

John Cannon

Den

From: Communications
Sent: Tuesday 27 January 2026 18:08
To: Appeals2
Subject: FW: Galway County Council Report - ACP-323867-25 Substitute Consent
Attachments: SC Report S177E ACP323867-25 Pat Ridge Ballyconeely.pdf

From: Bronagh Loughlin <bloughlin@galwaycoco.ie>
Sent: Tuesday, January 27, 2026 5:55 PM
To: Daniel O'Connor <danieloconnor@pleanala.ie>
Cc: Communications <communications@pleanala.ie>
Subject: Galway County Council Report - ACP-323867-25 Substitute Consent

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Hi Daniel,

Please see attached Galway County Council Planning Report in relation to Substitute Consent Application ACP-323867-25 (Our Ref: SC12/25).

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-323867-25
Description of development:	Application for Substitute Consent pursuant to Section 177E of the Planning and Development Act 2000 (as amended) consisting of 1. The replacement of a storm damaged metal clad roof with a new metal clad 2. The opening of 3 no. windows, previously blocked up with drystone, without alteration to the original ope sizes. The placing of timber framed windows within the opes. 3. The reconstruction of an unsafe partially collapsed chimney. 4. The excavation of a trench to allow for the placement of an electricity supply duct along and existing laneway leading to the uninhabitable dwelling. The infilling of the trench and resurfacing of the laneway with loose stone. 5. The construction of a pillar to house an ESB meter cabinet and adjacent placement of a mini pillar. 6. The placement of CCTV cameras, wiring and an antenna on the façade and chimney of the uninhabitable dwelling. The dwelling is accompanied by a remedial Natura Impact Statement (rNIS).
Location:	Emlaghmore, Ballyconneely, County Galway
Applicant(s) :	Patrick Ridge

In response to the letter received from An Coimisiún Pleanála, dated 19th 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

177I(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:

- 1. The replacement of a storm damaged metal clad roof with a new metal clad*
- 2. The opening of 3 no. windows, previously blocked up with drystone, without alteration to the original ope sizes. The placing of timber framed windows within the opes.*
- 3. The reconstruction of an unsafe partially collapsed chimney.*
- 4. The excavation of a trench to allow for the placement of an electricity supply duct along and existing laneway leading to the uninhabitable dwelling. The infilling of the trench and resurfacing of the laneway with loose stone.*

5. The construction of a pillar to house an ESB meter cabinet and adjacent placement of a mini pillar. 6. The placement of CCTV cameras, wiring and an antenna on the façade and chimney of the uninhabitable dwelling.”

A concurrent further development application has been submitted to An Coimisiún Pleanála pursuant of Section 37L of the Planning and Development Act 2000 (as amended) in relation to proposed works at the site comprising restoration, conversion and extension of an existing unoccupied farm cottage, at Emlaghmore, Ballyconneely, County Galway.

Planning History

- **70254 (historical file)** – for development and renovation of the existing structure. **Refused permission by Galway County Council.**
- **20/1112** - Restore existing unoccupied farm cottage Raise wall plate level of existing cottage to allow for habitable loft space to comply with current building regulation standards. **Refused permission by Galway County Council.**
- **21/189 – Invalid** - (1) Remove existing roof structure added to semi-ruinous cottage in circa 1990's (2) Retain works associated with alterations to existing window opes (3) Retain and complete works.
- **21/2405 – Retention for:** A) The reinstatement of a collapsed roof and making good of an existing chimney, B) The unblocking of windows and replacement of timber framed windows on the front elevation... **Granted permission by Galway County Council. Appealed to ACP and REFUSED by ACP. (Pl. Ref. PL07.313445)**
- **24/60859 – Invalid** - Retention for: A) The reinstatement of a collapsed roof and making good of an existing chimney, B) The unblocking of windows and replacement of timber framed windows on the front elevation...
- **Further Development Application ACP FD07.323899**
- **Substitute Consent Application ACP SU07.323867**

Planning History Summary: It is noted that permission for retention was previously refused permission for works to the structure by GCC (Pl. ref. 20/1112) and refused by An Coimisiún Pleanála under Appeal reference ABP-313445-22. It is noted that previous reasons for refusal, cited by ACP include insufficient scope and detail provided in the Appropriate Assessment Screening report and that development at this site would injure the amenities of the area and would not accord with the proper planning and sustainable development of the area.

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 20/031 - March 10 2020

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—

- (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 the *Connemara Bog Complex SAC & Connemara Bog Complex SPA* and within a 15km radius of the following Natura 2000 designations:

SACS:

- 2.31km: Sitecode #002129, Murvey Machair SAC
- 3.08km: Sitecode #002074, Slyne Head Peninsula SAC

- 4.92km: Sitecode #001257, Dog's Bay SAC
- 6.05km: Sitecode #001251, Cregduff Lough SAC
- 7.9km: Sitecode #002031, The Twelve Bens/Garraun Complex SAC
- 8.49km: Sitecode #000324, Rosroe Bog SAC
- 8.59km: Sitecode #000328, Slyne Head Islands SAC
- 8.8km: Sitecode #002998, West Connacht Coast SAC
- 12.17km: Sitecode #002265, Kingstown Bay SAC
- 12.24km: Sitecode #002111, Kilkieran Bay And Islands SAC
- 13.74km: Sitecode #002119, Lough Nageeron SAC
- 14.44km: Sitecode #002118, Barnahallia Lough SAC

SPAs:

- 2.47km: Sitecode #004159, Slyne Head To Ardmore Point Islands SPA
- 12.26km: Sitecode #004231, Inishbofin, Omev Island and Turbot Island SPA

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

Galway County Council note the Remedial Natura Impact Assessment (NIS) 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.

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 for development is located at an elevated site in close proximity to bogland and Emlaghkeeragh Lough in the townland of Emlaghmore, Ballyconneely. The subject site and structures are located c.500m down a private tertiary laneway that extends north from the R341 south of Ballyconneely Bay. The subject site and structures are located in a concealed site from the roadway and screened by existing mature vegetation.

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 Connemara Bog Complex SPA [004181], Connemara Bog Complex SAC [002034] and proposed Natural Heritage Areas: Connemara Bog 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 SPA and SAC.

The Planning Authority are not satisfied that the principle of development is acceptable at this site, given the planning history and the intensification of unauthorised works at this site, is not considered in accordance with the sustainable planning and development of the area and the Galway County Development Plan 2022-2028. It is noted that previous reasons for refusal, cited by ACP include insufficient scope and detail provided in the Appropriate Assessment Screening report and that

development at this site would injure the amenities of the area and would not accord with the proper planning and sustainable development of the area

In addition, the planning authority has serious concerns regarding the potential of intensification of the site for habitable use, considering the lack of sufficient services for this site and the existing substandard access road and the lack of information on the proposed right of way/access road to the site.

It is also considered by the Planning Authority that significant effects cannot be ruled out on the qualifying interests or conservation objectives of the surrounding Natura 2000 sites, as a result of the subject development at this sensitive 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.

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 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 26.01.2026

Countersigned:

C. Cosgrave

Ciara Cosgrave - Senior Executive Planner 26.01.2026