



An
Coimisiún
Pleanála

Inspector's Report PL-501488-GY-26

Development	Retention of 2 no storage sheds on a private garden allotment including vehicular entrance with internal stoned parking and turning area and permission to construct a polycarbonate greenhouse with all associated works.
Location	Caltraghlea, Killure, Ahascragh
Planning Authority	Galway County Council
Planning Authority Reg. Ref.	2660415
Applicant(s)	Mary Dunican
Type of Application	Retention
Planning Authority Decision	Grant Retention with Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Adrian Ward
Observer(s)	None
Date of Site Inspection	27 August 2026
Inspector	Sandra Eapen

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1.0 Site Location and Description

- 1.1. The subject application site measuring c.0.36ha is a rural greenfield site located directly across from St. Teresa's National School - Killure, in Ballinasloe, Co. Galway. The subject site does not have any dwelling structures and is being used for horticultural purposes. The site is currently occupied by 2no. storage sheds c.52sqm in total. The site is accessed via a gated entrance from L3412 Caltraghlea. A hardstanding parking area has been provided around the sheds and connecting the entrance to the site.
- 1.2. The site location is primarily rural with some residential uses, a church and a primary school. The site addresses rear boundaries of existing dwellings along Caltraghlea, Killure Castle to its rear and side. To its front the site addresses the L3412 Road corridor which is a 60km/hr zone. The subject site is generally flat and gently slopes to the south of the site. The site is bound by hedgerows and screen planting along all boundaries.

2.0 Proposed Development

- 2.1. The applicant sought retention permission for 2no. storage sheds (c.26sqm in area) located within the northeast corner of the site c.25m from the entrance. The storage sheds have identical dimensions – c.7.47m length, c.3.83m width and c.3.15m height, with minor difference in the number of window openings and width of the doors. Window openings 60cm x 60cm are primarily provided along the side elevations (3 no.) of the sheds with one shed provided with 2no. additional openings along its front elevation. The site is currently being used as a private garden/allotment by the applicant.
- 2.2. Retention permission is also being sought for the vehicular entrance c.4.2m wide, the internal hardstanding area (including parking and turning head) and ancillary site development works.
- 2.3. Planning permission was also sought for the construction of a polycarbonate greenhouse, c 20sqm in area, (c.8m length, c.2.5m width and c.2.45m height) to be located towards the middle of the site c.7m from the site boundary along L3412.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Galway County Council granted retention and permission for the development (dated 21 May 2026). The following conditions were included in the permission by the Planning Authority.
- 3.1.2. Condition 2: Storage sheds and polycarbonate greenhouse shall not be used for human habitation.
- 3.1.3. Condition 4: Standard surface water conditions regarding discharge of surface water.

3.2. Planning Authority Reports

- 3.2.1. The first report dated (05/05/2026) assess the development with regard to the Policy objectives set out in the Galway County Development Plan 2022-28. The report notes the following main points:

- The site was previously granted permission to erect a dwelling and a garage. However, this permission was never implemented and is now lapsed.
- Having considered the minor scale of the development – no significant impacts were considered on habitats within Natura 2000 sites.
- Considers the proposal to not raise strategic planning concerns in principle.
- The retention of small storage structures on private lands is acceptable considering compliance with development management standards.
- The report notes that there are concerns regarding a number of technical matters such as appropriate surface water management, protection of neighbouring amenities,
- Satisfactory sightlines were considered as available at the existing entrance taking into account the grass verge.
- Further information was requested regarding the following:

1. The applicants are requested to indicate proposed surface water disposal on a revised site layout plan to a scale of 1:500 clearly

showing/annotating the proposed drainage infrastructure required to ensure surface water run-off is not discharged to the public road or adjoining properties.

2. The Planning Authority notes that the drawings of the sheds 1 & 2 submitted in support of this retention application do not accurately reflect the development as it currently exists on the site. During the course of the Planning Authority's site inspection, the development as constructed was observed to differ from the details depicted on the submitted drawings. These discrepancies prevent a full and accurate assessment of the proposal for retention. Accordingly, you are requested to submit fully accurate, clearly dimensioned drawings and documentation that correctly illustrate the development as it presently exists on the site, specifically the front/west elevation of the sheds. The revised documentation must accurately represent the development as-built so that the Planning Authority can carry out a complete assessment of the retention application

The second report dated 21/05/2026 is the basis for the decision.

- Further Information response was received on 14th May.
- Response provided on surface water state that the runoff would be diverted through a French drain to open swales along the site boundary and with no discharge to the roads. This was considered acceptable.
- Additional floorplans and elevations submitted as Further Information response were acceptable.

3.2.2. Other Technical Reports

- Area Council Office – no response received

3.3. Prescribed Bodies

3.4. Third Party Observations

1 no. third party observation was made during planning application stage. The objections raised are covered in the appeal grounds.

4.0 Planning History

25/60475 – Retention planning **refused** to Mary Dunican (applicant) for the retention of 2 no. storage sheds and ancillary site works. The refusal reason stated is relevant to the subject assessment:

1. *It is premature for the Planning Authority to consider the application as there is no current active planning permission for a dwelling/ residential use on the subject site. The development is therefore contrary to DM Standard 6 of the Galway County Development Plan 2022-2028, Volume One which as such sets out that proposals for storage sheds are required to be ancillary to a dwelling, and with no dwelling present on site, the proposal is contrary to the proper planning and sustainable development of the area.*

EN24/28 – Enforcement case on subject site for the construction of 2no. storage sheds and new vehicular entrance without the benefit of planning permission.

06/3353 – Planning permission **granted** to Kevin Lally for the construction of a new dwelling, garage/store and septic tank/treatment system on subject site. Permission was granted an extension of duration in 2011 under Reg. Ref. **11/1248** for 5 years.

05/4123 – Planning permission **refused** to Kevin Lally for the construction of a new dwelling, garage/store and septic tank/treatment system on subject site. The refusal reason stated concerns with regard to the Site Characterisation Report for the septic tank proposed.

5.0 Policy Context

5.1 Galway County Development Plan 2022-29

The site is located within un-zoned open countryside lands that are governed by rural policies and guidelines. As per Section 2.4.12 of the Development Plan, Rural

Typologies, in County Galway the following rural designations apply: 'Areas under Strong Urban Influence' and 'Structurally Weak Areas'. The subject site is designated as a "Structurally Weak Rural Area" in the Development Plan. These include areas with a decline in population and weaker economic structure based on indices of income, employment and economic growth.

Chapter 4 Rural Living and Development

- Section 4.7 Rural Development
- Section 4.8 Agriculture

Chapter 8 Tourism and Landscape

- Policy LCM 3 – Landscape Sensitivity Rating – The subject site is located within Suck Calley Unit - Class 1 Low Landscape Sensitivity Area.

Chapter 15 Development Management Standards

DM Standard 28: Sight distances for National/ Regional/ Local /Private Road

Visibility splays shall be measured at a minimum distance of 2.4m from the edge of the carriageway ('x' distance) or as determined by Galway County Council.

A design speed of 60km/hr corresponds to a sight distance of 90m..

DM Standard 15: Horticulture

In dealing with planning applications for such allotment the Planning Authority will have regard to: (i) The location of lands which shall be required to be situated within or immediately adjacent to the edge of towns/villages or are easily accessible to the residents of a particular town or village; and (ii) Adequate water supply and adequate parking facilities can be provided.

5.4 Natural Heritage Designations

The site is not located within any designated sites. The nearest Natural Heritage site - Killure Bog NHA (Site Code 001283) is located c.370m south of the site and Crit Island West NHA (Site Code 000254) is located 1km west of subject site. The site is also located within c.4.5km of River Suck Callows SPA (Site Code 004097).

6.0 EIA Screening

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

7.0 The Appeal

7.1. Grounds of Appeal

This is a **third-party** appeal by Adrian Ward. Grounds of Appeal has been prepared by an agent acting on behalf of the appellant. The grounds of appeal can be summarised as follows:

- Overlooking windows and loss of privacy to neighbouring dwelling due to the positioning of the windows along the side elevation of the storage sheds within the line of sight of the kitchen, conservatory and rear garden of adjoining dwelling.
- The size of garden sheds is excessive and overbearing. The site is not of a scale that is normal for allotment schemes– thereby signifying a more commercial operation. One shed is used for storing a trailer which is not associated with the proposed use as an allotment site.
- Appellant contends that all three structures are located together within close proximity of neighbouring dwellings and alternate locations should be considered to avoid significant impact to neighbouring dwellings.
- Lights were observed during nighttime in winter in the sheds. The windows looking onto adjoining properties are not required for a storage shed and should be removed.
- Surface water issues and flooding to neighbouring dwellings. Appellant experienced flooding in their rear garden in recent times. Potentially from increased surface water runoff from the roofs of the sheds.

- Plans submitted do not show layout for pipe work to convey surface water from the roof of the structure. Surface water solutions stated is unsatisfactory.
- The proposed use as private garden allotment (non-commercial) raises concerns as to possible intensification of use overtime. The large size of the sheds also signifies commercial operation. Conditions should be applied to restrict any future commercial/unauthorised operations on site.

7.2. Applicant Response

The applicant's agent has provided a response to the appeal dated 3 July 2026. The response can be summarised as follows:

- The applicant who currently lives in Ballinasloe, 8km from the site, is close to retirement age and enjoys gardening in their spare time.
- The applicant purchased the site 2 years ago with the intention to use it for personal use as described within statutory notices and not commercial purposes.
- The location for the sheds was selected to minimise the area impacted by the associated hardstanding area.
- Privacy issues have been sufficiently mitigated by evergreen laurel hedge planted along the site boundaries- this will improve as the hedging grows taller.
- The existing 3 no. windows to the side of the building are only 60cm x 60cm and is at 1.3m over ground level. These windows would not impact the privacy of adjoining dwellings.
- Revised site layout submitted as part of Further Information addressed surface water drainage for the proposed structures.
- French drain 30cm x 30cm is provided across the site. Open swales (60cm x 30cm) are provided along the full length (95m) and swales (90cm x 40cm) is provided across the width (29m) of the site.

- As the site falls in a southerly direction, the subject site is situated lower (downstream) of appellants site and surface water from appellants site is likely to flow into the swales on subject site.
- The hardstanding area is unsurfaced (unmetalled) and therefore reduces the runoff on site. The volume of the open swales proposed (27.5cubic m) is much larger than the roofed area of the sheds and the hardstanding area.
- Typical allotment size cited by the appellant (250sqm) is for an urban environment. The size of the site is irrelevant to its use.

7.3. **Planning Authority Response**

None on file

8.0 **Assessment**

8.1. I consider the main issues in determining this appeal as follows:

- Principle of Development
- Visual Amenity and Rural Character
- Residential Amenities
- Technical considerations

8.2. **Principle of Development:**

8.2.1. The subject site is located in the rural hinterland of Ballinasloe Co. Galway and is located outside any lands zoned for any purposes. It is noted that the site previously had permission to develop a residential dwelling and associated structures. However, this permission has now lapsed. The applicant is currently seeking permission for the retention of 2 no. storage sheds, vehicular access and permission for the erection of 1 no. greenhouse on site, to facilitate the use of the site as a private garden allotment. The development of the site as an allotment garden is reversible and would not prevent future residential development of the site. The proposed use in its current format is considered to be acceptable in principle at this location, subject to detailed considerations.

8.2.2. The applicant's appeal response state that the sheds are being used to house gardening equipment as well as a trailer to support the proposed use. The appellant contends that storing a trailer on site is not associated to the proposed use and thereby should not be facilitated. On site visit I did not observe the trailer or any other commercial operations being carried out from the storage sheds. There was no evidence of any habitable use being carried out on the site. While the principle of storage sheds is acceptable where it remains ancillary to the primary use of the site, the development could result in planning issues if the storage sheds are sold or let separately for other commercial purposes. If permission is considered for the development, it is recommended that a suitably worded condition be included in the permission to prevent the sheds from being sold/leased or used for habitation or other purposes.

8.3. Visual Amenity and Rural Character

8.3.1. The surrounding area is characterised by agricultural uses, the school, church building and several one-off housing. The 2 no. storage sheds proposed for retention are c.7.5m long and c.3.75m wide. Both the sheds have a pitched roof with a ridge height of c.3.1m and includes 60cmx60cm windows. Finishes mostly include painted timber and felt roofing. The two sheds have minor differences in the number of windows and width of door. In addition to the structures, the site also includes a new entrance, hardstanding area c.175sqm, hedge/ screen planting, and internal timber fencing. Permission is also being sought for a polycarbonate greenhouse c.8m long and c.2.5m wide with a maximum ridge height of c.2.45m. The proposed greenhouse is located towards the middle section of the site at approximately c.7m from the site boundary along L3412. The existing structures are visible over the hedgerow and entrance gate along the L3412 Road. The appellant has raised concerns over the scale of the sheds and the number of them being proposed on site. While the storage structures are of a different scale, larger than typical potting sheds and smaller than typical agricultural barns/storage buildings, they are more similar in scale to a domestic garden shed and, in this instance, given the use of the site as a private allotment garden and the surrounding pattern of uses, they are considered acceptable. Given the modest height and scale the existing and proposed structures,

they are unlikely to result in any undue visual impact or withdraw from the rural character of the area.

8.4. Residential Amenity

- 8.4.1. Overlooking: The appellant has raised serious issues with regard to possible overlooking issues and loss of privacy due to the presence of windows along the northern elevation of the sheds addressing appellants dwelling and rear garden. The rear elevation of the dwelling to the north (appellants site) is located over c.47m from the subject site and thereby is unlikely to be impacted by overlooking issues. Applicants appeal response also states that an evergreen hedgerow has been planted along the northern site boundary to provide additional screening. These were observed to be in place on site visit. To the east of the site, the structures proposed for retention would address the rear elevation of an ancillary residential structure on the site to the east (rear) at c.2.2m from the boundary. No overlooking issues are predicted to the rear of the site as no openings are provided along this elevation. The proposed use of the sheds at this location for storage purposes is unlikely to result in any overlooking or loss of privacy issues to adjoining residential dwellings.
- 8.4.2. Overbearing/Overshadowing: Given the height of the sheds and their location with respect to neighbouring dwellings, the structures are unlikely to contribute to any overbearing impacts to adjoining sites. Although some overshadowing impacts are likely to the ancillary residential structure to the rear/east of the site, however, given the mature vegetation surrounding the site, its location to the east of subject site and the single storey nature of the structures, any overshadowing impacts are unlikely to be significant.

8.5. Technical Considerations

- 8.5.1. Flooding: The appellant has raised concerns with regard to possible flooding issues onto neighbouring sites. The Planning Authority's report notes that the site is not located within any fluvial, pluvial or groundwater flooding area. Concerns raised by Planning Authority regarding the additional surface water runoff from the retained structures were addressed satisfactorily at Further Information stage. The applicant had provided additional site drawings indicating surface water drainage proposals for

the site. Open swales 60cm deep are indicated along the length of the site and swales 90cm deep is proposed across the southern site boundary of the site to collect the additional surface water runoff. A French drain is also proposed across the site to transfer any water collected at the site entrance and hardstanding area to the open drains proposed along the eastern and southern boundaries. Applicants appeal response includes pictures of the swales and drains as constructed on site. They were also found to be in place during site visit. The appellants have raised concerns with regard to the surface water drainage proposals in the development. However, given the scale and nature of proposed development I consider the surface water drainage proposals in the scheme to be adequate.

- 8.5.2. Traffic Safety: The applicant is also seeking retention permission for a new vehicular entrance and hardstanding area surrounding the sheds. L3412 is indicated to have a speed limit of 60km per hour and is provided with public lighting. DM standard 28 of the Development Plan requires a sight line of 90m for this speed. At Further Information stage the applicant had indicated the availability of 134m of sightlines on both directions. During site visit, I observed adequate sight lines as being available at the site entrance from L3412 road. There is also ample space available within the hardstanding area to carry out turning manoeuvres so as to allow for the safe exit of vehicles from the site. The proposed use as a private garden allotment is unlikely to result in any significant additional increase in traffic and any impact would be similar to that of a dwelling. I therefore have no concerns with regard to the proposed retention of new entrance to the site.

8.6. Conclusion

- 8.6.1. The proposed retention of storage sheds and construction of greenhouse to facilitate the use of the site as a private garden allotment is considered to be acceptable in principle. It is considered appropriate that any grant of permission be subject to condition that requires the structures to be not sold or leased separately for other commercial uses or occupied for human habitation. Subject to condition the proposed development would be in accordance with the proper planning and sustainable development of the area.

9.0 AA Screening

- 9.1. I have considered the proposed development in light of the requirements of S177U of the Planning and Development Act 2000 as amended.
- 9.2. The subject site is not located within a designated site. The site is located within c.4.5km of River Suck Callows SPA (Site Code 004097).
- 9.3. The application is seeking retention permission for 2no. storage sheds and 1 polycarbonate greenhouse for a private garden allotment.
- 9.4. Having considered the nature, scale and location of the project and distance with any European Site, I am satisfied that it can be eliminated from further assessment because it could not have any significant effects on a European Site.
- 9.5. The reason for this conclusion is as follows:
- The scale, size and limited nature of the proposed works
 - Distance from European sites identified
 - Weak connection with the SAC.
- 9.6. 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

- 10.1. An assessment of the proposed development has been undertaken with regard to the objectives set out in Article 4 of the EU Water Framework Directive.
- 10.2. Having considered the nature, scale, and location of the proposed development, it is concluded that the proposal will not result in any risk of deterioration in the status of any water body, including surface waters (rivers and lakes), groundwater, transitional waters, or coastal waters. This applies to both qualitative and quantitative status, and in respect of temporary and permanent effects.

- 10.3. In addition, the proposed development will not adversely affect the achievement of established environmental objectives, including the protection, maintenance, and improvement of water body status, as required under the Directive.
- 10.4. Accordingly, the proposed development is considered to be compliant with the requirements of Article 4.

11.0 Recommendation

I recommend that permission be GRANTED for the following reasons and considerations and subject to the following conditions.

12.0 Reasons and Considerations

Having regard to the nature, scale and location of the proposed development and having regard to the policies of Galway County Development Plan 2022-28, the works proposed for retention and permission, subject to compliance with the conditions set out below, would constitute an appropriate development at this location which would not seriously injure the residential amenities or rural character of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1. The development shall be retained 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 14 May 2026, 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 storage sheds retained by this permission shall only be used to store materials/machinery that facilitate the private garden allotment use of the site and

shall not be used for habitable or commercial purposes. They shall not be sold, let or otherwise transferred or conveyed save for uses pertaining the permitted use for the site.

Reason: In the interest of amenity and to ensure planning control.

3. (a) Surface water drainage measures shall be implemented as per the particulars received by the planning authority on 14 May 2026.

(b) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.

(b) The access driveway to the proposed development shall be provided with adequately sized pipes or drains to ensure that no interference will be caused to existing roadside drainage.

Reason: In the interest of traffic safety and to prevent flooding or pollution.

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.”

Sandra Eapen
Planning Inspector

11 September 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL 501488-GY-26
Proposed Development Summary	Retention permission is being sought for 2 no. storage sheds, hardstanding area, and vehicular entrance. Permission is being sought for a polycarbonate greenhouse structure.
Development Address	Caltraghlea, Ballinasloe, 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 Q.2.
	☐ 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)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☒ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold

☐ 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)	State the Class and state the relevant threshold
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: Sandra Eapen

Date: 11 September 2026

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