



An
Bord
Pleanála

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

Inspector's Report ABP-304762-19

Strategic Housing Development

Demolition of existing house and construction of 238 no. residential units, childcare facility and associated site works.

Location

Lands to the east of Ballymoneen Road, Ballyburke, Co. Galway

Planning Authority

Galway City Council

Applicant

O'Malley Construction Company

Prescribed Bodies

Irish Water
Transport Infrastructure Ireland

Observers

Neil O'Leary, Galway Cycling Campaign

Ard na Gaoithe Residents

Date of Site Inspection

12th September 2019

Inspector

Sarah Moran

Contents

1.0 Introduction	4
2.0 Site Location and Description	4
3.0 Proposed Strategic Housing Development	5
4.0 Planning History.....	6
5.0 Section 5 Pre Application Consultation.....	8
6.0 Relevant Planning Policy	10
7.0 Third Party Submissions.....	17
8.0 Planning Authority Submission	20
9.0 Prescribed Bodies.....	24
10.0 Assessment.....	26
11.0 Conclusion	56
12.0 Recommendation	57
13.0 Reasons and Considerations	57
14.0 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.

2.0 Site Location and Description

- 2.1. The subject site is located on the Ballymoneen Road, at the northern edge of the built up area of the western outskirts of Galway city, c. 4.5km north-west of the city centre and c. 0.7 km north of the Western Distributor Road. There is a residential development under construction to the immediate south, Ard Créas permitted under Part VIII scheme LA3/2018. There are also residential developments to the immediate east (Ard na Gaoithe and Ascaill na mBláth, accessed via the Clybaun Road) and on the other side of the Ballymoneen Road (Fána Buí). While the area to the south of the site is established as a built up suburban area, lands to the north remain primarily agricultural with a scattering of one off houses. The corridor for the N6 Galway City Ring Road (N6 GCRR) runs along the northern site boundary, this road project is the subject of a current SID application to An Bord Pleanála, ref. ABP-302885-18. The stretch of Ballymoneen Road serving the development site is currently narrow and rural in nature, however the road layout of the area may change completely pending the outcome of ABP-302885-18. There is a footpath along the Ballymoneen Road to the south of the site.
- 2.2. The site has a stated area of 5.96 ha and is currently occupied by a derelict house at the road frontage, otherwise it is undeveloped rough pasture with dry stone walls at field boundaries. The site topography is rocky and uneven, as is typical is the region. The land is higher at the northern site boundary and levels fall towards the centre of the site. The house and its grounds form the road frontage of the site, the remainder is located to the east of Ballymoneen Road with a reservation along the road frontage for works associated with the GCRR. The site is bound by properties within Ard na Gaoithe estate to the east and by the Part VIII development under construction to the south. A strip of land along the eastern site boundary, currently an old cow path, is reserved for a Greenway as per development plan policy. There are several overhead electricity lines traversing the site.

2.3. The site is located 1.5 km north of the Galway Bay Complex SAC (site code 000268) and 1.7m north of the Inner Galway Bay SPA (site code 004031) lies c. 1.7 km to its south. Moycullen Bog NHA (site code 002364) is located 0.5 km north west of the site.

3.0 Proposed Strategic Housing Development

3.1. The proposed development involves 238 no. residential units as follows:

UNIT TYPE	NO. OF UNITS	%
Houses		
4 bed houses	90	38%
3 bed houses	23	10%
Apartments		
1 bed apts	20	8%
2 bed apts / duplex units	90	38%
3 bed apts / duplex units	15	6%
Total Houses and Apts	238	

The development has a stated gross residential density of 39.93 units/ha and a net density of 41.48 units/ha, based on the omission of the main distributor road and an open space buffer at the Greenway on the eastern side of the site. The stated plot ratio is 0.46:1. There are 6 no. 4 storey apartment blocks, i.e. Block A at the access from Ballymoneen Road, Block B at the north western corner of the site, Block C at the north eastern corner of the site and Blocks D, E and F at the south eastern corner of the site. The remainder of the houses and duplex units are grouped around a central public open space and a separate public open space at the Ballymoneen Road frontage. The creche is located adjacent to Block A.

3.2. The application also includes:

- Demolition of existing house at the development site;
- Crèche facility (358 sq.m.) to provide 69 no. childcare places;
- 2 no. retail units (357 sq.m.) located in the ground floor of Block A;

- Provision of 24 no. apartment units in Blocks A and C to meet Part V requirements;
- Total public open space provision of 8,696 sq.m., 14.5% of the site area;
- Connection to public water supply and sewer;
- New vehicular access from Ballymoneen Road.

3.3. The development is to be phased as follows:

- Phase 1 located at the Ballymoneen Road access on the western side of the site. A total of 45 no. units comprising Block A (10 apartments) and 35 no. houses. Includes vehicular access from Ballymoneen Road and the crèche.
- Phase 2 involves two separate areas. Total of 51 units comprising Block B (14 apartments) and a duplex block containing 12 no. apartments at the north western corner of the site and Block D (25 apartments) at the southern end of the site.
- Phase 3 at the centre and northern end of the site. Total of 56 no. units comprising 42 no. houses and Block C (14 apartments), also the central open space.
- Phase 4 at the eastern side of the site. Total of 86 no. units comprising 36 no. houses and Blocks E and F (25 apartments each).

3.4. The red line site boundary runs along the middle of Greenway at the eastern side of the site and the development includes works to the Greenway.

4.0 Planning History

4.1. Reg. Ref. 17/78 Development Site

- 4.1.1. Relating to the development site (5.906 ha). Permission sought to demolish existing buildings at the site and to construct 172 no. residential units comprising 74 apartments and 98 houses, also a crèche (446 sqm), shared communal and private open space, site landscaping and public lighting, services, access to Ballymoneen Road and vehicular connection to lands to the immediate south of the site. The application was withdrawn.

4.2. Reg. Ref. 08/32 PL61.232115 and Reg. Ref. 14/54 Development Site and Adjoining Lands

4.2.1. Relating to the subject site and adjoining lands, total site area 9.21 ha. Permission granted by Galway City Council for the demolition of two existing houses, sheds and outbuildings, crèche, 3 no. retail units (225sq.m) and 3 no. office units (212sq.m), bar/restaurant (512sq.m) and 360 residential units (78 no. apartments, 82 duplex units, 25 no. townhouses and 175 no. houses), bin storage, ESB substation, surface and basement car parking and all associated external and site development works including 3 vehicular access points and road widening along Ballymoneen Road. Permission granted under Reg. Ref. 08/32. Condition no. 54 of the permission required a financial contribution to Galway City Council for the development of 'Main Avenue', based upon the level of impact the development would have upon the road network which was considered to be equivalent of 30% of the costs. This condition was amended on appeal ref. PL61.232115 but the substantial decision was unaltered. Permission was granted for an Extension of Duration until 18th July 2019 under Reg. Ref. 15/54.

4.3. Reg. Ref. 07/610 Development Site and Adjoining Lands

4.3.1. Relating to the subject site and adjoining lands. Permission sought for demolition of two existing houses, sheds and outbuildings, crèche (189sq.m), 3 no. retail units (225sq.m), 3 no. office units (212sq.m.), bar/restaurant (512sq.m) and 383 residential units (96 no. apartments, 91 duplex units, 46 no. townhouses and 150 no. houses), bin storage, ESB substation, surface and basement car parking and associated works including road widening along Ballymoneen Road. Permission was refused for 9 no. reasons relating to development at variance with the Framework Plan for the area; inadequate communal amenity space; housing mix contravenes Galway City Development Plan policy; inadequate design of residential accommodation; inadequate provision of childcare facilities; undue overlooking of adjoining properties; inadequate layout due to proximity of apartments / duplexes / townhouses to adjacent buildings; non-compliance with development plan car parking standards.

4.4. LA3/2018 Ard Cré Scheme at Adjoining Lands to South of Development Site

- 4.4.1. Part VIII scheme to the immediate south of the development site. Granted in 2018 under Reference LA3/2018 – Ballyburke (Ard Cré Phase 2). Permission for 78 residential units comprising 5 no. 4 bed houses; 18 no. 3 bed houses; 17 no. 2 bed houses; 6 no. 1 bed apartments over 6 no. 3 bed duplex units and 13 no. 3 bed duplex units over 13 no. 2 bed apartments, along with supporting works including extensions to access road currently under construction with home zone area; road and pedestrian connection to the current development site; vehicular and pedestrian access to future park lands to the east; 127 no. car parking spaces; multi-use games area (MUGA) facility, playground, hedged garden and other amenity areas; ESB substation; surface water detention pond and other site works.

5.0 Section 5 Pre Application Consultation

5.1. Pre-Application Consultation ABP-303722-19

- 5.1.1. The pre-application consultation related to a proposal to construct 238 no. residential units consisting of 113 no. houses, 125 no. apartments, crèche and 2 shops.
- 5.1.2. A section 5 consultation meeting took place at the offices of Galway City Council on 29th March 2019. Representatives of the prospective applicant, the planning authority and ABP were in attendance. Following consideration of the issues raised during the consultation process and having regard to the opinion of the planning authority, ABP was of the opinion that the documentation submitted constituted a reasonable basis for an application for strategic housing development.
- 5.1.3. The opinion notification pursuant to article 285(5)(b) also referred to specific information that should be submitted with any application as follows:
1. Records of consultation with Galway County Council and its agents regarding the compatibility of the proposed development with the planned N6 City Ring Road.
 2. A housing quality assessment which provides the specific information regarding the proposed apartments required by the 2018 Guidelines on Design Standards for New Apartments. A building lifecycle report for the proposed apartments in accordance with section 6.13 of the 2018 guidelines should also be submitted.

3. A report demonstrating compliance with the applicable standards set out in DMURS and the National Cycle Manual in relation to the proposed development.
4. A phasing scheme for the development which would indicate how open space and access for the proposed housing would be provided in a timely and orderly manner.
5. A plan showing areas which would be taken in charge by the local authority on completion of the proposed development.
6. Details of proposed boundary and surface treatments throughout the development, and of landscaping and planting.

5.2. Applicant's Response to Pre-Application Opinion

5.2.1. The application includes a statement of response to the pre-application consultation, as provided for under section 8(1)(iv) of the Act of 2016. The response notes that the documents submitted at the pre-planning consultation were deemed to constitute a reasonable basis for an SHD application. It notes the following points in relation to the specific information to be submitted with the application:

- The application includes records of consultation between the applicant, Arup project engineers (Galway County Council's Project Consultants) and Galway City Council in relation to the GCRR.
- A Housing Quality Assessment is submitted which considers compliance with national policy including the Apartment Guidelines. A Building Lifecycle Report is submitted in accordance with section 6.13 of the Apartment Guidelines.
- The application includes a Statement of Consistency with DMURS, which includes consideration of compliance with the National Cycle Manual.
- A phasing scheme is submitted, ref. drawing no. 1801-PL18 Phasing Plan.
- A taking in charge plan is submitted, ref. drawing no. 18011-PL17 Taken in Charge Site Layout.
- Drawing no. 18398/2/102 Boundary Treatment details proposed boundary treatments. Drawing no. 18395-2-100 Landscape Masterplan indicates proposed surface treatments and planting. A Landscape Statement is also submitted. Drawing no. 18395-2-101 Proposed Local Equipped Play Areas provides details of play facilities.

6.0 Relevant Planning Policy

6.1. National Policy

6.1.1. The following is a list of relevant section 28 Ministerial Guidelines:

- 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)
- Guidelines for Planning Authorities on Urban Development and Building Heights, 2018
- Sustainable Urban Housing: Design Standards for New Apartments as updated March 2018
- Childcare Facilities – Guidelines for Planning Authorities
- The Planning System and Flood Risk Management (including associated Technical Appendices).
- Retail Planning Guidelines for Planning Authorities.

6.2. Draft Regional Spatial and Economic Strategy Northern and Western Regional Assembly

6.2.1. The NWRA published the draft RSES on 19th November 2018, following formal Pre-Draft RSES consultation between November 2017 and February 2018. Public consultation was carried out on the draft RSES between November 2018 and February 2019. The submissions received were considered by the Assembly at its meeting on 26th April 2019, which decided to propose Material Amendments to the Draft and determined that SEA and AA were required in relation to the proposed Material Amendments. The Assembly further decided on 26th July 2019 to publish the Material Amendments and the SEA and AA carried out for them. This are currently subject to public consultation between 4th August and 11th October 2019. The draft RSES outlines arrangements for a co-ordinated Metropolitan Area Strategic Plan (MASP) for the Galway Metropolitan Area.

6.3. Galway City Development Plan 2017-2023

6.3.1. Zoning / Specific Objectives

The site is zoned R for residential:

“To provide for residential development and for associated support development, which will ensure the protection of existing residential amenity and will contribute to sustainable residential neighbourhoods.”

The eastern end of the southern site boundary adjoins lands zoned for recreation and amenity. Development plan mapping indicates a Greenway along the eastern side of the site, which extends northwards to the other side of the GCRR corridor and southwards through the amenity zoned lands. In addition, there is a specific development plan objective to provide local convenience shopping and services at Clybaun, Ballymoneen and Ballyburke, ref. Policy 11.2.8., at the south western corner of the site.

6.3.2. Neighbourhood Concept and Outer Suburbs

Development plan policy 2.4 ‘Neighbourhood Concept’ states the following objectives in relation to new residential areas:

- Encourage the development of sustainable residential neighbourhoods, which will provide for high quality, safe, accessible living environments which accommodates local community needs.
- Encourage sustainable neighbourhoods, through appropriate guidelines and standards and through the implementation of local area plans, masterplans / frameworks / area plans.
- Protect and enhance new/existing residential neighbourhoods through appropriate guidelines and standards, preparation of framework plans, development briefs and design statements.
- Ensure the design of residential developments have regard to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) and the accompanying Urban Design Manual – A Best Practice Guide and the Design Manual for Urban Roads and Streets (2013).

Ballyburke and Ballymoneen are located within the 'Outer Suburbs' as per core strategy Table 2.1. Development Plan Policy no 2.5 'Outer Suburbs' sets out further principles for the development of new residential areas.

Development plan section 11.3.1 sets out specific policies for development in the Outer Suburbs including the following, which are noted in particular:

- Plot ratio of 0.46:1 for new residential development shall not normally be exceeded.
- Residential developments > 10 units shall normally provide a mix of residential unit types.
- Communal recreation and amenity space requirement of 15% of gross site area.
- Where acceptable 'home zones' are proposed, in accordance with Council Guidelines, the shared spaces shall be regarded as communal open space but shall not exceed one third of the total communal open space requirement. Shared spaces shall be regarded as communal open space where it is designed primarily to meet the needs of pedestrians, cyclists, children and residents and where the traffic speeds and dominance of the cars is reduced through design.
- Recreational facility for all proposed residential development > 10 units, to serve the needs of the residents and should reflect the profile of future residents, the scale and type of development.
- Private open space (areas generally not overlooked from a public road) exclusive of car spaces to be provided at a rate of not less than 50% of the gross floor area of the residential unit.
- Section 11.3.1 (g) Car Parking Standards and section 11.3.1 (h) Cycle Parking Standards.
- 11.3.1 (i) Bin Storage Standards.

6.3.3. Galway City Ring Road Scheme and Galway Transport Strategy

The development plan core strategy states that commitments to preserve the N6 GCRR Preferred Route Corridor and the associated land requirements will take priority over other land uses and objectives. Proposals for developments within the

corridor are to be assessed, in addition to other standard criteria, in the context of their potential to impact and potentially prejudice the development of the road.

Development plan policy 3.1 states in relation to the development of the N6 GCRR scheme:

“Support the N6 GCRR project in conjunction with Galway County Council and Transport Infrastructure Ireland in order to develop a transportation solution to address the existing congestion on the road network and reduce the negative impact of vehicular traffic on the functioning and experience of the city centre and to facilitate city bound, cross –city, cross- county and strategic east – west movements.”

Development plan policy 3.3 ‘Galway Transport Strategy (GTS)’ states:

“Continue to progress a sustainable transport solution for the city through the implementation of measures included in the GTS and required supporting projects in particular the N6 GCRR project.”

Development plan policy 3.6 ‘Cycling and Walking’ includes the following objective:

“Support the proposed Greenways as part of the primary cycle network and as part of a link to Bearna, Oranmore, Maigh Cuilinn and Oughterard.”

6.3.4. Greenways

Development plan policy 4.5.1 ‘Community Spaces: Greenways and Public Rights of Way’ states in relation to Greenways:

“Continue to develop and improve the greenway network in the city, providing alternative accessible circulation routes for pedestrians and cyclists, for the enjoyment of the entire community.”

6.3.5. Childcare

Development plan policy 7.4.3 ‘Childcare’ states:

“Facilitate the development of childcare facilities, including after school services, at a number of suitable locations, such as, within residential areas, places of employment, city centre, neighbourhood and district centres, schools, in the vicinity of educational and community establishments and adjacent to public transport nodes.

Contribute to the provision of childcare facilities by requiring that such facilities be provided in conjunction with residential developments over 75 dwelling units.

Consider alternative arrangements where it can be clearly established that adequate childcare facilities exist.”

Development plan section 11.3 provides development management standards for childcare facilities.

6.4. Galway Transport Strategy 2016

- 6.4.1. The Galway Transport Strategy 2016 was prepared by Galway City and County Councils in partnership with the NTA, informed by ongoing work being undertaken by Galway County Council on behalf of both authorities and TII on the N6 GCRR project. It covers an area comprising the Galway City Council administrative area along with the settlements of Bearna, Oranmore, Maigh Cuilinn and Baile Chláir. It assumes limited suburban expansion in areas including Ballyburke, based on the population target for Galway City of 98,700 in 2022, as set out in the Regional Planning Guidelines. Analysis of census information, the National Household Travel Survey and other data indicates that the western suburbs of Galway generate commuter traffic to other parts of the region that is predominantly car based. The strategy aims to address the current and future transport requirements of the city and the settlements within the city environs and to identify the level of service requirements for each mode of transport including walking, cycling, public transport and private vehicle.
- 6.4.2. The N6 GCRR (including a new bridge over the River Corrib) is identified as an important element of the strategy to remove car journeys and traffic congestion from city roads and enable the reallocation of road space to more sustainable forms of transport. The strategic aims of the GCRR are set out in Table 4.2 of the strategy and figure 4.4 presents a route for the GCRR corridor. The GCRR is to be complemented by a high quality public transport system with increased capacity in conjunction with the delivery and promotion of a core and feeder cycling network and an attractive prioritised pedestrian network.
- 6.4.3. Greenways are identified as part of the segregated cycling infrastructure. Table 7.3 indicates an objective to provide infrastructure on the Ballymoneen Road comprising

traffic management and signage to reduce vehicle speeds and advertise the presence of cyclists.

- 6.4.4. Clybaun Road, to the east of the site is identified as a bus route 'Blue Route' Clybaun Road – City Centre – Castlegar (via Dr. Mannix Road and Tirellan).

6.5. **Statement of Consistency**

- 6.5.1. 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, the City Development Plan and other regional and national planning policies. The following points are noted.

- Development Plan Core Strategy - based on RPG population targets, it is estimated that there will be an additional 8,510 no. households in Galway City in the period 2011-2022. Taking account of the 467 no. housing units completed up to September 2016, there would be an estimated residual demand for 8,043 no. housing units to meet the population target. The development will contribute towards meeting this target on residentially zoned land.
- The residential and childcare land uses are compatible with the residential zoning objective.
- The development includes retail facilities in accordance with the specific local objective for same at this location.
- The development has been prepared in consultation with Galway City Council and Arup (project engineers for Galway County Council) with regard to compatibility with the GCRR layout. All parties are satisfied that no conflicts arise from the development. Records of consultation meetings are submitted. Block C is located within 11m of the site boundary at the north eastern corner of the site. The adjoining lands are zoned for residential development however, this area is proposed as a permanent attenuation area under ABP-302885-18. The access from the Ballymoneen Road is designed to achieve a minimum 90m setback from the GCRR / Ballymoneen Road junction. The land to the west of the application site abutting the junction is in the control of the applicant but is not included in the application to facilitate the new road layout. In the event that the road project

does not go ahead, the applicant will make a subsequent application to regularise this strip of land. Interim and final landscaping solutions are proposed for this area as per submitted photomontages.

- Residential density was increased at the site on foot of pre-planning discussions with Galway City Council. The net density of 41.48 units/ha is in accordance with development plan standards and with national policy as per the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas. The plot ratio of 0.46:1 complies with the maximum standard as per development plan policy.
- The residential units meet design standards as per Section 28 Guidelines including the Apartment Guidelines, ref. the submitted Housing Quality Assessment.
- The site layout provides a communal open space area of 14.5% of the total site area. Development plan section 11.3.1 requires a provision of 15% of the gross site area. The communal open spaces include landscaping and play areas.
- The scheme has been designed to overlook the Greenway on the eastern side of the site. The developer proposes to provide a rolled dust / self-binding gravel path along the Greenway route. The site layout incorporates a link from the Greenway to the amenity zoned lands to the south east. The Greenway is located on lands outside the applicant's control. The applicant proposes to facilitate green linkages within their landholding to connect the development to adjacent residential areas.
- The houses at the eastern side of the site overlook the Greenway but do not impact on the rear gardens of properties within Ard na Gaoithe by less than 11m.
- A Visual Impact Assessment is submitted. The area is tolerant of substantial change. The development is designed to improve the recreational and visual amenity of the area.
- The development is designed to comply with DMURS with regard to linkages to adjoining residential areas / amenities and the adjoining Greenway, also the overall roads design and layout. Shared surfaces are proposed. The

development includes 264 no. cycle parking spaces. The car parking provision is generally in accordance with development plan car parking standards. A Road Safety Audit is submitted.

- The submitted TTIA includes a review of committed developments in the area and considers impacts of the GCRR.
- The childcare facility is to cater for 69 no. children and 14 no. staff members with anticipated opening hours of 8 am to 6 pm. A Schools Capacity Assessment is submitted. Adjacent car and cycle parking are provided.
- The applicant proposes to provide 24 no. apartments to meet Part V obligations.
- I note that the submitted Planning Report and Statement of Consistency refer to a non-statutory Framework Plan for lands at Ballyburke, Mincloon and Keeraun, prepared in 2007. This has been superseded by the more recent plans for the GCRR corridor.

7.0 Third Party Submissions

7.1. There are two third party submissions on file. The main points made in each submission may be summarised as follows.

7.2. Galway Cycling Campaign

- The campaign committee are concerned that the development would limit cycling and walking between the residential area and nearby amenities, schools, places of employment, etc. The site is located within 40 minutes cycle of any location in Galway city and suburbs including major employers at Parkmore Industrial Estate, Mervue, NUIG, UGG, Merlin Park, GMIT and retail centres, amenities, schools and services. The development is also 600m north (3 minutes cycle) of a key cycling route on the Western Distributor Road as per the City Development Plan and the Galway Transport Strategy.
- Inadequate and inappropriate cycle parking provision in terms of the number of spaces and the design and location of the parking area. Proposed number of spaces is less than that required to comply with the standard provided in the

Apartment Guidelines, i.e. 245 no. residents' cycle parking spaces and 63 no. visitor spaces, 308 in total. No cycle parking provision for the childcare facility customers or staff. Most of the cycle parking consists of combined bin and bike stores at isolated locations further from the dwelling entrances than the car parking. Proposed cycle storage arrangements are dominated by two tier racks housed in sheds that are too small for the purpose. Refers to the Cambridge City Council Parking Guide for New Residential Developments with regard to the design of the proposed cycle parking and to the dimensions of the proposed cycle parking stands, it is submitted that these are inadequate with regard to the recommended standards. Also few of the proposed dwellings have adequate storage space within them and inadequate refuse storage. Refers to online information on Dutch cycling culture.

- Poor permeability. Inadequate walking and cycling links to adjoining development. A map indicating suggested links to adjoining developments and the Greenway is submitted, the development creates an opportunity for improved pedestrian and cycle links throughout the area. The Ballymoneen Road is narrow and does not have a cycle path. Developer should be required to acquire land in Ard na Gaoithe and to open up an existing connection to the greenway at this location. Developer could remove existing boundaries to connecting pathways and adjoining developments to improve permeability and overlooking of communal spaces.
- Greenway design should provide for cycling with appropriate surface treatment, width, signage and lighting.
- Inadequate cycle / pedestrian provision at the Ballymoneen Road access to the development. The vehicular entrance should be located further east along the Ballymoneen Road boundary to remove a potential pinch point and ensure a cycle way can be provided, which would continue southwards.
- Roads layout and access design should be amended to provide 'continuous footways' at vehicular junctions. Refers to British guidance on this matter.

- Proposed disabled parking provision appears to be further from the entrances of buildings than the able bodied parking. Cycle parking may be used by disabled people and should be designed / sited accordingly.

7.3. Residents of Ard Na Gaoithe

- The submission is made by residents of nos. 11, 12, 13, 14, 15 and 16a Ard na Gaoithe, Clybaun Road, all situated to the immediate east of the development site. There is an old, disused cow path bound by stone walls to the immediate rear of the properties, bounding the development site.
- The observers have no objection in principle to the development.
- The applicant did not consult the adjoining property owners in advance of lodging the application and they had no input to the plans.
- Houses nos. 78, 79, 80, 54, 55, 56 and 57 in the development are too close to the observers' properties and will result in overlooking and a serious loss of privacy to their rear gardens and living areas. This will be exacerbated by the fact that the finished floor level of the proposed houses will be higher than houses in Ard na Gaoithe. The landscaping scheme will not adequately mitigate this overlooking.
- The observers propose several measures to address the issue comprising redesign of the relevant houses to single storey only, or their omission entirely from the scheme with revised plans to be the subject of a separate future planning application.
- The development includes conversion of the existing cow path into a Greenway. Serious security and privacy consequences for adjoining houses in Ard na Gaoithe. There was antisocial behaviour at this location when part of the site perimeter was cleared in 2017. No previous development plans for the subject site included a Greenway.
- The red line site boundary is at the centre of the proposed Greenway. This aspect of the development is premature pending consultation with stakeholders

and future determination of Greenways by Galway City Council taking into account other adjacent development proposals.

- The observers request the construction of a new screen boundary wall between the development and properties in Ard na Gaoithe, consistent with the new boundary wall at the adjoining development to the south of the subject site. Also request a condition requiring the omission of the proposed Greenway.
- Development will result in removal of existing natural habitat of trees, shrubs and undergrowth at the Greenway and the removal of several large, mature trees close to Ard na Gaoithe. Request conditions to retain the existing trees and provide additional landscaping at the eastern boundary of the development, to be selected to be mutually beneficial to residents of both estates.
- Development will involve rock excavation with consequent impacts on residential amenities during construction. Request a condition restricting hours of works to 8 am to 5 pm on weekdays. Also a condition requiring structural surveys to observers' houses during and at the completion of development.

7.4. Third Party Submissions Conclusion

I have considered all of the documentation included with the above third party submissions.

8.0 Planning Authority Submission

8.1. Galway City Council has made a submission in accordance with the requirements of section 8(5)(a) of the Act of 2016. It summarises observer comments as per section 8(5)(a)(i). It does not include any views of the relevant elected members. 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. PA Comment on Zoning, Core Strategy, Part V

- The zoning objective of the site allows for the consideration of the proposed development subject to ensuring the protection of the residential amenities of the area.

- The proposed housing mix accords with development plan objectives.
- The development has a plot ratio of 0.46:1, in accordance with the development plan statement that a maximum plot ratio of 0.46:1 would be considered on such zoned lands. The plot ratio is acceptable at this location given the topography of the site and the character of the surrounding area.
- The proposed Part V provision is acceptable.

8.3. PA Comment on Design and Layout, Quality of Residential Development

- The design has had regard to issues raised at pre-planning consultation and issues raised in historical planning applications at the development site and surrounding area.
- The design and layout are satisfactory with regard to layout around a central open space; relationship with the Part VIII scheme to the south, the strategic road corridor to the north and the surrounding area; frontage to Ballymoneen Road; site topography and local character; concentration of density and height at the south eastern corner of the site with the provision of apartment blocks overlooking the RA zoned lands to the south; 2 storey development at the eastern side of the site with passive surveillance of the Greenway; local centre provided in the south western corner of the site as required by a specific development plan objective 11.2.8; crèche provision as per development plan policy 7.4.3.
- The apartment blocks exceed minimum standards set out in the Apartment Guidelines with regard to sizes of units, room sizes and storage areas. Adequate private and communal open space. Apartment design and layout are considered acceptable. Clarification required r.e. materials at 4th floor level of apartment blocks.
- Lack of a detailed signage proposal for the retail units in Block A should be requested by condition.
- The design of the houses and duplex units is acceptable with a good mix and variety of materials.

- The crèche is appropriately located within the development and is considered to be complimentary to the housing and in compliance with the neighbourhood community concept.
- Overlooking from the apartment blocks facing Ballymoneen Road to Fána Buí is not considered problematic.
- The Greenway will be overlooked by some Type B units. The concerns of third parties are noted, however none of the dwellings overlooking the Greenway will impact on the rear gardens of properties in Ard na Gaoithe to the east by less than 11m, in accordance with development plan requirements. In addition, all houses have private open spaces of at least 50% of the floor area of the dwelling in accordance with development plan standards. The Greenway provides Part M access and a green buffer. The proposed surface treatment and landscaping are acceptable.
- The concerns of the Galway Cycling Campaign are noted.
- Incorporates the report of the Recreation and Amenity Dept. of Galway City Council, dated 16th August 2019, which advises that the development is generally satisfactory, but states concerns in relation to details of site levels, public lighting, planting, boundary treatments and the usability of the public open space at the north western corner of the site in terms of pedestrian safety. Also, the proposed location of an underground attenuation tank under the playground is not appropriate, this should be relocated. Recommends conditions.

8.4. PA Comment on Traffic and Vehicular Access

- Incorporates the report of Galway City Council Roads and Transportation Section dated 15th July 2019.
- Note that the GCRR scheme is to the immediate north of the site. The junction of the N6 and Ballymoneen Road is at grade and will be a signalised junction. The Ballymoneen Road to the south of the N6 will need to be upgraded for a distance of 130m to a 6m wide carriageway with footpaths on both sides. Road width and footpaths north of the proposed access to Ballymoneen Road will be provided by the developer.

- Development appears to be generally compliant with DMURS, however the layout of the Ballymoneen Road access is not DMURS compliant. Further details are required. Also, clarification of proposed bus stop on Ballymoneen Road adjacent to Block A.
- The concerns of the Galway Cycling Campaign are noted; however, it is considered that the development satisfies development plan requirements in relation to the provision and location of secured and covered cycle parking for the apartments.
- Concern regarding lack of provision of charging points for electric vehicles.
- The submitted Traffic and Transport Assessment (TTIA) is noted. It analyses 3 junctions in the vicinity of the site. The largest impact reported is at the Ballymoneen Road / Ragoon Road junction, which will need to be upgraded to accommodate future traffic growth, committed developments and the proposed development. The analysis of a signalised junction at this location shows that signalling the junction would have a positive effect on its operation. Land at the junction is outside the control of the developer.
- The submitted Road Safety Audit is noted.
- Additional details of public lighting are required.
- Clarification of areas to be Taken in Charge is required.
- Recommends conditions including in relation to the above matters.

8.5. PA Comment on Water Services and Flooding

- Incorporates comment from Galway City Council Water Services dated 4th July 2019.
- No objections in relation to surface water drainage.
- The developer has been in contact with the designers of the N6 GCRR in relation to the proposed foul and surface water sewer pipes to the north of the site. These sewers will be laid by the developer in the event that the estate is built in advance of the GCRR scheme. Otherwise, the pipework in the road envelope will be laid as part of the road project and the developer connection at the boundary. This is acceptable to Water Services.

8.6. PA Comment on Ecological Issues

- The submitted NIS, AA Screening Report and Ecological Impact Assessment Report are noted.
- The planning authority confirms that there will be limited loss of habitat and note that the development has the potential to enhance the biodiversity of the area subject to the implementation of the proposed landscaping scheme.

8.7. PA Comment on Childcare Facilities

- The proposed creche satisfies development plan policy 11.13 with regard to the provision of outdoor play space. It is of good design and location and assimilates well visually into the development. Details of future operation are also acceptable.

8.8. PA Conclusion

- 8.8.1. The planning authority is favourably disposed in principle to a grant of permission on this site, subject to recommended conditions.

9.0 **Prescribed Bodies**

9.1. **Irish Water**

- 9.1.1. Based upon the details provided by the developer and the Confirmation of Feasibility, Irish Water confirms that subject to a valid connection agreement being put in place between Irish Water and the developer, the proposed connection to the Irish Water network can be facilitated.

9.2. **Transport Infrastructure Ireland**

- 9.2.1. The following points are noted:
- The development is immediately adjacent to the corridor of the N6 GCRR Scheme with the corridor passing along the northern site boundary. The GCRR is identified as a road scheme in Project Ireland 2040 National Planning Framework (NPF) National Strategic Outcome no. 2 Enhanced Regional Accessibility advancing orbital traffic management solutions and is also included in Project Ireland 2040 National Development Plan 2018-2027. The GCRR scheme is currently before the Board for assessment.

- National Strategic Outcome no. 2 of the NPF includes the objective of maintaining the strategic capacity and safety of the national road network and future schemes in planning for future capacity enhancement. Safeguarding the strategic function of the national road network and future schemes in planning is official policy in the NPF and Section 28 Guidelines DoECLG Spatial Planning and National Roads Guidelines (2012). It is important that the development does not compromise or impact the planning and delivery of the GCRR scheme and that both projects proceed complementary.
- The development impacts on lands reserved for the GCRR by
 - Provision of foul and surface water networks across lands reserved for the GCRR scheme and
 - Access and boundary treatments along the Ballymoneen Road encroaching onto lands reserved for the GCRR.
- There has been consultation on the storm and foul infrastructure and details have been agreed in principle between the applicant and the Galway County Council GCRR scheme project team.
- TII understands that the applicant has further engaged with the Galway County Council GCRR project team in relation to the sequence of construction along the Ballymoneen Road and details have been agreed in principle, although it is noted that no details in relation to this matter appear to have been provided with the SHD application.
- TII recommends conditions in relation to agreement on the above matters, costs, phasing of construction, claims in respect of impacts (e.g. noise, visual, environmental, etc.) on the development, future sale of the site and mitigation of impacts from the GCRR scheme.

10.0 Assessment

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

- Principle of Development
- Design and Layout
- Impacts on Residential Amenities
- Roads and Transportation Issues
- Site Services, Drainage and Flooding
- Ecological Impact Assessment and Appropriate Assessment
- Part V

These matters may be considered separately as follows.

10.2. Principle of Development

10.2.1. Development Plan Core Strategy

The Galway City Development Plan 2017-2023 core strategy aims to focus development on urban regeneration areas with masterplans to be developed for areas at Ceannt Station and the Inner Harbour. These are to be developed as a sequential expansion of the city centre, linked with a transportation hub. The Headford Road Area south of the Bodkin junction is also to be the subject of an LAP, to be intensified and developed as a more mixed use area with a significant amount of new residential development. High density greenfield residential development is to be focused into the east side of the city at Ardaun, located on the M6/N6 and with proximity to the N18/N17 and close to Oranmore station, Galway Airport and employment opportunities. The remaining residential areas of the city, i.e. including the development site at the western periphery, are to grow at a more constrained rate and in character with the established nature of development, with a policy to allow for consolidation and densification where appropriate.

The core strategy specifies a population target for Galway City of 98,700 by 2022, as set out in the Regional Planning Guidelines for the Western Region. The development plan notes that the city is unlikely to reach this target, based on the preliminary results of the 2016 Census, and 2014 CSO Regional population

forecasts. There were 467 house completions in Galway City between January 2012 and September 2016, resulting in an estimated residual demand for 8,043 housing units to meet the needs for housing of the population target. Development plan Table 1.2 indicates an estimated 6,020 housing units to be delivered on residential zoned land (high density) during the Plan period, with separate targets for 'low density' residential zoned land, Ardaun Phase 1, regeneration lands and vacancy/obsolesce/other adjustments, resulting in a total capacity of 9,093 units. Table 1.3 'Housing Land Capacity in the City' for residential zoned lands indicates an estimated capacity of 3,510 for the east of the city and 3,325 for the west of the city.

I note that the planning authority has no objection in principle to residential development at this location. I accept that there is therefore a significant amount of capacity remaining for additional residential development on zoned lands, with no phasing proposal applicable on the development site. Therefore, based on the zoning objectives, I have no objection to the principle of residential development at this site, subject to complying with development policies and other planning requirements as addressed in the following sections.

10.2.2. Residential Density

Ballyburke is classified as an 'Outer Suburb' of Galway as per development plan Table 2.1. Section 5.11 of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas recommend residential densities of 35-50 units/ha at such locations. Development plan policy for Outer Suburbs follows this guidance. Section 3.4 of the Apartment Guidelines states in relation to 'peripheral / less accessible' urban locations:

"Such locations are generally suitable for limited, very small-scale (will vary subject to location), higher density development that may wholly comprise apartments, or residential development of any scale that will include a minority of apartments at low-medium densities (will also vary, but broadly <45 dwellings per hectare net)"

The development has a stated net density of 41.48 units/ha, excluding the main distributor road and an open space buffer along the Greenway at the eastern site boundary (stated gross density 39.93 units /ha). Development plan policy on 'Outer Suburbs', ref. section 11.3.1, states that a plot ratio of 0.46:1 for new residential development shall not normally be exceeded. The development has a stated plot

ratio of 0.61:1, in accordance with this requirement. I consider that the proposed residential density is acceptable in principle in the context of this policy guidance.

10.2.3. Housing Mix

This area of Galway city is predominantly characterised by large, family sized houses with scattered one-off dwellings in the rural lands to the north of the site. There is a mix of unit types in the Part VIII scheme currently under construction to the immediate south of the site and there are smaller units in the Ascaill na mBláth development to the south east. Development plan policy for Outer Suburbs encourages a mix of housing types and tenures to create neighbourhoods for people of different ages and lifestyles. I also note SPPR 1 of the Apartment Guidelines. The proposed development of 238 no. residential units comprises 38% 4 bed units; 10% 3 bed houses; 8% 1 bed apartments; 38% 2 bed apartments / duplex units and 6% 3 bed apartments / duplex units. Of the 125 apartments (including duplex units), 16% are 1 bed units; 72% are 2 bed units and 12% are 3 bed units. I consider this mix to be reasonable as it avoids a preponderance of large, detached houses and includes a mix of unit types and sizes.

10.2.4. Retail and Childcare

There is a development plan objective for a neighbourhood centre at the southern end of the development site, at the Ballymoneen Road frontage. The development includes 2 no. retail units at this location with a total retail floorspace of 354.9 sq.m., in accordance with the development plan objective. The retail units are a desirable element of the scheme and will serve the emerging Ballymoneen Road area. I note section 4.11.6 of the Retail Planning Guidelines, which supports the provision of local retail units serving local residential districts as they perform important social and economic functions in urban areas. The location of the crèche, adjacent to the retail units and the Ballymoneen Road access is also satisfactory.

The Childcare Facilities Guidelines for Planning Authorities recommend a minimum provision of 20 childcare places per 75 no. dwellings, i.e. c. 63 no. childcare places to serve the proposed 238 no. residential units. The proposed crèche has a stated floor area of 358.9 sq.m. with a capacity of 69 no. children and 14 no. staff members. This exceeds the standard recommended in the Childcare Guidelines, notwithstanding subsequent policy in section 4.7 of the Apartment Guidelines, which

states that the threshold for childcare provision in apartment schemes should be established having regard to the scale and unit mix of the development, with 1 bedroom units generally not considered to contribute to a requirement for any childcare provision. The proposed childcare provision is considered acceptable on this basis. I note the crèche includes a room on the ground floor that may be used as a community facility, this is desirable subject to satisfactory ongoing management / maintenance of same. The application includes an assessment of schools capacity in the area.

10.2.5. Principle of Development Conclusion

To conclude, the proposed quantum of development, residential density, housing mix and retail and childcare provision are considered to be acceptable in the context of the peripheral location of the development site in an emerging urban area and with regard to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas and to development plan policy for Outer Suburbs. The development is therefore considered to be acceptable in principle.

10.3. **Design and Layout**

10.3.1. Proposed Design and Layout

The development is laid out such that the apartment and duplex blocks are located at the edges of the site with the semi-detached and terraced housing units grouped around a central open space. Block A, containing the retail units on the ground floor, is located immediately south of the entrance from Ballymoneen Road. There is an area of communal parking to the rear of Block A, which also serves the two storey crèche / community facility. The crèche/ community facility has an ancillary private open space to the rear. House types A1, A2 and B are designed to address corners and overlook public spaces within the scheme. House types A, B and B1 and apartment Block F are also located facing the Greenway at the eastern side of the site, to provide overlooking of the route. There is a large, central public open space (described as a 'village green') and two smaller areas of public open space, one adjacent to the Ballymoneen Road frontage and another serving Block B and the duplex units, facing the GCRR corridor. There are 3 identical apartment Blocks D, E and F at the southern site boundary, facing the adjoining recreation and amenity zoned lands with 3 no. individual communal spaces to the rear/ south. The design

rationale states that the development has been designed to provide variety with surrounding suburban housing with a contemporary approach, finished in buff brick, zinc cladding, also a variety of units and typologies within the scheme. A public lighting scheme and indicative layout are submitted.

With regard to interaction with the GCRR, cross sections indicate that the development will generally be level with the road scheme, with intervening boundary treatments and landscaped areas. Block B and the duplex units at the north western corner of the development face the GCRR corridor, with an intervening public open space and landscaping. Drawing no. 18395-2-102 indicates that the boundary treatment along the GCRR corridor at this location will be a 2m high rendered blockwork wall. East of Block B, a row of house types A and B1 face the GCRR corridor, served by an intervening local road within the proposed development. The development boundary at this area is a steel railing on top of a rendered blockwork wall, total height 1.2m. Block C and house types A and B1 at the north eastern corner of the development face an attenuation area associated with the GCRR scheme. The attenuation area is to be permanently maintained as such, notwithstanding its residential zoning. The intervening boundary is a 2m high rendered blockwork wall at Block C and a 1.2m high railing at the houses.

The site frontage is set back from the current Ballymoneen Road boundary, in order to allow for a new road layout at the Ballymoneen Road / GCRR junction. Blocks A and B and an intervening public open space face the area. The proposed boundary treatment is described as a 'temporary railing' pending resolution of the area when the GCRR is finalised, with the final boundary treatment being a 0.6m high local stone wall. The design rationale states that when / if the GCRR works are carried out, the applicant will incorporate any remaining area into the public open space at this location and maintain it as part of the development. This is considered reasonable.

10.3.2. Urban Design and Public Open Space Provision

Development plan policy on 'Outer Suburbs', ref. section 11.3.1, requires communal recreation and amenity space at a rate of 15% of the gross site area. The development provides a stated total of c. 8,695 sq.m. of public open space or 14.5% of the total site area. This is acceptable given that adequate private open space is

provided and that the site is adjacent to a large area zoned for recreation and amenity. Development plan policy requires a recreational facility to be provided on communal open space for residential developments > 10 units. The recreational facility should be provided to serve the needs of the residents and should reflect the profile of future residents, the scale and type of development. The proposed landscaping plan indicates that the central open space includes a 'local park' with children's play provision, toddler's playground and exercise equipment. Play facilities for toddlers and preschool children are also provided in the public open space at the northern end of the scheme, serving Block B and the duplex units. The remaining public open spaces are laid out as landscaped, passive open spaces. The design rationale states that the development is laid out such that no property is more than 70m from quality, usable open space. The site is adjacent to a large area of recreation and amenity zoned lands to the immediate south, which will also serve surrounding developments.

The red line site boundary at the eastern side of the site runs along the centre of the Greenway route indicated in development plan maps, currently an old cow path. The application states that the development has been designed to address the Greenway with houses facing the Greenway, pedestrian connections and an open landscaped buffer along the route. Drawing no. 18395-2-200-rev A indicates landscape sections, which show that the development is level with the Greenway. I consider that the development achieves a satisfactory relationship with the Greenway overall with a good degree of amenity and passive supervision.

I am satisfied overall with the quantum and quality of the proposed public open space. I note the issues raised by Galway City Council Recreation and Amenity Section, as stated in their report on file dated 16th August 2019 and as summarised in section 8.3 above, regarding further details of the proposed play areas, a Multi-Use Games Area and other issues. It is considered that the issues may be dealt with by condition.

10.3.3. Quality of Residential Accommodation

The application includes a Housing Quality Assessment and Building Lifecycle Report as required by the pre-application consultation. The 125 no. apartments have floor areas in excess of the standards set out in the Apartment Guidelines. There is a total

of 20 no. single aspect units within the scheme, none of which are north facing. This is well in excess of the 50% standard specified in the Apartment Guidelines for greenfield sites. Ground floor units have a floor to ceiling height of 2.7m, in accordance with SPPR 5 of the Apartment Guidelines. The floor plans indicate that lift / store cores serve 2 – 7 apartments, below the 12 no. units specified in SPPR 6. Adequate storage space is provided in the form of balconies and terraces and adequate storage space is also provided in accordance with the standards set out in the Apartment Guidelines. Bin storage for the apartments is provided in 8 no. standalone blocks adjacent to the apartment buildings, they also serve the creche and the 7 no. terraced housing units at the southern end of the site. This is acceptable in the absence of basement areas and with regard to the guidance provided in sections 4.8 and 4.9 of the Apartment Guidelines, also development plan policy section 11.3.1 in relation to refuse storage. I am also satisfied that house types A, A1, B, B1 and B2 all provide a good standard of residential accommodation. Development plan policy on ‘Outer Suburbs’ requires a private open space provision of not less than 50% of the gross floor area of the residential unit. All houses in the development meet this requirement.

10.3.4. Noise Impacts From N6 Galway City Ring Ring Road

The application includes an Inward Noise Impact Assessment, which uses a Soundplan 8.1 noise model to assess predicted noise impacts on the development from the GCRR, based on a survey of existing noise levels at the site carried out on 18th April 2019 and using projected traffic levels and speed limits for the GCRR as obtained from Arup. The external noise environment at the central green space was found to be within the acceptable noise criteria for external amenity spaces. The open spaces at the northern and western sides of the development were found to be above the criteria set out in ProPG: Planning & Noise Professional Practice Guidance on Planning & Noise New Residential Development May 2017 and BS8233:2014 Guidance but below the undesirable limits. The assessment recommends a noise wall to mitigate this impact. The applicant has made a submission to ABP in respect of ABP-302885-18 outlining a requirement for noise mitigation measures along this section of the proposed GCRR works. The noise assessment states that the most efficient noise mitigation measures will be located outside the red line of the development site, close to the noise source. Within the

development, the proposed houses and apartments are to be designed with glazing to attenuate traffic noise on exposed facades to acceptable levels in accordance with indoor ambient noise criteria set out in ProPG 2017 and BS 8233-2017, with winter gardens for balconies at the north west corner of Block B, the most exposed façade at the junction of the GCRR and Ballymoneen Road.

I note that the proposed layout for the relevant stretch of the N6 GCRR, as currently proposed under ABP-302885-18 does not indicate any noise barrier along the road edge. While the applicant's submission to ABP in respect of noise mitigation measures for the GCRR scheme is noted, there is uncertainty at present as to the outcome of ABP-302885-18. Therefore, I recommend a condition that adequate noise mitigation measures be provided by the applicant at the northern site boundary, such that noise levels within the development are attenuated to acceptable levels in accordance with internationally accepted standards.

10.3.5. Childcare / Community Facility

The proposed 2 storey crèche includes 180 sq.m. of outdoor play space which exceeds the 55% required for a crèche of this size, ref. development plan policy 11.13. There is also an adjacent bin / bike store. I consider the proposed design and layout of the crèche to be acceptable.

10.3.6. Design and Layout Conclusion

The scheme is laid out such that a high level of public realm and amenity will be achieved with passive supervision of public open spaces within the scheme and a satisfactory design and finish of shared spaces. While there are several cul-de-sacs on the eastern side of the site, these provide pedestrian access to the Greenway and related landscaped buffer. I consider that the proposed car parking area between Block A and the childcare / community facility will allow for complementary use of parking spaces and is well located adjacent to the access from the Ballymoneen Road. I am satisfied that the development achieves a satisfactory relationship with the GCRR corridor, with the Ballymoneen Road and with surrounding residential development, also with the residential and amenity zoned lands to the south east of the site. In addition, the proposed residential units are in accordance with relevant national guidance. To conclude, I consider that the design and layout of the development are generally satisfactory with regard to national and development plan

guidance for residential development and that there is a satisfactory standard of residential accommodation for future residents of the scheme. I note also that the planning authority submission is generally positive with regard to the proposed design and layout.

10.4. Impacts on Residential and Visual Amenities

10.4.1. Potential impacts may be considered at the following locations, with regard to the Visual Impact Assessment (VIA) submitted with the application.

10.4.2. Ballymoneen Road

The development will face a revised road layout at the Ballymoneen Road, pending resolution of the GCRR scheme. The Fána Buí estate is to the south west of the development site and there are two one-off houses immediately across the road. VIA viewpoints PM-03, PM-04 and PM-05 indicate views of the development from Ballymoneen Road. Blocks A and B present 4 storey facades to the public road with commercial frontages on the ground floor of Block A and an intervening public open space between the apartment blocks overlooked by house types A. I consider that this design and layout creates a satisfactory urban frontage to Ballymoneen Road with a high level of interest and amenity, in the context of the changing road layout at this location. I note that the application does not include details of the signage to the retail units facing the Ballymoneen Road on the ground floor of Block A, however details of same may be agreed by condition.

10.4.3. Residential Development to the East

The residents of houses within the Ard na Gaoithe estate to the immediate east of the site have made a submission, which states concerns in relation to impacts on residential amenities from the Greenway and from residential development on the eastern side of the development. I am generally satisfied with the design and layout of the Greenway and the adjacent pedestrian connections and landscaped buffer. I consider that, having regard to the intervening distances, the proposed houses A1, B and B1, which are all orientated to address the Greenway, will not have significant adverse impacts on properties within Ard na Gaoithe by way of overlooking or overshadowing. Given that the proposed houses directly overlook the green and subject to a satisfactory public lighting scheme, I do not consider that there is a significant risk of anti-social behaviour at this location. VIA viewpoint PM01 indicates

views of the development from the central open space within Ard na Gaoithe, such that the ridges of the two storey houses at the eastern side of the development are visible over the bungalows within Árd na Gaoithe. The VIA assesses visual impacts at this location as 'minimal'. I consider that any development of these zoned lands is likely to be visible from this location and agree with this assessment.

10.4.4. Ard Cré and Recreation and Amenity Lands to South

Block A, the crèche / community building and associated parking area and the rear of a row of house types A face the side / rear boundaries of properties within the Ard Cré Part VII scheme currently under construction to the immediate south of the site. The development has been designed to achieve a continuation of the building line at this location. The shared boundary is a 2m high blockwork wall. I am satisfied that the intervening distances are adequate and that there will not be any significant adverse impact on the visual or residential amenities of the adjoining properties within Ard Cré. VIA viewpoints PM-02, PM-02a and PM-02b indicate views towards the development from Ard Cré, such that houses within the development will be partially visible and Blocks D, E and F will be visible to the east. This view is acceptable in the context of the changing built environment at this location.

Blocks D, E and F comprise the remainder of the southern part of the site and they face the adjoining recreation and amenity zoned lands. There are 3 no. communal spaces serving the blocks at the boundary, these are to be enclosed by a railing with an overall height of 1.8m, interspersed with pedestrian connections to the recreation and amenity zoned lands. I note the comments of third parties that there should be no intervening boundary with the communal open spaces serving the apartment blocks completely open to the public amenity space. However, I consider that the proposed treatment is satisfactory. It will achieve an adequate level of semi-private space serving the apartments while the boundary railing will result in a good level of passive surveillance of the public space. The presence of the 4 storey apartment blocks will enhance the attractiveness of the public space to the south, creating passive surveillance and a sense of enclosure. The southern orientation and outlook towards the sea and over a public open space will also result in a high level of amenity for south facing apartments within Blocks D, E and F.

10.4.5. Impacts on Residential and Visual Amenities Conclusion

I am satisfied that the proposed development would not have any significant undue adverse impact on visual or residential amenities such as would warrant a refusal of permission.

10.5. **Roads and Transportation Issues**

10.5.1. Existing and Proposed Roads and Transportation Infrastructure

The development site is located c. 4.5 km west of Galway city centre. It currently fronts onto the Ballymoneen Road, which is rural in nature at this location. The 50 kph speed limit is c. 350m south of the site frontage and the current rural speed limit of 80 kph applies at present. There is an existing footpath on both sides of the road to the south of the site. The Ballymoneen Road serves an area of suburban housing developments south of the site and meets the Western Distributor Road at a roundabout south of the site. It meets the Ragoon Road to the north of the site, on the other side of the GCRR corridor.

The northern site boundary abuts the N6 GCRR corridor. The N6 GCRR scheme, currently under consideration by ABP, ref. ABP-302885-18, extends from the R336 regional route around the city connecting to the N6 at Briarhill and onto the M6. The proposed year of opening for the GCRR is 2024. The Ballymoneen Road will meet the GCRR at an at-grade signalised junction north of the development site. The proposed southern approach to the Ballymoneen Road / GCRR junction layout involves a land take at the development site frontage, to facilitate carriageway widening, hence this area is excluded from the red line site boundary aside from the access to the development from the Ballymoneen Road.

Galway Rail Station is c. 6 km from the site. There are 3 no. existing bus routes on the Western Distributor Road, within walking distance of the site, all serving the city centre. The Galway Transport Strategy proposes bus lanes for the Western Distributor Road. The Transport Strategy also proposes to develop the Ragoon Road to the north of the site as a high quality bus corridor connecting to Galway city centre. These public transport infrastructure improvements are likely to change traffic patterns in the area.

The site is a 20 – 30 m cycle to Galway city centre. There are currently no cycle lanes in the vicinity of the site, however the Greenway to the east of the site is to be

developed as a cycle facility. Table 7.3 of the strategy indicates an objective to provide infrastructure on the Ballymoneen Road comprising traffic management and signage to reduce vehicle speeds and advertise the presence of cyclists.

There are currently 1.6 m wide footpaths on both sides of the Ballymoneen Road, however the footpath ends at the development site frontage. The applicant submits that, since there are lands zoned for residential development on the Ballymoneen Road, Galway City Council may carry out future road works on the road to facilitate such development, e.g. road widening and improvements to the Ragoon Road / Ballymoneen Road junction to the north. However, such works cannot be anticipated at present and it must be assumed that, aside from the GCRR, the existing road layout in the area is likely to remain as it is at present for the foreseeable future.

10.5.2. Ballymoneen Road Access and Relationship with N6 Galway City Ring Road

As per the TII submission, the N6 GCRR is identified as a road scheme in Project Ireland 2040 NPF Strategic Outcome no. 2 Enhanced Regional Accessibility. The City Development Plan core strategy states that commitments to preserve the N6 GCRR Preferred Route Corridor and the associated land requirements will take priority over other land uses and objectives. Proposals for developments within the corridor are to be assessed in the context of their potential to impact and potentially prejudice the development of the road. The application indicates that the proposed roads layout has been designed in consultation with Galway City Council and Arup, project engineers for the GCRR, including consultations with Arup regarding the design of the GCCR, subsequent to the Section 5 pre-application consultation, on 13th May 2019, a record of same is submitted. The submission of TII confirms that details have been agreed in principle.

As discussed above, the northern side of the development abuts the GCRR corridor. The site frontage is set back from the current Ballymoneen Road boundary, in order to allow for a new road layout at the Ballymoneen Road / GCRR junction. The Ballymoneen Road access is currently c. 400m north of the existing 50 kph speed limit, however the 50 kph sign is to be relocated north of the entrance. The Ballymoneen Road access to the development is a priority junction. Assuming that the 50 kph limit will apply, a visibility of 45m at 2.4m from the road edge is required as per DMURS Table 4.2. Drawing no. 10509-2018 indicates that the proposed

access junction has a visibility distance of 160 m in both directions. The lands to the north of the access are in the control of the developer and there are no difficulties with achieving the required sight distance. Lands to the south of the access are owned by Galway City Council and being developed as the Ard Cré scheme. The Ard Cré access is 81m south of the proposed development access. The TTIA states that a visibility of 77m to the road edge can be achieved to the south without encroaching on neighbouring lands. I am satisfied that adequate sight distances can be achieved at the proposed Ballymoneen Road access in the context of the changing road layout of the area (assuming that the site will be located within the 50 kph zone) and with regard to DMURS standards. I am also satisfied that the development will not impinge on the GCRR corridor of the Ballymoneen Road / GCRR junction layout, pending the outcome of ABP-302885-18. I note the comments of TII and Galway City Council in this regard. The TII submission notes that the application does not include details of the sequencing of works at the Ballymoneen Road frontage, these could be agreed by condition when there is greater certainty as to the progress of the GCRR scheme.

The crèche and the retail units on the ground floor of Block A, both next to the Ballymoneen Road access, are likely to generate a high level of pedestrian movements. The development includes a footpath at the Ballymoneen Road frontage with drop kerbs and tactile paving at the site access, continuing the footpath on the eastern side of the Ballymoneen Road that terminates at the Ard Cré development. I note the submitted Road Safety Audit, which takes the proposed GCRR layout into consideration. It comments that the application does not provide cross sections or long sections of the interaction with the Ballymoneen Road. The site is relatively level at this location, however sections should be required and agreed by condition.

The layout includes a 'proposed bus stop' south of the Ballymoneen Road access, in front of the commercial units on the ground floor of Block A. Limited details are provided in the application and I note that the Galway Transport Strategy does not refer to any bus routes at this location. The Road Safety Audit raises concerns about the interaction of the bus stop with the development access to the Ballymoneen Road and the adjacent Ard Cré access. I consider that details of the bus stop should be clarified by condition, to the satisfaction to TII and Galway City Council.

The red line site boundary includes a strip of land at the northern site boundary that traverses the GCRR corridor. The proposed layout, design rationale and landscaping scheme do not include any treatment for this area. It is assumed that this area will be resolved pending the outcome of ABP-302885-18 and the final layout of the GCRR at this location.

10.5.3. Internal Roads, Cycle and Pedestrian Layout

The internal roads layout is focused on the central public open space with separate cells serving the residential areas arranged around it. The carriageway width is 5.5m and there are tight corner radii, in accordance with DMURS. There are road crossings with signage and tactile paving throughout the scheme, raised crossings are provided at several locations. Footpaths within the scheme provide pedestrian connections through the central public open space. In terms of permeability, the layout allows for a 'potential pedestrian connection' at the southern boundary where a cul-de-sac adjoins a public road within the Ard Cré scheme, this would create a short cut between Ard Cré and the crèche and retail units within the proposed development. The communal spaces to the south of Blocks D, E and F include pedestrian connections to the adjoining recreation and amenity zoned lands. The eastern side of the development addresses the Greenway, which serves the wider area and has a potential connection to the Ard na Gaoithe and Ascaill na mBláth estates and on the Clybaun Road to the east. Permeability at the northern end of the site is blocked by the presence of the GCRR corridor. The layout does not include dedicated cycle lanes. Instead, the road surfaces are to be used as 'shared spaces' and there is pedestrian / cycle access to the Greenway. All parking is provided at surface level. The houses are served by spaces within their curtilages. The apartments have shared parking areas. There is a larger car parking area to the rear of Block A, which also serves the crèche. Parking areas are interspersed with tree planting.

I am satisfied that the development achieves a high degree of permeability overall and that it will enhance the permeability of the wider area. A condition could be imposed requiring that pedestrian connections be kept open and accessible to the public and residents of the scheme. I consider that the proposed parking layout is generally acceptable. I note that there are no details of how the layout is to accommodate HGV deliveries to the commercial units on the ground floor of Block A.

There is a potential for conflict with car parking and with vehicular movements associated with the adjacent crèche. The Road Safety Audit also recommends clarification of vehicular movements in this area, same should be required by condition. While the concerns of the Galway Cycling Campaign are noted, the proposed use of shared surfaces is in accordance with the National Cycle Manual. The proposed cycle parking locations are adjoining but separate from refuse storage areas and are adjacent to apartment buildings, this is acceptable. The overall quantum of car and cycle parking is considered separately below. Additional cycle parking is required to comply with the guidance provided in section 4.17 of the Apartment Guidelines, however there is scope to accommodate this within the site. The Road Safety Audit raises several issues in terms of pedestrian and cycle routes through the development. I consider that further clarification and design details of pedestrian crossings, footpaths and public lighting should be provided, these can be required by condition.

The applicant proposes to provide a rolled dust / self-binding gravel path along the Greenway route, this treatment is considered acceptable by the planning authority. I note the comments of Galway Cycling Campaign regarding this surface treatment and recommend a condition that an adequate surface be provided. I note that Galway City Council Parks and Landscape Section recommend a condition that the applicant shall legally agree to transfer their ownership of the finished Greenway to the City Council and to provide a full Public Right of Way via the estate entrance and pedestrian routes within the scheme to the Greenway and onto the Recreational and Amenity zoned lands south of the site. I support this recommendation. The proposed public lighting layout does not appear to indicate any luminaires along the Greenway, these should be provided to the satisfaction of the planning authority and may be required by condition.

To conclude, I consider that the proposed road layout, pedestrian and cycle infrastructure are generally in accordance with DMURS and acceptable subject to conditions.

10.5.4. Traffic and Transportation Impacts

A Traffic and Transportation Impact Assessment (TTIA) is submitted. This takes the GCRR and committed developments in the area into consideration. It was prepared

in consultation with Arup, with regard to projected traffic volumes on the GCRR. The TTIA considers projected traffic volumes in the area for the years 2027 and 2037, based on traffic counts carried out in the area between 07.00 and 19.00 on Wednesday 12th October 2016. It assumes opening years for the proposed scheme of 2020 for Phase 1 and 2022 for Phase 2.

The findings of the analysis of local road junctions may be summarised as follows:

- Junction 1 Ragoon Road / Ballymoneen Road Priority Junction

Currently over capacity with a RFC of 1.40 encountered on Arm C of the junction (desirable RFC value is < 0.85, values >1.00 indicate that a junction approach is over capacity). Projected traffic volumes result in a maximum RFC for the junction of 1.66 in 2022 and 2.41 in 2037 for the AM peak. However, these figures do not take the GCRR into account. If the GCRR is constructed, the maximum RFC in 2037 is 1.01 for the AM peak. The junction operates well below capacity at the PM peak in all scenarios.

- Junction 2 Western Distributor Road / Ballymoneen Road Roundabout

Currently operating well below capacity with Arm 3 having the highest RFC of 0.66 in the AM peak. Projected RFC values are below capacity for 2022 and 2027 (excluding the GCRR) with the projected maximum RFC value for the junction being 0.77 on Arm 3 in the AM peak in 2027. Projected values for 2037 without the proposed development (also excluding GCRR) are above capacity with a maximum RFC of 0.98 on Arm 3 in the AM peak. The maximum RFC values with the proposed development (also excluding GCRR) in 2037 are 1.01 on Arm 4 in the AM peak and 0.88 on Arm 1 in the PM peak. If the construction of the GCRR is considered, this reduces to an RFC maximum of 0.31 for Arm 4 in the AM peak and 0.28 for Arm 1 in the PM peak, with all other values for the junction also being below 0.85 RFC.

- Junction 3 Western Distributor Road / Clybaun Road

Currently operating within capacity on all arms. Also within capacity for 2022 without the proposed development (excluding GCRR). There is a maximum RFC of 0.89 on Arm 1 during the PM peak in 2022 with the proposed development (also excluding GCRR). Projected RFC values are above capacity both with and

without the development in 2027 with maximum RFC values on Arm 1 of 0.95 and 0.89 in the PM peak respectively with and without the development. Similarly, the junction is also operating above capacity both with and without the development in 2037. There is a maximum RFC of 1.16 on Arm 4 in the AM peak and all arms are above capacity in the PM peak without the development in the PM peak with a maximum RFC of 1.22 on Arm 1. There is a maximum RFC of 1.23 on Arm 4 in the AM peak with the development and all arms are above capacity in the PM peak with a maximum RFC of 1.22 on Arm 1. The RFC figures are all well within capacity for 2027 and 2037 if the construction of the GCRR is considered.

The TTIA includes a link capacity assessment of the Ballymoneen Road. This indicates that in 2037 the road will be 15.7% over link capacity without the proposed development and 19% above link capacity with the development. However, it will operate with 17% spare capacity in 2037 with the GCRR.

Having regard to the above, I am satisfied that the development will not have undue traffic impacts such as would warrant a refusal of permission.

10.5.5. Parking Provision

The Apartment Guidelines recommend the following car parking provision for 'peripheral and / or less accessible urban locations':

"As a benchmark guideline for apartments in relatively peripheral or less accessible urban locations, one car parking space per unit, together with an element of visitor parking, such as one space for every 3-4 apartments, should generally be required."

Section 11.3.1 (g) of the City Development Plan outlines the following car parking requirement for 'Outer Suburbs':

- 2 on-site spaces per dwelling and 1 grouped visitor space per 3 dwellings, or
- 1 on-site space per dwelling and 1 grouped visitor space per (unspecified) dwellings, or
- 1.5 grouped spaces per dwelling and 1 grouped visitor space per 3 dwellings;
- 3 spaces for dwellings > 200 sq.m. and 1 grouped visitor space per 3 dwellings;

- 1 space for one-bedroom residential dwellings and 1 grouped visitor space per 3 dwellings.

Development plan car parking standards also require 1 space / 20 sq.m. operable space for childcare facilities and 1 space / 15 sq.m. retail space.

The development provides a total of 414 no. car parking spaces as follows:

Unit Type	No. of Units	Proposed No. of Spaces	Provision per Unit
1 bed apt	20	20	1
2 bed apt	90	90	1
3 bed apt	9	9	1
3 bed duplex apt	6	6	1
3 & 4 bed houses	113	226	2
Apt visitor spaces	125	31	1 space / 4 units
Creche	N.A.	10 for 190.2 sq.m. operable space	1 space / 20 sq.m. operable space
Retail	N.A.	22 for 568 sq.m. operable space	1 space / 15 sq.m.
Total	238	414	

The application states that 6 no electric car charging points are to be provided. The proposed car parking provision is considered satisfactory with regard to the above national and development plan guidance.

Development plan section 11.3.1 requires a minimum of one cycle stand per 20 car spaces with an additional cycle stand for every additional 50 car parking spaces. Each cycle stand is to accommodate a minimum of five bicycles. Section 4.17 of the Apartment Guidelines specifies a general minimum standard of 1 cycle storage space per bedroom and a visitor parking provision of 1 space per 2 residential units. This entails a minimum provision of 308 no. cycle spaces to serve the 125 no. apartments. The development provides a total of 264 no. cycle parking spaces for the apartment units, at communal bike stores. I note the comments of Galway Cycling Campaign and consider that there is scope to address the deficiency identified by way of additional cycle parking provision within the development. This

issue may be addressed by condition. There is adequate space within the curtilages of individual houses to provide cycle parking.

10.5.6. Roads and Transportation Issues Conclusion

Having regard to the above assessment, I consider that the proposed car and cycle parking provision and roads / pedestrian / cycle layout are acceptable both within the development and at the Ballymoneen Road access and frontage, subject to conditions as recommended by TII and Galway County Council. I am satisfied that the development will not result in undue adverse traffic impacts such as would warrant a refusal of permission and that any outstanding issues may be dealt with by condition.

10.6. **Site Services, Drainage and Flooding**

10.6.1. The site has soil with poor drainage characteristics, as is typical of the topology of this region. There are no watercourses present at the site or in the immediate vicinity, the nearest watercourse is the Tonabrocky stream c. 75m to the east of the development site boundary. The proposed drainage design includes SUDs measures with 3 no. attenuation areas with cellular storage, located under the public open spaces in the centre, north and west of the site, also permeable paving. Storm water drainage design calculations are submitted. The surface water system is designed to cater for the largest storage required for a 48 hour storm period with rainfall depths taken for the 30-year return period based on data obtained from Met Eireann. The documentation submitted does not refer to any climate change allowance. The development is to connect to the existing watermain and foul sewer on the Ballymoneen Road.

10.6.2. I note the Irish Water comment on the proposed development, dated 11th July 2019, which confirms that, subject to a valid connection agreement being put in place between IW and the developer, the proposed connections to the Irish Water networks can be facilitated. I note the report on file of Galway City Council Water Services, dated 4th July 2019, which states no objection to the development. To conclude, I do not consider that the development would result in an unacceptable residual flood risk for the development, its occupants or adjoining property such as would warrant a refusal of permission.

10.6.3. I note the comment of file of Galway City Council Water Services, dated 4th July 2019, which states that the developer has been in contact with the designers of the GCRR in relation to the proposed foul and surface water sewer pipes to the north of the site. These are to be laid by the developer in the event that the estate is built in advance of the GCRR scheme. Otherwise, the pipework in the road envelope will be laid as part of the road project and the developer connection at the boundary. This is acceptable to Water Services and is confirmed in the TII submission on file.

10.7. **Ecological Impact Assessment and Appropriate Assessment**

10.7.1. Ecological Impact Assessment

The Ecological Impact Assessment is based on site surveys carried out in December 2016 (exact date not provided), 15th January and 9th April 2019. This included assessment of the landscape features and derelict house and outbuildings as potential bat roost habitat.

The majority of the site is made up of a mosaic of wet grassland and scrub, interspersed with some rock outcrops. There are a number of mature trees present in the eastern side of the site, close to the Ard na Gaoithe estate. No Annex I habitats were identified at the site. No invasive species were identified within the site boundary. No red-listed or protected plant species were recorded within the site boundary. The habitat mosaic of scrub and wet grassland and stone walls within and surrounding the site are considered to be of local importance (lower value). Hedgerows at field boundaries within the site and the trees close to the eastern site boundary are likely to be utilised by commuting and foraging bats and are considered to be of local importance (higher value). The remaining habitats including buildings and artificial surfaces, recolonising bare ground and spoil and bare ground are assessed as local importance (lower value).

An individual grey heron was observed at the site. The site does not support suitable breeding habitat for this species and provides limited foraging habitat due to the lack of watercourses. No evidence of mammal species of conservation concern was recorded. No evidence of bats was found at the derelict house at the site. The building is unlikely to support a bat roost due to its state of disrepair. Overall the site is not considered to provide significant suitable habitat for bat species. The site is not

considered to provide significant habitat for marsh fritillary. No faunal species of conservation concern were recorded within the site during field surveys.

Proposed mitigation measures are outlined, including environmental management measures for the construction phase, to be finalised in a Construction Management Plan. Potential ecological impacts identified may be summarised as follows:

- Habitat loss. Residual short term imperceptible negative impact.
- Disturbance to fauna. Residual short term imperceptible negative impact.
- Loss of faunal habitat. Permanent slight negative impact.
- No significant impacts on bats anticipated.
- No significant residual impacts on water quality or the local hydrological regime are anticipated subject to construction mitigation measures and best practice and the proposed foul and surface water treatment measures.
- No significant potential cumulative impacts are identified with regard to other permitted developments in the area.
- Concludes that there will be no significant impacts on biodiversity given the nature, scale and design of the proposal as well as the lack of hydrological connectivity with sensitive aquatic habitats / receptors.

Having regard to the above, it is my view that the ecological impacts arising as a consequence of the proposed development have been satisfactorily identified and assessed and that the development will not result in any significant direct, indirect or cumulative adverse ecological impacts, subject to the satisfactory implementation of the proposed mitigation measures.

10.7.2. Appropriate Assessment

The application includes an AA Screening Report, which notes that the development is not directly connected with, or necessary for the management of any European Site. It also outlines the characteristics of the proposed development and of the existing environment and identifies the following European Sites within a 15 km radius of the development for the purposes of AA Stage 1 screening, as per DoEHLG guidance. No pathway for effects on any site further than 15 km from the development was identified.

Site (Site Code) Distance from development site	Qualifying Interests and Conservation Objectives
Galway Bay Complex SAC (000268) 1.5 km south	<p>The conservation objectives for the SAC relate to the maintenance of a favourable conservation condition of Annex I habitats and Annex II species:</p> <p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Coastal lagoons [1150]</p> <p>Large shallow inlets and bays [1160]</p> <p>Reefs [1170]</p> <p>Perennial vegetation of stony banks [1220]</p> <p>Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]</p> <p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) [1330]</p> <p>Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]</p> <p>Turloughs [3180]</p> <p><i>Juniperus communis</i> formations on heaths or calcareous grasslands [5130]</p> <p>Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>) (* important orchid sites) [6210]</p> <p>Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davalliana</i> [7210]</p> <p>Alkaline fens [7230]</p> <p>Limestone pavements [8240]</p> <p><i>Lutra</i> (Otter) [1355]</p> <p><i>Phoca vitulina</i> (Harbour Seal) [1365]</p>
Lough Corrib SAC (000297) 3.2 km north	<p>The conservation objectives for the SAC relate to the maintenance of a favourable conservation condition of Annex I habitats and Annex II species:</p> <p>Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>) [3110]</p> <p>Oligotrophic to mesotrophic standing waters with vegetation of the</p>

	<p>Littorelletea uniflorae and/or Isoeto-Nanojuncetea [3130]</p> <p>Hard oligo-mesotrophic waters with benthic vegetation of Chara spp. [3140]</p> <p>Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260]</p> <p>Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210]</p> <p>Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410]</p> <p>Active raised bogs [7110]</p> <p>Degraded raised bogs still capable of natural regeneration [7120]</p> <p>Depressions on peat substrates of the Rhynchosporion [7150]</p> <p>Calcareous fens with Cladium mariscus and species of the Caricion davallianae [7210]</p> <p>Petrifying springs with tufa formation (Cratoneurion) [7220]</p> <p>Alkaline fens [7230]</p> <p>Limestone pavements [8240]</p> <p>Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]</p> <p>Bog woodland [91D0]</p> <p>Margaritifera (Freshwater Pearl Mussel) [1029]</p> <p>Austropotamobius pallipes (White-clawed Crayfish) [1092]</p> <p>Petromyzon marinus (Sea Lamprey) [1095]</p> <p>Lampetra planeri (Brook Lamprey) [1096]</p> <p>Salmo salar (Salmon) [1106]</p> <p>Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303]</p> <p>Lutra (Otter) [1355]</p> <p>Drepanocladus vernicosus (Slender Green Feather-moss) [1393]</p> <p>Najas flexilis (Slender Naiad) [1833]</p>
<p>Connemara Bog Complex SAC (002034)</p>	<p>The conservation objectives for the SAC relate to the maintenance of a favourable conservation condition of Annex I habitats and Annex II species:</p>

8.6 km west	<p>Coastal lagoons [1150]</p> <p>Reefs [1170]</p> <p>Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110]</p> <p>Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or Isoeto-Nanojuncetea [3130]</p> <p>Natural dystrophic lakes and ponds [3160]</p> <p>Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260]</p> <p>Northern Atlantic wet heaths with Erica tetralix [4010]</p> <p>European dry heaths [4030]</p> <p>Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410]</p> <p>Blanket bogs (* if active bog) [7130]</p> <p>Transition mires and quaking bogs [7140]</p> <p>Depressions on peat substrates of the Rhynchosporion [7150]</p> <p>Alkaline fens [7230]</p> <p>Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]</p> <p>Euphydryas aurinia (Marsh Fritillary) [1065]</p> <p>Salmo salar (Salmon) [1106]</p> <p>Lutra (Otter) [1355]</p> <p>Najas flexilis (Slender Naiad) [1833]</p>
<p>Ross Lake and Woods SAC (001312)</p> <p>11.1 km north west</p>	<p>The conservation objectives for the SAC relate to the maintenance of a favourable conservation condition of Annex I habitat and Annex II species:</p> <p>Hard oligo-mesotrophic waters with benthic vegetation of Chara spp. [3140]</p> <p>Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303]</p>
<p>East Burren Complex SAC (001926)</p> <p>14.4 km south</p>	<p>The conservation objectives for the SAC relate to the maintenance of a favourable conservation condition of Annex I habitats and Annex II species:</p> <p>Hard oligo-mesotrophic waters with benthic vegetation of Chara spp.</p>

	<p>[3140]</p> <p>Turloughs [3180]</p> <p>Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260]</p> <p>Alpine and Boreal heaths [4060]</p> <p>Juniperus communis formations on heaths or calcareous grasslands [5130]</p> <p>Calaminarian grasslands of the Violetalia calaminariae [6130]</p> <p>Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210]</p> <p>Lowland hay meadows (Alopecurus pratensis, Sanguisorba officinalis) [6510]</p> <p>Calcareous fens with Cladium mariscus and species of the Caricion davallianae [7210]</p> <p>Petrifying springs with tufa formation (Cratoneurion) [7220]</p> <p>Alkaline fens [7230]</p> <p>Limestone pavements [8240]</p> <p>Caves not open to the public [8310]</p> <p>Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]</p> <p>Euphydryas aurinia (Marsh Fritillary) [1065]</p> <p>Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303]</p> <p>Lutra lutra (Otter) [1355]</p>
<p>Gortnadarragh Limestone Pavement SAC (001271) 14.8 km north</p>	<p>The conservation objectives for the SAC relate to the maintenance of a favourable conservation condition of Annex I habitat:</p> <p>Limestone pavements [8240]</p>
<p>Inner Galway Bay SPA (004031) 1.7 km south</p>	<p>The conservation objectives for the SPA relate to the maintenance of the bird species listed as Special Conservation Interests for the SPA:</p> <p>Great Northern Diver (Gavia immer) [A003]</p> <p>Cormorant (Phalacrocorax carbo) [A017]</p> <p>Grey Heron (Ardea cinerea) [A028]</p>

	<p>Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]</p> <p>Wigeon (<i>Anas penelope</i>) [A050]</p> <p>Teal (<i>Anas crecca</i>) [A052]</p> <p>Shoveler (<i>Anas clypeata</i>) [A056]</p> <p>Red-breasted Merganser (<i>Mergus serrator</i>) [A069]</p> <p>Ringed Plover (<i>Charadrius hiaticula</i>) [A137]</p> <p>Golden Plover (<i>Pluvialis apricaria</i>) [A140]</p> <p>Lapwing (<i>Vanellus vanellus</i>) [A142]</p> <p>Dunlin (<i>Calidris alpina</i>) [A149]</p> <p>Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]</p> <p>Curlew (<i>Numenius arquata</i>) [A160]</p> <p>Redshank (<i>Tringa totanus</i>) [A162]</p> <p>Turnstone (<i>Arenaria interpres</i>) [A169]</p> <p>Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]</p> <p>Common Gull (<i>Larus canus</i>) [A182]</p> <p>Sandwich Tern (<i>Sterna sandvicensis</i>) [A191]</p> <p>Common Tern (<i>Sterna hirundo</i>) [A193]</p> <p>Wetland and Waterbirds [A999]</p> <p>There is also an objective to maintain the favourable conservation condition of wetland habitat in Inner Galway Bay SPA as a resource for the regularly occurring migratory waterbirds that utilise it, such that the permanent area occupied by the wetland habitat should be stable and not significantly less than the area of 13,267ha, other than that occurring from natural patterns of variation.</p>
<p>Lough Corrib SPA (004042)</p> <p>3.2 km north</p>	<p>The conservation objectives for the SPA relate to the maintenance of the bird species listed as Special Conservation Interests for the SPA:</p> <p>Gadwall (<i>Anas strepera</i>) [A051]</p> <p>Shoveler (<i>Anas clypeata</i>) [A056]</p> <p>Pochard (<i>Aythya ferina</i>) [A059]</p> <p>Tufted Duck (<i>Aythya fuligula</i>) [A061]</p> <p>Common Scoter (<i>Melanitta nigra</i>) [A065]</p>

	<p>Hen Harrier (<i>Circus cyaneus</i>) [A082]</p> <p>Coot (<i>Fulica atra</i>) [A125]</p> <p>Golden Plover (<i>Pluvialis apricaria</i>) [A140]</p> <p>Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]</p> <p>Common Gull (<i>Larus canus</i>) [A182]</p> <p>Common Tern (<i>Sterna hirundo</i>) [A193]</p> <p>Arctic Tern (<i>Sterna paradisaea</i>) [A194]</p> <p>Greenland White-fronted Goose (<i>Anser albifrons flavirostris</i>) [A395]</p> <p>Wetland and Waterbirds [A999]</p> <p>There is also an objective to maintain or restore the favourable conservation condition of the wetland habitat at Lough Corrib SPA as a resource for the regularly-occurring migratory waterbirds that utilise it.</p>
<p>Cregganna Marsh SPA (004142)</p> <p>11.9 km east</p>	<p>The conservation objective for this SPA relates to the maintenance of the bird species listed as a Special Conservation Interest for the SPA:</p> <p>Greenland White-fronted Goose (<i>Anser albifrons flavirostris</i>) [A395]</p>
<p>Connemara Bog Complex SPA (004181)</p> <p>13 km west</p>	<p>The conservation objectives for SPA relate to the maintenance of the bird species listed as Special Conservation Interests for the SPA:</p> <p>Cormorant (<i>Phalacrocorax carbo</i>) [A017]</p> <p>Merlin (<i>Falco columbarius</i>) [A098]</p> <p>Golden Plover (<i>Pluvialis apricaria</i>) [A140]</p> <p>Common Gull (<i>Larus canus</i>) [A182]</p>

The AA screening report notes that there is no watercourse present at the development site and therefore no hydrological connection to any European Site. In addition, there is no Annex I habitat present at the development site. The following European Sites are screened out at Stage 1 on the basis that there will be no direct effects due to lack of hydrological connectivity, thus no complete source-pathway-receptor chain and / or no habitat present for the relevant species (including breeding and foraging habitat), also distance between the development site and the relevant European Site:

- Lough Corrib SAC (000297)

- Connemara Bog Complex SAC (002034)
- Ross Lake and Woods SAC (001312)
- East Burren Complex SAC (001926)
- Gortnadarragh Limestone Pavement SAC (001271)
- Lough Corrib SPA (004042)
- Cregganna Marsh SPA (004142)
- Connemara Bog Complex SPA (004181)

Having regard to the characteristics of the proposed development, to the source-pathway-receptor model and to the limited ecological value of the habitats present at the development site as per the Ecological Impact Assessment, I am also satisfied that there is no potential for direct, indirect or cumulative effects on the above European sites.

The AA Screening Report notes the following in relation to the Galway Bay Complex SAC (000268):

- There will be no direct effects as the development is located entirely outside the SAC.
- There is no potential for disturbance or displacement related effects on the Qualifying Interests of the SAC given the nature of the habitats on the site and the intervening urban and rural buffer between the development and the SAC.
- There is no potential for indirect effects on the following Qualifying Interests due to (a) the terrestrial or groundwater dependent nature of the Interests and / or (b) the lack of connectivity between the development site and the populations or habitats for which the SAC has been designated:

Perennial vegetation of stony banks [1220]

Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]

Turloughs [3180]

Juniperus communis formations on heaths or calcareous grasslands [5130]

Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210]

Calcareous fens with *Cladium mariscus* and species of the *Caricion davallianae* [7210]

Limestone pavements [8240]

- Taking a precautionary approach, given that the SAC is located hydrologically downstream, a potential pathway for indirect effects on the following marine / surface water dependent Qualifying Interests was identified in the form of deterioration of surface water quality resulting from pollution associated with the construction and operational phases of the development:

Mudflats and sandflats not covered by seawater at low tide [1140]

Coastal lagoons [1150]

Large shallow inlets and bays [1160]

Reefs [1170]

Salicornia and other annuals colonising mud and sand [1310]

Atlantic salt meadows (*Glaucopuccinellietalia maritima*) [1330]

Mediterranean salt meadows (*Juncetalia maritimi*) [1410]

Lutra lutra (Otter) [1355]

Phoca vitulina (Harbour Seal) [1365]

The AA Screening Report screens in the Galway Bay Complex SAC for Stage 2 AA on this basis. With regard to hydrological connectivity, the nearest watercourse is the Tonabrocky Stream, c. 75m north east of the development site. This is buffered from the development site by the Ard na Gaoithe estate and by a stone wall field boundary. It flows into the SAC c. 2.6 km downstream. The Ballymoneen Stream is c. 200m to the south of the development and enters the SAC c. 2.2 km downstream. Having regard to the characteristics of the proposed development, to the lack of direct hydrological connectivity and to the distance and presence of an intervening rural area and urban development, I consider that the potential for significant effects on the SAC can be ruled out.

The AA Screening Report notes the following in relation to the Inner Galway Bay SPA (004031):

- There will be no direct effects as the development is located entirely outside the SPA.
- No supporting habitat for the species identified as Specific Conservation Interests of the SPA was identified at the development site.
- An individual grey heron was noted at the development site. The site does not provide breeding habitat for this species and provides limited foraging habitat due to the absence of any watercourse.
- The development site is not considered to be of significance to any of the species identified as Specific Conservation Interests of the SPA and there is no potential for disturbance or displacement related effects on any of these species given the nature of the habitats present at the site and the presence of an intervening urban and rural buffer.
- Taking a precautionary approach, given that the SPA is located hydrologically downstream, a potential pathway for indirect effects on the surface water dependent Qualifying Interests Wetland and Waterbirds [A999] in the form of deterioration of surface water quality resulting from pollution associated with the construction and operational phases of the development.

The AA Screening Report screens in the Galway Bay Complex SAC for Stage 2 AA on this basis. However, having regard to the characteristics of the proposed development, to the lack of direct hydrological connectivity and to the distance and presence of an intervening rural area and urban development, I consider that the potential for significant effects on the SPA can be ruled out.

I consider that, notwithstanding the conclusion of the AA Screening Report submitted by the applicant, it is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order 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 European Sites Galway Bay Complex SAC (000268) and Inner Galway Bay SPA (004031), or any other European site, in view of the sites' Conservation Objectives, and a Stage 2 Appropriate Assessment is not therefore required.

10.8. Part V

10.8.1. The applicant has submitted Part V proposals comprising the transfer of 24 no. apartments comprising 5 no. 1 bed units, 17 no. 2 bed units and 2 no. 3 bed units, all located in Blocks A and C as per drawings nos. 18011 PL19 and 18011 PL20. A schedule of estimated costs has been submitted. While the proposed units to be transferred are concentrated within two apartment blocks in the scheme, I note that Galway County Council is satisfied with the proposed units and I consider that, given the overall quality of the proposed scheme, they will provide a high standard of residential accommodation with good accessibility to services and amenities. I note that Galway City Council is also satisfied with the proposed costings. I therefore consider that the Part V proposal meets the requirements of the Planning and Development Act 2000, as amended, and recommend that a condition requiring a Part V agreement is imposed in the event of permission being granted.

11.0 Conclusion

11.1. The proposed development is considered to be acceptable in principle with regard to the provisions of the Galway City Development Plan 2017-2023. The proposed design and layout are satisfactory with regard to the need to develop at a sufficiently high density to achieve an acceptable efficiency in serviceable land usage. The proposed housing mix provides a range of housing types and will enhance the housing mix of the area. The development will result in the creation of a high quality residential environment with adequate pedestrian and cycle connections and will facilitate the development of the Greenway at the eastern site boundary and the delivery of development plan objectives in relation to same. The development will provide convenience retail units in accordance with the site specific development plan objective, which will contribute to the development of Ballymoneen Road as an emerging urban area within Galway City. The proposed site layout, road frontage and access from Ballymoneen Road are considered to be satisfactory with regard to road safety and compatibility with the proposed design for the N6 Galway City Ring Road scheme, pending the outcome of ABP-302885-18, which is currently before the Board. The development is considered to be generally compliant with the Design Manual for Urban Roads and Streets and the National Cycle Manual and the proposed car and cycle parking provision are acceptable subject to conditions. I am

satisfied that the development would not have significant adverse impacts on visual or residential amenities such as would warrant a refusal of permission. The proposed surface water and wastewater drainage arrangements are satisfactory. The submitted Part V proposals are in accordance with the requirements of the planning authority for same.

12.0 Recommendation

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

13.0 Reasons and Considerations

13.1. Having regard to the following:

- (a) The policies and objectives in the Galway City Development Plan 2017-2023;

- (b) The Rebuilding Ireland Action Plan for Housing and Homelessness 2016;
- (c) The Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas and the accompanying Urban Design Manual – a Best Practice Guide, issued by the Department of the Environment, Heritage and Local Government in May 2009;
- (d) The Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, issued by the Department for Housing, Planning and Local Government in March 2018;
- (e) The Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government in March 2013;
- (f) The nature, scale and design of the proposed development;
- (g) The availability in the area of a wide range of social and transport infrastructure;
- (h) The pattern of existing and permitted development in the area, and
- (i) The submissions and observations received,

It is considered that, subject to compliance with the conditions set out below that the proposed development would represent an appropriate density of residential development having regard on zoned land in an emerging urban area, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would not lead to a risk of flooding and would be acceptable in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

14.0 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 Bord Pleanála for determination.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:

(a) The applicant shall provide noise mitigation measures within the development site such that noise levels within the development are attenuated to acceptable levels in accordance with internationally accepted standards

Reason: In the interests of providing a satisfactory standard of residential amenity for occupants of the development.

3. The period during which the development hereby permitted may be carried out shall be 7 years from the date of this Order.

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

4. The development shall be carried out on a phased basis, in accordance with a phasing scheme which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of any development.

Reason: To ensure the timely provision of services, and a satisfactory sequencing of development in the context of the changing road layout in the area.

5. Mitigation measures outlined in the plans and particulars, including the Ecological Impact Assessment Report submitted with this application, shall be carried out in full, except where otherwise required by conditions attached to this permission.

Reason: In the interest of protecting the environment and in the interest of public health.

6. 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.

Reason: In the interest of public health and to ensure a satisfactory standard of development.

7. The developer shall comply with all requirements of the planning authority and Transport Infrastructure Ireland in relation to roads, access, lighting and parking arrangements. In particular:
 - (a) The roads and traffic arrangements serving the site (including 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) The applicant shall provide cross sections and long sections of the proposed layout at the Ballymoneen Road site frontage.
 - (c) The applicant shall clarify proposed access arrangements from Ballymoneen Road and the proposed bus stop at this location.
 - (d) The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths, cycle paths and kerbs, pedestrian crossings, car parking bay sizes and road access to commercial parking shall comply with the requirements of the Design Manual for Urban Roads and Streets, in particular carriageway widths and corner radii, and cycle tracks within the development shall be in accordance with the guidance provided in the National Cycle Manual;

- (e) The applicant shall clarify the proposed layout of the car parking area to the rear of Block A, to include service deliveries to the retail units in Block A and vehicular movements associated with the crèche.
- (f) The materials used in any roads / footpaths provided by the developer shall comply with the detailed standards of the Planning Authority for such road works.
- (g) The applicant shall propose a revised surface treatment for the Greenway that is compatible with its use as a cycle route.
- (h) The developer shall carry out a Stage 3 Road Safety Audit of the constructed development on completion of the works, which shall be submitted to the planning authority for its written agreement. The developer shall carry out all agreed recommendations contained in the audit, at his expense.
- (i) A Mobility Management Plan for the development shall be prepared and submitted to the planning authority for its written consent prior to the commencement of development.
- (j) The applicant shall submit revised cycle parking proposals such that 44 number extra cycle parking spaces are provided to serve the apartment and duplex units.
- (k) All of the car parking spaces serving the residential units shall be provided with electric connections to the exterior of the units to allow for the provision of future electric vehicle charging points.
- (l) The developer shall comply with the requirements of Transport Infrastructure Ireland as set out in their submission on file dated 24th July 2019.

Revised drawings and particulars showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. In default of agreement, the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

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

8. The proposed development shall make provision for the charging of electrical vehicles. All car parking spaces shall be provided with electrical connections, to allow for the provision of future charging points and in the case of all of the parking areas serving the apartments and 10% of the spaces serving the houses shall be provided with electrical charging points by the developer. Details of how it is proposed to comply with these requirements, including details of design of, and signage for, the electrical charging points and the provision for the operation and maintenance of the charging points (where they are not in the areas to be taken in charge) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of pedestrian, cyclist and traffic safety, to protect residential amenity and in the interest of sustainable transportation.

9. The site shall be landscaped in accordance with the submitted scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development, to include details of facilities for active and passive recreation such as play facilities / exercise facilities / MUGA. The developer shall retain the services of a suitably qualified Landscape Architect throughout the life of the site development works. The approved landscaping scheme shall be implemented fully in the first planting season following completion of the development or each phase of the development and any plant materials that die or are removed within 3 years of planting shall be replaced in the first planting season thereafter.

Reason: In the interest of residential and visual amenity.

10. 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.

Reason: In the interests of amenity, ecology and sustainable development.

11. 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.

Reason: In the interests of amenity, ecology and sustainable development.

12. Prior to the commencement of development, the developer shall submit to and agree in writing with the planning authority a written statement outlining that members of the public have full right and liberty for the free passage and use of the pedestrian connections to the Greenway at the eastern site boundary. This public right of way and walkway shall be completed in full and available for public use, prior to the occupation of the development.

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

13. Details of the materials, colours and textures of all the external finishes, including pavement and road finishes shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development.

Reason: In the interest of visual amenity.

14. a) All boundary walls facing open spaces shall be finished in local stone.

b) All internal side and rear boundaries between dwelling houses shall be 1.8 metres in height and shall be constructed of plastered brickwork or concrete post and panel fencing.

c) All boundaries to the side and front of the dwelling units shall be finished in local stone.

Reason: In the interest of visual amenity.

15. The proposed retail areas shall not be used for the sale of hot food for consumption off the premises (that is, as a takeaway), unless authorised by a further grant of planning permission.

Reason: To delimit the use hereby permitted, in the interests of residential amenity and of pedestrian and traffic safety, and to allow the planning authority to assess the impacts of any such use through the statutory planning process

16. 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. Full details of all external signage to the retail units shall be submitted to the planning authority for agreement in writing prior to the commencement of development.

Reason: To protect the visual amenities of the area

17. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All existing over ground cables shall be relocated underground as part of the site development works.

Reason: In the interests of visual and residential amenity.

18. All plant including extract ventilation systems and refrigerator condenser units shall be sited in a manner so as not to cause nuisance at sensitive locations due to odour or noise. All mechanical plant and ventilation inlets and outlets shall be sound insulated and/or fitted with sound attenuators to ensure that noise levels do not pose a nuisance at noise sensitive locations.

Reason: In the interest of residential amenity.

19. Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Public lighting shall be provided prior to the making available for occupation of any house.

Reason: In the interests of residential amenity

20. No additional development shall take place above roof parapet level including 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 amenity of property in the vicinity and the visual amenity of the area.

21. The development hereby permitted shall be carried out and completed at least to the construction standards set out in the planning authority's Taking in Charge Policy. Following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority. When the estate is taken in charge, the open spaces shall be vested in the planning authority, at no cost to the authority, as public open space.

Reason: In the interest of the amenities of the occupants of the proposed housing.

22. Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority a properly constituted Owners' Management Company. This shall include a layout map of the permitted development showing the areas to be taken in charge and those areas to be maintained by the Owner's Management Company. Membership of this company shall be compulsory for all purchasers of property in the development. Confirmation that this company has been set up shall be submitted to the planning authority prior to the occupation of the first residential unit.

Reason: To provide for the satisfactory completion and maintenance of the development in the interest of residential amenity.

23. Proposals for a naming and numbering scheme for the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate signs, and house / 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.

24. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of social and affordable housing in accordance with the requirements of section 96 of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter (other than a matter to which section 97(7)

applies) may be referred by the planning authority or any other prospective party to the agreement to the Board for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

25. 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, in particular, recyclable materials shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

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

26. Site development and building works shall be carried only out between the hours of 08.00 to 19.00 Mondays to Fridays inclusive, between 08.00 to 14.00 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.

27. A final site specific detailed Construction and Environmental Management Plan (CEMP) shall be submitted, for the written agreement of the planning authority at least 5 weeks in advance of site clearance and site works commencing

Reason: To protect the environment during the construction phase and also to avoid impacts on water quality, fisheries, sustainable drainage and flooding

28. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of

development. This plan shall be 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.

Reason: In the interest of sustainable waste management.

29. A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. 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 plant and machinery and the location for storage of deliveries to the site.

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

30. 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.

31. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. 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: To ensure the satisfactory completion and maintenance of the development until taken in charge.

Sarah Moran
Senior Planning Inspector
1st October 2019