



An
Coimisiún
Pleanála

Inspector's Report

ABP-322617-25

Development	Retention of a garden office and all associated site works. Gross floor space of work to be retained: 21.56 sqm.
Location	Bunnasrah, Gort, Co. Galway
Planning Authority	Galway County Council
Planning Authority Reg. Ref.	2560221
Applicant(s)	Amanda & John O'Donohue
Type of Application	Retention Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	Amanda & John O'Donohue
Observer(s)	None
Date of Site Inspection	17 July 2025

Inspector

Paul Christy

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Appendix 1 – Form 1: EIA Pre-Screening

Appendix 2 – Form 1: Water Framework Directive Screening

1.0 Site Location and Description

- 1.1. The subject site is located in the rural area towards the southern end of the County c.2.6km to the south of Gort in a very secluded location slightly beyond the end of a minor public road, the intervening gap being served by a very short stretch of private road. The minor public road joins the R458 Road c.450m to the east. The minor road is characterised by its narrow width, poor surfacing and extensive foliage and dense tree coverage forming the boundaries on either side. The road serves two other properties between the subject site and the aforementioned R458 junction. There is no other residential property beyond the subject property.
- 1.2. The subject property contains a dwelling, an outbuilding, a small outbuilding containing the water well equipment, and the subject structure. The overall plot is noted on the application form as measuring 0.14 hectares. A traditional stone wall forms the boundary nearest the road. The dwelling is traditional and single-storey in appearance, painted white and has grey/black roof tiles. The gable of the dwelling is generally orientated towards, and is set back c.16m from, the road. The dwelling sits on a lower level than the adjacent road; the finished floor level is noted on the submitted site layout plan as being 44.85, while a spot level of 46.27 is provided for the adjacent road. The outbuilding is located to the rear of the dwelling and is generally not visible from the public road. It is single-storey and the walls are finished in a similar style to the dwelling.

2.0 Proposed Development

- 2.1. The proposed development is described in the public notices and application form as being for the 'Retention of a garden office and all associated site works'. There is what appears to be a natural raised mound between the dwelling and the public road, and the subject structure sits on this mound to the side of the gable dwelling. The structure is single-storey with a ridge height of 2.75m. The external dimensions of the structure are 4.17m x 6.17m, providing for an internal floor area of 21.58sqm. The elevations are finished in wooden battens, while the roof is finished in what appears to be tiles, or tile effect materials.

- 2.2. In terms of services, it is proposed to: connect foul effluent to the existing septic tank; discharge surface water to an existing soak pit; and to use an existing private well for drinking water.

3.0 Planning Authority Decision

3.1 Decision: Refuse

- 3.1.1. Reason 1 focused on the siting of the structure '*to the front of the existing dwelling and ... approximately 3m from the road*'. It cited Development Management Standards 8, 10 and 29 of the Development Plan and stated that: '*The siting of such a structure to the front of the dwelling ... is unacceptable, would set an undesirable precedent for other such development on neighbouring sites, (and) has a negative visual impact...*'
- 3.1.2. In Reason 2, the Authority referred to the submitted documents and stated that it was '*not satisfied that the building is used or is intended to be used for use as a garden office for home use by the applicants, but rather as a separate residential use.*' The Authority also referred to additional loading on the septic tank and the generation of additional traffic.¹

3.2. Planning Authority Reports

- 3.2.1. [Planning Report]: One report on file. The report addresses, inter alia: the Planning history of the site (refer Section 4.0 below); the contents of a third party submission (refer Section 3.4 below);; Appropriate Assessment, concluding that no significant effects on biodiversity are anticipated; Environmental Impact Assessment (EIA), noting that the need can be excluded at preliminary examination.
- 3.2.2. In terms of Development Plan policy, the Report reproduces the following Development Management standards in full without providing any comment, namely those for: Site Selection and Design (DM 8); DM 10 (Log Cabins/Pods);

¹ Refer also to the Observations on the appeal submitted by the Local Authority.

Industrial/Commercial (DM 19); Building Lines (DM 29); and Self-catering Developments (DM45).

- 3.2.3. The Report observes that at the Authority's site inspection, it was noted that *'this pod appeared to have a residential use with a small kitchen area observed'* (and that) *'No information has been submitted as to requirement for a home office, located at the front with a separate access and not located to the rear of the existing dwelling.'*
- 3.2.4. In terms of visual impact, the Report notes that: *'The siting of the development to the front of the site is not considered acceptable and it is considered that the pod type materials are also unacceptable. I am of the view that any structure must be sited to the rear of the site/existing dwelling.'*
- 3.2.5. [Other Technical Reports] None.

3.3. Prescribed Bodies

- 3.3.1. None.

3.4. Third Party Observations

- 3.4.1. One submission on file. This party makes a number of *'objections'*². These may be summarised as follows
- the application has only been made due to enforcement action of the Local Authority; also questions the planning status of a new front boundary wall that has been constructed, and the position of the junction serving the parent dwelling relative to that granted planning permission;
 - lack of visual integration of structure with parent dwelling;
 - questions the proposed garden office use on the basis of (a.) the proposed (door) access arrangements to the structure relative to the parent dwelling; and (b.) the inclusion of kitchen units;

² Also noted that they did not accept that the site boundaries outlined in red were correct, but that this was not a matter for the Planning Authority to adjudicate on.

- questions the operating condition of the existing septic tank and percolation area serving the parent dwelling, and to which it is proposed to connect to the subject structure;
- cites the proximity of the site to the Lough Cutra SAC, SPA and pNHA, and the absence of any screening for Appropriate Assessment;
- questions the capacity of the site to accommodate the structure on the basis of the opinion of a Local Authority Planning Officer on a previous 2003 planning application for *a shed to the rear of the existing cottage, which opinion is noted* as being that the shed ‘was excessive due to the restricted nature of the site’³; also observes that there are ‘*more sensible, discrete and suitable ways to site the building for the benefit of the applicants*’;
- questions the adequacy of the vision lines at the site;

4.0 Planning History

4.1. Subject Site:

- 4.1.1. P.A. Ref. 02/3132 (Permission): Construction of single storey extension at the rear of the existing residence. 2002 Invalid.
- 4.1.2. P.A. Ref. 02/3783 (Permission for Retention): Retention and completion of single-storey extension at the rear of residence. Withdrawn 2003.
- 4.1.3. P.A. Ref. 03/4377, ABP Ref. PL.07.205581 (Permission for Retention): 1) Retention and completion of alterations to existing dwellinghouse; 2) construction of a rear extension to existing dwellinghouse; 3) retention of existing sheds. 2004 Grant.
- 4.1.4. P.A. Ref. 07/4712: Permission for retention to retain domestic shed. 2008 Grant.

³ Retention permission was granted for this shed, and an extension to it, under P.A. Ref. 07/4712.

5.0 Policy Context

5.1. Development Plan: Galway County Development Plan, 2022-2028

5.1.1. Zoning: The subject site is in the rural area of the County and is unzoned.

5.1.2. Log Cabins:

Chapter 15: Development Management Standards, DM Standard 10: Log

Cabins/Pods: *‘Log Cabins and Pods or similarly designed structures are not vernacular typologies of the Galway countryside and are only permitted in limited cases where a unique siting and landscape situation allows (i.e., log cabins may have potential in a woodland setting).’*

5.1.3. Home Based Economic Activity:

Policy Objective RD 4: Remote Working: To support remote working in the rural area, at an appropriate scale, for enterprise/businesses subject to normal planning considerations.

DM Standard 19: Industrial/Commercial: Home Based Economic Activities

‘Home based economic activity may be considered. The use must be ancillary in scale and nature to the residential unit. Potential impact on neighbouring residential amenity must be addressed and minimised.’

5.1.4. Landscape: The Development Plan identifies four categories of rural landscape sensitivity. The site is in the lowest sensitivity designation: ‘Class 1 – Low: Unlikely to be adversely affected by change.’

Policy LCM 3 Landscape Sensitivity Ratings’ provides as follows: *‘Consideration of landscape sensitivity ratings shall be an important factor in determining development uses in areas of the County...’*⁴

DM Standard 46: Compliance with Landscape Sensitivity provides that in Class 1 - Low Sensitivity Areas, the following types of development will be generally

⁴ The policy goes on to make specific reference to areas of high landscape sensitivity.

acceptable: *'All developments which are of appropriate scale and design and are consistent with settlement policies.'*

5.1.5. **Strategic Designations:** The site is located within the following strategic designations identified on Map 2.1, 'Core Strategy' in the Development Plan):

a. 'Strategic Development Corridor': Strategic Development Corridors emanate from Galway City in all four directions - northerly, westerly, southerly and easterly, and generally following strategic road and rail corridors.

b. 'Galway County Transport Planning Study': In Section 12.1.3 of this Study, it is noted that the Study *'has informed the identification of key priorities for Transport provision during the period of the County Development Plan (2022– 2028); these priorities and aspirations have subsequently been developed into a series of Policy Objectives which are described within Chapter 6 of the CDP. The GCTPS describes how these policy objectives will be achieved through the implementation of specific measures by the Council and other stakeholders, including the NTA and TII; supporting measures, including development and planning policies relating to the assessment of new developments, have also been assessed for this purpose.'* Policy Objective GCTPS 1 provides as follows:

'It is a policy objective of Galway County Council to support and facilitate the implementation of the Galway County Transport & Planning Study and Galway Transportation Strategy across all modes of transport.'

5.1.6. **Effluent Treatment**

DM Standard 38: Effluent Treatment Plants: This Guidelines includes: *'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;

Certification: Design details – Design calculations supporting the selection of a particular type and size of system.'

5.1.7. Surface Water Disposal

Policy Objective WW 7 Sustainable Drainage Systems: *'To require the use of Sustainable Drainage Systems to minimise and limit the extent of hard surfacing and paving and require the use of SuDS measures be incorporated in all new development (including extensions to existing developments). All development proposals shall be accompanied by a comprehensive SuDS assessment including run-off quantity, run-off quality and impacts on habitat and water quality.'*

DM Standard 67: Sustainable Drainage Systems Includes the following: *'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'; and 'Development proposals will be required to be accompanied by a comprehensive SuDS assessment that addresses run-off rate, run-off quality and its impact on the existing habitat and water quality.'*

5.2. **Natural Heritage Designations**

- 5.2.1. There are designations in close proximity to the site to the east, and additional designations 2.6km to the west of the site at the nearest point. Having regard to the small scale nature of the proposed development, and the railway line and M18 Motorway intervening between the site and the designations to the west, I do not consider these designations to be relevant.
- 5.2.2. The designations to the east are: (1) the Lough Cutra SAC (Site Code 000299); the Lough Cutra SPA (Site Code 004056); and the Lough Cutra pNHA. The nearest part of the SAC is 529m away, while the nearest parts of the SPA and pNHA are 1.6km away.

5.3. **EIA Screening**

- 5.3.1. 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). 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.

5.4. Water Framework Directive Screening

- 5.4.1. The subject site is located: within the general vicinity of the Castlelodge River System (460m to the north; 1km to the south-east; and 1km to the south-west); 1.8km to the west of Lough Cutra; and also lies within the Ennis Groundwater body – a Regionally important aquifer-karstified
- 5.4.2. The proposed development comprises retention of a garden office and all associated site works. It is proposed to dispose of foul effluent via the existing septic tank serving the host dwelling, and to dispose of surface water via an existing soak pit serving the host dwelling.
- 5.4.3. No water deterioration concerns were raised in the planning appeal.
- 5.4.4. I have assessed the proposed retention of a garden office and all associated site works 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.
- 5.4.5. The reasons for this conclusion are as follows:
- Nature of works: this is a very small scale development that will generate minimal risks to the identified waterbodies due to: (i) the absence of any identifiable connection between the site and (a) the Castlelodge River system, and (b) the Cutra Lough; and (ii.) the very minor scale of the proposed development, relative to the extents of the Ennis groundwater body.
- 5.4.6. Conclusion: 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 jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. In the Statement submitted by Agents for the Appellants, five grounds of appeal are cited. These are summarised in paras. 6.1.2 to 6.1.6.
- 6.1.2. The structure is not located to the front of the dwelling but is to the side and rear. It therefore does not set an undesirable precedent, or have a negative visual impact.
- 6.1.3. The structure is used as stated and not as a separate residential unit. The Authority has '*relied too heavily on the submission on the planning file in making their decision.*'
- 6.1.4. The Appellants have been unable to use their existing sheds due to a legal dispute.
- 6.1.5. The garden office is ancillary to the dwelling house and is accessed mainly by a set of steps outside the side door of the house.
- 6.1.6. Refers to the cover letter submitted with the planning application (to the Local Authority) and cites that '*it clearly stated that the planning application is for the retention of a garden office.*' It is used by the Applicants only when working from home and is ancillary to the existing dwelling. It contains a WC but there is no additional loading on the existing effluent treatment system.
- 6.1.7. In addition, the Appellants attach two letters of support. One is from the employer of one of the Appellants. The letter refers to the Appellant's role at the company, that the role is 'hybrid', and that they have provided the Appellant with all of the equipment needed to perform the role. They refer to regular blackouts with phone signal and internet at their onsite office, and that it is imperative that the Appellant has access to wifi to be effective in the role. Home work will also be necessary

outside of normal office hours as '*this industry can be unpredictable*'. A letter from a Local TD is also attached. In the letter it is stated that the reference to the structure being to the front of the dwelling is incorrect. Further comment is made regarding the employment situation of one of the Appellants (as set out above), that the home does not have the space for '*such a set up*', and the assertion that the unit is for separate residential purpose is also incorrect.

6.2. Planning Authority Response

- 6.2.1. The Authority submitted a response on 11 June 2025. The response contains three points as follows.
- 6.2.2. Having reviewed the appeal submission, the Authority is now satisfied that it has been adequately demonstrated that the development is required for home office use. This information was not provided at the planning application stage. Such use can be considered in accordance with Development Management Standard DM 19.
- 6.2.3. The Authority remains concerned re the position of the structure, both with regard to 'precedent of siting structures on the lane side of the dwelling which is considered to be haphazard in nature, and that such structures are clearly not vernacular. The Authority refers to DM Standard 10, but does not elaborate.
- 6.2.4. In the event that the Commission is minded to grant, the Authority considers that the structure should be sited at the other side of the dwelling (north). This would '*address siting concerns*'. Any such permission should be a temporary 5 year permission, so as to assess the need and condition of the structure in 5 years time.

6.3. Observations

- 6.3.1. None⁵.

⁵ An invalid submission was received.

7.0 Assessment

7.1. Overview

7.1.1. Having examined the application details, and all other documentation on file including 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 policies and guidance, I consider that the substantive issues in this appeal to be assessed are as follows:

- Principle of Proposed Garden Office Use;
- Intended Use;
- Visual integration; and
- Servicing

7.2. Principle of Proposed Garden Office Use

7.2.1. The application is for retention of a garden office in a rural location. Policy Objective RD 4: 'Remote Working' in the Development Plan supports remote working in the rural area, at an appropriate scale, for enterprise/businesses subject to normal planning considerations. Similarly, Development Management Standard 19: 'Industrial/Commercial – Home Based Economic Activities' also provides that Home based economic activity may be considered, subject to the proviso that such use must be ancillary in scale and nature to the residential unit.

7.2.2. Having regard to the scale of the subject structure relative to the host dwelling, I am satisfied that the use is ancillary in scale and nature to the residential unit and I am satisfied that the principle of the proposed use complies with the aforementioned provision and is therefore acceptable.

7.3. Intended Use

7.3.1. The second reason contained in the Local Authority's decision to refuse cited the

Authority not being satisfied that the building is used or intended for use as a garden office for home use by the applicants, but rather as a separate residential use. In its observations on this Appeal, the Local Authority subsequently advised that: it is now satisfied that it has been adequately demonstrated that the development is required for home office use; and that such use can be considered in accordance with Development Management Standard DM 19.

- 7.3.2. The third party submission made to the Local Authority also questioned the intended use of the structure, stating that the only access (ie. access door) to the structure is facing the public road and the pathway providing access to this front door is accessed directly from the roadway and not from within the site itself. The submission elaborated by then stating that the Planning Authority is being asked to believe that the applicants will exit their dwelling house and then must exit their site via the front gate to access the pathway, and enter the structure by means of the front door facing the roadway.
- 7.3.3. The third party submission also referred to the inclusion of kitchen units on the plans and stated that there would be no requirement for a kitchen or kitchenette within this structure considering it is immediate (sic) proximate to the dwelling house.
- 7.3.4. At my site inspection, I noted the following contents inside the unit: a workstation containing two desks, two computer monitors, a laptop and what appears to be a printing device (or similar); a small sofa, chair and television; a shower/toilet room; and a small fitted kitchen.
- 7.3.5. Externally, I observed that it did appear that a pedestrian access path had been formed from the vehicular access (to the overall property) to the 'curtilage of the subject structure (this would appear to be represented in brown on the site layout plan submitted to the Local Authority), although the route had been blocked off by a rudimentary fencing arrangement on the vehicular entrance side of the route. I also observed a direct route from the side door of the host dwelling to the subject structure, inclusive of narrow, steep steps connecting the previously-referenced lower level dwelling with the higher level subject structure.

7.3.6. I acknowledge the third party submission to the Local Authority questioning the access path and position of the front door relative to the host dwelling, and also the need for the inclusion of kitchen units inside the structure. Notwithstanding these concerns, and notwithstanding also the toilet/shower room included in the unit, on balance, I am satisfied that the current use of the structure is for home office purposes. I have reached this conclusion having regard to: the small floor area of the structure (c.21sqm); the office use witnessed during my site inspection; the connecting path between the host dwelling and the subject structure; the letters of support submitted with the Appeal; and the Local Authority's acceptance of the use. That said, I would not support the use of the structure for office purposes that would generate customer/client visits, given the deficiency in width and carrying capacity of the public road leading to the site, and the consequent potential for impacting the amenity of neighbouring properties.

7.4. Visual Integration

7.4.1. The first reason contained in the Local Authority's decision to refuse described the structure as being sited '*to the front of the existing dwelling and sited 3m from the road*', and on this basis concluded that the development would be contrary to Development Management Standards DM 8, DM 10 and DM 29 of the Development Plan.

7.4.2. I do not agree with the Local Authority's position that the subject structure is sited to the front of the existing dwelling. The dwelling is generally orientated at right angles to the public road/private road with the western gable facing this road. The structure is between the dwelling and the road, but is more accurately described as being to the side of the dwelling, in my opinion. I also do not agree with the use of DM Standard 8 as this is clearly intended to deal with rural housing. Similarly, I consider that the Local Authority has erred in including the reference to DM 29. This DM Standard refers to requirements for the setback of buildings from public roads. The roadway along the site frontage is private.

7.4.3. In Development Management Standard 10: 'Log Cabins', it is noted that log cabins

and pods or similarly designed structures *‘are not vernacular typologies of the Galway countryside and are only permitted in limited cases where a unique siting and landscape situation allows (i.e., log cabins may have potential in a woodland setting).’* Whilst the subject site does not sit in a woodland, it is, nevertheless, very secluded. It is located at the end of a very minor public road and remote from any possible public vantage points. Collectively, these factors do create a siting that may be considered to be fairly unique, in my opinion.

7.4.4. I have also considered the landscape-related policy provisions in the Development Plan. As noted at Section 5.1.4, the subject site is located in the lowest (least sensitive) of four landscape categories ie. Class 1 – Low: Unlikely to be adversely affected by change. Development Management Standard DM 46 provides that in such Areas, the following types of development will be generally acceptable: *‘All developments which are of appropriate scale and design and are consistent with settlement policies.’* The associated Policy Objective LCM 3 provides that *‘Consideration of landscape sensitivity ratings shall be an important factor in determining development uses in areas of the County...’* Whilst I note the proviso regarding scale and design in the aforementioned DM 46, in my opinion, the highly secluded nature of the site in a Class 1 Category landscape should, on balance, allow for the structure to be supported.

7.4.5. For the above-noted reasons, I do not agree with the Local Authority’s Refusal Reason 2 and am satisfied that, on balance, the proposed development is acceptable in terms of its visual impact and does generally comply with the terms of Policy Objective LCM 3 (Landscape Management), Development Management Standard 10 (Log Cabins), and Development Management Standard DM 46 (Landscape Management).

7.5. **Services**

7.5.1. Effluent: It is proposed to connect to the septic tank serving the parent dwelling. Use of the structure for home office use will not generate any extra loading onto the permitted system and I am therefore satisfied that there will be no public health issues arising as a result of the development.

- 7.5.2. Surface Water: It is proposed to dispose of surface water via an existing on-site soakaway. Having regard to the minor nature of the proposed development and to the soakway being at a lower level than the nearby public road, I am satisfied that the proposed development shall not give rise to any risk of flooding.

7.6. **Development Contributions**

- 7.6.1. The Galway County Council Development Contribution Scheme 2016 (Revised Rates 2019) (GDCS) identifies two sub-areas and applies different contribution rates for each. Sub-area 1 encompasses 'Towns and villages with adopted Local Area Plans and all development within the Galway County Transport and Planning Study' area, while Sub-area 2 includes 'all other areas'. The subject site is in Sub-area 1. The subject use, garden office, is considered to fall within the category of 'Offices less than 1,000sqm in Group 2 of the GDCS.

7.7. **Other Matters**

- 7.7.1. Strategic Designations: At para. 5.1.5 I identify two strategic designations in the Development Plan, the respective areas of which include the subject site, these being: a 'Strategic Development Corridor'; and the 'Galway County Transport Planning Study'. Having regard to the minor nature of the proposed development within an established residential curtilage, and the distances of the said property from any strategic transportation corridor, I am satisfied that the proposed development will not compromise the achievement of the strategic objectives associated with the aforementioned designations.
- 7.7.2. Vision Lines: In the third party submission to the Local Authority, the said party challenged the adequacy of the vision lines at the entrance to the dwelling. I agree that the vision lines are minimal but consider that the normal requirements are not appropriate here given that the site is at the very end of a very minor public road that can only be driven at minimal speeds due to the narrowness and condition of the road.

- 7.7.3. Front Boundary Wall/Position of Site Access: Also in the third party submission to the Local Authority, the said party questioned the planning status of the site access and boundary wall. I consider that these matters do not have any material consequence for the matters under consideration in this appeal, subject to the terms of Condition No.2 as recommended below.
- 7.7.4. Temporary Permission: In its response to the Appeal, the Local Authority advised that if the Commission was minded to grant, any such permission should be a temporary 5 year permission so as to assess the need and condition of the structure in 5 years time. On balance, I consider the imposition of such a condition to be unreasonable. With regard to the 'condition' of the structure, I say this on the basis of the remoteness of the site, the absence of any potential direct impacts for the amenities of third parties, and the improbability of any consequences for the environment. Regarding the 'need' for the structure, this is addressed in Condition 2 as recommended below.

8.0 AA Screening

- 8.1 I have considered the proposed Retention of a garden office and all associated site works, gross floor space of work to be retained: 21.56 sqm. at Bunnasrah, Gort, Co. Galway in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located 529m away from the Lough Cutra SAC (Site Code 000299) and 1.6km away from the Lough Cutra SPA (Site Code 004056). The proposed development comprises the retention of a garden office and all associated site works. It is proposed to dispose of foul effluent to an existing septic tank serving the parent dwelling, and it is proposed to dispose of surface water to an existing soakaway on the site.

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 European Site. The reasons for this conclusion are as follows:

- the nature of the works: small scale structure connecting to on-site services

- the distance of the site from the nearest European site, the absence of any identifiable connections between the two, and the presence of the R458 Regional Road between the two.

I conclude that on the basis of objective information, the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Recommendation

- 9.1. I recommend that permission for the development be granted, subject to conditions for the reasons and considerations as set out below.

10.0 Reasons and Considerations

- 10.1. Having regard to the secluded location of the site at the end of a very minor public road and in an area designated as the lowest landscape category, ie. Landscape Category 'Class 1-Low: Unlikely to be adversely affected by change'; and to the modest scale of the proposed development, it is considered that, subject to compliance with conditions below, the proposed development would not be injurious to the general amenity of the area, would not seriously injure the visual or residential amenities of property in the vicinity, and would not be prejudicial to public health. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application 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 structure hereby permitted shall be used for home office working only, and only by permanent occupants of the associated parent dwelling.</p> <p>b. Class 2 office use where services are provided principally to visiting members of the public or clients, is hereby prohibited.</p> <p>c. Within three months of the date of this Retention Permission, the access path between the vehicular access to the site and the proposed garden office shall be permanently blocked off in accordance with details to be agreed with the Planning Authority prior to the commencement of such works.</p> <p>Reason: In the interests of orderly development, in the interests of public safety, and to clarify the terms of the permission.</p>

3.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. 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 Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>
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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.



Paul Christy
Planning Inspector

12th August 2025

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	ABP-322617		
Proposed Development Summary	Retention of a garden office and all associated site works. Gross floor space of work to be retained: 21.56 sqm.		
Development Address	Bunnasrah, Gort, Co. Galway		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)	Yes	✓	
	No		
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes			
No	✓		
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes	n/a		
No	n/a		
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	n/a		
5. Has Schedule 7A information been submitted?			
No	n/a		
Yes	n/a		

Inspector: Paul Christy

Date: 12th August 2025

Paul Christy

Appendix 2 - Form 1

WFD Screening

WFD IMPACT ASSESSMENT STAGE 1: SCREENING						
Step 1: Nature of the Project, the Site and Locality						
An Bord Pleanála ref. no.	322617-25		Townland address	Bunnasrah, Gort, Co. Galway		
Description of project			Retention of a garden office and all associated site works. Gross floor space of work to be retained: 21.56sqm.			
Brief site description, relevant to WFD Screening,			The subject site is located: within the general vicinity of the Castlodge River System (460m to the north; 1km to the south-east; and 1km to the south-west); 1.8km to the west of Lough Cultra; and also lies within the Ennis Groundwater body – a Regionally important aquifer-karstified			
Proposed surface water details			Soakpit within serving, and within curtilage of, parent dwelling.			
Proposed water supply source & available capacity			Private well.			
Proposed wastewater treatment system & available capacity, other issues			Connection to existing on-site septic tank serving parent dwelling.			
Others?			n/a			
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD	Identified pressures on that water body	Pathway linkage to water feature

				Objective e.g.at risk, review, not at risk Identified pressures on that water body		(e.g. surface run-off, drainage, groundwater)
River	c. 460m to the north; c.1km to the south-east; and c.1km to the south-west.	Castlodge_010	Poor	At risk	At risk due to poor biological status (driven by invertebrates). Siltation also noted as an issue, with agriculture and forestry highlighted as potential significant pressures.	None immediately identifiable. There is a drainage ditch c330m to the east of the site that would appear to drain to the River to the north. However, there is no identifiable connection between the site and this ditch.
Lake	1.8km to the east.	Lough Cutra IE_WE_29_37	Good	Not at risk	n/a	None immediately identifiable.
Groundwater	Underlying site	Ennis IE_SH_G_080	Good	At risk	Agriculture and forestry.	Possible pathway due to permeability of the Karst geology.
Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.						
CONSTRUCTION PHASE						

No.	Component	Waterbody receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Surface	Castlodge _010 River	No realistic pathway identified.	Whilst, in theory, hydrocarbons may be a potential impact, this is highly unlikely (due to distance between site and river, and distance between site and identifiable linkages – c.300m).	n/a	No	Screened out.
2.	Surface	Cutra Lough IE_WE_29_37	None immediately identifiable.	None	n/a	No	Screened out.
3.	Ground	Ennis IE_SH_G_080	Potentially, due to permeability of underlying karst.	Whilst, in theory, hydrocarbons may be a potential impact, this is highly unlikely (due to minor scale of development relative to extent of groundwater body.	n/a	No	Screened out.
OPERATIONAL PHASE							
4.	Surface	0010	None immediately	None	n/a	No	Screened Out

			identifiable.				
5.	Surface	IE_WE_29_37	None immediately identifiable.	None	n/a	No.	Screened out
6.	Ground	0020	Potentially, due to permeability of underlying karst.	Whilst in theory there is risk from contaminants from malfunctioning of the on-site treatment plant, the risk is extremely low due to the minimal levels of any potential discharges relative to the extent of the area of the groundwater (c.34km).	n/a	No	Screened out
DECOMMISSIONING PHASE							
5.	N/A						

Inspector: Paul Christy Date: 12th August 2025

Paul Christy