

Ronan Megannety

Day

From: Communications
Sent: Tuesday 3 February 2026 15:57
To: Appeals2
Subject: FW: Galway County Council Report - ACP-323890-25 Substitute Consent
Attachments: SC Report S177E ACP323890-25 Ann Conroy Recess.pdf

From: Bronagh Loughlin <bloughlin@galwaycoco.ie>
Sent: Tuesday, February 3, 2026 3:50 PM
To: Daniel O'Connor <danieloconnor@pleanala.ie>
Cc: Communications <communications@pleanala.ie>
Subject: Galway County Council Report - ACP-323890-25 Substitute Consent

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Hi Daniel,

Please see attached Galway County Council Planning Report in relation to Substitute Consent Application ACP-323890-25 (Our Ref: SC13/25).

Could you please confirm receipt at your earliest convenience.

Kind regards,

Bronagh

Bronagh Loughlin
Clerical Officer
Planning & Development Unit | Rannóg Pleanála
Galway County Council | Comhairle Chontae na Gaillimhe
Áras an Chontae, Cnoc na Radharc, Gaillimh H91 H6KX

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Galway County Council

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Planning Ref. No.:	ACP-323890-25
Description of development:	Application for Substitute Consent for (i) retention of dwelling house as constructed (65.4 sqm) (ii) permission to install a new wastewater treatment unit and polishing filter bed. The application is accompanied by a remedial Natura Impact Statement (rNIS).
Location:	Derrynavglau, Recess, Co. Galway
Applicant(s) :	Ann Conroy

In response to the letter received from An Coimisiún Pleanála, dated 25th November 2025, the Planning Authority can advise the following views of the authority on the effects of the proposed development on the environment and the proper planning and sustainable development of the functional area of the authority as per the provisions of Section 177I (2) (a), (b), (c), (d) and (e) of the Planning and Development Act, 2000 (as amended).

Legislative Context

177 (2) (a) information relating to development (including development other than the development which is the subject of the application for consent) carried out on the site where the development the subject of the application for consent is situated, and any application for permission made in relation to the site and the outcome of the application;

The development for which substitute consent is being sought consists of:

“(i) retention of dwelling house as constructed (65.4 sqm);

(ii) permission to install a new wastewater treatment unit and polishing filter bed.

The application is accompanied by a remedial Natura Impact Statement (rNIS).”

Planning History

- **22/61281– Ann Conroy – Incomplete Application** - Retention of existing Agricultural Shed. Gross floor space of work to be retained 42.66sqm.
- **23/61395– Ann Conroy – Incomplete Application** - Retention of existing dwelling house. Gross floor space of work to be retained: 42.66 sqm
- **23/60678 – Ann Conroy – Incomplete Application** - Retention of existing dwelling house.
- **23/60490 – Ann Conroy – Incomplete Application** - Retention of existing dwelling house.

Planning History Summary: It is noted that permission for retention was previously invalidated many times by Galway County Council. Initially, the applicant had described the existing development as an ‘Agricultural Shed’ under Pl. Ref. 22/61281 and was deemed inaccurate by GCC following site inspection as the structure was clearly intended for habitable use. Following amended description of development GCC could not be satisfied that the development to be retained, individually or in combination with other plans or projects would not be likely to have a significant effect on these or any other European site, due to the sites location within the Twelve Bens/Garraun Complex SAC with hydrological connections.

177 (2) (b) information relating to any warning letter, enforcement notice or proceedings relating to offences under this Act that relate to the applicant for substitute consent;

Enforcement

- EN 21/222 - April 12 2022
- EN 21/202 - November 24 2022

177 (2) (c) information regarding the relevant provisions of the development plan and any local area plan as they affect the area of the site and the type of development concerned;

Development Plan Provision

The **Galway County Development Plan 2022 – 2028** is the relevant development plan pertaining to the subject lands. The Board should have regard to the following, including but not limited to:

- Chapter 4 Rural Living and Development
- *RH 4 Rural Housing Zone 1*
- *RH 7 Renovation of Existing Derelict Dwelling*
- Chapter 10 Natural Heritage, Biodiversity and Green/ Blue Infrastructure
- Chapter 14 Climate Change, Energy & Renewable Resources
- DM Standard 50 Environment Assessments
- WW 6 Private Wastewater Treatment Plants
- WW10 Surface Water Drainage
- DM Standard 8: Site Selection and Design
- DM Standard 38: Effluent Treatment Plants
- DM Standard 46: Compliance with Landscape Sensitivity Designations
- DM Standard 68: Flooding
- LCM 1 Preservation of Landscape Character
- NHB 1 Natural Heritage and Biodiversity of Designated Sites, Habitats and Species
- NHB 2 European Sites and Appropriate Assessment
- NHB 3 Protection of European Sites
- NHB 7 Mitigation Measures

There are no special amenity orders pertaining to the subject site.

177 (2) (d) any information that the authority may have concerning—

- current, anticipated or previous significant effects on the environment, or on a European site associated with the development or the site where the development took place F853[or, where *section 177E(2A)(b)* applies, is proposed to take place] and, if relevant, the area surrounding or near the development or site, or**
- any remedial measures recommended or undertaken;**

Article 6(3) of the EU Habitats Directive requires that ‘any application or project not directly connected with or necessary to the management of the site but is likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives’. In terms of plans/projects, there are no recent significant

developments permitted in the immediate area. In terms of plans, the current proposal shall be assessed under the Galway County Development Plan, 2022-2028, which was subject to a Natura Impact Report NIR and includes the following provisions to protect European Sites: Policy Objective NHB 1, Policy Objective NHB 2, Policy Objective NHB 3, Policy Objective NHB 4, Policy Objective WR 1 Water Resources, and DM Standard 50. The WR 2 River Basin Management Plan 2018-2021 has also been considered.

The development site is located within the Twelve Bens/Garraun Complex SAC and within a 15km radius of the following Natura 2000 designations:

SACS:

- 1.13km: Sitecode #002034, Connemara Bog Complex SAC
- 3.81km: Sitecode #002008, Maumturk Mountains SAC
- 7.27km: Sitecode #000324, Rosroe Bog SAC
- 11.74km: Sitecode #001251, Cregduff Lough SAC
- 13.54km: Sitecode #001257, Dog's Bay SAC
- 13.88km: Sitecode #002111, Kilkieran Bay And Islands SAC
- 14.2km: Sitecode #001932, Mweelrea/Sheeffry/Erriff Complex SAC
- 14.83km: Sitecode #002074, Slyne Head Peninsula SAC

SPAs:

- 3.56km: Sitecode #004181, Connemara Bog Complex SPA
- 13.05km: Sitecode #004159, Slyne Head To Ardmore Point Islands SPA
- 14.01km: Sitecode #004221, Illaunnaon SPA

See www.npws.ie for the specific conservation objectives of the above sites.

Galway County Council note the Remedial Natura Impact Assessment (rNIS) prepared by OMC submitted as part of the application. As the competent authority for this application, An Coimisiún Pleanála should be satisfied that the proposal has demonstrated that the development can be implemented without adverse effects on the integrity of the European Sites listed above.

Furthermore, it is noted that An Coimisiún Pleanála are the competent authority with regard to assessing the requirement to carry out an Environmental Impact Assessment in accordance with EIA Directive 2011/92/EU as amended by EIA Directive 2014/52/EU and Part 2 Schedule 5 of the Planning and Development Regulations, 2001 (as amended). Where An Coimisiún Pleanála are minded to grant permission, then they should be satisfied that the development would not have a significant effect on the receiving environment.

177 (2) (e) the opinion, including reasons therefor, of the F854[chief executive] as to—

(i) whether or not substitute consent should be granted for the development, and

(ii) the conditions, if any, that should be attached to any grant of substitute consent.

The subject site is located in the rural townland of Derrynavglau, Recess to the east of Clifden and is within the Gaeltacht area. The site area comprises sloping mountainous type ground that borders the public road. Vehicular access to the site is existing along the local county road L-51374. The entrance to the subject site is along a private road and the existing dwelling on site is approximately 270m from the junction of the private and public road. This private road already serves two dwelling houses and an agricultural shed. The local road exits onto the N59 national road, a heavily trafficked and designated Galway Clifden Scenic Route, approximately 1.2km to the southwest. The general area is defined by agricultural uses with some dispersed rural residential dwellings of a mix of house types.

The site is located in a Class 4 Landscape with a Sensitivity of 'Iconic' which is highly sensitive to change. In addition, the site is located directly adjacent to the Twelve Bens/Garraun Complex SAC [002031] and proposed Natural Heritage Areas the Twelve Bens/Garraun Complex. This is a highly sensitive site with regards to its rural context, preservation of the natural landscape and environmental protection, with particular emphasis on the site's proximity to open watercourses with direct connection to the above referenced SAC.

The Planning Authority are note that the land is within ownership of the applicant and it is stated in the submitted documentation that the subject dwelling is used on a part-time basis by the applicant to support their agricultural enterprise (sheep farming) in the area. The rNIS submitted concludes that the applicant will commit to ongoing monitoring of the surface water and wastewater treatment system infrastructure at the site and that the development will not adversely affect the integrity of any European site. As the competent authority, An Coimisiún Pleanála, should be satisfied that the mitigation measures detailed in the accompanying application documentation, including the rNIS, are sufficient and would not result in a significant negative impact on the environment or on the integrity of any Natura 2000 site.

An Coimisiún Pleanála should have regard to the planning history, and policy objectives and designations contained in the Galway County Development Plan 2022 – 2028 and the proper planning and sustainable development of the receiving environment in determining this application.

Should the Coimisiún be minded to grant permission for this development the Planning Authority request that the following conditions would be considered.

1. The development shall be retained in accordance with the plans and particulars lodged with the application An Coimisiún Pleanála, except as may otherwise be required in order to comply with the following conditions.

REASON: In the interest of clarity

2. The mitigation measures and monitoring commitments identified in the Remedial Natura Impact Statement submitted with the planning application shall be implemented in full by the developer, except as where may otherwise be required in order to comply with the following conditions.

REASON: In the interest of clarity and protection of the environment during the construction and operational phases of the proposed development.

3. (a) All surface water generated by the development shall be disposed of within the site to appropriately sized soakaways in accordance with BRE Digest 365 or equivalent and shall not be discharged onto the road.

- (b) Only clean uncontaminated storm water shall be discharged to soakaway system.
- (c) The development shall not impair existing land or road drainage.

REASON: In the interest of proper planning and sustainable development.

- 4. Sight distance triangles shall be maintained and kept free from vegetation or other obstructions that would reduce the minimum visibility required.

REASON: In the interests of public and road safety and proper planning and development.

Jade Power

Recommendation:

Jade Power - Executive Planner 29.01.2026

Countersigned:

C. Cosgrave

Ciara Cosgrave - Senior Executive Planner 03.02.2026

