

An  
Coimisiún  
Pleanála

**Direction**  
**CD-022165-26**  
**ABP-320946-24**

The submissions on this file and the Inspector's report were considered at a meeting held on 08/05/2026.

The Commission decided to approve the proposed development for the following reasons and considerations, and subject to the following conditions.

In deciding not to accept the Inspector's recommendation the Commission considered the report from the Senior Ecologist which was attached to the Inspector's Addendum Report, and noted the comments from the Inspector (paragraph 3.4 of Inspector's Addendum Report) that a split decision omitting certain elements of the project which either be within or immediately bounding the lake (Lough Rea SAC – Site Code 000304) would fully and effectively mitigate the identified concerns and would facilitate an Appropriate Assessment determination that the consented development would not adversely affect the integrity of European site in view of the site's Conservation Objectives. However, the Commission did not agree with the Inspector's assessment that the lake-edge elements were integral parts of the proposed development which could not be separated from the other elements of the project. The Commission considered that the proposed repairs to the existing pier surfaces, demolition of existing changing shelter, alterations to existing toilet and shower building, provision of new changing, toilet and shower facilities, provision of new lifeguard station building, provision of totem sign extending, provision of shared active travel route along the sites eastern boundary adjacent to the Lake Road (R351), alterations to vehicular access, reconfiguration of

and upgrades to the existing car parking areas, provision of hard and soft site landscaping works, SuDS measures, pumping and water stations all connections, public lighting, and site services could be carried out without any adverse impact on the integrity of European site in view of the site's Conservation Objectives and that those works could be separated from those works within or immediately bounding the lake (Lough Rea SAC – Site Code 000304) and would deliver a significant enhancement of the existing public amenity area at the subject site.

### **Reasons and Considerations**

The Commission performed its functions in relation to the making of its decision, in a manner consistent with Section 15(1) of the Climate Action and Low Carbon Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, consistent with the Climate Action Plan 2025 and Climate Action Plan 2024 and The National Adaptation Framework; Planning for a Climate Resilient Ireland June 2024 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.

In coming to its decision, An Coimisiún also had regard to the following European, national, regional and local planning, energy, climate and other policy of relevance:

1. European, policy/legislation including:
  - (a) Directive 2014/52/EU amending Directive 2011/92/EU (Environmental Impact Assessment Directive)
  - (b) European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018
  - (c) Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as amended by 2009/147/EC (Birds Directive);
  - (d) Directive 2000/60/EC (Water Framework Directive)
  - (e) European Communities (Birds and Natural Habitats) Regulations 2011

2. National Policy and Guidance including:
  - (a) National Development Plan 2021-2030
  - (b) National Planning Framework (first review April 2025)
  - (c) National Energy & Climate Action Plan 2021-2030
  - (d) National Biodiversity Action Plan 2023-2030
  
3. Regional and local policy support, in particular:
  - (a) The Regional Spatial and Economic Strategic for the Northern and Western Region 2020
  - (b) Galway County Development Plan 2022-2028
  - (c) Loughrea Local Area Plan 2024 – 2030
  
4. The nature, scale, extent and layout of the proposed development
  
5. The pattern of development within the area and context of the receiving environment, including the existing established recreation and amenity use of the site
  
6. Documentation submitted with the application
  
7. The submissions on file including those from observers, prescribed bodies and the Planning Authority
  
8. Mitigation measures proposed
  
9. The report and recommendation of the person appointed by the Commission to make a report and recommendation on the matter

## **EIA screening determination**

Having regard to: -

1. the criteria set out in Schedule 7, in particular
  - (a) the limited nature and scale of the proposed recreational and amenity development, in an established amenity area served by public infrastructure
  - (b) the absence of any significant unmitigated environmental sensitivity in the vicinity,
  - (c) the absence of potential for the development to impact on any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001 (as amended)
  
2. the results of other relevant assessments of the effects on the environment submitted by the applicant including:
  - (a) Updated Environmental Impact Assessment Screening.
  - (b) Further Information Response Report
  - (c) Updated Ecological Impact Assessment
  - (d) Updated Natura Impact Statement
  - (e) Arboricultural Report
  - (f) Landscape and Visual Impact Assessment
  - (g) Habitat Management Plan
  - (h) Underwater Archaeological Impact Assessment
  - (i) Updated Construction and Environmental Management Plan
  - (j) Updated Civil Drawing Pack
  
3. the features and measures proposed by applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment.
  
4. responses from consultees and submission received

An Coimisiún concluded that the proposed development would not be likely to have significant effects on the environment, and that an environmental impact assessment report is not required.

### **Appropriate Assessment**

An Coimisiún agreed with and adopted the screening assessment and conclusion carried out in the Inspector's report that, the proposed development could result in significant effects on:

- Lough Rea SAC (Site Code 000304)
- Lough Rea SPA (Site Code 004134)
- Rahasane Turlough SAC (Site Code 000322)

in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of 177AE was required.

An Coimisiún considered the Natura Impact Statement and associated documentation submitted with the application for approval, the mitigation measures contained therein, the submissions and observations on file, and the Inspector's assessment. An Coimisiún completed an appropriate assessment of the implications of the proposed development for the affected European Sites, namely:

- Lough Rea SAC (Site Code 000304)
- Lough Rea SPA (Site Code 004134)
- Rahasane Turlough SAC (Site Code 000322)

in view of the site's conservation objectives. An Coimisiún considered that the information before it was adequate to allow the carrying out of an appropriate assessment. In completing the appropriate assessment, An Coimisiún 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 by condition proposed by the inspector.
- iii. the conservation objectives for the European Sites.

In completing the appropriate assessment, An Coimisiún determined that the proposed development by itself or in combination with other plans or projects, subject to conditions omitting those elements of the proposal within or immediately bounding the lake (Lough Rea SAC – Site Code 000304) and appropriate mitigation measures, would not adversely affect the integrity of European site 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 have significant positive impacts on the environment and the community in a manner consistent with the provisions of the Galway County Development Plan 2022-2028 and the Loughrea Local Area Plan 2024 – 2030. The proposal would, subject to conditions omitting those elements of the proposal within or immediately bounding the lake (Lough Rea SAC – Site Code 000304) and appropriate mitigation measures, not have significant negative effects on the environment, would result in an enhancement of public amenities in the area, would not adversely impact on the landscape, cultural or archaeological heritage of the area, would not interfere with the existing land uses in the area and would result in improved traffic and pedestrian 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, received by An Coimisiún Pleanála on the 27<sup>th</sup> day of September 2024 as amended by plans and particulars received 18<sup>th</sup> day of July 2025, except as may otherwise be required in order to comply with the following conditions.

**Reason:** In the interest of clarity.

2. The proposed development shall be amended as follows:

(a) The following elements of the proposed development within or immediately bounding the lake (Lough Rea SAC – Site Code 000304) shall be omitted:

- (i) Repair of existing slipway to provide launching point for kayaks and stand-up paddle boards
- (ii) Provision of a circular viewing deck to the south of the existing pier
- (iii) Alteration of the lake edge, including the existing beach area, and provision of a deck, steps and ramp to water's edge and beach area

(b) Following consultation with Inland Fisheries Ireland, details of which shall be made available on the public file, provision shall be made for the incorporation of a biosecurity/information station into the proposal

(c) A final project layout, design and schedule of mitigation measures, having regard to the above amendments, shall be placed on the public file and kept as part of the public record.

**Reason:** To protect the integrity of European Sites.

3. Subject to compliance with condition number 2 above, all of the mitigation measures contained in the submitted Natura Impact Statement (NIS), shall be fully implemented.

**Reason:** To protect the integrity of Lough Rea Special Area of Conservation – Site Code 000304.

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 Construction Environmental Management Plan (CEMP), incorporating all mitigation measures indicated in the Natura Impact Statement and Ecological Impact Assessment and shall demonstrate proposals adhere to best practice and protocols. The CEMP shall include:
  - (a) a programme of works setting out the extent and duration of restrictions on public access to the subject site,
  - (b) a construction traffic management plan;
  - (c) the location, extent and layout of construction compounds to be installed on site; and
  - (d) the location and extent of silt fencing to be installed on site.

**Reason:** In the interest of protecting the environment and the European Site.

5.
  - (a) The site shall be landscaped, using native species from local stock.
  - (b) Amenity grassland shall be subject to minimalised or eliminated fertilisation regimes.

**Reason:** In the interest of biodiversity, the proper planning and sustainable development of the area and to ensure the protection of the adjacent European site.

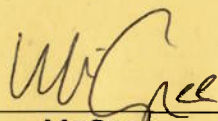
6. (a) The local authority shall engage a suitably qualified archaeologist, licensed under the National Monuments Acts, to monitor all site clearance works, topsoil stripping and groundworks associated with the proposed development.
- (b) Prior to the commencement of development, the archaeologist shall consult with and forward to National Monuments Service a method statement for written agreement.
- (c) Should archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the National Monuments Service, regarding appropriate mitigation.
- (d) The local authority shall facilitate the archaeologist in recording any remains identified and any further archaeological mitigation requirements specified by the National Monuments Service.
- (e) Following the completion of all archaeological work on site and any necessary post-excavation specialist analysis, the National Monuments Service shall be furnished with a final archaeological report describing the results of the monitoring and any subsequent required archaeological investigative work/excavation required.

**Reason:** To ensure the continued preservation [either in situ or by record] of places, caves, sites, features or other objects of archaeological interest

**Planning**

**Commissioner:**

**Date:** 14/05/2025



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Liam McGree