

An
Coimisiún
Pleanála

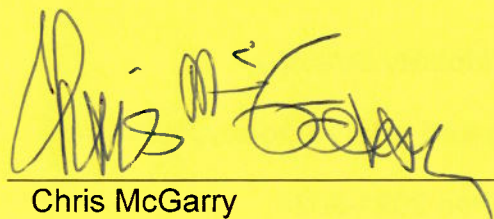
Direction
CD-020758-25
ABP-321776-25

The submissions on this file and the Inspector's report were considered at a meeting held on 23/09/2025.

The Commission decided to approve the proposed road development generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Planning

Commissioner:


Chris McGarry

Date: 23/09/2025

DRAFT WORDING FOR ORDER

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 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.

In coming to its decision, the Commission had regard to the following:

European legislation, including of particular relevance;

- Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as amended by 2009/147/EC (Birds Directives) which set the requirements for Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union,
- Directive 2011/92/EU (The Environmental Impact Assessment Directive) as amended by Directive 2014/52/EU as implemented by Article 94 and Schedule 6 (paragraphs 1 and 2) of the Planning and Development Regulations 2001,
- 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, and,
- the Sustainable and Smart Mobility Strategy.

National and regional planning and related policy, including;

- the National Development Plan 2021-2030,
- the National Planning Framework First Revision,
- Smarter Travel – A Sustainable Transport Future: A New Transport Policy for Ireland 2009 – 2020,
- the Department of Transport National Sustainable Mobility Policy, 2022,
- the Design Manual for Urban Roads and Streets, 2019,
- the Cycle Design Manual, 2023, and
- other relevant guidance documents.

Regional and local level policy, including the:

- Regional Spatial and Economic Strategy for the Northern and Western Region.

Local planning policy including;

- the Galway City Development Plan 2023-2029,
- the Galway Transport Strategy,
- the nature, scale and design of the proposed road development as set out in the application for approval and the pattern of development along the route,
- the documentation submitted by Galway City Council in support of the proposed development, including the Environmental Impact Assessment Report and the Natura Impact Statement, and the range of mitigation and monitoring measures proposed,
- the submissions and observations made to An Coimisiún Pleanála in connection with the application,
- 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, and,
- the report and recommendation of the Inspector including the examination, analysis and evaluation undertaken in relation to appropriate assessment, environmental impact assessment and proper planning and sustainable development of the area.

It is considered that the proposed development would accord with European, national, regional and local planning and that it is acceptable in respect of its likely effects on the environment and its likely consequences for the proper planning and sustainable development of the area.

Appropriate Assessment: Stage 1:

The Commission agreed with and adopted the screening assessment and conclusion carried out in the Inspector's report that the Inner Galway Bay Special Protection Area (Site Code: 004031) and the Galway Bay Complex Special Area of Conservation (Site Code: 000268), 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 submissions and observations 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 Inner Galway Bay Special Protection Area (Site Code: 004031) and the Galway Bay Complex Special Area of Conservation (Site Code: 000268), in view of the 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 Commission 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 the 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.

Environmental Impact Assessment

The Commission completed an environmental impact assessment of the proposed development, taking into account:

- (a) the nature, scale, location, and extent of the proposed development,

- (b) the Environmental Impact Assessment Report and associated documentation submitted with the application,
- (c) the submissions received during the course of the application, and,
- (d) the Inspector's report.

The Commission considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, adequately considers alternatives to the proposed development, and identifies and describes adequately the direct, indirect, secondary, and cumulative effects of the proposed development on the environment.

The Commission agreed with the examination, set out in the Inspector's report, of the information contained in the Environmental Impact Assessment Report and associated documentation submitted by the applicant and submissions made in the course of the planning application.

Reasoned Conclusion for Environmental Impact Assessment:

The Commission considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, provided information which is reasonable and sufficient to allow the Commission to reach a reasoned conclusion on the significant effects of the proposed development on the environment, taking into account current knowledge and methods of assessment. The Commission is satisfied that the information contained in the Environmental Impact Assessment Report is up to date and complies with the provisions of the European Union Directive 2014/52/EU amending Directive 2011/92/EU.

The Commission considered and agreed with the Inspectors reasoned conclusion that the main significant direct and indirect effects of the proposed development, during construction and operation, on the environment are those arising from the impacts listed below.

The main significant effects, both positive and negative, are:

Population and Human Health

- Minor, non-significant, effects are predicted during the construction phase, largely related to noise emissions and annoyance due to traffic measures.

- An improved general environment will result in less congestion, better air quality and amenity and much improved access to services and opportunities.
- Overall, the long-term effects of the proposed development on population and human health are expected to be positive and significant.

Biodiversity

- Habitat loss of Annex I lowland hay meadows due to road widening is considered to be minor. The expected land-take of Annex I habitat is estimated to be less than 1% of the total area of Annex I habitat and not considered to be significant. Monitoring of the Annex I habitat will be undertaken annually, over a period of three years. Tree planting along the bare edges will create a barrier effect.
- A number of mature trees were identified with potential roost features, some of which will be felled, and some retained. A suitably qualified bat ecologist will be present on site for any tree felling works and setting up roost protection areas for retained trees with potential roost features. Works will comply with the derogation licence granted to the local authority by the National Parks and Wildlife Service.
- Adequate mitigation measures including compensatory planting and preconstruction surveys are proposed to ensure the protection of sensitive flora and fauna encountered. Significant impacts to biodiversity can therefore be ruled out.

Water

- Negative impacts on water could arise as a result of accidental spillages of chemicals, hydrocarbons or other contaminants entering watercourses during the construction phase of the development. These impacts will be mitigated by measures outlined within the application and can therefore be ruled out.

Air and Climate

- Benefits/positive impacts on the air and climate in the operational phase as the proposed development will result in a minor decrease in emission

concentrations for all pollutants. In addition, with the potential for an increased modal shift and further decreasing car usage, there is potential for the predicted emissions to be lower.

- Negative impacts during construction relate to the embodied carbon of construction materials, however the construction phase represents a significantly small percentage of the sectoral emission ceilings and when annualised over the 30-year proposed development lifespan, are equivalent to 0.0004% of Ireland's total greenhouse gas emissions in 2023 and 0.001% of Ireland's non-emission trading scheme 2030 emissions target.

Noise and Dust

- During the construction phase these impacts will be mitigated through adherence to best practice construction measures in relation to dust and the use of noise abatement at sensitive locations. Significant noise impacts arise in relation to construction noise during night-time and weekend hours when thresholds are lower. Works will generally be carried out in daytime hours causing no significant effects. In the event that works are required during night-time or weekend hours, liaison with residents in this regard and the use of noise abatement will reduce the level of impacts.
- Noise disturbance from the operation of the development can be ruled out, electric bus fleet and less cars will have a positive impact on operational noise.

Traffic

- Negative traffic impacts arise during the construction phase of the development; these impacts will be mitigated through the implementation of a traffic management plan and a construction management plan. Whilst some localised impacts arising from road closures may arise, significant impacts arising from traffic can be ruled out.
- In the operational phase there is a positive, significant and long-term impact in terms of people movement by sustainable modes including significantly reduced bus journey times.

The Environmental Impact Assessment Report has considered that the main significant direct and indirect effects of the proposed development, during

construction and operation, on the environment would be primarily mitigated by environmental management measures, as appropriate. The Environmental Impact Assessment Report has considered that the main significant direct and indirect and cumulative effects of the proposed development on the receiving environment. Following mitigation, no residual significant long-term negative impacts on the environment or sensitive receptors would occur.

Having regard to the above, the Commission is satisfied that the proposed development would not have any unacceptable direct or indirect effects on the environment. The Commission is satisfied that the reasoned conclusion is up to date at the time of making the decision and that the information contained in the Environmental Impact Assessment Report complies with the provisions of Article 3, 5 and Annex (IV) of the European Union Directive 2014/52/EU.

Proper Planning and Sustainable Development:

The proposed road development would deliver a key component of Galway City Council's BusConnects programme with the stated aim to improve bus services across the city. It would also provide safer infrastructure for pedestrians and cyclists and would deliver sustainable connectivity and integration with other transport services. The public realm along the bus corridor would also be improved. The Commission considered that the proposed road development, subject to compliance with the conditions set out below, would be in accordance with national, regional and local planning policies, including multiple policies and objectives set out in the Galway City Development Plan 2023-2029 and having regard to all relevant provisions, including zoning objectives, at or adjoining the overall scheme area. It is further considered that the need, justification and purpose of the proposed road development has been adequately demonstrated, that it is acceptable in terms of its likely effects on the environment and that an approval for the proposed road development would be consistent with national climate ambitions and with the relevant provisions of the Climate Action Plan 2024 and Climate Action Plan 2025 through the delivery of an efficient, low carbon and climate resilient public transport service, which supports the achievement of Ireland's emission reduction targets. The

proposed road development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed 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 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 proposed development shall be amended in the vicinity of Flannery's Hotel and Galwegians Rugby Football Club, with the bus stop relocated to land adjacent to the Galwegians Rugby Football Club as per Figure 2-13 to Figure 2-16 as detailed in Galway City Council's response on the submissions and objections, received on the 17th day of June 2025. Final drawings detailing this amendment shall be placed on the public file.

Reason: In the interest of orderly development and protecting the visual amenities of the area.

3. The mitigation measures and monitoring commitments identified in the Environmental Impact Assessment Report, and other plans and particulars submitted with the application shall be carried out in full.

Reason: In the interest of clarity and protection of the environment during the construction and operational phases of the proposed development.

4. The mitigation and monitoring measures identified in the Natura Impact Statement submitted with the application shall be implemented in full.

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

5. Prior to the commencement of development, the applicant shall make available and hold on record an Invasive Species Management Plan, which includes details of a pre-construction survey, to be carried out. The plan shall include full details of the eradication of such invasive species from the development site prior to construction or if discovered during construction as soon as is practicably possible.

Reason: In the interests of nature conservation and mitigating ecological damage associated with the development.

6. 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.

7. A suitably qualified ecologist shall be retained by the local authority to oversee the site set up and construction of the proposed development and implementation of mitigation measures relating to ecology. The ecologist shall be present during the works. 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.

8. Prior to commencement of development, the local authority, and/or any agent acting on its behalf, shall prepare in consultation with the relevant statutory agencies, an updated Construction Environmental Management Plan (CEMP), incorporating all mitigation measures indicated in the Natura Impact Statement and Environmental Impact Assessment Report and a demonstration of proposals to adhere to best practice and protocols. The updated CEMP shall also include details of intended construction practice for the development, including hours of working, compound/works area lighting, noise management measures and surface water management proposals. The construction of the development shall be constructed in accordance with the updated CEMP.

Reason: In the interests of protecting the environment, the landscape, the integrity of European Sites and sensitive receptors and in the interest of public health.

9. (a) All mitigation measures in relation to archaeology and cultural heritage as set out in Chapter 15 of the Environmental Impact Assessment Report shall be implemented in full, except as may otherwise be required in order to comply with the conditions of this Order.
- (b) A project archaeologist shall be appointed to oversee and advise on all aspects of the scheme from design, through inception to completion.
- (i) The project archaeologist shall liaise with the Department of Housing, Local Government & Heritage and the local authority 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.
- (ii) This shall include the scope of any archaeological monitoring as well as any additional mitigation measures that may be required to protect archaeological heritage.
- (c) 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 Chapter 15 of the Environmental 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.

- (d) The local authority and the Department of Housing, Local Government 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. All resulting and associated archaeological costs shall be borne by the local authority.

Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

- 10. Prior to the commencement of any works associated with the development hereby permitted, the local authority shall make available a Construction Traffic Management Plan and a Construction Stage Mobility Management Plan for the construction phase of the development. The Construction Stage Mobility Management Plan shall promote the use of public transport, cycling and walking by personnel accessing and working on the construction site. The Construction Traffic Management Plan and Construction Stage Mobility Management Plan shall be implemented in full during the course of construction of the development.

Reason: In the interest of traffic safety and promoting sustainable travel during the construction period.

- 11. The contractor shall ensure that drainage arrangements, including the attenuation and disposal of surface water, comply with the requirements of Galway City Council for such works in respect of both the construction and operation phases of the proposed development.

Reason: In the interests of environmental protection and public health.

12. The contractor shall monitor queuing time / delays at each works location and record traffic flows on the local road network at locations to be agreed with Galway City Council. Such monitoring information shall be provided in a report to the road authority on a weekly basis.

Reason: In the interest of orderly development.

13. Prior to the replacement of trees, hedging and planting which is to be removed, Galway City Council shall liaise with the relevant landowner with regard to the species, size and location of all replacement vegetation. Galway City Council shall also employ the services of an appropriately qualified arboriculturist and Landscape Architect for the full duration of the proposed works to ensure landscaping and tree works are implemented appropriately.

Reason: In the interests of visual and residential amenity.

14. Tree protection measures, where required, for all existing trees to be retained shall be put in place prior to the commencement of development or phases of development.

Reason: In the interest of the protection of biodiversity.

15. All details of soft landscaping shall be available and held on record by the road authority prior to implementation.

Reason: In the interest of orderly development.

16. Comprehensive details of the proposed public lighting system to serve the proposed scheme shall be available and held on record by the road authority, prior to commencement of development.

Reason: In the interests of public safety and visual amenity.