



An  
Bord  
Pleanála

## Inspector's Report ABP 308011-20

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<b>Development</b>	Demolition of two blocks containing eight apartments, and construction of a four and five storey apartment block containing nineteen apartments for short-term letting with revised vehicular, cyclist, pedestrian and wheelchair entrance arrangements, car and cycle parking, boundaries, waste storage and landscaping.
<b>Location</b>	Galway Marine View, Beach Avenue and Quincentennial Road, Drive, Salthill, Galway.
<b>Planning Authority</b>	Galway City Council
<b>P. A. Reg. Ref.</b>	19.378
<b>Applicant</b>	Ranchville Ltd.
<b>Type of Application</b>	Permission
<b>Decision</b>	Refuse Permission.
<b>Type of Appeal</b>	First Party X Refusal
<b>Appellant</b>	Ranchville Ltd.
<b>Observer</b>	Patricia Ward.
<b>Date of Site Inspection</b>	21 <sup>st</sup> October, 2020.
<b>Inspector</b>	Jane Dennehy.

# Contents

1.0 Site Location and Description .....	3
2.0 Proposed Development .....	3
3.0 Planning Authority Decision .....	4
3.1. Decision .....	4
3.2. Planning Authority Reports.....	4
4.0 Planning History.....	6
5.0 Policy Context.....	7
5.1. Development Plan.....	7
5.2. Strategic guidance: .....	7
6.0 The Appeal .....	8
6.1. Grounds of Appeal .....	8
6.3. Observations.....	12
7.0 Assessment.....	12
8.0 Recommendation.....	18
9.0 Reasons and Considerations.....	19

## 1.0 Site Location and Description

- 1.1. The site has a stated area of 1,1777 square metres and is that of two apartment blocks, (Marine View) and a dedicated surface carpark and soft landscaping enclosed by security fencing overlooking Toft Park and the promenade at Salthill. Vehicular access is off Quincentennial Drive. In the vicinity of the site there are apartment blocks the Aquarium and a public pay carpark are located a short to the south and south east. On the west side at the rear of the two blocks there is a gated pedestrian access linking the development with Salthill Road Upper along Beach Avenue which a cul de sac along both sides of which the majority of the buildings are terraced cottages. The apartment blocks on the site which were constructed during the 1990s have been used for short-term letting purposes.

## 2.0 Proposed Development

- 2.1. The application lodged with the planning authority indicates proposals for demolition of the two blocks, containing eight apartments, and for construction of a four and five storey apartment block containing nineteen apartments with revised vehicular, cyclist, pedestrian and wheelchair entrance arrangements, car and cycle parking, boundaries, waste storage, landscaping, and site works.
- 2.2. The existing buildings to be demolished have a stated floor area of 566 square meters and the stated floor area of the proposed development is 1,827 square metres.
- 2.3. Requests for additional and clarification of information was issued, and responses lodged with the planning authority in which design modifications were made and the number of units was reduced to eighteen from nineteen comprising fifteen two bed, two three bed and one, one bed unit. The communal open space layout and landscaping were also revised providing for different materials including grass paving along with provision for tenders' access and eleven dedicated parking spaces and cycle parking.
  - 2.3.1. Accompanying the application and/or supplementary submissions are a planning statement and supplementary statements on the further information submissions. Design statement, Appropriate assessment screening. flood risk assessment, Civil

Works report, schedules of accommodation and statements from Ranchville Ltd and copies of Guidance notes on short-term letting.

### 3.0 Planning Authority Decision

#### 3.1. Decision

By order dated, 29<sup>th</sup> July, 2020, further, to review of responses to multiple item requests for additional information and clarification additional information the planning authority decided to refuse permission based on four reasons which in summary are:

1. While the area is subject to policy under section 2.5 of the CDP and in *Sustainable Urban Housing: Design Guidelines for New Apartments, 2018* for encouragement of higher residential density at appropriate locations the proposed development is an inappropriate redevelopment at the site in scale, mass and density, which would detract from the urban environment at the location within the established urban environment of Salthill.
2. Overshadowing of the properties on Beach Avenue due to height and configuration.
3. Dominance of the space within the area of the site zoned 'RA' (recreational and amenity) with internal roadway and primacy of the car which is contrary to the objectives of the CDP (especially chapter 4) which provide for a green network in the city for integrated sustainable use, natural heritage protection and amenity and, poor communal space quality and layout with limited utility for the occupants.
4. Insufficient parking provision generating unauthorised dangerous parking in the area leading to endangerment of public safety by reason of traffic hazard.

#### 3.2. Planning Authority Reports

- 3.2.1. The **planning officer** in his initial report identified several concerns and a request for additional information was issued in respect of scale height and bulk, relative to

Beach Avenue, density calculations, (exclusive of the area subject to the RA zoning objective,) overlooking from balconies, boundary treatment, landscaping, having regard to the RA zoning objective, carparking provision, cycle parking provision, short-term letting use.

- 3.2.2. Following assessment of the further information response there were some outstanding issues of concern and a clarification of additional information request was issued relating to the proposed density and the scale, mass and heights, landscaping for the area within the RA zoned lands, shortfall in parking provision, and evidence of established short-term letting use for the existing development.
- 3.2.3. In the submitted response to the planning authority it was stated that it was decided not to propose further substantive modifications to the density, scale, height and mass, onsite parking provision and confirmation of short-term letting use following transfer to the applicant's ownership and a statement of similar use prior to the transfer of ownership.
- 3.2.4. Further to the final assessment it was recommended by the planning authority that it be decided to refuse permission based on the four reasons on the manager's order and outlined above under para 3.1. above.
- 3.2.5. The final report of the **Drainage Division** indicates no objection subject to standard conditions.
- 3.2.6. The reports of the **Transport Planning Division** indicate concerns as to the applicability of the requirements of the Apartment Guidelines 2018 because this guidance is for developments for owner occupation, long term rental and individual leases. As a result, reductions in provision for parking is not considered to be applicable and it is submitted that the standards for hotel development are appropriate and, that payment of a financial contribution in lieu is also not acceptable. It is also stated that with regard to reliance on the public carpark the proposal would be premature pending the completion of CFRAMS.
- 3.2.7. The reports of the **Parks Department** note the proximity to the European Sites (Galway SPA and SAC), and it is indicated that ecological impact assessment, biodiversity improvements, bat surveys and a mitigation plan may be required.
- 3.2.8. Concerns are expressed about insufficiencies in details in the Arborists report, the methodology for and the quality and functionality of open space and of landscaping,

inclusive of planting and paving materials, rainwater harvesting, measures for protection of hedgehog populations and signage.

- 3.2.9. Attachment of multiple comprehensive conditions is recommended if permission is granted.
- 3.2.10. The report of the **Irish Water** indicates no objection subject to standard conditions,
- 3.2.11. The submission of **An Taisce**, (Galway Association) is a detailed and comprehensive document which notes the proximity to the Galway Bay Complex SAC and Inner Galway Bay SPA and other European sites and Biodiversity and landscape Habitats with connectivity to these two sites, protected views, and protected built and archaeological heritage. According to the submission there are insufficiencies within the submitted Appropriate Assessment Screening document relating to screening out over connectivity, and potential threats and pressure on European sites and examination of cumulative impacts and it is submitted that was not carried out in accordance with precautionary principles and that a stage 2 assessment may be warranted.
- 3.2.12. Other concerns raised in the submission are that of excessive density, and height and overshadowing, visual impact, and objection to short-term letting use on grounds of negative impacts on the established area.

### 3.3. **Third Party Observations**

- 3.3.1. Submissions were lodged at application and further information stages in which issues of concern raised include that of excessive density, mass and height, overshadowing, insufficient carparking on site and additional demand for parking leading to hazard, inappropriateness of short-term letting and noise and nuisance during the construction stage.

## 4.0 **Planning History**

- 4.1. According to the planning officer report, permission was refused for thirteen apartments further to appeal under P. A. Reg Ref, 96/223 and there are two prior grants of permission for eight apartments on the site under P. A. Reg. Refs 96/823 and 96/417.

## 5.0 Policy Context

### 5.1. Development Plan

5.1.1. The operative development plan is the Galway City Development Plan 2017-2023 according to which the site is:

- partially within an area subject to the zoning objective: R: *To provide for residential development and for associated support development, which will ensure the protection of existing residential amenity and will contribute to sustainably residential neighbourhoods*
- and partially within an area subject the zoning objective: RA: *“To provide for and protect recreational uses, open space, amenity uses and natural heritage.”*

5.1.2. The site location is within “Established Suburbs” in which it is the policy of the council according to section 2.6 that new development should not adversely affect the character of the area but that there is potential for additional residential development availing of transport and social and physical infrastructure.

5.1.3. According to section 10.3 it is the policy of the Council to strengthen Salthill as an urban village and recreational and coastal amenity in mixed-use high-quality development. Relaxation of plot ratios are provided for in areas subject to the R zoning objective adjoining Toft Park according to section 11.7.1 in which a maximum ratio of 0.46:1 normally is applicable. Good quality urban and building design is encouraged in section 8.7 as a means of enhancement of the character of the city.

### 5.2. Strategic guidance:

5.2.1. The relevant statutory guidance is: *“Sustainable Urban Housing: Design Guidelines for New Apartments, 2018”*. (Apartment Guidelines 2018.)

5.2.2. The guidelines, which are for apartment developments for permanent occupancy (owner-occupied or rental) do not include any specific policies, objectives and guidance for apartment developments intended for short-term letting use.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

- 6.1.1. An appeal was received from James O'Donnell on behalf of the applicant on 24<sup>th</sup> August, 2020. It includes a detailed outline and discussion of the planning background and context and national, regional, and local strategic policies, objectives, guidance, and standards. Attached are a shadow study for the existing development, a Bus Eireann presentation, (Powerpoint slides) photographs.
- 6.1.2. In response to **Reason No 1** attached to the planning authority decision it is stated that:
- Higher density and higher rise construction are warranted at the location as buildings fronting on to Toft Park are predominantly higher rise residential and mixed-use buildings and, the existing two blocks are substantially lower in scale and height. The design rationale for the proposed block is well documented in the application and supplementary submissions. The central section is recessed from the main elevation onto Beach Avenue, so that the stepped and alteration in roof addresses concerns. (Drawing 3005A refers.) In view of the central urban location the expansive parkland and coastal setting existing public transport corridors surrounding heights and density, a plot ratio of 2.44 is appropriate (The 'Point Boise' development to the north east has a plot ratio of 3.1.) The proposal includes high quality landscaping and amenity potential including a grass paved home zone area at the front facilitating high density.
  - The planning officer's assessment indicates acceptance of the density, height and design as it is stated that there are no issues with regard to the streetscape on Quincentennial Drive the context of Toft Park and promenade and the Bay. The proposal is consistent the objective of the CDP in section 10.3 for Salthill village to be strengthened as an urban village and a recreational and coastal amenity area by encouragement of high quality, mixed use development, high quality design with improvement in new development and as a service centre for the surrounding area.



- The planning officer's support is also shown in the comment in the report that the proposal is in accordance with section 8.7 encouraging higher quality urban design in all developments. The planning officer identifies the location as being in a "Central and or accessible/Urban Location" which according to section 2.3.(2) of the 2018 Guidelines which are suitable for smaller scale higher density and to wholly comprise apartments to being a fully serviced site in a central area where transport is accessible with the density of 27 unit per hectare being appropriate though potentially a lower density than can be expected.
- The design of the existing blocks is not worthy of replication in the area. As regards context, the proposed reductions in scale towards the west in the modifications proposed fully address perceived concerns of residents of Beach Avenue where the development faces blank gables.
- The photomontage and CGIs and sample images included with the submission demonstrate similarities in characteristics and the quality developments permitted (following appeal) which will be complemented, and which face onto and located to the east of Toft Park. (PL 304901 and 304001 refer.) It is requested that the current proposal be similarly considered having regard to the comments in the Inspectors' reports extracts from which are included in the appeal.
- The planning officer also established consistency with the Apartment Guidelines, 2018, and Policy 10.3, 11.1, 2.6 and 8.7 and chapters, 2, 8, and 11 of the CDP.

6.1.3. In response to **Reason No 2** for the planning authority decision it is submitted that:

- The shadow study initially submitted and amended in the further information submission. (Drawing 3006A refers.) It demonstrates that undue overshadowing of adjoining development does not occur and that the planning officer commented that some morning shadow impact on Beach Avenue would occur which is insignificant and acceptable and, relative to the existing development, (as shown in drawing 3009) a greater level of overshadowing will not occur.

6.1.4. In response to **Reason No 3** for the planning authority decision it is submitted that:

- The proposed development provides for a superior public realm interface within the 'RA' zoned land within the site. The grass paving area is a 'Home zone' and is not to be perceived as a roadway so there is not an overrepresentation of roadway. Services and tenders' vehicles only would use these spaces. The 'RA' zoning for the area of the existing parking and roadway for the site was applied to it after permission was granted for the existing development.
- The proposed development's landscaping as modified in the supplementary submission is an enhancement given the Home zone, well located south facing supervised landscaping and seating overlooking sea views, paving in cobble sets, privacy planting or the ground floor units and dedicated pedestrian pathways.
- There are several non-conforming uses within the 'RA' zoned area, show in aerial photo provide. These uses include the aquarium building and several surface carparks for various developments, internal and public roadways, and the tourist office.
- Quantitatively, the communal open space provision of 304 square metres well exceeds the requirement for 128 square metres and is consistent with the Apartment Guidelines 2018. (Appendix 1) A table indicating space allocation for each unit is included in the submission. The space especially to the front, is well proportioned, landscaped and furnished and is exclusive of the (553 square metres) Home zone area.
- The proposals also accord with the recommendation for Communal Amenity Space in Sections 4.10 and 4.11 of the Apartment Guidelines 2018 and extracts with comments from Table 4 are included. It is also unreasonable for permission to have been refused because, for infill sites less than 2,500 square metres a relaxation of the communal space requirement is allowable according to the Apartment Guidelines 2018.

6.1.5. With regard to **Reason No 4**, Refusal of permission over shortfall in carparking is flawed because: -

- In applying the standards for residential development there is an overestimated space requirement. There are eighteen units in the further

information proposal and for grouped parking the shortfall would be seven spaces. The planning officer does not accept a shortfall of thirteen spaces as calculated in his report. His comment as to acceptance of reduction due to the site location within the city and where transport options are available would imply acceptance of the proposal with the shortfall of seven spaces. A Development contribution can be paid in lieu of the shortfall as provided for in the CDP under section 11.7.3 for Salthill. A reduced parking provision was accepted in respect of a permitted residential development at Ballybrit (PL 306222 – 19 SHD refers)

- The shortfall can be justified because of the availability of transport corridors and facilities which have been significantly improved, achieving significant modal shift. There is the existing bus service and and proposed high frequency bus services such as the proposed High Frequency Bus Corridor with correlates with the Galway Bus Connects along Upper Salthill in the GTPS. (An extract and summary are included in the submission and further details of existing facilities are included in Appendix 4).
- The development proposal is an extension of and existing (short-term letting) facility, along a sizeable public carpark (Toft Carpark) and a generous available public street side parking so it should be assumed that there is ample parking and spare capacity
- It is not accepted that primacy is given to the car use in the proposed development and Reason 1 and 3 are contradictory in this regard in that Reason 1 rejects a layout with primacy for the car whereas reason 3 rejects the proposal for insufficiencies having regard to primacy for the car. The proposed development should be considered in the context of integrated land use and transportation in creating a sustainable city as supported in as supported in section 3.2 of the CDP with the current proposal.

## 6.2. Planning Authority Response

- 6.2.1. A submission was received from the planning authority on 23<sup>rd</sup> September, 2020 in which it is requested that permission be refused and according to which:

- The contention in the appeal that not enough opportunity was provided to address the planning authority's concerns is rejected. Requests were issued for additional information and clarification of additional information.
- With regard to the applicant's case as to higher density having regard to the *Sustainable Urban Housing: Design Guidelines for New Apartments*, 2018 the proposed development is excessive in scale and design for the established urban area along with deficiencies in on-site parking and reliance on parking in areas outside the applicant's control especially given the short-term nature of the proposed lettings.

### 6.3. Observations.

6.3.1. A submission was received from James Roche on behalf of Ms Patricia Ward of No 1 Beach Avenue on 8<sup>th</sup> September, 2020 in which support is expressed for the planning authority's decision to refuse permission. According to the submission:

- The density of the existing development is high in that a large proportion of the site area is subject to zoning for recreational and amenity use.
- Increased demand for parking and increased illegal and hazardous parking are likely to occur due to the deficiency in on-site parking provision.
- The carpark is prone to flooding.
- Communal open space is not adequately provided for in the layout.
- The houses on Beach Avenue would be overshadowed by the proposed development.
- Noise and disturbance during the construction and demolition stage.
- Noise and disturbance on Beach Avenue during the operational stage.

## 7.0 Assessment

7.1. At the outset, the contentions within the appeal that the planning authority did not provide sufficient opportunity for the applicant to address issues of concern are not supported. Multiple item requests for additional information and clarification of additional information were issued regarding several concerns of the planning

authority. The decision to refuse permission, it is understood from review of the documentation available in connection with the application and appeal arose because the planning authority considered that the submissions provided the information and proposals did not enable it to accept the proposed development.

7.2. The issues central to the determination of a decision are that of

- Development in principle,
- Scale, height and massing  
Overlooking and Overshadowing.
- Nature and intensity of use  
Communal amenity space.
- Parking provision.
- Flooding risk
- Environmental Impact Assessment Screening
- Appropriate Assessment Screening.

### 7.3. **Development in principle**

7.3.1. Given the location and existing surrounding and adjacent larger and higher apartment block developments on Quincentennial Drive and, close to the city centre, transport and services and facilities the proposed demolition of the existing blocks and their replacement with a larger apartment development, would be acceptable and compatible with the established pattern and character in the area, subject to quantitative, qualitative and technical standards being satisfactory. In this regard, it is agreed with the planning officer that a flexible approach should be adopted with regard to the application of the policy under section 2.5 of the CDP whereby, in the 'established suburbs', demolition of individual dwellings to provide for higher density development in that it would be in appropriate and unwarranted at the subject location.

### 7.4. **Scale, height and massing of the proposed block.**

There is no objection to the presentation of the proposed five storey block, which is at a height of circa 16.5 metres towards Toft Park and the promenade adjacent to

Galway Bay as originally proposed and as modified in the supplementary submissions, the streetscape context of apartment blocks and commercial development. The design, height, form and materials selected would provide for a visually compatible and acceptable building in impact in the streetscape and in the panoramic views overlooking the coast subject to protection as provided for in section 4. 5.3 (View 4), the CDP. Furthermore, the building height would be consistent with the recommendations within the section 28 statutory guidance: “*Urban Development and Building Heights: Guidelines for Planning Authorities*” issued in 2018.

- 7.4.1. It is agreed that the lowering of the central element of the block, (omitting one apartment unit) as shown in the original proposal, by a floor as provided for in the supplementary, further information submission ameliorates the visual impact of the unbroken scale and massing in the elevation as viewed from Beach Avenue to the west. The proposed block as a result satisfactorily closes the vista at the end of Beach Avenue.
- 7.4.2. However, the presentation towards the properties on Beach Avenue, a short *cul de sac* of terraced cottages and some two storey buildings between the site and Salthill Road Upper represents a relatively abrupt transition in scale and proportion. Given the close proximity the proposed block would give rise to dominance and sense of enclosure at the rear private open space of the adjoining cottages on Beach Avenue.
- 7.4.3. Based on review of the shadow study, it is noted that additional overshadowing impact, on the Beach Avenue properties which are two storey houses with narrow rear gardens that would be directly attributable to the proposed development of a larger taller block than the existing blocks would be limited, in that existing adjoining developments overshadow these properties.
- 7.4.4. Issues which arose in the initial application as to undue overlooking was satisfactorily addressed by way of omission of some wrap around balconies and substitution of level fenestration to provide natural light the interiors.

#### **7.5. Nature and intensity of development**

- 7.6. In the submissions made in the connection with the application it is demonstrated that short-term letting (to tourists) has been the use of the existing development prior to and further to transfer of ownership to the applicant. There is no evidence to

confirm one way or the other that the short-term letting use ceased or changed. Having regard to the use of the existing structures and the planning history it is reasonable for a redevelopment intended for short-term letting use, in principle, to be favourably considered. The proposed replacement building does however provide for a significant intensification of such use and the issues arising are taken into consideration in the assessment.

- 7.6.1. With regard to density and intensity, the current proposal involves an increase from eight to eighteen apartments, the majority of which are two bed units. While it is agreed that the site area subject to the 'RA' zoning objective should be excluded from calculations the remaining site area, and corresponding plot ratio of 2.44:1 is considerable and not only higher than the maximum for locations in 'established suburbs' but also higher than that of the adjoining development referred to by the planning officer where the plot ratio is 1.83:1 (P. A. Reg. Ref. 18/343 refers.)
- 7.6.2. Given the location close to the centre of the city and to transport, services and facilities and given the surrounding developments' characteristics as previously discussed higher density is reasonable as is some flexibility with regard to standards of internal accommodation relative to standard those required for dwellings for permanent occupation as prescribed in the Apartment Guidelines, 2018. However, this flexibility would be subject to demonstration of high standards of open, communal and recreational amenity space provision benefiting the development and the public realm especially given that the application site is partly within 'RA' zoned lands and the location in the Salthill area adjacent to the promenade.
- 7.7. Communal and Amenity Space.**
- 7.8. The existing layout includes space which now comes within the 'RA' zoned area of the site. The proposed layout for this space would not function as meaningful open amenity space consistent with the zoning objective although the proposals shown in the clarification of additional information response are an enhancement on the original proposals by way of the materials selection such as the grassed paving.
- 7.9. However, vehicular circulation space and surface parking remains predominant at the cost of functional open space and it is agreed with the planning authority that a quality solution has not been delivered having regard to the 'RA' (Recreational and Amenity) zoning objective and the associated policy aims for achievement of an

integrated green network of amenity areas, parks and open spaces as provided for in the CDP (Chapter 2, 8 and 11) which are referred to in the reasons for the decision to refuse permission. Furthermore, the view of the planning officer that by virtue of the increased density of the apartment development, an increase in the area allocated to open space, and high quality is warranted is reasonable, but it has not been deliverable within the current proposal.

#### **7.10. Parking Provision.**

- 7.10.1. The applicant's agent confirms that an increase the parking provision above the eleven spaces serving the existing eight apartment development will not be considered. The observations in the Transportation Division's report as to the application of parking standards for hotel use as opposed to standards for residential use (one space per unit plus four visitor spaces) are considered reasonable in principle given the short-term letting use which is relatively similar to stays in hotel accommodation. Tourism in the west of Ireland and along the Atlantic coast is highly car dependant leading to likelihood that all or most lettings will involve associated parking demand. As such there is little likelihood of reliance on public transport options for arrivals and departures.
- 7.10.2. It is also agreed with the planning authority that reliance on alternative public parking facilities for overflow parking associated with the development is undesirable particularly in view of the observation in the Transportation division's reports as to prematurity having regard to flooding risk, pending finalisation of a CFRAMS study and possible consequent reductions in supply in the area.
- 7.10.3. Bearing the foregoing in mind, a requirement for one space per apartment (eighteen spaces) is considered reasonable with the shortfall of seven spaces being excessive. Thus, the site is highly constrained in providing for both parking provision, (with avoidance of overspill beyond the confines of the site) and in view of the requirements for high quality amenity space provision within and consistent with the 'RA' zoning objective applicable to part of the site area. The proposed provision for eleven spaces is at the opportunity cost of delivery of the required communal amenity space and any such scope would be exacerbated by an eighteen space on site requirement at surface level.



7.10.4. The proposed arrangements for and quantum of for covered cycle parking (twenty-eight spaces) and for vehicular access at the current location are acceptable, it being noted that a stage 1 RSA, by way of compliance with a condition is recommended in the Transportation Division's report.

**7.10.5. Flooding risk and Drainage.**

7.10.6. Risk of pluvial and coastal flooding at the site of the proposed development has been addressed in the flood risk assessment report included with the application. The site is that of an existing development in a serviced area and the application includes drainage calculations and stormwater attenuation arrangements consistent with SUDS standards. With regard to coastal flooding risk from Galway Bay it is noted that the ground level exceeds the estimated levels of 4.52m OD for low probability coastal flooding as shown in the Irish Coastal Protection Maps and that the ground levels exceed this level, no basement element being included in the development. The proposed finished floor levels at 5.09 mOD, as confirmed by the planning officer exceed this level, inclusive of a freeboard allowance.

**7.11. Environmental Impact Assessment Screening.**

7.11.1. Having regard to the nature of the proposed development and its location in a serviced urban area, removed from any sensitive locations or features, there is no real likelihood of significant effects on the environment. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

**7.12. Appropriate Assessment.**

7.13. The application includes an appropriate assessment screening report which has been consulted for the purposes of appropriate assessment screening.

7.14. The site is not within the area of any European sites, but the location is close to two European sites at circa two hundred metres from the Galway Bay SAC (000268) for which the qualifying interests are several habitats and, eight hundred metres from the Inner Galway Bay SPA (004031) for which the qualifying species are several bird spaces, the otter and common seal. Within the fifteen metres buffer zone there are several other European sites which can be screened out due to absence of connectivity.

- 7.15. There are a range of threats which includes discharges of polluted waters and impacts from urbanised areas/human habitation. Management plans have been prepared for both the Galway Bay SAC and for the Inner Galway Bay SPA sites, with habitats and species being accustomed to urban generated anthropogenic activities.
- 7.16. The project involves demolition of two blocks containing eight apartments which are connected to the existing public drainage system and, for construction of a replacement block on the site along with associated site works. Short-term letting use associated with tourism has been the use of the existing building containing eight apartments and is the intended use for the block which will accommodate eighteen apartments.
- 7.17. Potential source pathway connectivity is that of dust emissions, water discharge during construction stage and foul and surface water discharge at operational stage. The project, which is small scale, at demolition and construction stage and the subsequent operational would not affect the European sites in that all foul and stormwater, to be attenuated and passed through petrol interceptor to the public sewer and treatment system. In combination with other plans and existing and permitted projects within the vicinity the subject small project would have no significant impacts.
- 7.18. Having regard to and to the nature of the proposed development and the serviced inner urban site location, no Appropriate Assessment issues proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## **8.0 Recommendation**

- 8.1. While in principle, there is no objection to in principle to the proposed demolition and construction of a higher density development for short-term letting use within the designated 'Established Suburbs' in the coastal area at Salthill, it is recommended that the planning authority decision to refuse permission for the current proposal be upheld based on the reasons and considerations which follow:

## 9.0 Reasons and Considerations

- 9.1. Having regard to the 'R'; *Residential* and, 'RA': *Recreational Amenity* zoning objectives for the site and to the proposed short-term letting use, it is considered that the proposed development constitutes substandard overdevelopment lacking in adequate parking provision and amenity space to serve the eighteen apartments. As a result, the proposed development would lead to overspill and additional parking demand within the area and would endanger of public safety by reason of traffic hazard due to obstruction of other road users and the proposed development would result in insufficient and poor quality dedicated communal open space provision with a satisfactory standard of recreational amenity potential due to the predominance of roadways and parking spaces. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.
- 9.2. The proposed development would seriously injure the residential amenities of adjoining properties by reason of abrupt transition in scale and height and in enclosure of the private open space at the rear of the adjoining cottages on Beach Avenue. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

**Jane Dennehy**  
Senior Planning Inspector  
11<sup>th</sup> December, 2020.