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Report

Application for Permission for Development pursuant to Section 37L of the Planning and Development Act, 2000(as amended).

This application relates to restoration of existing unoccupied farm cottage, raising of the wall plate level of existing farm cottage to allow for habitable loft space to comply with current building regulation standards, forming a single storey extension linking existing cottage and adjoining outhouse, restoration, conversion and extension of an existing outhouse to form part of overall single dwelling, form a permeable parking area, install a new proprietary sewage treatment system with filter area to comply with current EPA standards, install a new rainwater harvesting system, form a surface water soakaway as well as associated site works.

This application seeks to obtain permission under Section 37L of the Planning and Development Act 2000 (as amended) to develop the property into a habitable dwelling and is made following a Substitute Consent Application under 177E of the Act for development already carried out at the same property (ACP-323867-25). Issues relevant to this application are addressed hereunder.

1- Applicant's association with the site

A letter from the client setting out his association with the site is enclosed with this application. The client's family have owned the site and lands for in excess of 30 years and they have longstanding connections to the area.

2- Water Supply

A further previous application, ref. no. 20/11112, was refused due to unresolved issues concerning the planning status, also the lack of a potable water supply and the absence of a scientific analysis of the water from the Barrowen Lough, since it was proposed to be the main water supply for the development.

In this application, rainwater harvesting system is proposed by RainWater Harvesting Systems Ireland for the provision of water supply for the new development as required. In order to meet the requirements, set out in DM Standard 36 and DM Standard 37 (GCC Development Plan), the system will consist of a 3000 L Rainwater harvesting system by way of an F-Line Flat Tank shallow dig underground tank measuring 2400mm X 2400mm X 650mm X 1000mm. Installation will be done without the need for a concrete pad, utilizing minimal depth setup, minimizing waste during installation. A Top-Multi-Tech submersible pump will be installed into the tank to ensure that the harvested water from the tank will be suitable for domestic use. Additionally, the VIQUA UV water disinfection system combined with ECOMIX composite water treatment system that purifies water from iron, manganese, hardness and natural organic matter will ensure these standards be achieved. In addition, a Water filter Ecosoft reverse osmosis filter will be installed under the kitchen sink specifically for drinking and cooking purposes. All product specifications brochures and manuals for the installation and use of the proposed systems and materials are included with this application. There is precedent for such a system being accepted as a means of water supply to a dwelling. One such recent case being granted by Galway Co. Co. The application that relates to it is ref. no. 24/60004.

3- Fluvial Flood Risk

The proposed development is situated approximately 250 meters from Barrowen Lough, with a stream about 60 meters away on the southern part of the site, which is hydrologically connected to Maumeen Lough. This connection to the Connemara Bog Complex SAC raised concerns for the Local Authority on the previous planning application ref. no. 21/11112. The NIS prepared by Larry Manning from OMC group, determined that the development does not significantly impact the integrity of the Connemara Bog Complex SAC or SPA, nor does it affect biodiversity on any geographical scale, and concluded that the proposed mitigation measures outlined in the CEMP must be implemented to ensure the development does not cause significant effects on biodiversity at any scale.

It is important to note that the existing cottage, outbuilding, and the proposed link extension floor levels the proposed sewage treatment system and rainwater harvesting tank are all approximately 9-10 meters above the level of the stream. The proposed soakaways are 6-7 meters above the level of the stream. According to the flood hazard maps from the OPW available on *floodinfo.ie*, which show areas with recurrent or single flood events, the proposed development is not within a flood risk area. Furthermore, in order to ensure that any additional surface water generated by the development will be properly managed, 2 no. soakpits are proposed to collect and dispose of any surface water generated by the development.

Also, the development will result in a very minimum additional surface water being generated since the additional roof profile only increases the impermeable surface area by approximately 40.3 sq m, and all the parking area and driveway will be formed with selected permeable gravel stone. Furthermore, mitigation measures, as outlined in the CEMP accompanying this application, will be implemented to prevent any potential contamination of the water stream and ground. Additionally, the property has been in the applicant's family ownership for almost 30 years and in this time the site has no history of flooding.

4- Design - precedent

The proposed development allows for the refurbishment and restoration of a cottage and outbuilding, executed in a sympathetic yet practical manner to contribute to the preservation of Connemara's heritage. The contemporary design respects the original buildings by maintaining a clear distinction between old and new, while reflecting simple forms and using traditionally common materials and restored stonework.

Significant effort is made in the design to ensure no visual harm occurs to the landscape, as the development is situated within Category 4 special landscape area, which has a high sensitivity to change. In line with Policy LCM1, which seeks to preserve and enhance the character of the landscape, a *Visual Impact Assessment* forms part of a detailed *Design Statement* which is submitted together with this application, that also includes a few precedents to support the design proposal. This document aims to demonstrate that the development, in terms of design and siting, complies with the *Design Guidelines for Single Rural Houses in County Galway* and does not adversely impact the surrounding landscape.

The proposed extension is modest in scale. The existing cottage is 67.3 sq.m, and the existing outbuilding is 36.70 sq.m, totalling 104 sq.m of footprint of existing structures on the site. The area of the proposed extension, which links both existing structures and extends the existing outbuilding, is 41.5 sq.m in footprint area, less than half of the size

of the existing structures. However, the proposed extension includes a slight increase in height of approximately 1m of the original dwelling to accommodate additional bedrooms suitable for modern living. The extension will feature a low flat roof, shielded by the other roofs, which aids in its assimilation and integration with the existing buildings. Additionally, the proposed development is approximately 250m from the nearest adjoining property. The cottage itself is well sheltered by foliage and the site's sloping characteristics provide natural screening, ensuring no adverse impact on neighbouring residential amenities will be caused by the development. Please refer to the accompanying Design Statement for further information in relation to design and precedent.

The previous planning application (ref no. 20/1112) was for the same design as this application. In the *Planner's Report* it was stated that *"The site is located in a class 4 landscape category area of the country. The visual impact assessment and design statement lodged in conjunction with the proposed plans and elevations meet with the satisfaction of the planning authority"*.

5- Archaeological and Historical context

An *Archaeological & Historical Background Report* included in the previous planning application ref. no. 20/1112 indicates that the proposed development would not raise any archaeological concerns or negatively impact the heritage of the area, in accordance with planning objectives ARC 2, ARC 3, and ARC 5 of the current Development Plan. However, a third-party observation on the same application expressed concerns about protecting existing archaeological features along the shared private access to the proposed development site, noting that the historical feature *"could be damaged by heavy vehicles and building materials moving on the narrow road, potentially affecting their stability"*. The objection cites that the archaeologist Michael Gibbons noted the presence of existing Famine Graves in that area.

Notably, Michael Gibbons, a Clifden native with 30 years of experience and extensive knowledge of Connemara's local history and archaeology, also prepared the report for the applicant for this proposed development, which is submitted again together with this application for further consideration. There is no evidence that the development will impact on any archaeological material and there will be no harm to any archaeological material, existing or undiscovered. As a highly experienced professional, Mr. Gibbons would not endorse any intervention that could harm a historical site for profit. Additionally, our client is deeply committed to preserving local heritage and would never compromise such important values for personal gain.

Furthermore, Mr. Gibbons, in his report, also provides some historical context to the subject property. The property was part of a well-established farm cluster by mid-19th century, abandoned as a result of the famine and settlement resumed again in the early-20th century. Mr. Gibbons concludes that *“the rebuild of the old McDonagh farmhouse and the creation of a new house in this secluded location will have no negative impact on the heritage area”*, advising that the refurbishment and construction should use local stone.

6- Local needs

The Galway County Council Development Plan 2022-2028, Policy RH07 is relevant to this development. The Policy states that:

“It is a policy objective of the Planning Authority that proposals to renovate, restore or modify existing derelict or semi-derelict dwellings in the County are generally dealt with on their merits on a case by case basis, having regard to the relevant policy objectives of this plan, the specific location and the condition of the structure and the scale of any works required to upgrade the structure to modern standards. The derelict/semi derelict dwelling must be structurally sound and have the capacity to be renovated or extended and have the majority of its original features in place. A structural report will be required to illustrate that the structure can be brought back into habitable use, without compromising the original character of the dwelling. Where the total demolition of the existing dwelling is proposed an Enurement Clause for seven years duration will apply.”

The proposed development complies with the RH07 policy. The original cottage and outbuilding will be restored to a habitable state, aligning with modern living standards while preserving their original character. While in a sensitive location, the proposed works are modest in scale and will not be visually obtrusive on the landscape (refer to Design Statement for photomontages). Given the historical significance of these structures to the Connemara area, their retention and restoration are deemed important. The objective’s provisions do not require demonstration of a rural-generated housing need. Therefore, it is reasonable to conclude that the Development Plan provisions regarding rural-generated housing need and urban-generated housing RH2 and RH4 do not apply to this application. Consequently, it should be evaluated on its merits as a *“renovation (and extension) of an existing derelict dwelling.”*

However, the applicant and his wife are both natives of Galway County and Connemara, with long-established connections to the Roundstone and Ballyconneely areas. The site has been in his family for at least 30 years. His wife, a retired Doctor, has worked in Roundstone, and the applicant has many relatives in the area.

It's important to reinforce that the client sought to provide accommodation for the requirements of his family while ensure best living standards through daily use and does not intent to lease or sell in the property in the future.

A structural report, prepared by Enda O'Malley, Engineer forms part of this application. The report confirms the suitability of the dwelling to "be brought back to habitable use".

7- Wastewater disposal off-site

Regarding effluent treatment, the current site has an existing crudely constructed, long disused septic tank that will be decommissioned before installing a new system. Initial trials excavated on site found the area to be largely dry, and the report affirms its suitability, as confirmed in the previous application Planner's report.

In order to ensure proper wastewater disposal, its proposed to instal a tertiary treatment system and an infiltration/treatment area, specifically a Tricel Novo wastewater treatment plant connected by a rising main to Tricel Puraflo modules, which discharge into a gravel distribution area. This system adheres to the minimum separation distances outlined in the EPA Code of Practice and will be located 12m above the stream waterline.

Given that no drains are planned between the site and nearby streams, and 2 no. soakpits are proposed for installation on site, sufficient distance from the sewage treatment system. there will be no impact on surface water running to the stream. Regarding effects on plants and wildlife, due to the limited scale of the development and the installation of a modern treatment system resulting in higher quality effluent disposal, the NIS concludes that with best practice mitigation measures, the proposed development will not directly or indirectly impact the Connemara Bog Complex SAC and Connemara Bog Complex SPA.

8- Onsite Fauna

The area where the development is situated features minimal agricultural activity, dispersed housing, and holiday homes. The primary ecological threats are associated with water and peat use. A review of other plans and projects in the area indicates that the proposed development is unlikely to contribute to any cumulative impacts, as concludes the ecologist Larry Manning in the NIS that accompanies this application.

A previous third-party observation raised concerns about the presence of a bat roost, an active badger sett, and the stream being a salmon spawning ground. They claimed that the development would degrade water quality due to runoff from construction activities.

An rNIS, NIS and a CEMP were prepared by Mr. Larry Manning, a reputable ecologist who performed a thorough site survey as necessary to inform his professional determination. He sets out appropriate mitigation measures to ensure the prevention of environmental threats, including impacts on fauna. All mitigation measures will be implemented following the CEMP, adhering to best practice construction methods to avoid significant environmental impacts. While the NIS confirms that there was no evidence of protected species such as badgers or bats on site, should any protected species be found on the site in the future, a full comprehensive survey will be conducted, and any necessary mitigation or compensatory measures will be implemented as required.

We consider that this new application demonstrates that the development satisfies the objectives and policies of the current Galway County Development Plan and satisfactorily addresses issues raised in previous applications.

Should you require any further clarification, please do not hesitate to contact the undersigned.

End of report



Signed: _____

Garvan Hanley

Hanley Taite Design Partnership

