



An
Coimisiún
Pleanála

Direction
CD-020352-25
ABP-320181-24

The submissions on this file and the Inspector's report were considered at a meeting held on 28/07/2025.

The Commission decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Planning

Commissioner:

Eamonn James Kelly

Date: 28/07/2025

Eamonn James Kelly

DRAFT WORDING FOR ORDER

Reasons and Considerations

In performing its functions in relation to the making of its decision, the Commission had regard to:

- (a) Section 15(1) of the Climate Action and Low Carbon Development Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, and the requirement to, in so far as practicable, perform its functions in a manner consistent with Climate Action Plan 2024 and Climate Action Plan 2025 and the national long term climate action strategy, national adaptation framework and approved sectoral

adaptation plans set out in those Plans and in furtherance of the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State,

- (b) Directive 2000/60/EC, the Water Framework Directive and the requirement to exercise its functions in a manner which is consistent with the provisions of the Directive and which achieves or promotes compliance with the requirements of the Directive,
- (c) the European Union Habitats Directive (92/43/EEC),
- (d) the European Communities (Birds and Natural Habitats) Regulations 2011 as amended,
- (e) the likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely significant effects of the proposed development on European Sites,
- (f) the conservation objectives, qualifying interests and special conservation interests for the Lough Corrib Special Area of Conservation (Site Code: 000297), the Galway Bay Complex Special Area of Conservation (Site Code: 000268) and the Inner Galway Bay Special Protection Area (Site Code: 004031),
- (g) the policies and objectives of the Galway City Development Plan, 2023-2029,
- (h) the nature and extent of the proposed works as set out in the application for approval,
- (i) the information submitted in relation to the potential impacts on habitats, flora and fauna, including the Ecological Impact Assessment, and Natura Impact Statement,
- (j) the submissions received in relation to the proposed development, and,

- (k) the report and recommendation of the person appointed by the Commission to make a report and recommendation on the matter.

Appropriate Assessment: Stage 1

The Commission agreed with and adopted the screening assessment and conclusion carried out in the Inspector's report that the Lough Corrib Special Area of Conservation (Site Code: 000297), the Galway Bay Complex Special Area of Conservation (Site Code: 000268) and the Inner Galway Bay Special Protection Area (Site Code: 004031) are the only European Sites in respect of which the proposed development has the potential to have a significant effect.

Appropriate Assessment: Stage 2

The Commission considered the Natura Impact Statement and associated documentation submitted with the application for approval, the mitigation measures contained therein, the submission on file, and the Inspector's assessment. The Commission completed an appropriate assessment of the implications of the proposed development for the affected European Sites, namely the Lough Corrib Special Area of Conservation (Site Code: 000297), the Galway Bay Complex Special Area of Conservation (Site Code: 000268) and the Inner Galway Bay Special Protection Area (Site Code: 004031) in view of those Site's conservation objectives. The Commission considered that the information before it was adequate to allow the carrying out of an appropriate assessment. In completing the appropriate assessment, the Board considered, in particular, the following:

- i. the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
- ii. the mitigation measures which are included as part of the current proposal, and,
- iii. the conservation objectives for the European Sites.

In completing the appropriate assessment, the Commission accepted and adopted the appropriate assessment carried out in the Inspector's report in respect of the

potential effects of the proposed development on the integrity of the aforementioned European Sites, having regard to the Site's conservation objectives.

In overall conclusion, the Commission was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Sites, in view of the Site's conservation objectives.

Proper Planning and Sustainable Development/Likely effects on the environment

It is considered that, subject to compliance with the conditions set out below, the proposed development would not have significant negative effects on the environment or the community in the vicinity, would not give rise to a risk of pollution, would not be detrimental to the visual amenities of the area, would not seriously injure the amenities of property in the vicinity, would not adversely impact upon cultural heritage of the area, would not interfere with the existing land uses in the area and would not interfere with traffic and pedestrian safety or endanger public safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where any mitigation measures set out in the Natura Impact Statement or any conditions of approval require further details to be prepared by or on behalf of the local authority, these details shall be placed on the file and retained as part of the public record.

Reason: In the interest of clarity and the proper planning and sustainable development of the area and to ensure the protection of the environment.

2. The mitigation and monitoring measures identified in the Natura Impact Statement submitted with the application shall be implemented in full. The measures shall include for the incorporation of biosecurity measures/information station into the water sports centre and wider application site in agreement with Inland Fisheries Ireland to prevent the spread of invasive species and for consultation with the Inland Fisheries Ireland on the timing of any instream works prior to the commencement of the works or as otherwise required. Prior to the commencement of development, details of a time schedule for implementation of all mitigation measures and associated monitoring shall be prepared by the local authority and placed on file and retained as part of the public record.

Reason: In the interest of protecting the environment, the protection of European Sites and in the interest of public health.

3. The mitigation measures identified in the Ecological Impact Assessment submitted with the application shall be implemented in full. A suitably qualified ecologist shall be retained by the local authority to oversee the site set up, construction and the implementation of mitigation measures relating to ecology. Upon completion of works, an ecological report of the site works shall be prepared by the appointed ecologist to be kept on file as part of the public record.

Reason: In the interest of nature conservation and biodiversity.

4. Prior to the commencement of development, the local authority, or any agent acting on its behalf, shall prepare in consultation with the project ecologist and relevant statutory agencies, a finalised Construction Environmental Management Plan (CEMP), incorporating all mitigation measures indicated in the Natura Impact Statement and the Ecological Impact Assessment, and demonstration of proposals to adhere to best practice and protocols. The CEMP shall include:

- a) all mitigation measures indicated in the Natura Impact Statement and the Ecological Impact Assessment and as provided for by Condition 2 of this order,
- b) location and extent of silt fencing to be installed on site, and,
- c) specific proposals as to how the measures outlined in the CEMP will be measured and monitored for effectiveness

Reason: In the interest of protecting the environment and the European Sites.

5. The local authority and any agent acting on its behalf shall ensure that all plant and machinery used during the works should be thoroughly cleaned and washed before delivery to the site to prevent the spread of hazardous invasive species and pathogens.

Reason: In the interest of the proper planning and sustainable development of the area and to ensure the protection of the European Sites.

6. The proposed development shall be amended as follows:
- a) the ramp width and slope to the floating pontoon shall be redesigned as per the submission response received and dated the 25th day of June 2025,
 - b) landscaping proposals shall be prepared and implemented for the part of the site to the west of the Dyke Road including around the proposed turning/drop off area, and,
 - c) bicycle parking provision shall be provided within the application site.

Reason: In the interests of orderly development.

7. Prior to the commencement of development, the developer shall enter into a connection agreement with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network.

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

8. (a) All measures and recommendations in relation to cultural heritage as set

out in the 'Architectural Heritage Impact Statement', by Vincent Hannon Architects and the 'Archaeological Impact Assessment Report', by Fado Archaeology 'Impact Assessment Report on Cultural Heritage' shall be implemented in full.

- (b) Detailed proposals including a method statement for the proposed anti-slip measures to the pedestrian bridge (Renewable Portfolio Standard Number 8501 Rivers/Waterways of Galway "Including Bridges, Weirs, Walls, Embankment, Piers & Other Associated Infrastructure") shall be prepared by a suitably qualified professional with specialised conservation expertise prior to commencement of development and placed on the public file.
- (c) A project archaeologist shall be appointed to oversee and advise on all aspects of the scheme. The project archaeologist shall liaise with the Department of Housing, Local Government and Heritage to agree in advance an overall strategy for archaeological works to be carried out both in advance of and in parallel with construction of the development. This shall include the scope of all Advance Archaeological Test Excavation and Archaeological Monitoring as well as any additional mitigation measures that may be required to protect archaeological heritage.
- (d) If, during the course of site works any archaeological material is discovered, the National Monuments Service, Department of Housing, Heritage and Local Government and the National Museum of Ireland shall be notified immediately.
- (e) The Construction Environment Management Plan (CEMP) shall include the location of any and all archaeological or cultural heritage constraints relevant to the proposed development as set out in the 'Archaeological Impact Assessment Report' and by any subsequent archaeological investigations associated with the project. The CEMP shall clearly describe all identified likely archaeological impacts, both direct and

indirect, and all mitigation measures to be employed to protect the archaeological or cultural heritage environment during all phases of site preparation and construction activity.

- (f) The Department of Housing, Local Government and Heritage shall be furnished with a final archaeological report describing the results of all archaeological monitoring and any archaeological investigative work/excavation required, following the completion of all archaeological work on site and any necessary post-excavation specialist analysis. A copy of same shall be placed on the public file

Reason: To secure the authentic preservation of protected structures and features of cultural significance and to ensure that the proposed works are carried out in accordance with best conservation practice and to ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.