



An
Bord
Pleanála

Inspector's Report

ABP-321506-24

Development	Construction of house and associated site works.
Location	Drumacoo, Kilcolgan, Co. Galway.
Planning Authority	Galway County Council
Planning Authority Reg. Ref.	24259
Applicant(s)	Martin Keenan
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Aine Forde & Mairead Collins
Observer(s)	None
Date of Site Inspection	19 th May 2025
Inspector	Ian Boyle

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1.0 Site Location and Description

- 1.1. The appeal site is a greenfield in the townland of Drunacoo, Kilcolgan, Co. Galway. It is roughly 4km west of the village of Kilcolgan and 9km north of Kinvarra. It has an area of roughly 0.66ha.
- 1.2. The property has direct frontage onto the Killeenaran-Kilcolgan Road which runs in an east – west direction. The site lies amongst several existing rural residential properties and the surrounding area is characterised by sporadic one-off dwellings, mostly sitting on spacious plots facing towards the road.
- 1.3. The area is mainly given over to farming. However, there are also small tracts of forested land, including directly east of the appeal site. Galway Bay is towards the west of the property.

2.0 Proposed Development

- 2.1. The proposed development is for the construction of a new dwelling, garage, domestic treatment system and percolation area, and associated site works.
- 2.2. The Planning Authority requested further information on 29th October 2024, including details of the proposed connection to the local group water scheme. The Applicant responded with further information on 31st October 2024.
- 2.3. The former secretary of the Tyrone-Killeenaran Group Water Scheme (GWS) submitted unsolicited further information on 15th November 2024. The letter stated that the GWS scheme was in the process of being taken in charge by Uisce Éireann and that any future connection to the scheme would be the responsibility of Uisce Éireann.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority issued a Notification of Decision to Grant Permission on the 26th November 2024, subject to 15 conditions. The conditions were mainly standard and included:

- Condition 3: Sight distance triangles to be maintained.
- Condition 5: Disposal of soakaways.
- Condition 8: Finishes and materials.
- Condition 9: Design, installation and operation of the proposed domestic wastewater treatment system (DWWTS).
- Condition 10: Garage is to be for private use only.
- Condition 13: Perimeter planting / landscaping measures.
- Condition 14: Connection Agreement with Uisce Éireann.
- Condition 15: Development contribution.

3.2. Planning Authority Reports

3.2.1. Planning Report

The main points raised are as follows:

- The applicant meets the requirements of Policy Objective RH2 of the Galway County Development Plan 2022-2028 (CDP) in relation to rural housing need. However, the Development Management Standards outlined in the CDP require certain technical considerations to be met, including in relation to design, assimilation and the preservation of residential and visual amenity.
- The site is located in an area designated as Landscape Sensitivity Class 3 (where Class 1 is the least sensitive and Class 4 is the most sensitive). The Landscape Character Area is 'Coastal Landscape'.
- The proposed two storey dwelling house has a gross floor area of 291sqm. The proposed garage has a gross floor area of 60sqm and height of 5m. The overall proposed development is considered acceptable in form and design.
- The existing family farm/home entrance to access the site is proposed as the means of site access, which is acceptable.
- No Appropriate Assessment (AA) issues arise.
- No Environmental Impact Assessment (EIA) issues arise.

- The site is not located in an identified flood risk area.
- The proposal is in accordance with Galway County Development Plan 2022-2028.
- There are no national monuments (Sites and Monuments Record/ SMR zone) on the site.
- In relation to the issue of water supply, this can be addressed by condition requiring the applicant to enter into a Connection Agreement with Uisce Éireann, prior to the commencement of development
- Recommends permission be granted.

3.3. Third Party Observations

- 3.3.1. The Planning Authority received a single third party observation. The main issues raised were in relation to historical flooding, treatment of domestic effluent, impact on public health and European Sites, potential for surface water to runoff onto adjacent lands, and that there is an ongoing legal case in relation to unauthorised works on the site.

4.0 Planning History

Subject Site

None.

Surrounding Area

ABP Ref. 311113-21 (Reg. Ref. 21/890): The Board **refused** permission in October 2022 for the construction of a dwelling, domestic garage, septic tank and associated site works on a property to the southwest of the appeal site. The Planning Authority had also refused permission (July 2021).

The Board's single reason for refusal was that they were not satisfied that the applicant had demonstrated a genuine housing need to live in this rural area as required under policy objective RH4 of the Galway County Development Plan 2022-2028. It was considered, therefore, that the applicant did not come within the scope

of the local housing need criteria as set out in the Galway County Development Plan and as per national policy for a house in the proposed location.

It is the same applicant for both this previous application and the current, subject application (Martin Keenan).

5.0 Policy Context

5.1. Galway County Development Plan 2022-2028

5.1.1. Background

The Galway County Development Plan 2022-2028 ('Development Plan' / 'CDP') was adopted by the Elected Members of Galway County Council on the 9th May 2022 and came into effect on the 20th of June 2022.

The following chapters and sections are considered particularly relevant in the assessment of this appeal case are outlined below.

5.1.2. Chapter 4: Rural Living and Development

The site is in a Class 3 Landscape, inside the GCTPS¹ Area for the purposes of rural housing (Map 4.1 'Rural Area Types) and as set out in Section 4.6.1.

The site is located in an area designated as Landscape Sensitivity Class 3. The Landscape Character Area is 'Coastal Landscape'.

Individual housing development in the open countryside can be considered where the applicant can demonstrate their compliance with:

- RH 2 Rural Housing Zone 2 (Rural Area Under Strong Urban Pressure - GCTPS - Outside Rural Metropolitan Area Zone 1), and
- RH5 Rural Housing Zone 5 (An Gaeltacht) of the Galway County Development Plan 2022-2028.

Other relevant Policy Objectives:

¹ GCTPS – Galway County Transport & Planning Study.

- RC 2 Rural Housing in the Countryside is 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.
- RH 9 Design Guidelines is to have regard to Galway County Council's Design Guidelines for Single Rural Houses with specific reference to the following:
 - a) It is the policy objective to encourage new dwelling house design that respects the character, pattern and tradition of existing places, materials and built forms and that fit appropriately into the landscape.
 - b) It is the policy objective to promote sustainable approaches to dwelling house design and encouraging proposals to be energy efficient in their design and layout.
 - c) It is the policy objective to require the appropriate landscaping and screen planting of proposed developments by using predominately indigenous/local species and groupings.

5.1.3. **Chapter 7: Infrastructure, Utilities and Environmental Protection**

- Policy Objective WW 6: Private Wastewater Treatment Plants seeks to ensure that private wastewater treatment plants, where permitted, are operated in compliance with Environmental Protection Agency (EPA) Code of Practice for Domestic Waste Water Treatment System 2021 (Population Equivalent ≤ 10).
- Policy Objective WS 4: Requirement to Liaise with Irish Water – Water Supply seeks to ensure that new developments are adequately serviced with a suitable quantity and quality of drinking water supply and require that all new developments intending to connect to a public water supply liaise with Irish Water with regard to the water (and wastewater) infrastructure required.

5.1.4. **Chapter 10: Natural Heritage, Biodiversity and Green/Blue Infrastructure**

- Policy Objective NHB 2: European Sites and Appropriate Assessment.

- Policy Objective NHB 3: Protection of European Sites.

5.1.5. **Chapter 15: Development Management Standards**

- DM Standard 6: Domestic Garages (Urban and Rural)
- DM Standard 7: Rural Housing
- DM Standard 8: Site Selection and Design
- DM Standard 9: Site Sizes for Single Houses Using Individual On-Site Wastewater Treatment Systems
- DM Standard 11: Native species landscaping to site boundaries.
- DM Standard 28: Sight Distances Required for Access onto National, Regional, Local and Private Roads
- DM Standard 29: Building Lines
- DM Standard 30: Developments on Private Roads
- DM Standard 36: Public Water Supply and Wastewater Collection
- DM Standard 38: Effluent Treatment Plants
- DM Standard 46: Compliance with Landscape Sensitivity Designations

5.1.6. **Other Relevant Chapters and Sections:**

- Chapter 6: Transport and Movement
- Chapter 11: Community Development and Social Infrastructure
- The County Galway Strategic Flood Risk Assessment CDP 2022 2028

5.1.7. **Other Planning Policies**

Note: The Planner's Report (Pages 1 - 2) cites other relevant planning policies for the proposed development.

5.2. **National and Regional Planning Policy**

- The National Planning Framework, 2025

- Regional Spatial and Economic Strategy (RSES) for the Northern and Western Region, 2020-2032
- The Planning System and Flood Risk Management, including the associated Technical Appendices, 2009 ('the Flood Risk Guidelines')

5.3. **Natural Heritage Designations**

The subject site is not directly affected by, or adjacent to, any European Site.

The closest designated sites include:

- Galway Bay Complex SAC (Site Code: 000268), which is roughly 870m to the northwest at its nearest point.
- Lough Fingall Complex SAC (Site Code: 000606), which is roughly 1.1km to the southeast at its nearest point.
- Inner Galway Bay SPA (Site Code: 004031), which is roughly 870m to the northwest at its nearest point.

5.4. **EIA Screening**

- 5.4.1. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report).
- 5.4.2. Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment.
- 5.4.3. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

The Board has received a single third party appeal. The main grounds of appeal are as follows:

- There are serious historical flooding concerns and continuous water ingress from the appeal site to the appellant's property (includes photos from alleged flood events from 2009 to the present day).
- The appellant's land is beginning to sink due to attempts by the applicant to drain wetlands in the surrounding area.
- The unauthorised laying off pipes by family members of the applicant is bringing a large volume of water onto the appellants' lands.
- There are ongoing legal proceedings in relation to these unauthorised works.
- The Planning Authority refused permission for a proposed house in August 2021 over concerns regarding the disposal of domestic effluent. This in turn could negatively impact surrounding European Sites in the area.²
- If the proposed dwelling is granted permission, the resulting runoff water will continue to flow into the appellant's lands and the consequences of this will be to lose their old house, farmland, cattle and then livelihood.
- The appeal raises other historical social issues which are unrelated to the planning application.
- Notes the matter may be brought to the attention of the Ombudsman and European Union.

6.2. **Applicant Response**

The main grounds of appeal are as follows:

Introduction

- The third party appeal relates to alleged historical drainage issues to do with the Applicant's father, which do not pertain to the appeal site.
- Therefore, the appeal is without substance or foundation, as per the legislation, and the Board is requested to dismiss the appeal.

² This previous application involved a different site to the subject appeal.

Planning History

- The appeal refers to an application made on an entirely different site.
- There is no negative planning history associated with the appeal site as confirmed by the Planner's Report.

Flooding

- The appeal site is not in a flood risk zone according to the OPW online mapping system.
- The historical flooding allegations and photos are not cross referenced to a particular location on a map. They are not relevant to the subject application and their meaningfulness is difficult to discern.

Wastewater

- The Appellant states that a previous reason for refusal by the Planning Authority in respect of wastewater treatment on a different site should equally apply to the appeal site.
- However, the proposed development is on an entirely different site and the application includes a Site Characterisation Form (SCF) that is specific to the subject site.
- The SCF confirms the suitability of the property for a DWWTS.
- The type of DWWTS, which includes a poshing filter, has been designed to safely treat domestic effluent generated by the proposal.

Housing Need

- The Applicant has demonstrated they meet the rural housing needs test as per the County Development Plan.

Design and Layout

- The proposed layout and design of the dwelling is consistent with the 'Design Guidelines for Single Rural Houses' and the other relevant requirements of the CDP.

7.0 Assessment

The main planning considerations relevant to this appeal case are:

- Flood risk and drainage
- Other Issues

7.1. Flood risk and drainage

- 7.1.1. The main planning consideration in the assessment of this appeal is regarding flood risk and drainage. The Appellant states that the proposed development would give rise to an increased risk of flooding on their land. They assert that additional surface water runoff generated on the Applicant's property would be directed onto their lands if the dwelling were permitted and constructed and that this would lead to inundation and water logging of their site. The third party's lands are roughly 200m to the west of the appeal site.
- 7.1.2. The Applicant has not completed a flood risk assessment as part of the application. However, I have referred to the OPW flood mapping information that is available online at www.floodinfo.ie/map/floodmaps. CFRAMS is a comprehensive analysis which identifies areas which are at risk of flooding in different scenarios and the potential consequences of such an event occurring. I note that the CFRAMS study has not been applied to the appeal site and the surrounding local. This is mainly because CFRAMS focuses on urban areas where there is a known flood risk. This level of detailed flood mapping does not normally exist for rural areas, or sites which are more remote, such as the subject property. This does not necessarily mean there is no risk of flooding – only that the area has not been prioritised for detail flood risk studies and assessment. I have also reviewed the County Galway Strategic Flood Risk Assessment CDP 2022-2028. This shows the land is not prone to a significant flood risk.
- 7.1.3. I note that the OPW flood mapping indicates some historical flood events have taken place in the surrounding area near the appeal site. In particular, I note two such events which are near the Appellant's lands which occurred in December 2015. However, this is not unusual in a relatively low lying area such as this, in my opinion, where there are several turloughs and small waterbodies dotted around the

landscape. Indeed, as one looks at the wider area as a whole, there are multiple flood events recorded all around the townlands of Drumacoo, Tyrone, Cartron, Killeenmunterlane, and further afield, as well as close to the village centres of Kilcolgan and Kinvarra.

- 7.1.4. In terms of specific flood events near the third party's property, there is no information to suggest these events, which date back some ten years, are specifically related to any activities undertaken by the Applicant, or his family members, for that matter. During my site inspection there was no evidence of any significant earthworks, diversion of waterbodies, levelling or flattening of land, or of water pathways being blocked, such that flood risk could be attributed to the lands owned by the Applicant – that is not to say such works have not occurred, only that it was not apparent during my physical inspection of the site and surrounding area.
- 7.1.5. In any case, such allegations, which potentially cause or worsen flooding in a particular area, are typically addressed outside the planning system. I have also reviewed the photographs submitted as part of the appeal and consider they are of limited value in the assessment of this appeal. There is no reference points, plans, or maps provided to illustrate where these images may have been taken.
- 7.1.6. While there appears to be ongoing dispute in relation to the matter of water ingress between properties spanning several years, the Board cannot adjudicate on such matters. In this regard, I note the provisions of Section 34(13) of Planning and Development Act, 2000 (as amended) relating to 'Permission for Development', which states that 'a person shall not be entitled solely by reason of a permission under this section to carry out any development'. Therefore, in the event permission is granted, there may be other legal considerations that apply, and which the landowner may need to address outside of the planning system.
- 7.1.7. In terms of the subject application, I note that the proposed development is for a single dwelling, domestic garage and related site works. The works are relatively minor in terms of site coverage and the remaining area comprises expansive permeable surfaces (gardens, grassed areas, etc.). The proposed development, of and in itself, is not likely to disrupt natural flow paths across the property, or the existing drainage regime, in my opinion. It is unlikely that it would lead to excessive amounts of surface water running off and into nearby properties.

7.1.8. In conclusion, I consider that the proposed development would not result in any significant increase in flood risk to the appeal site, or of adjacent properties.

Other Issues

7.1.9. I note that the Appellant references various historical social issues, which are unrelated to the application, and that they may decide to bring their concerns to the attention of the Ombudsman, or European Union, if left unresolved in their view. I do not consider that such matters warrant assessment by the Board.

7.1.10. The concerns raised by the Appellant in relation to potential impacts on European Sites is addressed under Section 8.0 and the relevant appendices below.

8.0 AA Screening

8.1. 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 the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European Sites, including those identified below, in view of the conservation objectives of these sites, and can therefore be excluded from further consideration.

Screening the need for Appropriate Assessment: Screening Determination (Stage 1, Article 6(3) of Habitats Directive)

I have considered the proposed in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is not directly affected by, or adjacent to, any European Site. The closest designated sites include:

- Galway Bay Complex SAC (Site Code: 000268), which is roughly 870m to the northwest at its nearest point.
- Lough Fingall Complex SAC (Site Code: 000606), which is roughly 1.1km to the southeast at its nearest point.
- Inner Galway Bay SPA (Site Code: 004031), which is roughly 870m to the northwest at its nearest point.

The proposed development is described under Section 2.0 of my report above.

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

The reason for this conclusion is as follows:

- the small scale and nature of the development,
- the location-distance from the nearest European Sites and lack of any ecological connections, and
- taking into account the screening determination by the Planning Authority,

I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Recommendation

- 9.1. I recommend that planning permission be granted for the reasons and considerations set out below.

10.0 Reasons and Considerations

- 10.1. Having regard to the provisions of the Galway County Development Plan 2022-2028, and of the National Planning Framework, the nature, scale and form of the proposed development, and pattern of development in the surrounding vicinity, it is considered that the applicant satisfies the relevant policies and guidelines for a rural dwelling in this area, and that, subject to the conditions set out below, the proposed development would constitute an appropriate use in this rural location and would not give rise to an increased risk of flooding of the site, or of property in the vicinity, and that it is consistent with the relevant design and siting requirements. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 31st October 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>a) The proposed dwelling, when completed, shall be first occupied as a place of permanent residence by the applicant, members of the applicant's immediate family or their heirs, and shall remain so occupied for a period of at least seven years thereafter unless consent is granted by the planning authority for its occupation by other persons who belong to the same category of housing need as the applicant. Prior to commencement of development, the applicant shall enter into a written agreement with the planning authority under section 47 of the Planning and Development Act, 2000 to this effect.</p> <p>b) Within two months of the occupation of the proposed dwelling, the applicant shall submit to the planning authority a written statement of confirmation of the first occupation of the dwelling in accordance with paragraph (a) and the date of such occupation.</p> <p>This condition shall not affect the sale of the dwelling by a mortgagee in possession or the occupation of the dwelling by any person deriving title from such a sale.</p> <p>Reason: To ensure that the proposed house is used to meet the applicant's stated housing needs and that development in this rural area is appropriately restricted [to meeting essential local need] in the interest of the proper planning and sustainable development of the area.</p>

3.	<p>a) The proposed dwelling house shall have a nap plaster and/or natural local stone external finish only, unless otherwise agreed in writing with the Planning Authority.</p> <p>b) The proposed windows shall be of powder coated aluminium or timber framed or non-white uPVC, unless otherwise agreed in writing with the Planning Authority.</p> <p>c) The external door shall be of timber construction unless otherwise agreed in writing with the Planning Authority, prior to the commencement of development on site.</p> <p>d) The colour of the roof slates shall be blue/black.</p> <p>e) The colour of the soffit/fascia and rainwater goods shall be dark in colour.</p> <p>Reason: In the interest of visual amenity.</p>
4.	<p>a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.</p> <p>b) The access driveway to the proposed development shall be provided with adequately sized pipes or ducts to ensure that no interference will be caused to existing roadside drainage.</p> <p>c) Only clean uncontaminated storm water shall be discharged to the soakaway system.</p> <p>d) The development shall not impair existing land or road drainage.</p> <p>Reason: In the interest of preventing flooding.</p>
5.	<p>Sight distance triangles shall be maintained and kept free from boundary walling, vegetation or other obstructions that would reduce the minimum visibility required. These sightlines must be achieved and in place prior to any works commencing on site.</p> <p>Reason: In the Interest of Road Safety.</p>

6.	<p>a) The wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with this application on [date] and shall be in accordance with the standards set out in the document entitled “Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10) ” – Environmental Protection Agency, 2021.</p> <p>b) Treated effluent from the wastewater treatment system shall be discharged to a percolation area/ polishing filter which shall be provided in accordance with the standards set out in the document entitled “Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)” – Environmental Protection Agency, 2021.</p> <p>c) Within three months of the first occupation of the dwelling, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.</p> <p>Reason: In the interest of public health and to prevent water pollution</p>
7.	<p>a) Site perimeter planting consisting of tree and shrub species native to the area shall be carried out in the first planting season following commencement of development on site. All planting shall be adequately protected from damage until established. Any failures within the first 5 years shall be replaced within the next planting season with others of similar size and species.</p> <p>b) Landscaping shall include thorough screen planting on the lateral boundaries and rear boundary of the site through the planting of mixed trees and plant species indigenous to the area concerned, and densely planted hedging of native species.</p> <p>c) Any in-situ stonewalls, hedgerow and/or trees bounding the site shall be retained, except for the provision of the site entrance works/sight distance triangles.</p>

	Reason: In the interests of visual amenity
8.	<p>Prior to the commencement of development, the developer shall enter into a Connection Agreement with Uisce Éireann to provide for a service connection to the public water supply network.</p> <p>Reason: In the interest of public health and to ensure adequate water/wastewater facilities.</p>
9.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. The application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>

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.

Ian Boyle
Senior Planning Inspector

26th May 2025

Appendix A: Form 1 - EIA Pre-Screening

Case Reference	ABP-321506-24
Proposed Development Summary	The proposed development is for the construction of a new dwelling, garage, domestic treatment system and percolation area, and associated site works.
Development Address	The appeal site is a greenfield in the townland of Drunacoo, Kilcolgan, Co. Galway. It is roughly 4km west of the village of Kilcolgan and 9km north of Kinvarra.
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	

3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?

<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	<p>10. Infrastructure Projects</p> <p>(b)(i) Construction of more than 500 dwelling units.</p> <p>(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.</p>

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?

Yes <input type="checkbox"/>	
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: 26th May 2025

Appendix B: Form 2 - EIA Preliminary Examination

Case Reference	ABP-321506-24
Proposed Development Summary	The proposed development is for the construction of a new dwelling, garage, domestic treatment system and percolation area, and associated site works.
Development Address	The site is a greenfield in the townland of Drumacoo, Kilcolgan, Co. Galway. It is roughly 4km west of the village of Kilcolgan and 9km north of Kinvarra.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	<p>The proposed development is for a single one-off house in a rural location. The nature of the proposed development is not exceptional in the context of its existing environment. There are many other similar rural houses in the area which have a similar design, size and scale.</p> <p>During the construction phase the proposed development would create a relatively small amount of waste from the removal of spoil and due to groundworks required to level the site and other works.</p> <p>Given the relatively small scale and size of the proposed development, I do not consider that the demolition waste arising would be significant in a local, regional or national context.</p> <p>No significant waste, emissions or pollutants would arise during the operational phase due to the nature of the proposal, which is a residential dwelling.</p>
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular	<p>The site is currently used for agriculture purposes.</p> <p>The property has direct frontage onto the Killeenaran – Kilcolgan Road which runs in an east – west direction.</p> <p>The site lies amongst several existing rural residential</p>

<p>existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>properties and the surrounding area is characterised by sporadic one-off dwellings, mostly sitting on spacious plots facing towards the road.</p> <p>The area is mainly given over to farming. There are also small tracts of forested land, including directly east of the appeal site. Galway Bay is west of the site.</p>
<p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>The potential for significant impacts for the purposes of EIA are limited given the characteristics of proposed development (a single dwelling) and the low environmental sensitivity associated with its receiving environment and surrounding geographic area.</p>
<p style="text-align: center;">Conclusion</p>	
<p>Likelihood of Significant Effects</p>	<p>Conclusion in respect of EIA</p>
<p>There is no real likelihood of significant effects on the environment.</p>	<p>EIA is not required.</p> <p>The proposed development has been subject to preliminary examination for environmental impact assessment (Form 1 and Form 2 in Appendices of this report).</p> <p>Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.</p>

Inspector: _____

Date: 26th May 2025

DP/ADP: _____

Date: _____

(only where Schedule 7A information or EIAR required)