



Inspector's Report

PL-500700-GY-26

Development

To construct a 2 bedroom detached dwelling house and all associated works including re-configuration of the private open space of an apartment approved under pl ref: 03/4232

Location

Caherroyan , Sli an Chlairin , Athenry,
Co. Galway

Planning Authority

Galway County Council

Planning Authority Reg. Ref.

2577

Applicant(s)

Sean Lyons

Type of Application

Permission

Planning Authority Decision

Grant Permission + Conditions

Type of Appeal

Third Party Normal Planning Appeal

Appellant(s)

Sli an Chlairin Management CLG

Observer(s)

None

Date of Site Inspection

27th April 2026

Inspector

Kathy Tuck

1.0 Site Location and Description

- 1.1. The subject site which has a stated area of 0.017ha is situated at Caherroyan , Sli an Chlairin, Athenry, Co. Galway. Athenry is located approximately 24km to the east of Galway City Centre.
- 1.2. The site forms part of the side garden associated with an apartment development which serves as private open space. The Sli an Chlairin development comprises of two storey apartment buildings and two storey terrace housing units. The site is bounded to the north and west by a rendered boundary wall.

2.0 Proposed Development

- 2.1. This is an application for permission to construct a two storey two bedroom detached dwelling which has a stated area of c.75qs.m. The proposal is to be situated to the side of an existing apartment building in an area which previously formed part of the private amenity with such.
- 2.2. The proposed dwelling has a maximum depth of c.9.43m, width of pitched roof profile with an open gable feature along the front elevation and has a maximum ridge level of c.8.135m. The proposed dwelling is also provided with c.34.2sq.m of private open space to the rear while retaining 38.4sq.m private amenity space to serve apartment unit no. 15.
- 2.3. While I note that a request further information was issued by the Planning Authority this related solely to the storm water disposal and did not impact on the design of the proposal.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority, following a request for further information, issued a decision to grant planning permission on the 6th January 2026 subject to 9 no. conditions. Conditions of note are considered to be as follows:

Condition no. 9 – Section 48 Contribution of €3,539.50.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The first report of the Planning Officer dated the 6th June 2025 sets out details of the site location, the proposed development, the planning history pertaining to the appeal site and wider area, details of relevant planning policy, a summary of consultee reports and submissions received, and sets out an EIA, AA and Flood Risk Assessment.

The assessment considered that the proposed development represents a sustainable use of land for residential purposes reflecting the zoning of same and expresses a positive presumption in favour of the sequential development of these suitably serviced lands which contributes towards the compact growth of Athenry. However, having regard to the submission received from the area engineer which raised concern over the proposal to discharge storm water from the site into the existing storm sewer network the Planning Officer recommended that the following further information be sought:

- Applicant is required to liaise directly with the Oranmore-Athenry Area Office in relation to the storm water disposal proposals to ensure concerns are alleviated and, if necessary, the details of an alternative disposal treatment is provided for with relevant details included in the Further Information response.

A response to the further information was submitted by the applicant on the 4th December 2024 which stated that liaison with the Area Engineer was undertaken and an amended site layout plan indicating the provision of a surface water soak-way which is located to rear of dwelling which includes an overflow pipe to the existing storm sewer.

The second report of the Planning Officer dated the 5th January 2025 considered the further information to be acceptable and recommended that permission be granted in line with the decision issued.

3.2.2. Other Technical Reports

- Oranmore Area Office

Concern is raised over the proposal to discharge storm water from the site into the existing storm sewer network. Further information should be sought to this extent.

3.3. Prescribed Bodies

None received.

3.4. Third Party Observations

The Planning Authority received 3 no. observations relating to the proposed development. Concerns raised related to the same issues raised by the 3rd party appellant and can be summarised as:

- Issues pertaining to the site notice.
- Reduction in private opens space
- Legal interest
- No housing need demonstrated.

4.0 Planning History

PA Ref 015235 Permission REFUSED for construction of 4 No. apartments in a two storey block and 50 No. houses (34 No semi detached (4 bed) and 16 no terrace and associated external works including treatment plant, entrance road, boundary walls. The reasons for refusal were as follows:

- The site was primarily zoned Agriculture and the provision of residential on such would represent a material contravention.
- Proposal is premature pending upgrades to public sewer within the vicinity.

PA Ref 034232 Permission GRANTED for 12 No. apartments and 50 No. houses, sewage treatment plant and associated services.

PA Ref 054975 Permission GRANTED for alterations to site layout (approved under pl. ref. no. 03/4232) to include replacement of house nos 27-30 with 3 no. apartments and 3 no. townhouses, replacement of house nos 37-40 with 3 no. apartments and 3 no. townhouses and one detached house with associated services (approved under pl. ref. no. 03/4232) (gross floor space 556.55m²).

PA Ref 09356 Extension of Duration refused for 12 No. apartments and 50 No. houses, sewage treatment plant and associated services as granted under Pl. Ref. No. 03/4232.

5.0 Policy Context

5.1. Galway County Development Plan 2022-2028

The appeal site is situated Athenry which is identified as being within the Strategic Economic Corridor and identified as having strategic potential as per the Core Strategy of the Galway County Development Plan 2022-2028.

Relent sections are considered as follows:

- Chapter 3 Placemaking, Regeneration and Urban Living
 - Policy Objective RH 9 – Design Guidelines
 - Policy Objective WW 11 - Surface Water Drainage
 - Policy Objective FL 2 - Flood Risk Management and Assessment
 - Policy Objective WR 1 - Water Resources
- Chapter 7 Infrastructure, Utilities and Environmental Protection
 - Section 6.17 Wastewater Policies and Objectives
- Chapter 10 Natural Heritage, Biodiversity and Green/Blue Infrastructure
 - Section 10.6 Natural Heritage and Biodiversity
 - Section 10.15 Green and Blue Infrastructure
- Chapter 12 Architectural, Archaeological and Cultural Heritage
- Chapter 14 Climate Change, Energy and Renewable Resources
 - Section 14.4 Climate Change Adaptation and Mitigation
 - Section 14.6 Flooding
- Chapter 15 - Development Management Standards
 - Section 15.2.4 Other Residential Development (Rural and Urban)
 - Section 15.6 Infrastructure, Utilities and Environmental Protection

Section 15.7.2 Landscape Sensitivity

Section 15.13.2 Surface Water Drainage and Flooding

DM Standard 8 – Site Selection

Design DM Standard 11 - Landscaping

DM Standard 28 - Sight Distances Required for Access onto National, Regional, Local and Private Roads

5.2. **Athenry Local Area Plan 2024-2030**

The appeal site is zoned under Objective Residential Existing as per the Athenry Local Area Plan 2024-2030 which seeks to protect and improve the residential amenities of the existing residential areas.

Relevant policies are considered to be:

- Policy Objective ASP 7: Residential Infill Development

Within the Settlement Boundary, small scale limited infill housing development will be considered in appropriate sites. These infill sites shall have regard to the existing character of the street, respecting the existing building line, scale, proportions, layout, heights, and materials of surrounding developments. A proposed site must have a safe means of access and egress and comply with development management standards for new dwellings.

- Policy Objective ASP 9: Compact Growth

It is a Policy Objective of the Council to support the delivery of new homes in Athenry urban area within the existing built-up footprint of the settlement, by developing infill, brownfield, opportunity, and regeneration sites and prioritizing underutilized land in preference to greenfield sites.

- Policy Objective ASP 21: Strategic Sites in Athenry
- Policy Objective ASP 28: Public Utilities
- Policy Objective ASP 29: Water Supply, Wastewater and Combined Drainage Infrastructure
- Policy Objective ASP 30: Water Supply and Water Conservation

- Policy Objective ASP 31: Connections to the Public Sewer and Public Water Mains
- Policy Objective ASP 32: High Quality, Contextual Sensitive Design

5.3. **Natural Heritage Designations**

The appeal site is not situated within or directly abutting any Natura 2000 sites. The appeal site is situated c.6.6km to the south-west of the Monivea Bog SAC (Site Code 002352) and the Monivea Bog pNHA (site code 000311). In addition, the site is situated 7.33km to the south-west of the Lough Corrib SAC (site code 000297).

6.0 **EIA Screening**

The scale of the proposed development does not exceed the thresholds set out by the Planning and Development Regulations 2000 (as amended) in Schedule 5, Part 2(10), and I do not consider that any characteristics or locational aspects (Schedule 7) apply. I conclude that the need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required. Appendix 1 and Appendix 2 of my report refers.

7.0 **The Appeal**

7.1. **Grounds of Appeal**

The Commission received a 3rd Party Appeal against the decision of the Planning Authority to grant planning permission. The grounds of the appeal can be summarised as follows:

1. Failure to secure integration with estate governance (OMC Membership)
 - Estate governed by an owner's management company (MUD Act 2011).
 - Decision of Planning Authority does not include a condition requiring:
 - Owner of proposed dwelling become a member.
 - Compliance with estate governance documents.
 - Contribution to maintenance/insurance/management of communal areas/shared areas.

- Omission undermines proper planning and sustainable management of the estate.
 - Any permission should include a clear and enforceable condition requiring full incorporation of the dwelling into the Owners Management Company (OMC).
2. Unauthorised use of Common property:
- Development includes the access arrangements and physical alterations affecting areas maintained by the OMC.
 - No consent was sought – decision does not adequately address legal status of these areas/implications for estate ownership.
3. Private Garden Allocation/use
- Site area – not designed for infill development:
 - Loss of private open space will adversely impact residential amenity/privacy/established layout of estate.
 - Decision does not mitigate negative impacts.
4. Governance and Precedent
- Permission of piecemeal development within a managed multi-unit estate without appropriate governance safeguards
 - Established undesirable precedent.
 - Risks incremental erosion of estate layout/common property protections/management structures:
 - Inconsistent with orderly development/long term sustainability of estate.
5. Inadequate considerations of submissions
- Decision and conditions do not adequately address substantive concerns raised.
6. Conclusions
- Request decision refused or altered to include a condition to safeguard estate governance/common property/interest of existing members.

7.2. Applicant Response

The Commission received a response to the 3rd party appeal from the applicant on the 25th February 2026 which states the following:

- Applicants' intention is to have property incorporated into OMC management Company.
 - Omission by Galway County Council is an oversight.
 - Applicant wishes to contribute to maintenance/insurance/shared services of common areas.
- Site forms no part of Common area.
 - Access via a turning head.
 - Removal of fences to the front has no impact on common/shared areas.
- Site forms part of the adjoining property owned by the applicant.
 - Not utilised/overgrown.
 - Sufficient private open space retained for existing units and adequate private open space provided for new dwelling.
 - No windows locate on rear elevation of dwelling – mitigates overlooking.
- Proposal provides good use of derelict garden space.
 - No adverse impact on common areas.
 - Turning head un-affected.
 - Enhances appearance/aesthetics of the estate.

7.3. Planning Authority Response

None received.

8.0 Assessment

8.1. Introduction

8.1.1. Having examined the application details and all other documentation on file, (including the submissions received in relation to the appeal), and inspected the site, and having

regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are:

- The Principle of the Development.
- Owners Management Company.
- Design and Layout
- Other issued

8.2. Principle of the Development

8.2.1. The subject site is zoned under objective 'Residential Existing' as per the Athenry Local Area Plan 2024-2030 which seeks to protect and improve the residential amenities of the existing residential areas.

8.2.2. The provision of an infill dwelling is permitted in principle under the land use zoning matrix and therefore, I consider the proposed development to be acceptable in principle.

8.3. Owners Management Company

8.3.1. The main concern raised by the 3rd party appellant relates to the lack of condition included within the grant of permission by Galway County Council to ensure that the dwelling/applicant would be required to become a member of the Owners Management Company (OMC) which is responsible for the operations and maintenance of the Sli an Chlairin residential estate. It is contended that no consent was sought from the OMC for the development proposed which will have implications for the access arrangements and physical appearance of areas which are currently maintained by the OMC.

8.3.2. The applicant in response to the concerns raised has stated that they fully intended to have the property incorporated into OMC management Company and that the lack of condition was an oversight by the Planning Authority. It is further stated that the applicant intends to contribute to maintenance/insurance/shared services of the common areas within the estate.

- 8.3.3. Giving the willingness of the applicant to engage with the OMC, as stated within the response to the 3rd party appeal, and their intention to become fully incorporated into OMC I do not consider it necessary to include a condition to this end.
- 8.3.4. Section 5.13 of the Development Management Guidelines for Planning Authorities that advise that the planning system is not designed as a mechanism for resolving disputes about rights over land and that these are ultimately matters for resolution in the Courts. I consider that this matter is a civil matter and not one to be overcome through the inclusion of a planning condition but rather through a legal agreement. With regard to the lack of consent obtained from the OMC I note that Section 34(13) of the Planning and Development Act 2000, (as amended), states that a person shall not be entitled solely by reason of a permission to carry out any development
- 8.3.5. Should the Commission not concur with my conclusion on this matter then a condition could be included to require the applicant become a member of the OMC.

8.4. **Design and Layout**

- 8.4.1. The appellant contends that the appeal site was not designed to provide for an infill dwelling and that the loss of private open space will adversely impact residential amenity, privacy and the established layout of estate and that the decision of the Planning Authority does not mitigate these negative impacts. I note that no further explanation on how the proposal would impact on the current level of residential amenity enjoyed at this location is provided.
- 8.4.2. The appeal site, which has a stated area of c.0.017ha, is currently in use as private amenity space serving apartment no. 15 Sli an Chlairin. The application documentation was accompanied by plans and documentation which was submitted with PA Ref 05/4975 and extracts from Land Registry which demonstrate that the appeal site serves no. 15 Sli an Chlairin as private open space and that the applicant is the landowner.
- 8.4.3. The proposed dwelling is served with 34.2sq.m of private open space and retains c.38.4sq.m private open space to serve the existing apartment unit. The proposed dwelling is a 2 bed dwelling and unit no. 15 is a 2 bed apartment. I note that the Galway County Development Plan does not prescribe area of private amenity spaces to be required for infill/apartment units, but I consider having regard to Appendix 1 of the

Apartment Guidelines 2025 which requires 7sq.m of private open space for a 2 bed apartment units, and SPPR 2 of the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities 2024 which requires 30sq.m of private open space to be provided for 2 bedroom dwellings, that the layout as proposed would be acceptable.

- 8.4.4. I note from undertaking a site visit that there are no dwellings situated to the rear of the site directly opposing the proposed dwelling and that there are no window openings provided along the rear elevation at 1st floor level serving any habitable accommodation and therefore issues of overlooking are not anticipated. Furthermore, having regard to the orientation of the dwelling relative to the path of the sun issues of overshadowing are also not anticipated.
- 8.4.5. Concern is also raised over the visual impact the proposal will have and it is contended that the proposal represents piecemeal development and to permit the proposal risks the incremental erosion of estate layout.
- 8.4.6. I note from undertaking a site visit that the subject site currently comprises of an under-utilised large area of enclosed open space which is currently not maintained and serves 1 no. 2 bed apartment units. Policy Objective UL1 – Infill Sites of the Galway County Development Plan 2022-2028 encourages and promote the development of infill, corner and backland sites while Policy Objective ASP 7: Residential Infill Development of the Athenry Local Area Plan 2024-2030 promotes small scale limited infill housing development which have regard to the existing character of the street, respecting the existing building line, scale, proportions, layout, heights, and materials of surrounding developments.
- 8.4.7. I consider that the proposed dwelling replicates the overall scale, height and massing established within the Sli an Chlairin Estate and maximises the use of the appeal site, which is currently underutilised, while maintaining the amenities of the surrounding area. I therefore consider it to accord with Policy Objective UL1 of the County Plan and Policy Objective ASP 7 of the Athenry Local Area Plan and acceptable at this location.

8.5. **Other Issues**

- 8.5.1. Inadequate considerations of submissions

It is contended that the Planning Officer failed to give adequate consideration of the concerns raised by the objections made. It is argued that the Decision and conditions do not adequately address substantive concerns raised.

I note that the report of the Planning Officer sets out, in detail, issues raised by the 3rd party submissions received and provides a robust assessment of the proposed development. I therefore do not accept the concern raised by the 3rd party appellant in this instant.

9.0 **AA Screening**

9.1. 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 Monivea Bog SAC (Site Code 002352), Monivea Bog pNHA (site code 000311), Lough Corrib SAC (site code 000297) or any other European site, in view of the Conservation Objectives of those sites and Appropriate Assessment (and submission of a NIS) is not therefore required.

9.2. This determination is based on:

- The relatively minor scale of the development and lack of impact mechanisms that could significantly affect a European Site.
- Distance from and weak indirect connections to the European sites.
- Taking into account screening determination by Planning Authority.

9.3. See Appendix 3 of this report for Appropriate Assessment Screening Determination. No mitigation measures aimed at avoiding or reducing impacts on European sites were required to be considered in reaching this conclusion.

10.0 **Water Framework Directive**

10.1. The subject site is situated at Caherroyan , Sli an Chlairin , Athenry, Co. Galway . The application is seeking permission to construct a 2 bedroom detached dwelling house and all associated works including re-configuration of the private open space of an apartment approved under PA ref: 03/4232.

10.2. The Clarinbridge River is situated c.149.5m to the east of the site which has a moderate status. The site is also situated within the Clarinbridge groundwater catchment which has a good status.

10.3. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seeks to protect and, where necessary, restore surface & ground water bodies 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.

10.4. The reason for this conclusion is as follows:

- Nature of works regard the scale;
- Location-distance from nearest Water bodies and/or lack of hydrological connections.

10.5. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 Recommendation

I recommend that the decision of the Planning Authority be upheld and that permission be granted for the reasons and considerations set out below.

12.0 Reasons and Considerations

Having regard to the land use zoning of the subject site, the provision of the Galway County Development Plan 2022-2028 and the Athenry Local Area Plan 2024-2030, and the design, scale and layout of the proposed development, and the pattern of development in the surrounding area, it is considered that subject to compliance with the conditions set out below, would provide for an appropriate form of development

and would not adversely impact upon the built heritage of the area, and therefore, be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1. The development shall be 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 17th of April 2025 and the 4th December 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. The developer shall enter into a water connection and waste water connection agreements with Irish Water.

Reason: In the interest of public health.

3. a) The site and building works required to implement the development shall only be carried out between the hours of: Mondays to Fridays - 7.00am to 6.00pm Saturday - 8.00 a.m. to 2.00pm Sundays and Public Holidays - No activity on site.

b) Deviation from these times will only be allowed where a written request with compelling reasons for the proposed deviation has been submitted and approval has been issued by Dublin City Council. Any such approval may be subject to conditions pertaining to the particular circumstances being set by Dublin City Council.

Reason: In order to safeguard the amenities of adjoining residential occupiers.

4. Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

5. 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.

6. Electricity, telecom, cable, t.v. and other services shall be laid underground, where possible.

Reason: In the interest of visual amenity and proper planning and development.

7. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines for the Preparation of Resource & Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in 2021.

Reason: In the interest of sustainable waste management.

8. (a) The parking area and any proposed landscaping scheme as specified on the plans and particulars received by the planning authority on the 17th of April 2025 shall be carried out in full.

(b) Planting shall comprise of native tree/plant species only. (c) All boundary walls facing open spaces shall be finished in render/plaster and/or local natural stone.

Reason: In the interests of residential amenity and the proper planning and sustainable development of the area.

9. The developer shall pay to the planning authority a financial contribution of 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. The application of any indexation required by this condition shall be agreed between the

planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine.

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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.”

Kathy Tuck
Planning Inspector

29th April 2026

Appendix 1

Form 1 EIA Pre-Screening

Case Reference	PL-500700-GY-26
Proposed Development Summary	To construct a 2 bedroom detached dwelling house and all associated works including re-configuration of the private open space of an apartment approved under pl ref: 03/4232.
Development Address	Caherroyan , Sli an Chlairin , Athenry
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2.
	<input type="checkbox"/> No, No further action required.
(For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.	State the Class here

<p>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</p>	
<p><input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3</p>	
<p>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?</p>	
<p><input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required</p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p>	<p>S. 5 P.2 10(b)(ii) construction of more than 500 dwelling units.</p>
<p>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)?</p>	
<p>Yes <input type="checkbox"/></p>	<p>Screening Determination required (Complete Form 3)</p>

No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)
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Inspector: _____

Date: _____

Appendix 2

EIA Preliminary Examination

Case Reference	PL-500700-GY-26
Proposed Development Summary	To construct a 2 bedroom detached dwelling house and all associated works including re-configuration of the private open space of an apartment approved under pl ref: 03/4232
Development Address	Caherroyan , Sli an Chlairin , Athenry
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).	Permission is sought for the provision of a dwelling on a site situated at Caherroyan , Sli an Chlairin , Athenry Water connection and waste water treatment will be provided from existing mains within the vicinity of the subject site. The development would not result in the production of significant waste, emissions, or pollutants
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	The proposed site is located within a special landscape character as per the Galway County Development Plan. There are no significant sensitivities in the immediate area. There is no direction connection from the subject site to any Natura 2000 sites.

<p>resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>The proposed development would not give rise to waste, pollution or nuisances that differ significantly from that arising from other rural developments.</p> <p>There are no other locally sensitive environmental sensitivities in the vicinity of relevance.</p>
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Conclusion

<p>There is no real likelihood of significant effects on the environment.</p>	<p>EIA is not required.</p> <p>Include the following paragraph under EIA Screening (a separate heading) in the Inspectors report.</p>
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Inspector: _____ **Date:** _____

Appendix 3

AA Screening Determination

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

I have considered the proposed development in light of the requirements of S177U of the Planning and Development Act 2000 as amended.

The proposed development comprises the construction of a detached dwelling house and all associated works including re-configuration of the private open space of an apartment approved under pl ref: 03/4232 at Caherroyan , Sli an Chlairin, Athenry.

The Planning Authority, within their assessment, undertook a screening determination of the proposed development and found that significant effects are not likely to arise, either alone or in combination with other plans and projects that will result in significant effects to any Natura 2000 area. It was concluded that a full Appropriate Assessment of this project is therefore not required.

European Sites

The proposed development site is not located within or immediately adjacent to any site designated as a European Site, comprising a Special Area of Conservation or Special Protection Area (SPA).

The boundary of the nearest European Site is within 15 km or 3 no. of European sites are located within a potential zone of influence of the proposed development.

These are:

- Monivea Bog SAC (Site Code 002352)
- Monivea Bog pNHA (site code 000311).
- Lough Corrib SAC (site code 000297).

There are no direct natural hydrological connections from the subject site to any Natura 2000 Sites.

The applicant is proposing to connect to existing municipal services in terms of water supply and wastewater/drainage.

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 Monivea Bog SAC (Site Code 002352), Monivea Bog pNHA (site code 000311), Lough Corrib SAC (site code 000297) or any other European site, in view of the Conservation Objectives of those sites and Appropriate Assessment (and submission of a NIS) is not therefore required.

This determination is based on:

- The relatively minor scale of the development and lack of impact mechanisms that could significantly affect a European Site.
- Distance from and weak indirect connections to the European sites.
- Taking into account screening determination by Planning Authority.

No mitigation measures aimed at avoiding or reducing impacts on European sites were required to be considered in reaching this conclusion.