



An
Bord
Pleanála

Inspector's Report

ABP-321596-25

Development	Demolition of house and construction of replacement house with garage and wastewater treatment system, together with all associated site works.
Location	Abbeyland Little, Clonfert, Ballinasloe, Co. Galway.
Planning Authority	Galway County Council.
Planning Authority Reg. Ref.	2460659.
Applicants	Aileen and Sean McCormack.
Type of Application	Permission.
Planning Authority Decision	Grant Permission.
Type of Appeal	Third Party.
Appellant(s)	Thomas Mills and Eileen Mills.
Observer(s)	None.
Date of Site Inspection	27 th February 2025.
Inspector	Ciarán Daly

1.0 Site Location and Description

- 1.1. The subject site of 0.434ha. consists of a single storey derelict cottage house. The site fronts a local road, the L7413 which is a single lane carriageway, and is served by an existing vehicular entrance. The site slopes somewhat downhill from the north-west towards the south-east front corner. There is a mature oak tree located inside the front boundary with side and arear boundaries made up of hedgerow.
- 1.2. The site is located in a rural area c.6.5km north-east of the village of Eyrecourt.

2.0 Proposed Development

- 2.1. The proposed development, in summary, consists of the following:
 - Demolition of the existing dwelling (67.3sqm).
 - Construction of a new storey and three quarters dwelling (263.4sqm) and detached double garage (45.9sqm).
 - New wastewater treatment system and polishing filter.

3.0 Planning Authority Decision

3.1. Decision

Galway County Council decided to request further information in relation to the requirement for a structural report in relation to the proposed demolition of the dwelling, boundary details for the northern boundary, sightline works detail, reduction in height of finished floor levels, proposals for the existing septic tank, a detailed longitudinal section demonstrating the effluent treatment system would achieve the required depth of unsaturated subsoil, a revised site plan to show minimum distances from the percolation area are achieved and revised elevation drawings with garage height reduced to 5m or less.

The P.A. subsequently decided to grant permission subject to 13 no. conditions.

Notable conditions include: Condition no. 2: detailed requirements for external finishes. Condition no. 4: restriction on uses for garage in relation to habitable or

commercial purposes. Condition no. 8: any new front boundary to be of un-plastered natural stone or native hedgerow and shall not exceed 1m in height.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The initial Planner's Report considered the dwelling design to be reflective of the GCC Design Guidelines for Single Rural Houses and Policy Objective RH9 but recommended a modest reduction in the finished floor level to assimilate the development into the landscape. It recommended the 5.3m garage height be reduced to 5m in height. It noted a requirement for additional landscaping and recommended requesting further information in relation to details for the wastewater treatment system, boundaries, sightline works and building and floor heights.

Following receipt of F.I., the report noted that due to the poor condition of the dwelling, its demolition and replacement to be replaced. A detailed landscaping plan was submitted, no changes would be made to the entrance such that sightlines are not required, revised plans lowered the floor levels and garage by 0.6m, proposals for decommissioning the existing septic tank, details of wastewater systems separation distances and revised garage drawings with ridge level of 5m and these were considered acceptable. The report recommended that permission be granted subject to conditions.

3.2.2. Other Technical Reports

- Area Engineer: No report on file.

3.3. Third Party Observations

One no. third party observation was received by the Planning Authority, in summary the main points included the following:

- The design is out of character with the area.
- The dwelling would be excessively scaled for the elevated site and would be visually obtrusive.
- The dwelling would in close proximity to the adjacent dwelling resulting in a loss of privacy and should be located further south-east on the site.

- Failure to adhere to the Design Guidelines for Rural Houses in relation to the north-east side.
- The garage gable end window should be relocated.
- A planting scheme is required.
- Failure to include distance for sightlines.

4.0 Planning History

21/1269: Permission granted by the P.A., at second adjacent site to the south, to demolish old section of existing house and replace with new build.

5.0 Policy Context

5.1. Galway County Development Plan 2022-2028 (the CDP)

I note the site is located in an area considered to be structurally weak and is within Special Landscape Designation Class 1.

The following policies and objectives of the CDP are relevant to this case.

Chapter 4 Rural Living and Development

- Section 4.5.2.3 Open Countryside
- Section 4.6 – Rural Housing Strategy in the Open Countryside
- Section 4.6.2 Structurally Weak Rural Areas (East and West of GCTPS)

Policy RH6: Replacement Dwellings

It is a policy objective of the Planning Authority that the refurbishment of existing habitable dwelling houses would be encouraged, as a more sustainable option than the demolition and construction of a new dwelling house, unless a conclusive case for demolition based on technical evidence is made for the Planning Authority's consideration on a case by case basis. It will be a requirement that any new dwelling house be designed in accordance with Galway County Council's Design Guidelines for Rural Housing in the countryside. Applicants, who require the demolition of an existing family home

shall be accommodated without the requirement to establish a Housing Need and will not be subject to an enurement clause.

RH9 Design Guidelines

It is a policy objective of the Planning Authority to have regard to Galway County Council's Design Guidelines for the Single Rural House with specific reference to the following:

- a). It is the policy objective to encourage new dwelling house design that respects the character, pattern and tradition of existing places, materials and built forms and that fit appropriately into the landscape;*
- b). It is the policy objective to promote sustainable approaches to dwelling house design and encouraging proposals to be energy efficient in their design and layout;*
- c). It is the policy objective to require the appropriate landscaping and screen planting of proposed developments by using predominately indigenous/local species and groupings.*

Policy RH 9: Design Guidelines

It is a policy objective of the Planning Authority to have regard to Galway County Council's Design Guidelines for the Single Rural House with specific reference to the following:

- a) It is the policy objective to encourage new dwelling house design that respects the character, pattern and tradition of existing places, materials and built forms and that fit appropriately into the landscape;*
- b) It is the policy objective to promote sustainable approaches to dwelling house design and encouraging proposals to be energy efficient in their design and layout;*
- c) It is the policy objective to require the appropriate landscaping and screen planting of proposed developments by using predominately indigenous/local species and groupings.*

Chapter 15 - Development Management Standards

- Section 15.2.4 – Other Residential Development (Rural and Urban)

- Section 15.3.1 - Rural Housing
- Section 15.7.2- Landscape Sensitivity
- Class 1 – Low Sensitivity

All developments which are of appropriate scale and design and are consistent with settlement policies.

- DM Standard 11: Landscaping
- DM Standard 28: Sight Distances Required for Access onto National, Regional, Local and Private Roads
- DM Standard 46: Compliance with Landscape Sensitivity Designations
- DM Standard 47: Field Patterns, Stone Walls, Trees and Hedgerows

Appendix 5: Design Guidelines for the Single Rural House (Galway County Council)

5.2. Section 28 Guidelines and Other Relevant Standards

5.2.1. Having considered the nature of the proposal, the receiving environment, the documentation on file, including the submissions from the planning authority, I am of the opinion that the relevant Section 28 Ministerial Guidelines are:

- Sustainable Rural Housing Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government, 2005.
- Circular SP 5/08, Department of the Environment, Heritage and Local Government, 2008.
- Code of Practice : Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10), Environmental Protection Agency, 2021.

5.3. Natural Heritage Designations

5.3.1. In relation to designated sites, the subject site is located:

- c.0.4 km south-south-east of Clonfert Cathedral Proposed Natural Heritage Area (PNHA) (site code 000244).
- c.1.2km south-west of River Shannon Callows Special Area of Conservation (SAC) and PNHA (site code 000216).
- c.1.2km south-west of Middle Shannon Callows Special Protection Area (SPA) (site code 004096).

- c.2.6km north of Kilnaborris Bog NHA (site code 000284).
- c.3.6km south of River Suck Callows SPA (site code 004097).
- c.3.6km south of Suck River Callows NHA (site code 000222).

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. One third party appeal has been received from Thomas Mills and Eileen Mills. The grounds of the third party appeal can be summarised as follows:

- The dwelling design is out of character with the area where single storey or dormer dwellings predominate.
- There has been a failure to comply with the Design Guidelines for a Rural House particularly in relation to the north-east side.
- The scale, height and bulk on an elevated site will be obtrusive.
- The first floor windows are totally unnecessary and an invasion of privacy on the site to the north-west where their son intends to build a house. A 23m separation is required and windows should be obscure.
- Finished floor levels should be reconsidered to accord with existing floor levels.
- The massing is unacceptable noting the 14.5m gable length and height.
- There are existing wells in close proximity, map attached, and issues with the proposed wastewater treatment system.
- Consideration should be given to relocate the soakpit (no details provided) to the front of the site due to the topography.

6.2. First Party Response

6.2.1. A response to the appeal on behalf of the applicants, Sean and Aileen McCormack has been received and which can be summarised as follows:

- The design is consistent with rural forms and vernacular typology and uses traditional materials and appropriate massing.
- The design is sustainable to maximise solar gain and to passive house standards.

- The one room width design reduces bulk with narrow plan forms.
- The levels are in accordance with those of adjacent dwellings and floor levels have already been lowered.
- A comprehensive landscaping plan has been submitted.
- The separation distances to the north at 14.59m are significantly in excess of the 11m requirement.
- The central north-west first floor level window is a stairwell window and the windows located either side of it are smaller in size.
- The nearest property to the north-west is 35m away and is screened by 8ft high evergreen hedging.
- The Planner's Report noted no residential amenity issues.
- The applicants are willing to include louvred panels to the first floor north-west facing bedroom windows.
- The dwelling is one and three quarter storey and not two storey to create a dwelling of appropriate scale and massing consistent with neighbouring properties.
- A neighbouring property (see reg. ref. 21/1269) incorporates a similar canopy structure which is not out of keeping with the design guidelines.
- The garage is located 3.795m from the adjacent north-west boundary and is in excess of the 2m requirement with screening also provided and the applicants are willing to move the garage location 2 to 4m south-east from the current position.
- The husband in the applicant couple was born and raised c.250m from the site and this will result in 5 generations of the family living in the local area.
- The applicants own agricultural land opposite the site and are heavily engaged in the local community.
- The assertions in relation to extremely low P and T values in the Site Characterisation Report are incorrect and the EPA Code of Practice has been adhered to.

7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development.
- Visual Amenity.
- Residential Amenity.
- Wastewater.
- Drainage.

7.2. Principle of Development

- 7.2.1. In this structurally weak rural location, the principle of development is related to the case for the demolition of the existing dwelling and adherence to the rural design guidelines for its replacement.
- 7.2.2. In relation to the case for the demolition of the existing single storey cottage on the site, at F.I. stage, an Engineer's Report was submitted to outline structural issues with the existing derelict house. The report noted that the external walls were in poor condition with cracks and dampness noted throughout. It noted the impossibility of complying with the 2014 Building Regulations. It noted uneven and damp floors, no insulation "*making the house a health and safety issue*". The report recommended demolition and replacement with a new structure that can fully comply with the Building Regulations. Having visited the site, I accept the findings, conclusions and recommendations of the submitted Engineer's Report.
- 7.2.3. I note policy for replacement dwellings, RH6, also requires "*new dwelling house[s] be designed in accordance with Galway County Council's Design Guidelines for Rural Housing*". I note the appellant's concerns in relation to the CDP rural design guidelines which is dealt with in Section 7.3 of this report.

- 7.2.4. Appendix 5 of the CDP is relevant in this instance. In relation to 'siting', it indicates that houses should be in the most sheltered area of the site and should integrate with the slope of the site with large bulky houses avoided with mass broken down into smaller elements. I note the site slopes modestly downhill somewhat from west to east towards the location of the current dwelling on the site. In this context, noting the two storey design of significant length, I note that the siting guidance would suggest the dwelling should be located closer to the eastern corner. I note the gentle slope of the site. Having visited the site and noted the ground levels would broadly align with the adjacent dwellings, I consider that relocating the dwelling would not be of material value as there would be no material change in visual impact from same.
- 7.2.5. In relation to 'design', the CDP guidelines refer to contemporary design and a simple approach. In terms of building form, I note the parallel form with the bulk of the building broken down into various elements of single room depth is an acceptable approach in the guidelines considered consistent with rural design. I note that the building would be broken down into three main elements, the two storey pitched roof long narrow element joined by the single storey flat roof central element to the long single storey pitched narrow roof element. This would avoid an excessive bulky urban type form.
- 7.2.6. I also note the plot size would be of sufficient size to absorb this form with appropriate setbacks from the boundaries noted, 14.594m from the north-west boundary and 21.959m from the south-east boundary. In relation to overall height and scale, I note the three quarter height at first floor level, and I consider that the eaves (up to c.5.3m) and ridge height (up to c.7.56m), would not be excessively scaled in relation to acceptable rural design typologies. I note the window proportions include sufficient vertical emphasis to break down the longer horizontal elements such as at first floor level. Accordingly, for the reasons above, I am satisfied that the design would not be visually obtrusive, accords with the Galway County Council's Design Guidelines for Rural Housing and I am satisfied that the demolition and replacement dwelling is justified in principle.

7.3. Visual Amenity

- 7.3.1. The appellant's raise concerns in relation to visual impact to the north-west. I note that the receiving landscape classification is not considered sensitive in the CDP. Policy RH9 is also relevant in relation to Design Guidelines whereby new dwellings are to respect the character, pattern and tradition of existing places with materials and built forms that fit into the landscape. While I note the general pattern of single storey and dormer bungalow housing in the vicinity, I consider the bulk form of the dwelling to be sufficiently broken down and to be simple in its form and detail. I note the alignment of the gable ends facing the road, such that the dwelling would not appear excessively obtrusive in the landscape.
- 7.3.2. This, combined with the appropriate scale and separation distances from the north-west and south-east, and depth of site, would be sufficient, in my view, for the dwelling to integrate with the site and its surroundings. In this context, and noting the external finishes which can be controlled by condition by requiring dark slates and nap plaster or natural stone walls, I consider that the dwelling would respect the character, pattern and tradition of this rural place. I do not consider that there would be an excessive visual impact to the north-west, noting the above assessment.
- 7.3.3. In relation to the garage, I note that following F.I., it would be no more than 5m in height and given its form and scale, I consider it complies with CDP policy and would not be excessively visually prominent on the site close to the north-west corner and would appear subservient to the dwelling.
- 7.3.4. I note the design would be required to adhere to the near zero energy standards of the Building Regulations and this would be a sustainable approach to ensuring an energy efficient house is provided.
- 7.3.5. I note the submitted landscape plan prepared by CMK Horticulture and Arborists Ltd whereby there would be rowan and birch planted in the vicinity of the north-west boundary as well as further rowan planting to the rear of the dwelling and forward of it. Birch would be planted in the south-east corner and the existing mature oak would be preserved along the front of the site. I consider this use of native species, combined with hedgerow retention and new roadside hedge and stone wall, to be sufficient to screen and enhance the setting of the dwelling in a manner consistent with the CDP rural guidelines and DM Standard 47.

7.4. Residential Amenity

- 7.4.1. I note the appellant's concerns in relation to residential amenity and loss of privacy to the north-west and impact on development potential to the north-west. This appears to relate primarily to the first-floor level windows and the separation distance to the north-west. I note the proposed separation distance of 14.594m to the north-west boundary in this regard. Given this distance where significant overlooking and perception of same could occur of the adjacent property, I recommend that should permission be granted the two central first floor windows in this façade be required to be in opaque glass given they serve bathrooms and that the remaining two first floor windows on this façade be omitted by condition given they are secondary windows to the bedrooms which they serve. Subject to condition, I consider that no undue overbearing or overshadowing impacts to the north-west would result.

7.5. Wastewater

- 7.5.1. The appeal makes reference to existing wells in close proximity to the subject site with one located to the rear south-west corner of the dwelling, to the north-west and one located to the rear of the second dwelling adjacent to the south-east. The appeal also highlights the percolation test results and the invert level of the trench.
- 7.5.2. The application includes a Soil Characterisation and Site Suitability Assessment Report prepared by Traynor Environmental Ltd. This is prepared in accordance with the 2021 EPA Code of Practice. At F.I. stage, proposals for decommissioning the existing septic tank on site were submitted as well as a section drawing through the secondary treatment plant and soil polishing filter / percolation area indicating the relevant levels.
- 7.5.3. The report submitted at F.I. stage outlines how the existing septic tank would be decommissioned by a Licensed Waste Collection Company and this would involve pumping out the waste and washing out in addition to removing the equipment and any contaminated soil.
- 7.5.4. From the Site Characterisation Form, I note the aquifer type is classified as LI – locally important with bedrock (Dinantian Upper Impure Limestones) which is moderately productive only in local zones. The groundwater vulnerability is noted to be high. The subsoil is noted to be classed as till derived chiefly from limestone. The groundwater protection response is R1.

- 7.5.5. The trial hole of 2.1m depth did not encounter bedrock. The depth of water ingress was noted at 1.2m. The result of tests noted surface percolation (P) value of 52.16. I note the tests were carried out in accordance with Annex C (i.e. 3 separation trial holes outside of the percolation area). The subsurface percolation (T) value is noted to be 71.59. A depth of unsaturated soil and/or subsoil beneath the invert of gravel is noted to be 0.9m. Per Table 6.3 of the EPA guidance, the site falls within the R1 response category where an on-site system is acceptable subject to normal good practice.
- 7.5.6. The site was identified as suitable for a Secondary Treatment System and soil filter and; suitable for a tertiary treatment system and infiltration/ treatment area. This is consistent with Table 6.4 (percolation values) of the EPA Code of Practice. The report recommends the decommissioning of the existing septic tank and the construction of a secondary treatment system to ensure a minimum of 0.9m of suitable percolating material between the base of the lowest part of the gravel distribution bed and groundwater at all times. This is confirmed by the Section drawing through the site submitted at F.I. stage. The soil polishing filter would be bedded on 300mm depth of crushed stone.
- 7.5.7. The site plan submitted at F.I. stage shows the wastewater treatment system located towards the south-east corner of the site and the polishing filter close to the south-west corner. Ditches, streams, water bodies etc. were noted in the vicinity and the separation distance from the house would be over 17m or over 10m if the house is relocated per my recommendation.
- 7.5.8. All wells are stated to meet the minimum separation distance requirements. I note Table 6.2 of the EPA Code of Practice and I am satisfied that the minimum required separation distances would be achieved in relation to wells, dwellings and water features. I am satisfied that the proposed wastewater treatment system would be in accordance with the 2021 EPA Code of Practice and is consistent with Section 7.5.3 and 7.5.5 of the CDP. Should permission be granted, I recommend that adherence to the EPA standard be required by condition.
- 7.5.9. To note, the proposed water supply for the dwelling is from the public mains.

7.6. Drainage

- 7.6.1. The appeal states that the soakpit should be relocated to the front of the site due to the topography. I note that the site layout plan submitted at F.I. stage shows this to be located to the rear of the dwelling which would be marginally uphill of same. I consider that should permission be granted, a condition providing for the location of the soakpit for agreement with the P.A. be provided to ensure best practice is followed.

7.7. Other Matters

- 7.7.1. I note the local single lane road (L7413) on to which the existing site entrance would be located is of such alignment and width that I estimate that traffic speeds on it, per my observations on my site visit, are slow and below c.50kph. I also consider that that adequate sightlines are capable of being achieved (up to 75m in both directions from a 2.4m setback without the removal of the adjacent mature tree) along the site frontage given the existing set back of the stone walls, partial hedgerow and their low height and that this is consistent with Table 15.3 of the CDP and DM Standard 28. This would be more than adequate for this local road.
- 7.7.2. I recommend that should permission be granted, that a compliance condition be required to agree measures to ensure that adequate sightlines are provided and that the vehicular entrance bay accords with the Council's standards for same. I consider that the level of intervention in the natural surroundings, subject to the removal of the existing mature tree, having regard to the submitted landscaping scheme, is acceptable to achieve same.

8.0 EIA Screening

- 8.1. See Form 1 and Form 2 appended to this report. The proposed development is located within a rural area on un-serviced land. Having regard to the nature and scale of the proposed development, to the criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended) and the absence of any connectivity to any sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded.

9.0 AA Screening

- 9.1. I have considered the proposed development in light of the requirements of Section 177S and 177U of the Planning and Development Act 2000 as amended. The subject site is located c.1.2km south-west of River Shannon Callows Special Area of Conservation (SAC) (site code 000216), c.1.2km south-west of Middle Shannon Callows Special Protection Area (SPA) (site code 004096) and c.3.6km south of River Suck Callows SPA (site code 004097).
- 9.2. The proposed development comprises the demolition of the existing dwelling, construction of a detached single and three quarters storey dwelling, garage and wastewater treatment system.
- 9.3. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any appreciable effect on a European Site. The reason for this conclusion is as follows:
- The relatively small scale and domestic nature of the development.
 - The distance to any sensitive site and with no pathways from the site.
 - Taking into account the screening determination carried out by the Planning Authority.
- 9.4. I consider that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on a European Site and Appropriate Assessment is therefore not required.

10.0 Recommendation

I recommend that planning permission be granted for the reasons and considerations set out below.

11.0 Reasons and Considerations

Having regard to the location of the subject site within a rural area, the provisions of the Galway County Development Plan 2022 – 2028, the nature, scale and form of the proposed development, and pattern of development in the surrounding area, it is considered that subject to compliance with the conditions set out below, the

proposed development would be acceptable, would be justified in terms of demolition and replacement, acceptable in terms of siting and design, wastewater treatment and would not seriously injure the visual or residential amenities of the area or of property in the vicinity, and would constitute an appropriate development in this rural location. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 20th day of November 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:
 - (a) The two central first floor windows in the north-west elevation shall be in opaque glass that shall be permanently maintained and fixed in position.
 - (b) The other two first floor north-west facing windows serving the bedrooms shall be omitted.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of residential amenity.

3. (a) The roof colour of the proposed house shall be blue-black, black, dark brown or dark-grey. The colour of the ridge tile shall be the same as the colour of the roof.

(b) The external walls shall be finished in nap plaster and/or natural local stone.

(c) The colour of the rainwater goods shall be dark in colour/match the colour of the roofs.

(d) The external finishes of the garage shall match those of the dwelling.

Reason: In the interest of visual amenity.

4. (a) Prior to commencement of development the applicant shall submit for the written agreement of the Planning Authority drawings demonstrating that the required sightlines from the vehicular entrance can be achieved consistent with DM Standard 28 of the Development Plan. Such plans shall outline any works required to achieve such sightlines and shall otherwise preserve existing roadside boundaries and mature trees in their present condition and the height of any roadside boundaries shall be limited to a maximum height of one metre to maintain adequate visibility.

(b) Wing walls forming the entrance shall be splayed at an angle of not less than 45 degrees and shall not exceed one metre in height.

Reason: In the interest of traffic safety.

5. (a) The landscaping scheme shown on drawing number 101, as submitted to the planning authority on the 20th day of November, 2024 shall be carried out within the first planting season following substantial completion of external construction works.

(b) Planting shall maintain a separation distance of 3 metres minimum from the effluent treatment system including the infiltration / treatment area.

(c) All planting shall be adequately protected from damage until established.

Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

6. Any new front boundary shall be of local, un-plastered natural stone and/or native hedgerow species and shall not exceed 1.2 metres in height.

Reason: In the interest of visual amenity.

7. The developer shall ensure that the development is served by adequate water supply and shall enter into a connection agreement(s) with Uisce Éireann (Irish Water) to provide for a service connection to the public water supply within 6 months of this grant of retention permission.

Reason: In the interest of public health and to ensure adequate water facilities.

8. (a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.

(b) The access driveway to the proposed development shall be provided with adequately sized pipes or ducts to ensure that no interference will be caused to existing roadside drainage.

Reason: In the interest of traffic safety and to prevent flooding or pollution.

9. (a) The septic tank/wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with this application on 2nd June 2024 and shall be in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021.

(b) Treated effluent from the septic tank/ wastewater treatment system shall be discharged to a percolation area/ polishing filter which shall be provided in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021.

(c) Within three months of the first occupation of the dwelling, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the septic tank/ wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.

Reason: In the interest of public health and to prevent water pollution.

10. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

11. Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of public health and reducing waste.

12. Site development and building works shall be carried out between the hours of 07.00 to 19.00 hours Mondays to Fridays inclusive, between 08.00 to 14.00 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

13. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Ciarán Daly

Planning Inspector

8th April 2025

Appendix 1 – Form 1

EIA Pre-Screening

An Bord Pleanála	ABP-321596-25		
Case Reference			
Proposed Development Summary	Demolition of the existing dwelling (67.3sqm), construction of a new storey and three quarters dwelling (263.4sqm) and detached double garage (45.9sqm), and new wastewater treatment system and polishing filter.		
Development Address	Abbeyland Little, Clonfert, Ballinasloe, Co. Galway.		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	X	Part 2, Class 10(b)(i).	
No			
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes		EIA Mandatory EIAR required	

No	X	Threshold: Construction of more than 500 dwelling units and urban development which would involve an area greater than 20 hectares outside of a built-up area.	Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	X	Single replacement dwelling on a site of 0.434ha.	Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No	X	Pre-screening determination conclusion remains as above (Q1 to Q4)
Yes		Screening Determination required

Inspector: _____

Date: _____

Appendix 2 – Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	ABP-321596-25
Proposed Development Summary	Demolition of the existing dwelling (67.3sqm), Construction of a new storey and three quarters dwelling (263.4sqm) and detached double garage (45.9sqm), and new wastewater treatment system and polishing filter.
Development Address	Abbeyland Little, Clonfert, Ballinasloe, Co. Galway.
The Board carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations. This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	Demolition of cottage, one and three quarter storey dwelling, garage and connection to public water and construction of wastewater treatment plant and polishing filter.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European	The rural location is removed from any sensitive designated sites or cultural interests. No loss of hedgerow / trees is proposed.

sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).		
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).		The impacts will be contained within the site with any water based run-off contained on site and wastewater treated on site.
Conclusion		
Likelihood of Significant Effects	Conclusion in respect of EIA	Yes or No
There is no real likelihood of significant effects on the environment.	EIA is not required.	Yes
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.	No
There is a real likelihood of significant effects on the environment.	EIAR required.	No

Inspector: _____

Date: _____

DP/ADP: _____

Date: _____

(only where Schedule 7A information or EIAR required)