



An
Coimisiún
Pleanála

Inspector's Report PL-500092-GY

Development

Foirgneamh atá ann faoi láthair a scartáil, síneadh a chuir leis an bhfoirgneamh, le athruithe istigh agus seachtrach, agus struchtuirí seachtrach soisialta a choinneáil.

Location

Cill Rónáin, Inis Mór, Árann

Planning Authority

Galway County Council

Planning Authority Reg. Ref.

2590

Applicant(s)

Dún Áonghasa Tourism Services
Teoranta

Type of Application

Permission

Planning Authority Decision

Grant Outline Permission with
Conditions

Type of Appeal

Third Party Appeal

Appellant(s)

Seosamh Ó Flaitbheartaigh

Date of Site Inspection

22nd January 2026

Inspector

Sarah O'Mahony

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1.0 Site Location and Description

- 1.1. The 0.17ha site comprises a public house and restaurant situated on Inis Mór which is the largest and most westerly of the Aran islands in Galway bay.
- 1.2. The two storey structure is situated 275m north of Kilronan village at a crossroads adjacent to the credit union building. The site comprises the main pub and restaurant building, a large event style marquee and ancillary minor structures such as a sheltered smoking area, external decking providing dining space and a small private drinks room.
- 1.3. There is an informal gravelled car park situated at the southeast off the main road. Vehicular access is also provided to the rear via a laneway at the south of the site. The overall ground form falls from west at the rear of the site down to the east at the public road to the front.

2.0 Proposed Development

2.1. Chun:

- (a) Píosa den fhoirgneamh atá ann faoi láthair a scartáil,
- (b) síneadh de 162 m.cr. a chur leis an bhfoirgneamh,
- (c) athchóiriú agus athruithe a dhéanamh taobh istigh agus athruithe a dhéanamh ar na clónna,
- (d) uasghrádú a dhéanamh ar an gcóras cóireála mar aon le hoibreacha láithreáin eile gaolmhara a dhéanamh,

Mar aon le cead chun:

- (e) Seomra deochanna príobháideach seachtrach,
- (g) láthair shuí seachtrach agus
- (h) crainn brataí a choinneáil.

2.2. Planning permission is sought for the following works:

- Demolish 34m² of existing pub building and construct 162m² extension to the side and rear to provide a new kitchen and new 'snug bar'/dining at ground floor as well

as an extended first floor dining room and new large external terrace/balcony at first floor. This new extension would be in the general location of the marquee at the south of the pub which is to be removed.

- Internal alterations at first and ground floor to provide revised dining room, staff facilities, office and general circulation etc.
- Upgrade of on-site wastewater treatment system
- All associated site development works

2.3. Retention permission is sought for the following works:

- 42m² external log cabin type smoking room at east of the marquee situated on raised decking at the same finished floor level as the pub and adjacent external seating/dining area outlined below for retention.
- 15m² external private drinks/event room. This comprises a detached structure situated at the northeast of the site on the front elevation of the pub and adjacent to the cul-de-sac at the north. It is a mono-pitch structure finished with timber cladding and extensive glazing.
- External seating/dining area on raised platform to east (front) of existing pub. Note a floor area is not provided for this space and measurements are also not provided on the plan and elevation drawings for this element of works seeking retention. Specific dimensions are also not provided on the site layout drawing or the floorplan and elevation drawings for the overall building. I estimate its area to comprise 37.5m². The platform is finished at the same finished floor level as the pub and is c.1m higher than the adjacent car park. The elevations are finished with timber cladding and the finish on the top dining area is a stone tile.
- 3no. flagpoles at the eastern roadside of the site.

3.0 Planning Authority Decision

3.1. Further Information

- 3.1.1. Galway County Council requested two items of further information. The first sought additional details regarding the stratified sand polishing filter proposed as part of the

new wastewater treatment system. The applicant was requested to illustrate the precise location of the sand filter on a revised site layout map and to liaise with the Environment Department 'for the purposes of devising an appropriate design solution and technical details to address the above as a consequence of the environmental implications associated with the proposed development'.

- 3.1.2. The response outlined that the Site Suitability Assessment incorrectly referred to a sand polishing filter however the site layout drawing correctly referred to the proposed installation of 2no tertiary filters and in this regard no changes were proposed to the site layout as a result of this aspect of the further information request.
- 3.1.3. The second item requested referred to the log cabin smoking area seeking retention permission to the front of the marquee which the Planning Authority considered was out of character with the pattern of development of the rural area and also constituted overdevelopment of the confined site. The applicant was requested to remove the cabin and submit a revised site layout plan accordingly.
- 3.1.4. The applicant complied with this request and I noted during the site inspection that the cabin was no longer in situ.

3.2. **Decision**

- 3.3. Galway County Council issued a notification of decision to grant permission on 19th September 2025 subject to 12no. standard conditions.

3.4. **Planning Authority Reports**

3.4.1. Planning Reports

- There are two case planner's reports, one recommending further information and the latter assessing it.
- The Planners report recommendation to grant permission is consistent with the notification of decision which issued.
- Environmental Impact Assessment (EIA) and Appropriate Assessment (AA) issues were screened out.

- 3.4.2. The report notes how the extension was previously permitted and considered acceptable in terms of design, layout and impacts to the landscape and following receipt of the further information response the report concluded that the proposed development would not seriously injure the amenities of the area.

3.5. Other Technical Reports

- Environment Department: Two reports, one seeking further information and the latter outlining no objection to the proposal following receipt of the response.
- Carraroe Area Office: No response.
- Conservation Officer: No response.
- Heritage Officer: No response.
- Roads Department: No response.

3.6. Prescribed Bodies

- The Heritage Council: No response.
- Fáilte Ireland: No response.
- Department of Tourism, Culture, Arts and Gaeltacht: No response.
- Údarás na Gaeltachta: No response.
- An Taisce: Two submissions made, one from the Planning and Environmental Policy Officer and the latter from the Galway Planning Committee. The first highlights the increased biological loading likely generated from retention of the smoking area and also suggests that information in the Site Suitability Assessment *‘on the capacity of the existing location is inadequate in considering peak summer demand and low water table periods’*. The second submission raises the topic of over-tourism and associated over-development. It suggests that permitting development would be contrary to a previous refusal which referred to consolidation of unauthorised development. It also notes an existing issue regarding overloading of the public wastewater treatment system on the island. It goes on to state that *‘there is a level of pressure on the islands environment that is not welcome, that is the growth in*

pollution from inefficient or failing septic tanks that are allowed to overflow into protected SACs and SPAs, as well as much larger developments with services that are unable to handle waste outputs.'

- Department of Housing, Local Government and Heritage: The submission notes the 100m separation between the site and Inishmore Island SAC. It outlines that the impact of the development must be assessed including the impact to groundwater and waterbodies in the area and outlines policy objectives of the CDP to be taken into consideration.

3.7. Third Party Observations

One submission was received from Seosamh Ó Flaitbheartaigh objecting to the proposed development on the following grounds:

- The site is situated 70m from the SAC and no Appropriate Assessment was undertaken.
- The application seeks to consolidate unauthorised development and should not be permitted in the interest of good planning as the site demonstrates a lack of care and concern for proper planning.
- There is an unauthorised car park and additional signage situated east of the site which has not been addressed in the application.
- The capacity of the development has not been clarified. The current structures regularly accommodate well in excess of the 250 person capacity proposed.
- There are signs of pollution including detergent and sewage situated east of the site underneath the aforementioned unauthorised car park.
- There is a recognised wastewater capacity and treatment issue in Kilronan village. Granting permission would increase the loading to groundwater. It would be irresponsible to grant permission given the geology and hydrology of the area as well as having regard to the existing volume of sewage being discharged.

4.0 Planning History

- 4.1. **24/274:** chun píosa den fhoirgneamh atá ann faoi láthair a scartáil, síneadh de 162 m.cr. a chur leis an bhfoirgneamh, athchóiriú agus athruithe a dhéanamh taobh istigh agus athruithe a dhéanamh ar na clónna, uasghrádú a dhéanamh ar an gcorás cóireála mar aon le hoibreacha láithreáin eile gaolmhara a dhéanamh agus cead chun seomra caite tobac lasmuigh sealadach de 42 m.cr. a choinneáil. Spás urláir comhlán na n-oibreacha beartaithe: 162.00 sqm. Spás urláir comhlán na hoibre atá le coinneáil: 42.00 sqm. Spás urláir comhlán d'aon scartáil: 32.00 sqm
- 4.1.1. Planning permission sought to demolish 32m² of the existing building, construct a 162m² extension, internal alterations and refurbishments, elevational alterations, upgrade the wastewater treatment system and all associated site development works. Retention permission is also sought to retain a 42m² temporary outdoor smoking room.
- 4.1.2. Permission was refused for 2no. reasons as follows:
1. 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 external seating area, flagpoles, and another external structure to the east of the premises, within the confines of this site which are not identified on the submitted site layout, and the planning history of which is indeterminate based on a review of Galway County Council's planning register, it is considered that the proposed development would potentially 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.
 2. Having regard to the absence of satisfactory updated information on the proposed wastewater treatment system, having regard to the unauthorised development, the Planning Authority is not satisfied, in the absence of contrary evidence, that the safe disposal of domestic effluent on site can be strictly guaranteed. Accordingly, to grant the proposed development would be prejudicial to public health, would be contrary to Objective WW6 and DM Standard 38 of the Galway County Development Plan 2022-2028, would pose

an unacceptable risk to surface water and therefore, would be contrary to the proper planning and sustainable development of the area.

- 4.2. **24/105:** Extension of duration sought to extend the appropriate period of ref. 19/514. Permission was refused as substantial works had not been completed.
- 4.3. **19/514:** chun (a) píosa don fhoirgnimh atá ann faoi láthair a scartáil, (b) síneadh de 162 m.cr. a chuir leis an fhoirgnimh, (c) athchóiriú agus athraithe a dhéanamh taobh istigh agus athraithe a dhéanamh ar na clónna, (d) uasghrádú a dhéanamh ar an gcóras cóireála mar aon le oibreach láithreáin eile gaolmhara a dhéanamh. Spás urláir comhlán na n-oibreacha beartaithe: 573 sqm, Spás urláir comhlán d'aon scartáil: 34 sqm.
- 4.3.1. Planning permission granted to demolish 34m² of the existing building and construct a 162m² extension, along with internal and external alterations and refurbishments, upgrade the wastewater treatment system and all associated site development works.

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).
- 5.1.2. Policy Objective IS 2 is the overarching policy regarding development on islands and is set out as follows:
- 'a) Support sustainable development proposals that contribute to the long term economic and social development of the islands;*
- b) Priority shall be given to development that contributes to retention of the year-round population on the islands, that has a clear and identifiable economic and social benefit and that is compatible with the capacity of the local community to accommodate it;*
- c) Ensure that new development of any kind is sympathetic to the individual form and character of the islands landscapes and traditional building patterns.'*
- 5.1.3. Policy Objective NHB 3 seeks the protection of European Sites as follows:

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

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

- 5.1.4. The entire island landscape classified as having an iconic sensitivity according to section 8.13.2 of the CDP. Policy Objective LCM 3 is relevant and set out as follows:

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

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

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

- 5.1.6. Development management standards are set out in a manual in Chapter 15 of the CDP. DM standard 38 refers to effluent treatment plants and requires compliance with the relevant EPA guidelines.

5.2. Natural Heritage Designations

- 5.2.1. Inishmore Island Special Area of Conservation and proposed Natural Heritage Area encompasses a lot of the island and its surrounding area maritime. The site is however situated 70m outside of the boundary of the SAC and pNHA to the west (rear) of the site in an area which is characterised by upland exposed limestone pavements compared to the more sheltered and vegetated nature of the site itself.

- 5.2.2. Inishmore Special Protection Area comprises the coastal areas along the south, west and eastern sides of the island. It is situated 2km from the site both to the south and east.

5.3. EIA Screening

- 5.3.1. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

6.0 The Appeal

6.1. Grounds of Appeal

One third party appeal was received Seosamh Ó Flaitbheartaigh which raises the following issues:

- The Planning Authority failed to address matters raised in submissions to the planning application.
- Lack of justification provided by the Local Authority in screening out appropriate assessment. The site is situated within 70m of the SAC and a significant wastewater loading will be generated by consolidating unauthorised development requiring retention permission and an NIS.
- Legal title to the full application area within the red line must be established. This is a significant issue in relation to the location of the wastewater treatment system and adjoining landowners.
- The application fails to address ownership or legal interest of land opposite the site comprising a car and bicycle park, advertisement, caravan and signage etc which is unauthorised and has not been included in this application seeking retention permission.

- The grounds of refusal for previous applications are not addressed in this proposal. There has been an incremental increase in facilitating customers/patrons on the site.
- The timber smoking hut is only partially demolished.
- The application documents do not address the status of the marquee which is now more visible following the partial demolition of the smoking cabin.
- Existing wastewater loading has not been addressed by the applicant or Local Authority having regard to the peak loading and increased patronage. The proposal is to cater for 250 PE however the current structures accommodate in excess of this. The further information request related solely to a sand polishing filter and the response states that discussions were held with a representative from the Environment Department however there are no minutes of this on the file.
- There is inadequate consideration of:
 - The capacity and proposed patronage including outdoor seating and events/performances,
 - Suitability of the constricted site boundary for tertiary treatment, and
 - Cumulative impact of wastewater load on groundwater.
- Condition 6 inappropriately leaves detailed design and management to be resolved via further internal discussions between the applicant and Local Authority.
- The main drinking water well for Kilronan is situated across the road from the site where there are clear signs of sewage and pollution including from detergents.
- There is a recognised wastewater treatment issue in Kilronan and granting permission would increase the loading on groundwater. Given the existing volume of sewage discharged into the environment it would be irresponsible to regularise another significant tourist development given the geology and hydrology of the area.
- The crude design of the private drinks room raises the same design concerns as those raised regarding the smoking cabin and accordingly should not be considered acceptable.

6.2. Applicant Response

- 'Due to the nature of the proposed development and the proposed upgrade of and improvement to the existing sewage treatment system, it was decided that Screening for Appropriate Assessment was not required in this case, a decision that was accepted by the relevant Planning Authority...'
- With regard to landownership, the site comprises two folios which are both owned by the applicant. A letter from the applicant's solicitor outlining the applicant's ownership of the site is provided.
- The property on the opposite side of the road referred to in the appeal is outside the site and does not form part of this application.
- Retention permission was required by the Planning Authority in order to regularise the existing permanent structures which, with the exception of the smoking cabin, have been present on the site in excess of seven years. This application seeks to regularise all such structures including those referenced in an enforcement notice ref. EN22/050. The smoking cabin has since been removed. The marquee is a temporary structure erected each summer and removed over winter to cater for special occasions and tourist numbers visiting the island. It will be removed permanently prior to construction of the extension.
- Loadings for the wastewater treatment plant are based on Table 3 of the EPA document 'Wastewater Treatment Manual 1999 – Treatment Systems for Small communities, Business, Leisure Centres and Hotels'. The PE is based on calculating the average daily number of customers dining on the premises during the busiest 6 months of the year added to daily staff and local regular customers. This has been calculated as 250 PE commercial which equates to 40 PE Domestic. The development in this case is categorised as a public house with no bedrooms.

6.3. Planning Authority Response

- None

7.0 Assessment

7.1. Introduction

- 7.1.1. The site comprises an existing commercial development and the proposed extension would not change the use or nature of the use. The works seeking retention permission also do not change the use of the site and therefore I consider the principle of development is acceptable.
- 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:
- Wastewater Treatment
 - Appropriate Assessment
 - Other Matters including unauthorised development, design and legal title

7.2. Wastewater Treatment

- 7.2.1. Permission is sought to upgrade the existing on-site wastewater treatment system. I note in this regard that the existing commercial operation does not connect to the public wastewater system. It is proposed to remove the existing septic tank and to provide a new treatment unit which would discharge to 2no. tertiary treatment filters overlying a gravel distribution layer and subsequently discharging to groundwater.
- 7.2.2. Both the site suitability assessment submitted with the application and the applicant's response to the appeal specify that calculations for the new system are based on peak summertime loadings as per the EPA Code of Practice 'Wastewater Treatment Manual 1999 – Treatment Systems for Small communities, Business, Leisure Centres and Hotels'. The appeal suggests that the current structures on the site already accommodate in excess of 250PE however I consider this matter to be somewhat outside the scope of the appeal as the wastewater system design is based on the proposed capacity of the site when the marquee is removed and the

extension provided. I am of the view that the calculations provided are acceptable to cater to the proposed development.

- 7.2.3. The appeal suggests that documentation submitted with the application fails to demonstrate the suitability of the constricted site for tertiary treatment however I note the site characterisation form specifically states the following in section 2:

“The potential suitability of this site will depend exclusively on the on-site assessment. The potential targets at risk are both surface water and groundwater. Potential site restrictions may be in the form of large amounts of rock outcrop and existing developments.”

- 7.2.4. Later in section 3 it states the following:

“After the visual assessment the potential suitability of only part of this site seems good. This is due to the amount of rock outcrop and existing developments to the front of the site which need to be avoided. The potential targets at risk are both surface water and groundwater. The suitability of this site to treat wastewater will now be determined exclusively on the results of the trial hole and percolation tests. The best location for the proposed system will be towards the southwest corner of the site where sufficient soil depths and significant vegetation exists.”

- 7.2.5. Trial holes were opened in the southwest corner where soil depths of 1.1m were recorded before meeting bedrock. The results of the percolation test ‘*confirms that the site is suitable for a secondary treatment system with a polishing filter located at ground level*’. Later, in section 5 it outlines the proposed system which would comprise a treatment unit and 2no. tertiary treatment filters.

- 7.2.6. In this regard I consider it has been satisfactorily demonstrated that the site is suitable for tertiary on-site treatment. I also consider it likely that the new system would significantly improve the quality of wastewater discharged from the site to groundwater.

- 7.2.7. The appeal submits that the main drinking water well for Kilronan is situated close to the site and there is existing evidence of pollution. The appeal does not suggest where or whom the pollution is attributable to but simply states there is evidence of detergents and sewage present. The location of the well is not specified or illustrated

on the site layout plan, GSI datasets or on historical mapping of the wider area. I do note historical mapping provides a placename of 'toberronan' which would translate in English to a well (Ronan's well) however again the exact location is not specified. Section 3.11 of the 'small Communities' EPA guidance document states:

"Where it is proposed to discharge the treated wastewater to ground a site characterisation should be carried out. The site characterisation form, contained in the manual on treatment systems for single houses should be completed. The general guidelines set out in that manual should be followed for discharges to ground."

- 7.2.8. The EPA manual for single houses is titled 'Code of Practice for Domestic Waste Water Treatment Systems, 2021'. Table 6.2 sets out minimum separation distances, and it requires a separation distance of 60m to any public/group water supply abstraction points/wells or down-gradient domestic wells. The appeal suggests the well is situated east of the site, 'underneath the unauthorised car park' however there was no visible or notable presence of the well at surface level during the site inspection. The 2no. tertiary filters which will discharge to ground are situated 55m from the eastern edge of the road/western boundary of this car park. I note the appeal states there is visible pollution present at the well which was not present within the car park during the site inspection and which I therefore consider leads to the conclusion that the well is situated outside of the car park, perhaps at a lower ground level further to the east and therefore the 60m separation distance is met.
- 7.2.9. In the absence of any definitive data on the alleged location of the well, together with the known separation distances outlined above, I consider the proposed new treatment system with tertiary treatment would be beneficial to groundwater receptors in the first instance when compared to continued operation of current septic tank system in place as it would result in a higher quality of discharge and in this regard I do not consider it likely that the proposed works would result in any negative impact to the well or any human receptors.
- 7.2.10. In terms of cumulative impacts I am not aware of any other projects or plans in immediate catchment which would result in large volumes of treated wastewater being discharged to ground. The layout of the proposal meets all other required separation distances from karst features in the exposed limestone nearby, the

foreshore, watercourses and slopes as set out in Table 6.2. Figures are not provided for the current peak PE at the site however I note the marquee which is currently in place and stated to be removed, represents a similar, or possibly larger, footprint compared to the new dining space proposed in the extension as much of the extension would comprise new kitchen and staff facilities.

- 7.2.11. In this context, as well as noting the contents of the Site Characterisation Form which outlines the characteristics of the ground conditions in the area, I am satisfied that the no adverse cumulative impact would occur to geology, hydrology and hydrogeological receptors in the area.
- 7.2.12. Lastly, in relation to procedural matters, I note the appellant outlines that minutes of discussions allegedly held between the applicant and representatives of the Environment Department of the Local Authority were not present on the file. This is outside the remit of the appeal and a matter for the Local Authority to address however I note the appeal file does include emails between the Case Officer and Environment Department representative discussing the case. I also note the appellant suggests a degree of impropriety in condition no. 6 due to detailed design being decided at compliance stage. I note the text of condition 6 specifies ‘the development shall be served by the proposed tertiary wastewater treatment system, which shall be designed, located, constructed and maintained in accordance with the details received by the Planning Authority...’. In my view this refers to details submitted and present on the public file only and does not rely on any material which may have been submitted otherwise. I also note part (c) states ‘any change to an equivalent and equal system shall be agreed in writing with the Planning Authority prior to works being started’. I am satisfied in this context that any permitted departure from the detailed design submitted with the application would be minimal and not likely to change the principle, quality or quantity of wastewater treated at the site.

7.3. Appropriate Assessment

- 7.3.1. The appellant suggests that a Natura Impact Statement and retention permission is required as the proposed development seeks to consolidate unauthorised development. A screening exercise is set out in an appendix to this report which

identified the relevant European sites, their qualifying interests and conservation objectives and which screened out impacts to the nearby Inishmore Island SAC as the quality of wastewater to be discharged from the site would be improved from the current septic tank infrastructure servicing the site.

- 7.3.2. In my opinion, the increased biological loading facilitated by the proposed extension to the pub is not a significant new/additional quantity when compared to the current numbers of patrons facilitated in the marquee.

7.4. Other Matters

Unauthorised Development

- 7.4.1. The appellant suggests that previous reasons for refusal which refer to a consolidation of unauthorised development apply again in this instance. To begin with, I consider each planning application is assessed on its own merits according to the policy and plans in place at the time.
- 7.4.2. Secondly, as set out in the planning history above, permission was refused previously for a similar development, but it omitted the following elements as outlined in the reason for refusal:

“further unauthorised development in the form of an unauthorised external seating area, flagpoles, and another external structure to the east of the premises, within the confines of this site which are not identified on the submitted site layout”

- 7.4.3. That previous refusal reason centred on the basis that granting permission for other development would result in consolidation of those aspects of the site which did not have the benefit of planning permission. This subject application has now sought retention permission for each of these structures and therefore that reason is no longer applicable as a grant of permission would not de facto consolidate those unauthorised items. Each item would be assessed individually and considered for its own appropriateness.
- 7.4.4. The appeal suggests there has been an incremental increase in the number of customers or patrons facilitated on the site which is correct due to the presence of the private drinks room and the external seating area. The application however

seeks retention permission for these items of development and therefore I do not consider this to form a basis for overturning the Planning Authority's decision to grant permission.

- 7.4.5. The appeal submits that some elements of development carried out in a carpark to the east of, and outside of the site, have not been included in the application despite their connection to the site and their alleged unauthorised status. The works include the presence of signage and a caravan as well as car and bicycle parking. The operation of the pub does not rely on those developments and I note that they are situated outside of the site. In this context I consider they are not relevant to this subject application and any matter of enforcement is under the remit of the Local Authority. As they are situated outside of the site, I am not of the view there is any risk of consolidating unauthorised development in this instance.
- 7.4.6. The appeal suggests that the presence of the marquee has not been addressed in the application. The marquee is situated to the south of the pub building and was in place during the site inspection. The applicant's response to the appeal states that it is a temporary structure, removed every winter and will be removed permanently upon commencement of the proposed extension. The site layout drawings evidently demonstrate that the extension would be situated in approximately the same location as the marquee, effectively necessitating its removal. The marquee does not form part of the application however and permission is not sought for its retention or removal. The scope of works set out in the development description do not rely on its presence or operation on site and in this regard I do not consider that granting permission would consolidate its presence on the site or regularise its planning status, particularly as the extension would require its removal.
- 7.4.7. Lastly, the application sought permission for a smoking cabin which comprised a log cabin type structure situated to the front/east of the marquee and positioned on a raised platform providing level access to the marquee as well as the adjacent pub, as the finished floor level of the pub is higher than the adjacent car park and road. The further information request required removal of the cabin which was complied with by the applicant and photographs submitted to demonstrate same.
- 7.4.8. The appellant now suggests that the structure was only partially demolished. Following a site inspection, I note that the platform on which the cabin was

positioned is still in place however this provides access to the marquee and is a separate aspect of development to the cabin in my opinion as it was in place for many years prior to the installation of the cabin.

7.4.9. The platform comprises a blockwork wall with timber decking and timber rails with a concrete ramp enabling access from the car park. During the site inspection I noted some log cabin type timber panels situated on the platform adjacent to the marquee and effectively forming a new front elevation to the marquee. They are not supporting any roof or other kind of structure and appear to form a decorative finish between the platform and marquee. In this regard, while they may have once formed part of the cabin, they no longer serve any such purpose and in my view they form part of the marquee and platform to access same.

7.4.10. In this regard I am satisfied that the smoking cabin has been removed from the site.

Design

7.4.11. The appeal suggests that the 'crude' design of the private drinks room is similar in nature to the smoking cabin, which the Planning Authority requested to be removed due to design incompatibility with the landscape. The appeal contends the private drinks room should accordingly not be considered acceptable.

7.4.12. While both structures are finished with timber cladding of sorts, there are inherent differences. The now-demolished cabin comprised a log cabin type structure with small windows and was detached from the main structure. The private drinks room is finished with a different timber which in and of itself is insufficient to justify its retention in design terms, however the fenestration is different with much more glazing in wider panels, giving the impression of an extension to the original pub rather than the temporary character of the cabin. The drinks room is in fact also detached however the narrow area between it and the front elevation is finished with the same roofing and timber cladding, providing a lean-to finish consistent throughout the area. Ultimately, it has a more consolidated appearance compared to the incongruous character of the log cabin and also benefits from vegetative screening in the form of adjacent trees. The private drinks room is not representative of a very high-quality design in my view, however it is not so negative as to warrant a refusal of permission.

Legal Title

- 7.4.13. The appellant suggests that full ownership of all land within the red line site boundary has not been established but did not suggest any basis or evidence for this matter. The applicant subsequently submitted confirmation of ownership via a response to the appeal which satisfactorily demonstrates sufficient legal interest in my opinion.
- 7.4.14. The appellant also submits that legal interest or ownership has not been established for land situated to the east of the site however this is outside of the site and permission is not sought for any works thereon. I therefore consider this is outside of the scope of the appeal and a demonstration of legal interest is not required in this instance.

8.0 Appropriate Assessment

8.1. Screening Determination

Finding of no likely significant effects

- 8.1.1. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on Inishmore Island SAC in view of the conservation objectives of this/ these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.
- 8.1.2. This determination is based on:
- The scale and nature of works,
 - The location of the site outside of the SAC and with no direct connectivity to any protected habitats.
 - The improved quality of wastewater discharge when secondary and tertiary wastewater treatment is provided on the site and subsequent improvement in the water quality of groundwater discharges.

9.0 Water Framework Directive

- 9.1. The site is situated 400m west of the coastal waterbody titled 'Aran Islands, Galway Bay, Connemara' according to the EPA datasets. There is a lagoon situated between

it and the site, 350m east of the site, referred to as Baile an Dúin Lagoon which is a transitional water body. The island has one underlying bedrock aquifer titled 'Inishmore' which is locally important and karstified. Its vulnerability is categorised as 'X – rock at or near surface'.

- 9.2. The proposed development seeks to extend an existing public house and restaurant and upgrade the on-site wastewater treatment system, retain smoking shelter, retain a private drinks room, retain an external dining terrace and retain 3no. flagpoles.
- 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 nature and scale of the works.
 - The location of the site removed from any waterbodies and,
 - The proposed new wastewater treatment system which will improve the quality of water discharges from the commercial site.
- 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 planning permission is granted in accordance with the conditions set out below.

11.0 Reasons and Considerations

Having regard to the location and character of the site and surrounding area in a rural area together with the provisions of the Galway County Development Plan 2022-2028 including policy objective IS 2 and DM Standard 38, the iconic landscape sensitivity of the site and its location adjacent to the Inishmore Island Special Area of Conservation, it is considered that, subject to compliance with the conditions set out below, the scale and nature of the development is acceptable and would not seriously injure residential or visual amenity of the island. The development is, therefore, in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1.	The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 02nd day of September 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars. Reason: In the interest of clarity.
2.	Details of the materials, colours and textures of all the external finishes to the proposed extension shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.
3.	Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

	Reason: In the interest of public health and surface water management.
4.	(a) The existing septic tank system on site shall be decommissioned and fully removed from site no later than one month of the completion of the proposed new wastewater treatment system to serve the development. (b) The development shall be served by the proposed tertiary wastewater treatment system, which shall be designed, located, constructed and maintained in accordance with the details submitted with the planning application, and which shall be operated and maintained in good working order at all times in accordance with the Environmental Protection Agency Standards. (c) Any change to an equivalent and equal system shall be agreed in writing with the Planning Authority prior to commencement of development. (d) Immediately following installation, the developer shall submit to the Planning Authority, a report from a suitably qualified person with professional indemnity insurance certifying that the wastewater treatment plant has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner in accordance with the standards set out in the Environmental Protection Agency document. (e) An Annual Maintenance Contract is to be kept in place for ongoing maintenance of the treatment plant by qualified persons and these records should be kept on file and available for inspection upon request by Galway County Council. Reason: In the interest of public health.
5.	Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.

	Reason: In the interest of public safety and amenity.
6.	The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme. Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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

Sarah O'Mahony

11th February 2026

Appendix 1 - Form 1

EIA Pre-Screening

Case Reference	PL-500092-GY
Proposed Development Summary	Extend existing public house and restaurant and upgrade on-site wastewater treatment system, retain smoking shelter, retain private drinks room, retain external dining terrace and retain 3no. flagpoles.
Development Address	Cill Rónáin, Inis Mór, Árainn
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☒ Yes, it is a 'Project'. Proceed to Q2. ☐ No, No further action required.
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)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
☒ No, it is not a Class specified in Part 1. Proceed to Q3	

3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☒ 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.	The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

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 ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Appendix 2 - AA Screening Determination

Test for likely significant effects

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Brief description of project	Extend existing public house and restaurant and upgrade on-site wastewater treatment system, retain smoking shelter, retain private drinks room, retain external dining terrace and retain 3no. flagpoles.
Brief description of development site characteristics and potential impact mechanisms	The site comprises an existing public house with its own septic tank situated on Inismór island. Inishmore Island Special Area of Conservation and proposed Natural Heritage Area encompasses a lot of the island and its surrounding area maritime. The site is however situated 70m outside of the boundary of the SAC and pNHA to the west (rear) of the site in an area which is characterised by upland exposed limestone pavements compared to the more sheltered and vegetated nature of the site itself. Inishmore Special Protection Area comprises the coastal areas along the south, west and eastern sides of the island. It is situated 2km from the site both to the south and east.
Screening report	The Planning Authority prepared undertook a screening exercise as part of the overall planning assessment and screened out the requirement to carry out a full Stage 2 assessment.
Natura Impact Statement	No
Relevant submissions	An Taisce: Two submissions made, one from the Planning and Environmental Policy Officer and the latter from the Galway Planning Committee. The first highlights the increased biological loading likely generated from retention of the smoking area and also suggests that information in the Site Suitability Assessment ' <i>on the capacity of the existing location is inadequate in considering peak summer demand and low water table periods</i> '. The second submission raises the topic of over-tourism and associated over-development. It suggests that permitting development

	would be contrary to a previous refusal which referred to consolidation of unauthorised development. It also notes an existing issue regarding overloading of the public wastewater treatment system on the island. It goes on to state that <i>‘there is a level of pressure on the islands environment that is not welcome, that is the growth in pollution from inefficient or failing septic tanks that are allowed to overflow into protected SACs and SPAs, as well as much larger developments with services that are unable to handle waste outputs.’</i> Department of Housing, Local Government and Heritage: The submission notes the 100m separation between the site and Inishmore Island SAC. It outlines that the impact of the development must be assessed including the impact to groundwater and waterbodies in the area and outlines policy objectives of the CDP to be taken into consideration.
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Step 2. Identification of relevant European sites using the Source-pathway-receptor model

European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
Inishmore Island Special Area of Conservation 000213	3no. marine habitats 3no. coastal terrestrial habitats 5no. dune habitats 2no. heath habitats 2no. grassland/meadow habitats Limestone pavements Narrow-mouthed Whorl Snail Harbour Porpoise Conservation Objectives Dec 2024	0.7	Indirect hydrological wastewater discharge via to groundwater.	Yes
Inishmore Special Protection Area 004152	Kittiwake (Rissa tridactyla) Arctic Tern (Sterna paradisaea) Guillemot (Uria aalge) Little Tern (Sternula albifrons) Conservation Objectives June 2025	2km	No	No

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

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

³if no connections: N

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
Inishmore Island Special Area of Conservation 000213 Coastal lagoons [1150] Reefs [1170] Perennial vegetation of stony banks [1220] Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] Embryonic shifting dunes [2110] Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] Dunes with <i>Salix repens</i> ssp. <i>argentea</i> (<i>Salicion arenariae</i>) [2170] Humid dune slacks [2190] Machairs (* in Ireland) [21A0] European dry heaths [4030]	Direct: None Indirect: Negative impacts on surface water/water quality due to temporary construction related emissions including increased sedimentation and construction related pollution. Operational stage discharges to groundwater	Changes to habitat quality/ function due to undermining conservation objectives related to water quality.

Alpine and Boreal heaths [4060] Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210] Lowland hay meadows (Alopecurus pratensis, Sanguisorba officinalis) [6510] Limestone pavements [8240] Submerged or partially submerged sea caves [8330] Vertigo angustior (Narrow-mouthed Whorl Snail) [1014] Phocoena phocoena (Harbour Porpoise) [1351]		
Likelihood of significant effects from proposed development (alone):	No. The proposed development would result in an improved quality of wastewater discharge compared to the current scenario.	
If No, is there likelihood of significant effects occurring in combination with other plans or projects?	No.	
Possibility of significant effects (alone) in view of the conservation objectives of the site*	No.	
Step 4 Conclude if the proposed development could result in likely significant effects on a European site		
I conclude that the proposed development (alone) would not result in likely significant effects on Inishmore Island 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. No mitigation measures are required to come to these conclusions.		

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 Inishmore Island SAC in view of the conservation objectives of this/these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The scale and nature of works,
- The location of the site outside of the SAC and with no direct connectivity to any protected habitats.
- The improved quality of wastewater discharge when secondary and tertiary wastewater treatment is provided on the site and subsequent improvement in the water quality of groundwater discharges.