



An
Coimisiún
Pleanála

Inspector's Report

ACP 323710-25

Development

New roof structure and extensions to ground floor and first floor of existing house.

Location

An Cheibh, Bearna. Co. Galway.

Planning Authority

Galway Co. Council.

Planning Authority Reg. Ref.

2560910

Applicant(s)

Padraic & Collette Timon.

Type of Application

Permission.

Planning Authority Decision

To grant permission.

Type of Appeal

Third Party

Appellant(s)

Kieran Devenish

Dermot Corcoran

Ian & Ruth Foley

Observer(s)

None.

Date of Site Inspection

November 22nd, 2025.

Inspector

Breda Gannon.

Table of Contents

1.0	Site Location and Description	3
2.0	Proposed Development	3
3.0	Planning Authority Decision	4
4.0	Planning History	5
5.0	Policy Context	6
6.0	EIA Screening	7
7.0	The Appeal	8
8.0	Assessment	14
9.0	AA Screening	19
10.0	Water Frame Directive	20
11.0	Recommendation	21
12.0	Reasons and Considerations	21
13.0	Conditions	21
	Appendix 1: Form 1 EIA Pre-Screening	24

1.0 Site Location and Description

1.1 The site is located in the townland of An Cheibh, Bearna. Co. Galway. It is located on the south side of the R336 that forms the main traffic artery through Bearna village. The L-53841 local road extends southwards off the regional road and provides access to a cluster of 6 houses and to Mags Boreen Beach. The houses are arranged around a cul-de-sac, with 3 no. houses to the north and 3 no. houses, including the appeal site, to the south. The finished floor level of the houses to the south are at a lower elevation than those to the north.

The site which has a stated area of 0.140 sq.m accommodates a single storey dwelling. Stone boundary walls enclose front and rear garden space. The site is adjoined to the east by agricultural land, to the west by adjacent dwellings and to the south by the beach.

Bearna is a coastal settlement on the western edge of Galway city and is located c 6.5km from the city centre.

2.0 Proposed Development

2.1 The development as described in the public notices submitted with the application proposes the following:

- a new roof structure,
- rear ground and first floor extensions,
- ground floor extension to the front of the existing dwelling,
- alterations to existing elevations,
- internal alterations, and
- all ancillary site works.

The proposal involves the refiguration of parts of the internal layout of the dwelling and small extensions and alterations to the house at ground floor level.

At the front of the house the dining room would be replaced and extended to provide an enlarged entrance hall and WC. The existing pitched section of roof would be replaced and built out in a series of flat roofed blocks. To the rear,

alterations to the internal layout of the living room and kitchen/dining room together with small extensions are proposed. The chimney and pitched elements to the roof and windows would be removed. The extended area would be completed with a flat roof.

It is also proposed to convert the attic space into habitable accommodation with an external balcony. It would be finished with flat roof and the ridge line of the existing house would be increased by 300mm.

The extensions would increase the floor area of the existing house from 163.4 sq.m to 249.0 sq.m.

Unsolicited further information was received by the planning authority on 19th August 2025. It included Dwg No's 3167 PS GA 01 & 3167 PA GA 05 showing a minor amendment to the proposed west side elevation, with the existing kitchen window retained as per the existing opening sizes.

3.0 Planning Authority Decision

3.1 Decision

The planning authority decided to grant permission for the development subject to 9 no. conditions, which includes the following conditions of note.

Condition No 3: The extension and the existing dwelling house shall be used as a single residential unit.

Reason: In the interest of proper planning and sustainable development.

Condition No 4: (a) The external finishes of the proposed extensions and alterations shall be in accordance with the details received by the planning authority on July 7th, 2025, and those submitted as part of unsolicited information on 19th July 2025, unless otherwise agreed in writing with the planning authority.

(b) The proposed windows shall be powder coated aluminium and/or timber framed and/or non-white uPVC.

(c) The external door(s) shall be of timber construction, unless otherwise agreed in writing with the planning authority, prior to commencement of development on site.

(d) The roof shall be black/brown/grey slates/tiles.

(e) The colour of any rainwater goods shall be dark in colour/match the colour of the roof.

Reason: In the interest of visual amenity.

3.1.2. Planning Authority Reports

The Planning Officer's report of 27th August 2025 considers that the proposed development is acceptable in principle in this location. The planning authority is satisfied that the alterations and extensions to the existing house can be facilitated on the site without undue manipulation of the existing terrain. It is satisfied in principle with the form and design of the proposal, which incorporates a balance of contemporary design and is considered to be in accordance with DM Standard 4 of the Galway County Development Plan 2022-2028.

The planning authority concludes that the development, individually, or in combination with other plans and projects would not be likely to have a significant effect on any European site and that Stage 2 Appropriate Assessment is not therefore required.

3.1.3 Other Technical Reports

None.

3.3. Prescribed Bodies

None.

3.4. Third Party Observations

Observations were received from 3 no. parties which raised similar issues to those raised in the appeal.

4.0 Planning History

4.1 The planning authority refers to 2 no. planning applications for a dwelling house on the site (Ref No 50851 and 50857).

5.0 Policy Context

5.1 Development Plan

The operative development plan is the **Galway County Development Plan 2022-2028**. Under the Core Strategy, Beara is identified as a settlement within the Galway Metropolitan Area.

The site is located within the settlement boundary for Beara and is zoned (RE) 'Residential Existing', with the following objective:

'To protect and improve residential amenities of existing residential areas'.

It facilitates house improvements, alterations, extensions and appropriate infill residential development in accordance with the principles of good design and protection of existing residential amenity.

Landscape is considered in Section 8.13 of the Plan. A total of 10. Landscape types have been identified. The site lies within the 'Urban Environs' Character Area (Map 8.1).

The R366 forms part of the Galway Bay Scenic Route (Map 8.3). There are no protected views in the vicinity of the site. It is located within two Viewpoint Angles (Reference No's 30 and 32). Descriptions of the scenic routes and protected viewpoints are provided in Appendix 4 (Landscape Character Assessment).

Policy Objective PVSR 1-Protected Views and Scenic Routes:

'Preserve the protected views and scenic routes as detailed on Maps 8.3 and 8.4 from development that in the view of the planning authority would negatively impact on said protected views and scenic routes'.

Chapter 3: Placemaking, regeneration and urban living.

Policy Objective UL 6:

To encourage sensitively designed subservient extension to existing dwelling houses which do not compromise the quality of the surrounding environment, residential amenity or the character of the surrounding area.

Chapter 9: Marine and Coastal Development seeks to protect coastal areas from inappropriate development so as not to detract from their visual amenity (Policy Objectives MCD 1 and MCD 2).

Chapter 15 of the development plan contains Development Management Guidelines. The following is of relevance to the subject development:-

DM Standard 4: House Extensions (Urban and Rural)

Proposed extensions shall:

- In general, be subordinate to the existing dwelling in its size, unless in exceptional cases, a larger extension complements the existing dwelling in its design and massing;
- Reflect the window proportions, detailing and finishes, texture, material and colour unless a high-quality contemporary and innovatively designed extension is proposed;
- Not have an adverse impact on the amenities of adjoining properties through undue overlooking, undue overshadowing and/or an over dominant visual impact; and
- Carefully consider site coverage to avoid unacceptable loss of private open space.

5.3. Natural Heritage Designations

The site is not located within or proximate to a European site. There are numerous sites located within 15km of the development site. The closest are as follows:

- Galway Bay Complex SAC (Site code: 000268), located c.1km to the east
- Inner Galway Bay SPA (Site code 004031), located c 1km to the east.

6.0 EIA Screening

The development is not of a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory

requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of this report.

7.0 The Appeal

7.1 Grounds of Appeal

Appeals were received from 3 no. parties, which raise common issues relating to impacts on the visual amenities of the area, non-compliance with the provisions of the development plan and technical and procedural issues. These are summarised as follows:

1. Impacts on the visual and residential amenities of the area

- The current ridge height has remained unchanged for over 40 years, forming a consistent and visually balanced profile along this section of the street. This continuity is a valued aspect of the streetscape and a defining architectural feature of the estate.
- The consistent roofline provides visual coherence and a balanced profile when viewed from the public road, Galway Bay SAC and neighbouring properties.
- The proposed development which would increase the ridge height risks disrupting this long-standing visual coherence contrary to DM Objective 3, 4 and 6 and Section 9.3 of the Development Management Standards of the development plan.
- The new roof structure will be anomalous with respect to the architectural symmetry of the coastal properties in the estate when viewed from the northside.
- Requests that the existing ridge line be retained in keeping with the existing built form in order to comply with the development plan and preserve the character of the area.
- The proposal is contrary to the guidance provided in the Sustainable Residential Development in Urban Areas Guidelines (2009) which states in

villages and small towns new development should respect the scale and form of existing buildings to preserve townscape character.

- The general design and façade of the proposed dwelling is out of character with the existing houses at this specific location.
- The planning officer's report does not provide any assessment of the impact of the proposed 'new roof structure' on the surrounding built environment and visual amenity at this coastal site.
- Is not in agreement with the planning authority that the proposal would not have an adverse impact on the amenities of adjoining properties.
- The drawings fail to clearly show the proposed development works within its setting (e.g. in a protected area of unique beauty), a context which is hugely significant.
- The area in the immediate vicinity is one of spectacular natural beauty and high visual amenity. It offers uninterrupted, unspoiled, unrivalled views of Galway Bay, the hills of Clare, Bearna Pier and the Aran Islands.
- The coastal/marine views from the intersection of the local road and the regional road are exceptional. It is one of very few places along this stretch of the Wild Atlantic Way that offers such an outstanding vista.
- Given the outstanding natural characteristics of this location, any application should be subject to careful scrutiny to ensure that the areas high visual amenity and public utility are fully preserved. It is not the place for precedent setting, obtrusive or distracting development.
- The proposed balcony will result in undue overlooking of the neighbour's patio area.

2. Technical and procedural issues

- The proposal will convert the existing three/four-bedroom bungalow into a five-bedroom dormer type structure with habitable accommodation on ground and first floor levels, increasing the gross floor area by 52.4% (from the existing 163.4 sqm to 249 sqm).

- The conversion of the attic space/first floor adds 60 sqm of floorspace by installing a new roof structure, increasing the ridge elevation to 6.06m (above unspecified FFL) and extending the first floor by utilising a southward protruding flat roof and external balcony.
- The application does not contain any measurement details or perspective drawings, from north to south, that includes the adjacent properties, which would facilitate the assessment of the impact of the proposed re-development and roof structure on the architectural integrity of the estate.
- The drawings submitted fail to meet the minimum requirements of the Planning and Development Regulations 2001, as amended, in that there are no contiguous elevations, the distance to neighbouring properties is not shown, site sections (north/south) have not been submitted, and the critical height measurements are not referenced to Ordnance Datum. The ridge height on applicants' drawings are incorrect and misleading.
- Unsolicited information was prompted/volunteered with respect to the western elevation, yet substantive queries with respect to the proposed height of the roof structure remain unaddressed.
- Even though the deadline for receipt of observations/submissions in this case was August 10th, 2025, the planning authority accepted unsolicited information (amended drawings) from the applicant on August 19th, 2025. This material should have been excluded on the basis that it was received outside the public consultation period.
- All measurements in the various drawings are relative to an unspecified Finished Floor Level. Given the proposed new roof structure and alterations to existing elevations, absolute measurements relating to Malin OD are essential to compare current and proposed ridge levels versus adjacent properties and to assess built outcome versus plan.
- Independent surveyor measurements (Appendix 1 of Dermot Corcoran appeal) indicate that the proposed 'new roof structure Main Ridge Level elevation' is 0.425m higher than the existing Ridge Level (not 0.3m) as claimed in the application). The Independent Surveyor measurements

indicate that the proposed new Ridge Level will be 0.605m and 0.775m higher than the main Ridge Levels of the adjacent properties, which has been measured by Independent Surveyor to be 11.38m and 11.21m above OD respectively.

- No attempt has been made by the applicant or in the planning officer's report to address the datum issue or the discrepancies flagged in the 3rd party submissions. The submitted drawings are potentially misleading and may not be relied upon to assess the impact of the proposed new roof structure on the surrounding built environment.
- The unsolicited information (amended drawing) submitted 19 days after the last of the public submissions were received was not available for public review for the prescribed period. Condition No 1 of the decision confirms that the unsolicited information was an integral part of the information used to make the decision.
- Further information should have been requested by the planning authority to help resolve the discrepancies between the ridge line elevation in the architect's drawings and the Independent Surveyor's Report prior to a decision being made on the application. The absence of OD referenced measurements will render it impossible to compare the built result with the approved planning application and will undermine enforcement procedures should the need arise.
- It is concluded that the proposed new roof structure and first floor development is not consistent with development plan policy for re-development in a mature housing estate.
- An Coimisiún Pleanala is requested to use its right to request additional information to ensure a comprehensive and fair appeal determination.
- The planning authority in deciding to grant permission for the development failed to give weight to the precedent that would be for future developments around Mags Boreen Beach. It is only a matter of time before the fields on the west side of the local road become development sites.

7.2. Applicants Response

- The design proposal incorporates the conversion of the existing attic space and seeks to raise the existing ridge height by 300mm to achieve the minimum required heights for habitable accommodation and not to seek permission for a typical full two-storey unit which would require a significant change in the first-floor heights.
- The proposal by its design and minor adjustment of just 300mm to the existing ridge will have no adverse impacts on existing views from appellants properties.
- The three appellants reside in two-storey properties located c 50m directly north, on elevated sites with a ground floor height differential of c 1000mm above the proposed development. These properties overlook the front amenity space of the site and are seeking to maintain their current views over applicant's property.
- There is no legal right to protect such views and the proposed increase of 300mm will have no adverse impact on such views.
- The application was assessed by the planning authority who were content with the level of detail submitted. The submission of a contiguous elevation is not a legal requirement for a valid planning application.
- Regarding the issues raised in relation to lack of clarity on proposed finished floor levels, Drawing No 3167 ABP GA01(Proposed Ground Floor) and 3167 ABP GA 05 (Section) attached clearly indicates that the existing floor level shall be maintained for the proposed extension.
- Minor front and rear single elements are proposed but in general the existing dwelling is retained as are all the floor levels.
- The appellants state that the proposal is contrary to various DM Standards and Objectives referencing appropriate scale, massing, heights and impacts on visual amenities. These are unsubstantiated. The planning authority concluded that the proposal complied with all aspects of the development plan.

- The appellants refer to an 'independent surveyor' who has submitted a survey plan with various spot level noted on same. No permission was given to the surveyor to access the property. Without access to the interior of the dwelling, it is most likely that the FFL measurements derive from assumptions.
- The on-site measured dimension from the existing finished floor level to the ridge tile have been represented accurately on the drawings (see photograph).
- The existing FFL ground floor to the underside of the insulation quilt below the ridge line is 5051mm. The insulation quilt, ridge board, battens, roof felt and external ridge tile yielding a total height from ground floor to the existing ridge height of 5.32m.
- To clarify any possible ambiguity regarding the proposed heights, the site section drawing notes the existing FFL to be maintained and fully details of all dimensions as required for a typical cross section. The existing roof line is also noted for additional clarity.
- In summary, the application seeks permission for minor ground floor extensions and the conversion of an existing attic space to habitable accommodation. The design intent was to respect neighbouring properties and not seek a full two-storey dwelling. The minimal increase in ridge height will not result in any adverse visual impact on adjacent residential properties.

7.3. Planning Authority Response

No response received.

7.4 Third Party Responses

Responses were received from 2 no. parties who consider that the matters raised in the appeal have not been adequately addressed in the applicants' response. They reiterate their concerns regarding the adequacy of the drawings, accuracy of levels and non-compliance with the provisions of the development plan. These matters are considered below in the assessment section of the report.

7.5. Observations

None.

8.0 Assessment

8.1 Introduction

Having examined all 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 its environs, and having regard to the relevant national and local policies and guidance, I consider the substantive issues to be considered in this appeal relate to the following:

- Impact on visual and residential amenities.
- Non-compliance with the provisions of the development plan.
- Technical and procedural issues.

8.2 Impacts on visual and residential amenities

The issues raised in the appeal relate to impacts on the landscape, scenic routes and scenic views. Concerns have also been raised regarding the design of the proposal, its impact on the established pattern of development in the area and the potential for precedent.

The site is not located in a protected area in an area of spectacular local beauty as contended. While the area stretching along the coastline is classified as having a 'Special' sensitivity rating, the area around Bearna is located within an 'Urban Environs Landscape' with 'Low' sensitivity to change. It is considered to be of 'local' significance to the resident community.

The R336 regional road is part of the Galway Bay Scenic Route to the west of Galway city. It runs parallel to the coast at varying distances with occasional views of the coast across fields and between houses. In the vicinity of the site views towards the coast are blocked by existing development. As stated in the appeal, there are views from the scenic route towards the coast where the local access road (L-53841) intersects with the regional road. However, the existing group of

houses, which includes the appeal site, is not visible from this location and will have no impact on this view as contended in the appeal.

There are no protected views close to the site. There are 2 no. viewpoints (No 30 & 32) located in the wider vicinity. The views are described in Appendix 4 of the development plan. The site would be visible in the viewpoint angles from these viewpoints.

Viewpoint 30 (View of the sea from Bearna) is from the parking by the pier to the east of the site and along the pier itself. It is considered to be of 'County' significance. The focus of the view is the sea that stretches out from the shore, and the visible shore to the east and west of the viewing point.

The appeal site is visible in the distance from the pier as part of a cluster of dwellings adjacent to the coastline to the east. Having regard to the established pattern of the development in the vicinity, the separation distance to the site and the minor extensions and alterations proposed, there will be no significant impacts on the view arising from the development.

Viewpoint 32 (Silver Strand) is from the beach and parking area at Silver Strand and considered to be of 'Regional' significance. The focus of this view is the coastal waters. Views towards the appeal site to the west are constrained by distance and intervening topography/vegetation, ensuring that there would be no significant impacts on this viewpoint arising from the development.

The proposal would not therefore contravene the provisions of Policy Objective PVRS 1 which seeks to ensure that designated scenic routes and protected views are preserved and protected from inappropriate development. No issues were raised by the planning authority in this regard.

The alterations and extensions to the ground floor of the house are minor in nature and will not have significant negative impacts on the character or the visual amenities of the area. The removal of the chimney and the more dated pitched elements in the front and rear elevations and their replacement with contemporary flat roofed structures, the provision of natural stone in selected elevations and alterations to fenestration provides a more modern component, which complements the overall design of the house. There is considerable variation in the design and

finish of dwellings in the vicinity of the site and I would, therefore, conclude that the proposed development would not be out of conformity, or, detract from the established character of the area.

The most controversial element of the design is the conversion of the attic space to provide habitable accommodation. A protruding flat roof structure with external balcony would be provided to the rear of the house. To provide adequate floor to ceiling height it would be necessary to raise the ridge level of the existing house by 300mm. While I accept that there is general consistency in the height of the ridge lines of adjoining properties, I consider that an increase of 300mm would be barely discernible in the context of surrounding development. While I acknowledge the appellants concerns regarding potential precedent, each case must be considered on its individual merits.

The proposal would result in a considerable increase in floor area. Having regard to the design and mass of the existing house, I consider that the extension can be effectively accommodated without compromising the character or visual amenities of the area. I consider that the proposed changes to the window proportions and the introduction of a natural stone finish on selected elevations are acceptable and would complement the design approach. There will not be a significant diminution of private amenity space which would detract from the amenity of the dwelling.

There will be no significant impacts on the residential amenity or adjacent properties arising from the development. The property with the greatest potential to be impacted by the development is the house immediately to the west. However, the proposed extensions will not project significantly beyond the footprint of the existing dwelling and give rise to potential overshadowing that would negatively impact on its amenity.

An additional window will be provided in the west elevation of the house, which will serve an en-suite. Overlooking between the two properties is curtailed by the existing party wall. Should An Coimisiún be minded to grant permission for the development, I recommend that a condition be attached requiring the window be fitted and permanently maintained with opaque glass. The external first floor balcony will be provided with a 1.8m privacy screen which will minimise potential overlooking of the private amenity space of the adjacent property.

On the basis of the above assessment, I would conclude that the proposed development complements the design and massing of the existing house. I consider that the design and proportions of the extensions and the marginal increase in the height of the ridge level of the roof are acceptable. I do not consider this it would compromise the character of the area, or detract significantly from the visual or residential amenities of the area or adjoining property. I consider that the proposal would be in accordance with the general requirements of DM Standard 4 for a house extension.

The visual impact of the proposal would be highly localised and confined to the immediate vicinity of the site. It will have no impact on the scenic route to the north or protected views to the east and west. The proposal would not, therefore, be contrary to Policy Objective PVSR 1 of the development plan. I would conclude on this basis that An Coimisiún should uphold the planning authority's decision to grant permission for the development.

8.3 Non-compliance with the provisions of the development plan.

It is contended in the appeals that the proposal does not comply with various policy objectives and development management standards of the development plan. While these promote a high standard of design some of these are not relevant to the subject proposal including DM Standard 3 (Apartment Development in Urban Areas), DM Standard 6 (Domestic garages).

I accept that it is an overriding aim of the plan to ensure that the best quality of design is achieved and that all new development is appropriate to its context and setting, with appropriate use of materials to ensure a positive impact on the visual quality of the area (Policy Objectives PM8, PM 10 and PM10). I also accept that it is necessary to protect the coastal area from inappropriate development so as not to detract from its visual amenity (Policy Objective MCD 1 and MCD 2). For the reasons outlined above, I do not accept as contended in the appeals that the proposed development is at variance with these objectives

Of direct relevance to the proposed development is Policy Objective UL 6 and DM Standard 4 relating to house extensions. Both encourage sensitively designed subservient extensions to existing houses which do not compromise the quality of surrounding development. While I accept that the proposed first floor extension

would substantially increase the floor area of the existing house, I consider that through its design and finish, it can be assimilated within the existing structure without significant negative impacts on the character of the area, or the visual or residential amenities of the area. I consider that the site has the capacity to accommodate the development and will not compromise the character of the surrounding environment.

8.4 Technical and Procedural Issues

It is contended in the appeal submissions that the planning application is flawed and does not contain sufficient information to adequately assess the visual impact of the proposed redevelopment on adjacent properties. Concerns have been raised regarding potential discrepancies and ambiguities in the submitted drawings, the lack of perspective drawings and the absence of Ordnance Datum referenced measurements. Other matters relate to the submission of unsolicited further information, outside the final date for submissions.

The drawings submitted with the application include site location maps, layout plans showing existing/proposed development, existing and proposed floor plans, elevational drawings and site sections, which would be standard for this type of application. Perspective drawings showing the dwellings to the north relative to the subject dwelling would not normally be required due to separation distance. While contiguous elevational drawings are generally useful, particularly in an urban context where buildings adjoin each other, I do not consider that it is a serious omission in the context of the current application.

Concerns are expressed in the appeals regarding the lack of clarity regarding the ridge height of the existing house as shown on the submitted drawings, which is not referenced to Ordnance Datum. The drawings indicate a ridge height of 5.76m as measured from the lower ground floor. An Independent Survey (Brona Land and Engineering Surveyors) was commissioned by the appellants which suggest an overestimate of the existing ridge height by 125mm. In essence this would mean that the ridge level would be raised by 425mm and not 300mm as stated in the application.

Other than a site plan showing levels on the access road, various spot levels and FFL's for the appeal site and adjacent properties, there is no report or other

information to support the study. I note that the appellants response to the grounds states that Total Station GPS system was used and that provides accurate and precise results with no assumptions. The appellants feel aggrieved that the applicant did not take the opportunity to remove all ambiguity by submitting drawings that are clearly referenced to Ordnance Datum. They request that An Coimisiún seek additional information in the form of OD referenced drawings and perspectives to ensure a fair appeal determination.

The applicants' response to the grounds of appeal reiterates that there will be no alterations to the FFL and that the ridge height will be increased by 300mm only. I am clearly in no position to verify which ridge level is correct/incorrect. However, I think that the matter can be addressed by way of a suitably worded condition should the Board be minded to grant permission for the development.

There is no timeframe set out in the regulations regarding the submission of unsolicited further information on an application. Obligations only arise regarding the publication of new public notices and third-party participation when the planning authority determine that the information submitted is significant.

The unsolicited information received by the planning authority is minor in nature and clarifies that the side kitchen window on the west side will be retained as existing. No additional impacts would arise which would affect the adjacent house and Third Party rights have not been compromised.

9.0 AA Screening

I have considered the proposal to provide a new roof structure and to carry out alterations and extensions to existing house in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is located at An Cheibh, Bearna, Co. Galway. It is located c 1km west of Galway Bay Complex SAC (Site code: 000268) selected for a diverse range of marine, coastal and terrestrial habitats, and for Otter and Common (Harbour Seal). The site is also c 1km west of Inner Galway Bay SPA (Site code 004031) selected for 20 no. bird species and for Wetland and Waterbirds.

No nature conservation issues have been raised in the appeal. Having regard to the built nature of the site, the limited scale of development, the surrounding pattern of development and intervening uses, I consider that significant ex-situ effects on foraging wintering birds can be discounted.

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

The reason for this conclusion is as follows.

- the limited scale and nature of the development and its location within the settlement of Bearná and connected to existing public services,
- the distance from the nearest European sites, and
- lack of connections.

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

10.0 Water Frame Directive

The proposal is to provide a new roof structure and alterations and extensions to the the existing house which is located in Bearná. Co. Galway.

No water deterioration concerns were raised in the appeal. There are no water bodies close to the site.

I have assessed the 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 and ground waterbodies in order to reach good status (meaning both good chemical and 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 water and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- the small scale and nature of the development
- The separation distance from the nearest Water Bodies and lack of hydrological connections.

Conclusion

I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration of 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.

11.0 Recommendation

On the basis of the above assessment, I recommend that permission be granted for the development for the reasons and considerations set out below.

12.0 Reasons and Considerations

Having regard to the established use of the site for residential purposes it is considered that subject to compliance with the conditions set out below, the proposed development would not impact negatively on the visual or residential amenities of the area, would not detract from the Galway Bay Scenic Route or protected views in the locality and would be in accordance with the provisions of the Galway County Development Plan 2022-2028. The proposed development would not, therefore, be contrary to the proper planning and sustainable development of the area.

13.0 Conditions

1. The development shall be carried out in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 19th day of August 2025 and by further plans and particulars

received by An Coimisiún Pleanala on the 21st day of October 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 and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interests of clarity

- 2 The ridge level of the existing house shall not be increased by more than 300mm above its existing level. Prior to any development taking place on the site, the developer shall submit for the written approval of the planning authority revised plans and particulars to an appropriate scale showing existing finished floor level and the ridge level of the existing house referenced to Ordnance Datum, together with the proposed ridge line of 300mm.

Reason: In the interests of clarity.

- 3 The existing dwelling and proposed extension shall be jointly occupied as a single residential unit. It shall not be sub-divided or used for any commercial purposes, and shall not be sold, let, leased or otherwise transferred or conveyed, by way of sale, letting or otherwise, save as part of a single dwelling unit.

Reason: To restrict the use of the extension in the interest of residential amenity.

- 4 The ensuite bathroom in the west elevation shall be fitted and permanently maintained with opaque glass.

Reason: In the interests of residential amenity.

- 5 The first-floor balcony shall be provided with a 1.8m high privacy screen to details to be submitted for written agreement of the planning authority prior to the commencement of development.

Reason: To protect the residential amenity of adjoining property.

- 5 Details of the external finishes of the development to include details of materials, texture and colour, including windows, doors and rainwater goods shall be submitted to and agreed in writing with the planning authority prior to commencement of the development. Any stonework shall be constructed of natural

stone local to the area. The use of white uPVC shall not be permitted on windows, doors, fascias, soffits and guttering.

Reason: In the interests of visual amenity.

6 Site development and building works shall be carried out only between the hours of 08.00 to 19.00 00Mondays to Fridays including, between 08.00 to 14.00 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 amenities of property in the vicinity.

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.

Breda Gannon

Planning Inspector

11th, December 2025

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	ACP 323710-25
Proposed Development Summary	New roof structure and extensions to ground floor and first floor of existing house.
Development Address	An Cheibh, Bearna. Co. Galway.
IN ALL CASES CHECK BOX /OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2. <input type="checkbox"/> No, No further action required.
(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)	
2. Is the proposed development of a CLASS specified in <u>Part 1</u>, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1 . EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in <u>Part 2</u>, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	

<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
<input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____