



An
Coimisiún
Pleanála

Inspector's Report

PL-500390-GY-25

Development	Construction of dwelling, garage, effluent treatment system together with shared access off the N83 and all associated site works.
Location	Carraghy, Claregalway. Co. Galway.
Planning Authority	Galway County Council.
Planning Authority Reg. Ref.	2561326.
Applicant	Ian Burke.
Type of Application	Permission.
Planning Authority Decision	To Refuse Permission.
Type of Appeal	First Party.
Appellant	Ian Burke.
Observer(s)	None.
Date of Site Inspection	January 16 th , 2026.
Inspector	Breda Gannon.

Table of Contents

1.0	Site Location and Description	3
2.0	Proposed Development	3
3.0	Planning Authority Decision	4
4.0	Planning History	6
5.0	Policy Context	6
6.0	EIA Screening	10
7.0	The Appeal	11
8.0	Assessment	12
10.0	Water Frame Directive	17
11.0	Recommendation	18
12.0	Reasons and Considerations	18
Appendix A: Form 1 EIA Pre-Screening		20
Appendix B: Form 2 - EIA Preliminary Examination		22

1.0 Site Location and Description

- 1.1** The site is located in the townland of Carraghy, c 6km north of Claregalway. Co. Galway. It is located in a rural area and comprises part of a large agricultural field. It's front, rear and southern site boundaries are defined by low stone walls/hedgerows and the northern boundary is undefined. The site is adjoined to the west by the N83 national secondary road, by existing residential property to the south and by agricultural land to the north and east.

The site is located at the northern edge of the settlement nucleus of Knockdoe, which accommodates a shop, public house and residential properties on both sides of the national secondary road. There is no settlement boundary for the village identified in the Plan. In the wider area the main land use is agriculture. The site is located within an established 60km/h speed limit zone with traffic islands, road markings and directional signs in place.

2.0 Proposed Development

- 2.1** The proposal is to construct a house, garage and effluent treatment system on the site, which has a stated area of 0.390ha. The house (185sq.m) would be two-storey in scale with a ridge height of 8.9m above ground level. The house would be recessed by c.39m from the centreline of the adjoining road. The detached garage (40.5 sq.m) would be single-storey in scale with a ridge height of 4.5m and set back behind the rear building line of the dwelling. Both the house and garage would have a nap plaster finish and a blue-black roof covering.

It is proposed to provide a shared access with the adjacent property to the south. Foul effluent from the house would be treated in a packaged treatment system located to the front of the site. Water supply would be from a public mains supply. A letter of feasibility from Uisce Eireann is included with the application.

The application is supported by a letter of consent to the making of the application from the landowner (Michael Burke) and separate consent from the owner of the access (Eamon Burke), permitting shared access through the existing entrance to the adjoining property south.

3.0 Planning Authority Decision

3.1 Decision

The planning authority decided to refuse permission for the development for one reason as follows:

‘The proposed development seeking a shared vehicle access off the N83 would result in the proliferation of entrances within a transitional speed limit zone which is contrary to Section 2.5 of the Spatial Planning and National Roads Guidelines for Planning Authorities (DoECLG, 2012). Such development would undermine the intended function of these zones, adversely affect the safety and operational efficiency of the national road network and set an undesirable precedent for similar proposals. Accordingly, the Planning Authority considers that the proposed development would materially contravene Development Management Standard 28 of the Galway County Development Plan 2022-2028. It is therefore considered that the proposed development would interfere with the safety and free flow of traffic and endanger public safety by reason of traffic hazard, obstruction of road users or otherwise and would therefore be contrary to the proper planning and sustainable development of the area’.

3.1.2. Planning Authority Reports

The planning officer's report 6/11/25 notes that the site is located within the GCTPS, in a Class 1 landscape, in the Central Galway Complex Landscape Zone and outside of any protected views or protected view angles. The site is located at the periphery of a number of existing dwellings.

Due to the location of the site, the provisions of Rural Housing Policy Objective RH2 and DM Standard 7 apply and applicants housing need must be fully substantiated. The applicant has submitted a completed supplementary rural housing need form as part of the application. Based on the information submitted it is considered that the applicant complies with the requirements of Policy Objective RH2.

The site is located within the 60km speed limit of the village of Knockdoe. The planning authority has serious concerns relating to the proposal from a roads perspective. It is considered to be at variance with national policy as set out in the

'Spatial Planning and National Roads Guidelines for Planning Authorities (DoECLG 2012). It is also considered that it materially contravenes DM Standard 28 of the development plan. It is concluded that the proposed access would adversely impact the safety and operational efficiency of the National road network and would set an undesirable precedent for similar development.

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

The site is not located within a fluvial, pluvial, coastal or groundwater flood vulnerable area and accordingly flood risk assessment is not required .

The overall design of the development is considered to comply with Galway County Council's Rural Housing Design Guidelines.

3.1.3 Other Technical Reports

None.

3.2. Prescribed Bodies

Transport Infrastructure Ireland: Considers that the proposal is at variance with official policy in relation to the control of development on/affecting national roads as outlined in the DoECLG Spatial Planning and National Road Guidelines for Planning Authorities (2012) as the proposed development by itself, or by the precedent which a grant of permission would set, would adversely affect the operation and safety of the national road network.

Reference is made to Section 2.5 of the Guidelines which addresses development within transitional speed limit zones and states that the proliferation of entrances, which would lead to a diminution of the role of the transition zones, must be avoided.

It concludes that the proposal would create an adverse impact on the national road and would be at variance with national policy regarding the control of frontage development on national roads.

3.3. Third Party Observations

None.

4.0 Planning History

19/1476: Permission refused for the construction of a house, domestic garage and effluent treatment system on the appeal site on the grounds of unsubstantiated housing need and traffic hazard. The application proposed running an access road along the front of the site and parallel to the national road and using a gate entrance on the adjoining site to the south.

19/1511: Permission refused for the construction of a house and effluent treatment system on the site to the north of the appeal site on the basis of unsubstantiated housing need and traffic hazard. The application proposed the construction of an access road extending along the front of the current appeal site with access via a gateway serving land to the south.

61621: Permission granted for a turf shed, garage, store, front wall and entrance from road on the adjoining site to the south.

Other applications for permission to construct a house on this site (20/118) and the adjoining site to the north (04/4585) were withdrawn.

5.0 Policy Context

5.1 Development Plan

The operative development plan is the **Galway County Development Plan 2022-2028**. The site is located in an unzoned rural area outside towns and settlements.

Chapter 4: Rural Living and Development contains the rural housing policies for the county. The following are relevant:

Policy Objective RC 2.

To manage the development of rural housing in the open countryside by requiring applicants to demonstrate compliance with the Rural Housing Policy Objectives contained in Section 4.6.3

Section 4.6.3 of the Plan identifies different rural area types and sets out specific policy objectives for rural housing in the open countryside. The site is located in

Rural Housing Zone 2: (Rural Area Under Strong Urban Pressure -GCTPS-Outside Rural Metropolitan Area Zone 1).

Policy Objective RH2 applies and it seeks to facilitate rural housing in this rural area under strong urban pressure subject to a number of criteria which includes:

1(a) Those applicants with long standing demonstrable economic and/or social Rural Links or Need to live in the area through existing and immediate family ties seeking to develop their first home on the existing farm holding,

OR

1(b) Those applicants with no family lands or access to family lands, but who wish to build their first home within the community in which they have long standing demonstrable economic or social Rural Links or Need and where they have spent a substantial, continuous part of their lives i.e. have grown up in the area, schooled in the area or have spent a substantial, continuous part of their lives in the area and have immediate family connections in the area e.g. son or daughter of long standing residents of the area. Having established a Substantiated Rural Housing Need such persons making an application on a site within 8km radius of their original family home will be accommodated, subject to normal development management.

To have lived in the area for a continuous seven years or more is to be recognised as a substantial, continuous part of life and also as the minimum period required to be deemed longstanding residents of the area,

OR

1(c) Those applicants who can satisfy the planning authority that they are functionally dependent in relation to demonstrable economic need on the immediate rural areas in which they are seeking to develop a single house as their principal family residence in the countryside,

OR

1(d) Those applicants who lived for substantial periods of their lives in the rural area and moved away and now wish to return to build their first house as their permanent residence in this rural area.

OR

1(e) Those applicants that can supply legal witness or land registry or folio details that demonstrate that the lands on which they are seeking to build their first home, as their permanent residence, in the area have been in family ownership for a period of 20 years or more, their eligibility will be considered. Where this has been established to the satisfaction of the Planning Authority, additional intrinsic links will not have to be demonstrated.

OR

1(f) In cases where all sites on the family lands are in a designated area, family members will be considered subject to the requirements of the Habitats Directive and normal planning considerations,

OR

1(g) Rural families who have long standing ties with the area but find themselves subsumed into Rural Villages. They have no possibility of finding a site within the particular Rural Village. Rural Villages dwellers who satisfy the requirements for Rural Housing Need as outlined in RH2 will not be considered as Urban Generated and will have their Housing Need upheld.

2. An Enurement condition shall apply for a period of 7 years, after the date the house is first occupied by the person or persons to whom the enurement clause applies.

Rural Links is defined as a person who has strong demonstrable economic or social links to the rural area and wished to build a dwelling generally within an 8km radius of where the applicant has lived for a substantial continuous part of their life. To have lived in in the area for a continuous seven years or more is to be recognised as a substantial, continuous part of life and also as the minimum period required to be deemed longstanding residents of the area.

Substantiated Rural Housing Need is defined as supportive evidence for a person to live in this particular area and who does not or has not ever owned a house/received planning permission for a single rural house or built a house (except in exceptional circumstances) in the area concerned and has a strong demonstrable economic or social need for a dwelling for their own permanent

occupation. In addition, the applicants will also have to demonstrate their rural links as outlined above.

Chapter 8: Tourism and Landscape contains the policies on landscape protection. The site is located within the Central Galway Complex Landscape (Map 8.1 Landscape Character Areas), with a Class 1 'Low' sensitivity rating (Map 8.2) and stated to be 'Unlikely to be adversely affected by change'. There are no designated scenic routes or views close to the site.

Chapter 15: Development Management Standards contains standards for rural housing, including the following:

DM Standard 26: Access to National and Other Restricted Roads for Residential Development.

(a) Residential development along National Roads will be restricted outside the 60kmp speed zones in accordance with the *DoECLG Spatial Planning and National Road Guidelines (2012)*.

Consideration shall be given to the need of farm families to live on the family holding on a limited basis and a functional need to live at this location must be demonstrated. Where there is an existing access, the combined use of same must be considered and shown to be technically unsuitable before any new access can be considered. Access via local roads shall always be the preferred access.

(b) Proposed access onto any restricted Regional Road outside the 60kmp speed zones shall be restricted to members of the family on the family lands and on a limited basis only. Where there is an existing access, the combined use of same must be considered and shown to be technically unsuitable before any new access can be considered. This may require the upgrading and/or relocation of the existing entrance to serve the combined development. Access via local roads shall always be the preferred access. Any new access must be accompanied by a justification for the proposed access.

(c) An Enurement condition will be attached to grant of planning permission for the above.

DM Standard 28: Sight Distance Required for Access onto National, Regional, Local and Private Roads.

5.2. National Planning Framework First Revision (First Revision April 2025)

National Policy Objective 28

Ensure, in providing for the development of rural housing, that a distinction is made between areas under urban influence, i.e. within the commuting catchment of cities, larger towns and centres of employment, and elsewhere:

- In rural areas under urban influence, facilitate the provision of rural housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and settlements.
- In rural areas elsewhere, facilitate the provision of single housing in the countryside based on siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.

5.3. Natural Heritage Designations

There are no Natural Heritage Areas in the vicinity of the site.

The site is not located within or adjacent to any European site. The closest European site is Lough Corrib SAC (Site code: 000297). The Clare River which is located c 2.4km to the east drains into Lough Corrib and is part of the SAC.

6.0 EIA Screening

The development is of a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended, but below threshold. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendix 1 & 2 of this report). Having regard to the location and characteristic of the proposed development and the types and characteristic 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 environment impact screening and an EIAR is not required.

7.0 The Appeal

7.1 Grounds of Appeal

The grounds of appeal are summarised below:

- Formal pre-planning consultation was held with the planning authority (copy attached) during which feedback was positive and no objection in principle was raised in relation to access.
- The Roads and Transportation Section reviewed the proposed shared access arrangement and provided clear guidance, which was fully incorporated into the final design.
- The proposed access point corresponds to an entrance previously permitted under a previous application (61621) and therefore benefits from established planning status.
- The proposal was fully designed to comply with Development Management Standard 26(b), which expressly permits the reuse of existing and previously authorised entrances onto national routes, where safe and appropriate.
- The proposal does not introduce a new access onto the N83 and therefore cannot constitute 'proliferation' in any meaningful or policy relevance sense.
- Transitional speed zones are intended to support controlled, safe access where existing development already occurs (Section 2.5 of the 2012 Guidelines). The proposed development does not add to the pattern of development but improves an entrance that already exists.
- There is no recorded objection from the Roads Section, making the refusal inconsistent with the internal technical position of the planning authority.
- TII did not issue a substantive, site-specific submission capable of supporting or justifying refusal.
- Full engineering compliance demonstrated with TII and DM 26(b).
- There has been incorrect application of Development Management Standards by the planning authority. The applicable standard is DM 26(b)

and not DM Standard 28, which applies to a new entrance onto a national road. The proposal is to reuse and upgrade an existing, previously authorised access.

- A refusal based on precedent is not justified as a new entrance is not being created. The proposal involves a previously permitted entrance and the circumstances are not replicable across undeveloped roadside lands. The design complies with both national and local policy.
- Applicant has substantiated his housing need and demonstrated his intrinsic links to the area and lives with his parents at the above address. The site is adjacent to his uncle's home who has given his consent to the use of the entrance.
- The suitability of the site for the treatment of effluent is established and the house design is acceptable.

7.3. Planning Authority Response

No response to the grounds of appeal were submitted by the planning authority.

7.4. Observations

None.

8.0 Assessment

8.1. Introduction

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

- Rural Housing Need
- Traffic Safety
- Effluent treatment.

8.2 Rural Housing Need

The site is located in Rural Housing Zone 2. These are the areas of the county that are under strong urban pressure and are subject to the provisions of Policy Objective RH2. It seeks to facilitate rural housing subject to a number of criteria as set out in Section 5.0 of this report.

Policy Objective RH2 1(a) facilitates applicants with long standing demonstrable economic and/or social Rural Links or Need to live in the area through existing and immediate family ties seeking to develop their first home on the existing farm holding.

The appeal site is part of the family farm and it is stated that the applicant currently resides with his parents in the family home adjacent to the farm. There is confirmation on the file that the applicant grew up and was schooled in the local area and has been an active member of the local GAA club. While he is currently employed in Limerick as a Software Engineer, he works from home. It is stated in the application that the proposed house is intended as a first-time permanent residence for the applicant.

I consider that there is sufficient documentation on the file to establish that the applicant has spent a substantial, continuous part of his life in the area and has immediate family connections. I accept that long standing intrinsic rural links with the area have been established.

While I do not consider that the applicant has demonstrated a strong economic or social need to reside in the area, the wording of Policy Objective RH2 1(a) suggests that there is no requirement for the applicant to also demonstrate a economic or social need to live in the area. I note that the bone fides of the applicant has been accepted by the planning authority.

I would, therefore, accept that the proposal to build a house in this location is acceptable in principle subject to normal planning and environmental criteria considerations.

8.3 Road Safety

It is the contention of the appellant that the application should have been accessed under the provisions of DM Standard 26. I would point out to An Coimisiún that this

standard has no application in this case as it refers to residential access onto National Roads and restricted Regional Roads outside the 60 kmh speed zone. The appeal site is located along a stretch of road where traffic calming measures have been introduced and the operational speed limit is 60kmh.

On this section of the national secondary road in the vicinity of the site, there are 4 no. access points in close proximity. Three of these are associated with the adjoining house and farm in family ownership. The fourth access serves a separate dwelling. On the opposite side of the road there are also four vehicular entrances associated with individual dwellings.

Both the planning authority and Transport Infrastructure Ireland (TII) refer to Section 2.5 of the DoECLG 'Spatial Planning and National Roads Guidelines for Planning Authorities' (January, 2012). It relates to control of access points within 'transitional zones', described as *'sections of national roads on the approaches to or exit from urban centres that are subject to a speed limit of 60kmh before a lower 50kmh limit is encountered'*.

While the traffic calming measures in the vicinity of the site, do not fall strictly within this description, they function in the same way, e.g. to control speed within a defined area between two sections of the national secondary road. The TII clearly considers it to be a 'transitional speed zone' and the aim within such zones is to prevent a proliferation of entrances that would lead to a diminution in its role. I note that the TII were opposed to two previous housing applications (19/1476 & 19/1511), using the same entrance for shared access.

It is appellant's contention that the concerns of the planning authority regarding proliferation are unfounded as the proposal will involve the reuse of an existing entrance which has been granted planning permission and would not introduce a new access onto the N83 within the 'transition zone'.

The proposal is to provide access to the proposed dwelling via an existing access serving the adjoining site to the south. This gated access currently provides access directly into the garden of the adjoining dwelling and there is no associated driveway. The entrance was granted planning permission under Reg Ref 61621 in November 1990, which authorised the erection of a turf shed, garage, store, front wall and entrance from the road. The shed is within the curtilage of the adjoining

dwelling. Whilst the planning authority was requested to submit details of the planning application, the information supplied was limited to a copy of the planning permission. A copy of the permission and a site layout plan supports the appeal.

The appellant attaches considerable weight to the fact that there is an existing entrance which has the benefit of planning permission. I would point out to An Coimisiún that the permission authorised access to a turf shed/store. While the entrance may be used occasionally, in the absence of a driveway, it is not designed to accommodate regular vehicular traffic. I note that the main access to the shed is via the existing access to the dwelling to the south.

While I accept that the proposal would not introduce a new entrance onto the National road, the use of the entrance to access the proposed house would significantly increase the volume and frequency of traffic movements onto the national road network. I would also note that there are tracks of undeveloped land within the transitional zone which have gated access onto the road. I consider that the proposed development, if permitted, would create an undesirable precedent for similar development. This would undermine the intended function of the 'transitional zone', adversely affect the operation and safety of the traffic calming measures on this section of the national secondary road, and endanger public safety by reason of traffic hazard and obstruction of road users.

DM Standard 28, referred to in the planning authority's reason for refusal sets out sight distance requirements for access onto the road network. A sight distance of 90m is required for design speeds of 60 kmh. The site layout plan shows sightlines of 140m in each direction. While visibility to the south is currently obstructed by existing vegetation, I note that a new wall is proposed which would be set back from the carriageway and significantly improve visibility in this direction. I would not, therefore, accept that the proposal would materially contravene DM Standard 28 regarding sight distance requirements as contended by the planning authority.

8.4 Effluent treatment

A Site Suitability Assessment has been submitted with the planning application. It indicates that the site is underlain by a Regionally Important (Rk) aquifer with an 'Extreme' vulnerability rating. The ground water protection response is R2² e.g. acceptable subject to normal good practice and requirements for minimum depths

of unsaturated subsoil). The water supply would be from a public mains supply. No watercourses, drainage ditches, wells or springs were recorded close to the site.

The trial hole was excavated to a depth of 2.25m and bedrock or ground water were not encountered. The rock type is identified as Limestone but no karst features were recorded on the site. No preferential flow paths were recorded. The sand and gravel and the percolation tests indicated a surface value of 6.42 and a sub-surface value of 10.33. The target at risk is groundwater.

It is proposed to install a Tertiary Treatment System and Infiltration/treatment area prior to discharge to ground. A depth of 1.2 m of unsaturated soil/subsoil would be provided beneath the distribution pipes of the percolation area, which is in accordance with the requirements of the EPA CoP for a ground water protection response of R2².

The system is designed for a PE of 6. Based on the site assessment submitted with the application, the site would appear suitable for the proposed treatment system and the minimum separation to boundaries, roads, dwellings and associated treatment systems can be complied with.

However, I would point to An Coimisiún that the photographs attached to the assessment would indicate that the trial hole and percolation test holes were excavated towards the rear of the site. The site layout plan indicates that the treatment system would be located to the front of the house and c 50m from where the site assessment was carried out. This is contrary to the guidance provided in the EPA CoP which states that the trial and percolation test holes should be located adjacent to the proposed percolation/infiltration area.

The proposed assessment does not, therefore, provide an accurate representation of ground conditions in the location of the proposed treatment area. It cannot, therefore, be concluded with the level of confidence required that foul effluent from the house can be effectively treated and discharged to ground without posing a threat to ground water quality.

As the deficiencies in the site characterisation report are effectively a new issue in the consideration of the appeal, and having regard to the substantive refusal

reason recommended, the Commission may not wish to include this as a reason for refusal in this case.

9.0 Appropriate Assessment

Screening the need for Appropriate Assessment: Screening Determination (Stage 1, Article 6(3) of Habitats Directive)

I have considered the proposal to construct house, garage, effluent treatment system and to provide a shared vehicular access off the N83, together with associated works in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is located c. 6km north of Claregalway. Co Galway.

The proposed development comprises the construction of a house, garage and associated site works on the site.

No nature conservation issues were raised in the appeal.

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

The reason for this conclusion is as follows.

- the scale and nature of the development
- the distance from the nearest European sites, and
- lack of connections

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

Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Water Frame Directive

The proposal is to construct a house, garage, effluent treatment system and to provide a shared vehicular access off the N83 together with associated works.

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

I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface and ground waterbodies in order to reach good status (meaning both good chemical and ecological status), and to prevent deterioration.

The site is underlain by a Regionally Important (Rk) aquifer with an 'Extreme' vulnerability rating. Having regard to the site suitability assessment submitted in with the application, which was not carried out in accordance with the requirements of the EPA CoP, and the potential risk to groundwater that could result from the proposed wastewater treatment system.

It is not, therefore, possible to conclude on the basis of the information submitted, that the proposed development would not result in a risk of deterioration of groundwater either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently cannot be excluded from further assessment.

11.0 Recommendation

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

12.0 Reasons and Considerations

1. It is considered that the proposed development, by itself, or by the precedent which it would create for similar development, involving shared access via an entrance intended for occasional use only, and which was not permitted to facilitate traffic associated with a dwelling house, would adversely affect the role of the transitional speed zone and would be contrary to national policy as set out in the Spatial Planning and National Road Guidelines for Planning Authorities issued by the Department of the Environment, Community and Local Government in January, 2012, which seeks to protect the role of such zones. It is considered that the additional traffic and turning movements associated with the proposed development would adversely affect the operation and safety of the national road network in this location and endanger public safety by reason of traffic hazard. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The Site Suitability Assessment submitted in support of the application was not completed in accordance with the requirements of the EPA Code of Practice: Domestic Wastewater Treatment Systems (2021), which requires that the assessment be carried out in the location of the proposed effluent treatment system. The Commission is not, therefore, satisfied on the basis of the submissions made in connection with the planning application and the appeal that the site can be drained satisfactorily by means of a proprietary treatment system and would pose an unacceptable risk to ground water, which would be prejudicial to public health.

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

Breda Gannon
Planning Inspector

11th February 2026

Appendix A: Form 1 EIA Pre-Screening

Case Reference	PL-500390-GY-25
Proposed Development Summary	To construct a house, garage, effluent treatment system and provide a shared vehicular access off the N83, together with all associated site works.
Development Address	Carraghy, Claregalway. Co Galway.
IN ALL CASES CHECK BOX /OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	☒ Yes, it is a 'Project'. Proceed to Q2.
(For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	
2. Is the proposed development of a CLASS specified in <u>Part 1</u>, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ 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 <u>Part 2</u>, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ 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.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	A single dwelling on a site of 0.390 ha is proposed. The relevant Class and threshold is as follows: Class 10(b) of Part 2, Schedule 5(i) Construction of more than 500 dwelling units (iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in other parts of a built-up area and 20 hectares elsewhere. (In this paragraph, "business district" means a district within a city or town in which the predominant land use is retail or commercial use)
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 ☐	
No ☒	

Inspector: _____

Date: _____

Appendix B: Form 2 - EIA Preliminary Examination

Case Reference	PL-500390-GY-25
Proposed Development Summary	To construct a house, garage, effluent treatment system and provide a shared vehicular access off the N83, together with all associated site works.
Development Address	Carraghy, Claregalway. Co Galway.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (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).	Briefly comment on the key characteristics of the development, having regard to the criteria listed. The development has a modest footprint and comes forward as a standalone project. It does not require demolition works, does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.
Location of development (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).	Briefly comment on the location of the development, having regard to the criteria listed The development is situated in a rural area on improved agricultural land which is abundant in the area. The development is removed from sensitive natural habitats, centres of population and designated sites and landscapes of identified significance in the County Development Plan.
Types and characteristics of potential impacts	Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects.

(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the modest nature of the proposed development, its location removed from sensitive habitats/features, 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.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	
There is a real likelihood of significant effects on the environment.	

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)