

**Karen Byrne**

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**From:** Valerie Loughnane <vlough@GalwayCoCo.ie>  
**Sent:** Monday 14 July 2025 16:20  
**To:** Appeals2  
**Subject:** Substitute Consent Reports - Galway County Council  
**Attachments:** SC04\_25 G M McNulty (37L) 322145-25.docx; SC02\_25 GM McNulty 32214325.docx

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Hi Daniel,

I hope this finds you well. Please find attached Substitute Consent reports from Galway County Council with respect to SC 04/25 ABP – 322145-25 and SC 02/25 ABP 322143-25.

Should you require anything further please do not hesitate to contact me

Kind Regards

Valerie

**Valerie Loughnane – Moran**

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Comhairle Chontae na Gaillimhe  
Galway County Council

Is é Microsoft, Arna Óstáil do Comhairle Contae na Gaillimhe, a rinne an teachtaireacht ríomhphost seo a scanadh agus a ghlanadh ó thaobh ábhair de. Tá míle fáilte roimh chomhfhreagras i nGaeilge nó i mBéarla. Tá eolas atá príobháideach agus rúnda sa ríomhphost seo agus in aon iatán a ghabhann leis agus is don seolaí amháin é. Mura seolaí thú, níl tú údaraithe an ríomhphost nó aon iatán a ghabhann leis a léamh, a chóipeáil ná a úsáid. Má tá an ríomhphost seo faighte agat trí dhearmad, cuir an seoltóir ar an eolas trí ríomhphost a sheoladh ar ais agus scrios ansin é le do thoil. Má tá an ríomhphost seo ag teastáil uait i bhformáid eile téigh i dteagmháil leis an duine a sheol chugat é.

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**Galway County Council - Planning Report**

**Planning Ref. No.:** SC02/25 (ABP-322143-25)

**Description of development:** Alterations to and change of use of a domestic garage, previously permitted under planning reference number 67042, to private residential use on revised site boundaries and using a revised site entrance. The replacement of an existing septic tank and percolation area with a foul sewer connection.

**Location:** Rinville West, Oranmore, Co.Galway

**Applicant(s) :** G & M McNulty

<b>Planning Ref. No.:</b>	<b>SC02/25 (ABP-322143-25)</b>
<b>Description of development:</b>	<b>Alterations to and change of use of a domestic garage, previously permitted under planning reference number 67042, to private residential use on revised site boundaries and using a revised site entrance. The replacement of an existing septic tank and percolation area with a foul sewer connection.</b>
<b>Location:</b>	<b>Rinville West, Oranmore, Co.Galway</b>
<b>Applicant(s) :</b>	<b>G &amp; M McNulty</b>

In response to the letter received from An Bord Pleanála the Planning Authority can advise the following as per the requirements of Section 177 (2) (a), (b), (c), (d) and (e).

**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;**

Please see below the relevant planning history on site as follows:

#### **Subject Site:**

24/60676 – Incomplete application – Gerry & Margaret McNulty - ) Alterations to and change of use of domestic garage, previously permitted under planning register reference number 67042, to private residential use on revised site boundaries and using a revised site entrance. ii) The replacement of an existing septic tank and percolation area with a foul sewer connection. Permission for: i) The construction of a landscaped earthen bund at the Western and Northern ends of the site. ii) Provision of demountable flood barriers at two other locations on the site. This planning application is accompanied by a Natura Impact Statement (N.I.S.). Gross floor space of work to be retained: 71.40 sqm

23/61551 – Incomplete application - Gerry & Margaret McNulty – retention of alterations and change of use of domestic garage, previously permitted under permission Ref 67042, to (a) private residential accommodation use, (b) to disconnect from septic tank and percolation system and connection to public sewer, and (c) to retain revised site boundaries and alternative entrance. Gross floor space of work to be retained: 71.17 sqm

#### **Recent Adjoining History site to the south/south-west;**

Ref. no. 21/2206 – Gerry & Margaret McNulty – permission granted to demolish existing farmhouse dwelling, alter site boundaries, raise site levels and to construct a replacement dwelling house, new

domestic garage, and carry out all associated site development works. Gross floor space of proposed works: 206.63 sqm. Gross floor space of any demolition: 211.25 sqm

Ref. No. 20/156 - Mairead McNulty granted planning permission for the construction of a dwelling, garage and associated foul waste collection and pumping system and for all other ancillary works.

**Adjoining lands to the north;**

Ref. No.19/1556 – Mairead McNulty refused planning permission for the replacement of an existing agricultural shed (permission granted under planning ref.no. 97/2052) with a new dwelling, domestic garage and associated foul waste collection and pumping system and for all ancillary works.

**Other lands in close proximity to the subject site:**

Ref. No. 97/2052: Granted: Permission to construct agricultural shed extension to existing deer housing unit with associated ancillary development works.

Ref. No. 69202: Granted: Permission to change use of part of previously approved farmhouse residence to agri-tourist and health farm accommodation with ancillary associated activities (G & M McNulty-1993); (overlaps Ref. No.19/1556); Ref. No. 69277: Granted: Permission to retain and complete domestic garage and boiler house (G & M McNulty-1993);(overlaps Ref. No.19/1556);

Ref. No. 68544: Granted: Permission to retain and complete domestic garage and boiler house (G & M McNulty-1993); (overlaps Ref. No.19/1556);

Ref. No. 67042: Granted : Retention of percolation area, reconstruction of garage and to construct first floor dressing room and front dormer window (Frank Burke-1993) (overlaps Ref. No.19/1556);

Ref. No. 55364: Granted: Permission for retention of an extension to dwelling house and construction of septic tank (1987-EBS)(overlaps Ref. No.19/1556);

Ref. No. 66212: Granted: Permission to construct farmhouse residence and septic tank (Gerard & Margaret McNulty-1992);(overlaps Ref. No.19/1556);

Ref. No. 64980: Granted: Outline permission for a dwelling house and septic tank (Gerard & Margaret McNulty-1991);(overlaps Ref. No.19/1556);

**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;**

The Planning Authority can confirm that there is no record of an Enforcement file on this site.

**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;**

The subject site is situated on unzoned lands outside a settlement boundary and on Existing Residential Zoned Lands in the settlement of Oranmore.

The site access is located within Flood Zone A with parts of the site within Flood Zone B.  
The site is located within an area designated as the Special Inner Galway Bay Coastal Landscape.

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
- Section 4.8 Agriculture
- 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 7: Rural Housing
- DM Standard 36: Public Water Supply and Wastewater Collection
- DM Standard 37: Group Water Scheme and Private Wells
- DM Standard 38: Effluent Treatment Plants
- DM Standard 46: Compliance with Landscape Sensitivity Designations
- DM Standard 68: Flooding
- NHB 2 European Sites and Appropriate Assessment

There is no Local Area Plan for the settlement of Oranmore.

**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;**

The development site is located within a 15km radius of the following Natura 2000 designations:

Special Protection Areas

- 10m Special Protection Areas: Inner Galway Bay SPA (004031)
- 4.4km Special Protection Areas: Cregganna Marsh SPA (004142)
- 10.7km Special Protection Areas: Lough Corrib SPA (004042)
- 11.5km Special Protection Areas: Rahasane Turlough SPA (004089)

Special Area of Conservation

- 11m Special Area of Conservation: Galway Bay Complex SAC (000268)

- 7.15km Special Area of Conservation: Lough Corrib SAC (000297)
- 9.35km Special Area of Conservation: East Burren Complex SAC (001926)
- 9.6km Special Area of Conservation: Kiltiernan Turlough SAC (001285)
- 10.9km Special Area of Conservation: Ardrahan Grassland SAC (002244)
- 10.9km Special Area of Conservation: Castletaylor Complex SAC (000242)
- 11.4km Special Area of Conservation: Rahasane Turlough SAC (000322)
- 12.1km Special Area of Conservation: Moneen Mountain SAC (000054)
- 13.2km Special Area of Conservation: Cahermore Turlough SAC (002294)
- 14km Special Area of Conservation: Caherglassaun Turlough SAC (000238)
- 14.5km Special Area of Conservation: Coole-Garryland Complex SAC (000252)

See [www.npws.ie](http://www.npws.ie) for the conservation objectives and qualifying interests of the above listed sites.

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

**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 Planning Authority note that the application site subject to this report is partially located within the settlement boundary of Oranmore on Existing Residential zoned lands and partially on unzoned lands outside the settlement boundary. The Planning Authority note that applicants were previously granted permission for a replacement dwelling house and new domestic garage to the south and to alter site boundaries which ultimately isolated the building subject to this report from its parent dwelling site.

While the Planning Authority are supportive of the delivery of residential units on appropriately zoned lands, in this instance the majority of the application site, comprising the curtilage and boundaries of the residential unit to be retained, are located on unzoned lands outside the settlement boundary of

Oranmore. The Planning Authority has concerns that this would set a precedent for piecemeal and haphazard development on unzoned lands to the detriment of the rural landscape.

Notwithstanding the above, the Planning Authority note insufficient information in respect of water supply and sightlines have been provided. Prior to a determination on this application, the Planning Authority advise that the Coimisiún should be satisfied that the development would be acceptable from a vehicular access and water supply prospective and in accordance with DM standards DM28.

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.

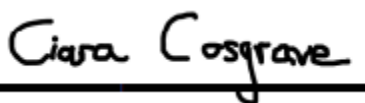
**REASON:** In the interest of proper planning and development.

4. 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.

5. Standard ACP Development Contribution condition.

**Reason:** So that the Developer shall pay an equitable portion of the cost of the facilities that are provided or that will be provided by or on behalf of Galway County Council, which will facilitate the proposed development.



Prepared By Ciara Cosgrave, A/Senior Executive Planner on the 9<sup>th</sup> July 2025