

Cathy Carleton

From: Communications
Sent: Monday 18 May 2026 16:44
To: Appeals2
Subject: FW: Galway County Council Report - ACP-324131-26 Substitute Consent
Attachments: SC Report S117E ACP324131-26 Ardagh Cottage.pdf

From: Bronagh Loughlin <bloughlin@galwaycoco.ie>
Sent: Monday 18 May 2026 16:13
To: Daniel O'Connor <danieloconnor@pleanala.ie>
Cc: Communications <communications@pleanala.ie>
Subject: Galway County Council Report - ACP-324131-26 Substitute Consent

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Hi Daniel,

Please see attached Galway County Council Planner's Report in relation to Substitute Consent Application ACP-324131-26 (Our Ref: SC02/26).

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 Reference No.:	ACP-324131-26
Description of development:	Application for Substitute Consent pursuant to Section 177E of the Planning and Development Act 2000 (as amended) consisting of; Permission to retain refurbishment works to existing cottage which include for: (i) Front porch (ii) Revised elevations (iii) First floor extensions (iv) upgraded wastewater treatment system and (v) Ancillary site works and landscaping which include for the upgrading of existing vehicular entrance and driveway to the cottage (vi) A domestic pedestrian bridge over the existing stream and (vii) Steel container for storage purposes.
Location:	Ardagh Cottage, Clifden, Co. Galway H71KD34
Applicant(s):	Geraldine McGuinness and James O'Driscoll
Planning Area:	Galway West MD

In response to the letter received from An Coimisiún Pleanála, dated 11th March 2026, 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).

The application site is located within the rural townland of Ardagh in Clifden. The site is located within a Structurally Weak Area, within the **Coastal Landscape of County Galway** and within a **Special Class 3 Landscape Sensitivity** designation within the Galway County Development Plan 2022-2028 and is located **within protected viewpoint angle Ref. 4**.

The application site is located **within Connemara Bog Complex SAC [002034]**, within 100m of the Connemara Bog Complex SPA [004181], and within the area of the proposed Natural Heritage Area Connemara Bog Complex [002034].

The subject site is located within a flood risk zone (fluvial).

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 the retention of refurbishment works to existing cottage which include for: (i) Front porch (ii) Revised elevations (iii) First floor extensions (iv) upgraded wastewater treatment system and (v) Ancillary site works and landscaping which include for the upgrading of existing vehicular entrance and driveway to the cottage (vi) A domestic pedestrian bridge over the existing stream and (vii) Steel container for storage purposes.

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

Planning History

Subject Site:

- **Pl. Ref. 07/3252 – Tom Connell & Emer Chapman – Granted** - for an extension and renovation of existing cottage to include construction of new 2 storey extension to same and all associated site works and services including the provision of new septic tank..
- **Pl. Ref. 12/1256– Tom Connell & Emer Chapman – Granted** - for an extension and renovation of existing cottage to include construction of new 2 storey extension to same and all associated site works and services including the provision of new septic tank..
- **Pl. Ref. 21/720 – Jim O'Driscoll & Geraldine McGuinness – Invalid Application** - to: (1) front porch (2) retain revised elevations (3) retain additional first floor area (4) retain refurbishment works to existing cottage (5) construct a new effluent treatment system..
- **Pl. Ref. 24/60141 – Jim O'Driscoll & Geraldine McGuinness – Invalid Application** - for refurbishment works to existing cottage which includes for: (i) front porch, (ii) revised elevations, (iii) first floor extensions, (iv) upgrading wastewater treatment system and (v) ancillary site works..

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: EN20/213

Planning Policy (non-exhaustive)

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 Coimisiún 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

Protected Sites

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

- (i) **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**
- (ii) **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 very close proximity to the **Connemara Bog Complex Special Area of Conservation** and within a 15km radius of the following Natura 2000 designations:

Special Protection Areas:

- **Connemara Bog Complex Special Area of Conservation – 0km**
- Slyne Head Peninsula Special Area of Conservation – c. 1.2km
- The Twelve Bens/Garraun Complex Special Area of Conservation – c. 2.56km
- West Coast Connacht Special Area of Conservation – c. 6.03km
- Murvey Machair Special Area of Conservation – c. 7.71km
- Kingstown Bay Special Area of Conservation – c. 8km
- Slyne Head Islands Special Area of Conservation – c. 8.07km
- Dog’s Bay Special Area of Conservation – c. 9.72km
- Cregduff Lough Special Area of Conservation – c. 9.75km

Special Areas of Conservation:

- **Connemara Bog Complex Special Protection Area – c. 0.12km**
- Slyne Head to Ardmore Point Islands Special Protection Area – c. 6.52km
- Inishbofin, Omev Island and Turbot Island Special Protection Area – c. 9.01km

See www.npws.ie for the conservation objectives and qualifying interests of the above listed sites.

Natural Heritage Areas:

- proposed Natural Heritage Area Connemara Bog Complex [002034] – 0km

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

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.

Water Framework Directive

An Coimisiún Pleanála is the competent authority with regard to assessing the Water Framework Directive and should, therefore, ensure that the submitted application documentation is sufficient to make a determination. Where An Coimisiún Pleanála are minded to grant permission, they should be satisfied that the proposed development to be retained would not have a significant effect on the receiving water bodies.

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 substitute consent application refers to the construction of a porch, elevational changes, first floor extensions, upgraded wastewater treatment system, ancillary site works and landscaping which include for the upgrading of existing vehicular entrance and driveway to the cottage, and a domestic pedestrian bridge over the existing stream and a steel container for storage purposes.

The Planning Authority note that the application site does not benefit from exempted development having regard to Article 9 of the Planning and Development Regulations 2001 (as amended).

From review of available aerial photography and street view images, it is evident that the dwelling is substantially larger than the original cottage, and as result of the extensions and elevational changes carried out the works would not be considered to be subservient or in keeping with the character of the pre-existing dwelling. The Planning Authority refer An Coimisiún Pleanála to DM standard 4 of the Galway County Development Plan 2022-2028.

Having reviewed the application documentation, the Planning Authority note the appendices to the rNIS in respect of the WWTS proposed to be retained. Furthermore, the Planning Authority note the discrepancies and concerns raised in the Onsite Waste Water Treatment System Inspection Report following an inspection in February 2022, notably sections 8.2 – 8.12. There are no documents on file addressing the discrepancies and concerns. An Coimisiún Pleanála should ensure the safe disposal of domestic effluent on site in strict accordance with the EPA 2021 Code of Practice Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10) can be achieved and rule out that to grant the proposed development to be retained would not be prejudicial to public health, would not be contrary to the EPA Code of Practice manual and to Policy Objective WW6 of the Galway County Development Plan 2022-2028.

In respect of upgrading the entrance, the Planning Authority note that there are no sightlines indicated on the submitted drawings, demonstrating compliance with DM Standard 28 of the Galway County Development Plan 2022-2028.

The Planning Authority have not been provided with any drawings detailing the construction of the pedestrian bridge over the stream. Where An Coimisiún Pleanála are minded to grant permission, they should be satisfied that there are no adverse impacts on the watercourse habitats, in addition to the structural stability and safety of users.

The Planning Authority would not welcome the retention of the steel container on site, having regard to its siting to the front of the property, in addition to the design, form and materiality which is not ancillary or consistent with the main dwelling house on site. The steel container materially contravenes DM standard 6 of the Galway County Development Plan 2022 -2028.

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.

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.

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 received by 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 development hereby permitted is limited to that solely as advertised under the public notices.

REASON: In the interest of clarity.

3. (a) All surface water shall be disposed of within the site and shall not be discharged onto the road or the adjoining property.
(b) Only clean uncontaminated storm water shall be discharged to the soakaway system.
(c) The development shall not impair existing land or road drainage.

REASON: In the interest of proper planning and development.

4. The applicant shall implement and comply fully with all remedial mitigation, control measures and monitoring recommendations set out in the Remedial Natura Impact Statement submitted with the planning application 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.

5. (a) The existing septic tank and percolation system shall be maintained and operated in good working order at all times to best practice standards.
(b) The septic tank shall be regularly de-sludged to ensure the septic tank functions properly and prevents pollution.
(c) The recommendations as set out in Section 5.5 rNIS received by the by An Coimisiún Pleanála, shall be implemented in full.
(d) The applicant shall maintain a documented record of all inspections and maintenance undertaken by an appropriately trained and qualified person.

REASON: In the interest of public health.

6. 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 by: Executive Planner 15.05.2026

C. Cosgrove

Countersignature by: Senior Executive Planner 18.05.2026

