



An
Bord
Pleanála

Inspector's Report ABP-321342-24.

Development

Request to enter into pre-application consultation pursuant to Section 177E(1A) of the Planning and Development Act, 2000, as amended.
Retain soil fill.

Location

Cregganna Beg, Oranmore,
Co.Galway.

Planning Authority

Galway County Council.

Prospective Applicants

Dr David O' Toole.

Date of Consultation Meeting

18 March 2025.

Date of Site Inspection

21 February 2025.

Inspector

Stephen Rhys Thomas.

1.0 Introduction

- 1.1. The Board received a request on the 28th of November 2024 from Gerard Hanniffy on behalf of Dr David O'Toole, to enter into pre-application consultations under section 177E(1A) of the Planning and Development Act, 2000, as amended. The Board decided to grant this request from the prospective applicants by Direction dated 3rd of December 2024.
- 1.2. One pre-application consultation meeting was held on the 18th of March 2025. The purpose of this report is to inform the Board of the nature of the pre-application consultations undertaken, pursuant to Section 177E(1A) of the Planning and Development Act 2000, as amended.

2.0 Site Location

- 2.1. The site is located in the townland of Cregganna Beg, 1.7 kilometres south of Oranmore in County Galway and 1.2 kilometres to the west of the N67. The lands are located along a minor country road (L8106) and comprise agricultural land set out in an 'L' shape. A drainage ditch runs through the site and there is a mixture of grassland, semi-mature trees and scrub. The Cregganna Marsh SPA is located a short distance to the north of the site.

3.0 Description of Proposal

- 3.1.1. Permission to retain works on a site of 1.14 Hectares, detail as follows:
 - Infill of lands no greater than 1 metre in depth, infill material comprises soil heaps already on the site and imported material sourced locally.

4.0 Planning History

4.1. The Site – Planning Applications

- 4.1.1. Planning reference 246102 – returned invalid.

4.2. The Site – Enforcement

- 4.2.1. Planning reference WL-EN 21/139

5.0 Legislation

- 5.1. Any subsequent application for Substitute Consent will be lodged under the provisions of section 177E of the Planning and Development Act, 2000, as amended and Part 19 of the Planning and Development Regulations, 2001, as amended.

6.0 Prospective Applicant's Case

- 6.1. The prospective applicant has included the details of the planning application made in the first instance to Galway County Council. It is stated that the planning authority could not accept the application and stipulated the need for an NIS. The applicant sets out the rationale for carrying out the works that included the importation of locally sourced soil from a stockpile of soil on the lands. The fill levels do not exceed 1 metre in depth. Good construction site hygiene methods were employed, when external fill material was imported to prevent spread of invasive species. Fill material sourced off site was from known sources and local to the site. The purpose of the fill was to increase biodiversity of the site, to upgrade and complete a tree and hedgerow planting program. An orchard is planned together with wildflower planting. Once substitute consent has been secured, the tree planting program will be completed.
- 6.2. The applicant explains that to deal with the planning authority's conclusion that because the site is located close to an SPA, a Stage 2 Appropriate Assessment (NIS) and Ecological Impact Assessment has been prepared.

7.0 Pre-Application Consultation Meeting

- 7.1. A Pre-Application Consultation meeting took place via Microsoft Teams on the 18th of March 2025, commencing at 3pm. Representatives of the prospective applicant and An Bord Pleanála were in attendance. An agenda was issued by An Bord Pleanála prior to the meeting. The prospective applicant was advised in advance of the meeting that the consultation would relate solely to the administrative procedures around the lodgement of an application, and any associated requirements.
- 7.2. This report should be read in conjunction with the written record of the pre-application consultation meeting held with the prospective applicant on file. No

additional comments were forthcoming from the prospective applicant in relation to the written record. It is not proposed to repeat the contents of the record in detail here. The main topics raised for discussion at the meeting were as follows:

- Introductions
- Description of development and relevant background, clarity with regard to the planning history of the site and clarity regarding the scope of any application.
- Procedural Advice / Queries arising with regard to any subsequent application for Substitute Consent, documentation necessary to accompany such an application, and legislative requirements relating thereto. The fee structure was also explained.

8.0 Conclusion

The meeting concluded with An Bord Pleanála representatives stating that they did not foresee the need for a further meeting but if requested by the prospective applicant, the request would be examined. I therefore recommend that the pre-application consultation process should be closed.

Stephen Rhys Thomas
Senior Planning Inspector

28 April 2025