



An
Bord
Pleanála

Inspector's Report

ABP-322096-25

Development	Construction of a domestic garage. Natura Impact Statement submitted with this application.
Location	Cill Éinne, Kilronan Lower, Kilronan, Aran Islands, Co. Galway
Planning Authority	Galway County Council
Planning Authority Reg. Ref.	2461323
Applicant(s)	Patrick Mullin
Type of Application	Planning permission
Planning Authority Decision	Grant permission with conditions
Type of Appeal	Third Party
Appellant(s)	Michael Mullan
Date of Site Inspection	13 th June 2025
Inspector	Sarah O'Mahony

1.0 Site Location and Description

- 1.1. The 0.0795ha site is situated at Cuan Chill Éinne on Inis Mór, the largest and most western of the Aran Islands. The site is located at the west of the harbour, to the rear of an existing two storey structure and a separate detached shed which together form part of the streetscape facing east into the harbour. Kilronan Beach is situated to the southwest of the site.
- 1.2. The structure on the site comprises a two storey, four bay pitched roof building with the appearance of a dwelling originally and is referred to throughout the application documents as a dwelling. It has a commercial use on part of the ground floor however with commercial signage across the full front elevation referring to a diving school.
- 1.3. The irregular shaped site includes the open space to the rear comprising bedrock pavement which slopes gently from northwest to southeast. There are some pockets of sub- and topsoil towards the north and west of this area of the site. Boundaries comprise a mix of blockwork and rubble stone walls as well as the rear elevation of the adjacent shed which does not form part of the site.
- 1.4. There is vehicular access provided via an agricultural style gate at the southeast of the site adjacent the shed which is located between the gate and the dwelling. The public road terminates at the gate which then opens into the yard.

2.0 Proposed Development

- 2.1. Planning permission is sought for development which comprises the following:
 - Construction of a detached garage for domestic use.
 - The design at application stage proposed a pitched roof, 5m high structure of 59m² floorspace and finished with smooth render and standard roof tiles.
- 2.2. The application was accompanied by an Appropriate Assessment Screening Report and Construction Environmental Management Plan.
- 2.3. For the purposes of clarity, the Board will note that the development description as advertised on the statutory notices includes the following: '*A Natura Impact Statement will be submitted to the Planning Authority*'. The Applicant submitted an

Appropriate Assessment Screening Report which concluded that a Stage 2 Appropriate Assessment was required and that '*A final determination will be made by the competent authority in this regard*'. The Local Authority sought the preparation of an NIS which was subsequently submitted with the further information response as detailed below.

3.0 Planning Authority Decision

3.1. Further information

3.1.1. The following further information was requested from the applicant:

- Flood Risk Assessment
- Natura Impact Statement
- Revised site layout plan illustrating the location of the existing wastewater treatment system and percolation area servicing the dwelling on site.
- A revised design for the garage to reflect the sensitive iconic landscape designation.
- Submit a justification for the garage.
- Address concerns regarding the feasibility of vehicular access and manoeuvrability to the garage.

3.1.2. The further information response provided a Site-Specific Flood Risk Assessment (SSFRA) and NIS. The design of the structure was revised to comprise a mono pitch 45m² building reaching 4.145m in height.

3.1.3. The illustration of materials on the elevation drawing suggests that the southern gable facing Kilronan Beach would be finished with stone with the remainder comprising smooth render with an unspecified sheeting on the roof. I note an annotation on each elevation states 'smooth plaster finish' however there is clearly a different finish proposed on the southern elevation which in my opinion represents a stone cladding. I consider the annotation on this one southern elevation detail is a typographical error.

- 3.1.4. Vehicular access to the structure was also revised from the southern gable as previously proposed to the western elevation with a new vehicular driveway and turning head within the site.
- 3.1.5. A revised site layout plan illustrated the location of the existing septic tank which would not be impeded by the development. The response states that it is unknown if there is a percolation area on the site as no ground investigations were carried out, however it is presumed there is none due to the age of the dwelling.
- 3.1.6. A justification was submitted which outlined how the applicant intends to renovate the main dwelling and utilise the garage for construction storage during the renovation phase and later for ancillary domestic use.

3.2. Decision

- 3.2.1. A notification to grant planning permission was issued by Galway County Council on 04th March 2025 subject to 9 no. conditions including nos. 2 and 6 as follows:

“2. The development hereby permitted is limited to that solely as advertised under the public notices.

Reason: In the interest of clarity.

6(a) The domestic garage shall be for private use only by the resident(s) of the existing dwelling house on site. It shall be ancillary to the existing dwelling house on site, and it shall not be open to visiting members of the public.

(b) The domestic garage shall not be utilised independently of the main dwelling house on site, either by way of sale, letting or otherwise.

(c) The domestic garage shall not be used for habitable or commercial purposes or any other purpose other than those incidental to the enjoyment of the dwelling house.

Reason: In the interest of proper planning and sustainable development of the area and residential amenity.”

- 3.2.2. Condition nos. 3 and 4 required all mitigation measures and recommendations set out in the NIS, CEMP and SSFRA to be implemented in full.

3.3. Planning Authority Reports

3.3.1. Planning Reports

- There are two case planners reports, one recommending further information and the latter assessing it.
- The Planners report recommendation to grant permission is consistent with the notification of decision which issued.
- Environmental Impact Assessment (EIA) issues are screened out and Appropriate Assessment issues were screened out following receipt of the Natura Impact Statement.
- It noted that the site is located within a Gaeltacht and an Iconic Landscape Sensitivity area in the Island Landscape Designation, outside of any protected views or protected view angles but that it is situated adjacent to the Inishmore Island SAC.

3.3.2. Other Technical Reports

The application was referred to the following however no responses are noted.

- Carraroe Area Council Office
- Conservation Officer
- Environment Section
- Heritage Officer
- Roads Department

3.4. Prescribed Bodies

3.4.1. The application was referred to the following however only one response was received from the Department of Housing, Local Government and Heritage as outlined below.

- An Taisce
- Department of Tourism, Culture, Arts and Gaeltacht
- Fáilte Ireland
- Inland Fisheries Ireland

- The Heritage Council
- Údarás na Gaeltachta
- Department of Housing Local Government and Heritage: The submission outlines 4no. recommendations in the event of a grant of planning permission as follows:
 - *There should be no ingress of vehicles into the cSAC during construction.*
 - *There should be no storage or disposal of construction materials, stone, soil, chemicals or fuel in the cSAC.*
 - *There should be no extraction of natural building materials from the SAC.*
 - *A Construction Environment Management Plan (CEMP) is required.*

3.5. Third Party Observations

One submission is received from Michael Mullan which raises the following matters:

- The scale of the proposal suggests a commercial use is proposed as it is excessive for a domestic garage.
- The domestic garage is proposed to serve a dwelling derelict with a decade.
- The vehicular access is narrow and insufficient to accommodate commercial traffic.
- The site is remote from the main village and therefore unsuitable for a commercial development.
- The lower part of the site is situated in a flood plain during high tide. The construction of a commercial development in this location would infill the site and lead to the loss of flood storage.
- No Environmental Impact Statement was submitted.

4.0 Planning History

69/851: Planning permission granted to Bartely Mullin for the erection of a store in the townland of Kileany.

5.0 Policy Context

5.1. Development Plan

5.2. The site is governed by the policies and provisions contained in the Galway County Development Plan 2022-2028 (referred to hereafter as the CDP).

5.3. Policy Objective IS 2 is the overarching policy regarding development on islands and is set out as follows:

- ‘a) Support sustainable development proposals that contribute to the long term economic and social development of the islands;*
- b) Priority shall be given to development that contributes to retention of the year-round population on the islands, that has a clear and identifiable economic and social benefit and that is compatible with the capacity of the local community to accommodate it;*
- c) Ensure that new development of any kind is sympathetic to the individual form and character of the islands landscapes and traditional building patterns.’*

5.4. Policy Objective NHB 3 seeks the protection of European Sites as follows:

*‘No plans, programmes, or projects etc. giving rise to significant cumulative, direct, indirect or secondary impacts on European sites arising from their size or scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation requirements, duration of construction, operation, decommissioning or from any other effects shall be permitted on the basis of this Plan (either individually or in combination with other plans, programmes, etc. or projects.**

** Except as provided for in Article 6(4) of the Habitats Directive, viz. There must be: (a) no alternative solution available; (b) imperative reasons of overriding public interest for the plan to proceed; and (c) adequate compensatory measures in place.’*

5.5. Section 15.2.4 of the Development Management Standards refers to Other Residential Development (Rural and Urban) and DM Standard 6 therein refers specifically to Domestic Garages (Urban and Rural) as follows:

- *‘The design, form and materials should be ancillary to, and consistent with the main dwelling on site;*
- *Structures may be detached or connected to the dwelling but should be visually subservient in terms of size, scale and bulk;*
- *Storage facilities should be used solely for purposes incidental to the enjoyment of the dwelling and not for any commercial, manufacturing, industrial use or habitable space in the absence of prior planning consent for such use’*

5.6. The site is situated in a landscape classified as having an iconic sensitivity according to section 8.13.2 of the CDP. Policy Objective LCM 3 is relevant and set out as follows:

‘Consideration of landscape sensitivity ratings shall be an important factor in determining development uses in areas of the County. In areas of high landscape sensitivity, the design and the choice of location of proposed development in the landscape will also be critical considerations.’

Section 15.7.2 of the Development Management Standards refers to Landscape Sensitivity and states that the control of permissible development shall be in accordance with the policies as they relate to the four sensitivity classes of landscape in Section 8.13.2 of this plan. It will deem the following types of development generally to be acceptable in the various areas of sensitivity as follows:

‘Class 4 – Iconic: Negligible alterations will be allowed only in exceptional circumstances.’

5.7. Natural Heritage Designations

5.7.1. The site is situated 2m northwest of the boundary with Inishmore Island proposed Natural Heritage Area (pNHA) and 8m northwest of the boundary with Inishmore Island Special Area of Conservation (SAC). Inishmore Special Protection Area (SPA) is situated 1.8km to the east.

5.8. EIA Screening

- 5.8.1. 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.

6.0 The Appeal

6.1. Grounds of Appeal

One appeal is received from Michael Mullen which raises the following matters:

- The proposed structure is grossly excessive for a domestic garage and is clearly proposed for a commercial use.
- The proposed structure is stated to serve and be ancillary to an adjacent dwelling which has been vacant for ten years. Therefore, the garage is clearly not for domestic purposes.
- The existing road has insufficient width or alignment to serve a commercial premises in the future.
- The lower part of the site is situated in a tidal flood zone at high tide. Infilling the site with a commercial development removes this flood storage area.
- In the event permission is granted the appellant supports the inclusion of condition nos.2 and 6 which restrict the use of the garage.

6.2. Applicant Response

- The scale of the garage is modest. The Local Authority has granted permission for much larger garages.
- The Applicant intends to renovate the dwelling in the near future and utilise the garage for construction materials as well as general ancillary storage.
- Allegations of potential commercial use are unfounded. Condition no. 6 addresses any such concerns.

- The appellants concerns regarding the roadway width demonstrate that it is suitable for domestic access only as proposed.
- A Site-Specific Flood Risk Assessment is submitted which addresses flooding concerns.

6.3. Planning Authority Response

- None received.

7.0 Assessment

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

- Principle and proposed use
- Design
- Vehicular access
- Flooding

7.2. Principle

- 7.2.1. The applicant has sought permission to erect a garage, for specified domestic use, within the curtilage of a dwelling. A justification for the structure was provided in the further information response which specifies that a domestic use is proposed and appropriate conditions are attached which would restrict the use for domestic purposes only.
- 7.2.2. The appeal suggests that a commercial use is proposed however no evidence is submitted to support this. Further, as every planning application is assessed on its own merits, any such potential future use would be subject to a separate assessment at that point in time. As a domestic use only is sought in this application,

and appropriate conditions can be attached to limit the use to such purposes, I consider the principle of development is acceptable.

7.3. Design

- 7.3.1. The design was changed at the further information stage and I consider the revised proposal with a reduced scale to be more appropriate for the site and its immediate context. The structure would be clustered together with existing buildings providing visual screening and maximising the remaining private outdoor space on the site.
- 7.3.2. The mono pitch roof and proposed stone cladding reflects a vernacular design as well as the existing stone shed immediately adjacent to the east. Having regard to the matter raised previously regarding clarity of proposed external finishes, I recommend a condition is attached requiring a stone cladding to be provided on the southern elevation. The reduced floorspace and ridge height are, in my view more appropriate for a domestic setting and use and I do not consider 45m² is an excessive floorspace for a domestic garage.
- 7.3.3. The revised design places a window on the southern elevation facing Kilronan Beach in lieu of the previously proposed roller door. I consider this is a more aesthetically pleasing design response which respects the iconic sensitivity of the landscape character of the island.

7.4. Vehicular Access

- 7.4.1. The appeal suggests that the existing public road accessing the gate at the south of the site is insufficient to cater for commercial vehicles, however a commercial use is not sought under this application. Further, the conditions attached to the notification to grant permission do not permit any commercial use.
- 7.4.2. Having inspected the site and the adjacent road I consider it is adequate to cater for domestic vehicles as proposed.
- 7.4.3. I note the revised design as received during the further information response relocates the vehicular access to the shed to the side western elevation on foot of concerns raised in the further information request. It is also proposed to provide a

new driveway from the existing gate to the new vehicular access on the garage (roller door type opening) as well as a T-shaped hammerhead turning area.

- 7.4.4. I consider this arrangement is acceptable for the proposed domestic use.

7.5. Flooding

- 7.5.1. The appeal suggests that infilling the site with a commercial development would be inappropriate as it would remove flood storage from the area.
- 7.5.2. A site-specific Flood Risk Assessment was received as part of the further information response which identifies that the proposed use as a domestic garage is a less vulnerable land use. It also identifies that the general area of the site is situated in an area at risk of coastal flooding only however the majority of the site, including the area where the proposed garage would be situated, are all situated above the predicted 0.1% AEP + climate change flood level and therefore there would be adequate freeboard provided.
- 7.5.3. It also concludes that flood flow paths are not impeded and no flood storage is removed from the site. It does not clarify how this conclusion was drawn however I agree with the conclusion as the location of existing buildings prevents the flow of any flood waters in this direction through the site. Therefore the provision of a new building adjacent the existing shed would not significantly impede any flow, in the unlikely event one exists. Further, regarding flood storage, the report demonstrates that the location of the garage is situated outside of the flood zone and therefore is not likely to impact flood storage. In the event of any extreme flood event however I consider that the 45m² scale of the structure would be insignificant in terms of providing additional greenfield storage.
- 7.5.4. I therefore consider all flood matters to be addressed and do not consider it likely that the proposed development would be subject to flood risk or would create additional flood risk for adjacent property.

8.0 AA Screening

- 8.1. In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on Inishmore Island SAC in

view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of S177V was required.

8.2. Following an examination, analysis and evaluation of the NIS all associated material submitted and taking into account observations of the Department of Housing, Local Government and Heritage, I consider that adverse effects on site integrity of Inishmore Island SAC can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.

8.3. My conclusion is based on the following:

- Detailed assessment of construction and operational impacts.
- The proposed development will not affect the attainment of conservation objectives for reefs or harbour porpoise.
- Effectiveness of mitigation measures proposed and adoption of the CEMP.

9.0 Recommendation

I recommend that planning permission is granted in accordance with the conditions set out below.

10.0 Reasons and Considerations

Having regard to the location and character of the site and surrounding area in a rural area together with the provisions of the Galway County Development Plan 2022-2028 including policy objective IS 2 and DM Standard 6, the iconic landscape sensitivity of the site and its location adjacent to the Inishmore Island Special Area of Conservation, it is considered that, subject to compliance with the conditions set out below, the scale and nature of the development is acceptable and would not seriously injure residential or visual amenity of the island. The development is, therefore, 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 20th day of January 2025, 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 particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>(a) The domestic garage shall be for private use only by the resident(s) of the existing dwelling house on site. It shall be ancillary to the existing dwelling house on site, and it shall not be open to visiting members of the public.</p> <p>(b) The domestic garage shall not be utilised independently of the main dwelling house on site, either by way of sale, letting or otherwise.</p> <p>(c) The domestic garage shall not be used for habitable or commercial purposes or any other purpose other than those incidental to the enjoyment of the dwelling house.</p> <p>Reason: In the interest of proper planning and sustainable development of the area and residential amenity.</p>
3.	<p>The mitigation measures contained in the submitted Natura Impact Statement (NIS), shall be implemented.</p> <p>Reason: To protect the integrity of European Sites.</p>
4.	<p>The measures contained in the Construction Environmental Management Plan shall be implemented in full and shall include the following:</p>

	<p>(a) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;</p> <p>(b) Site development and building works shall be carried out between the hours of 08:00 to 18:00 Mondays to Fridays inclusive, between 09:00 to 17:00 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.</p> <p>Reason: In the interest of public safety and amenity.</p>
5.	<p>The measures contained in the submitted Site-Specific Flood Risk Assessment shall be implemented.</p> <p>Reason: In the interest of proper planning and sustainable development.</p>
6.	<p>The southern elevation of the garage shall be finished with a natural stone native to the area.</p> <p>Reason: In the interest of architectural and visual amenity.</p>
7.	<p>The [attenuation and] disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.</p> <p>Reason: In the interest of public health.</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.

Sarah O'Mahony
Planning Inspector

18th June 2025

Appendix 1

EIA Pre-Screening

Case Reference	322096-25
Proposed Development Summary	Domestic garage
Development Address	Cill Éinne, Kilronan Lower, Kilronan, Aran Islands, 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)	<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 checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2,	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

<p>Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	<p>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.</p>
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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"/>	Screening Determination required (Complete Form 3)
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: _____

Appendix 2
Standard AA Screening Determination Template
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	Construction of a detached garage for domestic use within the curtilage of a dwelling.
Brief description of development site characteristics and potential impact mechanisms	<p>The 0.0795 site is situated on Inishmore Island, adjacent to Kilronan Harbour. No wastewater would be produced as a result of the development and surface water would infiltrate to ground. A works timeframe is not set out in the accompanying Construction Environmental Management Plan however given the scale and nature of the development I consider it is likely to be 6 months.</p> <p>Inishmore Island SAC is situated 8m southeast of the site with the intervening land comprising an access road, the foreshore and some of the front curtilage of the site.</p>
Screening report	Yes, prepared by Moore Group Environmental Services
Natura Impact Statement	Yes, prepared by Moore Group Environmental Services
Relevant submissions	<p>One submission was received from Department of Housing, Government and Heritage made the following recommendation:</p> <ul style="list-style-type: none"> • There should be no ingress of vehicles into the cSAC during construction. • There should be no storage or disposal of construction materials, stone, soil, chemicals or fuel in the cSAC. • There should be no extraction of natural building materials from the SAC. <p>A Construction Environment Management Plan (CEMP) is required.</p>
I note the Screening Report and NIS omit harbour porpoise from its list of Qualifying Interests for the Inishmore Island SAC, however I have included it below for full consideration of impacts.	
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
Inishmore SPA (004152)	Kittiwake Artic Tern Guillemot Little Tern Conservation Objectives (October 2022)	1.9km	Indirect via surface water	Y
Inishmore Island SAC 00213)	16no. coastal habitats Whorl snail Harbour porpoise Conservation Objectives (December 2024)	8m	Indirect via surface water	Yes

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

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: Inishmore SPA (004152) Kittiwake Artic Tern Guillemot Little Tern	Direct: None Indirect: Negative impacts (temporary) on surface water/water quality due to construction related emissions including increased sedimentation and construction related pollution. Noise and vibration negative impacts during the construction phase.	Disturbance/displacement Changes to habitat quality/function Habitat loss/ modification Undermine conservation objectives related to water quality
	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? No	
	Possibility of significant effects (alone) in view of the conservation objectives of the site* No due to scale of proposed works and distance from SPA	
	Impacts	Effects

<p>Site 2: Inishmore Island SAC 00213)</p> <p>Coastal lagoons [1150] Reefs [1170] Perennial vegetation of stony banks [1220] Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] Embryonic shifting dunes [2110] Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] Dunes with <i>Salix repens</i> ssp. <i>argentea</i> (<i>Salicion arenariae</i>) [2170] Humid dune slacks [2190] Machairs (* in Ireland) [21A0] European dry heaths [4030] Alpine and Boreal heaths [4060] Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>) (* important orchid sites) [6210] Lowland hay meadows (<i>Alopecurus pratensis</i>, <i>Sanguisorba officinalis</i>) [6510] Limestone pavements [8240] Submerged or partially submerged sea caves [8330]</p>	<p>Direct: None</p> <p>Indirect: Negative impacts (temporary) on surface water/water quality due to construction related emissions including increased sedimentation and construction related pollution.</p> <p>Noise and vibration negative impacts during the construction phase.</p>	<p>Disturbance/displacement Changes to habitat quality/function</p> <p>Habitat loss/ modification</p> <p>Negative affect on habitat quality/ function and prey availability/ undermine conservation objectives related to water quality.</p>
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Vertigo angustior (Narrow-mouthed Whorl Snail) [1014] Phocoena phocoena (Harbour Porpoise) [1351]		
	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? No	
<p>The scale and nature of the proposed development means it is unlikely to result in any significant effects, however its proximity to the Inishmore Island SAC means the precautionary approach should be taken and a CEMP prepared in order to have confidence in surface water management at the site during the construction phase.</p> <p>Impacts from noise and vibration are screened out due to the scale of the proposed development, its likely construction period and the likely construction methodology which would not require significant piling or boring.</p> <p>Impacts to whorl snail are also screened out due to a lack of suitable habitat on the site.</p>		
Step 4 Conclude if the proposed development could result in likely significant effects on a European site		
<p>It is not possible to exclude the possibility that proposed development alone would result significant effects on [insert European site(s)] from effects associated with [insert effects]. An appropriate assessment is required on the basis of the possible effects of the project ‘alone’. Further assessment in-combination with other plans and projects is not required at screening stage.</p>		

Screening Determination

Significant effects cannot be excluded

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 Inishmore Island SAC European Site in view of the sites conservation objectives. Appropriate Assessment is required.

This determination is based on:

- The application documentation including the AA Screening, NIS and CEMP,
- The submission received from the Department of Housing, Local Government and Heritage,
- The relevant qualifying interests and site specific conservation objectives, and

- The scale and nature of the proposed development.

Appendix 3

AA Determination

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 construction of a domestic garage in view of the relevant conservation objectives of Inishmore Island SAC based on scientific information provided by the applicant and considering expert opinion set out in observations on nature conservation.

The information relied upon includes the following:

- Appropriate Assessment Screening Report prepared by Moore Group Environmental Services
- Natura Impact Statement prepared by Moore Group Environmental Services
- Construction Environmental Management Plan
- An observation made by the Department of Housing, Local Government and Heritage.

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

One submission received from Department of Housing, Local Government and Heritage made the following recommendation:

- There should be no ingress of vehicles into the cSAC during construction.
- There should be no storage or disposal of construction materials, stone, soil, chemicals or fuel in the cSAC.
- There should be no extraction of natural building materials from the SAC.

- A Construction Environment Management Plan (CEMP) is required.

Inishmore Island Special Area of Conservation (000213):

Summary of Key issues that could give rise to adverse effects (from screening stage):

- (i) Water quality degradation (construction and operation)**
- (ii) Disturbance of mobile species**

Qualifying Interest features likely to be affected	Conservation Objectives	Potential adverse effects	Mitigation measures (summary)
Reefs [1170]	Maintain favourable conservation condition. Attributes comprise habitat area, distribution and community structure while the targets comprise having a stable or increasing area and distribution as well as conserving intertidal, laminaria-dominated and subtidal communities.	Surface water discharges during the construction phase could impact water quality. No construction phase impacts are likely to occur.	NIS section 3.4 and CEMP section 6.3 Best practice pollution control measures relating to handling of potentially polluting materials such as concrete and fuel. Detailed surface water management measures are not specified beyond statements that best practice construction methods will be utilised to prevent local impacts.
Phocoena phocoena (Harbour Porpoise) [1351]	Maintain favourable conservation condition. Attributes comprise access to suitable habitat and disturbance. The associated targets comprise no restriction by physical barriers and no adverse affect from human activities.	Surface water discharges during the construction phase could impact water quality. No physical barriers are proposed and noise and vibration matters have already been screened out. No construction phase impacts are likely to occur.	

The above table is based on the documentation and information provided on the file as well as the information publicly available on the NPWS website.

In-combination effects

Plans and projects that could act in combination with the proposed development are detailed and assessed.

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 this European site.

Based on the information provided, I am 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 would be temporary in nature and mitigation measures are described to prevent ingress of silt and pollution laden surface water. I am satisfied that the mitigation measures proposed to prevent adverse effects have been assessed as effective and can be implemented. In combination effects are not likely to occur.

Reasonable scientific doubt

I am satisfied that no reasonable scientific doubt remains as to the absence of adverse effects.

Site Integrity

The proposed development will not affect the attainment of the Conservation objectives of Inishmore Island SAC. Adverse effects on site integrity can be excluded and no 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 Inishmore Island SAC in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of S177V was required.

Following an examination, analysis and evaluation of the NIS all associated material submitted and taking into account observations of the Department of Housing, Local Government and Heritage, I consider that adverse effects on site integrity of Inishmore Island SAC can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.

My conclusion is based on the following:

- Detailed assessment of construction and operational impacts.
- The proposed development will not affect the attainment of conservation objectives for reefs or harbour porpoise.
- Effectiveness of mitigation measures proposed and adoption of the CEMP.

Inspector: _____

Date: _____