



An
Bord
Pleanála

Inspector's Report

ABP-320181-24

Development

Conversion of existing protected structure building to provide water sports centre including floating pontoon adjoining the River Corrib, turning/drop off area and raised pedestrian crossing to the Dyke Road

Location

Dyke Road, Galway

Planning Authority

Galway City Council

Type of Application

Application for approval made under Section 177(AE) of the Planning and Development Act, 2000 (local authority development requiring appropriate assessment)

Prescribed Bodies

Inland Fisheries Ireland

Failte Ireland

Uisce Éireann

Observers

Richard Browne

Brendan Smith

Date of Site Inspection

15/05/25

Inspector

Adrian Ormsby

Contents

1.0 Introduction	5
2.0 Proposed Development	5
3.0 Site and Location	7
4.0 Planning History.....	9
5.0 Legislative and Policy Context.....	9
5.1. The EU Habitats Directive (92/43/EEC)	9
5.2. European Communities (Birds and Natural Habitats) Regulations 2011	9
5.3. National Nature Conservation Designations	10
5.4. Planning and Development Act 2000 (as amended).....	10
5.5. Policy and Guidelines of Relevance.....	11
5.6. Galway City Development Plan 2023-2029	12
6.0 Consultations	15
6.1. Consultees Circulated	15
6.2. Responses Received from Consultees	16
6.3. Public Submissions.....	19
6.4. Response of Galway City Council to Prescribed Bodies	22
6.5. Response of Galway City Council to the Submissions.....	23
7.0 EIA Screening- (See also Appendix 1 & 2).....	26
8.0 Assessment	27
8.1. The likely effects on the environment.....	28
8.2. The likely consequences for the proper planning and sustainable development of the area.	44
8.3. The likely significant effects on a European site.	46

9.0 Recommendation.....	68
10.0 Appendix 1 Form 1 EIA Pre-Screening.....	77
11.0 Appendix 2 Form 3 EIA Screening Determination	79

1.0 Introduction

- 1.1. Galway City Council is seeking approval from An Bord Pleanála to develop a Water Sports Centre with a very small portion of the site boundary located within the Lough Corrib SAC (000297) with the remainder of the site adjoining or in close proximity. Lough Corrib SAC is a designated European site.
- 1.2. There are other designated European sites (SPAs and SACs) in proximity to the proposed works (see further analysis below). A Natura Impact Statement (NIS) and application under Section 177AE was lodged by the Local Authority on the basis of the proposed development's likely significant effect on a European site.
- 1.3. Section 177AE of the Planning and Development act 2000 (as amended) requires that where an appropriate assessment is required in respect of development by a local authority, the authority shall prepare an NIS and the development shall not be carried out unless the Board has approved the development with or without modifications.
- 1.4. Furthermore, Section 177V of the Planning and Development Act 2000 (as amended) requires that the appropriate assessment shall include a determination by the Board as to whether or not the proposed development would adversely affect the integrity of a European site and the appropriate assessment shall be carried out by the Board before consent is given for the proposed development.

2.0 Proposed Development

- 2.1. The application comprises of-
 - change of use of the old Galway Corporation Waterworks building on Dyke Road, Galway (protected structure no 3502), to be used as a water sports centre
 - alterations to the existing building
 - a 10m x 2.0m wide floating pontoon (galvanised steel) on the River Corrib, connected to an access gangway by a roller connection. The pontoon will be terrestrially anchored and setback from the riverbank
 - new boundaries

- a new pedestrian road crossing and drop of area
- hard & soft landscaping
- footways
- public lighting
- connections to existing services and
- all ancillary site development work.

2.2. This application is accompanied by the following documents:

- Application Cover Letter to An Bord Pleanála
- Galway City Council Planning Report
- Appropriate Assessment Screening Report and Natura Impact Statement, by MKO Planning & Environmental Consultants
- Environmental Impact Assessment Screening Report, by MKO Planning & Environmental Consultants
- Ecological Impact Assessment Report, by MKO Planning & Environmental Consultants and includes-
 - Appendix 1- Irish Water Confirmation of Feasibility Letter to Tobin Consulting Engineers
 - Appendix 2- Public Lighting Report (Coffey Consulting Engineering)
 - Appendix 3- Construction Environmental Management Plan (CEMP) (prepared by Brian Fahy Barch MRIA)
 - Appendix 4- Triturus Fisheries Assessment Report (October 2021)
 - Appendix 5- Invasive Species Management Plan (prepared by Connacht Weed Control)
- Archaeological Impact Assessment Report, by Fado Archaeology
- Architectural Heritage Impact Statement, by Vincent Hannon Architects
- Engineering Report including Road Safety Audit (RSA) by Tobin Consulting Engineer

3.0 Site and Location

- 3.1. The site is located on the Dyke Road (L-1004) approximately 1.3km north of Galway City Centre. The site is located c. 150m south of Eamonn Deacy Park (formerly known as Terryland Park) where Galway United Football Club currently play. Galway Watermain Treatment Centre is located north of the football stadium
- 3.2. The Dyke Road is a narrow road that generally runs from north to south and traverses under the Quincentennial Bridge (N6) which crosses the River Corrib just south of the application site.
- 3.3. The eastern part of the site includes the existing Galway Corporation Waterworks building which fronts the Dyke Road. This part of the site is bound by a stone wall, entrance splay and gate. A pedestrian entrance and pathway provides access to Dun Na Coirbe residential estate just to the north of the site. The part of the site to the front of the old waterworks building does not benefit from a public footpath. An existing pedestrian gate and access to the site is provided along its southern boundary with the Dyke Road. This connects to a segregated pedestrian walkways from the road along a narrow bridge crossing the Terryland River. This river flows under the Dyke road generally from east to west before entering into the River Corrib.
- 3.4. The Galway Corporation Waterworks is a Protected Structure (RPS No. 3502) and is identified on the National Inventory of Architectural Heritage (NIAH) as 30408208 with a Rating of Regional, Categories of Special Interest detailed as Architectural and Technical and dated as 1920 - 1940. It is described as a-

“Detached L-plan eight-bay single-storey waterworks building, built c.1930, with flat-roofed porch to entrance. Flat overhanging roof with replacement uPVC rainwater goods. Painted rendered walls with red brick plinth. Square-headed openings to front (east) elevation with four-over-two pane timber casement windows and concrete sills. Square-headed openings to south side elevation with timber pivoting windows and flanking timber fixed-pane windows with concrete sills. Square-headed door opening with double-leaf timber panelled door and glazed overlight, set within porch having red brick pilasters with flat concrete roof. Square-headed door opening with double-leaf timber battened doors and timber louvers to north end of front elevation.

At the time of inspection the building and site was gated at the entrance and secured with security fencing restricting access. Despite this the site presents in poor condition from the public realm with evidence of anti-social behaviour including squatting and graffiti visible from within the site.

3.5. The building directly to the south is also a Protected Structure (RPS No. 3501) - Waterworks & Associated Building. This and the narrow bridge forming part of the site crossing the Terryland River are also recorded on the NIAH as-

- Galway Corporation Waterworks, Reg No 30408209,
 - Rating- Regional,
 - Categories of Special Interest- Architectural & Technical
 - Date 1860 - 1870
- Bóthar na Díge [Dyke Road]- Bridge-
 - Reg No 30408210,
 - Rating- Regional,
 - Categories of Special Interest- Architectural and Technical
 - Date from 1900 - 1920

3.6. The western part of the application site extends from the Dyke Road to the banks of the River Corrib. This part of the site includes a splayed entrance with gates, a gravel style access track into the site and along the ruins of Terryland Castle (Tirellan Castle), around its boundaries before reaching the banks of the River Corrib.

3.7. Terryland Castle is identified as a Protected Structure (RPS No. 3503). The RPS also details that Rivers/Waterways “*Including Bridges, Weirs, Walls, Embankment, Piers & Other Associated Infrastructure*” are also protected structures (RPS No. 8501)¹.

¹ https://galway-city-council-opendata-galwaycityco.hub.arcgis.com/datasets/e50b7e58228f427f904605e0151c53b2_0/explore?location=53.283463%2C-9.058294%2C17.39

3.8. The National Monument Service's Historic Environment Viewer² identifies two Recorded Monuments at the castle site as follows-

- GA082-080001- : Castle - unclassified : TERRYLAND
- GA082-080002- : House - 17th century : TERRYLAND

Much of the western part of the application site is located within the Zone of Archaeological Notification around the Castle.

3.9. The application documents detail a site area of 0.53ha and a temporary compound area of 0.17 ha³.

4.0 Planning History

- ABP-322424-25- Current application bounding part of the site fronting the Waterworks building. The application is an LRD for 84 no. student accommodation apartments and café c.800m north of the site but includes c. 300m of road improvement works to the front and north of the site.

5.0 Legislative and Policy Context

5.1. The EU Habitats Directive (92/43/EEC)

5.1.1. This Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Article 6(3) and 6(4) require an appropriate assessment of the likely significant effects of a proposed development on its own and in combination with other plans and projects which may have an effect on a European Site (SAC or SPA).

5.2. European Communities (Birds and Natural Habitats) Regulations 2011

5.2.1. These Regulations consolidate the European Communities (Natural Habitats) Regulations 1997 to 2005 and the European Communities (Birds and Natural Habitats) (Control of Recreational Activities) Regulations 2010, as well as addressing

² <https://www.archaeology.ie/advice-and-support/locate-a-monument-or-wreck/historic-environment-viewer/>

³ Galway City Council Planning Report Page 3.

transposition failures identified in CJEU judgements. The Regulations in particular require in Reg 42(21) that where an appropriate assessment has already been carried out by a 'first' public authority for the same project (under a separate code of legislation) then a 'second' public authority considering that project for appropriate assessment under its own code of legislation is required to take account of the appropriate assessment of the first authority.

5.3. National Nature Conservation Designations

5.3.1. The Department of Culture, Heritage and the Gaeltacht and the National Parks and Wildlife Service are responsible for the designation of conservation sites throughout the country. The three main types of designation are Natural Heritage Areas (NHA), Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) and the latter two form part of the European Natura 2000 Network.

5.3.2. Relevant European sites located in proximity to the subject site include:

- Lough Corrib SAC (000297)
- Galway Bay Complex (000268)
- Inner Galway Bay SPA (004031)

5.4. Planning and Development Act 2000 (as amended)

5.4.1. Part XAB of the Planning and Development Acts 2000-2017 sets out the requirements for the appropriate assessment of developments which could have an effect on a European site or its conservation objectives.

5.4.2. 177(AE) sets out the requirements for the appropriate assessment of developments carried out by or on behalf of local authorities.

5.4.3. Section 177(AE) (1) requires a local authority to prepare, or cause to be prepared, a Natura impact statement in respect of the proposed development.

5.4.4. Section 177(AE) (2) states that a proposed development in respect of which an appropriate assessment is required shall not be carried out unless the Board has approved it with or without modifications.

- 5.4.5. Section 177(AE) (3) states that where a Natura impact assessment has been prepared pursuant to subsection (1), the local authority shall apply to the Board for approval and the provisions of Part XAB shall apply to the carrying out of the appropriate assessment.
- 5.4.6. Section 177(V) (3) states that a competent authority shall give consent for a proposed development only after having determined that the proposed development shall not adversely affect the integrity of a European site.
- 5.4.7. Section 177AE (6) (a) states that before making a decision in respect of a proposed development the Board shall consider the NIS, any submissions or observations received and any other information relating to:
- The likely effects on the environment.
 - The likely consequences for the proper planning and sustainable development of the area.
 - The likely significant effects on a European site.

5.5. Policy and Guidelines of Relevance

- 5.5.1. The following policy and guidelines are considered relevant to the proposed development:
- Project Ireland 2040: National Planning Framework (NPF), First Revision of the NPF and the National Development Plan (NDP 2018-2027)
 - Climate Action Plan 2024 (“CAP24”) and 2025 (“CAP25”)
 - The National Biodiversity Action Plan 2023-2030
 - The Northern and Western Regional Spatial and Economic Strategy, 2020-2032
 - Architectural Heritage Protection Guidelines For Planning Authorities 2004, updated in 2011

5.6. Galway City Development Plan 2023-2029

5.6.1. The operative Development Plan is the Galway City Development Plan 2023-2029 (CDP). The following provisions are considered relevant-

- The application site benefits from two zoning objectives. Zoning Objectives are set out in Table 11.1 of the CDP-
 - The eastern part of the site with the Galway Corporation Waterworks building is zoned CF- 'Community Culture and Institutional' with an objective-
 - *"To provide for and facilitate the sustainable development of community, cultural and institutional uses and development of infrastructure for the benefit of the citizens of the city"*
 - Section 11.2.1 lists uses which are compatible with and contribute to the zoning objective including for example-
 - *Community and cultural building*
 - *Outdoor recreational use*
 - *Public utilities*
 - The western part of the site is zoned- RA- 'Recreation and Amenity' with an objective-
 - *"To provide for and protect recreational uses, open space, amenity uses, natural heritage and biodiversity."*
 - Section 11.2.2 lists uses which are compatible with and contribute to the zoning objective including for example-
 - *Outdoor recreation*
- The road frontage traversing the site along the RA Zoned lands and the western part of the application site benefit from the following Specific Objectives⁴-
 - Views and Prospects

⁴ A note to the zoning map states "Specific objectives where shown are generally indicative"

- RA Greenway
- Chapter 5 of the CDP is titled 'Natural Heritage Recreation and Amenity. Relevant Policies include-
 - Policy 5.2 Protected Spaces: Sites of European, National and Local Ecological Importance
 - Policy 5.3 Blue Spaces: Coast, Canals and Waterways
- Section 5.7.3 of the CDP is titled 'Views of Special Amenity Value and Interest'. Table 5.9 lists 'Panoramic Protected Views' including-
 - V.2 Views from Dyke Road and Coolagh Road encompassing the River Corrib and Coolagh fen
- Section 5.10 of the CDP deals with Specific Objectives. The following are relevant-
 - Green Spaces- Medium/Long Term, No. 12
 - *"Explore the potential for developing lands adjacent to Terryland Castle, Merlin Castle and Menlough Castle for public realm and landscaping to enhance the context of the Castles while protecting the existing natural and built heritage of the area."*
 - Community Spaces- Medium/Long Term, No. 32-
 - *"Develop a number of greenways within the city including:.....*
 - *Riverside walk from the Dyke Road to University of Galway lands on the opposite side of the River Corrib via the proposed Clifden Railway Pedestrian and Cycle Bridge with funding provided under the URDF Call 2.*
 - *Riverside walk along the eastern side of the River Corrib from the Dyke Road to the pier at Menlough. A deviation from the route indicated on the development plan map may be permitted, any alternative alignments shall maximise amenity benefits.*
 - *Riverside Walk along the northern side of the Terryland/Sandy River from the Dyke Road to the point*

where it disappears underground at Glenanail to the rear of Glenburren Park.....”

- Chapter 8 of the CDP is titled ‘Built Heritage, Placemaking and Urban Design’
- Section 8.2 of the CDP deals with the Record of Protected Structures.
 - Appendix 3 identifies the following on Dyke Road-
 - 3501 Waterworks & Associated Building
 - 3502 1940’s Waterworks
 - 3503 Terryland Castle
 - 8501 Rivers/Waterways of Galway *“Including Bridges, Weirs, Walls, Embankment, Piers & Other Associated Infrastructure”*
 - Policy 8.1 “Record of Protected Structures” includes the following-
 - *“1. Protect structures listed in the Record of Protected Structures.....*
 - 2. Ensure new development enhances the character or setting of a protected structure.*
 - 3. Avoid protected structures becoming endangered by neglect or otherwise by taking timely appropriate action.*
 - 4. Have regard to the National Inventory of Architectural Heritage in the assessment of development.....*
 - 7. Implement proactive measures to encourage the conservation of protected structures.*
 - 8. Promote sustainable building design, best conservation practice and the appropriate maintenance, adaption and reuse of historic buildings.”*
 - Policy 8.5 Industrial Archaeology
 - *“1. Promote the protection of the varied industrial heritage of the city and encourage greater appreciation and public awareness of this heritage.”*

- Chapter 11 is titled “Land Use Zoning Objectives and Development Standards and Guidelines”
- Section 11.2.2 deals with ‘Natural Heritage, Recreation and Amenity RA Land Use Zoning Objectives’. Specific development objectives for a number of RA zones throughout the city are detailed including-
 - *“RA lands between the River Corrib and the Dyke Road and south of Quincentenary Bridge Road in Council ownership. The Council will consider the development of these lands to accommodate municipal and club water based facilities. Development of these lands shall include criteria for a high standard of design and shall be subject to environmental assessments in relation to European sites.”*

6.0 Consultations

6.1. Consultees Circulated

6.1.1. The application was circulated to the following bodies:

- Department of Environment, Climate and Communications
- Department of Agriculture, Food and the Marine
- Department of Housing, Local Government and Heritage- National Park and Wildlife Service (NPWS)
- Inland Fisheries Ireland
- The Heritage Council
- An Chomhairle Ealaíon
- Fáilte Ireland
- An Taisce
- Transport Infrastructure Ireland (TII)
- Waterway Ireland
- Uisce Éireann

6.2. Responses Received from Consultees

6.2.1. A response has been received from the following-

- Inland Fisheries Ireland
- Fáilte Ireland
- Uisce Éireann

These observations can be summarised as follows-

6.2.2. Inland Fisheries Ireland (IFI)

- The River Corrib which flows through the proposed development site contains Atlantic salmon, European eel, brown trout, coarse fish species and sea/river lamprey.
- It is also a designated conservation site forming part of the Lough Corrib Special Area of Conservation (SAC) and the Galway Bay Complex SAC.
- The applicant has taken on IFI's recommendation to incorporate Sustainable Urban Drainage Systems (SUDS) to reduce potential pollution/flood risk as well as improving biodiversity in this urban environment
- Appropriate mitigation measures will need to be implemented during the construction phase of the project to ensure that the adjacent habitat and water quality of the River Corrib are not impacted upon.
- It will be the responsibility of the appointed contractor to develop site specific method statements and an associated environmental monitoring plan.
- Such method statements and plans will also need to ensure that the development does not lead to the spread of invasive species such as the Zebra mussel and Japanese knotweed, both of which are present in the catchment.
- It is requested a condition be attached requiring the appointed contractor to consult with IFI and seek formal agreement regarding the above points along with agreement on the timing of any associated instream works prior to the commencement of works onsite.

- Should any issues arise during the construction phase of the project which has implication on the fisheries habitat, angling, salmonid/eel/lamprey migration on the River Corrib, IFI will require the cessation of works pending a satisfactory resolution to the methodology/issue in question.
- It is recommended that a biosecurity/information station be incorporated into the water sports centre site to prevent the spread of invasive species such as the zebra mussel which are present in the River Corrib to other catchments
- The following are referred to and attached with the submission-
 - Nature Based Management of Urban Rainwater and Urban Surface Water Discharges- A National Strategy, DoHLG&H
 - 2024IFI "Guidelines on protection of fisheries during construction works in and adjacent to waters"
 - IFIs "Invasive Species Disinfection Guidelines for Paddle Sports"

6.2.3. Fáilte Ireland

- In order to be recognised internationally as a best-in-class activity destination, it is crucial that Ireland invests in compelling activity infrastructure to improve the visitor experience and at the same time, building the capacity of the activity providers to ensure the Irish tourism experience meets and exceeds visitor expectations.
- In April 2021, Fáilte Ireland announced a €19 million investment to develop state-of-the-art facilities for outdoor water-based activities. This investment scheme, which falls under the Government's Project Ireland 2040 strategy and explicitly targets 'platforms' or project types that have the greatest potential to grow tourism across Ireland throughout the year.
- The funding will be used to build world-class facility centres at locations across the country where water-based activities are a key visitor attraction and Galway is one of the locations to benefit from this strategic investment.
- Fáilte Ireland is currently developing a Destination Experience Development Plan for Galway. A key action of the Draft plan is to strengthen the profile of outdoor tourism activities in Galway and in particular on-the-water

experiences through the delivery of shared water sports facilities in Galway City.

- From research undertaken and community engagement as part of the plan preparation, a recurring theme is that the use of the water and outdoors offers a strong opportunity for Galway City to develop into a much more sustainable destination.
- The building shall allow for an extension of the season for both locals and visitors alike and provide a further reason for visiting this area as part of a stay in Galway. This would also align with a strategic product development objective of the Wild Atlantic Way Regional Tourism Development Strategy 2023-2027 which in partnership with local authorities seeks to deliver a suite of water sports facility centres across the region (both coastal and inland) to enhance and expand the quality and seasonality of water-based activities.
- The proposed development would be consistent with Tourism Policy 5.3 Blue Spaces: Coast, Canals and Waterways and 6.9 Marine Sector & Renewable Energy of the Galway City Development Plan 2023-2029.
- As a condition of the investment grant scheme, all new build facilities are required to conform to nearly zero energy building standards and be appropriately and sensitively designed to integrate with the site's natural environment and surrounding location.
- The proposal will provide hot showers, changing and toilet facilities, accessible toilet, secure storage, an induction space and wayfinding, interpretation and orientation points. The facility will be fully wheelchair accessible and built using sustainability best practices including PV solar panels and a heat pump to meet Nearly Zero Energy Building Standards.
- The building will also provide a new Changing Places toilet facility at the old Galway Corporation Waterworks, to improve accessibility for all at this location, opening up water sports for all.
- The proposal will act as a social hub for the local community and provide the infrastructure required to increase tourism and local recreation use.
- Fáilte Ireland are fully supportive of the proposed development.

6.2.4. Uisce Éireann (ÚE)

- No objections in principle
- The applicant has engaged with Uisce Éireann via a Pre-Connection Enquiry and Uisce Éireann can confirm that a Confirmation of Feasibility (CDS24001134) has been issued to the applicant advising that (water/ wastewater) connection(s) are feasible.
- A number of typical conditions are recommended.

6.3. Public Submissions

- Submissions have been received from the following-
 - Brendan Smith
 - Richard Browne

These are summarised as follows-

6.3.1. Brendan Smith-

- Warmly welcomes the proposal
- Some concerns of negative impact the centre will have on the unique built heritage, natural environment and fragile ecosystems of the immediate area.
- Jordan's Island is a unique and sensitive area of natural heritage, one of the last remaining areas within Galway City that has remained largely untouched by human footfall. This island and its wildlife denizens such as otters need to be protected more than ever. The Council should recognise the Island as a wildlife sanctuary and that there should be no plans to use it for activities now and into the future.
- The area of riverbank that forms part of the proposal is used by swans as an access point to the Corrib. The proposal needs to provide swans, other aquatic birdlife and other species such as otter with such an access point.
- It would be preferable for boat users from the new water sports centre to use the main Corrib waterway rather than the narrow channel between Jordan's

Island and the mainland so as to maintain a waterway for aquatic wildlife such as swans, and otters.

- It is recommended that the proposed development have car users primarily access the water sports centre from the northern side rather than the southern side of the Quincentenary Bridge so as to provide a pedestrian and cycle blue/green themed travel route from the south where car traffic is curtailed.
- The proposal intends to build a car park in the grounds of Terryland Forest Park on the exact spot where thousands of bulbs were planted in 2002.
- There was no consultation with the Terryland Forest Park community group.

6.3.2. **Richard Browne-**

- Welcomes positive developments on the Dyke Road such as the proposed water sports facility. However there are concerns.
- The Dyke Road has recently been reduced to a 30kph speed limit.
- There are no footpaths north of the facility and none are proposed. Further north the path is discontinuous and substandard with no provision for cycling. Existing pedestrian bridges are not linked to paths and are not of current standards. The road is not lit and extremely dangerous for pedestrians.
- The proposal has not referenced the National Cycling Manual 2023 or DMURS.
- The Dyke Road does not provide for cyclists including connectivity to the eastbound cycle path on the Quincentennial Bridge.
- The Road Safety Audit proposes some upgrades but this will fall far short of the requirements of this development. The design and audit both mistakenly state the existing speed limit at 50km/hr.
- The 30km/hr road speed is designed to give pedestrians and vulnerable priority. The proposed design does not. It should be designed to encourage road users to use the correct speed.
- There is no safe connection for boat users to trolley their boat to the new public slipway 200m south of the development. The proposal is not in

accordance with DMURS and should be upgraded to provided 3m plus cycle provision and foot paths.

- The roadway entrances are not in compliance with DMURS i.e. no provision for cyclists and pathways should provide widths of 3-4 within the facility and adjoining the public road.
- The scheme does not account for street furniture & light standards which will further decrease the usable footpath considerable. It takes no account for the increased width required to carry water sports equipment, instead suggesting they can be taken by car.
- Reference is made to the facility becoming a cycling hub for the Connemara Greenway. The proposal should be designed in accordance with standards such as the National Cycling Handbook 2023. The proposal does not provide for cycle parking or cycle access routes. Cycle provision to the Quincentennial Bridge should be provided.
- The proposal seems to have dropped infrastructural improvements approved as part of original application 22/028⁵. Such upgrades should be conditioned at the outset of the development.
- The applicant controls large parts of land in the area and there is no need to develop the area at 'Tirellan Castle' for parking alone. The use of the parking area is unclear with plans showing turning circle and others showing it lined and kerbed.
- No landscape plan is proposed contrary to the local development plan for the site.
- Proposed railings are out of character with the protected structure.
- The car park position is bounded by a protected view and adjacent to a national monument. Contrary to Development Plan provision. Overall design standards are not of high standard.

⁵ I have not been able to identify this application using GCC's online Planning Register at <https://www.eplanning.ie/GalwayCity/SearchTypes>

- Absence of statement of consistency with national policy and fails to address Cycle Design Manual of 2023.
- No fire safety report
- The pontoon design is inadequate as detailed, does not make required provision for wheelchair access. Provision should cater for sailing rowing and kayaking.
- Cumulative consideration of other developments including 257 student bed accommodation on Dyke Road.
- Permeability to neighbouring estates and a recently constructed slipway (unidentified).
- The proposal doesn't include active travel goals in the CAP. Electric car charging provision not provided. Proposal does not include upgrades to the building to required BER standard.
- Identified inadequacies in the public notices. Proposal should be readvertised and engagement with local community and sports clubs requested.
- It is requested the proposal is considered by a Grade 1 Conservation Architect rather than Grade 3.
- The CEMP is incomplete with errors throughout. All mitigation measures are not detailed.

6.4. Response of Galway City Council to Prescribed Bodies

- Inland Fisheries Ireland (IFI)-
 - SuDS systems are included as part of the design.
 - The CEMP will be developed further by the contractor during the construction phase.
 - The following can be conditioned-
 - the contractor consults with the IFI on the timing of any instream works prior to the commencement of the works.

- The appointment of an Ecology Clerk of Works to ensure that all mitigation measures are implemented
- Provision of biosecurity/information station to prevent the spread of invasive species such as the zebra mussel.
- Fáilte Ireland-
 - Submission is fully supportive of the proposed development
- Uisce Éireann
 - Requirements can be addressed by condition

6.5. Response of Galway City Council to the Submissions

- Brendan Smith
 - Regarding Jordans Island the NPWS are responsible for the designation of NHA's, SAC's and SPA's
 - GCC agree with this in principle and will work to ensure that the users of this proposed facility are aware of the sensitivity of the Island and not to detract from it.
 - An NIS is submitted.
 - Regarding Swans-
 - The pontoon is anchored to the shore, and 1-2m from the bank, so the river will still be accessible for swans
 - the space around the pontoon can be reviewed to ensure access to the river is not impacted
 - The proposed pontoon location is considered to be the optimum location, closest to the drop off area and more protected & sheltered because it is out of the main river current.
 - A visitor management plan can be implemented to get vehicle users of the facility to come from the north side rather than the south.

- The proposed turning area is considered the best location. Replanting can be carried out at construction stage. Proposed landscaping can be extended to this area by condition.
- Richard Browne
 - Regarding Roads and Traffic related concerns-
 - A submission from Tobin Engineers is included addressing such concerns- Appendix 1
 - Footpaths to the north of the site on the Dyke Rd are outside the scope of this project.
 - Improvement of footpaths and cycle tracks are part of GCC's road improvement works, and included in the Galway Transport Strategy (GTS), details of which are attached as Appendix 2.
 - Measures proposed in the GTS to improve pedestrian access along this route, and relevant planning permissions are detailed in appendix 2
 - A transportation plan is not deemed necessary as the development does not meet the thresholds outlined in TII's PE-PDV-02045 Traffic and Transport Assessment Guidelines. See appendix 1
 - The turning/drop-off zone will facilitate access for users to set down for a period of time for unloading kayaks and other water-sports equipment.
 - A landscape plan was included in the submission. See CSR plan 23332-1-100 and can be further addressed by condition if required.
 - The steel railings are considered satisfactory and in keeping with the existing building, and as above.
 - A statement of consistency is not required for the proposed development with reference to ABP requirements.
 - The fire certificate process will be completed once permission is granted.

- The following can be addressed by condition-
 - The pontoon access ramp width to be redesigned to 1.5m wide with the appropriate slope to improve accessibility.
 - Permeability to adjoining estates is outside the scope of the application.
 - Active travel facilities
- The proposal is in keeping with the “Recreational Amenity” Zoning i.e. to accommodate municipal and club-based water activities.
- Protected views will not be interrupted as there are no construction works to the west of the Dyke Rd except for the turning/drop off area. There is no car park.
- The GTS/City Development Plan identify this as a key site for water recreational facilities.
- Errors relating to the site notice did not prevent 3rd party submissions. The newspaper notice was accurate.
- The requirement for a Grade 1 conservation architect instead of a Grade 3 conservation architect is an RIAI guideline rather than a GCC requirement and changing to another grade wouldn’t necessarily change the content of the report.
- The building needs to be reused/renovated so in principle the proposal will give the building a new life, and will be reused and maintained rather than being left derelict.
- The CEMP is an initial report, outlining the parameters of mitigation for the project. It will be developed further during the detail design stage and construction stage and will include all mitigation measures proposed.
- The Archaeology report recommends archaeology testing in advance of construction. The mitigation referred to concerns the survey works, archaeology testing of the site and what measures are necessary if there are any archaeology finds.

- The Planning Report refers to-
 - mitigation in in the NIS document, which are also covered in the CEMP report.
 - a Draft CEMP noting a final CEMP shall be prepared in advance of the physical elements of the project commencing and will be implemented throughout. Such plans shall incorporate relevant mitigation measures. The CEMP is a working document, to be further developed at detail design and construction stages.

7.0 EIA Screening- (See also Appendix 1 & 2)

Having regard to-

1. the criteria set out in Schedule 7 and the information to be provided in Schedule 7A of the Planning and Development Regulations 2001 as amended, in particular-
 - the limited nature and scale of the proposed development, on zoned land, in an 'urban development' area served by existing public infrastructure
 - the location of a very small portion of the site boundary and development works within the Lough Corrib SAC (000297) with the remainder of the site adjoining and in close proximity to the SAC
 - the location of the site outside any other sensitive location specified in article 109(4)(a) (v) of the Planning and Development Regulations 2001, as amended
 - the protected structure status and extent of works to the old Galway Corporation Waterworks building (RPS. No 3502), the proximity of the site to other protected structures (RPS No.'s 3501 and 8501) and Terryland Castle (RPS No. 8503).
 - the minimal impact of the proposed development upon the CDP designated 'Panoramic Protected Views' '*V.2 Views from Dyke Road and Coolagh Road encompassing the River Corrib and Coolagh fen*'.

- the absence of any other significant environmental sensitivity in the vicinity
2. the results of relevant assessments of the effects on the environment submitted by the applicant i.e.
- the Appropriate Assessment Screening Report,
 - the Natura Impact Statement,
 - the Ecological Impact Assessment Report
 - the Archaeological Impact Assessment Report
 - the Architectural Heritage Impact Statement and
 - the Engineering Report including Road Safety Audit
3. the features and measures proposed by applicant intended to avoid or prevent what might otherwise have been significant effects on the environment, including measures identified in the submitted EIA Screening Report, the Natura Impact Statement, the Ecological Impact Assessment Report and other reports on file

it is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an Environmental Impact Assessment Report is not, therefore required.

8.0 **Assessment**

The assessment will be undertaken in three parts as per the requirements of Section 177AE as follows:

- The likely effects on the environment
- The likely consequences for the proper planning and sustainable development of the area
- The likely significant effects on a European site

8.1. The likely effects on the environment.

- 8.1.1. The application is accompanied by Galway City Council's 'Planning Report Supporting Corrib Watersports Facility'⁶. This report sets out an EIA Screening Conclusion which states-

"It can be concluded that the Proposed Development, due to the considered design of the project and provided all mitigation measures are properly implemented, that there is no real likelihood of significant effects on the environment."

and

".....sub-threshold EIA is not required as there is no real likelihood that there will be any significant effects on the environment arising from the Proposed Development either alone or in cumulation of other projects."

- 8.1.2. The submitted Planning Report then details an EIAR was prepared by MKO and reviewed by the authority. This would appear to be a typing error as an EIAR is not submitted and does not appear to have been prepared. The Planning Report may have intended to refer to the submitted Ecological Impact Assessment Report (EclA) prepared by MKO which is on file.

- 8.1.3. The application is accompanied by an EIA Screening Report (EIASR) prepared by MKO the project consultants engaged by the Council. This considers after preliminary examination that formal EIA Screening is required. In section 4 it details-

"An EIA Screening exercise was carried out to determine the potential for the Proposed Development to have significant environmental effects or not in accordance with the provisions of Item 12 (e) of Part 2, Item 10 (b) (iv) of Part 2 and Item 15 of Part 2 of the Regulations for sub-threshold developments."

and concludes-

"that sub-threshold EIA is not required as there is no real likelihood that there will be any significant effects on the environment arising from the Proposed Development either alone or in cumulation of other projects"

⁶ As titled in the application cover letter

- 8.1.4. Notwithstanding the above and as set out in section 10 of this report the proposed development is considered a class but subthreshold for the purposes of EIA as per the Planning and Development Regulations 2001, as amended i.e. Schedule 5, Part 2 Class 10 Infrastructure Project (b)(iv)-

Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.

The applicants have also submitted Schedule 7A information in section 3.6 of the EIASR and accordingly an EIA Screening Determination is required. The Board are referred to Section 10, Appendix 1 and 2 of this report.

- 8.1.5. Notwithstanding the above and having regard to the nature of the proposed development and the site context, I consider that the likely effects of the proposed development on the environment requiring further consideration in this assessment relate to the following matters-

- Roads and Traffic
- Ecology
- Cultural Heritage

These will be considered further as set out below.

8.1.6. **Roads and Traffic**

- 8.1.6.1. The Board will note the road and traffic related concerns received from public submissions. These include-

- The substandard nature of the existing Dyke Road including lack of footpaths/discontinued paths to the north of the site with poor cycle provision and the absence of paths to the pedestrian bridges.
- The absence of active travel measures in the proposal including public paths and cycle lanes including preference for car users to access the site from the north rather than the south to facilitate traffic curtailment from the south
- The Road Safety Audit mistakenly identifies the existing speed as 50km/hr where it has recently reduced to 30kph.

- The proposal is not in accordance with DMURS and should be upgraded to provide cycle and foot paths with in the facility and the adjoining road. A transport plan is not submitted.
- Concerns regarding parking and the intend use of the proposed turning/drop off area

8.1.6.2. The application and drawings are accompanied by the following roads and traffic related documents-

- Engineering Report and a Road Safety Audit (RSA) in Appendix C

The Board should also note the Applicants Response to public submission related issues which includes a Letter from Tobin Engineers in Appendix 1 of their response.

8.1.6.3. I acknowledge the section of local road to the front of the site is substandard in terms of width, pedestrian connectivity and lacks segregated cycle facilities especially in the context of the wider Dyke Road.

8.1.6.4. While the submitted RSA does refer to a speed limit of 50kph, I note the limit at the time of inspection was 30kph and this is underlined in the submissions received. This would appear to be a simple matter of timing from when the application was prepared and then submitted to the Board. I do not consider this discrepancy to have any material bearing on the information submitted or the recommendations proposed in the RSA and the development as a whole.

8.1.6.5. Notwithstanding same it is considered the road network at the location of the site does not lend itself to speeds significantly in excess of 30 kph and the bridge over the Terryland River appears to facilitate one way traffic at a time only, thereby slowing traffic in any event.

8.1.6.6. The proposal for a footpath along the southern approach to the site, raised pedestrian crossing and specific crossing lighting as detailed in section 5.2 of the Engineers Report and the RSA will improve pedestrian connectivity and likely serve to further reduce speeds of traffic along this section of the Dyke Road. I also note the application proposes 'an anti-slip surfacing' for the pedestrian part of the bridge

improving upon the existing situation. The proposed development (with the road safety measures proposed) is likely to contribute to increased pedestrian and possibly cycling activity in the specific area of the site. However, I do not consider the proposal would significantly impact in an adverse way on traffic and road safety nor would it as a corollary endanger public safety.

- 8.1.6.7. The development as proposed provides for the use of an existing building as a water sports centre. This is considered an appropriate use having regard to the proximity of the existing building to the proposed floating pontoon at the River Corrib i.e. c. 180m. It is intended visitors to the building will exit the site via a pedestrian entrance adjoining the east side of the Bridge over the Terryland River where an existing segregated pathway is provided to the bridge (with anti-slip surfacing proposed). The application then proposes a new raised pedestrian road crossing with lighting to an existing footpath along the west side of the Dyke Road and into west part of the application site where further existing pedestrian access to the proposed pontoon is available.
- 8.1.6.8. Having considered the existing site context and the proposed measures for pedestrians using the proposed development, I am satisfied the proposal reasonably provides for intended pedestrian users. While I appreciate the concerns expressed in submissions, I share the position put forward by the Applicant in their response that the provision of segregated cycle and foot paths and the requirements of DMURS would be outside the scope of the proposed development. In addition a Transport Plan is not considered necessary for a proposal of this scale.
- 8.1.6.9. The Board are also referred to section 4.0 of this report where an LRD application is currently before the Board which includes road improvement works that appear to extend to the north and front of the site.
- 8.1.6.10. Regarding concerns to encourage vehicular traffic to frequent the site from the north rather than the south, I note the Applicant's response details a visitor management plan can be implemented to get vehicle users of the facility to come from the north. I

also note the Councils response⁷ to the submissions points to the presence of existing public car parking c. 8 mins walk from the site along the Dyke Road. In my opinion a visitor management plan as suggested is not necessary given that it would make more sense for users to access this car park to the south and then walk to the proposed development.

- 8.1.6.11. I note concerns raised in public submissions regarding the intended use of the 'Proposed Drop Off/ Turning Area' and discrepancies presented through the application including in the 'Archaeological Impact Assessment Report' where reference is made a number of times to a proposed 'carpark' in the area of the proposed turning/drop off area.
- 8.1.6.12. The development description, including public notices clearly state a 'drop off area' and do not provide for a car park nor do the proposed drawings provide for a car park. I note drawing no. 11638-2005 demonstrates turning manoeuvres for vehicles associated with the intended use and drop offs. This matter is further clarified in the Applicant's response to submissions where it is detailed there is no car park and the turning/drop-off zone will facilitate access for users to set down for a period of time for unloading kayaks and other water-sports equipment. Furthermore Appendix 1 to the submission response states- *"Parking will not be permitted within the turning/drop-off zone....."* The response also details ample parking is available within an 8 minute walk. In this regard, I note substantial public parking is available circa 550m south east of the site along the Dyke Road which is connected by an existing public path. I am satisfied the development as proposed does not provide for public car parking.
- 8.1.6.13. I note showering facilities are provided both internally and externally in the proposed development of the existing Waterworks building. However, the overall proposal appears lacking in the provision of bicycle parking facilities. Should the Board decide to approve the development it is recommended the bicycle parking facilities be provided by condition.

⁷ Appendix 1 of Response- Tobin's Letters

8.1.6.14. Having reviewed the information set out above and on the file, I am satisfied the submitted documentation relevant to roads and traffic provides a detailed, robust and thorough consideration and overall conclusion of all such matters in the context of roads and traffic arising from the proposed development. Having carried out a site inspection and considered the case put forward by the local authority and submissions on file, the proposed development will not significantly or adversely impact upon roads and traffic related concerns nor it will endanger public safety in this context.

8.1.7. **Ecology**

8.1.7.1. The application is accompanied by an Ecological Impact Assessment (EclA) compiled by Ecologists of MKO Planning and Environmental Consultants and dated 04/07/2024 which includes 5 appendices-

- Appendix 1- Irish Water Confirmation of Feasibility Letter to Tobin Consulting Engineers
- Appendix 2- Public Lighting Report (Coffey Consulting Engineering)
- Appendix 3- Construction Environmental Management Plan (CEMP) (prepared by Brian Fahy Barch MRIA)
- Appendix 4- Triturus Fisheries Assessment Report (October 2021)
- Appendix 5- Invasive Species Management Plan (prepared by Connacht Weed Control)

8.1.7.2. Relevant considerations within the EclA are detailed in section 1.3 and include-

- CIEEM's 'Guidelines for Ecological Impact Assessment in the UK and Ireland' (2018 as amended)
- 'Guidelines for Assessment of Ecological Impacts of National Roads Schemes' (NRA, 2009)

The methodologies employed in the EclA are set out in section 3 and include a desk study (including identification of designated sites etc), field surveys (Multidisciplinary Ecological Walkover Surveys) including habitats, otter, bats and invasive species.

The methodology for assessment of impacts and effects are set out in section 3.3. Section 3.4 discusses limitations and details initial surveying fell outside the optimum period for habitat mapping, however a later survey in April was within the optimum period. No other limitations are detailed.

8.1.7.3. Section 4 of the EclA discusses the findings of the 'Desk Study'. Figure 4-1, Figure 4-2 and Table 4-1 of the ECIA identifies designated sites considered (including European Sites, proposed National Heritage Areas and National Heritage Areas) considered to be within the likely zone of impact and determines if further consideration is required. The following were identified for further consideration-

- Lough Corrib pNHA (000297) also designated under the Lough Corrib SAC (000297) and Lough Corrib SPA (004042) (These are fully considered in the accompanying NIS)
- Galway Bay Complex pNHA (000268) also designated under the Galway Bay Complex SAC (000268) and Inner Galway Bay SPA (004031). (These are fully considered in the accompanying NIS)

Section 4.2 and Table 4-2 identifies Records of Species listed under the Flora Protection Order 2022 or the Irish Red Data Book for Vascular Plants. Section 4.3 and Table 4-3 details records for rare and protected species recorded by the NPWS within 5km of the site. Other relevant databases referred to include Irelands Article 17 Reporting, Grassland and Woodland Databases, the National Biodiversity Data Centre (NDBC) for birds and invasive species, the EPA's Water Quality Data, Inland Fisheries Ireland (IFI) sampling records and reference to the EIAR prepared for the Galway City Ring Road (2018).

8.1.7.4. Section 5 discusses the findings of the EclA. Habitats are recorded in accordance with Fossitt 2000, set out in Table 5-1 and presented in Figure 5-1 & 5-2 and associated photographs- Plates 5-1 – 5.12. These are generally consistent with my observations on site⁸. Identification of Invasive Species recorded are shown on

⁸ The Board should note the photographs presented in the EclA of the area of the proposed turning/drop off area are not reflective of the area at the time of the site inspection.

Figure 5-3 and it is noted four small strands of Japanese Knotweed and an area of Spanish bluebell were recorded to the rear of the existing waterworks building.

- 8.1.7.5. The findings of the Fauna study are discussed in section 5.2 with no evidence of mammal species recorded. While no signs of otter were recorded the watercourses within and adjacent to the site are considered as suitable for commuting and foraging habitat with NPWS and NDBC recordings of sightings within the site vicinity. Dedicated bat surveys were undertaken on the 17th of April 2023 and findings of same are detailed in section 5.2.2 of the EclA with no evidence of bats observed during inspections of the existing building and its surroundings. Bat activity around the site are discussed with 271 bat passes recorded dominated by soprano pipistrelle (see Table 5-2). Five bat species in total were recorded by a Static Detector Survey as displayed in Plates 5-20 and 5-21.
- 8.1.7.6. Bird species recorded on site during the walkover surveys are discussed in section 5.2.3 and presented in Table 5-3. It considers the site does not support significant habitat for protected bird species.
- 8.1.7.7. Section 5.2.4 discusses the part of the site and development within and in close proximity to the River Corrib. The EclA details while the river provides some suitable habitat for lamprey species, salmonids and whiteclawed crayfish, which are QIs of Lough Corrib SAC, the site of the proposed pontoon does not provide suitable salmonid spawning habitat.
- 8.1.7.8. The Importance of identified Ecological Receptors recorded during the Desk and Field Surveys in the context of European Sites, NHA's and pNHA's is discussed in section 5.4 and as shown in Table 5-4 in accordance with the criteria of Guidelines for Assessment of Ecological Impacts of National Road Schemes (NRA, 2009). The following Key Ecological Receptors (KER's) are identified-
- European Sites- Lough Corrib SAC (000297), Galway Bay Complex SAC (000268) and Inner Galway Bay SPA (004031)
 - National Sites- Lough Corrib pNHA (000297 and Galway Bay Complex pNHA (000268)

- The River Corrib and Terryland River (local importance)
- Sensitive aquatic receptors e.g. lamprey, salmonids, whiteclawed crayfish
- Otter
- Bats

8.1.7.9. Section 6.1 and Table 6-2 discuss impacts during the construction stage and proposed mitigation measures. Impacts on designated sites are discussed in section 6.5.1 of the EclA⁹. Impacts include-

- Designated sites and their Habitats with the potential for degradation the Terryland River and the River Corrib
- Potential effects on Otter including habitat degradation and disturbance
- Potential effects to Bats including disturbance
- Potential effects to Sensitive Aquatic Receptors vulnerable to water quality deterioration and physical disturbance- habitat degradation and disturbance

Mitigation measures include-

- Construction stage-
 - A Construction Environmental Management Plan (CEMP) has been prepared and provided in Appendix 3 of the EclA including site set up, pollution prevention and other typical measures. This includes mitigation for potential impacts to watercourses, otter and detailed sensitive aquatic receptors
 - Pre-commencement surveys
 - Specific Construction techniques as detailed
 - Low intensity lighting if required avoiding bat commuting areas etc

8.1.7.10. Section 6.2.3 discusses Invasive Species and Biosecurity¹⁰. An Invasive Species Management Plan (ISMP) is included in Appendix 5 of the EclA. It is detailed that

⁹ Many of these impacts and measures are more appropriately considered and assessed in the context of the Appropriate Assessment section of this report as also detailed in section 6.5.1 of the EclA.

¹⁰ The Board are reminded of the IFI submission (see section 6.2.2 above) in this regard.

treatment of identified Japanese Knotweed stands within the site was ongoing including the mechanical removal of the knotweed from the site and long-term chemical treatment of remaining stands. The management plan provides for ongoing monitoring for regrowth of Japanese knotweed with a pre-commencement invasive species survey to be undertaken prior to any proposed works.

8.1.7.11. The EclA also address Spanish Bluebell recorded on the site and proposes measures including pre-construction surveys to be carried in order to assess the status of this species on site prior to the commencement of ground works at the appropriate time period- late spring early summer with Manual hand pulling will be undertaken to extract the bulb followed by mechanical cutting over a number of years to exhaust the seed bank.

8.1.7.12. Section 6.3 and Table 6-5 discuss impacts during the operational stage and proposed mitigation measures. Impacts include-

- Habitats including Sensitive Aquatic Receptors- water quality from foul sewage and surface water runoff
- Fauna- Otters and Bats- increased human activity including noise, increased lighting near the Corrib

Mitigation measures include-

- Floating nature of proposed pontoon to avoid interference with burial habitat and sediment disturbance
- Wastewater drainage to existing Uisce Eireann Network, pre-connection enquiry and Confirmation of Feasibility details submitted
- Surface water drainage-
 - No increases to hard standing on eastern part of site (waterworks buildings)
 - For the western portion of the site, a dedicated storm water drainage system proposed for the proposed turning area. Surface water runoff throughout the western portion of the site will be collected by precast concrete gullies with lockable cast iron grating and frame connected to

the proposed SuDS swale. The swale is designed to intercept water for the largest storage required over a 48-hour storm period with rainfall depths taken for the 100- year return period (+ 20% Climate Change) for sliding durations obtained from Met Eireann- see Tobin drawing no 11638-2003.

- Operating hours detailed as until 7pm during the summertime and 4pm in the wintertime and will not contribute to noise impacts beyond these hours
- Preparation and submission of lighting plan (See Appendix 2 of the EclA) including an 18m set back of lighting from the SAC and the River Corrib with maximum light spill onto the River Corrib will be <0.5 lux (0.97 lux typically comparable to twilight). Lighting Plan in accordance with Bat Conservation Ireland and Other detailed Guidance.
- The Board are referred to the submission of IFI in section 6.2.2 and the Applicants response in section 6.4 of this report regarding concerns relating to the Invasive Species including Zebra Mussel which is known to be present in the River Corrib. The Board are further referred to the “Invasive Species Disinfection Guidelines for Paddle Sports” (2014) submitted with the IFI observation.
- It is considered appropriate to apply a condition requiring operation mitigation in the form of the provision of biosecurity measures and/or information station as suggested by the IFI.

8.1.7.13. Cumulative Impact Considerations are set out in section 7 of the EclA. Relevant ecological plans such as the City Development Plan 2023-2029 (Policies 5.2 and 5.3), the National Biodiversity Action Plan and the Regional Spatial and Economic Strategy are discussed and presented in Table 8-1 of the EclA. A number of other projects are detailed in section 7.2 of the EclA including a number of identified planning applications including some which had not been determined at the time of lodging the application. Overall, the EclA concludes that-

“Taking into consideration the reported residual impacts from other plans and projects in the area and the predicted impacts with the current proposal, no residual cumulative impacts have been identified with regard to Biodiversity.”

8.1.7.14. Having reviewed the information set out above, the totality of the information on the file, the submissions received and including my considerations as set out in section 8.3 below regarding European Sites, I am satisfied the submitted EclA provides a detailed, robust and thorough consideration and overall conclusion of all matters pertinent to an EclA in the context of the proposed development. Subject to the mitigation measures proposed as set out in the EclA, the CEMP, ISMP and the NIS, as well as recommended planning conditions, I am satisfied the proposed development would not have significant impacts upon local ecology or the 'Key Ecological Receptors' identified.

8.1.8. Cultural Heritage

8.1.8.1. The application is accompanied by-

- an 'Architectural Heritage Impact Assessment' (AHIA) prepared by James Griffiths a Grade 3 Architect Accredited in Conservation and
- an Archaeological Impact Assessment Report (AIAR) prepared by Fadó Archaeology

Concerns have been raised in a public submission suggesting the AHIA should have been prepared by a Grade 1 conservation Architect. The Applicants response to the submission details this requirement is a guideline and a CV of the author is submitted in Appendix 3 of the response in support of the application. I do not share the submissions concern in this regard.

8.1.8.2. The submitted AHIA provides a brief discussion of the buildings history as part of the waterworks complex of Galway City and its industrial heritage. It refers to policy 8.5 of the Galway CDP which seeks to promote and protect Galway's industrial heritage. The building is then described with reference to its recording on the NIAH.

8.1.8.3. A detailed analysis of the existing building is provided both externally and internally with historical and recent photographs provided. An impact assessment is carried out which identifies the principal conservation issues as the retention and sensitive reuse of the protected structure, the conservation of the surviving fabric of the building and the impact of the proposed development on the protected structure. It details the

proposed sports centre use as compatible while the building can be maintained and conserved for future use.

8.1.8.4. Drawing No. 221204-3-104 presents the existing building layout. Drawing No. 221204-3-102 details only 152.8 sq.m of the existing building is intended for use as part of the subject application. This part of the building is located to the south and rear side of the building. The proposal includes a new entrance with 'corten steel canopy' at the rear, a lobby, changing rooms, toilets and shower facilities with other ancillary spaces. The remainder of the building is indicated as 'Future Development' and does not form part of the proposed development.

8.1.8.5. The AHIA details a number of interventions (see also Drawing No. 221204-3-102) the most significant of which are considered to include-

- The demolition of existing blockwork extension/enclosure at rear elevation. This appears to be a later addition to the structure and not part of original fabric and in this instance its demolition is considered acceptable.
- Provision of a new sideways Corten steel portico to be added to the rear secondary entrance and stand as a new contemporary addition. See elevation drawing 221204-3-103.
- Blocking up of one window to rear elevation currently enclosed by structure detailed above. It appears this window is to be blocked up to provide for the new portico canopy. Noting the current condition of the building where this window is not visible and the proposed retention of two other similar windows at this elevation I do not consider this intervention will significantly or adversely impact upon the character of the protected structure.
- Internal layout changes including demolition of internal block walls to make way for new 'Changing Places WC' room. The 'Impact Assessment' details *"new block walls will be constructed, and additional partition walls will be installed to facilitate the new layout update to locate the drying room, showers, changing room, lockers and toilets/ disable changing toilets"*. I do not consider these interventions will significantly or adversely impact upon the character of the protected structure.

- All the walls are to be repaired (cracks, crumbling, peeling) and painted
- Doors and windows are to be retained and restored

8.1.8.6. I have also considered the proposed interventions in the context of section 7.7¹¹ of the Architectural Heritage Guidelines and am satisfied the proposed works are necessary to allow the building to perform a new or enhanced function. In this context the proposed interventions provide for the conservation principle of reversibility as detailed in the submitted 'Impact Assessment' and do not significantly affect upon the character or special interest for which the building is protected i.e. Architectural & Technical.

8.1.8.7. Regarding the overall proposed use, I note section 6.8.8 of the Architectural Heritage Guidelines deals with material change of use and states-

“On the whole, the best way to prolong the life of a protected structure is to keep it in active use, ideally in its original use. Where this is not possible, there is a need for flexibility within development plan policies to be responsive to appropriate ,alternative uses for a structure.....”

8.1.8.8. Section 6.8.9 of the Guidelines states-

“In considering an application for the material change of use of a protected structure, the planning authority will have to balance its continuing economic viability if the change is not permitted, with the effect on the character and special interest of its fabric of any consequent works if permission is granted. Where, having considered these issues, a planning authority considers that the alterations required to achieve a proposed change of use will not have an undue adverse effect on the special interest of the structure, the proposals may be granted subject to conditions as appropriate”

8.1.8.9. I note the application proposes 'an anti-slip surfacing' for the pedestrian part of the existing bridge which is a protected structure under RPS No. 8501- Rivers/Waterways of Galway *“Including Bridges, Weirs, Walls, Embankment, Piers &*

¹¹ 'Promoting Minimum Intervention'

Other Associated Infrastructure". The Applicant's Response to submissions also refers to same in their Appendix 1 letter from Tobin. There are limited details submitted in this regard and therefore it is recommended a condition be attached requiring preparation of a method statement detailing the measures required to provide the anti-slip surfacing and such proposals be prepared by a suitably qualified professional with specialised conservation expertise.

- 8.1.8.10. The proposed development will not alter the setting of the protected structure and will bring an underutilised and vacant protected building back into an active use that can contribute to revitalisation of the building and site. The proposal is consistent with policies 8.1 and 8.5 of the Galway CDP regarding the record of protected structures, 'industrial archaeology' and heritage.
- 8.1.8.11. The Archaeological Impact Assessment Report (AIAR) accompanying the application provides a comprehensive archaeological appraisal of the site. In details the majority of the site c. 0.33ha includes the existing waterworks building on the east side of the Dyke Road with the green area on the west side encompassing 1.9ha. The methodology employed in the AIAR includes a desktop study of published and unpublished documentary and cartographic sources, as well as a comprehensive site inspection of the proposed development area.
- 8.1.8.12. The desktop study identifies the main National Monument GA082-080002- Tirellan Castle (Terryland Castle), within the western part of the application site. Other Recorded Monuments are detailed in Section 5.6 of the AHIA including GA082-080001-Castle and GA082-080002- House. Section 5.2 of the study refers to previous archaeological works in the area as detailed with commentary on the NIAH and RPS also presented.
- 8.1.8.13. 'Results of the Site Inspection' are discussed in Section 6 of the AIAR. This divides the site into two areas. Area 1 comprises the former Galway waterworks buildings and yard with Area 2 the area to west side of the Dyke Road. No materials of an archaeological nature were noted during the site inspection in either area.

8.1.8.14. Section 7 discusses potential impacts given the sites evident location in proximity to other sites of archaeological, architectural, and cultural heritage significance including within the footprint of the proposed turning/drop off area. No direct effects to known cultural heritage resources such as Terryland Castle are indicated.

8.1.8.15. However the AIAR details there is potential direct effects on unrecorded Archaeological Monuments given the sites size in excess of 0.5 hectares and the high archaeological potential of the area.

8.1.8.16. Section 7.3 discusses the visual effects on the setting and details there will likely to be negligible or no visual effect on the setting of known recorded archaeological or architectural sites. Given the extent of works proposed I tend to agree with position.

8.1.8.17. Overall the AIAR recommends-

- Area 1 to the east side of the Dyke Road to be subject to pre-development archaeological testing where possible to excavate test trenches.
- Area 2 to the west side of the Dyke Road- a full programme of pre-development archaeological testing
- Archaeological testing should be conducted by a suitably qualified archaeologist and
- provision be made for full recording and excavation of any archaeological features or deposits which may be exposed.

Should permission be approved a suitable condition should be applied in this regard.

8.1.8.18. Having considered all of the above, including the submitted AHIA and the AIAR and the submission received, and subject to conditions as discussed above, I am satisfied the proposed development will not significantly impact upon cultural heritage.

8.2. The likely consequences for the proper planning and sustainable development of the area.

8.2.1. Galway City Council (GCC) have submitted a Part 10 Planning Report in support of the application.

8.2.2. The site benefits from two zonings as follows-

- The eastern part of the site with the Galway Corporation Waterworks building is zoned CF- 'Community Culture and Institutional' with an objective-
 - *"To provide for and facilitate the sustainable development of community, cultural and institutional uses and development of infrastructure for the benefit of the citizens of the city"*
 - Section 11.2.1 lists uses which are compatible with and contribute to the zoning objective including for example-
 - *Community and cultural building*
 - *Outdoor recreational use*
 - *Public utilities*
- The western part of the site is zoned- RA- 'Recreation and Amenity' with an objective-
 - *"To provide for and protect recreational uses, open space, amenity uses, natural heritage and biodiversity."*
 - Section 11.2.2 lists uses which are compatible with and contribute to the zoning objective including for example-
 - *Outdoor recreation*

The development as proposed is consistent with these land use zoning and associated objectives.

8.2.3. Section 11.2.2 of the CDP deals with 'Natural Heritage, Recreation and Amenity RA Land Use Zoning Objectives'. Specific development objectives for a number of RA zones throughout the city are detailed, including the western part of the subject application which states-

“RA lands between the River Corrib and the Dyke Road and south of Quincentenary Bridge Road in Council ownership. The Council will consider the development of these lands to accommodate municipal and club water based facilities. Development of these lands shall include criteria for a high standard of design and shall be subject to environmental assessments in relation to European sites.”

The proposal is consistent with this.

8.2.4. The road frontage traversing the site along the RA Zoned lands and the western part of the application site benefits from the following Specific Objectives¹²-

- Views and Prospects
- RA Greenway

8.2.5. Section 5.7.3 of the CDP is titled ‘Views of Special Amenity Value and Interest’. Table 5.9 lists ‘Panoramic Protected Views’ including-

- V.2 Views from Dyke Road and Coolagh Road encompassing the River Corrib and Coolagh fen

The development proposed to the western part of the application site and as shown on drawing 221204-3-101 ‘Site Plan’ includes for-

- ‘new drop off/turning area for canoes etc’
- ‘existing gate removed new raised security barrier’ and
- ‘new floating pontoon for launching canoes’.

Drawing number 11638-2000 ‘Proposed Road Layout’ details the ‘Proposed Drop Off/ Turning Area’ will be finished with a porous asphalt and shows the location of the ‘Proposed Gated Access’ to the area. Drawing 11638-2009 presents the ‘Proposed Pontoon and Gangway Plan & Section’. These are likely the only visual intrusions upon the ‘Panoramic Protected View’ and will not significantly or adversely detract from V.2 as described above.

8.2.6. Regarding the RA Greenway I note section 5.10 of the CDP details a specific objective for Community Spaces- Medium/Long Term, No. 32 which in the context of

¹² A note to the zoning map states “Specific objectives where shown are generally indicative”

the subject application includes develop a riverside walk along the eastern side of the River Corrib from the Dyke Road to the pier at Menlough. This objective details deviations from the route indicated on the development plan map may be permitted. Notwithstanding this, I am satisfied the proposed development does not compromise the delivery of the specific objective for the RA Greenway i.e. riverside walk.

8.2.7. Section 5.10 of the CDP also details Specific Objectives relevant to lands adjacent to Terryland Castle which include parts of the application site for public realm and landscaping including 'Green Spaces- Medium/Long Term, No. 12'. The application includes a 'Landscape Masterplan' Drawing No. 23332-1-100 which provides for the eastern part of the application site i.e. around the Waterworks building only. I note some concerns have been raised in public submissions regarding the impact of the proposed 'Proposed Drop Off/ Turning Area'¹³ upon previous landscaping at this area. The applicant details in their response to the submissions they are agreeable for landscaping to be extended to this area by condition.

8.2.8. I am satisfied the proposed development does not compromise delivery of this objective i.e. developing lands adjacent to Terryland Castle for public realm and landscaping to enhance the context of the Castles while protecting the existing natural and built heritage of the area. This matter can be addressed further by condition should the Board decide to approve the development.

8.2.9. Having regard to all of the above and having visited the site, I consider that the proposed development is acceptable in principle and generally accords with local planning policy including zoning objectives and specific objectives relevant to the site. Accordingly the proposal is considered to be in accordance with the proper planning and sustainable development of the area.

8.3. **The likely significant effects on a European site.**

The areas addressed in this section are as follows:

- Compliance with Articles 6(3) of the EU Habitats Directive
- The Natura Impact Statement

¹³ Described in public submissions as an area for car parking.

- Appropriate Assessment

8.3.1. **Compliance with Articles 6(3) of the EU Habitats Directive**

8.3.1.1. The Habitats Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Article 6(3) of this Directive requires that any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. The competent authority must be satisfied that the proposal will not adversely affect the integrity of the European site.

8.3.2. **The Natura Impact Statement**

8.3.2.1. The application is accompanied by document titled 'Appropriate Assessment Screening Report and Natura Impact Statement prepared by MKO Planning & Environmental Consultants.

8.3.2.2. The Stage 1 Appropriate Assessment Screening Report (AASR) concluded that a Stage 2 Appropriate Assessment and Natura Impact Statement (NIS) was therefore required. The submitted documentation describes the proposed development and the receiving environment. It outlines the methodology used for assessing potential impacts on the habitats and species within identified European Sites that have the potential to be affected by the proposed development. It identifies the potential impacts for these sites and their conservation objectives, it suggests mitigation measures to address impacts, assessed in-combination effects with other plans and projects and it identifies any residual effects on the European sites and their conservation objectives.

8.3.2.3. The NIS was informed by:

- Ecological Multidisciplinary Walkover Surveys undertaken on the 23rd of March 2023 and the 17th of April 2023 e.g. habitats, invasive species,
- An Otter Survey undertaken on the 16th of April 2024

- Identification of Relevant European Sites
- A hydrological desk study- water quality etc (see also Triturus Report titled 'Fisheries assessment of the River Corrib, University of Galway' October 2021 submitted in Appendix 4 of the EclA)

8.3.2.4. The stage 2 NIS concludes as follows-

"This NIS has provided an assessment of all potential direct or indirect adverse effects on European Sites.

Where the potential for any adverse effect on any European Site has been identified, the pathway by which any such effect may occur has been robustly blocked through the use of avoidance, appropriate design, and mitigation measures, as set out within this report and its appendices. The measures ensure that the construction and operation of the Proposed Development does not adversely affect the integrity of European Sites.

Therefore, it can be objectively concluded that the Proposed Development, individually, or in combination with other plans or projects, will not adversely affect the integrity of any European Site."

8.3.2.5. Having reviewed the NIS and the supporting documentation, including the stage 1 screening report, I am satisfied that they provides adequate information in respect of the baseline conditions, does clearly identify the potential impacts, and does use best scientific information and knowledge. Details of mitigation measures are provided and they are set out Section 6.1.1.1.1 of the NIS including the CEMP provided as Appendix 4 to the NIS. I am satisfied that the information is sufficient to allow for appropriate assessment of the proposed development (see further analysis below).

8.3.3. **Appropriate Assessment**

8.3.3.1. Notwithstanding the location of part of the proposed development i.e. the floating pontoon within the Lough Corrib SAC (000297), I am satisfied the proposed development is not directly connected with or necessary to the management of the SAC or any other European site.

8.3.3.2. Section 4.1 of the submitted AASR considers European Sites which are described as within the 'Likely Zone of Impact. Table 4-1 identifies these as follows-

- SAC's
 - Lough Corrib (000297)
 - Galway Bay Complex (000268)
 - Connemara Bog Complex (002034)
 - Ross Lake and Woods (001312)
 - Lough Fingall Complex (000606)
 - East Burren Complex (001926)
- SPA's
 - Lough Corrib (004042)
 - Inner Galway Bay (004031)
 - Cregganna Marsh (004142)

8.3.3.3. Each site is further considered based on the source pathway receptor model to identify potential for direct and indirect connectivity via possible connectivity pathways. No direct or indirect impact and no connectivity was identified for the following sites–

- SAC's
 - Connemara Bog Complex (002034)
 - Ross Lake and Woods (001312)
 - Lough Fingall Complex (000606)
 - East Burren Complex (001926)
- SPA's
 - Lough Corrib (004042)
 - Cregganna Marsh (004142)

and therefore these sites were not considered further.

8.3.3.4. Having considered the above, the information on file, the nature, size and location of the proposed development and its likely direct, indirect impacts and cumulative effects, the source pathway receptor principle and sensitivities of the ecological receptors, the following European Sites are considered relevant to include for the purposes of initial screening for the requirement for Stage 2 appropriate assessment on the basis of likely significant effects.

8.3.3.5. European sites considered for Stage 1 screening:

European site (SAC/SPA)	Qualifying Interests	Distance
Lough Corrib SAC (000297)	<ul style="list-style-type: none"> • Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110] • Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or Isoeto-Nanojuncetea [3130] • Hard oligo-mesotrophic waters with benthic vegetation of Chara spp. [3140] • Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260] • Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210] • Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410] • Active raised bogs [7110] • Degraded raised bogs still capable of natural regeneration [7120] • Depressions on peat substrates of the Rhynchosporion [7150] • Calcareous fens with Cladium mariscus and species of the Caricion davallianae [7210] • Petrifying springs with tufa formation (Cratoneurion) [7220] • Alkaline fens [7230] • Limestone pavements [8240] • Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] • Bog woodland [91D0] • Margaritifera margaritifera (Freshwater Pearl Mussel) [1029] • Austropotamobius pallipes (White-clawed Crayfish) [1092] 	<p>Proposed Floating pontoon within SAC,</p> <p>Existing waterworks building c. 180m east of SAC</p>

European site (SAC/SPA)	Qualifying Interests	Distance
	<ul style="list-style-type: none"> • Petromyzon marinus (Sea Lamprey) [1095] • Lampetra planeri (Brook Lamprey) [1096] • Salmo salar (Salmon) [1106] • Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303] • Lutra lutra (Otter) [1355] • Najas flexilis (Slender Naiad) [1833] • Hamatocaulis vernicosus (Slender Green Feather-moss) [6216] 	
Galway Bay Complex SAC (000268)	<ul style="list-style-type: none"> • Mudflats and sandflats not covered by seawater at low tide [1140] • Coastal lagoons [1150] • Large shallow inlets and bays [1160] • Reefs [1170] • Perennial vegetation of stony banks [1220] • Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] • Salicornia and other annuals colonising mud and sand [1310] • Atlantic salt meadows (Glauco-Puccinellietalia maritima) [1330] • Mediterranean salt meadows (Juncetalia maritimi) [1410] • 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] • Alkaline fens [7230] • Limestone pavements [8240] • Lutra lutra (Otter) [1355] • Phoca vitulina (Harbour Seal) [1365] 	c. 1.5 km south
Inner Galway Bay SPA (004031)	<ul style="list-style-type: none"> • Black-throated Diver (Gavia arctica) [A002] • Great Northern Diver (Gavia immer) [A003] • Cormorant (Phalacrocorax carbo) [A017] • Grey Heron (Ardea cinerea) [A028] • Light-bellied Brent Goose (Branta bernicla hrota) [A046] • Wigeon (Anas penelope) [A050] 	c. 2 km to south east

European site (SAC/SPA)	Qualifying Interests	Distance
	<ul style="list-style-type: none"> • Teal (<i>Anas crecca</i>) [A052] • Red-breasted Merganser (<i>Mergus serrator</i>) [A069] • Ringed Plover (<i>Charadrius hiaticula</i>) [A137] • Golden Plover (<i>Pluvialis apricaria</i>) [A140] • Lapwing (<i>Vanellus vanellus</i>) [A142] • Dunlin (<i>Calidris alpina</i>) [A149] • Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] • Curlew (<i>Numenius arquata</i>) [A160] • Redshank (<i>Tringa totanus</i>) [A162] • Turnstone (<i>Arenaria interpres</i>) [A169] • Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] • Common Gull (<i>Larus canus</i>) [A182] • Sandwich Tern (<i>Sterna sandvicensis</i>) [A191] • Common Tern (<i>Sterna hirundo</i>) [A193] • Wetland and Waterbirds [A999] 	

8.3.3.6. Based on my examination of the NIS report and supporting information (including the submitted Ecological Impact Assessment), the NPWS website, aerial and satellite imagery, the scale of the proposed development and likely effects, separation distance and functional relationship between the proposed works and the European sites, their conservation objectives and taken in conjunction with my assessment of the subject site and the surrounding area, I tend to agree with the contentions of the applicant and conclude that a Stage 2 Appropriate Assessment is required for the European sites referred to above.

8.3.3.7. All other European Sites in the wider area can be screened out from further assessment because of the scale of the proposed works, the nature of the Conservation Objectives, Qualifying and Special Conservation Interests, the separation distances and the lack of a substantive linkage between the proposed works and the European sites.

8.3.4. Relevant European sites

The following Natura 2000 sites are considered-

- SAC's
 - Lough Corrib (000297)
 - Proposed Floating pontoon within SAC,
 - Existing waterworks building c. 180m east of SAC
 - Galway Bay Complex (000268) c. 1.5 km to the south
- SPA's
 - Inner Galway Bay (004031) c. 2 km to the south east

8.3.5. Lough Corrib SAC (000297)

<https://www.npws.ie/protected-sites/sac/000297>

8.3.5.1. Description of site

- a) This site synopsis for this SAC details it is the second largest lake in Ireland, with an area of approximately 18,240 ha (the entire site is 20,556 ha). The main threats to the quality of this site are detailed as-
- water polluting activities resulting from intensification of agricultural activities on the eastern side of the lake,
 - uncontrolled discharge of sewage, which is causing localised eutrophication of the lake,
 - and housing and boating development, which is causing the loss of native lakeshore vegetation.
 - The raised bog habitats are susceptible to further degradation and drying out due to drainage and peat cutting and, on occasions, burning.
 - Peat cutting threatens Addergoole Bog and already a substantial area of it has been cut away.
 - Fishing and shooting occur in and around the lake.

- Introduction of exotic crayfish species or the crayfish fungal plague (*Aphanomyces astaci*) could have a serious impact on the native crayfish population.
 - The bat roost is susceptible to disturbance or development.
- b) The application site is located in and c. 180m to the east of the SAC. There is direct connectivity to the site based on its location within and adjoining the SAC. There is also indirect connectivity from the eastern part of the site based on its proximity and hydrological connectivity via the Terryland River running along the eastern boundary of the site. Impacts may arise from contaminants and such materials during construction works. There is also a risk of spread of invasive species with such species identified on site.

8.3.5.2. Conservation Objectives

- a) To restore the favourable conservation condition of-
- Oligotrophic waters containing very few minerals of sandy plains (*Littorelletalia uniflorae*) in Lough Corrib SAC (3110)
 - Oligotrophic to mesotrophic standing waters with vegetation of the *Littorelletea uniflorae* and/or *Isoëto-Nanojuncetea* (3130)
 - Hard oligo-mesotrophic waters with benthic vegetation of *Chara* spp. (3140)
 - Active raised bogs (7110) and re-established of peat-forming capability linked to active raised bogs (7120)¹⁴
 - Sea Lamprey (1095)
 - Lesser Horseshoe Bat (1303)
 - Slender Naiad (1833)
- b) To maintain the favourable conservation condition of-
- Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitriche-Batrachion* vegetation (3260)

¹⁴ a separate conservation objective has not been set for the habitat of the *Rhynchosporion* (7150) as depressions on peat substrates is an integral part of good quality Active raised bogs (7110)

- Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) (6210)
- Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) in Lough Corrib SAC (6410)
- Calcareous fens with Cladium mariscus and species of the Caricion davallianae (7210)
- Petrifying springs with tufa formation (Cratoneurion) (7220)
- Alkaline fens (7230)
- Limestone pavements (8240)
- Old sessile oak woods with Ilex and Blechnum in the British Isles (91A0)
- Bog woodland (91D0)
- Freshwater Pearl Mussel (1029)
- White-clawed Crayfish (1092)
- Brook Lamprey (1096)
- Atlantic Salmon (1106)
- Otter (1355)
- Slender Green Feather-moss (1393)

8.3.5.3. Potential direct effects

a) Potential direct effects to certain QI's of this SAC are identified in section 5.1.1.1 of the NIS and can be summarised as follows-

- Potential for deterioration of water quality in the River Corrib resulting from construction and operation of floating pontoon
- Potential for disturbance and displacement (including reduction in prey) during construction of floating pontoon

b) The only Annex I (habitats) and II (species) considered at risk are-

- Annex 1 Habitats- 3260¹⁵
- Annex 2 Species- 1092, 1095, 1096, 1106 and 1355

8.3.5.4. **Potential indirect effects:**

- a) Potential indirect effects to certain QI's of this SAC are also identified in section 5.1.1.1 of the NIS and can be summarised as follows-
- potential for deterioration of water quality in the River Corrib via the runoff of pollutants etc. into surface water systems arising from the construction and operating phases.
 - Potential for loss of habitat downstream
 - potential for deterioration of water quality via the percolation of pollutants into ground water systems arising from the construction phase.
- b) The only Annex I habitats and II species considered at risk are-
- Annex 1 Habitats- 3260
 - Annex 2 Species- 1092, 1095, 1096, 1106 and 1355

8.3.5.5. **Site Specific threats**

- a) These are detailed in Table 5.2 of the NIS and include pressures and threats inside, outside and both of the SAC.

8.3.5.6. **Potential in-combination effects**

- a) The submitted NIS considers these in section 8. It details a review of online Planning Registers, development plans and other available information was conducted. A list of the plans and projects considered is provided in Appendix 3 to the NIS and include the National Biodiversity Action Plan, the North and Western RSES and the Galway City Development Plan¹⁶. A number of

¹⁵ The NIS details this habitat was not observed during surveying but given the pontoons location within the SA a precautionary approach is taken.

¹⁶ See Appendix 3- Table 8.1

planning applications are then detailed in section 1.2 of the appendix. No in-combination effects were identified.

- b) Having considered the contents of the NIS, the documentation on file, the submissions received and having carried out my own review of plans and projects, I am satisfied there are no in-combination impacts to the SAC that can be considered at this time.

8.3.5.7. Mitigation Measures

- a) These are set out in section 6 of the submitted NIS and include measures identified in the accompanying appendices 4- CEMP and 6- Invasive Species Management Plan (ISMP).
- b) Deterioration of Water Quality Measures during construction include the following-
 - A Construction Environmental Management Plan (CEMP)
 - Best practice mitigation and environmental control measures including-
 - Typical site set up measures
 - Detailed pollution prevention measures
 - Refuelling, Fuel and Hazardous Material Storage measures
 - Spill Control Measures
 - Measures to Avoid the Release of Cement Based Material During Construction
 - Waste Management measures
 - Dust Control measures
 - Environmental Monitoring measures
 - Vegetation Clearance
- c) Deterioration of Water Quality Measures during operation include-
 - The submitted Engineering Report details proposed surface water and wastewater drainage proposals designed to ensure that there will be no deterioration of water quality during operations.

- Surface water proposals include SuDs measures such as swales and storm gullies lined with geotextile and filled with pea gravel.
- Wastewater includes connection to existing Uisce Eireann Network. Pre-Connection enquiry submitted with feasibility confirmed see appendix 1 of NIS.

d) Other-

- The water quality measures detailed will also serve to protect otter in terms of impacts to habitat deterioration and prey availability.

e) Disturbance to Fauna Measures during construction

- Otter (See NIS 6.1.2.2)-
 - Pre Commencement Survey
 - The pontoon will be terrestrially anchored and the anchor point will be setback approximately 0.8m from the river and will be located entirely in an existing gravelled area.
 - Precast concrete piles will be installed using pile driving equipment approximately 1.3m from the river.
 - There will be no disturbance of the river bank or riverbed itself and no loss of riparian vegetation associated with the construction of the pontoon.
 - Construction activity will mostly be confined to daytime hours
- Lamprey, Salmonids and White-clawed Crayfish-
 - no instream works, no disturbance of river bed or river bank and no removal of riparian vegetation
 - Works for pontoon as above
 - implementation of soft start piling procedures would limit the potential for noise and vibration related disturbance to local populations as detailed
- Other-

- All plant and equipment for use will comply with Statutory Instrument No 359 of 1996 “European Communities (Construction Plant and Equipment) (Permissible Noise Levels) Regulations 1996”.
- Operating machinery will be restricted to the proposed works site area.
- Construction works will be limited to daylight hours and artificial lighting to facilitate works will not be permitted.
- The best means practical, including proper maintenance of plant, will be employed to reduce the noise produced by on-site operations.
- All vehicles and mechanical plant will be fitted with effective exhaust silencers and maintained in good working order for the duration of the contract.
- Compressors will be of the “sound reduced” models fitted with properly lined and sealed acoustic covers which will be kept closed whenever the machines are in use and all ancillary pneumatic tools shall be fitted with suitable silencers.
- Machines which are used intermittently will be shut down or throttled back to a minimum during those periods when they are not in use.
- Any plant such as generators or pumps which are required to work outside of normal working hours will be surrounded by an acoustic enclosure.

f) Disturbance during Operation

- Lighting-
 - A lighting plan is submitted in Appendix 2 of the NIS and detail in section 6.1.2.3.1
- Otter- increased human activity

- The proposed pontoon structure will be set back from the riverbank, and there will be no loss of riparian habitat as a result of the Proposed Development
- Lamprey and Salmonoids
 - no significant increase to ambient noise levels during operation of the development
 - use of floating pontoon will not interfere with burial habitat as sediment will not be disturbed
 - floating structure may also help prevent mechanical erosion of the soft sediment areas of the shelf zone by encouraging boats and water sports users to stay away from the river margin, potentially resulting in a positive impact

g) Invasive Species and Biosecurity

- ISMP prepared and include in Appendix 6
- Japanese knotweed
 - Treatment of identified Japanese knotweed stands within the site is detailed as ongoing and treatment methods include mechanical removal of the knotweed from the site and long-term chemical treatment of remaining stands.
 - As per the management plan, the site will continue to be monitored for regrowth of Japanese knotweed and any new growth will be treated as per the current ISMP.
 - A pre-commencement invasive species survey will be undertaken prior to any works and any Japanese knotweed present will continue to be treated as per the current ISMP.
- Spanish Bluebell
 - pre-construction surveys to be carried in order to assess the status of this species on site prior to the commencement of ground works.

- Surveys to be undertaken during the late spring early summer months when the extent of the infestation will be fully visible.
 - Manual hand pulling will be undertaken to extract the bulb of the plant in the autumn and winter months when it is not in flower but when the foliage is beginning to appear.
 - This will need to be followed by mechanical cutting over a number of years to exhaust the seed bank.
 - After hand pulling, the plants will be left out to dry on site.
 - Waste materials containing the Spanish bluebells are considered 'controlled' waste and therefore will be transported to a licenced waste facility.
- h) I note the concerns raised by IFI regarding the spread of invasive species including 'zebra mussel' which are present in the River Corrib. They recommend a biosecurity/information station be incorporated into the water sports centre site to prevent the spread of invasive species. I am satisfied this should also be incorporated into the proposed mitigation measures.
- i) IFI concerns regarding the timing of instream works should also form part of a mitigation related condition.

8.3.5.8. Residual effects/Further analysis

- a) These are discussed in section 7 of the NIS and concludes the Proposed Development will not adversely affect the Qualifying Interests/Special Conservation Interest associated with any European site.

8.3.5.9. NIS Omissions

- a) None noted.

8.3.5.10. Conclusion

- a) I am satisfied that the proposed development individually or in combination with other plans or projects would not adversely affect the integrity of this

European site in light of its conservation objectives (subject to the implementation of mitigation measures outlined above).

8.3.6. Galway Bay Complex SAC (000268)

<https://www.npws.ie/protected-sites/sac/000268>

8.3.6.1. Description of site

- a) This site synopsis for this SAC describes it comprising the inner, shallow part of a large bay which is partially sheltered by the Aran Islands. A diverse range of marine, coastal and terrestrial habitats, including several listed on Annex I of the E.U. Habitats Directive, occur within the site, making the area of high scientific importance.
- b) The main concerns to this European site are detailed as-
 - sewage effluent and detritus of the aquaculture industry could be deleterious to benthic communities
 - Reef and sediment communities are vulnerable to disturbance or compaction from tractors accessing oyster trestles
 - Vulnerability to overfishing
 - Extraction of maerl is a threat
 - pressure from urban expansion and recreational activities.
 - Eutrophication is probably affecting some of the lagoons and is a continued threat.
 - Drainage is a general threat to the turlough and fen habitats.
 - Bird populations may be disturbed by aquaculture activities.
- c) The application site is located c. 1.5 km to the north west of the SAC. Potential connectivity between the site and the SAC is hydrological connectivity via the Terryland River and the Corrib. There is also a risk of spread of invasive species with such species identified on site.

8.3.6.2. Conservation Objectives

a) To maintain the favourable conservation condition of-

- Mudflats and sandflats not covered by seawater at low tide (1140)
- Large shallow inlets and bays (1160)
- Reefs (1170)
- Perennial vegetation of stony banks (1220)
- Salicornia and other annuals colonising mud and sand (1310)
- Turloughs (3180)
- 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)
- Alkaline fens (7230)
- Harbour seal *Phoca vitulina* (1365)

b) To restore the favourable conservation condition of-

- Coastal lagoons (1150)
- Atlantic salt meadows (*Glaucio-Puccinellietalia maritima*) (1330)
- Mediterranean salt meadows (*Juncetalia maritimi*) (1410)
- *Juniperus communis* formations on heaths or calcareous grasslands (5130)
- Otter (*Lutra lutra*) (1355)

8.3.6.3. **Potential direct effects**

a) None identified

8.3.6.4. **Potential indirect effects**

a) Potential effects to certain QI's of this SAC are identified in section 5.1.2.1 of the NIS and can be summarised as follows-

- b) potential for deterioration of water quality in the River Corrib via the runoff of pollutants etc. into surface water systems arising from the construction and operating phases.
- c) Potential for loss of habitat downstream
- d) potential for deterioration of water quality via the percolation of pollutants into ground water systems arising from the construction phase.
- e) The only protected habitats and species considered at risk are-
 - Annex 1 Habitats- 1140, 1150, 1160, 1170, 1310, 1330, 1410
 - Annex 2 Species- 1355, 1365

8.3.6.5. Site Specific threats

- a) These are detailed in Table 5.10 of the NIS and include pressures and threats inside, outside and both of the SAC.

8.3.6.6. Potential in-combination effects

- a) The submitted NIS considers these in section 8. It details a review of online Planning Registers, development plans and other available information was conducted. A list of the plans and projects considered is provided in Appendix 3 to the NIS and include the National Biodiversity Action Plan, the North and Western RSES and the Galway City Development Plan¹⁷. A number of planning applications are then detailed in section 1.2 of the appendix. No in-combination effects were identified.
- b) Having considered the contents of the NIS, the documentation on file, the submissions received and having carried out my own review of plans and projects, I am satisfied there are no in-combination impacts to the SAC that can be considered at this time.

8.3.6.7. Mitigation measures

¹⁷ See Appendix 3- Table 8.1

- a) The mitigation measures proposed are those as generally detailed for Lough Corrib SAC (000297) above in section 8.3.5.7 of this report and section 6 of the NIS. It is not considered necessary to repeat those here.

8.3.6.8. Residual effects/Further analysis

- a) These are discussed in section 7 of the NIS and concludes the Proposed Development will not adversely affect the Qualifying Interests/Special Conservation Interest associated with any European site.

8.3.6.9. NIS Omissions

- a) None noted.

8.3.6.10. Conclusion

- a) I am satisfied that the proposed development individually or in combination with other plans or projects would not adversely affect the integrity of this European site in light of its conservation objectives (subject to the implementation of mitigation measures outlined above).

8.3.7. Inner Galway Bay SPA (004031)

<https://www.npws.ie/protected-sites/spa/004042>

8.3.7.1. Description of site

- a) This site synopsis for this SPA describes the Inner Galway Bay SPA as a very large, marine-dominated site situated on the west coast of Ireland with the Bay protected from exposure to Atlantic swells by the Aran Islands and Black Head.
- b) The application site is located c. 2 km to the north and upstream of the SPA. Potential direct and indirect connectivity between the site and the SPA is considered to arise hydrologically via the Corrib and Terryland Rivers adjoining and in close proximity to the site.
- c) Impacts may arise from polluting contaminants during construction impacting upon the supporting wetland habitat of the SCI.

8.3.7.2. Conservation Objectives

a) To maintain the favourable conservation condition of-

- Great Northern Diver *Gavia immer* (A003)
- Cormorant *Phalacrocorax carbo* (A017)
- Grey Heron *Ardea cinerea* (A028)
- Brent Goose *Branta bernicla hrota* (A046)
- Wigeon *Anas penelope* (A050)
- Teal *Anas crecca* (A052)
- Shoveler *Anas clypeat* (A056)
- Red-breasted Merganser *Mergus serrator* (A069)
- Ringed Plover *Charadrius hiaticula* (A137)
- Golden Plover *Pluvialis apricaria* (A140)
- Lapwing *Vanellus Vanellus* (A142)
- Dunlin *Calidris alpina alpina* (A149)
- Bar-tailed Godwit *Limosa lapponica* (A157)
- Curlew *Numenius Arquata* (A160)
- Redshank *Tringa tetanus* (A162)
- Turnstone *Arenaria interpres* (A169)
- Black-headed Gull *Chroicocephalus ridibundus* (A179)
- Common Gull *Larus canus* (A182)
- Sandwich Tern *Sterna sandvicensis* (A191)
- Common Tern *Sterna Hirundo* (A193)
- Wetlands (A999)

8.3.7.3. Potential direct and indirect effects

a) Potential effects are identified in section 5.1.3.1 and Table 5-20 of the NIS and can be summarised as follows-

b) potential for deterioration of water quality resulting from construction and operational related activities.

c) The only qualifying Interest considered at risk are-

a. A999 Wetlands habitat

although it is noted SCI bird species could be affected by degradation of the supporting habitat.

8.3.7.4. Site Specific threats

a) These are detailed in Table 5.21 of the NIS and include pressures and threats inside, outside and both of the SPA

8.3.7.5. Potential in-combination effects

a) The submitted NIS considers these in section 8. It details a review of online Planning Registers, development plans and other available information was conducted. A list of the plans and projects considered is provided in Appendix 3 to the NIS and include the National Biodiversity Action Plan, the North and Western RSES and the Galway City Development Plan¹⁸. A number of planning applications are then detailed in section 1.2 of the appendix. No in-combination effects were identified.

b) Having considered the contents of the NIS, the documentation on file, the submissions received and having carried out my own review of plans and projects, I am satisfied there are no in-combination impacts to the SAC that can be considered at this time.

8.3.7.6. Mitigation measures

a) Section 6.1.1 of the NIS specifically discusses 'Deterioration of Water Quality'. While it mainly focuses on the Lough Corrib SAC it does specifically refer to the identified effects to the Inner Galway Bay SPA. In this context, I am satisfied the mitigation measures proposed (see section 8.3.5.7) also relate to the subject SPA and its SCI's with A999 wetlands specified.

¹⁸ See Appendix 3- Table 8.1

- b) Relevant mitigation is therefore those as detailed in section 6 of the NIS and summarised in section 8.3.5.7 of this report. I am satisfied subject to the measures proposed the development will not prevent or obstruct the QIs or SCIs from reaching Favourable Conservation Status.

8.3.7.7. Residual effects/Further analysis

- a) These are discussed in section 7 of the NIS and concludes the Proposed Development will not adversely affect the Qualifying Interests/Special Conservation Interest associated with this or any European site.

8.3.7.8. NIS Omissions

- a) None noted.

8.3.7.9. Conclusion

- a) I am satisfied that the proposed development individually or in combination with other plans or projects would not adversely affect the integrity of this European site in light of its conservation objectives (subject to the implementation of mitigation measures outlined above).

8.3.8. Appropriate Assessment Conclusion

- 8.3.8.1. Having regard the foregoing assessment and the nature of the proposed development, I consider that it is reasonable to conclude on the basis of the information on the file, which I consider adequate in order to carry out a Stage 2 Appropriate Assessment, that the proposed development, subject to conditions, individually or in combination with other plans and projects would not adversely affect the integrity of European sites no's. 000297, 000268, 004031 or any other European site, in view of the site's Conservation Objectives.

9.0 Recommendation

On the basis of the above assessment, I recommend that the Board approve the proposed development subject to the reasons and considerations below and subject

to conditions including requiring compliance with the submitted details and with the mitigation measures as set out in the NIS.

Reasons and Considerations

- a) the EU Habitats Directive (92/43/EEC),
- b) the European Union (Birds and Natural Habitats) Regulations 2011-2015,
- c) the likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely significant effects of the proposed development on a European Site,
- d) the conservation objectives, qualifying interests and special conservation interests for the Lough Corrib SAC (000297), the Galway Bay Complex SAC (000268) and the Inner Galway Bay SPA (004031),
- e) the policies and objectives of the Galway City Development Plan, 2023-2029,
- f) the nature and extent of the proposed works as set out in the application for approval,
- g) the information submitted in relation to the potential impacts on habitats, flora and fauna, including the EclA and Natura Impact Statement,
- h) the submissions received in relation to the proposed development and
- i) the report and recommendation of the person appointed by the Board to make a report and recommendation on the matter

Appropriate Assessment Screening-

The Board agreed with and adopted the screening assessment and conclusion carried out in the Inspector's report that the Lough Corrib SAC (000297), the Galway Bay Complex SAC (000268) and the Inner Galway Bay SPA (004031) are the only European Sites in respect of which the proposed development has the potential to have a significant effect.

Appropriate Assessment

The Board considered the Natura Impact Statement and associated documentation submitted with the application for approval, the mitigation measures contained therein, the submission on file, and the Inspector's assessment. The Board completed an appropriate assessment of the implications of the proposed development for the affected European Sites, namely the Lough Corrib SAC (000297), the Galway Bay Complex SAC (000268) and the Inner Galway Bay SPA (004031) in view of those site's conservation objectives. The Board considered that the information before it was adequate to allow the carrying out of an appropriate assessment. In completing the appropriate assessment, the Board considered, in particular, the following:

- i. the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
- ii. the mitigation measures which are included as part of the current proposal, and
- iii. the conservation objectives for the European Sites.

In completing the appropriate assessment, the Board accepted and adopted the appropriate assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the integrity of the aforementioned European Sites, having regard to the site's conservation objectives.

In overall conclusion, the Board was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Sites, in view of the site's conservation objectives.

Proper Planning and Sustainable Development/Likely effects on the environment

It is considered that, subject to compliance with the conditions set out below, the proposed development would not have significant negative effects on the environment or the community in the vicinity, would not give rise to a risk of pollution, would not be detrimental to the visual amenities of the area, would not seriously

injure the amenities of property in the vicinity, would not adversely impact upon cultural heritage of the area, would not interfere with the existing land uses in the area and would not interfere with traffic and pedestrian safety or endanger public safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

EIA Screening Determination

Having regard to-

1. the criteria set out in Schedule 7 and the information to be provided in Schedule 7A of the Planning and Development Regulations 2001 as amended, in particular-
 - a) the limited nature and scale of the proposed development, on zoned land, in an 'urban development' area served by existing public infrastructure
 - b) the location of a very small portion of the site boundary and development works within the Lough Corrib SAC (000297) with the remainder of the site adjoining and in close proximity to the SAC
 - c) the location of the site outside any other sensitive location specified in article 109(4)(a) (v) of the Planning and Development Regulations 2001, as amended
 - d) the protected structure status and extent of works to the old Galway Corporation Waterworks building (RPS. No 3502), the proximity of the site to other protected structures (RPS No.'s 3501 and 8501) and Terryland Castle (RPS No. 8503).
 - e) the minimal impact of the proposed development upon the CDP designated 'Panoramic Protected Views' '*V.2 Views from Dyke Road and Coolagh Road encompassing the River Corrib and Coolagh fen*'.
 - f) the absence of any other significant environmental sensitivity in the vicinity

2. the results of relevant assessments of the effects on the environment submitted by the applicant i.e.
 - a) the Appropriate Assessment Screening Report,
 - b) the Natura Impact Statement,
 - c) the Ecological Impact Assessment Report
 - d) the Archaeological Impact Assessment Report
 - e) the Architectural Heritage Impact Statement and
 - f) the Engineering Report including Road Safety Audit
3. the features and measures proposed by applicant intended to avoid or prevent what might otherwise have been significant effects on the environment, including measures identified in the submitted EIA Screening Report, the Natura Impact Statement, the Ecological Impact Assessment Report and other reports on file

it is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an Environmental Impact Assessment Report is not, therefore required.

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 any mitigation measures set out in the Natura Impact Statement or any conditions of approval require further details to be prepared by or on behalf of the local authority, these details shall be placed on the file and retained as part of the public record.

Reason: In the interest of clarity and the proper planning and sustainable development of the area and to ensure the protection of the environment.

2. The mitigation and monitoring measures identified in the Natura Impact Statement submitted with the application shall be implemented in full. The measures shall include for the incorporation of biosecurity measures / information station into the water sports centre and wider application site in agreement with Inland Fisheries Ireland (IFI) to prevent the spread of invasive species and for consultation with the IFI on the timing of any instream works prior to the commencement of the works or as otherwise required. Prior to the commencement of development, details of a time schedule for implementation of all mitigation measures and associated monitoring shall be prepared by the local authority and placed on file and retained as part of the public record.

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

3. A suitably qualified ecologist shall be retained by the local authority to oversee the site set up and construction of the proposed development and implementation of mitigation measures relating to ecology. The ecologist shall be present during the works. Upon completion of works, an ecological report of the site works shall be prepared by the appointed ecologist to be kept on file as part of the public record.

Reason: In the interest of nature conservation and biodiversity.

4. Prior to the commencement of development, the local authority, or any agent acting on its behalf, shall prepare in consultation with the project ecologist and relevant statutory agencies, a finalised Construction Environmental Management Plan (CEMP), incorporating all mitigation measures indicated in the Natura Impact Statement the Ecological Impact Assessment and demonstration of proposals to adhere to best practice and protocols. The CEMP shall include:

- a. all mitigation measures indicated in the Natura Impact Statement and the Ecological Impact Assessment and as provided for by condition 2 of this order,
- b. location and extent of silt fencing to be installed on site
- c. specific proposals as to how the measures outlined in the CEMP will be measured and monitored for effectiveness.

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

- 5. The Local Authority and any agent acting on its behalf shall ensure that all plant and machinery used during the works should be thoroughly cleaned and washed before delivery to the site to prevent the spread of hazardous invasive species and pathogens.

Reason: In the interest of the proper planning and sustainable development of the area and to ensure the protection of the European sites

- 6. The proposed development shall be amended as follows:
 - (a) The ramp width and slope to the floating pontoon shall be redesigned as per the submission response received and dated the 25th day of June 2025
 - (b) Landscaping proposals shall be prepared and implemented for the part of the site to the west of the Dyke Road including around the proposed turning/drop off area
 - (c) Bicycle parking provision shall be provided within the application site.

A copy of revised drawings showing the above shall be placed on the public file.

Reason: In the interests of orderly development.

- 7. Prior to the commencement of development the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a

service connection(s) to the public water supply and/or wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

8.

- a. All measures and recommendations in relation to cultural heritage as set out in the 'Architectural Heritage Impact Statement', by Vincent Hannon Architects and the 'Archaeological Impact Assessment Report', by Fado Archaeology 'Impact Assessment Report on Cultural Heritage' shall be implemented in full.
- b. Detailed proposals including a method statement for the proposed anti-slip measures to the pedestrian bridge (RPS No. 8501 Rivers/Waterways of Galway "Including Bridges, Weirs, Walls, Embankment, Piers & Other Associated Infrastructure") shall be prepared by a suitably qualified professional with specialised conservation expertise prior to commencement of development and placed on the public file.
- c. A Project Archaeologist shall be appointed to oversee and advise on all aspects of the scheme. The Project Archaeologist shall liaise with the Department of Housing, Local Government and Heritage to agree in advance an overall strategy for archaeological works to be carried out both in advance of and in parallel with construction of the development. This shall include the scope of all Advance Archaeological Test Excavation and Archaeological Monitoring as well as any additional mitigation measures that may be required to protect archaeological heritage.
- d. If, during the course of site works any archaeological material is discovered, the National Monuments Service, Dept. of Housing, Heritage and Local Government and the National Museum of Ireland shall be notified immediately.

- e. The Construction Environment Management Plan (CEMP) shall include the location of any and all archaeological or cultural heritage constraints relevant to the proposed development as set out in the “Archaeological Impact Assessment Report” and by any subsequent archaeological investigations associated with the project. The CEMP shall clearly describe all identified likely archaeological impacts, both direct and indirect, and all mitigation measures to be employed to protect the archaeological or cultural heritage environment during all phases of site preparation and construction activity.
- f. The Department of Housing, Local Government and Heritage shall be furnished with a final archaeological report describing the results of all archaeological monitoring and any archaeological investigative work/excavation required, following the completion of all archaeological work on site and any necessary post-excavation specialist analysis. A copy of same shall be placed on the public file.

Reason: To secure the authentic preservation of protected structures and features of cultural significance and to ensure that the proposed works are carried out in accordance with best conservation practice and to ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Adrian Ormsby
Senior Planning Inspector

9th of July 2025

10.0 Appendix 1 Form 1 EIA Pre-Screening

Case Reference	ABP- 320181-24
Proposed Development Summary	Water Sports Centre, parking and pontoon etc.
Development Address	Dyle Road, Galway
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2. <input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in <u>Part 1</u>, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1 . EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.	

EIA is Mandatory. No Screening Required	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Class 10 (b) (iv)- Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input checked="" type="checkbox"/>	Screening Determination required

Inspector: _____

Date _____

11.0 Appendix 2 Form 3 EIA Screening Determination

A. CASE DETAILS		
An Bord Pleanála Case Reference	ABP-320181-24	
Development Summary	<p>Water Sports Centre, parking and pontoon etc. on zoned and serviced land within City Environs.</p> <p>This determination is being considered in the context of PDR's 2001 Schedule 5 Part 2 Class 10 (b) (iv)-</p> <p><i>"Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere".</i></p> <p>Hereafter, referred to as 'Urban Development'</p>	
	Yes / No / N/A	Comment (if relevant)
1. Was a Screening Determination carried out by the PA?	Yes	<p>GCC Planning Report- The conclusion presented on page 10 details-</p> <p><i>"...due to the considered design of the project and provided all mitigation measures are properly implemented, that there is no real likelihood of significant effects on the environment."</i></p> <p>MKO EIASR - This concludes-</p> <p><i>"....the Proposed Development, due to the considered design of the project and provided all mitigation measures are properly implemented, that there is no real likelihood of</i></p>

		<p><i>significant effects on the environment. The potential impacts associated with a project of this nature are well established and understood by the authors of this EIASR and the technical reports prepared as part of this application all of whom have provided details of their competency. The impacts are not complex and the proposed mitigation measures are proven and effective. The Proposed Development site location is not considered to be especially sensitive from an environmental perspective and any potential impacts on identified specific sensitive receptors have been mitigated appropriately. Therefore, an EIA is not required for the Proposed Development."</i></p>
2. Has Schedule 7A information been submitted?	Yes	See section 3.6 of submitted EIA Screening Report, by MKO Planning & Environmental Consultants
3. Has an AA screening report or NIS been submitted?	Yes	<p>An AA Screening Report and NIS have been submitted. The NIS concluding statement states-</p> <p><i>"This NIS has provided an assessment of all potential direct or indirect adverse effects on European Sites.</i></p> <p><i>Where the potential for any adverse effect on any European Site has been identified, the pathway by which any such effect may occur has been robustly blocked through the use of avoidance, appropriate design and mitigation measures as set out within this report and its appendices. The measures ensure that the construction and operation of the Proposed Development does not adversely affect the integrity of European sites.</i></p> <p><i>Therefore, it can be objectively concluded that the Proposed Development, individually or in combination with other plans or projects, will not adversely affect the integrity of any European Site."</i></p>

4. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	N/A		
5. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA	Yes	As part of the Galway City Development Plan 2023-2029- Volume - <ul style="list-style-type: none"> • Strategic Environmental Assessment • Natura Impact Report • Strategic Flood Risk Assessment 	
B. EXAMINATION	Yes/ No/ Uncertain	Briefly describe the nature and extent and Mitigation Measures (where relevant) (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact) Mitigation measures –Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.	Is this likely to result in significant effects on the environment? Yes/ No/ Uncertain
This screening examination should be read with, and in light of, the rest of the Inspector's Report attached herewith			
1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)			
1.1 Is the project significantly different in character or scale to the existing surrounding or environment?	No	Urban Development, zoned and serviced land within City Environs- Not significantly different	No

		Change of use of part of existing building which is a protected structure not in any current active use. Provision of turning/drop off area and pontoon river bank to west side of site	
1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	Yes	Provision of turning/drop off area and pontoon river bank all to west side of Dyke Road.	No
1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?	Yes	Use of land, soil, water are evident. Not considered to be in short supply in this context.	No
1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?	Yes	Water sports usage which can be harmful to human health. The proposal during construction will involve certain materials that could be harmful to human health or the environment. Subject to measures proposed as set out in the CEMP etc., standard best practise measures, normal operating procedures and suitable planning conditions these effects are not considered significant or likely.	No
1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	Yes	Generally generated during construction with typical wastewater during operation. The site benefits from existing Uisce Eireann public services etc.	No

		<p>Operational wastewater to existing services.</p> <p>Subject to measures as set out in the CEMP etc., typical best practise construction methods, site management and planning conditions significant effects not considered likely.</p>	
<p>1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?</p>	Yes	<p>A risk of contamination is typical at all such sites during construction and operation.</p> <p>Such risks are detailed in the AASR, NIS and CEMP.</p> <p>Subject to measures proposed as set out in the NIS and CEMP etc., standard best practise construction methods, site management and planning conditions these risks are not considered significant or likely.</p>	No
<p>1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?</p>	Yes	<p>There is potential for noise and vibration impacts during construction and operation.</p> <p>There is potential for noise impacts during operation.</p> <p>Subject to measures proposed as set out in the submitted NIS, CEMP, and use of standard best practise construction methods, site management and planning conditions these impacts are not considered significant or likely.</p>	No

1.8 Will there be any risks to human health, for example due to water contamination or air pollution?	Yes	While there is always some element of risk to human health from such proposals subject to measures proposed, standard best practise construction methods, site management and planning conditions these risks are not considered significant or likely.	No
1.9 Will there be any risk of major accidents that could affect human health or the environment?	Yes	There are always such risks in such projects. Subject to measures proposed, standard best practise construction methods, site management and planning conditions these risks are not considered significant or likely	No
1.10 Will the project affect the social environment (population, employment)	Yes	The project is expected to provide positive social affects albeit some people may disagree. Impacts are unlikely to be significant.	No
1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?	No	I note recent planning history in the area and on the Dyke Road. This 'urban development' project is considered small in the context of its location and setting.	No
2. Location of proposed development			
2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following: <ul style="list-style-type: none"> • European site (SAC/ SPA/ pSAC/ pSPA) • NHA/ pNHA 	Yes	See section 8.3 of main report. A very small portion of the site boundary is located within the Lough Corrib SAC (000297) with the	No

<ul style="list-style-type: none"> • Designated Nature Reserve • Designated refuge for flora or fauna • Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan 		<p>remainder of the site adjoining or in close proximity.</p> <p>The applicants have submitted their own NIS and in summary they conclude the Proposed Development, individually or in combination with other plans or projects, will not adversely affect the integrity of any European Site</p> <p>I have carried out my own Appropriate Assessment in section 8.3 of the main report and similarly find the proposal would not be likely to give rise to significant adverse effects.</p>	
2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?	Yes	<p>Having considered the submitted documentation on file including EcIA with surveys, the AASR & NIS and the other information on the file and having regard to measures proposed, best practise construction and operation methods, good site management and planning conditions I do not consider the proposal will have significant effects in this regard.</p>	No
2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?	Yes	<p>The Galway Corporation Waterworks building on Dyke Road is a protected structure (no 3502). It adjoins and is in close proximity to RPS 3501, 3503 and 8501.</p> <p>The site adjoins the ruins of Terryland Castle National Monument and associated recorded monuments.</p>	No

		<p>A 'Panaromic Protected View' runs the sites boundary to Dyke road.</p> <p>Having considered the contents of the Archaeological Impact Assessment Report, by Fado Archaeology and the Architectural Heritage Impact Statement, by Vincent Hannon Architects and Subject to measures proposed, standard best practise construction methods, site management and appropriate planning conditions, I do not consider the proposal likely to have significant effects to the landscape, or historic, archaeological, or culturally importance features.</p>	
<p>2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?</p>	Yes	<p>Proximity to River Corrib</p> <p>Subject to measures proposed including those set out in the CEMP, standard best practise construction methods, site management and planning conditions I am satisfied any resource detailed will not be significantly affected as a result of the proposed development.</p>	No
<p>2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?</p>	Yes	<p>The site is located adjoining both the Terryland and Corrib Rivers.</p> <p>The proposal involves works to an existing building, provision of an appropriate and watercourse compatible use. The development provides SUDS.</p>	No

		<p>I do not consider the proposal will affect any water resources significantly in terms of volume and flood risk.</p> <p>I am satisfied that subject to the measures proposed, standard best practise construction methods, site management and planning conditions, no water resource will be significantly affected by the project particularly in terms of volume and flood risk.</p>	
2.6 Is the location susceptible to subsidence, landslides or erosion?	No	I have not identified any evidence to suggest such susceptibility.	No
2.7 Are there any key transport routes(e.g. National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	No	<p>Galway city is well known to be susceptible to congestion. The site is located on the Dyke Road (L-1004) within a 30 kph speed limit.</p> <p>The site is located c. 550m north of an existing public car parking. On site car parking is not proposed.</p> <p>The proposal is not likely to cause significant congestion or environmental problems in this context.</p>	No
2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?	No	<p>I note the sites location within its urban setting which includes proximity to housing, sports facilities, the city centre and the Quincentennial Bridge (N6) which crosses the River Corrib just south of the application site.</p> <p>I am satisfied that subject to the measures proposed, standard best</p>	No

		practise construction methods, site management and planning conditions the proposal will not have significant adverse impacts on the environment.	
3. Any other factors that should be considered which could lead to environmental impacts			
3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?	No	<p>The potential for cumulative construction impacts is considered including development identified in section 4 of the main report.</p> <p>The proposed development is a small scale urban development project which makes use of an existing underutilised building and the site proximity to the River Corrib.</p> <p>Subject to measures proposed including the CEMP, best practise construction methods, good site management and planning conditions I do not consider there to be significant adverse impacts during construction.</p> <p>Cumulative operational impacts are not considered significant.</p>	No
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No	The proposal is contained wholly in Galway City and does not have potential for transboundary effects.	No
3.3 Are there any other relevant considerations?	No		No
C. CONCLUSION			
No real likelihood of significant effects on the environment.		EIAR Not Required	

	<input checked="checked" type="checkbox"/>	
Real likelihood of significant effects on the environment.	<input type="checkbox"/>	ElAR Required
D. MAIN REASONS AND CONSIDERATIONS		
<p>Having regard to-</p> <ol style="list-style-type: none"> the criteria set out in Schedule 7 and the information to be provided in Schedule 7A of the Planning and Development Regulations 2001 as amended, in particular- <ul style="list-style-type: none"> the limited nature and scale of the proposed development, on zoned land, in an 'urban development' area served by existing public infrastructure the location of a very small portion of the site boundary and development works within the Lough Corrib SAC (000297) with the remainder of the site adjoining and in close proximity to the SAC the location of the site outside any other sensitive location specified in article 109(4)(a) (v) of the Planning and Development Regulations 2001, as amended the protected structure status and extent of works to the old Galway Corporation Waterworks building (RPS. No 3502), the proximity of the site to other protected structures (RPS No.'s 3501 and 8501) and Terryland Castle (RPS No. 8503). the minimal impact of the proposed development upon the CDP designated 'Panoramic Protected Views' '<i>V.2 Views from Dyke Road and Coolagh Road encompassing the River Corrib and Coolagh fen</i>'. the absence of any other significant environmental sensitivity in the vicinity the results of relevant assessments of the effects on the environment submitted by the applicant i.e. 		

- the Appropriate Assessment Screening Report,
- the Natura Impact Statement,
- the Ecological Impact Assessment Report
- the Archaeological Impact Assessment Report
- the Architectural Heritage Impact Statement and
- the Engineering Report including Road Safety Audit

3. the features and measures proposed by applicant intended to avoid or prevent what might otherwise have been significant effects on the environment, including measures identified in the submitted EIA Screening Report, the Natura Impact Statement, the Ecological Impact Assessment Report and other reports on file

it is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an Environmental Impact Assessment Report is not, therefore required.

Inspector _____

Date _____

Approved (DP/ADP) _____

Date _____