



An  
Coimisiún  
Pleanála

## Inspector's Report PL-500030-GY

---

<b>Development</b>	Retention of extension of existing shed to be used as a house and all associated works.
<b>Location</b>	Funshin, Kinsharva, Co. Galway
<b>Planning Authority</b>	Galway County Council
<b>Planning Authority Reg. Ref.</b>	2560980
<b>Applicant(s)</b>	Martin McGowan
<b>Type of Application</b>	Retention
<b>Planning Authority Decision</b>	Refuse Permission
<b>Type of Appeal</b>	First Party Normal Planning Appeal
<b>Appellant(s)</b>	Martin McGowan
<b>Date of Site Inspection</b>	21 <sup>st</sup> November 2026
<b>Inspector</b>	Sarah O'Mahony

# Contents

1.0 Site Location and Description .....	4
2.0 Proposed Development .....	5
3.0 Planning Authority Decision .....	5
3.1. Decision .....	5
3.2. Planning Authority Reports.....	7
3.3. Prescribed Bodies.....	8
3.4. Third Party Observations.....	9
4.0 Planning History.....	9
5.0 Policy Context .....	9
5.1. Development Plan .....	9
5.2. Natural Heritage Designations .....	11
5.3. EIA Screening .....	11
6.0 The Appeal.....	12
6.1. Grounds of Appeal.....	12
6.2. Planning Authority Response .....	13
7.0 Assessment .....	13
7.1. Introduction .....	13
7.2. Principle of Development .....	14
7.3. Dwelling Design .....	16
7.4. Landscape and Visual Impact .....	19
7.5. Access.....	20
7.6. Water and Wastewater .....	22
7.7. Other Matters .....	23

8.0 Appropriate Assessment .....24

9.0 Water Framework Directive .....24

10.0 Recommendation .....25

11.0 Reasons and Considerations .....25

Appendix 1 – Form 1: EIA Pre-Screening

Appendix 2 – Form 2: AA Screening

## 1.0 Site Location and Description

- 1.1. The 0.335ha site is situated in southwest County Galway, 4km southwest of Kinvara. The Clare-Galway county boundary is situated 1.6km southwest of the site.
- 1.2. The site has road frontage to the L4507 at the east as well as an unnamed and unsurfaced cul-de-sac/laneway to the south. Access to the laneway is via a pair of agricultural style gates. There is a stone wall situated along the south and southeast boundaries with an opening at the southeast facing the junction between the road and laneway. This opening formerly provided vehicular access but has been blocked in recent years with a row of large stones. There is no formal boundary in place at roadside to the east and in this manner there is a derelict dwelling facing the roadside with no enclosed front curtilage.
- 1.3. There are a variety of structures at the southwest and southeast of the site as detailed below however the site also extends to a field at the north of the structures which has some hedgerows and post and wire fencing as well as another agricultural gate which does not appear to be in use accessing the road at the east. There is a mature treeline situated along the western boundary.
- 1.4. The exposed and elevated stone terraces of a range of hills forming part of the Burren are situated west of the site in a line forming a north-south axis and are very visually prominent from the site. The summit of the closest hill is situated 2km southwest while the exposed stone at the base of the hill is 900m southwest.
- 1.5. The following structures are present on the site:
  - A 169m<sup>2</sup> two-storey pitched roof shed/dwelling structure with lean-to single storey wings to either side, finished entirely with dark brown corrugated metal and domestic two over two pvc sash windows as well as a series of high level opaque bathroom type windows. There was no formal door to the structure at the time of the site inspection but a section of the steel cladding was cut back and temporarily secured to provide access on the eastern elevation. The internal area had timber stud partitions in place laying out the floorplan but no plasterboard, electrics or plumbing fixtures noted. This structure is at the rear of the site adjacent to the western boundary and accessed from the laneway at the south.

- A derelict traditional pitched roof stone cottage at the east of the site facing the public road with no enclosed front curtilage. This building has a corrugated metal roof and still retains its timber door and sash windows on the front elevation, however a large portion of the rear wall has fallen down/been removed and the chimney has also fallen down resulting in much of the building now exposed to the elements.
- A shipping container type portacabin in the southwest corner.
- A concrete/blockwork type structure divided into 2no. domestic sheds south of the cottage. A corrugated metal roof is partially in place but overall the shed is in a poor condition.
- A cluster of stone sheds at the north of the cottage partially enclosed in a small yard. These monopitch sheds are roofed with corrugated metal and some have timber doors in place, however all are in a poor state of repair.

## 2.0 Proposed Development

2.1. Retention permission is sought for development which comprises the following:

- Retain unauthorised structure under construction, including reconstruction, and extension of an existing shed to be used as a house, and all associated site works.

2.2. The application was accompanied by the statutory notices and drawings however no additional information, reports or drawings were provided.

## 3.0 Planning Authority Decision

### 3.1. Decision

3.1.1. Galway County Council issued a notification to refuse permission on 11<sup>th</sup> September 2025 for 6no. reasons as follows:

1. On the basis of information included with the planning application, and having regard to the unauthorised entrance, it is considered that the proposed development would contravene DM Standard 28 of the Galway County Development Plan 2022-2028 and would endanger public safety by reason of

traffic hazard, or obstruction of road users, or otherwise, and therefore would be contrary to the proper planning and sustainable development of the area.

2. Having regard to the details submitted, the Planning Authority is not satisfied that the safe disposal of domestic effluent on site can be guaranteed in strict accordance with the EPA Code of Practice Manual 2021 for Wastewater Treatment and Disposal Systems Serving Single Houses (PE ≤10). Accordingly, to grant the proposed development would be prejudicial to public health, would be contrary to Policy Objective WW6 and DM Standard 38 of the Galway County Development Plan 2022-2028, would pose an unacceptable risk to surface water and be contrary to the proper planning and sustainable development of the area.
3. In the absence of any details submitted on file relating to the private well infrastructure to serve the proposed development, it is considered that the development if permitted as proposed would pose a serious risk to the public health of persons occupying the proposed dwelling house, would be contrary to Policy Objectives WS5 and WS7 and DM Standard 36 of the Galway County Development Plan 2022-2028 and would be contrary to the proper planning and sustainable development of the area.
4. Having regard to the visual sensitivity of the subject site, located within a High Landscape Sensitivity Class 2, it is considered that the proposed design and form is not sensitive to its surroundings and is discordant with the adjoining development. Having regard to the visual sensitivity of this site in a High Landscape Sensitivity, to the rural housing policy of the current County Development Plan, it is considered that the proposed dwelling design would result in a built form that would not assimilate into the receiving landscape, would contravene materially Policy Objectives LCM2 and LCM3, Policy Objective RH9, DM Standard 46 and DM Standard 8 contained in the Galway County Development Plan 2022-2028. Accordingly, to grant the proposal would interfere with the character of the landscape, would detract from the visual amenity of the area, would militate against the preservation of the rural environment, would materially contravene an objective and a development management standard contained in the current county development plan, would set an undesirable precedent for similar future development in the area, and

therefore, would be contrary to the proper planning and sustainable development of the area.

5. Having regard to Policy Objectives RH2 and RH4 of the Galway County Development Plan 2022-2028, and on the basis that the applicant failed to submit any documentation pertaining to a Rural Housing Need, it is considered that the applicant has not demonstrated that they meet the housing need criteria as set out in the Galway County Development Plan 2022-2028. Therefore, the proposed development is considered contrary to the rural housing provisions of the county development plan. Accordingly, to grant the proposed development would contravene materially Policy Objectives RH2 and RH4 and DM Standard 7 contained in the Galway County Development Plan 2022-2028, would be contrary to the Sustainable Rural Housing Guidelines, and would set an undesirable precedent for similar future development in the area, and would be contrary to the proper planning and sustainable development of the area.
6. Having regard to the nature of the proposed development and the evidence on site that there is further unauthorised development in the form of an unauthorised shipping container, within the confines of this site which are not identified on the submitted site layout and does not have the benefit of permission, it is considered that the proposed development would result in the consolidation of unauthorised development. Therefore, it is considered by the Planning Authority that the proposed development would, if permitted, perpetuate and intensify existing unauthorised development on site.

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

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

- The Planners report recommendation to refuse permission is consistent with the notification of decision which issued.
- Appropriate Assessment (AA) and Environmental Impact Assessment (EIA) issues are both screened out.
- The report states that the structure seeking retention and completion permission *'cannot reasonably be regarded as a proposed habitable dwelling. This conclusion is*

*based on its overall form and the nature of the profiled metal sheeting on its exterior, which more closely resembles that of an agricultural building rather than a domestic dwelling house. In this regard the proposed development is not considered acceptable in principle based on the details received’.*

- It notes that no documentation was submitted to demonstrate a rural housing need, as required as Policy Objectives RH2 and RH4 apply. It also noted further documentation lacunae regarding the alleged presence of a well and septic tank on the site as well as matters such as sightlines and minimum separation distances.
- The report noted concerns regarding the planning status of the septic tank and existing vehicular entrance and considered both to lack the benefit of planning permission. It states there is an active enforcement file open on the site.
- It considered use of the unauthorised entrance would negatively impact the public road, interfere with the safety and flow of traffic on the public road and would endanger public safety by reason of traffic hazard.
- It considered the structure seeking retention permission as a dwelling does not comply with local Design Guidance and policies regarding rural dwelling design. It states *‘The proposed design solution is not considered to assimilate into the surrounding landscape - given the scenic value and the sensitivities of the landscape and furthermore is not considered in keeping with adjoining development. The applicant has also failed to submit a visual impact assessment of the proposed completed development, and the Planning Authority consider that the scale and form of the proposed development is not sensitive to its surroundings- is visually obtrusive and discordant with the prevailing vernacular type and is not therefore sensitive to the traditional vernacular of the existing derelict structures in on site.’*

### 3.2.2. Other Technical Reports

- Gort area office: No report/response received.

### 3.3. Prescribed Bodies

- NPWS Midwest: No report/response received.
- Development Applications Unit: No report/response received.

- An Taisce: No report/response received.
- The Heritage Council: No report/response received.

### 3.4. **Third Party Observations**

One submission was received from Chris Kearns which raised the following matters:

- Permission was never granted for a septic tank on the site and an unauthorised septic tank raises health and safety concerns. Therefore, any septic tank or wastewater management system for this site should have approval granted by the council before its construction, and it should meet all the current standards and regulations during its construction, if it is subsequently approved.
- All recent planning approvals in the vicinity of the proposed development site have conditions attached regarding external finishes "in the interest of visual amenity". This adds to constructions costs for the local community, usually restricted to young people with a housing need. It would be very unfair to these people if conditions were not uniformly applied by the council.

## 4.0 **Planning History**

- 4.1. 98/3639: Planning permission sought to renovate and extend a dwelling house and for the construction of a septic tank. The application was deemed withdrawn when no response to a further information request was received.

## 5.0 **Policy Context**

### 5.1. **Development Plan**

- 5.1.1. The site is governed by the policies and provisions contained in the Galway County Development Plan 2022-2028 (referred to hereafter as the CDP). Chapter 4 sets out the policy guidance for developing housing in the rural area and it identifies the site as being situated within two rural housing zones as follows:

- Zone 2: 'Galway County Transport & Planning study' (GCTPS) and

- Zone 4: Landscape Sensitivity Category 2-4. The site in this case is situated in landscape sensitivity category 2 which is categorised as a high sensitivity landscape.
- 5.1.2. Rural Housing Policy RH2 applies to applicants seeking to construct one-off dwellings in zone 2. The overarching policy objective is to facilitate rural housing in this area under strong urban pressure subject to 7no. categories of local need criteria, however a prospective applicant need only demonstrate compliance with one such category. It also states that an enurement clause will apply for a period of 7yrs during in which the applicant must occupy the dwelling.
- 5.1.3. Policy Objective RH4 applies to zone 4 where the landscape classification is 2, 3 or 4. It requires applicants to demonstrate economic or social rural links as per policy objective RH2.
- 5.1.4. RH6 refers to replacement dwellings and specifies that the refurbishment of existing habitable dwellings is encouraged as a more sustainable option than the demolition and construction of a new dwelling house, unless a conclusive case for demolition based on technical evidence is made for the Planning Authority's consideration on a case-by-case basis. It also requires new dwellings to comply with the Design Guidelines for Rural Housing. Lastly, it states '*Applicants, who require the demolition of an existing family home shall be accommodated without the requirement to establish a Housing Need and will not be subject to an enurement clause.*'
- 5.1.5. Policy Objective RH9 is noted regarding design guidelines for rural dwellings as well as the Design Guidelines for the Single Rural House which is set out in Appendix 5 of the CDP.
- 5.1.6. Policy Objective RH11 requires rural dwellings to comply with the EPA Code of Practice: Wastewater Treatment Systems for Single Houses (2009). The Coimisiún should note this guidance document has since been replaced with a 2021 version.
- 5.1.7. Chapter 7 refers to Infrastructure, Utilities and the Environment and policy objectives WS5, WS6 and WS7 therein refer to clean drinking water supplies. Policy Objective WW6 also requires private wastewater treatment plants to comply with the EPA CoP.
- 5.1.8. Chapter 8 sets out policy and guidance regarding safeguarding the County's landscape. It identifies that the landscape classifications equate to sensitivity ratings and therefore the subject site is situated in a high sensitivity landscape. Policy

Objective LCM1 seeks to preserve and protect the character of the landscape. Policy Objectives LCM2 and LCM3 state that landscape sensitivity ratings will be factored into decision making for development proposals. LCM3 specifically states “*In areas of high landscape sensitivity, the design and the choice of location of proposed development in the landscape will also be critical considerations.*”

5.1.9. Chapter 15 sets out development management standards which includes the following:

- DM standard 8 regarding site selection and design for rural dwellings,
- DM standard 9 regarding site sizes for single houses using individual on-site wastewater treatment systems.
- DM standard 28 regarding sightlines
- DM standard 36 regarding public water supply and wastewater collection.
- DM standard 38 regarding effluent treatment plants, and
- DM standard 46 regarding compliance with landscape sensitivity designations and which states that development in class 2 landscapes will be “*Restricted to essential residential needs of local households and various developments (subject to site suitability and appropriate scale and design), including those with substantiated cases for such a specific location and which are in compliance with settlement policies.*”

## 5.2. Natural Heritage Designations

5.2.1. East Burren Complex Special Area of Conservation and proposed Natural Heritage Area is situated 650m west of the site.

## 5.3. EIA Screening

5.3.1. 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. The

proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

- No changes are proposed to the existing site entrance which is not subject of the retention permission. DM standard 28 applies to new entrances only and therefore is not applicable in this circumstance.
- No changes have occurred or are proposed to wastewater treatment on the site. The 'building used previously as a dwelling' is disconnected from the existing system and the subject building will be connected.
- No changes are proposed or have occurred to the existing well.
- The building is an extension to the existing shed to be used as a house in lieu of an existing dwelling on the site, which is to be retained as an out building.
- The building design is a positive response to the rural setting by adhering to vernacular and agricultural design cues, is a modest scale and has minimal landscape impact. It demonstrates a conscious effort to address its function and location. The building is subordinate to the natural environment and is not overly ornate or urban in character
- The barn style building with a pitched roof and profiled metal sheeting cladding is traditional to the rural area and aligns the development with the established vernacular of farm structures and industrial buildings characteristic of rural areas. It avoids visual fragmentation which can occur from non-contextual, urban style housing.
- The dark brown /bronze colour helps the structure recede into the landscape and backdrop of trees. Window placement provides an element of domestic or functional regularity, demonstrating a conscious architectural design rather than a simple unadorned shed.
- This proposal refers to the conversion and extension of an existing shed on the site of a residential property and therefore does not introduce a new dwelling to the

site or intensify the residential density of the area. It rationalises the use of existing structures and therefore Policy Objective RH2 regarding local need does not apply which typically applies to new, isolated dwellings contributing to ribbon development or urban sprawl.

- Although not referenced in the refusal reasons, DM standard 7 relates to the quality of the surrounding environment and separation distances etc. By converting the existing shed the development maintains the existing pattern of structures on the site and is less likely to breach DM Standard 7 than a new dwelling on an otherwise undeveloped plot.
- Refusing permission on the basis of a lack of local need is overly restrictive and contrary to the spirit of promoting sustainable and efficient use of existing buildings and infrastructure.
- The development should be assessed primarily on its design quality, local visual impact and environmental factors, not as a greenfield proposal.
- The shipping container is not a subject of the retention application and will be removed following completion of construction works. It is utilised for temporary site accommodation.

## 6.2. Planning Authority Response

- None

## 7.0 Assessment

### 7.1. Introduction

- 7.1.1. The appeal suggests that the development should be assessed primarily on its design quality, local visual impact and environmental factors, which I agree with to an extent. It goes on however to suggest the development should not be assessed as a greenfield proposal as the shed/dwelling does not comprise a new dwelling, and because the original older cottage will be used as an outbuilding. I note permission was refused for matters relating to local need and for compliance with policy objectives relating to the principle of constructing a dwelling in the rural area of

County Galway. In this regard I consider it pertinent to assess the principle of development in this assessment as well as all other design, visual and environmental factors etc as they arise.

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

- Principle of Development
- Dwelling Design
- Landscape and Visual Impact
- Access
- Water and Wastewater
- Other Matters

## 7.2. Principle of Development

7.2.1. The appeal suggests that conversion and extension of the shed, on the site of an existing residential property, does not introduce a new dwelling to the site or intensify the residential density of the area. It therefore suggests that there is no requirement for the applicant to demonstrate compliance with local need and policy objective RH2. It goes on to state that refusing permission on this basis is overly restrictive and contrary to the spirit of promoting sustainable and efficient use of existing buildings and infrastructure.

7.2.2. The development description does not refer to the existing dwelling on the site however the site layout drawings refer to it as 'existing cottage'. Following a site inspection it is clear that this has become derelict and structurally instable. No information is presented in the application documents regarding the status of the cottage however the appeal states the following with regard to wastewater treatment '*the building used previously as a dwelling is disconnected from the existing system*'. The application and appeal documents do not refer to any proposal for works to alter

the condition of the cottage beyond disconnecting it from the wastewater system and to retain it as 'an outer building'.

- 7.2.3. A previous shed within the same site was allegedly extended to form the current proposed dwelling, hereafter referred to as the shed/dwelling. No evidence has been submitted to demonstrate that the earlier shed was indeed extended or if it was demolished entirely and a new structure constructed in its place. An inspection of the internal area through the windows of this structure did not demonstrate any evidence of the previous shed. I therefore have concerns regarding the accuracy of the development description and the extent of works carried out.
- 7.2.4. Regardless of those concerns, in my opinion a material change of use has partly occurred and is further proposed to complete by changing the shed from non-habitable structure to a habitable structure, ultimately leading to the presence of a new dwelling on the site. The cottage is clearly derelict and its use as a dwelling has been abandoned and in this context I consider that construction of the current shed/dwelling structure constitutes the construction of a new dwelling on the site.
- 7.2.5. I note the appeal's suggestion that policy objective RH2 regarding local need 'typically' applies in order to reduce ribbon development or urban sprawl and that it should not apply in this instance as the development rationalises the layout of structures on the site. I disagree with this interpretation of planning policy however as I am of the opinion that policy objective RH2, which requires the demonstration of local need to construct a dwelling in a rural area, is a matter which concerns the principle of development only. In my view matters such as urban sprawl, ribbon development and the density of development relate to layout and design which are separate issues.
- 7.2.6. The derelict state of the cottage and its disconnection from the wastewater treatment system would effectively combine to eliminate its residential use and in this regard I note the appeal's argument regarding the net increase of dwellings on the existing residential property. However, as the site has not been used for residential purposes for many years, and as the development effectively introduced a new dwelling on to the site, I consider policy objective RH2 does apply.
- 7.2.7. I note the provisions of policy objective RH6 regarding replacement dwellings however this applies to the demolition of an existing dwelling which is not proposed

in this circumstance and therefore RH6 does not apply. Further, compliance with this policy objective requires the new dwelling to adhere to rural design guidelines and as outlined later in this assessment, I do not consider this has occurred.

7.2.8. I also note policy objective RH12 which refers to adaptation of existing housing Stock or existing buildings within the curtilage of the site. The text of that policy objective outlines how this is aimed at facilitating the provision of additional family flat/granny flat type accommodation in the existing family setting, and that such structures must be attached to the existing dwelling or near the family home. RH12 therefore does not apply.

7.2.9. The CDP does not provide for a category of development to convert existing buildings in the rural area to residential use without a requirement to demonstrate compliance with local need criteria. I therefore conclude that the development constitutes the construction of a new dwelling in the rural area requiring the application of Policy objective RH2. Further, policy objective RH4 also applies due to the location of the site in a high sensitivity landscape. This specifies '*those applicants seeking to construct individual houses in the open countryside in areas located in Landscape Classification 2,3 and 4 are required to demonstrate their demonstratable economic or social Rural Links or Need*'. In my view the development comprises an individual house in the open countryside and therefore also falls within the remit of RH4 and local need demonstration is again required. The applicant has failed to submit any documentation to demonstrate compliance with any category of local need and I therefore recommend that planning permission is refused accordingly.

### 7.3. Dwelling Design

7.3.1. The 169m<sup>2</sup>shed/dwelling comprises a central two storey gable fronted block with lean-two wings on either side. The entire building is finished with profiled/corrugated metal sheeting. Domestic type 2 over 2 windows are inserted and there is currently no door in place but a section of the same sheeting covers an ope on the front elevation where a door is to be positioned. I note the drawings illustrate a proposed Juliet balcony on the western elevation of the first floor serving a four bay arrangement of French doors and full height windows however this arrangement is not currently in place.

- 7.3.2. The appeal suggests that the design was intentionally proposed in order to replicate an agricultural aesthetic comprising of a barn type structure with finishes vernacular to the rural area receding into the landscape. It suggests the design is a positive response, modestly scaled, is subordinate to the natural landscape and avoids visual fragmentation which can occur from non-contextual, urban style housing.
- 7.3.3. I understand and appreciate the design intent and consider the principle of referencing agricultural buildings in rural house design is a well-established design approach for rural dwellings. I also note the Design Guidelines for Single Rural Housing, as set out in Appendix 5 of the CDP, state '*The aim of this guide is to encourage design innovation which is contemporary in nature and of its time, just as our past built heritage was of its time. What is important with such innovation is that it reinforces the characteristics that have defined rural design over the ages.*'
- 7.3.4. However, in my opinion, that design approach has not been successfully executed in this development. I consider the massing and layout of the structure is more akin to an American style barn than any Irish vernacular agricultural building. The insertion of the domestic type windows and the two lean-to wings on side reinforce this vision of a red and white American barn rather than a contemporary interpretation of a local and traditional shape common to the Irish rural area.
- 7.3.5. Section E of the design guidelines specifically highlight the Irish barn as an iconic vernacular typology and encourages its use as design inspiration. The examples provided are mostly narrow form structures with a single bay gable which has a much narrower and taller pitch than the structure on the site. The examples are also finished with natural materials.
- 7.3.6. Page 27 of the guide goes on to provide a significant range of forms of dwellings which are appropriate to the Irish countryside. The shed/dwelling on the site is not reflected in any of these typologies and in particular draws no reference from the barn typologies illustrated.
- 7.3.7. I consider the overall ratio of solid to void on the front elevation to be poor and there is a lack of punctuation and expression on this public elevation. I consider the width of the front gable to be industrial in form and not agricultural or vernacular to the Irish rural area. I consider the lean-to wings to the north and south are inappropriate additions with the look of 'tacked on' afterthoughts only serving to lengthen the

overall front elevation and increase the mass and bulking effect of the overall structure.

- 7.3.8. The scale of the dwelling is also dominant and overbearing when situated to the rear of an attractive albeit derelict vernacular dwelling. The use of dark cladding does help to reduce its dominance, however not to the extent required. The overall scale is exacerbated by the location of the dwelling on a higher ground level than the original dwelling together with the two storey proposal breaking the skyline and impeding on views of the peaks to the rear.
- 7.3.9. I also have concerns regarding the quality of the overall layout and design of the structure in terms of residential amenity. The first-floor kitchen/living/dining space has no south facing windows to maximise solar gain and there is no back door or any secondary door anywhere in the structure.
- 7.3.10. The appeal references DM standard 7 and suggests it 'relates to the quality of the surrounding residential environment or separation distances etc'. The appeal then goes on to suggest that converting the existing shed maintains the existing pattern of structures on the site leading to less likelihood of contravening DM Standard 7 than a new dwelling on an otherwise undeveloped plot.
- 7.3.11. DM standard 7 refers to the documentation required to demonstrate a local need. DM standard 8 however relates to site selection and design for rural dwellings and it advocates for, inter alia, simple plan forms to avoid bulky shapes, have regard to the scale of surrounding buildings and have simple design forms and materials reflective of traditional vernacular development, none of which have been achieved with this design.
- 7.3.12. DM standard 8 also requires the following:
- Where existing vernacular structures exist on site, consideration should be given to their re-use, adaptation and extension in preference to a new build.
  - Clustering with existing rural buildings is generally preferable to stand-alone locations.
- 7.3.13. Neither of these points have been acknowledged, referenced or realised in this application. In this context I am concerned about the layout of the development and the relationship between the cottage and the shed/dwelling as well as any proposals

for the maintenance and upkeep of the older structures. I acknowledge the alleged presence of a previous shed on the location of the proposed new dwelling, as well as the proximity of the cottage adjacent to the public road. However in my view a more advantageous opportunity exists to utilise the older dwelling and its attendant cluster of structures in a clochán type layout which would be far more appropriate to the rural area, more sustainable in terms of utilising existing embodied carbon and likely result in a higher quality architectural response by retaining the existing vernacular structures already provided on the site. Successfully integrating the older buildings with contemporary connections and additions would be a more successful and sustainable design response to the site in my view.

7.3.14. In conclusion, I recommend that permission is refused due to poor dwelling design which does not comply with DM standard 8 or the design guidelines.

#### **7.4. Landscape and Visual Impact**

- 7.4.1. The site is situated in a karst landscape at the northern extent of the Burren. Exposed limestone pavement is visible to the rear (west) of the site which rises into a series of peaks along the Clare – Galway border. The resulting backdrop to the site is a dramatic, expansive and exposed landscape which has been classified as highly sensitive in the CDP. The hills are highly visible over a wide area from the roadside.
- 7.4.2. The shed/dwelling is located on higher ground than the public road and the central two-storey block breaks the skyline and impinges on the view of the hills to the rear when viewed from the road at the north and east. Having regard to the matters set out in the previous section regarding dwelling design, I consider the structure is an incongruous form and scale for this location as it negatively impinges on and detracts from the special character of the highly sensitive landscape which has little ability to absorb development in my view. The chosen dark bronze colour of the cladding does help to reduce impacts however I consider it is the design, scale, massing and overall form of the structure which is at the heart of the issue.
- 7.4.3. The location of a treeline to the rear of the structure would help assimilate the structure into the landscape when viewed from the hills at the west however there is very little screening available from the east and south. I note from aerial imagery that the site previously benefited from extensive tree cover which was removed in recent

years. The Commissioners should be aware in this regard that the site layout plan is inaccurate as it implies there are a number of large trees situated on the site which were not present during the site inspection.

- 7.4.4. I agree with the Planning Authority's reason for refusal and consider that the shed/dwelling structure negatively impacts on the landscape. I also consider that the design of the dwelling itself, aside from the sensitivity landscape, would result in negative visual impacts to the area and is visually intrusive and incongruous to the area. I recommend that permission is refused in accordance with policy objective LCM1 which seeks to preserve and enhance the character of the area, RH9 which states 'It is the policy objective to encourage new dwelling house design that respects the character, pattern and tradition of existing places, materials and built forms and that fit appropriately into the landscape', DM standard 8 which requires clustering with existing structures on the site and reusing vernacular structures and DM standard 46 which states that development in class 2 landscapes will be *"Restricted to essential residential needs of local households and various developments (subject to site suitability and appropriate scale and design), including those with substantiated cases for such a specific location and which are in compliance with settlement policies."*

## 7.5. Access

- 7.5.1. Permission was refused for use of the existing access point which the Planning Authority considered to be unauthorised, would contravene DM standard 28 and would endanger public safety by reason of traffic hazard, or obstruction of road users. The applicant's response is that no changes are proposed and retention permission is not sought for the access point. No additional information is however provided to regarding the date the entrance was provided on the site.
- 7.5.2. The appeal contends that DM standard 28 does not apply in this circumstance as it only applies to new entrances only.
- 7.5.3. DM 28 states: *'Vehicular entrances and exit points must be designed by the developer as part of a planning application with adequate provision for visibility so that drivers emerging from the access can enjoy good visibility of oncoming vehicles,*

*cyclists and pedestrians. Where a new entrance is proposed, the Planning Authority must consider traffic conditions and available sight lines.'*

- 7.5.4. This access point is situated at the south of the site providing access to the laneway. Having regard to the layout of the site and in particular the original dwelling, I note the outbuildings south of the original dwelling have a large vehicular type opening on the eastern elevation, giving the impression of a domestic type garage. The current roadside boundary in this location appears to have been altered in recent years with an attempt made to close a previous entrance at the southeast of the site, south of the existing dwelling and east of the garage type building. A review of google streetview imagery clearly demonstrates the presence of a vehicular entrance in this location in 2009 with pillars and a gate visible. I also note that at the north of the dwelling there is another cluster of outbuildings with vehicular access provided from the roadside, although in a more informal manner without any specific gates or pillars.
- 7.5.5. In this regard, I have concerns regarding the relationship between the curtilage of the cottage and attendant buildings and the area to the rear where the shed/dwelling is situated and in particular the nature and use of the access in question. I consider the likely previous use of this western portion of the site and its entrance was agricultural or perhaps ancillary domestic, however in the absence of any definitive information in that regard, at a minimum I am not of the opinion that this entrance was the main vehicular entrance to the cottage. Accordingly, in my view the proposed use of this access point for residential purposes would result in an intensification of its use as well as a material change in the nature of its use.
- 7.5.6. I therefore consider it appropriate that DM standard 28 is applied and that the applicant has failed to demonstrate compliance with same.
- 7.5.7. Additionally, the reason for refusal has clearly detailed the Planning Authority's view that the entrance is unauthorised. The appeal has failed to address this matter and therefore I am of the view that granting permission to utilise the structure as a dwelling would be reliant on and would consolidate unauthorised development and permission should be refused accordingly.

## 7.6. Water and Wastewater

- 7.6.1. The application seeks to connect to an existing septic tank and well on the site. The location of the well has not however been identified and no has any information been submitted regarding the adequacy of either service or its compliance with the required standards. The Case Planner's report makes reference to planning application ref.96/3639 which sought permission to renovate the cottage and to construct a septic tank on the site. That application was however withdrawn and the report therefore considers the septic tank does not benefit from planning permission and would therefore contravene DM standard 38 and Policy Objective WW6 which require single dwellings in rural areas to be serviced with wastewater treatment in accordance with the EPA Code of Practice. I note part (c) of DM standard 38 also requires certification confirming that septic tanks have been de-sludged in accordance with the CoP.
- 7.6.2. The appeal states that no changes have occurred or are proposed to the wastewater treatment on the site. It also states that the '*building used previously as a dwelling*' is disconnected from the existing system and the subject building will be connected.
- 7.6.3. It does not however address the core matter of the adequacy of effluent treatment and disposal on the site as referenced in the reason for refusal. In the absence of any documentary evidence demonstrating the capability and competency of the septic tank including de-sludging certification I consider this refusal reason is justified and I agree with its rationale.
- 7.6.4. I also note the concerns regarding the planning status of the septic tank and consider that in the absence of any certainty in this regard, the proposal to connect into that septic tank and to occupy the dwelling on the basis of the presence of that septic tank could potentially lead to a consolidation of unauthorised development. However, in the absence of definitive data and reports from the Local Authority in this regard I do not recommend that permission is refused on this basis.
- 7.6.5. With regard to potable water, permission was refused for a similar reason attributed to a lack of documentation regarding the well. The appeal's response to this matter is the following statement '*There is no changes proposed or done to the existing well*'.

- 7.6.6. Policy Objective WS5 supports the provision of private water supplies but only in scenarios where it can be demonstrated that the proposed water supply meets the standards set out in the EU and national legislation and guidance including adherence to Article 6 of the EU Habitats Directive, and would not be prejudicial to public health or would not significantly impact negatively on the source or yield of an existing supply. No such information was submitted. The site layout drawing also does not demonstrate the location of the well or that appropriate separation distances can be achieved from the septic tank and the information submitted does not specify if connection to the original dwelling would be retained or terminated following connection to the new shed/dwelling.
- 7.6.7. Policy Objective WS7 and DM Standard 37 also require new development proposals to ensure there would not be an unacceptable impact on both the quality and quantity of groundwater. In the absence of yield logs and monitoring of the borehole/well, it is not possible to determine if an impact would occur or not.
- 7.6.8. I also note the provisions of DM standard 36 which require new developments to connect to the water and wastewater supply where 'practicable' and that '*in the first instance, the applicant should make a pre-connection enquiry to Irish Water to establish the feasibility of a connection in advance of seeking planning permission*'. There is no evidence on file of a pre-connection enquiry.
- 7.6.9. I therefore agree with the reason for refusal as set out in the notification of decision regarding potable water and connection to a well. I consider the appeal has not addressed this reason for refusal by failing to submit any documentation in relation to the well and in this regard I consider the proposal to connect to the well would contravene the stated objectives as well as DM standard 36.

## 7.7. Other Matters

- 7.7.1. I note one refusal reason refers to the unauthorised presence of shipping container on the site which is not identified on the drawings submitted and that granting permission would effectively lead to a consolidation of unauthorised development. The appeal however highlights that retention permission was not sought for the container and it would be removed following completion of the construction works as it is required for temporary site accommodation only.

- 7.7.2. I do not agree that permitting development to retain and complete the shed/dwelling structure would confer permission to also retain the shipping container on the site, particularly as it is entirely absent from any drawings or development description. In this regard I do not recommend including the same refusal reason.
- 7.7.3. I do however consider it is reasonable to provide such temporary structures on site during the construction phase only. In the event of a grant of permission I consider a condition could be attached requiring all such temporary structures to be removed immediately upon completion of the structure or perhaps its occupation.

## **8.0 Appropriate Assessment**

### **8.1. Screening Determination**

### **8.2. Finding of no likely significant effects**

8.2.1. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on East Burren Complex SAC in view of the conservation objectives of this site and is therefore excluded from further consideration. Appropriate Assessment is not required.

8.2.2. This determination is based on:

- The domestic nature and scale of the works.
- The location and distance from nearest European site and lack of connections thereto.

## **9.0 Water Framework Directive**

9.1. Corranroo River and lake is located 1.6km north of the site and discharges into Aughinish Bay 2.5km north of the site.

9.2. The proposed development comprises retention of an unauthorised structure under construction, including reconstruction, and extension of an existing shed to be used as a house, and all associated site works.

9.3. 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.

9.4. The reason for this conclusion is as follows:

- The rural nature and modest, domestic scale of the works.
- The location of the site removed from any waterbodies and lack of any hydrological connectivity.

9.5. I conclude 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.

## 10.0 Recommendation

10.1. I recommend that permission is refused in accordance with the reasons set out below:

## 11.0 Reasons and Considerations

1. Having regard to Policy Objectives RH2 and RH4 of the Galway County Development Plan 2022-2028, and on the basis that the applicant failed to submit any documentation pertaining to a Rural Housing Need, it is considered that the applicant has not demonstrated that they meet the housing need criteria as set out in the Galway County Development Plan 2022-2028. Therefore, the proposed development is considered contrary to the rural housing provisions of the county development plan. Accordingly, to grant the proposed development would contravene Policy Objectives RH2 and RH4 and DM Standard 7 contained in the

Galway County Development Plan 2022-2028, would be contrary to the Sustainable Rural Housing Guidelines, would set an undesirable precedent for similar future development in the area, and would be contrary to the proper planning and sustainable development of the area.

2. Having regard to information submitted with the application and appeal it is considered that the proposed development would consolidate the use of the existing entrance which has not been demonstrated to have the benefit of planning permission and for which acceptable sightlines have not been demonstrated. To permit use of the shed for residential purposes would result in intensification of the entrance as well as a material change in its use. This would consolidate unauthorised development, would contravene DM Standard 28 of the Galway County Development Plan 2022-2028 and would endanger public safety by reason of traffic hazard, or obstruction of road users, or otherwise, and therefore would be contrary to the proper planning and sustainable development of the area.
3. Having regard to the details submitted with the application and appeal it has not been demonstrated that the safe disposal of domestic effluent on site can be guaranteed in accordance with the EPA Code of Practice Manual 2021 for Wastewater Treatment and Disposal Systems Serving Single Houses (PE ≤10). Accordingly in the absence of the required information, the proposed development would be prejudicial to public health, contrary to Policy Objective WW6 and DM Standard 38 of the Galway County Development Plan 2022-2028, would pose an unacceptable risk to surface water and be contrary to the proper planning and sustainable development of the area.
4. Having regard to the details submitted with the application and appeal it has not been demonstrated that safe operation of the existing well for domestic purposes can be achieved in accordance with the relevant guidelines and that its operation would not impact on water supply in the area. In the absence of any documentary evidence submitted with the application or the appeal relating to the private well infrastructure to serve the proposed development, it is considered that the development would pose a risk to the public health of persons occupying the proposed dwelling house, would be contrary to Policy Objectives WS5 and WS7

and DM Standards 36 and 37 of the Galway County Development Plan 2022-2028 and would be contrary to the proper planning and sustainable development of the area.

5. Having regard to the visual sensitivity of the subject site, located within a Class 2 High Sensitivity Landscape, it is considered that the design, form, scale and massing of the structure to be retained and completed is incongruous to its surroundings, discordant with the adjoining development and lacks sensitivity to the exposed karstic landscape. Having regard to the visual sensitivity of the site, the rural housing policy of the current County Development Plan and the design guidance set out in Design Guidelines for the Single Rural House, it is considered that the proposed dwelling design would result in a built form that would not assimilate into the receiving landscape, would contravene Policy Objective LCM1, Policy Objective RH9, DM Standard 46, DM Standard 8 and the Design Guidelines for the Single Rural House contained in the Galway County Development Plan 2022-2028. Accordingly, the development would interfere with the character of the landscape, detract from the visual amenity of the area, militate against the preservation of the rural environment, contravene the county development plan, set an undesirable precedent for similar future development in the area, and therefore, would be contrary to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

---

Sarah O'Mahony

28 January 2026

**Appendix 1 - Form 1**  
**EIA Pre-Screening**

<b>Case Reference</b>	PL-500030-GY
<b>Proposed Development Summary</b>	Retention permission of an unauthorised structure under construction, including reconstruction, and extension of an existing shed to be used as a house, and all associated site works.
<b>Development Address</b>	Funshin, Kinvara, 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>	State the Class here
<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 development under Article 8 of the Roads Regulations, 1994. <b>No Screening required.</b>	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. <b>EIA is Mandatory. No Screening Required</b>	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. <b>Preliminary examination required. (Form 2)</b>	Class 10 (b)(i) Construction of more than 500 dwelling units. Threshold = 500 dwellings. Proposed development = 1 dwelling.

<p><b>OR</b></p> <p><b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b></p>	
--	--

<p><b>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)?</b></p>	
<p><b>Yes <input type="checkbox"/></b></p>	<p><b>Screening Determination required (Complete Form 3)</b></p>
<p><b>No <input checked="" type="checkbox"/></b></p>	<p><b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b></p>

**Form 2 - EIA Preliminary Examination**

<p><b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b></p>	
<p><b>Characteristics of proposed development</b></p> <p>(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).</p>	<p>The extent of servicing at the site is unclear.</p> <p>Its size is not exceptional in the context of the prevailing plot size in the area.</p> <p>A short-term construction phase would be required and the development would not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance due to its scale. The development, by virtue of its type and nature, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. Its operation presents no significant risks to human health.</p>

	<p>The size and scale of the proposed development is not significantly or exceptionally different to the existing dwellings.</p>
<p><b>Location of development</b></p> <p>(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).</p>	<p>The development is situated in a rural area adjacent to and in close proximity to existing residential properties which is not exceptional in the context of surrounding development.</p> <p>The development is situated in a high sensitivity landscape as identified in the County Development Plan and would have a negative impact however it would not be significant and therefore does not trigger a requirement for EIA. This matter is addressed above in the assessment.</p> <p>The site is also situated in close proximity to the East Burren Complex SAC and pNHA however no significant impacts are predicted as likely to occur.</p> <p>It is not likely to have any cumulative impacts or significant cumulative impacts with other existing or permitted projects.</p>
<p><b>Types and characteristics of potential impacts</b></p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative</p>	<p>Having regard to the nature of the proposed development and works constituting development within an existing rural area, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.</p>

effects and opportunities for mitigation).	
<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: \_\_\_\_\_

**Form 2: AA Screening Determination Template**

**Test for likely significant effects**

<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>	Retain and complete existing shed which was extended and partially converted for domestic use including connection to existing septic tank and well.
<b>Brief description of development site characteristics and potential impact mechanisms</b>	<p>The 0.335ha site is situated in southwest County Galway, 4km southwest of Kinvara. The Clare-Galway county boundary is situated 1.6km southwest of the site. The site has road frontage to the L4507 at the east as well as an unnamed cul-de-sac to the south. Access to the south is via a pair of agricultural style gates. There is a stone wall situated along the south and southeast boundaries however there is no formal boundary in place at the east alongside the derelict dwelling and stone sheds at its north. The site includes a field at the north of the structures which has some hedgerows and post and wire fencing as well as another agricultural gate which does not appear to be in use. There is a mature treeline situated along the western boundary.</p> <p>The exposed and elevated stone terraces of Turlough Hill is situated to the west of the site and is very visually prominent from the site. The summit is situated 3km southwest while the exposed stone at the base of the hill is 900m southwest.</p> <p>The East Burren Complex Special Area of Conservation and proposed Natural Heritage Area is situated 650m west of the site.</p>
<b>Screening report</b>	No
<b>Natura Impact Statement</b>	No

Relevant submissions	N/A			
<b>Step 2. Identification of relevant European sites using the Source-pathway-receptor model</b>				
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
East Burren Complex SAC 001926	14no. terrestrial, wetland and freshwater aquatic habitats as well as  Euphydryas aurinia (Marsh Fritillary) [1065]  Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303]  Lutra lutra (Otter) [1355]  <a href="#">Conservation Objectives Jan 2022</a>	0.65km	No	Yes on precautionary basis due to proximity to SAC.
Inner Galway Bay SPA 004031	20no. specific bird species as well as  Wetland and Waterbirds [A999]  <a href="#">Conservation Objectives May 2013</a>	2.3km	No	No
Galway Bay Complex SAC 000628	15no. habitats including marine, wetland, freshwater aquatic, terrestrial and coastal as well as  Lutra lutra (Otter) [1355]  Phoca vitulina (Harbour Seal) [1365]  <a href="#">Conservation Objectives Apr 2013</a>	2.3km	No	No
Caherglassaun Turlough SAC	Turloughs [3180]  Rivers with muddy banks with Chenopodium rubri p.p. and Bidention p.p. vegetation [3270]	6.5km	No	No

	Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303] <a href="#">Conservation Objectives Oct 2018</a>			
Cahermore Turlough SAC	Turloughs (3180) <a href="#">Conservation Objectives Jan 2021</a>	7.5km	No	No

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

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

- (a) Identify potential direct or indirect impacts (if any) arising from the project alone that could have an effect on the European Site(s) taking into account the size and scale of the proposed development and all relevant stages of the project (See Appendix 9 in Advice note 1A).
- (b) Are there any design or standard practice measures proposed that would reduce the risk of impacts to surface water, wastewater etc. that would be implemented regardless of proximity to a European Site?
- (c) Identify possible significant effects on the European sites in view of the conservation objectives (alone or in combination with other plans and projects)

**AA Screening matrix**

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
<b>Site 1: Complex SAC</b> 001926 <b>Hard oligo-mesotrophic waters with benthic vegetation of Chara spp. [3140]</b> <b>Turloughs [3180]</b> <b>Water courses of plain to montane levels with the Ranunculion fluitantis and</b>	<b>Direct:</b> None <b>Indirect:</b> Negative impacts (temporary) on surface water/water quality due to construction related emissions including increased sedimentation and construction related pollution.	Risk of surface water borne pollutants and particulate matter reaching the SAC resulting in changes to habitat quality arising from deterioration in water quality.  Degradation to water quality and subsequent habitat may undermine conservation objectives associated with the qualifying interests for the site.

<p><b>Callitricho-Batrachion vegetation [3260]</b></p> <p><b>Alpine and Boreal heaths [4060]</b></p> <p><b>Juniperus communis formations on heaths or calcareous grasslands [5130]</b></p> <p><b>Calaminarian grasslands of the Violetalia calaminariae [6130]</b></p> <p><b>Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210]</b></p> <p><b>Lowland hay meadows (Alopecurus pratensis, Sanguisorba officinalis) [6510]</b></p> <p><b>Calcareous fens with Cladium mariscus and species of the Caricion davallianae [7210]</b></p> <p><b>Petrifying springs with tufa formation (Cratoneurion) [7220]</b></p> <p><b>Alkaline fens [7230]</b></p> <p><b>Limestone pavements [8240]</b></p> <p><b>Caves not open to the public [8310]</b></p> <p><b>Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]</b></p> <p><b>Euphydrias aurinia (Marsh Fritillary) [1065]</b></p> <p><b>Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303]</b></p> <p><b>Lutra lutra (Otter) [1355]</b></p>	<p>Operational stage groundwater contamination from septic tank discharges.</p>	
---	---	--

<b>Likelihood of significant effects from proposed development (alone)</b>	No: The scale of works and distance from the SAC means ground and surface water contamination is unlikely to occur.
<b>If No, is there likelihood of significant effects occurring in combination with other plans or projects?</b>	No
<b>Possibility of significant effects (alone) in view of the conservation objectives of the site*</b>	No
<b>Step 4 Conclude if the proposed development could result in likely significant effects on a European site</b>	
<p>I conclude that the proposed development (alone) would not result in likely significant effects on East Burren Complex SAC. The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project.</p> <p>No mitigation measures are required to come to these conclusions.</p>	

## Screening Determination

### Finding of no likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on East Burren Complex SAC in view of the conservation objectives of this site and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The domestic nature and scale of the works.
- The location and distance from nearest European site and lack of connections thereto.

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

