



An
Bord
Pleanála

S. 4(1) of Planning and Development (Housing) and Residential Tenancies Act 2016

Inspector's Report

ABP-303846-19

Strategic Housing Development

Student accommodation with 674 no. bedspaces with commercial/retail space.

Location

NUI Galway Northern Campus, Dangan, Upper Newcastle, Galway City.

Planning Authority

Galway City Council

Applicant

NUI Galway

Prescribed Bodies

Department of Culture, Heritage and the Gaeltacht

Irish Water

Transport Infrastructure Ireland

Observer(s)

No observers

Date of Site Inspection

21st May 2019

Inspector

Erika Casey

Contents

1.0	Introduction	4
2.0	Site Location and Description	4
3.0	Proposed Strategic Housing Development.....	4
4.0	Planning History	7
5.0	Section 5 Pre Application Consultation.....	8
6.0	Relevant Planning Policy	12
7.0	Third Party Submissions	16
8.0	Planning Authority Submission	16
9.0	Prescribed Bodies	21
10.0	Assessment.....	24
11.0	Recommendation	57
12.0	Reasons and Considerations	57
13.0	Conditions	58

1.0 Introduction

- 1.1 This is an assessment of a proposed strategic housing development submitted to the Board under Section 4(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016. The application was received by the Board on the 28th of February 2019 from NUI Galway.

2.0 Site Location and Description

- 2.1 The subject site is located on NUIG lands, west of the River Corrib. The site, which is largely scrubland, comprises c. 5.73 ha of which, c. 2.26 ha is the proposed development footprint with the remainder proposed as a Biodiversity Enhancement Area. The proposed enhanced biodiversity site is located outside the boundary of the Lough Corrib SAC which is located further to the north/northwest.
- 2.2 The site is part of the Northern Campus of NUIG. It is adjoined to the north by scrubland and the Corrib River with a greenway/pathway running along the northern boundary of the site. To the south and west, the site is adjoined by the existing Corrib Village student accommodation and the newly constructed student accommodation scheme known as Goldcrest Village.
- 2.3 The recently constructed Biomedical Science Research Building and Life Sciences Building are located to the south and south east of the site. The NUIG park and ride facility accommodating c.500 cars and the bus terminus are located to the northwest. The IDA Business Park and NUIG Sports Pavilion are located c. 200 metres and 400 metres respectively west of the proposed site. To the immediate east of the site, there is a recorded monument (unclassified ringfort). Access to the campus is from the Upper Newcastle Road which serves the northern campus, with the site accessed from the internal road network.

3.0 Proposed Strategic Housing Development

- 3.1 The development provides for the construction of a student accommodation scheme comprising 125 no. apartments with 674 no. bed spaces arranged as 85 units of 6 ensuite bedrooms, 4 units of 5 ensuite bedroom and 36 units of 4 ensuite bedrooms, together with all ancillary facilities including communal areas and facilities, multi-purpose spaces, ancillary office/reception accommodation, internal plant/service

rooms, general and refuse storage and a maintenance/workshop area (gross external floor area 23,858 sq. metres).

- 3.2 The proposed accommodation is arranged in 4 no. blocks which vary in height from 4 to 8 storeys. A commercial/retail space of 325 sq. m. is provided in Block A.
- 3.3 The development will include site landscaping and boundary treatment, footpath and cycle links to the campus network, building signage, connections to services and all associated works. A dedicated Biodiversity Enhancement Area, outside the construction footprint will be managed to enhance biodiversity.
- 3.4 The development provides for changes to the NUIG internal road network including provision of an access road, a pick up/drop off area and coach set down area.
- 3.5 It is intended that general car parking will be provided at the existing Park and Ride facility adjacent to the site with 7 no. accessible parking bays, 4 no. parking bays associated with the commercial/retail development and a delivery set down area provided on site. A total of 376 no. bicycle parking spaces (310 no. spaces for students, 63 no. visitor spaces and 3 no. bicycle spaces to serve the commercial/retail space) are proposed. The development also includes connections to services and all associated works.
- 3.6 The proposed development will also be available for short term visitor letting during the summer months.

Development Parameters Summary

Parameter	Site Proposal
Application Site	5.73 ha of which, c. 2.27 is development footprint with remainder includes Biodiversity Enhancement Area.
Area of Development	Gross Floor Area 23,85 sq. m. (external) 4 Blocks
No. of Apartments	125 comprising: 85 no. 6 bed apartments 4 no. 5 bedroom apartments 36 no. 4 bed apartments

No. of Bedspaces	674
Other Uses	Student Services – 522 sq. m. in Block C Retail/ Commercial Unit – 325 sq. m. in Block A Ancillary (stores, laundry, workshop) – 263 sq. m. dispersed
Car Parking	7 accessible bays 4 bays for commercial/retail development Plus access to park and ride
Bicycle Parking	376 spaces (310 for students, 63 visitor spaces, 3 spaces for retail/commercial unit)
Vehicular Access	From internal access road
Density	55.01 units per ha on 2.27 hectares
Height	4 to 8 storeys
Open Space	Series of courtyards within blocks

3.4 In addition to the architectural and engineering drawings, the application was accompanied by the following reports and documentation:

- Cover Letter
- Prescribed Bodies Letters
- Application Form
- Statutory Notices
- Statement of Response Report
- Planning Report and Statement of Consistency
- Environmental Impact Assessment Screening Report
- Ecological Impact Assessment
- Construction and Operational Waste Management Plan
- Natura Impact Statement
- Archaeological and Test Trenching Impact Assessment
- Noise Impact Assessment
- Site Specific Flood Risk Assessment

- Engineering Planning Report
- Traffic, Transport and Roads Report
- Outline Construction Management Plan
- Architectural and Urban Design Report
- Landscape Design Report
- Utilities Report
- Sustainability Report
- External Lighting Design Intent

4.0 Planning History

4.1. Subject site

4.1.1 There is no planning history pertaining to the subject site.

4.2. On NUIG Lands

4.2.1 There have been a number of planning applications on the wider NUIG lands which are summarised below:

Ref.15/221 (ABP-PL61.246079) - Permission granted by the Board in May 2016 to NUIG for student accommodation comprising 429 bedspaces in 57 units in 5, 4 & 3 storey blocks on campus with the accommodation also proposed for short-term letting during summer months.

Ref. 11/121: Permission was granted in August 2011 for the three and four storey Life Course Studies Building and associated development with access of the Newcastle Road through the access road to Corrib Village.

Ref. 09/133: Permission was granted in October 2009 for the four storey Science Research building with access from the Corrib Village Access Road.

PL61.232557/ Ref. 08/539: The Planning Authority decision to grant permission for a residential development of forty units to NUIG was overturned following a third party appeal in October 2009. The reason for refusal related to conflict with the designation and zoning of the lands according to the Development Plan for institutional use for the future use of the university facilitating the long term strategic development of the campus.

Ref. 07/475: Permission was granted in March 2008 for the park and ride facility on the northern NUIG campus to include 500 spaces with access from the entrance to the Corrib Village.

PL61.204700/Ref. 03/410: The Planning Authority decision to grant permission for further student accommodation development including social and commercial buildings, tennis courts and roads and services was upheld following appeal in February 2004. The development was not implemented.

Refs.91/848 and 92/213. Permission was granted in February 1992 and May 1992 for additional student accommodation at the Corrib Village.

Ref. 89/820: This is the original grant (December 1989) of planning permission for 109 student apartments and staff housing. This was the initial Corrib Village development.

4.3. **Other Student Accommodation Developments**

ABP-301693-18 – Permission granted by the Board in September 2018 for 394 bedspaces within 63 apartments at the site of the Westwood House Hotel.

PL61.246807 (Ref. 16/40) – Permission granted in October 2016 for redesign and change of use of 3 storey office building over basement car park to provide 4 storey building over basement car park comprising 77 student and self-catering holiday apartment suites. This site is located at Sandyfort Business Centre, Bohermore.

PL61.247406 (Ref. 16/156) – Permission granted in February 2017 for a five storey block of managed student accommodation (147 bedspaces/46 units) modifying/ superseding previously permitted apartments under planning register reference 13/306 at Fairgreen Road.

ABP-300613-18 (Ref. 17/21) – Permission granted by the Board in August 2018 for predominantly student accommodation scheme (c. 10,747 sq. m.) provided in 2 blocks (consisting of a total of 345 no. bedrooms) at Queen Street/Dock Road.

5.0 **Section 5 Pre Application Consultation**

5.1. **Notice of Pre-Application Consultation Opinion – Ref. ABP-302127**

5.1.1 A notice of pre-application consultation opinion was issued by the Board on 17.07.2018 under Section 6(7) of the Planning and Development (Housing) and

Residential Tenancies Act 2016 following the submission of the application request on 17.09.2018.

5.1.2 The notice of Pre-Application Consultation Opinion states that the Board has considered the issues raised in the pre-application consultation process and, having regard to the consultation meeting and the submission of the Planning Authority, is of the opinion that the documents submitted with the request to enter into consultations **require further consideration and amendment to constitute a reasonable basis for an application for strategic housing development.** The matters included are as follows:

1. Density and Height

Further consideration and/or justification of the documents as they relate to the proposed density and height of the proposed development specifically in relation to, inter alia, the National Planning Framework 2040, Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (May 2009) and the recently published Urban Development and Building Heights, Guidelines for Planning Authorities Consultation Draft, August 2018. Particular regard should be had to the need to secure compact urban growth and consolidation and achieve effective density in addition to the need to ensure that the proposed building heights provide the optimal urban design and architectural solution for this site. The further consideration of these issues may require an amendment to the documents and/or design proposals submitted at application stage.

2. Internal Layout and Configuration

Further consideration and/or justification of the documents as they relate to the internal layout of the proposed development, having particular regard to the quantum, distribution and compatibility of communal facilities and their location within the overall development and the provision of a greater range of communal spaces. The further consideration of these issues may require an amendment to the documents and/or design proposals submitted at application stage.

Specified Information

5.1.3 The following specific information was also requested:

1. A detailed layout plan and report outlining the proposed pedestrian and cycle connectivity within and around the campus.
2. A report that specifically addresses the proposed materials and finishes of buildings, landscaped areas and any screening/boundary treatment. Particular regard should be had to the requirement to provide high quality and sustainable finishes and details which seek to create a distinct character for the development whilst also complementing the design of adjoining developments within the campus.
3. A layout plan that details the location and appropriate quantity of bicycle parking spaces within the site.
4. A phasing plan for the proposed development, including the delivery of key infrastructure such as the internal road/boulevard.

5.2 Applicant's Statement

5.2.1 Article 297(3) of the Regulations provides that where, under Section 6(7) of the Act of 2016, the Board issued a notice to the prospective applicant of its opinion that the documents enclosed with the request for pre-application consultations required further consideration and amendment in order to constitute a reasonable basis for an application for permission, the application shall be accompanied by a statement of the proposals included in the application to address the issues set out in the notice.

5.2.2 In report titled "Statement of Response to Notice of Pre Application Consultation Opinion" submitted with the application, the applicant's agent outlines a response to the matters specifically required by the Board which is summarised as follows:

Item 1: Density and Height

- The development footprint of the scheme submitted to the Board under Section 5 of the Act comprised 85 apartments which equated to a density of 31.76 units per ha. The revised scheme comprises 125 apartments with 674 bed spaces and an area of 23,858 sq. metres. The development footprint of the revised scheme has been reduced to 2.272 ha which equates to a density of 55.014

units per ha. The height of the scheme has been increased from 4 to 5 storeys to 4 to 8 storeys.

- Notes that the taller section of Block A presents itself as a landmark building at the end of the masterplan route and key marker of the entire development. Consider the proposal is in compliance with all relevant guidance including the NPF, the Guidelines for Planning Authorities in Sustainable Residential Development in Urban Areas and the Urban Development and Building Heights Guidelines for Planning Authorities.

Item 2: Internal Layout and Configuration of Communal Facilities

- The proposal shows an increase in the amount of amenity space to approximately 500 sq. m. by providing communal areas in Block D and C. Block C will be a flexible and bookable communal space for students during term time and will accommodate community activities during the evenings in summer terms. Block D will accommodate a mixed use and group study area. The proposed design also incorporates commercial/retail unit on the ground floor of Block A.
- An outdoor learning space and active recreation area will also provide further outdoor amenity space.
- In addition to the public communal area, each apartment unit also provides a living/kitchen/dining area.

Specified Information

- In relation to pedestrian and cycle connectivity, this item is addressed in section 3.2.6 and 3.2.8 of the Architectural Design Report. A statement of compliance with DMURS is also provided.
- In terms of materials/finishes and landscaping plan, this has been addressed in section 3.3.3 to 3.3.14 of the Architectural and Urban Design Report. The proposed landscaping finishes are detailed in the Landscape Architects Design Report.
- A site plan of bicycle parking spaces is addressed in Section 3.2.5 of the Architectural and Urban Design Report.
- With regard to the phasing plan of delivery of key infrastructure, this is addressed in section 3.2.2 of the Architectural and Urban Design Report.

6.0 Relevant Planning Policy

6.1. Project Ireland 2040 - National Planning Framework

6.1.1. The recently published National Planning Framework includes a specific Chapter, No. 6, entitled 'People Homes and Communities'. It includes 12 objectives among which Objective 27 seeks to ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages. Objective 33 seeks to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location. Objective 35 seeks to increase densities in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

6.2. Section 28 Ministerial Guidelines

6.2.1. 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 directly relevant S.28 Ministerial Guidelines are:

- 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual').
- 'Design Manual for Urban Roads and Streets' (DMURS).
- 'The Planning System and Flood Risk Management' (including the associated 'Technical Appendices').
- Framework and Principles for the Protection of the Archaeological Heritage (1999).
- Urban Development and Building Heights, Guidelines for Planning Authorities Consultation Draft August 2018.

6.2.2 The following documents are also considered relevant:

- Dept. of Education and Skills 'National Student Accommodation Strategy' (July 2017).

- ‘Report on Student Accommodation: Demand and Supply’ published by the Higher Education Authority in 2015.
- Dept. of Education and Science ‘Guidelines on Residential Developments for 3rd Level Students Section 50 Finance Act 1999’ (1999).
- Dept. of Education and Science ‘Matters Arising in Relation to the Guidelines on Residential Developments for 3rd Level Students Section 50 Finance Act 1999.’ (July 2005).

6.3 Local Planning Policy

Galway City Council Development Plan 2017-2023

Zoning

- 6.3.1 The site is zoned **CF** the objective of which is *“to provide for and facilitate the sustainable development of community, cultural and institutional uses and development of infrastructure for the benefit of the citizens of the city”*.
- 6.3.2 The plan refers to the following in respect of uses which may contribute to the zoning objective depending on the CF location and scale of proposed development:
- “Additional uses, which are allied to/or have an established supporting relationship with the primary use on lands in the NUIG and GMIT campus such as collaborative activities with industry and student accommodation”*.

Student Accommodation

- 6.3.3 The CDP includes specific policy support in Policy 2.2 stating *“support for the development of third level student accommodation both on campus and through private student accommodation schemes”*. Section 11.29 of the Plan deals with Student Accommodation and states that the City Council supports the provision of high quality, professionally managed, purpose built student accommodation on/off campus at appropriate locations in terms of access to sustainable and public transport modes and third level institutes, in a manner that respects the residential amenities of the surrounding area.
- “Student accommodation should be designed to be attractive, accessible, safe, and minimise adverse impacts on the surrounding area while creating mixed, healthy and inclusive communities. The nature, layout and design of the development should be*

appropriate to its location and context and should not result in an unacceptable impact on local character, environmental quality or residential amenity. Proposals should be designed to be safe and secure for their occupants whilst respecting the character and permeability of the surrounding area. An appropriate management plan should be part of student accommodation applications to minimise potential negative impacts from occupants and the development on surrounding properties and neighbourhoods and to create a positive and safe living environment for students. Adequate open space of suitable orientation should be provided within developments.

Proposals for student accommodation should comply in general with the design standards promoted in the Guidelines on Residential Development for Third Level Students (DES 1999), the subsequent supplementary document (2005) and the Student Accommodation Scheme, (ORC 2007) unless superseded by new standards. Alternative design standards will be required to show that they are adapted from other international standards and prevailing best practice.

When assessing planning applications for student accommodation consideration will be given to the following:

- The location and accessibility to educational facilities and the proximity to existing or planned public transport corridors and cycle routes;*
- The potential impact on local residential amenities;*
- Adequate amenity areas and open space;*
- The level and quality of on-site facilities, including storage facilities, waste management, bicycle facilities, leisure facilities, car parking and amenity;*
- The architectural quality of the design and also the external layout, with respect to materials, scale, height and relationship to adjacent structures. Internal layouts should take cognisance of the need for flexibility for future possible changes of uses;*
- The number of existing similar facilities in the area. In assessing a proposal for student accommodation the Council will take cognisance of the amount of student accommodation which exists in the locality and will resist the over-*

concentration of such schemes in any one area, in the interests of sustainable development and residential amenity.

- *Details of the full nature and extent of use of the proposed use of the facilities outside of term time.*
- *Consideration regarding compliance with Part V arrangements for social housing will not be required where the accommodation is for student accommodation of a recognised third level institution.*
- *All permissions for student accommodation shall have a condition attached requiring planning permission for a change of use from student accommodation to other types of accommodation. Future applications for change of use will be resisted except where it is demonstrated that continuing over-provision of student accommodation exists in the city.”*

6.4 Applicant’s Statement of Consistency

6.4.1 The applicant has submitted a Statement of Consistency as per Section 8(1)(iv) of the Act of 2016, which indicates how the proposal is consistent with the policies and objectives of Section 28 guidelines and the City Development Plan. The following points are noted:

- The proposed development comprises the second phase of the University’s overall masterplan and will deliver 674 student bed spaces. The strategic plan for the campus recognises the need for complementary services including additional on campus student accommodation. The need for such accommodation is also supported in the “*Report on Student Accommodation: Demand and Supply*” prepared by the HEA in 2015 and the recently published “*National Student Accommodation Strategy*” (Department of Education and Skills, July 2017). The development will provide much needed accommodation which will support the overall objectives of Rebuilding Ireland and the National Student Accommodation Strategy to provide additional student accommodation, which is a key priority in addressing the housing crisis.
- The project design was constrained from the outset. The development was designed to minimise impacts on sensitive habitats. The scheme includes a Habitat Management Plan which was developed in collaboration with NUIG’s Centre of Environmental Science.

- The shared surfaces in the scheme have been designed in accordance with DMURS. The access to the site has been designed to minimise the volume of vehicular traffic entering the shared surface masterplan route.
- The proposed development is consistent with the overall objectives of the Building Height Guidelines to maximise the opportunity of infill sites at sustainable densities to facilitate the compact growth of the urban area.
- The site is partially located on Flood Zone B with the majority of the site falling within Flood Zone C. There will be some residential units based on the ground floor within Flood Zone B. The finishes floor levels to these units will be well above the 0.1% flood level including an allowance for climate change and an appropriate freeboard. The proposed development will not increase the risk of flooding elsewhere as the proposed surface water network manages run off during a 1 in 100 year storm with no flooding of the network.
- Consider that the development is compatible with the zoning objective pertaining to the site and complies with the criteria set out in the Table 11.9 of the plan regarding student accommodation developments. The development provides for the creation of a high quality, professionally managed student accommodation development to serve the existing and future needs of the City's university population.

7.0 **Third Party Submissions**

7.1 No third party submissions received.

8.0 **Planning Authority Submission**

8.1 **Overview**

8.1.1 The Planning Authority, Galway City Council has made a submission in accordance with the requirements of Section 8(5)(a) of the Act of 2016 which was received by the Board on the 25th of April 2019. The planning and technical analysis in accordance with the requirements of Section 8(5)(a)(ii) and 8(5)(b)(i) may be summarised as follows.

8.2 **Planning Opinion**

- It is considered that the land use zoning objectives of the site allows for consideration for student accommodation. Purpose built student housing is a

use supported in the GCDP in the context of residential policy. Purpose built student accommodation is seen as a form of residential development that can relieve the pressure for housing and such provision can consequently allow existing properties to be repatriated to the more conventional use of housing, this is a positive for the housing market.

- The development is considered to be a welcome expansion of student accommodation within the city. The proposal has the advantage of being located on campus and will supplement the extent of accommodation available to service the student population.
- Overall the architectural quality including design, form, layout and scale are all acceptable. This campus area has no specific design references other than scale to which the proposals will marry in comfortably. Rehabilitation and management of the Annex 1 adjacent site is considered very complementary to the scheme and will also accord with the policies on such habitats as provided for in the GCDP. The design is seen to be of high standard with a capacity to link in with the layout of the overall campus. The Planning Authority would see the proposal as satisfying the standards required as expressed in Policy 11.29 subject to the finer detailing of the materials being agreed.
- It is considered that the phase 1 and 2 of the student accommodation will bring more discipline and legibility to the area. It is important that the masterplan link road delivery is secured and developed in advance or concurrently with the proposed development.
- It is considered that the proposed quantum of accommodation is warranted and the existing location is acceptable having regard to the scale of student population in the city. Notes permissions granted for student accommodation in the City. States that despite this delivery, there remains a demand for student accommodation in the city, particularly for suitable purpose built accommodation close/within walking distance to the 3rd level institutes.
- Being located on campus enables the use of sustainable means of transport. In addition, it is located close to a GCDP objective for a proposed high frequency GTS bus route on the main N59 road. It should be conditioned that the P & R is not available for use by student residents on campus and should be discouraged and reserved for necessary commuting patrons of NUIG. The

capacity and timing of the shuttle bus needs to be conditioned with respect to academic scheduling including late study times in the main library.

- It is not considered that the development will have a negative impact on adjacent residential amenity. A management regime with active participation from NUIG included in the management control can ensure a satisfactory relationship with the area. Additional campus accommodation may reduce nuisance elsewhere within the residential estates in the Newcastle. Attenuation measures set out in the Noise Impact Assessment are satisfactory.
- It is considered that the layout provides for adequate internal spaces and a high standard of external courtyard space which affords opportunities for a number of activities. The landscaping is acceptable and seen to complement the adjoining amenity areas of high ecological value and provide for a good contextual setting. It may be appropriate to ensure by condition the availability of active sports facilities in the vicinity. This might be linked with the masterplan strategy for run routes or dedicating space for informal kick about. Timetabling of use too should be shown to ensure availability as the shock loading of a new significant student population 24/7 on to the campus may constrain these.
- The provision of ancillary and retail facilities on site is considered appropriate and acceptably integrated. The arrangements for waste, storage administration support are all considered acceptable.
- The breakdown of student apartments is comparable to Phase 1 and is acceptable and does not constitute over concentration in either the campus or the general area. The use for tourist/out of term is deemed acceptable both from a sustainable use of the buildings and the offer it provides for tourist accommodation. The development includes for an appropriate level and standard of incidental car parking and cycle parking.
- Note that it is difficult to see how the in combination effects of the greenway being an indicative objective should be included fully in the NIS for the current project. The Planning Authority accept the conclusions of the NIS.
- The proposed enhanced ecological site includes Annex 1 habitat but is outside of the adjacent European sites. In view of this, it is noted that the design of the proposed development has been constraints led, in particular with regard to

sensitive ecology on the overall site. The points raised by the NPWS are noted. However, the Planning Authority are generally satisfied with the level of detail included in the EclA. It is considered very comprehensive and diligently prepared noting direct engagement with NPWS as recorded in the documentation submitted.

- It is noted that the Habitats Management Plan specifically notes the information relates to surveys from 2016-2018 thereby, incorporating observations relating to the passage of time, which shows no significant change of status. Map 4.2 cumulatively demonstrates the built footprint in relation to the Annex 1 habitat and other ecological constraints and this is deemed acceptable. It is noted that the habitat for the intended construction site is described and supported by photographic illustrations and concludes that the built elements are proposed in the area of lowest ecological significance. The mitigation measures regarding bats is considered acceptable subject to conditions relating to the illumination management and additional planting and enhanced bat habitat measures.
- In general the EclA is deemed acceptable and welcome, particularly in the context of the function of the applicant where ownership and investment in enhancement of the biodiversity has a specific value in education and there is confidence that this will be delivered and managed to create and enhanced level of biodiversity.
- It is suggested that further clarification of exact arrangements for site compound, parking and all ancillary construction works in addition to environmental monitoring needs to be included for by condition.
- The proposed development will not increase the risk of flooding elsewhere as the proposed surface water network manages run off arising during a 1 in 100 year storm with no flooding of the network. The Planning Authority are satisfied that the risk assessment has been carried out appropriately and that the conclusions are satisfactory.
- The proposed project was subject to a screening report for EIA which concluded that the proposed development is not a development for which EIA is mandatory or one where the environmental impacts are such that a sub threshold EIA would be warranted. Consideration of the site and associated

environmental assessments facilitated this screening. The conclusions are accepted.

8.3 Other Technical Reports

Transport Department

- A detailed Construction Traffic Management Plan shall be submitted to an agreed in writing. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plan and machinery and the location for storage of deliveries to the site.
- Within 6 months of the operation of the proposed facility the developer shall submit for written agreement a Mobility Management Plan.

Parks Department

- The landscape proposals are conceptual and do not align with the proposal in the context of ecological matters and the proposed Habitat Management Plan.
- Concerns regarding the provision of appropriate facilities for active recreation. Facilities should be provided in accordance with the Galway City Child Friendly Strategy.
- With regard to the Biodiversity Enhancement Area and the Habitat Management Plan Areas, suggest that a steering group composed of representatives from the Planning Authority, the NPWS and NUIG should be appointed to meet routinely to manage and oversee the project which should operate for a minimum of 5 years.
- A Bat Management Plan is required for the overall site. The management of the property should be in accordance with the National Pollinator Plan. Notes that loss of habitat that is a consequence of any development must be balanced by new ecological interventions. Areas denoted for social areas/swales should be planted with appropriate wetland species.
- There are significant amounts of hard landscape spaces provided and large expanses of exposed building walls. The applicant should be conditioned to broaden opportunities to enhance local biodiversity through adding vertical wall planting, climbers etc.

8.4 Recommendation and Conditions

8.4.1 Recommends a grant of permission subject to conditions. The Planning Authority recommends 15 conditions. Conditions are generally standard in nature. Of note are the following:

Condition 2: Prior to occupation of the student accommodation hereby approved, the developer shall construct the footpath and linkages to the main campus network in accordance with the NUIG masterplan in accordance with details to be submitted and agreed with the Planning Authority.

Condition 4: Prior to the occupation of development, the developer shall submit details to the Planning Authority for approval of the student and tourist/summer arrangements including in particular the nuisance and parking protocol, which will prohibit term time usage of the park and ride car parking other than for approved drop offs, and controls for the student/tourist accommodation hereby approved. This shall include for measures to ensure compliance with these protocols and shall provide for measures to address non-compliance.

Condition 13: Detailed condition to comply with the requirements of the Council's Recreation and Amenity Section including:

(iii) Appropriate facilities for active recreation such as exercise parks. Multi use games area for the summer holiday use should be provide in accordance with details to be submitted to an agreed by the Planning Authority.

(iv) Detail of the future management of the Biodiversity Enhancement Area and the Habitat Management Plan Area include an overarching system of accreditation to ensure matters are satisfactorily dealt.

(v) Details of Bat Management Plan.

9.0 Prescribed Bodies

9.1 Pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017 and in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, the applicant was informed that the following authorities should be notified in the event of the making of an application:

1. Transport Infrastructure Ireland
2. National Transport Authority
3. Minister for Culture, Heritage and the Gaeltacht
4. Heritage Council
5. An Taisce — the National Trust for Ireland
6. Irish Water

9.2 Submissions were received from the following prescribed bodies with a summary of the response outlined under each:

Department of Culture and the Gaeltacht (03.04.2019)

- Notes that the overall development is large in scale and lies in proximity to Recorded Monument GA082-071 Ringfort. It is possible that subsurface archaeological remains could be encountered during the construction phases that involve ground disturbance.
- Recommend that archaeological monitoring be carried out at this site and included as a condition in any grant of planning permission.
- Acknowledge the pre application consultation that took place in the context of nature conservation. Note that the site is located in an area of progressive urban development and expansion on the northern outskirts of the site, and in the vicinity of the European site, Lough Corrib SAC (000297).
- The development is to be set back from the river and the remainder of the site (3.3ha) is to a Biodiversity Enhancement Area. The plan sets out measures for the management, enhancement and monitoring of the Biodiversity Enhancement Area. This is welcomed as a positive measure for maintaining biodiversity in the area.
- If it is determined that an Appropriate Assessment is required, the Board's analysis should be undertaken on the basis of scientific evidence and data in the NIS, supplemented by other sources as necessary. The Appropriate Assessment should reach conclusions with respect to the implications of the proposed development for the conservation objectives and integrity of the site concerned, noting whether the conservation objective is to maintain or to

restore the favourable conservation conditions of the species of habitat in question. In terms of disturbance to Otter, the potential in combination effects of the proposed N6 Galway Ring Road and other transport proposals, including cycleways along the river should be addressed.

- With regard to the EclA, some details of the ecological surveys are unclear as are some of the findings. The description of the ecological baseline does not reflect the changes to the site resulting from vegetation and woodland clearance and excavations carried out in May 2018. To assess the effects of the proposed development on the ecology and biodiversity, the following is required:
 - Up to date habitat map for the application area and surrounds to show the habitat types that occur within the development footprint, including any areas that will be used on a temporary basis during construction and taking account of any changes that have arisen from clearance and excavations in 2018. This should include any areas of Annex 1 habitats on the site. Note the details of habitat types that will be impacted cannot be ascertained from the available habitat constraints map.
 - Specific details of habitat losses, noting whether losses and disturbances will be permanent or temporary.
 - Specific details of the bat survey carried out and its findings, together with an assessment of the likely effects of the proposed development on bats. The latter should include an assessment of the cumulative effects of habitat loss and fragmentation on bats in the general area.
- Consideration should be given as to whether the proposed development is consistent with the policies and objective of the Galway City Development Plan including policies 4.1, 4.2, 4.3 and 4.4.

Irish Water (08.04.2019)

- Based on the details provided by the developer and the Confirmation of Feasibility issued by Irish Water, Irish Water confirms that subject to a valid connection agreement being put in place between Irish Water and the

developer, the proposed connection(s) to the Irish Water network(s) can be facilitated.

Transport Infrastructure Ireland (06.03.2019)

- The proposed development shall be undertaken in accordance with the recommendations of the Transport (Traffic) Assessment and Road Safety Audit submitted. Any recommendations arising should be incorporated as Conditions in the Permission. If granted, the developer should be advised that any additional works required as a result of the Transport Assessment and Road Safety Audits should be funded by the developer.

10.0 Assessment

10.1. The following are the principal issues to be considered in this case:

- Principle of Development
 - Compliance with Planning Policy
 - Need for Accommodation
 - Concentration and Management of Accommodation
- Development Strategy
 - Design, Form and Layout
 - Standard of Accommodation/Internal Standards
 - Open Space and Recreational Amenity
- Impact on Residential Amenity
- Site Services and Flooding
- Transport, Parking, Pedestrian/Cycle Facilities
- Impact on Biodiversity
- Other Issues
- EIAR Screening
- Appropriate Assessment

10.2 Principle of Development

10.2.1 There are a number of matters which I propose to address in the context of the principle of the proposed development. These are addressed in turn as follows:

Compliance with Planning Policy

10.2.2 The site is subject to the zoning objective CF: *“to provide for and facilitate the sustainable development of community, cultural and institutional uses and development of infrastructure for the benefit of the citizens of the city”*.

10.2.3 The plan refers to the following in respect of uses which may contribute to the zoning objective depending on the CF location and scale of proposed development:

*“Additional uses, which are allied to/or have an established supporting relationship with the primary use on lands in the NUIG and GMIT campus such as collaborative activities with industry and **student accommodation**”* (my emphasis).

10.2.4 The Plan also includes a number of policies and objectives regarding student accommodation, including Policy 2.2 stating *“support for the development of third level student accommodation both on campus and through private student accommodation schemes”*.

10.2.5 The proposed development will provide additional student accommodation within the NUIG campus. I am satisfied that the development will provide a complementary facility and service for the educational institution and is in compliance with the zoning and policy objectives pertaining to the site.

10.2.6 Section 11.9 of the City Plan sets out a number of criteria which student accommodation developments must comply. The applicant has set out in Table 9 of the ‘Statement of Consistency’ how the development meets these criteria. In summary:

- The subject site is located on the NUIG campus and thus is immediately accessible to educational facilities.
- In terms of impacts to residential amenity, it is noted that the development is located c. 200 metres from the nearest residential dwelling. The development will be actively managed with on site staff and security to ensure that potential for nuisance/noise is minimised.

- Adequate amenity areas, open space and common areas will be provide for internal and external student amenity. External courtyards and outdoor active and passive amenity area are provided including amphitheatre seating between blocks A and B.
- In terms of on-site facilities including storage facilities, waste management, bicycle parking, leisure facilities, car parking and amenity, it is detailed that sufficient storage space is provided within the student accommodation units and waste management is provided for throughout the development. 310 bicycle spaces are provided in secure shelters adjacent to Block A and C to serve future occupants. Parking will be limited to 7 no. accessible parking bays and has been deliberately limited in order to promote more sustainable travel patterns.
- The development provides for a high quality scheme that respects, responds and integrates with the immediate and surrounding context.
- A full assessment of the proposal in the context of existing similar facilities in the area is provided. The development is intended to service an existing substantial shortfall in student accommodation.

10.2.7 I consider that the development is generally compliant with the objectives regarding student accommodation as set out in the City Development Plan and will provide for an appropriate on site development that will integrate with existing facilities and amenities and provide much needed accommodation for NUIG which has over 17,000 students. The development will be operated by an established management team and complement the earlier phases of accommodation on the site.

10.2.8 I note the proposal to use the accommodation for tourist accommodation outside of the academic term. This use is acceptable in principle and is considered an appropriate and sustainable use to ensure optimum occupation of the development year round. I would suggest to the Board that if they are minded to grant permission for the development that a condition is attached which restricts occupancy of the proposal to student accommodation, including use as visitor or tourist accommodation outside academic term times without a prior grant of planning permission for change of use.

Need for Accommodation

- 10.2.9 There have been a number of reports in recent years that have highlighted the need for additional student accommodation. The *Report on Student Accommodation: Demand and Supply* published by the Higher Education Authority in 2015 identified unprecedented growth in participation in higher education in recent years and states that this has placed pressure on existing infrastructure including an increasing demand for suitable student accommodation. The report notes that it is anticipated that by 2024 the total student population of Galway is expected to exceed 21,500 students and notes that the availability of campus accommodation is a prerequisite for attracting new overseas students.
- 10.2.10 The National Student Accommodation Strategy was launched in July 2017 and is described as an important action in the Government's overall plan to accelerate housing supply. The Strategy targets the construction of at least an additional 21,000 student accommodation bedspaces by 2024. This is in line with Rebuilding Ireland which sets a target to bring on-stream an additional 7,000 purpose built accommodation bed spaces by 2019. It is detailed that while there were 179,354 full-time enrolments in the 2015/2016 academic year, in terms of increased demand, the Department of Education and Skills (DES) has indicated there is potential for the number of full-time enrolments in DES aided HEIs (Higher Education Institutes) to increase by 27% by 2030.
- 10.2.11 The strategy also looks at projected supply and demand for purpose built student accommodation (PBSA) in the State and notes that for Galway, there were 3,230 bed spaces in 2017. In 2019, the supply is anticipated to increase to 3,887 units, however, there will be a demand for 6,093 bed spaces. Therefore, the excess demand will equate to 2,206 spaces. By 2024, the excess demand is anticipated to be 1,950 spaces. In this context, there is clearly a demand for additional student bed spaces both nationally and within Galway City.
- 10.2.12 As highlighted by the Planning Authority, the provision of suitable student accommodation also has the benefit of releasing conventional housing stock that may be rented to students back into the housing market. In this regard, purpose built student accommodation is seen as a form of residential development that can relieve the pressure for housing.

Concentration of Accommodation

- 10.2.13 The applicants have provided a cumulative assessment of student accommodation schemes in Galway in Appendix E of the 'Statement of Consistency'. Table 1 sets out that there are 12 existing and proposed student residences in a 3km radius. It is detailed that considering the spatial relationship between the existing and proposed sites of student accommodation, that it is unlikely there will be a significant cumulative effect from these developments. It is evident from the mapping of these existing and proposed facilities that they are spatially dispersed through the city.
- 10.2.14 The proposed development represents the third student accommodation facility on site. Corrib Village accommodates 764 students and NUIG Phase 1 accommodates 429 spaces. Having regard to the extent of the existing student population and the anticipated increases envisaged in the student population in the forthcoming years, it is considered that the development does not represent an over concentration of student accommodation on the subject site. Furthermore, the fact that the development is on campus is a key factor and will facilitate students to walk and cycle which is in accordance with the principles of sustainable development.
- 10.2.15 In conclusion, there is a demonstrable need for student accommodation in Galway and the location of the development on campus is acceptable in principle and considered in accordance with the proper planning and sustainable development of the area.

10.3 Development Strategy

Design, Form and Layout

- 10.3.1 The proposed development has been designed in line with a wider masterplan for the NUIG lands. Whilst the masterplan is not a statutory document, it has underlined various development proposals that have been delivered in recent years including the Phase 1 student accommodation. It is noted in the application however, that the development has deviated from the masterplan to address issues concerning the protected natural habitat of Annex 1 habitat zones.
- 10.3.2 A detailed rationale for the layout and massing of the development is set out in section 3.1 of the Architectural and Urban Design Report. 13 different massing options were considered. Potential impacts of height, overshadowing and

daylighting were assessed. The report indicates that a development laid out in 4 separate blocks (A to D) is the optimal solution.

- 10.3.3 Block A extends to 8 storeys and presents itself as a landmark building and a key marker of the entire development. To the west of this block, will be an outdoor amphitheatre space that can be utilised for outdoor learning and a performance area. Block C will extend to 4 storeys and provides a secure boundary to the development. Its U shaped form allows for an internal courtyard space. Both of these blocks address a new masterplan route which is located along the western edge of the site. This new route will connect the site to the surrounding buildings, wider campus, the Newcastle Road and the Park and Ride facility. Blocks A and C define the main entrance to the development and front onto a new plaza adjacent to the masterplan route. The new plaza will be punctuated by a series of architectural elements and street furniture. There will be a retail unit at the ground floor of Block A enlivening this edge. Active frontages are maintained along the masterplan route and also along the central internal boulevard dissecting the 4 blocks. The main student reception is location in Block C on the corner where the masterplan route meets the plaza.
- 10.3.4 Blocks B and D located to the rear of the site also have a U shaped configuration creating a secure boundary around the perimeter and forming courtyards within the development. These spaces will frame views through the development towards the natural biodiversity area to the northwest. Both of these blocks extend to 6 storeys in height.
- 10.3.5 For security, it is proposed that access through the site will be limited during the evening. During the evening when the development is secured, access will only be permitted through the main gate along the masterplan route which will be overlooked by a security office/reception on the ground floor of Block C. Access will be by key fob.
- 10.3.6 In terms of finishes and materials, brick will be used throughout the development. There will be a varied range of texture, colour and pattern through the development to create visual interest. Brick detailing such as recessed panels will also be used to create further variation on the façade design. Fenestration will have protruding metal surrounds and metal spandrel panels. Extensive glazing is incorporated into the

ground floor facades of Blocks A, C and D to create enhanced visual permeability. Ancillary buildings including cycle and refuse stores will have horizontal wood cladding. Reference images of this innovative treatment to these ancillary elements is set out in section 3.37 and 3.38 of the Architectural and Urban Design Report.

- 10.3.7 I consider that the design of the buildings is well considered and create a high quality edition to the urban environment. The massing and scale of the development appropriately responds to the sites context and the density makes a sustainable use of these zoned and serviced lands. The proposed materials are robust and durable and the use of different brick types colours and patterns will create a visually cohesive scheme. The internal courtyards within the scheme will be landscaped to a high standard and will create pleasant recreational zones for future occupants. Views to the biodiversity zone will be retained and the layout of the scheme affords adequate permeability and connectivity.
- 10.3.8 The applicants were specifically requested in the pre-application consultation opinion to give further consideration to height and density. I note the amendments made to the scheme in this regard including an increase overall to the height of three of the blocks including an 8 storey block which will provide a visual marker within the scheme. I am satisfied that the height and scale proposed are an appropriate design response to the site. Furthermore, a detailed landscape and visual impact assessment is submitted with the application. This includes an assessment of the development from a number of protected views listed in the City Development Plan. In terms of landscape effects, the overall predicted landscape impact is deemed to be low to medium and the overall landscape character of the area will only slightly be affected. The visual impact of the development was also considered from a number of view points and overall, the visual impact of the development was considered Low to Medium. It is evident from the photomontages that the development will be clearly visible from some viewpoints. However, in the context of the campus environment and existing buildings in the vicinity that have recently been constructed, the development is not considered obtrusive and assimilates well with the overall development and intensification of the campus.
- 10.3.9 In conclusion, I am satisfied that the design, form and layout of the development is to a satisfactory architectural standard and that the height scale and massing have been given appropriate consideration to ensure a development that provides an

appropriate intensity whilst assimilating well with the existing pattern of development in the vicinity. The masterplan route will ensure integration of the development to the wider campus and that appropriate pedestrian and cyclist connections are created.

Standard of Accommodation/Internal Standards

10.3.10 Within the development 125 separate apartments are proposed accommodating a total of 674 bed spaces. Typically the bedrooms are arranged in clusters of 6 to an apartment, although some 4 and 5 bed apartments are also provided. In total there are 86 no. 6 bed clusters, 4 no. 5 bed clusters and 36 no. 4 bed clusters. The bedrooms are 12.1 sq. metres for standard bedrooms and 13.6 sq. metres for premium bedrooms. All bedrooms are ensuite. The larger bedrooms contain more storage space and thus are suitable for overseas students. The development also provides accessible apartments with 14 such rooms proposed. A further 19 accessible convertible bedrooms that can accommodate fluctuations in accessible requirements are also provided. Ancillary facilities such as a laundry room, linen store etc. are also provided. Each apartment is served by a large kitchen/dining room. These typically are dual aspect and vary in size from 100 sq. metres to 156 sq. metres.

10.3.11 I am satisfied that the development provides an appropriate range of unit typologies, including accessible units and that the internal design and layout of the scheme will afford future occupants a sufficient standard of accommodation and amenity.

Ancillary Facilities and Recreational Amenity

10.3.12 In terms of ancillary services and facilities, student services are proposed in Block C and D and include a group study area, 3 meeting rooms and associated services. The facility in Block C will be a flexible and bookable communal space for students during term time and community activities during the evenings and summer terms. Block D will accommodate a mixed use and group study area. The quantum of amenity space to be provided is 500 sq. metres.

10.3.13 The main student reception is located in Block C on the corner where the principal pedestrian route through the scheme meets with the plaza. Office space for the management staff is proposed on the ground floor of Block A which includes an open plan office, 2 no. meeting rooms and associated facilities. A commercial/retail unit of

325 sq. metres is also provided open the ground floor of Block A which enhances the active frontages at this location.

10.3.14 The location of the development within NUIG also means that the development will have access to a wide range of existing facilities and amenities available in the wider campus. There also a wide range of amenities and facilities in the general area including theatre, cinema, sports facilities etc. Details of local amenities are set out in section 2.2.2 of the Architectural and Urban Design Report.

10.3.15 As noted above, the development also provides a series of internal courtyards including an informal amphitheatre space that can be used for recreational purposes. Scenic views towards the biodiversity zone and river are retained. An informal pathway will run between Blocks B and D and will form part of the informal circulation linking to the river. I am satisfied the development will afford future occupants a satisfactory standard of amenity and adequate amenities and facilities have been provided in this regard.

10.3.16 I note the comments from the Planning Authority that may be appropriate to ensure by condition the availability of active sports facilities in the vicinity. I consider however, that this is a management issue rather than a planning issue and if students are occupying the scheme they will have access to the existing sporting facilities on offer in the wider NUIG campus.

10.3.17 The Planning Authority have also suggested that children's play be incorporated into the development to serve the Summer letting of the development for families. I consider however, that any such Summer letting is likely to be short term and transient, and given the nature of the accommodation comprising of single bedrooms, the occupation by families is unlikely. Furthermore, there is an existing children's play facility in close proximity to the site at Corrib Village.

10.3.18 It is also noted that an integral part of the development proposal is the rehabilitation and management of the northern part of the site which contains some Annex 1 habitats. A specific Habitat Management Plan has been prepared for this area and I consider that this is a significant planning gain associated with the development of the site.

10.4 **Impact on Residential Amenity/Management**

10.4.1 The nearest residential dwelling is located c. 200 metres from the development site. As the subject development is located on the main campus and removed from the existing residential community in Newcastle, I am satisfied that negative impacts on residential amenities of existing residences are unlikely to arise.

10.4.2 Furthermore, in terms of the operational management of the scheme, a 'Campus Operational Management Plan' has been submitted. The development will be managed by an on site management team who also have responsibility for the management of the existing University owned residences on campus. They will have a 24/7 presence on the site. Strict rules and protocols will be enforced with regard to access, behaviour and consideration for neighbours. Security will also be on duty in the evening and weekends. This will ensure the appropriate long term management of the facility and minimise any potential for anti-social behaviour.

10.5 **Site Services and Flooding**

Site Services

Foul Water Drainage

10.5.1 The daily estimated foul loading from the proposed development is c. 117m³. It is proposed that foul water from the proposed development will be discharged to an existing manhole on the 525mm diameter public foul sewer.

Storm Water Drainage

10.5.2 All surface water run off shall be collected in a gravity pipe network and attenuated in 2 no. underground attenuation tanks. It is proposed to connect the drainage outfall from the proposed network to the existing 900mm diameter public storm sewer to the south east of the site. Permeable paving will be provide in the courtyard areas, plaza and masterplan route.

Water Supply

10.5.3 It is proposed to provide a 150mm nominal diameter HDPE watermain to supply potable water to the proposed development, which will be connected to the existing 200mm diameter watermain.

10.5.4 I note that no concerns have been raised by either Irish Water or Galway City Council with regard to the proposal for site services. Confirmation of Feasibility has been issued by Irish Water. In this regard, I consider the proposals satisfactory.

Flooding

10.5.5 A Site Specific Flood Risk Assessment accompanies the application. CFRAM mapping including the Preliminary Flood Risk Assessments identifies that a portion of the site falls within the extent of Flood Zone B. The majority of the site is located within Flood Zone C. There will be some residential units based on the ground floor within Flood Zone B. The finished floor levels of these units will be 9.65mAOD, well above the 0.1% fluvial flood level including an allowance for climate change and an appropriate freeboard. All infrastructure that would be particularly vulnerable will be raised above the predicted 1:1000 year flood level.

10.5.6 Having regard to the fact that the development constitutes highly vulnerable development (residential accommodation) and is located in Flood Zone B, the provisions of the Justification Test are applicable. The applicant has set out compliance with the Justification Test in Table 4 of the Flood Risk Assessment. The conclusions of this assessment are considered reasonable and robust.

10.5.7 In conclusion, I am satisfied that the development includes adequate measures to prevent risk of flooding. Run off from the development will be discharged to an attenuation tank and flows will be discharged to existing drainage at a controlled rate not larger than the greenfield runoff rate for the site. The system will not increase the flow rate to the nearby watercourse and there will be no change in flood risk to the areas downstream of the site. I am satisfied, therefore, will not increase flood risk elsewhere.

10.6 Transport, Parking, Pedestrian/Cycle Facilities

10.6.1 All vehicular access to the proposed development will be along the newly constructed road that will link the existing park and ride access road which connects to the Newcastle Road. The new road connection will be a shared surface and enforce pedestrian priority through traffic calming measures and landscape design. The masterplan route will be used for coach and taxi set down and accessible parking space users only. The shared surface has been designed in accordance with

DMURS and a combination of varying textured unit paving, street furniture and tree planting will highlight pedestrian priority, cycling and decrease traffic speeds.

- 10.6.2 Vehicular access to the site will be extremely limited and service vehicles will be restricted to access from the north western boundary to a service yard zone adjacent to Block B. Student refuse collection will be along the masterplan route, with student bringing refuse to a single collection point. A detailed strategy for waste collection is set out in section 3.2.3 of the Architectural and Urban Design Report and is considered satisfactory.
- 10.6.3 Parking will be limited to 7 no. accessible spaces, located in close proximity to the main entrance and reception office for the scheme. 4 spaces will also be provided to serve the retail unit. A coach drop off zone is also proposed. I consider that the 4 no. parking spaces serving the retail unit should be omitted. This facility is designed to serve the needs of the existing and future student population and in this context, I consider the requirement for commercial parking spaces unnecessary. The site is also within a short walking distance of a significant park and ride facility with pay and display spaces.
- 10.6.4 With regard to the park and ride facility, the opinion of Galway City Council notes that the use of this facility by student residents on campus should be discouraged so that this facility can be reserved for commuting patrons. I concur that there should be no necessity for students to avail of this facility for car parking during term time and this can be addressed by way of condition.
- 10.6.5 In terms of cycle facilities, the development proposes 310 spaces to serve the student accommodation plus a further 63 visitor spaces and 3 spaces to serve the commercial unit in Block A. It is detailed that this is based on the National Cycle Manual with 2 private secure bicycle spaces per 100 sq. metres and 1 no. visitor space per 2 housing units to be provided. Visitor and commercial cycle spaces will be created using Sheffield style parking stands whereas, the 2 secure residents cycle stores will incorporate 2 tier cycle storage equipment.
- 10.6.6 Having regard to the extent of bedspaces proposed, I consider the provision of 310 bicycle spaces to serve 697 student units to be deficient. A minimum of 1 space per 2 bed spaces should be provided. This can be addressed by way of condition.

- 10.6.7 The proposed development will link to wider pedestrian and cycle connections demonstrated in the section 3.2.8 of the Architectural and Urban Design Report and set out in the Traffic, Transport and Roads Report. These include an informal pedestrian route to the existing river walk as well as the wider NUI 8km trail. It is proposed to provide a walkway connecting the development to the existing Park and Ride facility. This route shall continue southeast as part of the NUI Galway Masterplan route. The completion of the masterplan route will vastly improve the pedestrian and cyclist connectivity from north campus to south campus. There are also a number of coca cola zero bike stations in proximity which will serve the development, including one that is c. 100 metres from the site.
- 10.6.8 In terms of public transport, the site is within walking distance of the 404 route bus stop which travels from Oranmore to Newcastle via Eyre Square on a half hourly basis. A new high frequency bus service is proposed along the Newcastle Road. There is also a campus shuttle bus which runs from the Dangan car park to the central campus. The shuttle bus stops at the Park and Ride in close proximity to the subject site.
- 10.6.9 In terms of traffic impact, the majority of the trips to and from the development will be buses using the pick up/drop off facility to the front of the proposed building and people wishing to use the parking facilities for disabled users. The lack of on site parking will encourage residents to use a different mode of transport as opposed to the car. The development is not anticipated to have any material traffic impact.
- 10.6.10 In conclusion, I generally consider the car parking and bicycle parking arrangements for the development to be satisfactory. The completion of the masterplan route will enhance permeability and connectivity with the wider campus. The fact that the development provides onsite accommodation will also have the benefit in facilitating a reduction in vehicular trips as students will be able to walk and cycle around the campus.

10.7 **Impact on Biodiversity**

- 10.7.1 As noted above, the subject site is located adjacent to the Lough Corrib SAC. A full assessment of the potential impact of the development on the qualifying interests of the SAC are detailed in the Appropriate Assessment set out in section 10.10 below.

- 10.7.2 The design of the development has been constrained having regard to the sensitive ecological environment and has been informed by a number of ecological surveys undertaken including detailed botanical surveys of the woodlands and grasslands on the site. The habitats surveys indicated that parts of the site include sensitive habitats including the Annex 1 habitat type Semi-natural dry grasslands and scrubland facies on calcareous substrates (*Festuco-Brometalia*) (6210); Important orchid sites (*6210) and Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*) (91EO).
- 10.7.3 The surveys of the site also included a bat survey and a survey of non volant mammals including Otter and Badger. Bat foraging and commuting activity was found to be largely concentrated to the River Corrib as well as its associated pathway and woodland. Bat activity was significantly lower within the proposed development site. No roosting opportunities were identified within or adjacent to the development site. Evidence of Badger activity was recorded, however no setts, latrines or other features were recorded. The wetlands to the north west of the site may provide some habitat for Otter, but no evidence of the species was recorded. In terms of birds, the site does not provide a significant habitat for species listed on the BoCCI Red List of under Annex 1 of the EU Birds Directive (2009/147/EC). No protected species such as Marsh Fritillary were recorded in the area. It is detailed in the Ecological Impact Assessment that whilst the general area surrounding the site is known to be of considerable ecological significance for faunal species, the site itself is of limited significance when compared to the River Corrib and its associated wetlands and woodlands.
- 10.7.4 To ensure the preservation of the important Annex 1 habitats, the proposal includes for the management of the north western part of the site with an area encompassing 3.45 ha as a dedicated Biodiversity Enhancement Area. It is noted in the application that the management of this area will enhance its biodiversity value and will provide a valuable teaching resource for NUIG staff and students of botany, zoology, environmental science and other natural sciences. A Habitat Management Plan is included with the application documentation. The plan outlines specific measures for biodiversity enhancement, management and monitoring. Should the Board be minded to permit the development, I would recommend the imposition of a condition that this area be managed in accordance with the Plan.

- 10.7.5 The development within the construction footprint will result in the permanent loss of some habitats. However, these are generally classified as of being of Local Importance Higher Value and the development has been specifically designed to avoid the loss and any negative impacts to the more ecologically sensitive Annex 1 grasslands. The proposed Biodiversity Enhancement Area has the potential to result in a net increase in the area of orchid rich calcareous grassland within the development site post construction. The development has also been specifically designed to minimise woodland loss and to ensure that a viable strip of woodland is retained between the proposed development and the adjacent park and ride facility. Mitigation measures are set out in section 5.2 of the Ecological Impact Assessment regarding protection of sensitive habitats.
- 10.7.6 With regard to the habitats on the site, the comments from the Department of Culture, Heritage and the Gaeltacht state that ecological baseline does not reflect changes to the site resulting from vegetation and woodland clearance and excavations carried out in May 2018. I note however, from section 4.1.1.1 of the Ecological Impact Assessment, that on site consultation was held with the NPWS ranger for the area in relation to scrub clearance in advance of archaeological test trenching that was undertaken in May 2018.
- 10.7.7 Furthermore, a detailed Habitat Assessment was carried out to inform the development and is included as Appendix 5 of the Ecological Impact Assessment. I am satisfied that the survey is robust and that the development will retain and enhance the most significant ecologically sensitive habitats on the site. The habitats in the area of the intended construction site is supported by photographic illustrations in the report which clearly demonstrate that this area of the site has the lowest ecological significance. Concerns are also raised by the Department regarding any areas that will be used on a temporary basis during the construction phase. It is detailed in the Ecological Impact Assessment that there will be no construction activities, access or storage of materials in the area outside of the defined construction site and that this area will be fenced off to protect the biodiversity enhancement area. I am satisfied that further details of construction management including details of site compound, parking and ancillary construction works can be addressed by way of condition. With regard to bats, whilst I note the presence of bats in the general area, no roosting sites are present. I am satisfied that the

mitigation measures set out in the report regarding landscape proposals, lighting and erection of additional bat boxes in the biodiversity area will afford adequate protection of this species.

- 10.7.8 With regards to impacts on fauna, the development will result in the loss of bird nesting and foraging habitat along with a small amount of immature/encroaching woodland and some loss of invertebrate foraging and breeding habitat. However, this habitat type is widespread in the wider local area and its loss is not of ecological significance. A number of mitigation measures are also proposed including the Habitat Management Plan that will provide high quality invertebrate and bird nesting habitat. Bird and bat boxes will also be erected to provide additional nesting/roosting opportunities. With regard to bats, the linear landscape features present along the site boundary provide suitable commuting/foraging areas for bat species. The development has been designed to ensure that ecological connectivity and cover is maintained around the perimeter of the site.
- 10.7.9 The proposed development has the potential to cause pollution from contaminated surface water run off. This is particularly pertinent having regard to the proximity of the Site to the Lough Corrib SAC. A suite of mitigation measures are proposed to mitigate potential negative effects set out in section 5.2.3 of the Ecological Impact Assessment. For further assessment issue, please refer to section 10.10 below. With regard to invasive species, none were recorded on the site. A strict biosecurity programme will be put in place to ensure that invasive species are not introduced to the area.
- 10.7.10 During the operational phase, there is potential for disturbance to fauna. The development has been designed to discourage access to the woodlands to the west of the site and has included for planting of native species along the woodland edge to increase cover and screening between the development and the woodland to be retained. With regard to light impact to bats, the exterior lighting has been designed to minimise light spillage and thus reduce the effect on areas outside the lighting development and consequently on bats. The luminaries will be of the type that prevent upward spillage of light and minimise horizontal spillage away from the intended lands. Surface water from the development once operational will be attenuated and connect to the existing storm sewer to the southeast of the site. Foul

drainage will be to the public mains. A detailed hydrological report accompanies the application and concludes that impacts of the development will be imperceptible.

10.7.11 In conclusion, I am satisfied that the development will have no significant material adverse impact on the biodiversity of the area. The biodiversity enhancement area will ensure the preservation and management of the most significant and sensitive ecology of the site and will have long term ecology and biodiversity benefits.

Furthermore, the mitigation measures set out in the Ecological Impact Assessment will ensure any potential adverse impacts arising either during the construction and operational stage will be appropriately managed.

10.8 Other Issues

Archaeology

10.8.1 As detailed above, the subject site is located adjacent to an archaeological monument – an unclassified ringfort. A Test Trenching and Impact Assessment Report is submitted with the application. No features of archaeological interest were identified in the excavated test trenches on the subject site. The submission by the DAU recommends monitoring during the construction phase. This can be addressed by way of condition.

Noise

10.8.2 The noise impact assessment noted that should a heat pump be installed in the development to achieve Nearly Zero Energy Building standards that noise levels predicted in the Noise Level Calculations, without any attenuation, are in excess of the existing noise levels at the closest residential buildings. Attenuation is recommended. This can be addressed by way of condition.

10.9 EIA Screening

10.9.1 The applicant has submitted an EIA Screening Report. I would concur with the opinion of the applicant that the proposed development is below the thresholds of a mandatory EIAR. It is also considered that a sub threshold EIAR is not required in this instance. I refer the Board to the EIA Screening Determination on file.

10.9.2 The current proposal is an urban development project that would be in the built up area but not in a business district. It is, therefore, within the class of development described at 10(b) of Part 2 of Schedule 5 of the planning regulations, and an

Environmental Impact Assessment would be mandatory if it exceeded the threshold of 500 dwelling units or 10 hectares. The proposal is for 674 student bed spaces housed in 125 apartments on a site of 5.78ha. The site area is significantly below the stated threshold of 10 hectares and the number of units significantly below the threshold of 500 units.

- 10.9.3 The proposed development would be located on a site characterised by scrubland within the existing university campus. The site is not designated for the protection of a landscape or of natural or cultural heritage. A Recorded Monument is located adjacent to the eastern site boundary. Measures for the protection of archaeology have been included in the application. The proposed development is located adjacent to an SAC. The development however, is not likely to have a significant effect on any Natura 2000 site. This has been demonstrated by the submission of an Natura Impact Statement and Stage 2 Appropriate Assessment that concludes that there will be no impacts upon the conservation objectives of the Natura sites identified. A buffer area which will be subject to a Habitat Management Plan is retained between the development footprint and the River Corrib SAC.
- 10.9.4 The development would result in works on zoned and serviced lands. The proposed development would use the municipal water and drainage services, upon which its effects would be marginal. The site is located partially within a flood risk zone B and appropriate mitigation measures are proposed. The development will be constructed in accordance with a Construction and Environmental Management Plan which will address issues such as potential noise and dust impacts during the construction phase. A landscape and visual impact appraisal undertaken indicates that the development will have no significant adverse visual impacts.
- 10.9.5 The development would not give rise to significant waste, pollution or nuisances. It would not give rise to a risk of major accidents or risks to human health. Its impact on traffic levels in the area would be marginal as additional traffic generated will be minimal and would not be likely to have significant effects on air quality. The proposed development is a plan-led development, which has been subjected to Strategic Environmental Assessment. On the basis of the information on the file, which I consider adequate in order to issue a screening determination, it is reasonable to conclude that there is no real likelihood of significant effects on the

environment arising from the proposed development and an environmental impact assessment is not required.

10.10 **Appropriate Assessment**

10.10.1 Article 6(3) of Directive 92/43/EEC (Habitats Directive) requires that any plan or project not directly connected with or necessary to the management of a European site(s), but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to Appropriate Assessment of its implications for the site(s) in view of the site(s) conservation objectives. The Habitats Directive has been transposed into Irish law by the Planning and Development Act 2000, as amended, and the European Union (Birds and Natural Habitats) Regulations 2011-2015.

10.10.2 In accordance with these requirements and noting the Board's role as the competent authority who must be satisfied that the proposal would not adversely affect the integrity of the Natura 2000 site(s), this section of my report assesses if the project is directly connected with or necessary to the management of European Site(s) or in view of best scientific knowledge, if the project, individually or in combination with other plans or projects, is likely to have a significant effect on any European Site, in view of the site(s) conservation objectives.

10.10.3 Guidance on Appropriate Assessment is provided by the EU and the NPWS in the following documents:

- Assessment of plans and projects significantly affecting Natura 2000 sites – methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (EC, 2001).
- Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities (DoEHLG).

10.10.4 Both documents provide guidance on Screening for Appropriate Assessment and the process of Appropriate Assessment itself.

The Natura Impact Statement

10.10.5 The application was accompanied by a Natura Impact Statement (NIS) prepared by Mc Carthy Keville O' Sullivan. This section of the report considers the likely significant effects of the proposal on European sites with each of the potential

significant effects assessed in respect of each of the Natura 2000 sites considered to be at risk and the significance of same.

10.10.6 Having reviewed the revised NIS and the supporting documentation, I am satisfied that it provides adequate information in respect of the baseline conditions, does clearly identify the potential impacts and does use best scientific information and knowledge. Details of mitigation measures are provided and they are summarised in Section 3 of the NIS. I am satisfied that the information is sufficient to allow for Appropriate Assessment of the proposed development.

Appropriate Assessment Screening – Stage 1

10.10.7 I consider that the proposed development is not directly connected with or necessary to the management of any European site.

10.10.8 The Natura Impact Statement which accompanies the planning application includes a Stage 1 Screening Assessment set out in Appendix 1. It notes that there are 8 European Sites within the likely zone of impact of the development. This is defined as a 15km radius of the site, as recommended in the DoEHLG ‘Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities’ (2010). It states that there are no other sites greater than 15km away where potential impact-receptor pathway is relevant and particularly where hydrological connectivity could be established. This is considered reasonable.

10.10.9 The sites considered within the Stage 1 Screening and the distances from the development site are summarised below.

Name of Site	Site Code	Potential Connection
Lough Corrib SAC	000297	<p>Screened In</p> <p>The subject site is located adjacent to this European site and is, therefore, within the likely zone of impact.</p>

<p>Galway Bay Complex SAC</p>	<p>000268</p>	<p>Screened In</p> <p>Located 2.16km from the site. Potential pathway for surface/groundwater connectivity.</p>
<p>Connemara Bog Complex SAC</p>	<p>002034</p>	<p>Screened Out</p> <p>Located over 11.4km from the site and no hydrological connection. No potential pathway for impacts exists.</p>
<p>Ross Lake and Woods SAC</p>	<p>001312</p>	<p>Screened Out</p> <p>Located over 11.8km from the site and no hydrological connection. No potential pathway for impacts exists. Outside the foraging range of the Lesser horseshoe bat.</p>
<p>Gortnandarragh Limestone Pavement SAC</p>	<p>001271</p>	<p>Screened Out</p> <p>Located over 14.7km from the site and no connection between the site and the terrestrial habitat for which the site is designated.</p>

<p>Lough Corrib SPA</p>	<p>004042</p>	<p>Screened Out</p> <p>Located over 1.1 km upstream of the site. Due to a lack of connectivity, distance and intervening buffers between this site and the proposed works, as well as the extent and nature of the works and the lack of supporting habitats for SCI species within the works area, no potential pathway for impacts exists.</p>
<p>Inner Galway Bay SPA</p>	<p>004031</p>	<p>Screened In</p> <p>A potential pathway for surface/groundwater connectivity with the SPA has been identified. The site, therefore, is considered within the zone of likely impact.</p>
<p>Creganna Marsh SPA</p>	<p>004142</p>	<p>Screened Out</p> <p>Located over 9.5km from the site and no hydrological connection. No potential pathway for impacts exists. Proposed site lies outside the core foraging range of the Greenland white fronted goose. No supporting habitat for the SCI</p>

		species was identified.
--	--	-------------------------

10.10.10 Based on my examination of the NIS Report and supporting information, the NPWS website, aerial and satellite imagery, the scale of the proposed development and likely effects, separation distance and functional relationship between the proposed works and the European sites, their conservation objectives and taken in conjunction with my assessment of the subject site and the surrounding area, I would conclude that a Stage 2 Appropriate Assessment is required for three of the European sites referred to above, namely the:

- Lough Corrib SAC (00297)
- Galway Bay Complex SAC (000268)
- Inner Galway Bay SAC (004031)

10.10.11 The remaining sites namely:

- Connemara Bog Complex SAC (002034)
- Ross Lake and Woods SAC (001312)
- Gortnandarragh Limestone Pavement SAC (001271)
- Lough Corrib SPA (004042)
- Creganna Marsh SPA (004142)

can be screened out from further assessment because of the scale of the proposed works, the nature of the Conservation Objectives, Qualifying and Special Conservation Interests, the separation distances and the lack of a substantive linkage between the proposed works and the European sites. It is, therefore, reasonable to conclude that on the basis of the information on file, which I consider adequate to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on these five European Sites in view of the sites' conservation objectives and a Stage 2 Appropriate Assessment is not, therefore, required for these sites.

Stage Two – Appropriate Assessment

10.10.12 **Relevant European Sites:** The Conservation Objectives and Qualifying Interests for the three European sites for which a Stage 2 Appropriate Assessment is required are set out below.

Site Name	Qualifying Interests
Lough Corrib SAC (000297)	<p>1029 Freshwater Pearl Mussel <i>Margaritifera margaritifera</i></p> <p>1092 White-clawed Crayfish <i>Austropotamobius pallipes</i></p> <p>1095 Sea Lamprey <i>Petromyzon marinus</i></p> <p>1096 Brook Lamprey <i>Lampetra planeri</i></p> <p>1106 Salmon <i>Salmo salar</i></p> <p>1303 Lesser Horseshoe Bat <i>Rhinolophus hipposideros</i></p> <p>1355 Otter <i>Lutra lutra</i></p> <p>1393 Slender Green Feather-moss <i>Drepanocladus vernicosus</i></p> <p>1833 Slender Naiad <i>Najas flexilis</i></p> <p>3110 Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>)</p> <p>3130 Oligotrophic to mesotrophic standing waters with vegetation of the <i>Littorelletea uniflorae</i> and/or <i>Isoeto-Nanojuncetea</i></p> <p>3140 Hard oligo-mesotrophic waters with benthic vegetation of <i>Chara</i> spp.</p> <p>3260 Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation</p>

	<p>6210 Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>) (* important orchid sites)</p> <p>6410 <i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>)</p> <p>7110 Active raised bogs</p> <p>7120 Degraded raised bogs still capable of natural regeneration</p> <p>7150 Depressions on peat substrates of the Rhynchosporion</p> <p>7210 Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davallianae</i></p> <p>7220 Petrifying springs with tufa formation (<i>Cratoneurion</i>)</p> <p>7230 Alkaline fens</p> <p>8240 Limestone pavements</p> <p>91A0 Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles</p> <p>91D0 Bog woodland</p>
<p>Galway Bay Complex SAC (000268)</p>	<p>1140 Mudflats and sandflats not covered by seawater at low tide</p> <p>1150 Coastal lagoons*</p> <p>1160 Large shallow inlets and bays</p> <p>1170 Reefs</p> <p>1220 Perennial vegetation of stony banks</p> <p>1310 Salicornia and other annuals colonising mud and sand</p> <p>1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>)</p> <p>1355 Otter <i>Lutra lutra</i></p>

	<p>1365 Harbour seal <i>Phoca vitulina</i></p> <p>1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>)</p> <p>3180 Turloughs*</p> <p>5130 <i>Juniperus communis</i> formations on heaths or calcareous grasslands</p> <p>6210 Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco Brometalia</i>) (*important orchid sites)</p> <p>7210 Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davallianae</i>*</p> <p>7230 Alkaline fens</p>
<p>Inner Galway Bay SPA (004031)</p>	<p>A003 Great Northern Diver <i>Gavia immer</i></p> <p>A017 Cormorant <i>Phalacrocorax carbo</i></p> <p>A028 Grey Heron <i>Ardea cinerea</i></p> <p>A046 Brent Goose <i>Branta bernicla hrota</i></p> <p>A050 Wigeon <i>Anas Penelope</i></p> <p>A052 Teal <i>Anas crecca</i></p> <p>A056 Shoveler <i>Anas clypeata</i></p> <p>A069 Red-breasted Merganser <i>Mergus serrator</i></p> <p>A137 Ringed Plover <i>Charadrius hiaticula</i></p> <p>A140 Golden Plover <i>Pluvialis apricaria</i></p> <p>A142 Lapwing <i>Vanellus vanellus</i></p> <p>A149 Dunlin <i>Calidris alpina alpina</i></p> <p>A157 Bar-tailed Godwit <i>Limosa lapponica</i></p> <p>A160 Curlew <i>Numenius arquata</i></p> <p>A162 Redshank <i>Tringa tetanus</i></p> <p>A169 Turnstone <i>Arenaria interpres</i></p>

	<p>A179 Black-headed Gull <i>Chroicocephalus ridibundus</i></p> <p>A182 Common Gull <i>Larus canus</i></p> <p>A191 Sandwich Tern <i>Sterna sandvicensis</i></p> <p>A193 Common Tern <i>Sterna hirundo</i></p> <p>A999 Wetlands and waterbirds</p>
--	---

Lough Corrib SAC (000297)

Brief Description of Site

10.10.13 The subject site, including the Biodiversity Enhancement Area is located adjacent to the SAC. The site of the proposed development footprint and construction works is c. 120 metres from the SAC boundary.

10.10.14 Lough Corrib is situated to the north of Galway City and is the second largest lake in Ireland. The lake is rated as an internationally important site for waterfowl. Lough Corrib is considered one of the best sites in the country for Otter, due to the sheer size of the lake and associated rivers and streams, and also the generally high quality of the habitats. Atlantic Salmon (*Salmo salar*) use the lake and rivers as spawning grounds. A population of Freshwater Pearl Mussel (*Margaritifera margaritifera*), a species listed on Annex II of the E.U. Habitats Directive, occurs within the site. Lough Corrib is one the best examples of a large lacustrine catchment system in Ireland, with a range of habitats and species still well represented. These include 15 habitats which are listed on Annex I of the E.U. Habitats Directive, six of which are priority habitats, and nine species which are listed on Annex II. The lake is also internationally important for birds.

10.10.15 The main threats to the quality of this site are from water polluting activities resulting from intensification of agricultural activities on the eastern side of the lake, uncontrolled discharge of sewage which is causing localised eutrophication of the lake, and housing and boating development, which is causing the loss of native lakeshore vegetation. The raised bog habitats are susceptible to further degradation and drying out due to drainage and peat cutting and, on occasions, burning.

Conservation Objectives

10.10.16 For detailed conservation objectives refer to NPWS Version 1, April 2017 – copy on file.

Potential Direct Effects

10.10.17 There are considered no likely direct effects on the SAC.

Potential Indirect Effects

10.10.18 Table 2.1 of the NIS screens out potential impacts on a number of the qualifying interests of the SAC. Potential impacts on a number of the qualifying interest habitats are ruled out on the basis that there are no potential pathways for impact on such habitats. In terms of the Lesser horseshoe bat, no suitable roosting habitat for this species was recorded at the proposed site. Supporting habitat for the Slender naiad species was not recorded within the boundary of the proposed site. The only known population of Slender green feather moss occurs at NW of Gortachall Lough, hydraulically up gradient of the proposed site. It is considered reasonable to conclude that the development will not have any indirect impact on these qualifying interests.

10.10.19 The conservation interests to which there may be a potential indirect impact include Salmon, Freshwater pearl mussel, Brook lamprey, Sea Lamprey, White-clawed crayfish and Otter. There is a potential impact on these species primarily from poor water quality arising from pollution of surface water or ground water during the construction and operational phases of the project. Impacts to Otter may also arise from disturbance.

Mitigation Measures

10.10.20 Section 3.6 of the NIS sets out a number of measures that will be employed during the construction phase to mitigate potential contamination of surface water. This includes measures such as storage of construction materials and substances in a secure compound; measures to prevent loss of concrete through run off or dilution; construction management measures to prevent pollution; covering of excavated soils; treatment of water ingress; waste management; noise control measures, measures to prevent invasive species and environmental monitoring.

Assessment

10.10.21 The subject site is located in close proximity to the SAC. I note however, that the applicants proposed to develop a large (3.45ha) Biodiversity Enhancement Area to the north east of the site which will encompass ecologically sensitive habitats on the site. This will create an ecological buffer between the development site and the SAC. In this regard, all construction works associated with the project will be located over 120m from the SAC.

10.10.22 With regard to drainage, surface water drainage from the development will not discharge to any existing drainage ditches. All surface water run off from roof areas, courtyards, access roads and car parking will be collected via a gravity pipe network constructed around the perimeter of the footprint of the proposed development. Permeable paving in some areas will retain pollutants prior to discharge to groundwater. Several recessed landscape areas within courtyards will drain nearby hardstanding areas with a gully at the low point connecting to the proposed stormwater network. Stormwater will be attenuated in 2 underground attenuation tanks and drainage outfall will connect to the existing 900mm diameter public storm sewer to the southeast of the site. The drainage system design also incorporates filter drains and a hydrocarbon interceptor in areas with vehicular use. These will outfall to the public surface water sewer networks that has capacity to receive and adequately treat water. With regard to potential overland flows from higher lands that could enter the site, a filter drain is proposed along the edge of the access road to intercept flows and convey them to the lower lying lands to the east. The filter drain will be located outside the kerb line to ensure surface run off from the site will enter the drain. Foul water drainage from the development will connect to the public foul water sewer network.

10.10.23 As noted above, a suite of measures will be employed during the construction phase to reduce potential contamination of surface water arising from construction activities.

10.10.24 Having regard to the measures proposed during the construction phase and the design of the surface water and foul drainage network during the operational phase, I am satisfied that indirect impacts arising from a deterioration of surface/ground water quality resulting from pollution from the development are unlikely to arise.

10.10.25 With regard to potential impacts on the Otter species, a survey of the area indicated no sign of Otter, although potential supporting habitat was recorded from the wider area. Several studies are presented in the NIS that indicate that there is little evidence to suggest that disturbance by recreation is a significant pressure on the Otter population. Having regard to the large ecological buffer zone between the development site and the river, I am satisfied that impacts are unlikely to arise during the operational phase. Mitigation measures are set out during the construction phase to reduce noise impact. These measures coupled with the separation distance of the development site from the River will minimise potential disturbance impact. In this regard, I am satisfied that adverse impacts to the Otter species are unlikely to arise during the construction phase.

10.10.26 It is noted that the site was subject to an extensive ecological assessment which determined that two areas to the north of the site were found to conform to the Annex I habitat type semi natural dry grasslands and scrubland facies on calcareous substrates (*Festuco-Brometalia*); important orchid sites. Two areas to the north were also found to conform with the Annex 1 Priority Habitat Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno – Padion*, *Alnion incanae*, *Salicion albae*). These areas will be retained and managed as a dedicated Biodiversity Enhancement area. A Habitat Management Plan has been prepared to ensure the suitable management and rehabilitation of this area. This measure is welcomed and supported by the Department of Culture, Heritage and the Gaeltacht. All of the habitat to be managed is located outside of the SAC. It nonetheless is a measure that will maintain and enhance the biodiversity of the area and provide an appropriate ecological buffer between the development site and the SAC.

Galway Bay Complex SAC (000268)

Brief Description of Site

10.10.27 Situated on the west coast of Ireland, this site comprises the inner, shallow part of a large bay which is partially sheltered by the Aran Islands. Fishing and aquaculture are the main commercial activities within the site. A concern is that sewage effluent and detritus of the aquaculture industry could be deleterious to benthic communities. Owing to the proximity of Galway City, shoreline and terrestrial habitats are under pressure from urban expansion and recreational activities. Eutrophication is probably

affecting some of the lagoons and is a continued threat. Drainage is a general threat to the turlough and fen habitats. Bird populations may be disturbed by aquaculture activities.

10.10.28 This large coastal site is of immense conservation importance, with many habitats listed on Annex I of the E.U. Habitats Directive, four of which have priority status (lagoon, Cladium fen, turlough and orchid-rich calcareous grassland). The examples of shallow bays, reefs, lagoons and saltmarshes found within this site are amongst the best in the country. The site supports an important Common Seal colony and a breeding Otter population (Annex II species), and six regular Annex I E.U. Birds Directive species. The site also has four Red Data Book plant species, plus a host of rare or scarce marine and lagoonal animal and plant species.

Conservation Objectives

10.10.29 For detailed conservation objectives refer to NPWS Version 1, April 2013 – copy on file.

Potential Direct Effects

10.10.30 There are considered no likely direct effects on the SAC.

Potential Indirect Effects

10.10.31 The assessment of potential pathways for impact on the individual Conservation Interests associated with the SAC are set out in Table 2.2 of the NIS. It is identified that there is potential for indirect impacts to the conservation interests of Mudflats and sandflats not covered by seawater at low tide (1140), Large shallow inlet and bays (1160), Reefs (1170), Otter (1355) and Harbour Seal (1365) arising from a deterioration in water quality due to pollution of surface water or ground water during the construction and operational phases of the project. There is also potential impacts to Otter from disturbance. Potential impacts on the remaining conservation interests is screened out on the basis that these habitats were not recorded within the boundary of the development site. Furthermore, no potential pathways for impact on these terrestrial coastal habitats exists. There is no hydrological connectivity with the groundwater dependent habitats and terrestrial habitats. The potential for impact is, therefore, screened out which is considered reasonable.

Mitigation Measures

10.10.32 Refer to section 10.10.20 above.

Assessment

10.10.33 As detailed above in the assessment pertaining to the Lough Corrib SAC, the development will include a robust suite of mitigation measures during the construction phase which will reduce potential impacts of pollution to surface water quality thus ensuring no adverse impacts are likely to arise. During the operational phase, the drainage system design including the surface water drainage management measures will ensure no adverse effects to the SAC are likely to occur.

10.10.34 With regard to potential impacts on the Otter species, as noted above, having regard to the large ecological buffer zone between the development site and the river I am satisfied that impacts are unlikely to arise during the operational phase. Mitigation measures are set out during the construction phase to reduce noise impact. These measures coupled with the separation distance of the development site from the River will minimise potential disturbance impact. In this regard, I am satisfied that adverse impacts to the Otter species are unlikely to arise during the construction phase.

Inner Galway Bay SPA (004031)

Brief Description of Site

10.10.35 Inner Galway Bay SPA is a very large, marine-dominated site situated on the west coast of Ireland. The SPA is of high ornithological importance with two wintering species having populations of international importance and a further sixteen wintering species having populations of national importance. The breeding colonies of Sandwich Tern, Common Tern and Cormorant are also of national importance. Also of note is that six of the regularly occurring species are listed on Annex I of the E.U. Birds Directive, i.e. Black-throated Diver, Great Northern Diver, Golden Plover, Bar-tailed Godwit, Sandwich Tern and Common Tern. Inner Galway Bay is a Ramsar Convention site and part of the Inner Galway Bay SPA is a Wildfowl Sanctuary.

Conservation Objectives

10.10.36 For detailed conservation objectives refer to NPWS Version 1, May 2013 – copy on file.

Potential Direct Effects

10.10.37 There are considered no likely direct effects on the SPA.

Potential Indirect Effects

10.10.38 An assessment of potential pathways for impact on the individual conservation interests of the SPA are set out in table 2.3 of the NIS. Impacts to a number of bird species of conservation interest are ruled out due to a lack of connectivity, distance and intervening buffers between this European site and the proposed works, as well as the extent and nature of the proposed works and the lack of supporting habitats for SCI species. It is identified that there is a potential indirect impact to the wetland and waterbird conservation interest arising from a potential deterioration in water quality from pollution of surface and ground water during the construction and operational stage of the project.

Mitigation Measures

10.10.39 Refer to section 10.10.20 above.

Assessment

10.10.40 As detailed above in the assessment pertaining to the Lough Corrib SAC, the development will include a robust suite of mitigation measures during the construction phase which will reduce potential impacts of pollution to surface water quality thus ensuring no adverse impacts are likely to arise. During the operational phase, the drainage system design including the surface water drainage management measures will ensure no adverse effects to the SPA are likely to occur.

In Combination Effects

10.10.41 Potential in-combination effects are set out in section 6 of the NIS and considers the potential cumulative effects arising from a number of other permitted and proposed developments in the vicinity including the main developments at NUIG Galway as well as the N6 Galway City Ring Road. The NIS notes that the design of the development has been designed to avoid any residual potential for any adverse effect on any European site. As it has been determined that there will be no adverse effect on any European site as a result of the proposed development when considered in its own right, it therefore, cannot contribute to any cumulative adverse effect when considered in combination with other plans and or projects.

10.10.42 It concludes that there will be no cumulative adverse effects on the integrity of any of the Natura 2000 sites. Having regard to the information set out in therein, I am satisfied that no cumulative impacts arise.

10.10.43 It is noted that the submission from the Department states that potential cumulative effects of the potential disturbance to Otter from the N6 Galway Ring Road and other transport proposals including cycleway along the river should be addressed. As noted above, however, there is a substantial buffer between the development site and the River and I am satisfied that having regard to the extent of the Biodiversity Enhancement Area and separation distances involved (c.120 metres) no cumulative impacts arising from the development with these other projects is likely to arise.

Overall Conclusion

10.10.44 Having regard to the works proposed and the implementation of best practice methodologies and the proposed mitigation measures, I consider it reasonable to conclude on the basis of the information on the file, which I consider adequate in order to carry out a Stage 2 Appropriate Assessment, that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the European Site No. 000297, European Site No. 000268 and European Site No. 004031, or any other European site, in view of the site's Conservation Objectives.

11.0 Recommendation

11.1 Having regard to the above assessment, I recommend that section 9(4)(a) of the Act of 2016 be applied and that permission is GRANTED for the development, for the reasons and considerations and subject to the conditions set out below.

12.0 Reasons and Considerations

Having regard to the:

- a) The site's location within the campus of the National University of Ireland Galway;
- b) The policies and objectives in the Galway City Development Plan 2017-2023;
- c) Rebuilding Ireland Action Plan for Housing and Homelessness;
- d) National Student Accommodation Strategy 2017;
- e) Nature, scale and design of the proposed development;

- f) Pattern of existing and permitted development in the area, and
- g) Submissions and observations received;

It is considered that, subject to compliance with the conditions set out below, that the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would respect the existing character of the area, would be acceptable in terms of traffic and pedestrian safety and convenience and would not have any adverse impacts in terms of biodiversity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

13.0 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 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. In default of agreement, the matter(s) in dispute shall be referred to An Board Pleanála for determination.

Reason: In the interest of clarity.

2. The development hereby permitted shall only be occupied as student accommodation, including use as visitor or tourist accommodation outside academic term times, and for no other purpose, without a prior grant of planning permission for change of use.

Reason: In the interest of residential amenity and to limit the scope of the proposed development to that for which the application was made

3. Prior to the commencement of development, the following details shall be submitted to, and agreed in writing with the Planning Authority
 - (a) Additional cycle parking for future occupants shall be provided at the rate of 1 bicycle parking space per 2 bedspaces in addition to visitor bicycle parking.

(b) The 4 surface car parking spaces serving the retail unit within Block A shall be omitted.

Reason: In the interests of proper planning and sustainable development.

4. Prior to the commencement of development, the applicant shall submit for the written agreement of the Planning Authority a full detailed plan setting out how the student accommodation and complex shall be operated and managed.

Reason: In the interest of the amenities of occupiers of the units and surrounding properties.

5. The landscaping scheme shown on drawing number NUI2-MAS-XX-XX-DR-L-0100, as submitted to the An Bord Pleanála on the 28th day of February, 2019 shall be carried out within the first planting season following substantial completion of external construction works.

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. Prior to the commencement of development, the developer shall retain the professional services of a qualified Landscape Architect as Landscape Consultant throughout the life of the site development works and shall notify the planning authority of that appointment in writing. The developer shall engage the Landscape Consultant to procure, oversee and supervise the landscape contract for the implementation of the permitted landscape proposals. When all landscape works are inspected and completed to the satisfaction of the Landscape Consultant, he/she shall submit a Practical Completion Certificate (PCC) to the planning authority for written agreement, as verification that the approved landscape plans and specification have been fully implemented.

Reason: To ensure full and verifiable implementation of the approved landscape design proposals for the permitted development, to the approved standards and specification.

7. All trees and hedgerows within and on the boundaries of the site shall be retained and maintained, with the exception of the following:
- (a) Specific trees, the removal of which is authorised in writing by the planning authority to facilitate the development.
 - (b) Trees which are agreed in writing by the planning authority to be dead, dying or dangerous through disease or storm damage, following submission of a qualified tree surgeon's report, and which shall be replaced with agreed specimens.

Retained trees and hedgerows shall be protected from damage during construction works. Within a period of six months following the substantial completion of the proposed development, any planting which is damaged or dies shall be replaced with others of similar size and species, together with replacement planting required under paragraph (b) of this condition.

Reason: In the interest of visual amenity.

8. Prior to the commencement of Development, the applicant shall submit for the written agreement of the Planning Authority details of the future management of the Biodiversity Enhancement Area.

Reason: In the interests of the proper planning and sustainable development of the area.

9. The following requirements in terms of traffic, transportation and mobility shall be incorporated and where required, revised drawings / reports showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development:

(a) The roads and traffic arrangements serving the site (including footpath connections and signage) shall be in accordance with the detailed requirements of the planning authority for such works and shall be carried out at the developer's expense.

(b) Prior to occupation of the student accommodation, the developer shall construct the footpath and linkages to the main campus network in accordance with the NUIG masterplan in accordance with details to be submitted and agreed with the Planning Authority.

(c) The roads layout including junctions, parking areas, footpaths, cycle paths and kerbs, pedestrian crossings, car parking bay sizes and road access to the development shall comply with the requirements of the Design Manual for Roads and Streets and with any requirements of the Planning Authority for such road works.

(d) Cycle tracks within the development shall be in accordance with the guidance provided in the National Cycle Manual.

(e) The materials used in any roads/footpaths/set down areas provided by the developer shall comply with the detailed standards of the Planning Authority for such road works.

(f) A Mobility Management Plan for the student accommodation shall be prepared and submitted to the Planning Authority for approval prior to the commencement of development.

(g) Prior to the occupation of the development, the developer shall submit to the Planning Authority for approval a parking protocol and management regime which will prohibit usage of the NUIG park and ride car park by occupants of the student accommodation during term time.

Reason: In the interests of traffic, cyclist and pedestrian safety.

10. Public lighting shall be provided in accordance with a scheme including measures to comply with the requirements set out in the Habitat Management Plan, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of any unit.

Reason: In the interests of amenity and public safety.

11. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. In addition, the proposed development shall be constructed in accordance with the finished floor levels and with a flood resilient design as specified in the Site Specific Flood Risk Assessment in order to mitigate against the risk of flooding.

Reason: In the interest of public health.

12. Proposals for a building name, unit numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all building and street signs, and unit numbers, shall be provided in accordance with the agreed scheme. The proposed name shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name.

Reason: In the interest of urban legibility and to ensure the use of locally appropriate place names for new residential areas.

13. The mitigation measures outlined in the Ecology Impact Assessment and Natura Impact Assessment submitted with this application shall be carried out in full, except where otherwise required by conditions of this permission.

Reason: To protect the environment.

14. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall -

(a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,

(b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and

(c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

15. Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no advertisement signs (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the buildings or within the curtilage of the site, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity, and to permit the planning authority to assess all signage on this site through the statutory planning process.

16. Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

17. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.

- 18.0 Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

19. Prior to the commencement of development, the developer shall submit a construction and demolition waste management plan to the planning authority for agreement prepared in accordance with the Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects published by the Department of the Environment, Heritage and Local Government in July, 2006. This shall include details of waste to be generated during site clearance and construction phases and details of the methods and

locations to be employed for the prevention, minimisation, recovery and disposal of this material.

Reason: In the interest of orderly development and sustainable waste management.

20. (a) During the operational phase of the proposed development, the noise level arising from the development, as measured at the nearest dwelling shall not exceed:-

(i) An Leq,1h value of 55 dB(A) during the period 0800 to 2200 hours from Monday to Saturday inclusive.

(ii) An Leq,15 min value of 45 dB(A) at any other time. The noise at such time shall not contain a tonal component.

(b) All sound measurement shall be carried out in accordance with ISO Recommendation 1996:2007: Acoustics - Description and Measurement of Environmental Noise.

Reason: To protect the residential amenities of property in the vicinity of the site.

21. Prior to commencement of development the developer shall submit, and obtain the written agreement of the Planning Authority, a plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste and for the ongoing operation of these facilities.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

22. All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site. In this regard, ducting shall be provided to facilitate the provision of broadband infrastructure within the proposed development.

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

23. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide inter alia: details and location of proposed construction compounds, details of intended construction practice for the development, including hours of working, noise management measures, off-site disposal of construction/demolition waste.

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

24. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the reinstatement of public roads which may be damaged by the transport of materials to the site, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory reinstatement of the public road. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: In the interest of traffic safety and the proper planning and sustainable development of the area.

25. 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.

Erika Casey

Senior Planning Inspector

22nd May 2019