against surface water contamination. within the land drain along the northern site boundary.

- With the implementation of the suite of mitigation measures proposed within the NIS, no adverse impact will arise upon any European sites.

Other Issues:

- The applicants reference a number of precedents where the Planning Authority have supported the development of derelict dwellings under planning reference numbers 07/4983, 14/1228, 19/1567 and 21/399, the latter of which was upheld by the Board under board reference 312277 which related to the renovation and extension of an existing semi-derelict dwelling house within a Class 3 special landscape area.
- The planning documentation was supported by a design statement. The extension provides for a sensitive design, form scale and proportion and siting and results in the A-pitched linear narrow plan form results in it being subservient to the existing structure. The extension provides for a contemporary form, albeit heavily influenced by vernacular forms and styles

6.2 Planning Authority Response

No comments in relation to the appeal were received from the Planning Authority.

6.3 Observation(s)

One observation was received from neighbouring residents who state that they reside within Aughrusmore, Cleggan. The main issues raised within the observation relate to the following matters:

- There is insufficient structure remaining of the original stone building to consider it as an existing dwelling.
- Under the provisions of the current Galway County Development Plan 2022-28, only dwellings which are substantially intact may be considered for renovation or rebuild without a housing need being required.
- The applicants have not demonstrated a housing need nor intrinsic connections to this locality.

- The scale of the proposed development would dwarf that of the existing ruin, being four times the size of the existing ruin on site.
- The design of the new build would detract from the visual amenity of the original stone structure.
- The site is located within an area of consecrated ground and contains burials from the early 20th century and 19th century famine graves.
- No such remains have been identified within the planning documentation submitted.
- No sightline triangles have been submitted, and sightlines would cross third party lands, outside of their ownership.
- The applicants have not obtained consent from the landowner to the south in order to achieve sightlines over their lands.
- The location of the proposed entrance and driveway is very wet and boggy, and the entrance driveway may affect the adjoining lands in terms of flooding.
- An AA screening report was only submitted as part of the planning documentation and not an NIS.
- No Construction and Environmental Management Plan (CEMP) was submitted as part of the planning documentation.
- The development would constitute backland development.
- The development of the access driveway would provide a scar within the local landscape.
- No structural report was submitted demonstrating the ability of the stone ruin to be successfully renovated.
- People with genuine local needs have been previously refused planning permission in this area.

- The current proposal contravenes the principle of local people living within their community. This locality only experiences 30% occupancy in the winter months due to the extent of holiday home ownership.

7.0 Assessment

7.1 The main issues in this appeal relate to the issues raised in the responses to the refusal reasons as set out within the Planning Authority decision. The grounds of the appeal pertain to issues relating to compliance with Rural Housing Policy, layout, form, scale and design, impact upon the local sensitive landscape, traffic, access and servicing. Appropriate Assessment requirements are also considered. I am satisfied that no other substantive planning issues arise. The main issues can be dealt with under the following headings:

- Rural Housing Policy.
- Layout and Design
- Site access
- Services
- Other Issues
- Appropriate Assessment.

7.2 Rural Housing Policy

7.2.1 The subject site is located in an area designated as being within a remaining rural area and therefore, not under Strong Urban Influence as set out within the Sustainable Rural Housing Guidelines for Planning Authorities. This national guidance on rural housing states that in Remaining Rural Areas, the key objective should be to facilitate the housing requirements of the rural community whilst directing urban generated development to cities towns and villages. Rural generated housing is defined as being housing needed in rural areas within the established rural community by persons working in rural areas or in nearby urban areas. Urban generated housing is defined as housing sought by persons living and working in urban areas.

- 7.2.2 The Galway County Development Plan (GCDP) 2022-2028, which was adopted on the 29th day of June 2022 and became operational on the 10th day of August 2022. Therefore, this assessment will make reference to the policies and objectives of the GCDP 2022-2028.
- 7.2.3 The County Development Plan (Section 2.4.3) outlines a settlement hierarchy with the five Tier 1 towns/districts identified including Oranmore, Bearna, Baile Chláir, Briarhill and Garraun being the main focus for development. There are also smaller tier 7(a) and tier7(b) Rural Settlements and Rural nodes. Cleggan is identified as being one of the designated Rural settlements within the Galway County Development Plan (MCDP) 2022-2028 and Claddaghduff is identified as being a Rural node. The appeal site is located two kilometres southwest of and outside of Claddaghduff. The Development Plan states that it will “focus on protecting and consolidating existing settlements”. Section 2.4.4 sets out the following in terms of future settlement growth “Strengthening town and village centres to meet their full potential...Strengthening villages in Level 7 as an alternative to rural housing in the open countryside and making better use of underutilised land and buildings including vacant, derelict and under-occupied buildings”.
- 7.2.4 A sparse level of information is provided in terms of the applicants ties and connections to the area. However, from the planning appeal statement submitted, it is stated that the applicants reside in the eastern part of the Country. The applicants have failed to outline their intrinsic ties to the local Aughrusmore area, it is not considered that they have demonstrated a demonstrable economic or social need to live in a rural area as set out in the NPF, or a rural generated housing need that meets the parameters set within the Sustainable Rural Housing Guidelines. I additionally conclude that the proposed development would contravene the settlement strategy set out in the Development Plan to strengthen and consolidate rural settlements, specifically Claddaghduff, as alternatives to encouraging rural housing in the open countryside.
- 7.2.5 I note that Aughrusmore is an area that has experienced very modest development pressure, given there are approximately five existing dwellings within a 280-metre radius of the appeal site and it would appear that none of these have been constructed in the recent past.

- 7.2.6 RH7 within the Development Plan encourages the reuse, rebuild and /or redevelopment of derelict structures and the replacement of old dwellings. The applicants have stated that they will retain 98% of the external walls of the existing ruin. However, I note that the existing structure on site has no roof, roof trusses nor roof timbers remaining, the side (east and west) gables of the structure are missing many of their key stones, window and door heads as is the northern gable with many stones having fallen within the ruin and the southern gable is the only one of the ruin that is largely intact. I refer to the specific wording of policy objective RH07 which states 'The derelict/semi-derelict dwelling must be structurally sound and have the capacity to be renovated or extended and have the majority of its original features in place'.
- 7.2.7 The Planning Authority have specifically highlighted the last section of the RH7 wording which specifically requires 'that the majority of the original features are in place'. The PA asset out within their planning report 'that the vast majority of the original features of the ruin are no longer in place. I also note a correspondence on file from the applicants' legal representatives who state that they were in contact with a person who once resided within the structure and that they departed it for another nearby dwelling in the late 1950's. I note that a structural report has been submitted and it states that 98% of the external walls will be retained and sets out that the existing structure is capable of being renovated and extended. I accept these as facts. However, from my site inspection and the from the photographic images submitted by the Planning Authority as part of the case Planners report, it is apparent that with no roof in place and with many of the rising gable walls (eastern, northern and western gables) missing many of their cut stone features, including window and door heads and being in a collapsed state, as well as the proposals to remove the one remaining internal wall, which is also not particularly stable, that the majority this structures original features are no longer in place. With particular reference to the collapsed cut stone fireplace feature (as referenced in the RP-001-Rev 4 report), I consider that the majority of the original features are no longer in place and therefore, the current proposals to rebuild and renovate the existing ruin and extend the ruin would not comply with the provision of RH7 within the current Development Plan in this regard. I would concur with the Planning Authority, that planning permission would be required to bring this ruinous structure into habitable use.

7.2.8 I note as per the public notices that the development description as set out within them specifically state that the development relates to 'the renovation of the existing derelict single storey cottage'. A 'cottage' would also refer to a 'house'. I refer to the definition of a 'habitable house' and 'house' as per Section 2 of the Planning and Development Act 2000 (as amended). I note that the photographic images submitted as part of the design statement reference a 'ruin' on site and not a cottage/house. I am satisfied that the existing structure on site would not fall within the definition of a 'house' as set out within the Act as the existing ruin on site is 'is not used as a dwelling, 'is not in use, but when last used as a dwelling and is not derelict' and 'was provided for use as a dwelling but has not been occupied'. I consider that the applicants have not demonstrated that the existing ruin on site would constitute a dwelling house as provided within the Planning Act and while the Development Plan does provide for the rebuilding, renovation, extension and/or replacement of derelict dwellings, this is subject to specific criteria as set out within :policy objective RH7, as referenced in the paragraphs above within Section 7.2 of this report

7.2.9 In conclusion, the Planning Authority and the observers state that the current proposal would not fall within the parameters of Policy Objective RH7 and I would concur with this stance on the basis that the ruin does not have the majority of its original features in place. Therefore, I consider that the first reason of refusal as set out within the Planning Authority decision should be upheld in this instance.

7.3 **Layout and Design:**

7.3.1 The applicants have submitted details whereby the existing ruin with a stated floor area of 38.7 sq. metres would be renovated and the internal wall within the ruin would be removed. Two original window/door features within the western gable of the ruin would be reopened and the existing doorway on the eastern elevation would be widened to facilitate a glazed link to the proposed extension. The existing ruin would include a new raft foundation; the inner walls would be insulated with a glazed link provided to the proposed extension. Two bedrooms and a bathroom would be provided within the existing ruin structure and a master ensuite bedroom, utility, entrance hall and a combined kitchen/living/dining area. The proposed extension would comprise a floor area of 107.9 square metres and would include an entrance

hall, a utility room, a master ensuite bedroom, a corridor area linking the entrance hall and glazed link to a combined kitchen/living/dining room area.

7.3.2 I am not convinced as to the architectural merit of the proposals. The only form of integration between the existing ruin and the proposed extension is in the form of a narrow-glazed link. The layout of the extension is dominated by a long narrow corridor linking the proposed entrance hall and glazed link to the habitable rooms within the extension. The roof feature within the proposed extension has an irregular pitch. Having regard to the provisions of the Galway Rural Design Guide for extension proposal, I consider that the proposed connectivity between the existing ruin and the proposed extension in the form of a narrow glazed link does not provide for a strong or meaningful integration between the old and the new and I consider that the layout within the new extension is dominated by a long narrow corridor feature which by its proximity to the ruin structure would be dark and provide a poor standard of residential amenity for future residents. I consider that a more traditional A-framed pitch on the roof of the proposed extension would be more appropriate rather than the shallow pitch and irregular roof slope proposed. The proposed renovations and extensions would be contrary to the Rural Design Guidelines, in terms of integration, layout and roof profiling.

7.3.3 In conclusion, as set out within Section 7.2 above, the ruin on site is not considered to constitute a dwelling as per the provisions of the Planning and Development Act. Although the scale of the proposals are considered acceptable, I consider that the connectivity proposed between the ruin and the proposed extension to result in a poor form of integration and that the roof profiling of the extension to be asymmetrical and not consistent with the A-framed traditional pitch proposed for the existing ruin in site nor consistent with the prevailing roof slopes of neighbouring dwellings and , therefore would be contrary to the provisions of the Galway Design guidelines for Single Rural dwellings.

7.4 Access and traffic

7.4.1 Access to the appeal site is from a local county road, the L-51172, a cul-de-sac where the 60 kilometre per hour speed control zone applies. At present there is no domestic entrance, access driveway nor pedestrian access to the ruin from the

public road. The ruin is located in the second field back from the public road and set back approximately eighty metres from the public road,

7.4.2 The applicants have submitted details of sight distances as part of the appeal submission, whereby sightlines of 70 metres in both directions from the entrance point would be achieved. I note that the 70-metre sight line in a northerly direction bisects third party lands, and a letter of consent from the adjoining landowners to the north has been submitted. Similarly, the sightlines in a southerly direction bisect third party lands. No cover letter has been submitted from the landowner to the south in order to ensure that adequate sightlines would be maintained into the future. I note that there are no particular obstacles to achieving the sightlines in a southerly direction at the moment, except for the post and rail fencing along the edge of the adjoining road carriageway. I am of the opinion, that given the relatively low level of traffic that would traverse this local road, which is a cul-de-sac and leads to a local fishing pier and a small number of houses in a southerly direction and given that sightlines of 50 metres would only be required in accordance with DM Standard 28 of the Development Plan where a road has a design speed of 42 km/h, that adequate sightlines could be achieved at the entrance onto the L-51172.

7.4.3 In order to access the ruin an access driveway over a distance of approximately 80 metres would be required to be developed. I note that the applicants have stated within their appeal that the access driveway would comprise a gravelled surface and no formal kerbing would be used. It is noted that the access driveway would be located immediately adjacent to an existing land drain. The applicants would be required to manage surface water from the access driveway so as to ensure that water levels within the land drain along the sites northern boundaries would not overtop and result in flooding within the appeal site nor within neighbouring lands north of the appeal site. The length of the access driveway at 80 metres, would impact upon the local landscape, which is classified as being of special sensitivity by virtue of the views from the site over the Atlantic Coast and Omeiy island to the south and therefore would be contrary to policy objectives LCM 1, in relation to 'preserving and enhancing the character of the landscape'.

7.5 Services

- 7.5.1 The Planning Authority raised the issue of the absence of correspondence from Uisce Eireann in terms of connecting to the public watermain. The applicants have submitted correspondence from UE in the form of a pre application feasibility enquiry to UE and a response from UE. The applicants have submitted photographic images of watermain connections to neighbouring dwellings further along the L51172. Therefore, I consider that it is apparent that a watermain exists along the public road. Although, there is no confirmation from UE as to the capacity of the watermain, this is a matter that could be addressed by means of an appropriate planning condition, in the event that a grant of planning permission is being recommended.
- 7.5.2 The applicants are proposing to install a secondary wastewater treatment system and soil polishing filter as part of their proposals. A Site Characterisation Report (SCR) was submitted as part of the applicants' planning documentation on the 4th day of June 2024 by the applicants in support of their wastewater proposals. The applicants also submitted an updated cover letter (dated the 14th august 2024) from their Site Assessor as part of their appeal submission, setting out the rationale adopted in terms of the details provided within the SCR.
- 7.5.3 The SCR sets out that the trial hole was dug to a depth of 1.6 metres and that bedrock was encountered within the trial hole at 1.56 metres which is in contrast with the updated correspondences submitted from Corrib Environmental Services dated the 14th of August 2024 and submitted as part of the applicants' appeal submission. The soil conditions found in the trial holes were stated as comprising clayey silt sand and pebbles, cobbles to a depth of 0.4 metres and sand with clay silt pebbles and cobbles from a depth of 0.4 metres to 1.6 metres. Percolation test holes were dug and pre-soaked. A T value of 16.75 was recorded.
- 7.5.4 Section 3.3 of the revised SCR sets out that the pre-soaking of the percolation holes was conducted on the 28th day of March 2024. However, the percolation tests are stated to have been conducted on the 14th day of February 2024. I refer to Appendix D within the Environmental Protection Agency, Code of Practice, 2021 regarding percolation test procedures. Step 2 specifically sets out that trial holes should be pre-soaked twice from four and twenty hours before the start of the percolation test. It is

clear from the revised information submitted, namely the updated SCR, that this requirement has not been met.

7.5.5 The dates and times of the initial pre-soaks and the second pre-soaks within percolation holes have been documented within the SCR. I note that the water within the three trial holes dropped at an accelerated rate. This would indicate the possibility that the soils within this part of the appeal site are free draining. The Site Assessor states in his cover letter (dated 14th day of August 2024) “that the test area is dry with no rushes in the area and no evidence of a high winter water table and that the tests were carried out after a period of high rainfall.’ The Site Assessor in his SCR sets out that the appeal site overlies a local aquifer, however Section 2 of the SCR identifies that the aquifer is poorly productive and no indication of its local or regional importance. The SCR within Section 2.0 acknowledges that the bedrock vulnerability is classified as “Extreme”. The aquifer is classified as being poorly productive and a Groundwater Protection Response of R2 (2) is noted by the applicant. However, as per Appendix E of the EPA Code of Practice 2021, the lowest level of Groundwater Protection response that can be recorded for a poorly productive aquifer is R2 (1).

7.5.6 The Geological Survey of Ireland (GSI) website classifies the vulnerability of the aquifer as ‘extreme with rock at or near the surface’. Rock outcrops were evident throughout the appeal site. The applicants’ Consulting Engineers within their report RP-001-Rev 4 acknowledge the likelihood of rock in the upper ground levels where they state, ‘We suspect however that in the location of the house, the rock level is much higher (than 1.6 metres) with the building constructed of the underlying ground stratum’. The SCR trial holes record that the watertable was encountered at a depth of 1.56 metres and bedrock at 1.6 metres. There is a drainage ditch, which has full of water on the day of my site inspection along the northern site boundary and this feature is not referenced within the SCR. The photographic images of the trial holes as included as part of the SCR submitted to the Planning Authority (in June 2024) and from my site inspection, grey mottling was noted within the upper parts of the trial hole, which is indicative of a high winter water table. I refer to the data available within the GSI website, specifically in relation to lands at Aughrusmore, Cleggan

which clearly identifies bedrock within the bounds of the appeal site at or near the surface.

7.5.7 Given the existence of bedrock within the subsoils and the fact that the appeal site overlies an aquifer where groundwater vulnerability is classified as “extreme”, I consider that there is potential for untreated or partially treated waste to percolate through the free draining soils at an excessive speed and to adversely impact water quality within the underlying aquifer. I am not fully satisfied based on the information submitted as part of the planning documentation originally submitted and the additional information submitted to the Board on the 19th day of August 2024, that the wastewater treatment proposals could adversely impact upon groundwater, and, in turn, could adversely impact the extremely vulnerable aquifer that underlies the appeal site.

7.5.8 In conclusion, notwithstanding the positive percolation tests results recorded within the SCR, having regard to the classification of the underlying aquifer as having extreme vulnerability, the classification of the appeal site as having the highest vulnerability, the identification of bedrock at or near the surface within the GSI mapping, the existence of bedrock partially above ground level within the appeal site, the anomalies in terms of the pre-soaking and testing dates, I am not satisfied that the applicants have demonstrated that the wastewater proposals would not have the potential to adversely impact the groundwater and the extremely vulnerable aquifer that underlies the site. I am also not satisfied that the applicants have demonstrated compliance with the provisions of the EPA, Code of Practice 2021, specifically Appendices D & E in relation to the dates and times of the pre-soaking of the test holes and the Groundwater Protection Response. Therefore, on balance, on the basis of the information submitted. I consider the wastewater proposals could potentially result in an adverse impact upon groundwater and public health and, therefore, would be contrary to the proper planning and sustainable development of the area.

7.6 Other Issues

7.6.1 The observer has raised the issue of the subject site being located within an area of consecrated ground and that it contains burials from the early 20th century and 19th century famine graves. I have consulted with the Sites and Monuments Records (SMR) as published by the Department of Housing, Local Government and Heritage and they have no record of a recorded monument within the bounds of the appeal site nor in its vicinity as per their database. [National Monuments Service - Archaeological Survey of Ireland - Dataset - data.gov.ie](#). Therefore, this matter will not be considered further as part of this assessment.

7.7 **Appropriate Assessment**

7.7.1 See appendices 2 and 3 at the end of this report. In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on the in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of Section 177U was required.

Following an examination, analysis and evaluation of the NIS all associated material submitted and taking into account the potential impact upon the marine coastal environment by reason of potential groundwater quality issues, I consider that adverse effects on site integrity of the West Connacht Coast SAC, the Omey Island Machair SAC and the Aughrusbeg Machair and Lake SAC cannot be excluded in view of the conservation objectives of these sites and that reasonable scientific doubt remains as to the absence of such effects.

8.0 **Recommendation**

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

9.0 **Reasons and Considerations**

- 1 It is a policy objective of the Planning Authority as set out within RH7 the current Galway County Development Plan 2022-28 to encourage the renovation, rebuild and or replacement of derelict structures in accordance with a number of criteria including 'have the majority of its original features in place'. I consider this policy objective to be reasonable. The proposed

development would be in conflict with this policy as, from the photographic images submitted by the applicants and the Planning Authority and from my site inspection, I note that many of the gables including the east and west (side) and northern gable have deteriorated significantly with many of the original cut structural stones having fallen to the ground and window and door heads missing as well as the last internal wall being in a significant state of deterioration, and, therefore, I consider that much of the original structure is no longer intact and, therefore, would not comply with the provisions of the RH07 policy objective. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

- 2 Having regard to the soil conditions and the existence of bedrock at and/or near the surface within the appeal site and the likelihood of a high winter water table, the Board is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that effluent from the development can be satisfactorily treated and/or disposed of on site, notwithstanding the proposed use of a proprietary wastewater treatment system. The proposed development would, therefore, be prejudicial to public health, contrary to the provisions of the EPA Code of Practice 2021, and contrary to policy objective NHB 3 of the Galway County Development Plan 2022-28, regarding protection of European sites.
- 3 The site of the proposed development is located within a landscape that is classified as Class 3-Special which has a 'high sensitivity to change'. within the Galway County Development Plan 2022-2028 for the area, where emphasis is placed on the importance of designing within the landscape and of siting of development to minimise visual intrusion as set out in the current Galway Rural Housing Design Guidelines. It is considered that, having regard to the topography of the site, the minimal integration proposed between the existing ruin and the proposed extension, the elongated corridor feature within the proposed extension and the asymmetrical roof profile of the proposed extension, the proposed development would conflict

with the provisions of policy objectives RH9 in relation to rural design and compliance with the Galway Rural Housing Guidelines and also policy objective LCM 1, within the Development Plan in relation to preserving and enhancing the landscape character having regard to the landscape sensitivity ratings and classification. The development would, therefore, establish an undesirable precedent for other such located development in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

- 4 On the basis of the information submitted with the application and appeal, with particular regard to a potential deterioration in groundwater quality as a result of the wastewater treatment proposals and the existence of bedrock within the site at or near the surface, as well as potential disturbance to habitats and species as a result of the potential groundwater connectivity, 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 the West Connacht Coast SAC (site code 002998), the Omev Island Machair SAC (site code 001309), nor the Aughrus beg Machair and Lake SAC (site code 001228), or any other European site, in view of the site's conservation objectives. In such circumstances, the Board is precluded from granting permission.

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

Fergal Ó Bric

Planning Inspectorate

5th day of September 2025

Appendix 1 - Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	320605-24		
Proposed Development Summary	Permission for the renovation of a derelict single storey cottage, construction of single storey extension, with a glazed link connection, new site entrance and access road, installation of a proprietary wastewater treatment system and percolation area and all associated site works.		
Development Address	Aughrusmore, Cleggan, Co. Galway		
1. Does the proposed development come within the definition of a ‘project’ for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	x
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	Tick/or leave blank		
No	Tick or leave blank	The renovation of a cottage and construction of a domestic extension does not specifically fall within a class of development as per the Planning & Development Regulations.	x
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			

Yes	Tick/or leave blank		
No	Tick/or leave blank		X
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	Tick/or leave blank	Proposals relate to the renovation of a derelict single storey cottage, construction of single storey extension, with a glazed link connection, new site entrance and access road, installation of a proprietary wastewater treatment system and percolation area and all associated site works.	X

5. Has Schedule 7A information been submitted?		
No	Tick/or leave blank	X
Yes		

Inspector: _____ **Date:** _____

Appendix 2: AA Screening Determination Test for likely significant effects

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Brief description of project	See Section 2 within the Planning Report for the full development description. Permission for the renovation of a derelict single storey cottage, construction of single storey extension, with a glazed link connection, new site entrance and access road, installation of a proprietary wastewater treatment system and percolation area and all associated site works.
Brief description of development characteristics and potential impact mechanisms	The proposals are stated to comprise the renovation of a derelict single storey cottage, construction of single storey extension, with a glazed link connection, new site entrance and access road, installation of a proprietary wastewater treatment system and percolation area and all associated site works on a total site area of 2.186 hectares. The subject site is located in an unserviced rural area where there is no public foul nor surface water sewer available to service the proposed development. The subject site is located approximately eighty metres north of the West Connacht Coast SAC, approximately 360 metres south of the Aughrusbeg Machair and Lake SAC and approximately six hundred metres north-west of the Omev Island Machair SAC. Given the appeal site shares the same groundwater catchment as the Connacht coast, the possibility for indirect impacts upon the Atlantic coastal waters in the form of deterioration of water quality via percolation of silt and/or contaminants through the bedrock underlying the site during construction and operational phases of the development cannot be ruled out without further analysis and

	assessment. There is also a possibility for the outfall from the wastewater treatment system to adversely impact the underlying extremely vulnerable aquifer and consequently impact the coastal aquatic environment. A deterioration in water quality could result in adverse impacts on the aquatic and groundwater dependent qualifying interest features within the Atlantic coastal area in the absence of mitigation measures.
Screening report	Yes
Natura Impact Statement	yes
Relevant submissions	N/A.

Step 2. Identification of relevant European sites using the Source-pathway-receptor model

European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
West Connacht Coast SAC (site code 002998)	West Connacht Coast SAC National Parks & Wildlife Service 2024	Eighty metres south of the appeal site	The subject site is an unserviced rural greenfield site south-west of the rural node of Claddaghduff. Given the proximity of the appeal site to the Atlantic coast, the possibility for hydrological pathways between the appeal site and	yes

				the Atlantic coast via the underlying aquifer cannot be discounted.	
Omey Machair (site code 001309)	Island SAC code 2017	Omey Island Machair SAC National Parks & Wildlife Service	Six hundred metres southeast of the appeal site	The subject site is an unserviced rural greenfield site south-west of the rural node of Claddaghduff. Given the proximity of the appeal site to the Atlantic coast, in which Omey Island is located, the possibility for hydrological pathways between the appeal site and Omey Island via the underlying aquifer cannot be discounted.	yes
Aughrus Beg Machair and lake SAC (site code 001228).		Aughrusbeg Machair and Lake SAC National Parks & Wildlife Service 2021	360 metres north of the appeal site	The subject site is an unserviced rural greenfield site south-west of the rural node of Claddaghduff. Given the proximity of the appeal site to the Aughrus Beg Machair and Lake,	yes

			the possibility for hydrological pathways between the appeal site and Aughrusbeg lake via the underlying aquifer and local drainage channels cannot be discounted.	
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Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites:

- (a) No direct impacts are anticipated to arise from the development on site given the location of the appeal site outside of any boundary associated with any of the European sites identified above. Given the partially greenfield status of the subject site, vegetative clearance would be required in terms of stripping the soil to provide for foundations and for the installation of the proprietary wastewater treatment system., site entrance and driveway There is potential for indirect hydrological pathways connecting the subject site to these European sites, via the underlying aquifer, a regionally important aquifer which is classified as being of ‘extreme’ vulnerability. Therefore, the possibility for adverse impacts to arise upon the Marine and water habitat within the neighboring SAC sites cannot be ruled out.
- (b) Standard best practice construction measures will be used in order to minimise any significant impact arising from the construction methods proposed. These matters would be managed as part of a Construction and Environmental Management Plan (CEMP), which the applicants have submitted as part of their appeal submission to the Board. Best practice environmental management control measures could be conditioned by the Board and agreed in writing with the PA prior to the commencement of development.
- (c) The site-specific conservation objective associated with the West Connacht Coast SAC site is ‘To maintain or restore the favourable conservation condition of species identified as qualifying interest species within the West Connacht Coast SAC. The site-specific conservation objective associated with the Omey Island Machair SAC site is ‘To maintain or restore the favourable conservation condition of habitats identified as qualifying interest

features within the Omev Island Machair SAC. The site-specific conservation objective associated with the Aughrusbeg Machair and lake SAC site is 'To maintain or restore the favourable conservation condition of habitats identified as qualifying interest species within the Omev Island Machair SAC .In terms of in-combination effects, the applicants have stated that no other planning applications in the Aughrusmore vicinity are noted within the Galway County Council online planning search database. No significant positive or negative direct effects are identified. However, a number of indirect effects that could arise during construction of the proposed development and are identified below.

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
<p>Site 1: West Connacht Coast SAC (site code 002998).</p> <p><u>Qualifying Interests:</u></p> <p>Bottlenose Dolphins,</p> <p>Harbour Porpoise.</p>	<p>Direct:</p> <p>No direct construction impacts are likely given the location of subject site removed from the West Connacht Coast SAC boundary.</p> <p>Indirect:</p> <p>There is potential for indirect impacts to arise during the construction and operational phases where the possibility for contaminated surface water to infiltrate the underlying groundwater system and underlying aquifer and a possibility for the outfall from the wastewater treatment system to adversely impact the coastal aquatic environment.</p>	<p>It is not anticipated that disturbance or displacement of species within the SAC will arise as a result of the works. However, the possibility of contaminating the coastal aquatic waters upon which these protected species rely upon cannot be ruled out as a result of contamination arising from the construction and operation of the development without further analysis and assessment.</p>
	<p>Likelihood of significant effects from proposed development (alone): It cannot be ruled out, as there are discrepancies within the Site Characterization Report as submitted by the applicants in terms of compliance with the guidance set out within the EPA Code of Conduct</p>	

	<p>2021, as referenced in Section 7.5 of main body of the report above. Therefore, there is potential for adverse impacts upon water quality in the event that the Proprietary Wastewater Treatment System malfunctions and the outfall from the malfunctioning system could adversely impact the designated Qualifying Interest Species and Conservation objective of the Connacht Coast SAC.</p>	
	<p>If No, is there a likelihood of significant effects occurring in combination with other plans or projects? The Aughrusmore area is located within a Structurally Weak Area which has experienced a low level of pressure from the development of random rural unserviced housing and is not under significant urban influence from development, by virtue of its location within a low development pressure area. I consider that there is low potential for in combination impacts upon water quality with other proposed/permitted development given the sparse level of existing and/or permitted development in this vicinity, to adversely impact on the qualifying interests or on the conservation objectives associated with the West Connacht Coast SAC by reason of deterioration of water quality and adversely impact upon protected marine habitat and species. Further analysis and assessment in this regard would not be required.</p>	
	<p>Possibility of significant effects (alone) in view of the conservation objectives of the site. The subject site is located in proximity to the Connacht Coast SAC and shares the same underlying groundwater catchment. Therefore, there is a possibility of an indirect risk by reason of adverse impact upon water-based species identified as qualifying interest features within the West Connacht Coast SAC to arise as a result of the development works. I am satisfied that there is no particular habitat of interest located within the appeal site that would be suitable to serve for any of the protected species associated with the West Connacht SAC designation in terms of foraging/feeding.</p>	
	Impacts	Effects

<p>Site 2: Omev Island Machair SAC (site code 001309). Qualifying Interest features:</p> <p>Machairs,</p> <p>Hard Oligotrophic to Mesotrophic waters with benthic vegetation, Petalwort.</p>	<p>Direct:</p> <p>No direct impacts are likely given the location of subject site removed from the Omev Island Machair boundary.</p> <p>Indirect:</p> <p>There is potential for indirect impacts to arise during the construction and operational phases where the possibility for contaminated surface water to infiltrate to the underlying groundwater system and underlying aquifer and a possibility for the outfall from the wastewater treatment system to adversely impact the groundwater system.</p>	<p>The possibility of habitat loss, modification or fragmentation cannot be ruled out as a result of groundwater contamination arising from the construction and operation of the development without further analysis and assessment.</p>
	<p>Likelihood of significant effects from proposed development (alone): It cannot be ruled out, as there are discrepancies within the Site Characterization Report as submitted by the applicants in terms of compliance with the guidance set out within the EPA Code of Conduct 2021, as referenced in Section 7.5 of main body of the report above. Therefore, there is potential for adverse impacts upon water quality in the event that the Proprietary Wastewater Treatment System malfunctions and the outfall from the malfunctioning system would adversely impact the designated Qualifying Interest habitats and Conservation objective of the Omev Island Machair SAC</p>	

	<p>If No, is there a likelihood of significant effects occurring in combination with other plans or projects?</p> <p>The Aughrusmore area is located within a Structurally Weak Area which has experienced a low level of pressure from the development of random rural unserviced housing and is not under significant urban influence from development, by virtue of its location within a low development pressure area. I consider that there is low potential for in combination impacts upon water quality with other proposed/permitted development given the sparse level of existing and/or permitted development in this vicinity, to adversely impact on the qualifying interests or on the conservation objectives associated with the Omey Island Machair SAC by reason of deterioration of water quality and adversely impact upon protected marine habitat and species. Further analysis and assessment in this regard would not be required.</p>
<p>Possibility of significant effects (alone) in view of the conservation objectives of the site.</p> <p>The subject site is located in proximity to the Omey Island Machair SAC and shares the same underlying groundwater catchment. Therefore, there is a possibility of an indirect risk to or adverse impact upon marine habitat identified as qualifying interest features within the Omey Island Machair SAC arise as a result of the development works.</p> <p>I note that the ‘Machair’ qualifying interest feature associated with the Omey Island Machair SAC site has a site-specific conservation objective to ‘restore the conservation status’ of the particular protected habitat. Given the possibility for the proposed development to adversely impact water quality by reason of construction sediment and outfall from the proprietary wastewater treatment system to adversely impact on this specific qualifying interest feature and the specific conservation objectives associated with the Omey Island Machair SAC by reason of deterioration of water quality and adversely impact upon protected marine coastal habitat, further analysis and assessment in this regard would be required in this instance.</p>	

Step 4 Conclude if the proposed development could result in likely significant effects on a European site

It is not possible to exclude the possibility that proposed development alone could result significant effects on the Omev Island Machair SAC from effects associated with a deterioration in groundwater quality arising from the proposed construction and operation of the development. An appropriate assessment is required on the basis of the possible effects of the project 'alone'. Proceed to AA.

<p>Site 3: Aughrusbeg Machair and lake SAC (site code 001228).</p> <p>Qualifying Interest features:</p> <p>Oligotrophic waters containing very few minerals,</p> <p>Wet Heath.</p>	<p>Direct:</p> <p>No direct impacts are likely given the location of subject site removed from the Aughrusbeg Machair and lake boundary.</p> <p>Indirect:</p> <p>There is potential for indirect impacts to arise during the construction and operational phases where the possibility for contaminated surface water to infiltrate to the underlying ground and surface water system and underlying aquifer and a possibility for the outfall from the wastewater treatment system to adversely impact the ground and surface water system. Also, there is potential for the surface water channel to the north of the proposed access driveway to become contaminated during its construction.</p>	<p>The possibility of lake habitat loss, modification or fragmentation cannot be ruled out as a result of ground and/or surface water contamination arising from the construction and operation of the development without further analysis and assessment.</p>
	<p>Likelihood of significant effects from proposed development (alone): It cannot be ruled out, as there are discrepancies within the Site Characterization Report as submitted by the applicants in terms of</p>	

	<p>compliance with the guidance as set out within the EPA Code of Conduct 2021, as referenced in Section 7.5 of main body of the report above. Therefore, there is potential for adverse impacts upon water quality in the event that the Proprietary Wastewater Treatment System malfunctions and the outfall from the malfunctioning system would adversely impact the designated Qualifying Interest habitats and Conservation objective of the Aughrusbeg Machair and lake SAC</p>
	<p>If No, is there a likelihood of significant effects occurring in combination with other plans or projects?</p> <p>The Aughrusmore area is located within a Structurally Weak Area which has experienced a low level of pressure from the development of random rural unserviced housing and is not under significant urban influence from development, by virtue of its location within a low development pressure area. I consider that there is low potential for in combination impacts to arise upon water quality with other proposed/permitted development given the sparse level of existing and/or permitted development in this vicinity, to adversely impact on the qualifying interests or on the conservation objectives associated with the Aughrusbeg Machair and Lake SAC by reason of deterioration of water quality and adversely impact upon protected lake habitat.. Further analysis and assessment in this regard would not be required.</p>
<p>Step 4 Conclude if the proposed development could result in likely significant effects on a European site</p>	
<p>It is not possible to exclude the possibility that proposed development alone could result significant effects on the Aughrusbeg Machair and lake SAC from effects associated with a deterioration in ground and surface water quality arising from the proposed construction and operation of the development. An appropriate assessment is required on the basis of the possible</p>	

effects of the project 'alone'. Further assessment in-combination with other plans and projects would also need to be considered.

Proceed to AA.

Screening Determination

Finding of likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that it is not possible to exclude that the proposed development alone or in combination with other plans and projects will give rise to significant effects on the West Connacht Coast SAC, The Omev Island Machair SAC and the Aughrusbeg Machair and Lake SAC in view of the sites' conservation objectives. Appropriate Assessment is required.

This determination is based on:

- The location of the appeal site in proximity to the aforementioned Natura 2000 sites and the potential for an indirect hydrological connection to the waterbody,
- A full and detailed assessment of all aspects of the proposed project including the Conservation Objectives of these particular European designated sites.
- An assessment of in-combination effects with other plans and projects including historical projects, current proposals, and future plans.
- Reasonable scientific doubt as to the potential for likely adverse effects on the integrity of the West Connacht Coast SAC, The Omev Island Machair SAC and the Aughrusbeg Machair and Lake SAC in view of the sites' conservation objectives

Appendix 3: Appropriate Assessment

Appropriate Assessment

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

Taking account of the preceding screening determination, the following is an appropriate assessment of the implications of the proposed development of a rural dwelling, domestic gym/store, new access, and proprietary wastewater treatment system in view of the relevant conservation objectives of the West Connacht Coast SAC, The Omev Island Machair SAC and the Aughrusbeg Machair and Lake SAC based on scientific information provided by the applicant

The information relied upon includes the following:

- Natura Impact Statement prepared by Corrib Environmental Services, Environmental Consultants.
- The sources of information included the websites of the National Parks and Wildlife Service, npws.ie and the Environmental Protection Agency, epa.ie, catchments.ie, and wfdireland.ie

I am satisfied that the information provided is adequate to allow for Appropriate Assessment. I am satisfied that all aspects of the project which could result in significant effects are considered and assessed in the NIS and mitigation measures designed to avoid or reduce any adverse effects on site integrity are included and assessed for effectiveness.

Submissions/observations

None received from prescribed bodies. The third-party observer did not specifically reference adverse impact of the proposals upon Natura 2000 sites.

Table 1

Site 1:

Name of European Site, Designation, site code: West Connacht Coast SAC (Site code 002998)

Summary of Key issues that could give rise to adverse effects:

- Water Quality and water dependant species
- Disturbance of QI species

Conservation Objective: To maintain or restore the favourable conservation status of species within the West Connacht Coast SAC.

Summary of Appropriate Assessment					
Qualifying Interest feature	Conservation Objectives Targets and attributes	Potential adverse effects	Mitigation measures	In-combination effects	Can adverse effects on integrity be excluded?
Common Bottlenose Dolphin	To maintain the favourable conservation condition of the Common Bottlenose Dolphin in the West Connacht Coast SAC.	Deterioration in water quality arising from sedimentation and release of hydrocarbons to ground and surface water arising from construction activities on site and potentially adversely impacting upon protected habitat and species.	Development site works would be fenced off, implement silt containment system adjacent to land drain in along access driveway, works would cease during periods of heavy rainfall, spill kits would be available on site and an emergency spillage plan	With the implementation of the mitigation measures as set out within the NIS and CEMP and having regard to the relatively modest scale of the proposed development in this rural area and the modest extent of other development in this vicinity in the form of agricultural development, domestic	No. This is due to the discrepancies identified within the Site Characterization Report as submitted by the applicants in terms of compliance with the guidance as set out within the EPA Code of Conduct 2021 and referenced in Section 7.5 of main body of the report above.

		<p>Possibility for the discharge from the proprietary wastewater treatment system to result in a deterioration in water quality.</p>	<p>in the event of an accidental spillage, refuelling of mobile plant off-site would be provided, no batching of wet cement on site, no washing of plant or concrete transport on site, appointment of environmental officer on site, that the wastewater treatment system would be installed and operated in accordance with EPA Code of Practice standards and that soakaways would be</p>	<p>extensions, rural dwellings, replacement dwellings, that it is unlikely that contamination of groundwater will occur and, therefore, no significant adverse in-combination affects in water quality within the West Connacht Coast SAC will arise.</p>	<p>Therefore, there is potential for adverse impacts upon water quality in the event that the Proprietary Wastewater Treatment System malfunctions and the outfall from the malfunctioning system would adversely impact the designated Qualifying Interest habitats and Conservation objective of the West Connacht Coast SAC</p>	
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			installed to manage surface water on site.		
Harbour Porpoise	To maintain the favourable conservation status of Harbour Porpoise in the West Connacht Coast SAC.	As above	As above.	As above.	No, as above.

Overall conclusion: Integrity test

Notwithstanding, the implementation of the mitigation measures, the construction and operation of this proposed development may adversely affect the integrity of this European site, and reasonable doubt remains as to the absence of such effects.

Table 2.

Site 2:

Name of European Site, Designation, site code: Omey Island Machair SAC (Site code 001309)

Summary of Key issues that could give rise to adverse effects:

- Water Quality and water dependant habitats
- Habitat degradation/loss

Conservation Objective: To maintain or restore the favourable conservation status of habitats within the Omey Island Machair SAC.

Qualifying Interest feature	Conservation Objectives Targets and attributes	Summary of Appropriate Assessment			Can adverse effects on integrity be excluded?
		Potential adverse effects	Mitigation measures	In-combination effects	
Machairs	To restore the favourable conservation condition of Machairs in the Omey Island Machair SAC.	Deterioration in water quality arising from sedimentation and release of hydrocarbons to ground and surface water arising from construction activities on site and potentially adversely impacting upon protected habitat. Possibility for the discharge from the proprietary wastewater	Development site works would be fenced off, implement silt containment system adjacent to land drain in along access driveway, works would cease during periods of heavy rainfall, spill kits would be available on site and an emergency spillage plan in the event of an accidental spillage, refuelling of	With the implementation of the mitigation measures as set out within the NIS/CEMP and having regard to the relatively modest scale of the proposed development in this rural area and the modest extent of other development in this vicinity, in the form of agricultural development, domestic extensions,	No, as there are discrepancies within the Site Characterization Report as submitted by the applicants in terms of compliance with the guidance as set out within the EPA Code of Conduct 2021, as referenced in Section 7.5 of main body of the report above. Therefore, there is potential for adverse impacts upon water quality in the event that the

		<p>treatment system to result in a deterioration in water quality and adversely impact water-based habitat</p>	<p>mobile plant off-site would be provided, no batching of wet cement on site, no washing of plant or concrete transport on site, appointment of environmental officer on site, that the wastewater treatment system would be installed and operated in accordance with EPA code of practice standards and that soakaways would be installed to manage</p>	<p>rural dwellings, replacement dwellings, that it is unlikely that contamination of groundwater will occur and, therefore, no significant adverse in-combination affects in water quality within Omei Island Machair SAC will arise.</p>	<p>Proprietary Wastewater Treatment System malfunctions and the outfall from the malfunctioning system would adversely impact the designated Qualifying Interest habitats and Conservation objective of the Omei Island Machair SAC.</p>	
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			surface water on site.			
Hard to Mesotrophic Waters with benthic vegetation	To maintain the favourable conservation status of Hard to Mesotrophic Waters with benthic vegetation in the Omey Island Machair SAC.	As above.	As above.	As above.	No, as above.	
Petalwort	To maintain the favourable conservation conditions of Petalwort in the Omey Island Machair SAC.	As above.	As above.	As above.	No, as above.	

Overall conclusion: Integrity test

Notwithstanding, the implementation of the mitigation measures, the construction and operation of this proposed development may adversely affect the integrity of this European site, and reasonable doubt remains as to the absence of such effects.

Table 3.

Site 3:

Name of European Site, Designation, site code: Aughrusbeg Machair and lake SAC (Site code 001228)

Summary of Key issues that could give rise to adverse effects:

- Water Quality and water dependant habitats
- Habitat degradation/loss.

Conservation Objective: To maintain or restore the favourable conservation status of habitats within the Aughrusbeg Machair and lake SAC

Qualifying Interest feature	Conservation Objectives Targets and attributes	Summary of Appropriate Assessment			Can adverse effects on integrity be excluded?
		Potential adverse effects	Mitigation measures	In-combination effects	
Oligotrophic to mesotrophic waters with vegetation	To maintain favourable conservation condition of Oligotrophic to mesotrophic waters with vegetation in the Aughrusbeg Machair and lake SAC.	Deterioration in water quality arising from sedimentation and release of hydrocarbons and construction sediment to surface and ground water	Development site works would be fenced off, implement silt containment system adjacent to land drain in along access driveway, works would cease during	With the implementation of the mitigation measures as set out within the NIS/CEMP and having regard to the relatively modest scale of the proposed	No, as there are discrepancies within the Site Characterization Report as submitted by the applicants in terms of compliance with the guidance as set out within the EPA Code of Conduct

		<p>arising from construction activities on site and potentially adversely impacting upon protected habitat.</p> <p>Possibility for discharge from the proprietary wastewater treatment system to result in a deterioration in water quality and adversely impact protected water-based habitat</p>	<p>periods of heavy rainfall, spill kits would be available on site and an emergency spillage plan in the event of an accidental spillage, refuelling of mobile plant off-site would be provided, no batching of wet cement on site, no washing of plant or concrete transport on site, appointment of environmental officer on site, that the wastewater treatment system would be installed and operated</p>	<p>development in this rural area and the modest extent of other development in this vicinity, in the form of agricultural development, domestic extensions, rural dwellings, replacement dwellings, that it is unlikely that contamination of groundwater will occur and, therefore, no significant adverse in-combination affects in water quality within Augrusbeg Machair and Lake SAC will occur.</p>	<p>2021, as referenced in Section 7.5 of main body of the report above.</p> <p>Therefore, there is potential for adverse impacts upon water quality in the event that the Proprietary Wastewater Treatment System malfunctions and the outfall from the malfunctioning system would adversely impact the designated Qualifying Interest habitats and Conservation objective of the Aughrusbeg Machair and lake SAC</p>	
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			in accordance with EPA code of practice standards and that soakaways would be installed to manage surface water on site.			
Wet Heath	To maintain the favourable conservation status of the Wet Heath in the Aughrusbeg Machair and lake SAC.	s above.	As above.	As above.	Yes	
<p>Overall conclusion: Integrity test</p> <p>Notwithstanding, the implementation of the mitigation measures, the construction and operation of this proposed development may adversely affect the integrity of this European site, and reasonable doubt remains as to the absence of such effects.</p>						
<p>Assessment of issues that could give rise to adverse effects view of conservation objectives</p> <p>(i) Water quality degradation could possibly occur from contamination of ground and surface waters from sediment arising from construction activities and from outfall arising from the</p>						

operation of the proprietary wastewater treatment system.

Mitigation measures and conditions

Within the revised NIS submitted by the applicant as part of their appeal submission, a range of mitigation measures to protect ground and surface water quality degradation have been set out.

These include: A silt containment system would be installed along the northern side of the access driveway to ensure that no silt enters the drainage channel along the northern site boundary, Invasive species (*Gunnera tinctora*) to be treated prior to the commencement of excavation works on site.

Other control measures are stated to include that Development site works would be fenced off. works would cease during periods of heavy rainfall; surface water would be managed on site through the use of soakaways, spill kits would be available on site, mobile plant to be refuelled off-site, a designated refuelling area on site would be provided, no batching of wet cement on site, no washing of plant or concrete transport on site, excavation machinery to be cleaned of soil prior to existing site to prevent spread of invasive species, vehicle speeds will be limited within the construction site, the local public road will be cleaned regularly, construction hours will be limited, construction machinery turned off when not in use, the appointment of environmental site officer on site, that the wastewater treatment system would be installed and operated in accordance with EPA Code of Practice standard and that soakaways would be installed to manage surface water. In the event that a grant of planning permission is being recommended, a condition could be included whereby the mitigation measures set out within Section 4.2.4 of the NIS are implemented in full.

In-combination effects

I am satisfied that in-combination effects has been assessed adequately in the NIS.

The applicant has demonstrated satisfactorily that no significant residual effects will remain post the application of mitigation measures and there is, therefore, no potential for in-combination effects.

Findings and conclusions

The applicant determined that following the implementation of mitigation measures the construction and operation of the proposed development alone, or in combination with other plans and projects, will not adversely affect the integrity of these European sites within Galway Bay.

Based on the information provided, I am not satisfied that adverse effects arising from aspects of the proposed development can be excluded for the European sites considered in the Appropriate Assessment. No direct impacts are predicted. Indirect impacts may arise having regard to the discrepancies within the Site Characterization Report as submitted by the applicants in terms of

compliance with the guidance as set out within the EPA Code of Conduct 2021, as referenced in Section 7.5 of the main body of the report above. Therefore, there is potential for adverse impacts upon water quality in the event that the Proprietary Wastewater Treatment System malfunctions and the outfall from the malfunctioning system would adversely impact the designated Qualifying Interest habitats and Conservation objective of the adjacent Natura 2000 sites.

I am satisfied that the other mitigation measures (outside of compliance with the EPA Code of Practice 2021 proposed to prevent adverse effects have been assessed as effective and can be implemented.

Reasonable scientific doubt

I am satisfied that reasonable scientific doubt remains as to the absence of adverse effects.

Site Integrity

The proposed development may affect the attainment of the Conservation objectives of the West Connacht Coast SAC, the Omev Island Machair SAC nor the Aughrusbeg Machair and lake SAC. Adverse effects on site integrity cannot be excluded, and reasonable scientific doubt remains as to the absence of such effects.

Appropriate Assessment Conclusion: Integrity Test

In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on the West Connacht Coast SAC, the Omev Island Machair SAC and the Aughrusbeg Machair and lake SAC in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of Section 177U was required.

Following an examination, analysis and evaluation of the NIS all associated material submitted and taking into account the water quality issues raised within Section 7.5 of the main report above in relation to wastewater treatment and compliance with the guidance set out within the EPA Code of Practice 2021, I consider that adverse effects on site integrity of the West Connacht Coast SAC, the Omev Island Machair SAC and the Aughrusbeg Machair and lake SAC cannot be excluded in view of the conservation objectives of these sites and that reasonable scientific doubt remains as to the absence of such effects.

My conclusion is based on the following:

- A full and detailed assessment of all aspects of the proposed project including proposed mitigation measures and ecological monitoring in relation to the Conservation Objectives of the aforementioned designated sites.
- Detailed assessment of in-combination effects with other plans and projects including historical projects, current proposals, and future plans.
- Reasonable scientific doubt as to the potential for likely adverse effects on the integrity of the West Connacht Coast SAC, the Omev Island Machair SAC and the Aughrusbeg Machair and Lake SAC