



An  
Coimisiún  
Pleanála

## Inspector's Report ABP-322511-25

### Development

Replace existing marquee function room with permanent structure which will include toilets, bar, connections to existing services and all ancillary works

A Natura Impact Statement (NIS) was submitted with this application.

### Location

Óstan Arann Killeany, Cill Éinne, Aran Islands, Co Galway.

### Planning Authority

Galway County Council.

### Planning Authority Reg. Ref.

24116.

### Applicant(s)

Abalone Hospitality Ltd T/A Aran Islands Hotel.

### Type of Application

Permission.

### Planning Authority Decision

Grant Permission.

### Type of Appeal

Third Party.

### Appellant(s)

Eamon Fitzpatrick.

### Observer(s)

None.

**Date of Site Inspection**

22<sup>nd</sup> July 2025.

**Inspector**

C. Daly

## **1.0 Site Location and Description**

- 1.1. The subject site, of area 0.92ha, on Inis Mór, in a rural area, consists of a part single and part two storey hotel building with flat roof element to the front and two parallel pitched roof elements to the rear, chalets to the rear and a temporary marquee type structure with two low pitched roofs to the front side of the hotel building. The buildings and structures are set back from the front boundary by a grass area and the site slopes uphill from the front towards the rear with the marquee at a somewhat lower level than the hotel building and the chalets on the hill to rear of the hotel.
- 1.2. There are a number of detached dwellings in the vicinity of the site, including one adjacent to the east, three in a line to the south, one immediately to the north-west and three further to the north-west adjacent to Kilronan beach and the bay. There are also two mobile homes to the east of the site close to the public road. The area otherwise in the vicinity consists of small grass and rock fields bounded by traditional stone walls.
- 1.3. The site is accessed from a private road connected to the local road (L-5200) which links the site to Kilronan village and harbour c.450m to the north-east. Inis Mór is the largest of the three Aran Islands c.1km to the south of the Connemara coast.

## **2.0 Proposed Development**

- 2.1. The proposed development, in summary, consists of the following:
  - Replacement of the marquee function room with a permanent function room of 370sqm structure to include toilets, bar, and connections to existing services with a single storey rectangular flat roof adjacent to the front side of the hotel.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

Galway County Council initially decided to request further information in relation to a Natura Impact Statement (NIS) given the close proximity to Inishmore Island SAC, details in relation to the current functioning of the existing on-site wastewater

treatment system (WWTS) and how it can accommodate the proposal, a revised site layout plan showing existing surface water disposal and in relation to the P.A.'s concerns for the design of the structure in an iconic landscape designation, residential amenity impacts in terms of overlooking, acoustics and lighting with a design solution, design details, landscaping, lighting scheme and photomontages requested in relation to these issues.

The P.A. following receipt of significant further information which was advertised, subsequently requested clarification of further information in relation to further clarity on the acoustic measures to mitigate the noise disturbance for adjoining properties and issues with changes to the position of the red line boundary.

The P.A., following receipt of C.F.I. decided to grant permission subject to 17 no. conditions. Notable conditions include:

- Condition no. 2 limits the development to that described in the public notices only and provides that no intensification or change of use take place without a prior grant of permission.
- Condition no. 3 requires the implementation of the mitigation measures outlined in Section 3.4 of the NIS with certification required by the Construction Environmental Manager.
- Condition no. 4 requires that no music or amplified sound be emitted to the surrounding residential properties or broadcast in a manner that would cause a nuisance and noise standard noise limits are imposed.
- Condition no. 5 requires noise monitoring twice a year as part of a Noise Impact Assessment, a permanent noise monitoring point, an electric noise limiter on the sound system and written confirmation from a suitably qualified person of the implementation of the measures.
- Condition no. 6 requires the bar area to only operate during normal licensing hours.
- Condition no. 7 required windows of powder coated aluminium and/or timber frames and/or non-white uPVC, external door details to be agreed, colour of the roof structure to be black/brown/grey, colour of rainwater goods to be dark

in colour/match the roof colour and a schedule of all external material to be agreed in writing with the P.A..

- Condition no. 8 requires no additional development above roof level.
- Condition no. 9 relates to surface water disposal to accord with BRE Digest 365 and with the documents received with only clean water to be discharged to the soakaway system.
- Condition no. 10 requires the servicing of the site by the existing wastewater treatment system to EPA standards.
- Condition no. 13 requires the landscaping plan to be carried out per the details submitted and the lateral boundaries of the site to be landscaped with native plant and tree species and semi-mature native deciduous trees for the front boundary.
- Condition no. 14 requires all external lighting to be cowled and directed away from surrounding properties.
- Condition no. 15 requires no further signs.
- Condition no. 16 requires no advertising or advertising structures.

### **3.2. Planning Authority Reports**

#### **3.2.1. Planning Reports**

The initial Planner's Report assessment considered the principle of development to be acceptable having regard to the established hotel use of the site. It noted the submitted Hydrogeological assessment for the WWTS which noted no change to the effluent loads. The assessment noted that evidence that the existing WWTS is functioning and can cater for the permanent structure is not provided. Concerns were noted in relation to surface water disposal with the soakpit location not indicated.

The report noted serious concerns in relation to impacts on residential amenity in the vicinity including in terms of noise, overlooking and lighting. While noting unsolicited information was received in relation to construction materials, it noted further consideration of this is required. A design report and photomontages were noted to be required and robust materials also required. A landscaping plan was

recommended to assimilate the development. Accordingly further information was recommended to be requested as outlined in Section 3.1 above.

The second Planner's Report considered the significant further information received. In relation to the NIS, it noted that significant effects on the Inishmore Island SAC can be ruled out with the implementation of appropriate mitigation measures in relation to surface and groundwater impacts. It also noted the submission of a Construction Environmental Plan. The response to F.I. Item no. 1 was deemed satisfactory and it recommended a condition be attached to require the implementation of the mitigation measures within the NIS and that it be overseen by a qualified ecologist.

In relation to F.I. item no. 2, it noted the report from Drain Power Environmental Ltd which indicated that the WWTS is functioning as designed and is fit for purpose and with sufficient capacity. It noted that the system components are well maintained, fit for purpose and signed by an EPA approved Site Assessor with photos included. It noted the provided site layout plan with minimum separation distances from the existing treatment system and percolation area to the proposed structure provided. This was deemed satisfactory.

In relation to F.I. item no. 3, the Storm Water Report was noted including the details in relation to a petrol interceptor and run-off calculations. It noted the Site Layout Plan accompanying the report also includes a red line at variance with the previous outline and that C.F.I. is recommended in relation to same.

In relation to F.I. item no. 4, it noted that robust details in relation to the mitigation of noise were not provided and that C.F.I. is recommended. It noted the lighting report shows lighting impacts. C.F.I. was recommended in relation to noise impacts and in relation to the site boundary position.

The final Planner's Report following C.F.I. noted in relation to C.F.I. item no. 1 that the proposed wall lining sound attenuation has been assessed and noted to provide a weighted sound reduction factor of 60dB and it notes that the existing structure has no sound attenuation. This was deemed satisfactory. In relation to C.F.I. item no. 2, the applicant confirmed that the drawing with the changed red line related only to surface water disposal and the wide site with the planning boundary unchanged.

This was deemed satisfactory. The report considered the proposal acceptable and recommended a grant of permission subject to 17 no. conditions.

#### 3.2.2. Other Technical Reports

- Carraroe Area Office: no report received.
- Heritage Officer: no report received.

#### 3.3. Prescribed Bodies

- An Taisce: Notes concerns in relation to enforcement history and adequacy of wastewater treatment with wider concerns noted in relation to the island. Recommended detail WWTS assessment and usage.
- Department of Tourism, Culture, Arts and the Gaeltacht: no report received.
- Fáilte Ireland: no report received.
- Department of Housing, Local Government and Heritage: An AA Screening Report is required and an assessment of the potential impact on Inishmore Island SAC is required. Have regard to CDP policies.
- The Heritage Council: no report received.
- Údarás na Gaeltachta: no report received.

#### 3.4. Third Party Observations

6 no. third party submissions were received prior to F.I. stage which can be summarised as follows:

- Concerns in relation to visual impact on the area and external finishes.
- Concerns given lightweight structure proposed and existing causes noise disturbance with no sound insulation.
- Concerns in relation to anti-social behaviour and lack of mitigation.
- Concerns in relation to impact on residential amenity including from noise, overlooking and loss of privacy.
- Concerns in relation to pollution impacts on wastewater with new hydrogeological assessment required.
- Concerns in relation to existing planning compliance.

- Concerns in relation to lack of construction and materials details.
- Concerns in relation to increased number of late night events.
- Concerns in relation to light pollution.
- Concerns regarding contradictions in certain documentation.

Following F.I. stage three no. third party observations were received which can be summarised as follows:

- Sound proof construction requires a professional acoustic designer and prefab rockwool panels will fail in this regard.
- Windows will need to be sealed and with sound proof glass and an acoustic floating floor is required, doors will need to be appropriately constructed and a double door lobby would be needed.
- Privacy concerns and unclear where doors and windows will be located.
- The photomontages on the website are dark and do not give a fair representation.
- Building material are easily transported to the island via boat.
- Sleep deprivation at weekends is a significant issue.
- The proposal is for a large late night music venue.
- Some weddings are now three day events.
- There is existing light pollution from the site with an intervention required for the existing lighting.
- The number of doors on the south elevation presents a problem for residents to the south. Open doors allow sound to escape.
- Environmental benefits of the construction methods should not distract from the need to provide adequate sound proofing.
- Weddings are a big part of the business as acknowledged in the Design Statement.
- Adherence is required to the Construction Environmental Management Plan.
- An absence of noise complaints is not indicative of no noise concerns.



- Overlooking would also arise from guests using the grounds.
- A self monitoring scheme for sound levels is lacks credibility.
- A time limit to 9pm with no more than two events per month would be appropriate.
- Euroclad panels are for industrial estates and factories.
- Meaningful consultation with neighbours is required.

Following C.F.I. stage one no. third party observation was received which can be summarised as follows:

- Concerns that previous submissions not addressed.

## 4.0 Relevant Planning History

**17/234:** Permission granted by the P.A. for 40 no. detached freestanding bedroom chalets, footpaths and access ways, service connections to existing hotel, sewerage system to connect to existing facility, landscaping. GFA 996sqm.

This is a 10 year permission after which period condition no. 2 requires the removal of all the structures on the site.

**05/4899:** Permission granted by the P.A. for extension to existing hotel consisting of 12 new bedrooms, conference room, health and beauty suite, fitness area and associated services (GFA 729.2m<sup>2</sup>).

**04/2214:** Permission granted by the P.A. for an extension to existing hotel consisting of a laundry room and an office (GFA 43.6m<sup>2</sup>)

**03/3887:** Permission granted on appeal (ref. PL.07.205188) for extension to bar and restaurant, conversion of attic of approved bedroom block for use as 7 no. bedrooms, extension for 15 no. bedrooms, associated rooms, boiler house, relocation of treatment works, retention of basement for storage etc and retention and completion of approved hotel.

**02/887:** Permission granted by the P.A. for the demolition of existing restaurant, chalet and associated structures, for provision of new hotel and to include bar, dining room, kitchen, toilets and staff facilities, provision of constructed percolation area.

## 5.0 Policy Context

### 5.1. Galway County Development Plan 2022-2028 (the CDP)

The subject site is located within An Gaeltacht and within an “island landscape” area classified as a Class 4 Iconic Landscape Sensitivity Area.

#### Chapter 8 – Tourism and Landscape

- *Section 8.10.1 Heritage Tourism*
- *HT2 Heritage Assets*

*To support and protect the heritage assets (built and natural) that are the focus for tourism development and that best practice standards in relation to the environmental management of tourism enterprises are adhered to.*

- *HT3 Sustainable Tourism Industry*

*To support the development of a more sustainable tourism industry which minimises adverse impacts on local communities, the built heritage, landscapes, habitats and species; leaving them undiminished as a resource for future generations, while supporting social and economic prosperity.*

- *Section 8.13 Landscape*
- *Section 8.13.2 Landscape Sensitivity*

The site is located within an “island landscape” area. It is also classified as within a Class 4 Iconic Landscape Sensitivity Area with a “*high sensitivity to change*”.

#### Chapter 10 – Natural Heritage, Biodiversity and Green/Blue Infrastructure

- *NHB 1 Natural Heritage and Biodiversity of Designated Sites, Habitats and Species Protect and where possible enhance the natural heritage sites designated under EU Legislation and National Legislation (Habitats Directive, Birds Directive, European Communities (Birds and Natural Habitats) Regulations 2011 and Wildlife Acts) and extend to any additions or alterations to sites that may occur during the lifetime of this plan.*
- *NHB 2 European Sites and Appropriate Assessment*

*To implement Article 6 of the Habitats Directive and to ensure that Appropriate Assessment is carried out in relation to works, plans and projects likely to impact on European sites (SACs and SPAs), whether directly or indirectly or in combination with any other plan(s) or project(s). All assessments must be in compliance with the European Communities (Birds and Natural Habitats) Regulations 2011. All such projects and plans will also be required to comply with statutory Environmental Impact Assessment requirements where relevant.*

- **NHB 3 Protection of European Sites**

*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.\**

- **NHB 11 Increases in Visitor Numbers to Semi-Natural Areas, Visitor and Habitat Management** *Seek to manage any increase in visitor numbers in order to avoid significant effects including loss of habitat and disturbance, including ensuring that any new projects, such as greenways, are a suitable distance from ecological sensitivities, such as riparian zones. Where relevant, the Planning Authority and those receiving permission for development under the Plan shall seek to manage any increase in visitor numbers and/or any change in visitor behaviour in order to avoid significant effects, including loss of habitat and disturbance. Management measures may include ensuring that new projects and activities are a suitable distance from ecological sensitivities. Visitor/Habitat Management Plans will be required for proposed projects as relevant and appropriate.*

- **WR 1 Water Resources**

*Protect the water resources in the plan area, including rivers, streams, lakes, wetlands, springs, turloughs, surface water and groundwater quality, as well as surface waters, aquatic and wetland habitats and freshwater and water*

*dependant species in accordance with the requirements and guidance in the EU Water Framework Directive 2000 (2000/60/EC), the European Union (Water Policy) Regulations 2003 (as amended), the River Basin District Management Plan 2018 – 2021 and other relevant EU Directives, including associated national legislation and policy guidance (including any superseding versions of same) and also have regard to the Freshwater Pearl Mussel Sub-Basin Management Plans.*

## Chapter 13 – The Galway Gaeltacht and Islands

- Section 13.5 An Gaeltacht
- Section 13.5.5 District E: Oileáin Árann:

*The main group of islands of the coast of County Galway are referred to as the Oileáin Árann. The largest island is Inis Mór, the middle and second largest is Inis Meáin and the smallest and most eastern is Inis Oírr which is only 25km off the county Clare coastline. The three islands of Oileáin Árann are formed of limestone. The geology of the islands are mainly karst limestone, an extension of the karstic region of the Burren. The landscape is dominated by Karstified terraces.*

- Section 13.6 Preserving and Promoting An Gaeltacht in the Planning Process
- Section 13.7 Islands

*...A number of the islands have European/national designations in the form of SAC's, SPA's and NHA's and are also located with sensitive landscape within the Landscape Character Assessment contained in Appendix 4 of the plan. It is essential that any proposed development would take cognisance of these designations to ensure that development would not have an adverse impact on the islands and their characteristics. A visual impact assessment is normally required due to the environmental and landscape sensitivities...*

### *IS 1 Economic and Tourism Development on the Islands*

*Support the economic and tourism development of the islands for the benefit of island communities generally and to encourage the development of speciality or niche economic sectors that might be appropriate to different islands.*

- Section 13.8 Economic Development of Gaeltacht and Islands
- GIED 1 Economic Development in An Ghaeltacht and the Islands

*To promote and support developments that contribute to the economic development of the Gaeltacht and Islands in a sustainable manner at suitable locations.*

- Section 13.9 Culture and Tourism within the Gaeltacht and Islands
- GICT 3 Tourism Development within An Ghaeltacht and Islands

*(a) Encourage and facilitate the development of the tourism potential of the Gaeltacht and Islands in a manner that respects, builds on, protects and enhances the cultural, built and natural heritage and local amenities of the area;*

#### Chapter 15 – Development Management Standards

- Section 15.3 Rural Living and Development
- DM Standard 11: Landscaping

*'Landscaping proposals should be submitted with all planning applications for development and shall include a schedule of indigenous native plant species and implementation timeline'.*

- Section 15.6 – Infrastructure, Utilities and Environmental Protection
- DM Standard 38: Effluent Treatment Plants

*The suitability of a site for the treatment of wastewater shall be determined, in accordance with the criteria set down in the EPA Wastewater Treatment Manuals (1999, 2009) or any revision or replacement of these manuals or any guidelines issued by the EPA concerning the content of these manuals.*

- *For single houses the EPA Wastewater Treatment Manuals-Treatment Systems for Single Houses 2009 (including any updated or superseding document) shall apply;*
- *For larger developments (where appropriate) the EPA Wastewater Treatment Manuals-Treatment Systems for Small Communities, Business, Leisure*

*Centres and Hotels shall apply.*

- Section 15.7.1 – Tourism Related Developments
- DM Standard 43: Tourism Infrastructure and Holiday Orientated Developments

*While seeking to ensure that most tourism development locate in or close to towns and villages, the Council recognises that by its nature, some tourism development may require other locations...*

*b) Holiday Orientated Developments Holiday villages shall have regard to the following:*

- *The scale of the development should be of modest proportions and should relate to the size of the settlement;*
- *The design of the scheme should be to a high standard and should include the preservation of boundary characteristics and significant site features as well as car parking provision, segregated waste storage area, public lighting;*
- *In general, stand alone holiday orientated development schemes or new tourism facilities which cannot demonstrate connectivity to existing settlements shall not be permitted in the open countryside. In exceptional cases, where it can be demonstrated that facility is dependent on physical or locational constraints which are site specific, consideration may be given to such facilities;*
- *All new developments must have regard to the Galway Design Guidelines for the Single Rural House.*

- Section 15.7.2 – Landscape Sensitivity
- DM Standard 46: Compliance with Landscape Sensitivity Designations

*Subject to the provisions of the plan but in particular the settlement policies of Chapters 2, 3 & 4 and the consequent restriction on development in rural areas, 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. (Table 15.6: Landscape Sensitivity Designations)*

- Section 15.9 Natural Heritage, Biodiversity and Green Infrastructure
- DM Standard 50: Environmental Assessments

*The following measures shall be applied in respect of designated environmental sites:*

*a) Appropriate Assessment Screening for Appropriate Assessment and/or Appropriate Assessment will be required with all applications where it is considered that the proposed development may impact (directly and indirectly), or in combination with other projects, on a Natura 2000 designated site i.e., a Special Area of Conservation (SAC) or a Special Protection Area (SPA), to inform decision making. The appropriate assessment shall be carried out in accordance with Article 6 of the Habitats Directive the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended), as relevant...*

- Section 15.13.2 – Surface Water Drainage and Flooding
- DM Standard 67: Sustainable Drainage Systems' (SuDS)

*All new developments (including amendments / extensions to existing developments) will be required to incorporate 'Sustainable Urban Drainage Systems' (SuDS) as part of the development/design proposals. SuDS are effective technologies, which aim to reduce flood risk, improve water quality and enhance biodiversity and amenity. The systems should aim to mimic the natural drainage of the application site to minimise the effect of a development on flooding and pollution of existing waterways.*

## **5.2. National Guidance**

- EPA Code of Practice 2021: "Domestic Waste Water Treatment Systems (Population Equivalent  $\leq 10$ )". (The EPA Code).
- Wastewater Treatment Manuals – Treatment Systems for Small Communities, Business, Leisure Centres and Hotels (1999). (The EPA Small Communities Code).

## **5.3. Natural Heritage Designations**

In relation to designated sites, the subject site is located:

- 0.08km east of Inishmore Island Special Area of Conservation (SAC) and Proposed Natural Heritage Area (PNHA) (site code 000213).
- c.1.43km north-west of Inishmore Special Protection Area (SPA) (site code 004152).

## 6.0 The Appeal

### 6.1. Grounds of Appeal

One third party appeal by Eamon Fitzpatrick has been received and this can be summarised as follows:

#### Sound Disturbance

- In relation to sound insulation, the two documents submitted by different companies do not suggest that detailed noise mitigation assessments have been conducted.
- The most disruptive noises for music between 40hz and 200hz which are the most disruptive for neighbours will be the least attenuated according to the INSUL figures.
- How will the noise limiting measures actually work?
- There is no third party sound expert statement and/or empirical assessment to demonstrate sound reduction efficacy.

#### Other Disturbance

- Failure to address gatherings of noisy guest at the boundary walls late into the night.
- 20 noisy weddings a year will likely mean an average of one per weekend in spring and summer impacting on the quiet amenity of adjacent residences.

#### Waste Water Plant

- The documentation submitted notes the WWTS system running close to capacity before a weekend event and at capacity with full occupancy.
- The Waste Water Report (WWR) fails to define full occupancy by numbers of staff and patrons and has not defined what will be full staffing and patronage.



- There is also a separate bar and restaurant where the number of clients is not dictated by the available hotel rooms.
- It is difficult to be reassured that the existing system has sufficient processing ability.
- The WWR also indicates the WWTS is being dosed with Ferric Acid at a rate of 50% more than recommended by Chemfloc Shannon without expert explanation.
- The submission from the Department of Housing, Local Government and Heritage refers to an obligation not to adversely affect the integrity of a European site.
- There are underground springs that run through the adjacent Inishmore SSI and which break ground at Killeaney Road and drain to the beach.
- Any possible environmental and commercial consequences of any treated or untreated effluent discharging into the springs and to the beach would be devastating to visitors and islanders alike.
- Reassurance is required that the WWTS can comfortably accommodate the maximum number of staff and patrons.
- The WWTS to serve 22 guests was not significantly improved to service nearly 3 times as many guests in 62 rooms.

#### Iconic Landscape

- Difficult to reconcile the use of grey Euroclad panels for the structure exterior on so prominent a site with such aesthetic importance and this would be horrifying for visitors to such a visually sensitive landscape.
- In relation to the condition requiring planting of semi mature native plant species and trees, the applicant has not implemented measures in relation to a similar condition of reg. ref. 17/234.

## **6.2. Applicant Response**

A response to the appeal was received on behalf of the applicant. This can be summarised as follows:

- The addition of the marquee, as well as the 40 chalets, is vital to the viability of the hotel business.
- The marquee does not have planning permission but is statute barred.
- The applicant has sought to enhance the hotel offering while mitigating any noise and visual impact concerns associated with the marquee.
- The planning history demonstrates the principle of development is long established on the site.
- By comparison with the existing marquee, the proposal will allay existing residential amenity concerns and offers a more controlled and sustainable long-term solution.
- The proposal will greatly improve the perceived noise environment.
- Weddings are not possible without a dedicated and suitably designed function room.
- The appellant's property is currently only used occasionally.
- In relation to Condition no. 4, this should be adjusted so that the stated hours/days for noise control match the licensing hours including occasional late night extensions.
- The applicant is willing to replace the doors and windows along the southern and eastern elevation to reduce perceived noise concerns.
- The applicant is willing to accept a condition that no more than 20 no. late night events are held in any given year.
- The applicant is willing to accept a condition to install a 1.8m high acoustic panelled fence along the eastern boundary of the function room. This would also obviate any overlooking concerns.
- A noise limiter works by cutting off the power to audio equipment if the volume exceeds a pre-set threshold.
- The existing landscaped and paved areas have the benefit of long established planning permission and the applicant is willing to instruct staff to usher patrons away from the common boundary.

- The public notices clarified that the effluent loading to the existing WWTP will be unchanged and test results indicate outfall levels remain within the granted emission limit values.
- The existing WWTP was found to be functioning as designed and is fit for purpose.
- The P.A. were satisfied with the response in relation to the WWTP.
- The structure will not be widely visible from the public realm with a lower height than the existing marquee, the external finish is for a sleek contemporary finish to contrast with the existing stone wall/plaster finish and will be controlled by condition no. 7.
- The photomontages submitted will not result in an adverse visual impact at this location.

## 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 reports 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:

- Residential Amenity
- Visual Impact
- Wastewater Treatment
- Other Issues

### 7.2. **Residential Amenity**

7.2.1. I note the applicant's submission notes the purpose is to hold events with this important for tourism and continued operation, materials in keeping with character of the area, height is lower than the existing, absence of overlooking and can install a sound limiting device.

- 7.2.2. The appellant has raised issues in relation to noise impact from the proposed function room in relation to late night music, events such as weddings and in relation to patrons gathering outside the event space in close proximity to adjacent residences, particularly to the east. The applicant's response has detailed that they are willing to accept conditions limiting the number of late night events to no more than 20 and for a 1.8m high acoustic panelled fence along the eastern boundary of the function room which they say would also obviate overlooking. The applicant has also stated a willingness to replace the doors and windows along the southern and eastern elevations with windows. While I do not consider the acoustic panelled fence to be necessary in my below assessment, I do consider the replacement of the doors to be a necessary sound mitigation measure as outlined below.
- 7.2.3. In relation to the gathering of patrons on the site in the vicinity of the eastern boundary during and after late night events and the associated noise impact, I note that the applicant asserts this is an established use based on the existing hotel and function room. I consider this impact to be associated with the existing function room for which I note there is no permission. I also note it is statute barred from enforcement. Nevertheless, I do not consider that this allows this to be considered an established use. Rather, it means it is currently immune from enforcement.
- 7.2.4. I note the submitted Acoustic Report prepared by INSUL. This refers to a panel 1 outer layer with inter alia 1 X 149.0 mm Rockspan Extra 150mm profile. The table presented appears to show decibel levels associated with various different sound frequencies. While there is no expert commentary supplied in the submitted report, I note the C.F.I. submission prepared by Merriman Solutions Chartered Building Surveyors. I also note the Euroclad Technical Report submitted for the Eurobond Panels proposed for the external walls with a module width of 1200mm.
- 7.2.5. The C.F.I. response notes that the "*construction methods provide a weighted sound reduction factor RW of 60dB*" and that the heavier Rockwool sound batt within the cavity can improve the overall RW factor which it notes to be better than the blockwork construction suggested by the submissions. It notes that the external doors to the facility are intended to be of high quality with sound and air seals and that during events the doors will be kept closed with access to the event provided by way of the internal doors to the hotel. It also notes that the existing building has no sound attenuation features. The applicant's F.I. response also notes that an

acoustic monitor be provided on the boundary to warn staff that sound levels need to be controlled.

- 7.2.6. I note that the information presented by the applicant in relation to the proposed sound insulation suggests that adequate sound insulation can be provided by the materials proposed including for the ceilings, walls, windows and doors. I note that the east facing entrance to the function room does not make provision for a lobby or equivalent internal area to prevent sound leakage at the entrance doors. I consider standard conditions in relation to noise limits, noise monitoring and opening hours to be necessary but I also consider that conditions to provide for no doors and no openable windows along the southern and eastern elevation should be provided to limit potential for noise escape via such doors. I do not consider that the eastern boundary fence is necessary in relation to noise mitigation.
- 7.2.7. I further recommend a specific condition requiring construction methods and materials to accord with standard noise limits as outlined in P.A. condition no. 4 be provided for should permission be granted. This is to ensure the building design is required to be built to ensure adequate noise abatement and to avoid undue adverse impacts on adjacent residential amenities. Provided these conditions, and the P.A. condition in relation to noise monitoring and the provision of a noise limiter for the sound system are provided for, I do not consider that the applicant's offers in relation to further conditions to deal with the number of events and screening are necessary.
- 7.2.8. I note also the applicant's argument that the proposed development would be an improvement in relation to noise and other impacts on the current function room. Although that is an unauthorised use, the proposed development is of a significantly higher standard. Given the nature of the existing temporary marquee structure, I agree with this point. I also consider that the applicant's contention that the opening hours be aligned with the licensing hours, including extended late licences, is reasonable and I recommend that the P.A. condition no. 6 be altered should permission be granted.
- 7.2.9. In relation to overlooking, I note that the site is located at a higher elevation in close proximity to dwellings to the east and north. I note there is mature screening to the north and that while a door is proposed, I do not consider that this would unduly overlook the adjacent property to the north given the position at ground floor level

and the plant screening along this boundary. I note windows proposed on the eastern elevation which I have recommended by conditioned not to be openable. However, these would be at ground floor level and to the extent that there would be overlooking it would be of the adjacent front garden and these windows would not directly face the windows of the adjacent residence to the east. The landscaping scheme provides for planting along the boundary with the adjacent residence to the east as an additional measure. I do not consider that a significant loss of privacy would result in this regard and I consider the east facing windows to be acceptable.

- 7.2.10. In relation to lighting, I note the submitted Lighting Calculation report prepared by LUMENO which notes an average lux on the site of 4.9. It notes a lux level of 20 for the recreational area in front of the hotel and proposed extension. I also note the established and permitted hotel use and chalet use. I consider that the plan diagrams submitted with this report do not show a significant increase in lighting by reference to the current built form. As a mitigation measure to ensure no undue adverse impacts on the area in the vicinity, should permission be granted, I recommend a condition, for lighting arrangements to be agreed with the P.A..

### **7.3. Visual Impact**

- 7.3.1. I note the appellant's assertions in relation to the inappropriate external finishes and design for the iconic landscape in a prominent position on the site. I note the overall height would be below that of the existing structure. The flat roof height of the east elevation would be c.4.3m high of significant length when viewed from the east. I consider that it in the context of the existing hotel building and its position on the site relative to same, forward and to its side, where it can be partially screened by planting, that the building design, subject to changes to external finishes, would be such as to avoid excessive visual dominance on the site. In the sensitive iconic landscape provided that the eastern external finishes are of light grey colour tone similar to the colour of the existing ground floor stone finish of the eastern hotel façade, I consider that there would be no significant adverse impact on the site or landscape setting and that the external materials are acceptable in this regard.
- 7.3.2. Noting the submitted photomontages, I consider the dark grey Euroclad finish for the eastern facade to be excessively dark and out of keeping with the hotel and the surrounding landscape. Should permission be granted, I recommend a condition for

light grey external finish to the eastern elevation and a similar condition to that provided by the P.A. to require the implementation of a landscape plan with native plant and tree species to be required along the eastern, northern and southern site boundaries in the vicinity of the structure. I note the island is well served by boats that can deliver construction materials. Accordingly, I consider the visual impact of the proposal to be acceptable.

#### **7.4. Wastewater Treatment**

- 7.4.1. I note the appellant's concerns in relation to the adequacy of the WWTS on the site. The appellant has raised concerns in relation to the occupancy of the site and how the loading for the WWTS is calculated and in relation to the dosing of the system with Ferric Acid at a rate of 50% more than recommended without expert explanation. The appeal notes that the documents submitted suggest a system at capacity with full occupancy. The applicant's response notes that the public notice clarified that the WWTS will be unchanged, that there is sufficient capacity and that test results are acceptable.
- 7.4.2. I note the P.A. found the applicant's response acceptable and noted that separation distance would be adequate and that their concerns in this regard had been satisfactorily addressed. In relation to the reference to the public notices by the applicant, I note the applicant is not applying for a WWTS to deal with an increased load. I do not consider that this obviates the need to assess whether there is adequate wastewater treatment for the proposed development or cumulative development. In this regard, the EPA Small Communities Code is relevant in the first instance.
- 7.4.3. I note the submitted Waste Water Report prepared by Drainpower Environmental Services Ltd. It notes the soil polishing filter is functioning as designed. It notes typical peak water usage based on surveys over the summer months and it notes a capacity for the processing of 19,800 litres of waste water per day based on a disposal factor of 60 litres per square metre and a soil polishing filter area of 330sqm. The report also noted that the system is being chemically dosed at a rate of 1,000ml of Ferric acid per day which it noted is at a rate of 330ml more than the recommended dose rate advised by Chemfloc Shannon. The report concluded by

noting that the WWTP is functioning as designed, fit for purpose and capable of disposing of 19,800 litres per day *“even when the hotel is at full capacity”*.

- 7.4.4. I note Table 3 of the EPA code for hotels refers to a flow rate per day of 250 per person, 180 per person for resident staff, 60 per day for day staff and 40 per day for a conference. Further loadings are also given for pubs and restaurants which are part of the existing development. I note the submitted 2017 Hydrogeological Assessment report prepared by BlueRock Environmental which is authored by a Hydrogeologist/Chartered Engineer. The Hydrogeological Assessment report also notes that the trial pit encountered weather rock at 0.4m below soft brown silty sand and soft grey gravelly fill. The bedrock is noted to be locally important karstified bedrock. The aquifer vulnerability is noted to be extreme given the exposed rock and shallow soils.
- 7.4.5. The report includes figures for hydraulic loading and is consistent with the EPA Code and includes figures for expected users per day which I have reviewed and consider to be reasonable. This gives a total calculated expected daily flow of 31,020 litres including the existing wedding/conference venue and the chalets. This was noted to be equivalent to an organic PE of 187. It noted the existing system was designed for an organic loading of 195 PE and that “the design of the existing WWTP system is deemed sufficiently large to cater for the current and proposed hydraulic and organic loading from the existing hotel and proposed chalet development”. The report noted that the inspection pit confirmed the sand filter was constructed and installed to the required specification.
- 7.4.6. It noted that a shortfall of 87sqm of polishing filter area was not significant given the seasonal nature of the business. It considered ground separation distances to be adequate. It noted no groundwater wells down grade of the catchment. The report noted adherence to EPA guidance on restricting inputs of pollutants to groundwater.
- 7.4.7. Table 4 of the EPA Code provides for minimum recommended separation distances from treatment systems based on P.E. size and I note that this 50m distance is satisfied per the submitted site layout plans as the nearest dwelling is 73m to the south of the existing percolation area. I consider that this would comply with the EPA Code.



- 7.4.8. Accordingly, I consider the wastewater treatment system to be adequate to cater for the proposed development and while I note there is no expert explanation in relation to the amount of ferric acid used, I consider a condition requiring operational compliance with the EPA Small Communities Code and the EPA 2021 standard to be sufficient to ensure no undue negative impacts on public health or the environment. Accordingly, I am satisfied that no significant adverse impacts in relation to wastewater treatment matters would arise.

## **7.5. Other Issues**

- 7.5.1. In relation to construction impacts, I note the submitted Construction Environmental Management Plan (CEMP) and that this is appended to the submitted NIS. It includes mitigation measures outlined in the NIS. It includes best practice construction measures including in relation to the control of noise. Other measures are proposed in relation to the management of surface water, pollution of watercourses, fuel/lubricant spills and concrete. Subject to standard condition requiring the implementation of the measures identified in this NIS, I am satisfied that construction can be managed in accordance with best practice to avoid undue negative impacts on surrounding amenities and on the receiving environment.
- 7.5.2. In relation to drainage matters, I note the submitted Storm Water Report prepared by McKenna Consulting Engineers. This notes the inclusion of hardcore/gravel soakaway areas, a petrol interceptor on site, a proposed attenuation chamber area for the surface water run-off from the main yard and roof of the function room per BRE 365 standard and details of the petrol interceptor are included. The report also includes surface water run-off calculations and storm water calculations and a Site Layout Plan was included showing drainage provisions for the site. Subject to standard SUDS drainage condition, I am satisfied that drainage can be satisfactorily catered for on the site.

## **8.0 EIA Screening**

- 8.1.1. 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). 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.

## **9.0 Appropriate Assessment**

9.1.1. 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 it is not possible to exclude that the proposed development alone will give rise to significant effects on Inishmore Island SAC (site code 000213) in view of the sites conservation objectives. Appropriate Assessment is required (see Appendix 3 for AA Screening).

9.1.2. This determination is based on:

- The potential for construction related impacts to travel via groundwater course to the SAC.
- Operational emissions including in relation to wastewater treatment and surface water.

9.1.3. In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on Inishmore Island Special Area of Conservation (SAC) (site code 000213) in view of the conservation objectives of this site and that Appropriate Assessment under the provisions of S177U was required.

9.1.4. 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 the Inishmore Island Special Area of Conservation (SAC) (site code 000213) can be excluded in view of the conservation objectives of this site and that no reasonable scientific doubt remains as to the absence of such effects (see Appendix 4 for AA Determination).

9.1.5. My conclusion is based on the following:

- Detailed assessment of construction and operational impacts.

- Effectiveness of mitigation measures proposed and adoption of CEMP schedule of mitigation measures.
- Application of planning conditions to deal with wastewater treatment and surface water drainage.
- The proposed development will not affect the attainment of conservation objectives for Inishmore Island Special Area of Conservation (SAC) (site code 000213) or prevent or delay the restoration of favourable conservation condition for the SAC.

## 10.0 Water Framework Directive

- 10.1.1. The subject site is located above the Inishmore (IE\_WE\_G\_0068, status good) groundwater body and c.0.08km from the Aran Islands, Galway Bay, Connemara (IE\_WE\_010\_0000, status high) coastal waterbody. The proposed development comprises single storey function room (370sqm) flat roof building to include toilets, bar, and connections to existing services.
- 10.1.2. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively. The reason for this conclusion is as follows:
- The small scale and nature of the works and the development.
  - The design and layout of the wastewater treatment plant in accordance with the EPA Code of Practice.
  - The absence of surface water bodies through the site.
- 10.1.3. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardize any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

## **11.0 Recommendation**

I recommend that permission be granted.

## **12.0 Reasons and Considerations**

Having regard to the Galway County Development Plan 2022-2028, the location within a rural area, to the nature and scale of the proposed development and its relationship with the surrounding area, it is considered that subject to compliance with the conditions set out below, the proposed development would be acceptable and would not seriously injure the residential or visual amenities of the area or of property in the vicinity and would be acceptable in terms of design, visual impact, noise impact, public health and environmental impact. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **13.0 Conditions**

1. 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 19th day of September 2024 and on the 5<sup>th</sup> day of March 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.

Reason: In the interest of clarity.

2. The mitigation measures contained in the submitted Natura Impact Statement (NIS), shall be implemented.

Reason: To protect the integrity of European Sites.

3. The proposed development shall be amended as follows:
- (a) The doors on the southern and eastern elevation shall be replaced by windows and all windows on these elevations shall be constructed and maintained such that they cannot be opened.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of residential amenity.

4. During the operational phase of the proposed development the noise level shall not exceed (a) 55 dB(A) rated sound level between the hours of 0700 to 2300, and (b) 45 dB(A) 15min and 60 dB LAfmax, 15min at all other times, (corrected for a tonal or impulsive component) as measured at the nearest dwelling and at any point along the boundary of the site. Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To protect the residential amenities of property in the vicinity of the site.

5. (a) Details of a Noise Impact Assessment with arrangements for noise monitoring at twice yearly intervals shall be submitted to and agreed in writing with the Planning Authority prior to commencement of development.
- (b) The developer/operator shall install a permanent noise monitoring point with equipment to IEC 61672 (minimum Class 2) location and details to be agreed in writing with the Planning Authority, to monitor noise from the structure.
- (c) The developer/operator shall install an electric noise limiter on the sound system in the structure to ensure if the noise level exceeds a threshold measures likely to cause a breach of the noise limit above, the sound system will be cut off. This noise limiter shall be calibrated against the noise readings from the noise monitoring point at least twice a year.

(d) Written confirmation from a suitably qualified person/acoustician of the implementation of the full range of noise mitigation measures shall be submitted to the Planning Authority prior to commencement of the use of the structure. These mitigation measures shall be maintained permanently on the site.

(e) The developer/operator shall carry out any amendments to the subject development requested by the Planning Authority subject to the review of the Noise Impact Assessment/noise monitoring.

Reason: To protect the residential amenities of property in the vicinity of the site.

6. (a) Construction methods and materials used shall be sufficient to ensure that compliance with condition no. 4 above can be achieved.

(b) All entrance doors in the external envelope shall be tightly fitting and self-closing.

(c) All windows and roof lights shall be double-glazed and tightly fitting.

(d) Noise attenuators shall be fitted to any openings required for ventilation or air conditioning purposes.

Details indicating the proposed methods of compliance with the above requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To protect the residential amenities of property in the vicinity.

7. No amplified music or other specific entertainment noise emissions shall be permitted within the open space on the site.

Reason: To protect the residential amenities of property in the vicinity.

8. Details of the materials, colours and textures of all the external finishes to the proposed building shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The external walls shall be light grey colour to match the hotel building.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development

9. The bar area shall only operate during permitted licensing hours including granted extensions to same.

Reason: In the interest of residential amenities in the vicinity.

10. 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 'Wastewater Treatment Manuals – Treatment Systems for Small Communities, Business, Leisure Centres and Hotels' (1999) and 'Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent  $\leq 10$ )' (2021) – Environmental Protection Agency.

Reason: In the interest of public health and to prevent water pollution.

11. The 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.

Reason: To prevent flooding and in the interests of sustainable drainage.

12. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

(a) A plan to scale of not less than 1:500 showing –

(i) Existing trees, hedgerows and stone walls, specifying which are proposed for retention as features of the site landscaping

(ii) The measures to be put in place for the protection of these landscape features during the construction period.

(iii) The species, variety, number, size and locations of all proposed trees and shrubs which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder and which shall not include prunus species.

(iv) Details of screen planting which shall not include cupressocyparis x leylandii.

(v) The lateral boundaries shall be planted/landscaped with native plant and tree species and the front (eastern) boundary of the site shall be planted with semi-mature native indigenous deciduous trees and hedging species.

(c) A timescale for implementation including details of phasing.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development [or until the development is taken in charge by the local authority, whichever is the sooner], shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

13. Public lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with the planning authority prior to the commencement of development. Such lighting shall be provided prior to the completion of the development.

Reason: In the interest of amenity and public safety.

14. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

15. No signage, advertisement or advertisement structure, the exhibition or erection of which would otherwise constitute exempted development under the Planning and Development Regulations 2001 (as amended), shall be displayed or erected on the building exterior or within the curtilage of the site without a prior grant of planning permission.



Reason: To allow further assessment of the impact of the permitted advertisement on the amenities of the area and in the interest of visual amenity.

16. 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. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

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.

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.

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Ciarán Daly  
Planning Inspector

15<sup>th</sup> August 2025

## Appendix 1

### Form 1 - EIA Pre-Screening

<b>Case Reference</b>	ABP-322511-25
<b>Proposed Development Summary</b>	Single storey function room (370sqm) flat roof building to include toilets, bar, and connections to existing services.
<b>Development Address</b>	Ostan Arann Killeany, Cill Éinne, Aran Islands, Co Galway.
	<b>In all cases check box /or leave blank</b>
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (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.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>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?</b>	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

<p>development under Article 8 of the Roads Regulations, 1994.</p> <p><b>No Screening required.</b></p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p><b>EIA is Mandatory. No Screening Required</b></p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p><b>Preliminary examination required. (Form 2)</b></p> <p><b>OR</b></p> <p><b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b></p>	<p><b>State the Class and state the relevant threshold</b></p> <p>Part 2, Class 12(c) and (d).</p> <p>Threshold:</p> <p>Holiday villages which would consist of more than 100 holiday homes outside built-up areas; hotel complexes outside built-up areas which would have an area of 20 hectares or more or an accommodation capacity exceeding 300 bedrooms.</p> <p>and/or</p> <p>Permanent camp sites and caravan sites where the number of pitches would be greater than 100.</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"/>	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

### Form 2 - EIA Preliminary Examination

<b>Case Reference</b>	ABP-322511-25
<b>Proposed Development Summary</b>	Single storey function room (370sqm) flat roof building to include toilets, bar, and connections to existing services.
<b>Development Address</b>	Ostan Arann Killeany, Cill Éinne, Aran Islands, Co Galway.
<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>	
<b>Characteristics of proposed development</b>  (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).	<b>Briefly comment on the key characteristics of the development, having regard to the criteria listed.</b>  Single storey function room with floor area 370sqm on an existing hotel site in one to two storey building, with 22 guest rooms and dining area; and 40 single storey chalets, site area 0.92ha. Modest scale building proposed.
<b>Location of development</b>  (The environmental sensitivity of geographical areas likely to be affected by the development in particular 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).	<b>Briefly comment on the location of the development, having regard to the criteria listed</b>  The site is located 0.08km east of Inishmore Island SAC and PNHA (site code 000213). There are no surface waterbodies running through the site. There are a small number of detached rural dwellings in the vicinity. Potential impacts on the sensitive and iconic receiving landscape.
<b>Types and characteristics of potential impacts</b>  (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	<b>Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects.</b>  Nature of the development with no significant pollution at construction or operational stages, wastewater treatment demonstrated to be EPA Code compliant and its proximity to sensitive receptors, but modest scale relative to EIA threshold, such that no likely significant effects on the environment arise.

<b>Conclusion</b>	
<b>Likelihood of Significant Effects</b>	<b>Conclusion in respect of EIA</b>
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

DP/ADP: \_\_\_\_\_ Date: \_\_\_\_\_

(only where Schedule 7A information or EIAR required)

## Appendix 3

### AA Screening Determination

<b>Screening for Appropriate Assessment</b> <b>Test for likely significant effects</b>	
<b>Step 1: Description of the project and local site characteristics</b>	
<b>Brief description of project</b>	Single storey function room (370sqm) flat roof building to include toilets, bar, and connections to existing services.
<b>Brief description of development site characteristics and potential impact mechanisms</b>	<p>The site is adjacent to the Inishmore Island SAC (site code 000213).</p> <p>There are no surface water bodies passing through the site and no direct hydrological pathways leading off the site to the coastal environment.</p> <p>The site does not provide suitable habitats for the bird species designated for the Inishmore SPA and there are no pathways to this SP.</p>
<b>Screening report</b>	Yes, as part of NIS
<b>Natura Impact Statement</b>	Yes – Natura Impact Statement prepared by Moore Group Environmental Services.
<b>Relevant submissions</b>	No other expert submissions.

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

European Site (code)	Qualifying interests <sup>1</sup> Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections <sup>2</sup>	Consider further in screening <sup>3</sup> Y/N
Inishmore Island Special Area of Conservation (SAC) (site code 000213).	<a href="#">Conservation Objectives</a> , NPWS, 17 <sup>th</sup> December 2024	c.0.08km	Indirect possible connection via groundwater	Yes
Inishmore Special Protection Area (SPA) (site code 004152)	<a href="#">Conservation Objectives</a> , NPWS, 13 <sup>th</sup> June 2025	c.1.43km	No possible pathway, The AA Screening report noted no suitable habitats for bird species on the site and no pathways to the SPA and screened it out accordingly with which I concur noting no potential for disturbance during construction given the distance of over 1.4km from the SPA.	No

<sup>1</sup> Summary description / **cross reference to NPWS website** is acceptable at this stage in the report

<sup>2</sup> Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species

<sup>3</sup>if no connections: N

**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
<p><b>Site 1: Inishmore Island SAC (site code 000213)</b></p> <p><u>QI List</u></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]</p>	<p>Direct:</p> <p>None.</p> <p>Indirect:</p> <p>Negative impacts (temporary) on surface water/water quality due to construction related emissions including increased sedimentation and construction related pollution.</p> <p>Operational wastewater discharge.</p>	<p>Possible negative affect on water quality and undermine conservation objectives related to water quality.</p> <p>Possibility of significant effects cannot be ruled out without further analysis and assessment.</p>



Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210] Lowland hay meadows (Alopecurus pratensis, Sanguisorba officinalis) [6510] Limestone pavements [8240] Submerged or partially submerged sea caves [8330] Vertigo angustior (Narrow-mouthed Whorl Snail) [1014] Phocoena phocoena (Harbour Porpoise) [1351]		
	Likelihood of significant effects from proposed development (alone): Yes	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects?	
	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Site 2: Name (code)  QI list		
	Likelihood of significant effects from proposed development (alone): Y/N	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects?	

\* Where a restore objective applies it is necessary to consider whether the project might compromise the objective of restoration or make restoration more difficult.

**Further Commentary / discussion (only where necessary)**

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

It is not possible to exclude the possibility that proposed development alone would result significant effects on Inishmore Island SAC (site code 000213).

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.

**Proceed to AA.**

**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 will give rise to significant effects on Inishmore Island SAC (site code 000213) in view of the sites conservation objectives.

Appropriate Assessment is required.

This determination is based on:

- The potential for construction related impacts to travel via groundwater course to the SAC.
- Operational emissions including in relation to wastewater treatment and surface water.

## Appendix 4

### AA Template and 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 a single storey function room (370sqm) flat roof building to include toilets, bar, and connections to existing services, in view of the relevant conservation objectives of Inishmore Island SAC (site code 000213) based on scientific information provided by the applicant.

The information relied upon includes the following:

- Natura Impact Statement prepared by Moore Group Environmental Services.
- National Parks and Wildlife Service data.

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

Third parties have raised issues in relation to the wastewater treatment system and surface water drainage and the potential for impact on the European site.

The Department of Housing, Local Government and Heritage submitted that an AA Screening Report is required and an assessment of the potential impact on Inishmore Island SAC is required and that regard should be had to relevant CDP policies.

<p><b>NAME OF SAC/ SPA (SITE CODE): Inishmore Island Special Area of Conservation (SAC) (site code 000213).</b></p> <p><b>Summary of Key issues that could give rise to adverse effects (from screening stage):</b></p> <p><b>(i) Water quality degradation (construction)</b></p>				
Qualifying Interest features likely to be affected	Conservation Objectives  Targets and attributes (summary- inserted)	Potential adverse effects	Mitigation measures (summary)	
<p>Reefs [1170]</p> <p>Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]</p> <p>Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]</p> <p>Machairs (* in Ireland) [21A0]</p> <p>European dry heaths [4030]</p> <p>Alpine and Boreal heaths [4060] [under review]</p> <p>Semi-natural dry grasslands and scrubland</p>	<p>Maintain favourable conservation condition</p>	<p>Indirect pollution leading to significant detrimental changes in water quality.</p> <p>No operational impacts due to wastewater treatment system to EPA Code and surface water drainage SUDS measures as part of scheme, both of these measures can also be conditioned.</p>	<p>Best practice construction management outlined in the Construction Environmental Management Plan, pollution control measures detailed in Section 3.4 of NIS</p>	

<p>facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210]</p> <p>Lowland hay meadows (Alopecurus pratensis, Sanguisorba officinalis) [6510]</p> <p>Submerged or partially submerged sea caves [8330]</p> <p>Phocoena phocoena (Harbour Porpoise) [1351]</p>				
<p>The above table is based on the documentation and information provided on the file and I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests.</p>				
<p><b>Assessment of issues that could give rise to adverse effects view of conservation objectives</b></p> <p><b>(i) Water quality degradation</b></p> <p>Potential for adverse change to water quality from indirect pollution or surface or groundwater which could affect the habitats or species of the SAC.</p> <p><b>Mitigation measures and conditions</b></p>				

<p>Best practice construction management for pollution control as outlined in NIS Section 3.4</p> <p><b>(ii) Disturbance of mobile species</b></p> <p>Not applicable.</p> <p><b>Mitigation measures and conditions</b></p> <p><b>(iii) Spread of invasive species</b></p> <p>Not applicable.</p> <p><b>Mitigation measures and conditions</b></p>	
<p><b>In-combination effects</b></p> <p>I am satisfied that in-combination effects has been assessed adequately in the NIS. The applicant has demonstrated satisfactorily that no significant residual effects will remain post the application of mitigation measures and there is therefore no potential for in-combination effects.</p>	
<p><b>Findings and conclusions</b></p> <p>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.</p> <p>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 laden surface water and pollutants. Monitoring measures are also proposed to ensure compliance and effective management of measures. I am satisfied that the mitigation measures proposed to prevent adverse effects have been assessed as effective and can be implemented.</p> <p><b>Reasonable scientific doubt</b></p>	

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 the Inishmore Island Special Area of Conservation (SAC) (site code 000213).

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 Special Area of Conservation (SAC) (site code 000213) in view of the conservation objectives of this site and that Appropriate Assessment under the provisions of S177U 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 the Inishmore Island Special Area of Conservation (SAC) (site code 000213) can be excluded in view of the conservation objectives of this site 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.
- Effectiveness of mitigation measures proposed and adoption of CEMP schedule of mitigation measures.
- Application of planning conditions to deal with wastewater treatment and surface water drainage.
- The proposed development will not affect the attainment of conservation objectives for Inishmore Island Special Area of Conservation (SAC) (site code 000213) or prevent or delay the restoration of favourable conservation condition for the SAC.