Inspector's Report
ACP-321734-25

Question	Whether the proposed extension and renovation of existing farm cottage is or is not development and is or is not exempted development.
Location	Killeenavarra, Kinvara, Co. Galway
Declaration	
Planning Authority	Galway County Council
Planning Authority Reg. Ref.	ED24/141
Applicant for Declaration	Rory Foy
Planning Authority Decision	Is not exempted development
Referral	
Referred by	Rory Foy
Owner/ Occupier	Rory Foy
Observer(s)	N/A
Date of Site Inspection	13th June 2025
Inspector	Sarah O'Mahony

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1.0 Site Location and Description

1.1. The site is situated in north County Galway, 4.75km northeast of Kinvara and 1.4km west of the M18. Access is provided from a local road at the west.

1.2. The site comprises a detached single storey dwelling situated at the front and northwest of an old courtyard farmyard, although the farmyard does not form part of the site. They share one singular vehicular access point and all adjacent land comprises agricultural pastures with the exception of a cluster of mature deciduous trees situated alongside the west of the site and farmyard.

2.0 The Question

2.1. Proposed extension and renovation of existing farm cottage.

2.2. Having assessed the application documents I intend to reword the question as follows:

> Whether renovation of an existing dwelling to include demolition of 37m^2 of domestic extensions to the rear of dwelling, demolition of water tank and shed (combined 10.48m^2) to the side of dwelling, and construction of 40.3m^2 extension to the rear, comprises development which is exempt development?

3.0 Planning Authority Declaration

3.1. Declaration

3.1.1. "*The proposed extension and renovation of existing farm cottage (vacant) at Killeenavarra, Kinvara, Co. Galway is development and is not exempted development as it would contravene Article 9 (viiB) of the Planning and Development regulations 2001 (as amended)*

> *'Comprise development in relation to which a planning authority or an Bord Pleanála is the competent authority in relation to appropriate assessment and*

the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,'"

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The Planning Report considered a range of matters including planning history, the context and location of the site and the legislative context.
- It considered the proposal comprises works which comprise development.
- It considered that the proposed extension development fell within the provisions of Class 1, Schedule 2, Part 1 of the Regulations while the proposed building renovations fall within the provisions of Article 4(1)(h) of the Act.
- In terms of Appropriate Assessment it states: '*It is noted that the subject site is also within the foraging range of the Lesser Horseshoe Bat. Having regard to the proximity to the SAC, the likely requirement for best practice construction measures in order to endure that the proposed development does not adversely impact on the European site, the location of the site within the foraging range of the Lesser Horseshoe Bat, cannot screen out likely significant effects of the development on the Lough Fingall Complex SAC. Therefore, an Appropriate Assessment is required for the proposed development*.'
- It later contends that the restriction of article 9(viiB) applies as 'given the site's close proximity to the Lough Fingall Complex SAC, along with the location being within the foraging range of the Lesser Horseshoe Bat, likely significant effects of the development on the Lough Fingall Complex SAC cannot be screened out. Therefore, and Appropriate Assessment is required'.
- Environmental Impact Assessment was not referenced in the report.

3.2.2. Other Technical Reports

- None

4.0 Planning History

- ED24/119: Proposed extension and renovation of existing farm cottage is not exempt development.

5.0 Policy Context

5.1. Development Plan

5.1.1. The site is governed by the policies and provisions contained in the Galway County Development Plan 2022-2028.

5.1.2. The site is situated in a rural area and not subject to zoning.

5.2. Natural Heritage Designations

5.3. Lough Fingall Complex Special Area of Conservation and proposed Natural Heritage Area is situated immediately adjacent to the site at the northwest.

6.0 The Referral

6.1. Referrer's Case

- The scale and nature of the development would not have a significant impact on Lough Fingall Complex SAC given the proposal is to replace an extension on almost the same footprint. Further, the works are situated within an operational farmyard which has lighting, noise, traffic and animal movements and storage etc.
- A note was added to the Planning Authority's determination to state that the septic tank was not visible during an inspection for a previous exempt development proposal and therefore the inspector could not locate it. In the interim, the applicant uncovered the septic tank and it was open for inspection however the Planning Authority failed to carry out an inspection of the site and also did not request further information on the matter. Every application should be assessed on its own merits which was not the case in this instance. The suggestion of providing a report prepared by an Engineer is inappropriate when the Planning Authority did not carry out any site inspection. The septic tank is fully operational and was last used in 2021

when the dwelling was last occupied. It is not proposed to carry out any works or alterations to the system or to increase the population equivalent of the dwelling. The scope of the works does not extend to the septic tank. Images are submitted demonstrating the presence of the tank.

- The Planning Authority did not request further information regarding the scale of the proposed extension which exceeds the $40m^2$ threshold for exemption by $0.3m^2$. The Planning Authority should have sought further information or included a condition to require it to be reduced in line with the threshold. An Coimisiún is requested to adopt a common sense approach to round the figure to the nearest whole number which meets the threshold or alternatively to attach a condition requiring the floorspace to be reduced. Following demolition of the pre-1963 extensions and construction of the new extension, there would be a net increased floor area of $18.4m^2$.

6.2. Planning Authority Response

- No additional comments

7.0 Statutory Provisions

7.1. Planning and Development Act, 2000, as amended (‘the Act’).

7.1.1. Section 2(1) of the Act provides the following definition:

- ‘works’ includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal…

7.1.2. Section 3(1) of the Act states the following in respect of “Development”

- In this Act, ‘Development’ means, except where the context otherwise requires, the carrying out of works on, in, over or under land or the making of any material change in the use of any structure or other land.

7.1.3. Section 4(1) sets out various forms and circumstances in which development is exempted development for the purposes of this Act. Section 4(1)(h) provides for the following class of exempt development:

'*development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures'*

7.1.4. Section 4(2)(a)(i) "*The Minister may by regulations provide any class of development to be exempted development for the purposes of this Act where he or she is of the opinion that –*

(i) By reason of the size, nature or limited effect on its surroundings, of development belonging to that class, the carrying out of such development would not offend against principles of proper planning and sustainable development, or …."

7.1.5. Section 4(3) states that '*A reference in this Act to exempted development shall be construed as a referred to development which is-*

(a) Any of the developments specified in subsection (1), or

(b) *Development which, having regard to any regulations under subsection (2), is exempted development for the purposes of this Act*.'

7.1.6. Section 4(4) Notwithstanding paragraphs (a), (i), (ia) and (l) of subsection (1) and any regulations under subsection (2), development shall not be exempted development if an environmental impact assessment or an appropriate assessment of the development is required.

7.1.7. Section 177U(9) In deciding upon a declaration or a referral under section 5 of this Act a planning authority or the Board, as the case may be, shall where appropriate, conduct a screening for appropriate assessment in accordance with the provisions of this section.

7.2. Planning and Development Regulations, 2001, as amended ('the Regulations')

7.2.1. Article 6 (1) - Subject to article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

7.2.2. The following classes of development are listed:

Column 1 Description of Development	Column 2 Conditions and Limitations
Development with the curtilage of a house Class 1 The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.	1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres. (b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres. (c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres. 2. (a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres. (b). Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together

	with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres. (c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres. 3. Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary. 4. (a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house. (b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house. (c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the

	height of the highest part of the roof of the dwelling. 5. The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres. 6. (a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces. (b) Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces. (c) Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces. 7. The roof of any extension shall not be used as a balcony or roof garden.
Class 50 (a) The demolition of a building, or buildings, within the curtilage of— (i) a house, (ii) an industrial building, (iii) a business premises, or	1. No such building or buildings shall abut on another building in separate ownership. 2. The cumulative floor area of any such building, or buildings, shall not exceed: (a) in the case of a building, or buildings within the curtilage of a house, 40 square metres, and (b) in all other cases, 100 square metres.

(iv) a farmyard complex. (b) The demolition of part of a habitable house in connection with the provision of an extension or porch in accordance with Class 1 or 7, respectively, of this Part of this Schedule or in accordance with a permission for an extension or porch under the Act.	3. No such demolition shall be carried out to facilitate development of any class prescribed for the purposes of section 176 of the Act.

7.2.3. Article 9(1)(a) sets out various restrictions on class of development to which Article 6 relates that would otherwise be exempted development. The following sub-article is listed:

(viiB) comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,

(viiC) *consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000.*

7.3. **Precedent**

7.3.1. I have examined the An Coimisiún Pleanála referrals database and note the following:

- ABP-317659-23: whether the following or is not development or is or is not exempted development:

(a) Demolition of a two-storey extension measuring 92 sq. m. to the rear of dwelling, (46 square metres on each floor),

(b) Construction of new two-storey extension measuring 129 sq. m. to the rear of dwelling, (73 square metres at ground floor and 56 square metres at first floor,

(c) – (f) …..

In relation to construction of (b) the Board concluded that

(a) The floor area of the extension exceeds the limitations set out in condition 1(a) and (b). In consideration of this matter the Board concluded that the pre-existing extension to the rear of the house, whether or not it was constructed or erected prior to 1st October 1964, cannot be taken into account in respect of the floor area of the new two-storey extension, the subject matter of this referral, as it was demolished and removed prior to the construction of the subject extension.

…..

- ABP-RL2455: Whether extension to a house is or is not development or is or is not exempted development. The new 64m^2 extension replaced a previous flat roofed ‘extension’ which had been demolished prior to the construction of the new extension. The works of demolition and extension resulted in a net increase in floor area of 38m^2. The case was made by the referrer that the area of demolition, described in the documentation on file as both an ‘extension’ and as an ‘integral part of the original house’ was constructed prior to 1964. The Board decided that the previously existing ‘extension’, having been demolished, was not relevant to the question, and that the new extension which exceeds 40 square metres and includes a window at ground level less that one metre from the boundary, and does not come within the scope of class 1 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001.

- RL3544: Whether the construction of a domestic extension and attic conversion is or is not development or is or is not exempted development. The house was extended to the rear via a 50m^2 pitched roof extension, of which 12 m^2 represents a replacement of a pre-1963 extension. The case was made that the 40 m^2 exemption should be allowable over and above the floor area of the now demolished pre-1964 return (12m^2) and that while the new-build area was 50 m^2, the additional floor area (beyond the footprint of the previous return) was only 38m^2 and would therefore comply with the conditions of Class1 of Schedule 2, Part 1 of the P & D Regulations, 2001 (as amended)

The Board concluded that the said extension being to the rear of the dwelling comes within the scope of the exemption provided for under Class 1 of Part 1 of Schedule 2 to the Planning and Development Regulations 2001, but by reason of its scale and extent, comprising a ground floor area of 50 m^2 and a first floor area of circa 28 m^2, exceeds the relevant thresholds set out in conditions and limitations 1(a) and 1(c) respectively of Class 1, and is therefore not exempted development.

It further concluded that the existing extensions to the rear of the house, whether or not they were constructed or erected prior to 1st October 1964, cannot be taken into account in respect of the floor area of the new extension, the subject of the referral, as these extensions were demolished and removed prior to the construction of the new extension.

8.0 Assessment

It should be stated at the outset that the purpose of this referral is not to determine the acceptability or otherwise of the proposed development in respect of the proper planning and sustainable development of the area, but rather whether or not the matter in question constitutes development, and if so, falls within the scope of exempted development.

8.1. Is or is not development

8.1.1. Renovation of the existing dwelling including demolition and construction of a domestic extension constitute 'works' as defined in section 2(1) of the Planning and Development Act, 2000, as amended, and come within the definition of development as set out in section 3(1) of the said Act.

8.2. Is or is not exempted development

8.2.1. Renovation of the existing dwelling is exempt development under Section 4(1)(h) of the Act as the development comprises works to maintain and improve the dwelling which affect only the interior.

8.2.2. Article 6(3) of the Planning and Development Regulations 2001, as amended makes provision for classes of development set out in Part 3 of the Regulations to be exempted development subject to any provisions of Article 9. Elements of the proposed development fall within the provisions of classes 1 and 50 as outlined below under the headings of demolition and proposed extension.

Demolition

8.2.3. Demolition of the boiler room and water tank comprise demolition of buildings or parts of buildings within the curtilage of a house and within a farmyard which falls under the provisions of Class 50(a) and which meet the limits and conditions set out in column 2.

8.2.4. Demolition of the domestic extensions comprise demolition of part of a habitable house in connection with the provision of an extension in accordance with Class 1 which falls under the provisions of Class 50(b), but only in circumstances where the proposed extension is deemed be in accordance with Class 1.

Proposed Extension

8.2.5. Class 1 of Schedule 2 of Part 1 of the Regulations provides that a domestic extension of $40m^2$, situated to the rear of the main dwelling comprises exempted development subject to the additional conditions and limitations outlined above.

8.2.6. The proposed extension in this case, following demolition of the existing extension, would comprise $40.3m^2$ which exceeds the limits in column 2. I note the referrer's case suggesting a condition is attached to reduce the floorplan within the permitted $40m^2$ however there is no provision in the relevant legislation to facilitate this as this referral and exempt development declaration application is not a Section 34 planning application where such conditions can be attached.

8.2.7. The referrer also suggests that 'common sense' should prevail and the figure should be rounded to the nearest whole number, which would result in it being calculated as $40m^2$ however once again there is no provision in the legislation for this.

8.2.8. Lastly, the referrer suggests that there would only be a net increase of $18.4m^2$ overall when consideration is given to the floorspace provided in the existing extensions which, it is stated, were constructed prior to 1963. No definite evidence has been submitted to support this however it is an immaterial consideration as the previous extension would ultimately cease to exist following its demolition as proposed, and therefore any new extension would constitute a ‘blank slate’ with the $40m^2$ threshold applying. I refer the board in this case to the precedent cases set out above where the same analogy was applied and conclusions drawn.

8.2.9. In this regard, the proposed development does not fully comply with the provisions of Class 1 and therefore is not exempted development. Further, as the extension does not comply with the provisions of Class 1 it therefore leads to the conclusion that proposed demolition of the existing extensions are also not exempt development as the demolition is not connected with development which accords with Class 1.

8.2.10. In the interest of clarity, I note that the proposed extension would comply with the remainder of the limits and conditions prescribed in column 2 of class 1.

8.3. Restrictions on exempted development

8.3.1. No article 9 restrictions apply in this case.

9.0 Appropriate Assessment

9.1. 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 Lough Fingall Complex SAC in view of the conservation objectives of this site and is therefore excluded from further consideration. Appropriate Assessment is not required.

9.2. This determination is based on:

- The minor scale and domestic nature of the works.
- The absence of any proposals to remove vegetation or generate new water discharges at the site.
- The availability of extensive foraging grounds within the SAC to the north.

10.0 Environmental Impact Assessment

10.1. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

11.0 Recommendation

11.1. I recommend that the Commission should decide this referral in accordance with the following draft order.

WHEREAS a question has arisen as to whether renovation of an existing dwelling to include demolition of 37m^2 of domestic extensions to the rear of dwelling, demolition of water tank and shed (combined 10.48m^2) to the side of dwelling, and construction of 40.3m^2 extension to the rear is or is not development or is or is not exempted development:

AND WHEREAS Rory Foy requested a declaration on this question from Galway County Council and the Council issued a declaration on the 03rd day of January, 2025 stating that the matter was development and was not exempted development:

AND WHEREAS Rory Foy referred this declaration for review to An Coimisiún Pleanála on the 22nd day of January, 2025:

AND WHEREAS An Coimisiún Pleanála, in considering this referral, had regard particularly to –

(a) Section 2(1) of the Planning and Development Act, 2000, as amended,

(b) Section 3(1) of the Planning and Development Act, 2000,

(c) Section 4(1)(h) of the Planning and Development Act, 2000, as amended,

(d) Section 4(2) of the Planning and Development Act, 2000, as amended,

(e) Article 6(1) and article 9(1) of the Planning and Development Regulations, 2001, as amended,

(f) Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,

(g) The planning history of the site,

(h) The pattern of development in the area:

AND WHEREAS An Coimisiún Pleanála has concluded that:

(a) renovation of an existing dwelling to include demolition of 37m^2 of domestic extensions to the rear of dwelling, demolition of water tank and shed (combined 10.48m^2) to the side of dwelling, and construction of 40.3m^2 extension to the rear constitutes works;

(b) The works constitute development pursuant to section 3 of the Planning and Development Act, 2000;

(c) Renovation of the existing dwelling comes within the scope of Section 4(1)(h) of the Planning and Development Act, 2000;

(d) Demolition of the boiler house and water tank comes within the scope of Class 50(a) of Part 1 of Schedule 2 to the Planning and Development Regulations 2001;

(e) The proposed extension comes within the scope of Class 1 of Part 1 of Schedule 2 to the Planning and Development Regulations 2001 but does not meet the conditions and limits set out in Column 2 as it would exceed 40m^2 floorspace;

(f) Demolition of the existing domestic extensions does not come within the scope of Class 50(b) of Part 1 of Schedule 2 to the Planning and

Development Regulations 2001 as it would not be connected to provision of an extension in accordance with Class 1 of Part 1 of Schedule 2 to the Planning and Development Regulations 2001;

NOW THEREFORE An Coimisiún Pleanála, in exercise of the powers conferred on it by section 5(4) of the 2000 Act, hereby decides that

(a) renovation rear is development and is exempted development.

(b) demolition of 37m^2 of domestic extensions to the rear of dwelling, demolition of water tank and shed (combined 10.48m^2) to the side of dwelling rear and construction of 40.3m^2 extension to the rear is development and is not exempted development.

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.

Sarah O'Mahony
Planning Inspector

05th November 2025

Form 1 - EIA Pre-Screening

Case Reference	321734
Proposed Development Summary	Extension and renovation of existing farm cottage.
Development Address	Killeenavarra, Kinvara, Co. Galway
	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)	☒ Yes, it is a 'Project'. Proceed to Q2. ☐ 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)?	
☐ Yes, it is a Class specified in Part 1. **EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.**	State the Class here
☒ 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?	
☒ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No

development under Article 8 of the Roads Regulations, 1994. **No Screening required.**	mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. **EIA is Mandatory. No Screening Required**	**State the Class and state the relevant threshold**
☐ 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)**	**State the Class and state the relevant threshold**

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 ☐	**Screening Determination required (Complete Form 3)**
No ☒	**Pre-screening determination conclusion remains as above (Q1 to Q3)**

Inspector: ______________________________ Date: ________________

Template 2: Standard AA Screening Determination Template

<table>
<tr><td colspan="2">Screening for Appropriate Assessment
Test for likely significant effects</td></tr>
<tr><td colspan="2">Step 1: Description of the project and local site characteristics</td></tr>
<tr><td>Brief description of project</td><td>Extension and renovation of existing farm cottage.</td></tr>
<tr><td>Brief description of development site characteristics and potential impact mechanisms</td><td>The site is situated immediately adjacent to Lough Fingall Complex Special Area of Conservation however the works area has a separation of 35m from the SAC boundary and no additional land take is proposed. The works area is also situated within a large area of concrete hardstanding within an active farmyard.
No alterations to the water supply, wastewater or surface water management are proposed.
There are no watercourses on the site and no vegetation or trees will be removed.</td></tr>
<tr><td>Screening report</td><td>No</td></tr>
<tr><td>Natura Impact Statement</td><td>No</td></tr>
<tr><td>Relevant submissions</td><td>N/A</td></tr>
<tr><td colspan="2">The following extract is from the Case Planner's report, however it should be noted that the Planning Authority did not prepare a separate screening exercise.

It is noted that the subject site is also within the foraging range of the Lesser Horseshoe Bat. Having regard to the proximity to the SAC, the likely requirement for best practice construction measures in order to endure that the proposed development does not adversely impact on the European site, the location of the site within the foraging range of the Lesser Horseshoe Bat, cannot screen out likely significant effects of the development on the Lough Fingall Complex SAC. Therefore, an Appropriate Assessment is required for the proposed development.</td></tr>
</table>

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**
Lough Fingall Complex SAC (000606)	Turloughs, heaths, fens, dry grassland and scrubland, limestone pavement and Lesser Horseshoe Bat [Conservation Objectives, NPWS 2019]	0 – immediately adjacent northwest	Potential foraging grounds for bats	Yes
Kiltiernan Turlough SAC (001285)	Turloughs [Conservation objectives, NPWS 2021]	1.3km northeast	No	No
Ardrahan Grassland SAC (002244)	Heaths, dry grassland and scrubland and limestone pavements [Conservation Objectives, NPWS 2024]	1.7km east	No	No
Castletaylor Complex SAC (000242)	Turloughs, heaths, dry grassland and scrubland and limestone pavements. [Conservation Objectives, NPWS 2021]	3.5km northeast	No	No

Galway Bay Complex SAC (000268)	Mudflats, lagoons, inlets and bays, reefs, perennial vegetation of stony banks, colonizing mud and sand, salt meadows, otter, harbour seal, turloughs, heaths, dry grassland and scrubland, fens [Conservation Objectives, NPWS 2013]	4km west	No	No
Inner Galway Bay SPA	20no. birds and general wetland and waterbirds. [Conservation Objectives, NPWS 2013]	4km southwest	No	No

Step 3. Describe the likely effects of the project (if any, alone <u>or</u> in combination) on European Sites

[From the AA Screening Report or the Inspector's own assessment if no Screening Report submitted, complete the following table where European sites need further consideration taking the following into account:

(a) Identify potential direct or indirect impacts (if any) arising from the project alone that could have an effect on the European Site(s) taking into account the size and scale of the proposed development and all relevant stages of the project (See Appendix 9 in Advice note 1A).

(b) Are there any design or standard practice measures proposed that would reduce the risk of impacts to surface water, wastewater etc. that would be implemented regardless of proximity to a European Site?

(c) Identify possible significant effects on the European sites in view of the conservation objectives (alone <u>or</u> in combination with other plans and projects)

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	**Effects**
Site 1: Lough Fingall Complex SAC (000606) Turloughs [3180] Alpine and Boreal heaths [4060] Juniperus communis formations on heaths or calcareous grasslands [5130] Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210] Calcareous fens with Cladium mariscus and species of the Caricion davallianae [7210] Limestone pavements [8240] Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303]	**Direct:** None **Indirect:** Construction disturbance and noise	Loss of foraging grounds for Lesser Horseshoe Bats – this is unlikely to occur due to the minor scale of works proposed and the domestic nature of the overall development. No loss of vegetation or works to any watercourse would occur. Demolition works are minor and not likely to result in significant emissions of dust or noise. Construction works are also minor and short term and unlikely to impact the foraging grounds of Lesser Horseshoe Bats. This conclusions above are strengthened having regard to the location of the site outside of the SAC and the availability of good quality foraging grounds within the SAC.
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? N/A	
	Possibility of significant effects (alone) in view of the conservation objectives of the site* No	

	Impacts	Effects
* Where a restore objective applies it is necessary to consider whether the project might compromise the objective of restoration or make restoration more difficult.		
Step 4 Conclude if the proposed development could result in likely significant effects on a European site		
I conclude that the proposed development (alone) would not result in likely significant effects on Lough Fingall Complex SAC. The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project. No mitigation measures are required to come to these conclusions.		

Screening Determination

Finding of no 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 the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on Lough Fingall Complex SAC in view of the conservation objectives of this site and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The minor scale and domestic nature of the works.
- The absence of any proposals to remove vegetation or generate new water discharges at the site.
- The availability of extensive foraging grounds within the SAC to the north.

Inspector: ______________________________ Date: ________________