



An  
Coimisiún  
Pleanála

## Inspector's Report

**PL-500734-GY-26**

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<b>Development</b>	Retention of single-storey modular home for use as a granny flat, ancillary to the use of the main dwelling and on increased site boundaries.
<b>Location</b>	Derrydonnell North, Oranmore. Co. Galway.
<b>Planning Authority</b>	Galway Co. Council
<b>Planning Authority Reg. Ref.</b>	2561629
<b>Applicant(s)</b>	Helen Treanor
<b>Type of Application</b>	Retention
<b>Planning Authority Decision</b>	To Refuse Permission
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Helen Treanor.
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	April 1 <sup>st</sup> , 2026 .
<b>Inspector</b>	Breda Gannon

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## 1.0 Site Location and Description

- 1.1. The site is located in the townland of Derrydonnell North, Oranmore, Co Galway. It lies c.9 km northeast of the village of Oranmore, c.11km southwest of Athenry and is within the commuting belt of Galway city. It accessed via the local road network c 2km west of the R348. The area is rural in character, and the main land use is agricultural pastureland. The pattern of residential development consists of individual dwellings in ribbon form along the road network.
- 1.2. The site is substantial (0.776 ha) and accommodates a large two-storey over basement dwelling (400 sq.m), which is orientated to face the public road to the east. It is adjoined to the north by adjoining residential property, by forestry to the south and agricultural land to the west.
- 1.3. To the rear of the house a single-storey modular home has been constructed and is separated from the main house by existing planting. It has dedicated access off the driveway to the main house and an area of hard core has been provided to the front and side of the structure.
- 1.4. The modular home is accommodated on land that is outside the original site boundaries, and the rectangular shaped area for which retention permission is sought is c.0.1154 ha in area.

## 2.0 Proposed Development

- 2.1. The proposal seeks the retention of a single-storey modular home for use as a granny flat ancillary to the use of the main dwelling, granted permission under Reg Ref No 00/4863 and on increased site boundaries.
- 2.2. The composite log clad cabin structure is rectangular in shape and has a floor area of 115 sq.m. It accommodates a combined living/dining area, 2 no bedrooms with a shared bathroom, an office/storage area and a main bathroom.

## 3.0 Planning Authority Decision

### 3.1. Decision

The planning authority decided to refuse permission for the retention of the development for 3 no. reasons:

1. The planning authority is not satisfied that the proposed development is in accordance with the provisions of Policy Objective-RH 12: Adaptation of Existing Housing Stock Housing or Existing Buildings within the curtilage of the site and DM Standard 5: Dependent Relative Accommodation/Granny Flats (Urban and Rural) of the Galway County Development Plan 2022-2028 by reason of the detached nature, design and configuration of the proposed development in conjunction with the existing development on site and in the absence of any supporting documentation to justify the need for same. Accordingly, to permit the development as proposed would contribute to the excessive concentration of haphazard residential development in the rural area, would contravene materially policy objective and development management standards of the County Development Plan 2022-2028, would set an undesirable precedent for similar developments in the rural area and would thus be contrary to the proper planning and sustainable development of the area.
2. Development Management Standard DM 38: Effluent Treatment Plants in the Galway County Development Plan 2022-2028 requires that 'The suitability of a site for the treatment of wastewater shall be determined in accordance with the criteria set out in the EPA Wastewater Treatment Manuals (1999,2009) or any revision or replacements of these manuals or any guidelines issued by the EPA concerning the content of these manuals'. The structure for which retention permission is sought is connected to an effluent treatment plant that does not have the benefit of planning permission and for which the suitability for the said existing treatment system has not been determined. Accordingly, to grant retention permission would be prejudicial to public health and would be contrary to Policy RH11 and DM Standard 38 as contained in the Galway County Development Plan 2022-2028 and would therefore be contrary to the proper planning and sustainable development of the area.

3. In the absence of satisfactory documentary evidence from the provider of a suitable water supply to the subject site in accordance with DM Standard 36 & 37, and the details as contained in the application form, the planning authority consider that the proposed development would be contrary to the provisions of the Galway County Development Plan 2022-2028, would be prejudicial to the health of those persons using the structure, and would therefore be contrary to the proper planning and sustainable development of the area.

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

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

The Planning Officer's report notes that the site is located in a rural area, outside any settlement, in a Class 1 Landscape and inside the GCTPS Area where a rural housing need is required for new residential developments.

It is noted that the applicant is not the landowner, the lands are currently in probate, and a letter of consent accompanies the application.

The applicants has not included any supporting evidence/documentation to justify and substantiate the provision of the independent unit/granny flat relating to the proposed occupants at this location, ancillary to the existing house of 416 sq.m, which contains 6 no. bedrooms (as per the plans included in the original application 00/4863) and basement area of 80 sq.m. The area of the structure to be retained exceeds the specified floor area of 75 sq.m as per DM Standard 5.

It is not clear if the development for which retention permission is being sought has a suitable water supply to serve the residential development from either the local GWS or any public water mains operating in the locality.

The subject site was approved for the installation of a septic tank system under SR 6 Regulations (Reg Ref 00/4863). No other application has been approved for a separate system to date. The application details indicate a combined connection with the dwelling house and the suitability of the site for the installed system has not been determined. The planning authority cannot confirm that the structure for which retention permission is sought is served by a suitable wastewater treatment system that can accommodate the additional loading, and for which permission has not been received.

Having regard to the location of the structure within the site, in conjunction with its single-storey scale and the mature vegetation throughout the site and including the forested area on adjoining lands to the north, it is considered that it can integrate satisfactorily into the wider area, in accordance with RH 8 and RH 17.

### 3.2.2. Other Technical Reports

None.

### 3.3. Prescribed Bodies

None.

### 3.4. Third Party Observations

None.

## 4.0 Planning History

**002850:** Outline permission granted for the construction of a house with septic tank and associated services.

**004863:** Planning approval granted for the construction of a dwelling house and all associated services.

**25/60250:** Permission refused for the provision of a single-storey structure (115 sq.m) comprising a storage facility, home office and home gym, ancillary to the use of the dwelling granted under Reg Ref No 00/4863 and on increased site boundaries. The planning authority's decision to refuse permission was upheld by An Coimisiún Pleanála ABP-322524-25

## 5.0 Policy Context

### 5.1. Development Plan

The operative development plan is the **Galway County Development Plan 2022-2028**. The following policy objectives of the development plan are relevant to the subject proposal.

### **Policy Objective RH 11: Waste Water Treatment Provision**

Where a connection to the public wastewater network is not available, provide for sustainable rural housing in the county in accordance with the EPA Code of Practice: Wastewater Treatment Systems for Single Houses (2009).

### **Policy Objective RH 12: Adaptation of Existing Housing Stock Housing or Existing Buildings within the curtilage of the site.**

Facilitate the provision of accommodation for older family members, direct family members in housing need or family members living with disability in need of independent housing, in the existing family setting subject to compliance with the following criteria:

- Be attached to the existing dwelling or be near to the family home within the curtilage of the site;
- In cases where the new structure is to be attached to the existing dwelling separate access is not to be provided to the front elevation of the existing dwelling;
- Be of appropriate size and length;
- Be capable of being served by adequate foul drainage facilities.

**Chapter 15:** contains Development Management Standards, the following are relevant:

### **DM Standard 5: Dependent Relative Accommodation/Granny Flats (Urban and Rural)**

Proposals for this accommodation should demonstrate:

- A bone-fide need for such a unit;
- Take cognisance of the current Housing Crisis;
- For a new structure, a physical connection to the main house with direct access to the main dwelling is desirable but not a requirement. The conversion of an existing detached garage to create accommodation for a family member in need of accommodation can be considered.

- That the proposal does not impact adversely on either the residential amenities of the existing property or the residential amenities of the area.

All applications for family flat development shall comply with the following criteria:

- The flat shall be modest in size and shall not have more than 2 bedrooms, except in exceptional circumstances. The unit shall not exceed a gross floor area of 75 sq.m.
- The flat shall not have a separate access provided to the front elevation of the existing dwelling.
- The flat shall remain in the same ownership as that of the existing dwelling on site. In this regard, the flat shall not be sold or otherwise legally transferred, other than as part of the overall property.
- Where attached to the original dwelling is proposed the design proposed shall enable the flat to easily convert to being part of the original house when no longer occupied by the family member(s).
- If the site is not connected to public mains, the existing wastewater treatment system on the site must be capable for any additional loading from the flat, and if not proposals shall be submitted to accommodate the additional loading.

### **DM Standard 36: Public Water Supply and Wastewater Collection**

All new developments will be required to utilise and connect to the public water and wastewater network, where practicable. Applicants who need to get a new or modified connection to public water supply or wastewater collection infrastructure must liaise with Irish Water.

### **DM Standard 37: Group Water Scheme and Private Wells.**

Sets out the requirements if water is to be provided by a group water scheme or a private well.

### **DM Standard 38: Effluent Treatment Plants.**

The suitability of a site for the treatment of wastewater shall be determined, in accordance with the criteria set down in the EPA Wastewater Treatment Manuals

(1999, 2009) or any revision or replacement of these manuals or guidelines issued by the EPA.

Each house shall be serviced by its own septic tank or treatment plant and shall not share this facility with any other dwelling other than in exceptional circumstances.

## 5.2. **Natural Heritage Designations**

The site is not located within a European site. The Galway Bay Complex Special Area of Conservation (Site code 000268) and the Galway Bay Complex Proposed Natural Heritage Area are both comprised of a number of similarly defined sites located to the south-west and west of the subject site. There are three such sites for each designation at distances ranging from 2.83km to 3.82km to the south west of the subject site. The remainder are located to the west and generally focussed on Galway Bay.

## 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 appeal responds to each of the 3 no. reasons for refusal as follows:

#### **Reason No 1;**

- The proposal meets most of the criteria set out in Policy Objective RH 12 and DM Standard 5.

- The applicant has proved a housing need for her immediate family and the unit provides an affordable residential unit for her daughter and family returning from abroad.
- The unit is not attached to the family home, but is located close by and within the curtilage of the site.
- The unit exceeds the permitted 75 sq.m floor area but is willing to section off 40 sq.m for use for storage purposes only.
- The unit has been connected to the onsite proprietary effluent treatment system which has adequate capacity to service both the existing house and the subject unit.
- An application for a separate water supply is currently being processed by Uisce Eireann.
- The unit is located within mature gardens and it is not accepted that it would adversely impact on the residential or visual amenities of the area.
- Does not accept the planning authority's contention that the proposal would be injurious or depreciate the value of property in the vicinity or create an undesirable precedent for similar development.

**Reason No 2:**

- From a visual inspection and a slight opening up of works, it can be confirmed that the existing effluent treatment system is in good structural condition. The owners of the property confirmed that the tank is de-sludged every 2-3 years.
- The system was granted planning permission under Reg Ref No 00/4863 and was designed for a 5-bedroom house and to cater for existing ground conditions.
- It has a capacity of 3600 litres and there will be no additional loading or intensification of use of the existing treatment unit as the unit will be used by the occupants of the existing dwelling to service an adult family.
- The PE loading for the existing house and modular home is 7 no. bedrooms with equates to a PE of 9. Under the EPA Guidelines the total capacity of a septic tank for a 9 PE is 1350 litres (150 x 9). The capacity of the proprietary treatment system is therefore adequate.

- From inspection it appears that the effluent treatment system is operating efficiently and effectively and is not posing a risk to human health or to ground/surface water. It is concluded that the treatment system has the capacity to treat the effluent from the modular home adequately and safely.

**Reason No 3:**

- The structure is provided as a granny flat unit, ancillary to the use of the existing dwelling and its occupants.
- The water supply is taken from the existing house and does not pose a serious risk to the health of persons occupying the structure.
- The development is specifically for the use of existing occupants of the dwelling and if they are using the water supply in the log cabin, they are not using the water supply within the dwelling.
- As the structure is not provided for the use of any additional persons other than those who occupy the existing dwelling, an independent water supply is not required.
- An application for a separate connection is currently being assessed by Uisce Eireann. (PRE Connection Enquiry Ref No:CDS25008425).

The appellant considers that the planning authority used the 3 no. reasons as general observations to refuse planning permission.

Refers to Irish Government proposals and planning reforms specifically aimed at homeowners, to subdivide their houses into separate units or flats, exemption proposals for modular units within sites where there is available space.

The appeal is also supported by a submission from Francis & Evelyn Treanor, who reside at the property. It states that development on the structure commenced in 2000 and was intended to facilitate a storage shed, a home gym and games room for their children, one of whom has health issues and uses it as a safe zone. It is stated that a septic tank was subsequently removed and the structure was connected to the main effluent treatment system to comply with one specific concern from the planning authority.

It is stated that a daughter is returning from Australia in 2028 and has agreed to take over the house and live there with her family and provide lifelong support for her brother. The modular home will be occupied by Francis & Evelyn Treanor. They are prepared to reduce the habitable area to the new intended modular size of 45 sq.m and to render the external walls to match the finish of the house.

## 7.2. **Planning Authority Response**

No response to the grounds of appeal was submitted by the planning authority

## 7.3. **Observations**

None.

## 8.0 **Assessment**

### 8.1. Introduction

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

- Principle of the development
- Site drainage
- Water supply

### 8.2. **Principle of the Development**

The proposal is for the retention of a modular home for use as granny flat. The original site boundaries have been extended to accommodate the development.

The planning authority's first reason for refusal refers to non-compliance with Policy Objective RH12 and DM Standard 5. These facilitate development, including granny flats and accommodation for family members within the curtilage of an existing house. Both are subject to certain criteria, including a defined need and the provision of adequate foul drainage facilities. Furthermore, it is a requirement of DM Standard 5 that the gross floor area of a granny flat does not exceed 75 m<sup>2</sup>.

There is ambiguity in the application regarding the ownership of the site. The applicant is declared as the owner on the planning application form, while the planning officer's report states that *'the applicant is not the landowner, lands are subject to probate, letter of consent included'*. No details are posted on planning authority's site.

There is also confusion regarding the occupancy of the existing house and future occupancy of the modular home proposed for retention. A letter in support of the application (dated 6<sup>th</sup> November 2025) states that persons named Tom & Brid *'have given the main bungalow dwelling on their property to their daughter and family'*. No other details are provided. A submission attached to the appeal signed by Francis & Evelyn Treanor states their daughter who currently lives in Australia will return home in 2028 and take over the house and that they will move out of the house and into the modular structure.

Having regard to the inconsistencies in the application and appeal documentation regarding ownership and occupancy, it is not possible to determine with any degree of certainty that a specific need exists for the granny flat as required by the development plan. It is also unclear why the existing permitted dwelling which has substantial habitable space could not be adapted to accommodate the needs of the entire family in accordance with Policy Objective RH 12. I would, therefore, accept the planning authority's position that a bone fide need for the development has not been adequately established and that the application for permission should be refused on the basis of non-compliance with Policy Objective RH 12 and DM Standard 5.

While I note that the submission attached to the appeal indicates that the habitable area of the structure would be reduced to 45sq.m, which would bring it below the threshold of 75sq.m specified in DM Standard 5, this commitment is made by Francis and Evelyn Treanor, who are not the declared owners or the applicants in this case. Furthermore, it does not overcome the issues raised regarding the foul drainage arrangements serving the proposal, which is discussed in more detail below.

The grounds of appeal refer to various Government initiatives to address the current housing crisis, there is no finalisation of proposals to exempt detached single-storey modular homes in rear gardens.

I would point out to the Commission that under section 37(2)(b) of the Planning and Development Act 2000 (as amended), where a planning authority refuse a

development on the grounds that it materially contravenes the Development Plan, the Commission may only grant permission in certain limited circumstances where it considers that –

- i. the proposed development is of strategic or national importance,
- ii. there are conflicting objectives in the development plan, or the objectives are not clearly stated, insofar as the proposed development is concerned, or
- iii. permission for the proposed development should be granted having regard to regional spatial and economic strategy for the area, guidelines under section 28, policy directives under section 29, the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government, or
- iv. permission for the development should be granted having regard to the pattern of development, and permission granted, in the area since the making of the development plan.

It is my opinion that a grant of permission cannot be justified under the criteria set out under section 37(2)(b)(i) or (ii). The proposed development is clearly not of strategic or national importance, and the objectives of the development are clearly stated regarding the adaption of buildings within the curtilage of the site for direct family members in housing need.

Regarding the provisions of section 37(2)(b)(iii), both the RSES and government policy as set out in the National Planning Framework (First Revision) support increased residential density in existing settlements through a range of measures including infill, regeneration and new development. The site is located in a rural area outside towns and villages and there are no specific policies or objectives relating to the adaptation/provision of granny flats on individual sites.

I would, therefore, conclude that there is no basis for a grant of permission having regard to the provisions of the RSES, Government policy or under any guidelines or policy directives issued under section 28 and section 29 respectively.

While there is significant residential development in the form of ribbon development along the local road network in the vicinity of the site, I can see no evidence of any planning permissions granted in the vicinity for similar type development since the

current plan came into effect on 20<sup>th</sup> June 2022. It is my opinion that a grant of permission cannot be justified under the criteria set out under section 37(2)(b)(iv).

Having considered the provisions of section 37(2)(b) (i), (ii), (iii) and (iv), I would conclude that the Commission is not at liberty to consider a material contravention of the development plan in the determination of this appeal.

### 8.3. **Site Drainage**

According to the documentation submitted in support of the application and the appeal, foul effluent from both the existing house and the modular home to be retained is discharged to an effluent treatment system on the site. This replaces a septic tank authorised under the original grant of permission for the house, which is stated was subsequently removed.

It is stated in the application form that a Proprietary P10 Effluent Treatment System with associated percolation area has been installed on the site. No manufacturer's details, specifications or other details are provided.

The grounds of appeal are prepared by a Consulting Civil Engineer, refers to *'having visited the subject site and inspected the layout and construction of the effluent treatment system, where possible, and although only slight opening up of the works occurred during inspection.'* He concludes on this basis that 'the effluent treatment system is operating efficiently and effectively with an adequate and sufficient percolation rate from the proprietary effluent treatment system that allows the unit to operate efficiently and effectively and is not posing a risk to public health or to ground waters/surface waters.

It is stated in the appeal that the system was assessed and designed to cater for the existing ground conditions and for a 5-bedroom dwelling design, with 2 no additional bedrooms in the modular home. I note that the dwelling house which was granted planning approval under Reg Ref No 004863 contained a total of 8 no. bedrooms, two at first floor and six at second floor level. Including the 2 no. bedrooms in the modular home this results in a total of 10. no bedrooms and a PE >10.

The effluent treatment system does not have the benefit of planning permission and the suitability of the site for the installed system has not been determined. This is in direct contravention of DM Standard 38 which requires compliance with the EPA Code of

Practice regarding the determination of the suitability of the site for an effluent treatment system. The effluent treatment system also serves two dwellings which is also in contrary to the provisions of DM Standard 38 which requires that each dwelling be serviced by its own septic tank or treatment facility, other than in exceptional circumstances.

Under the EPA Code of Practice, a site-specific site assessment to determine the suitability of the site for the effective treatment and disposal of foul effluent is required. There is no information on site conditions including the water table, no details of percolation tests carried out to assess the assimilative capacity of the soil and no assessment of potential receptors at risk in accordance with the guidance provided. There is no information on the design of the installed system or its suitability for the subject site.

In the absence of a properly constituted site suitability assessment in accordance with the EPA's Code of Practice, it is my opinion that An Coimisiún cannot be satisfied that the installed system is capable of the effective and safe treatment and disposal of the combined effluent arising from the dwelling and the modular home proposed for retention.

In terms of the treatment and discharge of foul effluent from the proposal there is no material difference between the current application and that previously refused by Coimisiún under case reference PL07.322524. The existing effluent treatment plant does not have the benefit of planning permission and is not compliant with Development Management Standard DM Standard 38. I recommend therefore that permission be refused on these grounds.

#### **8.4. Water supply**

The planning authority's third reason for refusal refers to the absence of satisfactory documentary evidence from the provider of a suitable water supply to the subject site in accordance with DM Standard 36 & 37

The grounds of appeal state that the structure to be retained is fully serviced and the water supply is taken from the existing dwelling house. There is some confusion in the details submitted on water supply. I note that the planning application form refers to an existing connection from the Rusheens/Caherhugh GWS while the planning officer's

report states that operating group water scheme in the area is the Lisheenkyle GWS. The appeal states that the existing house is fully serviced with a potable supply from Uisce Eireann.

It is contented in the grounds of appeal that as the log cabin is specifically for the use of the existing occupants of the dwelling an independent water supply is not required. It is also stated that an application for a separate connection is currently with Uisce Eireann (Pre Enquiry Ref No CDS25008425). While no documentary evidence has been submitted, I would accept that the applicant has demonstrated evidence of engagement with Uisce Eireann and that the planning authority's third reason for refusal can be omitted should the Board be minded to refuse permission for the retention of the development.

## 9.0 AA Screening

I have considered the proposal for the retention of a modular home for use as granny flat ancillary to the main dwelling and on increased site boundaries in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is located in a rural area at Derrydonnell North, Oranmore. Co. Galway.

No nature conservations concerns 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:

- small scale and nature of the development
- separation distance to 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 Framework Directive

I have considered the proposal is to retain an existing single storey modular home for use as a granny flat and ancillary to the use of the main dwelling on the site. It lies c 3.2km to the north-east of the Carrowmoneash River, and is within the area of the GWDTE--Galway Bay Complex Fens (SAC 000268) groundwater body.

No water deterioration concerns were raised in the appeal.

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

Having considered the nature scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface water and/or groundwater water bodies either qualitatively or quantitatively. The reason for this conclusion are as follows:

- The nature and scale of the development, being a small structure located within the curtilage of an existing dwelling and connected to an existing on-site treatment system,
- The distance (3.2km) to the nearest waterbody and the absence of any known hydrological connections,
- The small scale of effluent discharge that may arise in the event of the malfunctioning of the on-site treatment system relative to the scale of the GWDTE-Galway Bay Complex Fens Groundwater Body

## 11.0 Recommendation

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

## 12.0 Reasons and Considerations

1. The Commission is not satisfied, based on the discrepancies contained in the documentation submitted in support of the application and the appeal, in respect of the ownership and occupancy of the existing dwelling and the modular home proposed for retention that a need for the development has been substantiated. Furthermore, no consideration has been given to the adaptation of the existing large dwelling on the site to cater for family housing need in accordance with the provisions of Policy Objective RH12. It is considered, therefore, that that the development proposed for retention would be contrary to Policy Objective RH12 and DM Standard 5 of the Galway County Development Plan 2022-2028, would create a precedent for similar development in the vicinity and would be contrary to the proper planning and sustainable development of the area.
2. The Commission is not satisfied that the modular home for which retention permission is sought is connected to an effluent treatment plant that has the benefit of planning permission and therefore the suitability of the site for the said existing treatment system has not been determined. The Commission cannot be satisfied that the development to be retained is compliant with Development Management Standard DM Standard 38: Effluent Treatment Plants in the Galway County Development Plan 2022-2028 which requires compliance with the Environmental Protection Agency's Wastewater Treatment Manuals and that requires that each dwelling be serviced by its own septic tank or treatment facility. It is considered therefore that the retention of the development as proposed is prejudicial to public health and would be contrary to the proper planning and sustainable development of the area.

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

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Breda Gannon  
Planning Inspector

17<sup>TH</sup>, April 2026

## Appendix 1: Form 1 EIA Pre-Screening

<b>Case Reference</b>	PL-500734-26
<b>Proposed Development Summary</b>	Retention of a single storey modular home as a granny flat ancillary to the use of the main dwelling, granted under Reg Ref No 00/4863 and on increased site boundaries.
<b>Development Address</b>	Derrydonnell North, Oranmore. Co. Galway
<b>IN ALL CASES CHECK BOX / OR LEAVE BLANK</b>	
<b>1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?</b>	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2.
(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)	
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	

<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. <b>No Screening required.</b>	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. <b>EIA is Mandatory. No Screening Required</b>	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. <b>Preliminary examination required. (Form 2)</b> <b>OR</b> <b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b>	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)  One dwelling unit is proposed for retention on a site of 0.776 ha.
<b>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</b>	
Yes <input type="checkbox"/>	
No <input checked="" type="checkbox"/>	<b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b>

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

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

## Appendix 2: Form 2 - EIA Preliminary Examination

<b>Case Reference</b>	PL-500734-26
<b>Proposed Development Summary</b>	Retention of a single storey modular home as a granny flat and ancillary to the use of the main dwelling, granted under Reg Ref No 00/4863 and on increased site boundaries.
<b>Development Address</b>	Derrydonnell North, Oranmore. Co. Galway
<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>	
<b>Characteristics of proposed development</b> (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).	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 significant risks to human health.
<b>Location of development</b> (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).	The development is situated in a rural area and within the curtilage of an existing dwelling. The development is removed from sensitive natural habitats, centres of population and designated sites and landscapes of identified significance in the County Development Plan.
<b>Types and characteristics of potential impacts</b>	Having regard to the modest nature of the proposed development, its location removed from sensitive

<p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>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.</p>
<b>Conclusion</b>	
<b>Likelihood of Significant Effects</b>	<b>Conclusion in respect of EIA</b>
<p><b>There is no real likelihood of significant effects on the environment.</b></p>	<p><b>EIA is not required.</b></p>
<p><b>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</b></p>	
<p><b>There is a real likelihood of significant effects on the environment.</b></p>	

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

**DP/ADP:** \_\_\_\_\_ **Date:** \_\_\_\_\_

(only where Schedule 7A information or EIAR required)