



An
Bord
Pleanála

Inspector's Report ABP-321107-24

Development	Construction of 4 apartments and all associated works.
Location	Killrainey, Moycullen, Co. Galway
Planning Authority	Galway County Council
Planning Authority Reg. Ref.	2460979
Applicant(s)	Heanue Construction Ltd
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First
Appellant(s)	Heanue Construction Ltd
Observer(s)	Cassie Ni Chathain Conradh Na Gaeilge Daniel Aleksovski
Date of Site Inspection	31/01/2025
Inspector	Darragh Ryan

1.0 Site Location and Description

- 1.1. The proposed site is located in the centre of Moycullen, about 10km northwest of Galway city. The site is accessed to the north of the N59, which runs directly through Moycullen and links Clifden to Galway City.
- 1.2. There is a split level single storey structure on the adjacent site to the southeast and a vacant site with mature trees and vegetation to the northwest of the site. The Housing estate, Tig an Ghabhann is located directly to the rear (east) of the site. The site is level to the front and drops to the rear of the site. There is a low boundary brick wall to the front of the site with gated vehicular access.
- 1.3. The site is centrally located within Moycullen, and a few minutes walk from the Cearnog Nua shopping centre. There is a bus stop located approximately 240m to the south of the site served by bus routes 923 and 412 which connect with Galway City. The site area is stated at .057ha.

2.0 Proposed Development

- 2.1. Permission is sought for the construction of a 3-storey building comprising 4 no apartments (2 no 1 -bed apartments at ground floor and 2 no. 2 bed duplex apartments on the second and third floors with a total area of 285.23sqm.
4 EV car parking spaces are proposed.

3.0 Planning Authority Decision

- 3.1. **The Planning authority issued a Decision to Refuse permission for three reasons:**

1. The development by reason of the proposed design represents an inappropriate development on this confined infill site and is considered out of keeping with the existing pattern of development and the scale, height, massing, urban grain and definition as proposed would represent an incongruous form of development which if approved would be contrary to the proper planning and sustainable development of the area and is contrary to

Policy Objectives SGT 12, PM8, PM10 and UL2 as well as DM Standard 2 of the Galway County Development Plan 2022-2028, and if permitted as proposed, would have an adverse impact on the residential amenity of nearby properties, particularly to the immediate east and north of the site.

Furthermore, the proposed density significantly exceeds that as set out in the Core Strategy and DM Standard 2 (Table 15.1 Residential Density) of the Galway County Development Plan 2022-2028⁶. Therefore, if permitted as proposed, it would materially contravene policy objectives and development management standards contained in the current county development plan and would therefore be contrary to the proper planning and sustainable development of the area.

2. On the basis of the information included with the planning application, it is considered that the proposed development would endanger public safety by reason of traffic hazard because of the additional traffic turning movements the development would generate at a point where the proposed site entrance on to the road network is deemed unsatisfactory, owing to the restricted forward sight distances available at the road frontage in particular in a north western direction, precluding the provision, and maintenance of, a safe and satisfactory means of vehicular access whilst outside the control of the applicant. Furthermore, having regard to the restricted nature of the site layout in the context of vehicular maneuverability whereby increased vehicular turning movements will be generated by the development, and in the absence of satisfactory demonstration with any supporting auto tracking analysis, whilst coupled with the unsatisfactory demonstration pertaining to identified Road Safety Audit concerns and the apparent lack of on-site and tie in permeability measures in relation to pedestrian/active travel multi modal movements from the development to Maigh Cuilinn. Accordingly, the potential exists for conflicting turning movements to potentially occur due to the proximity of the junction with the public road, thus increasing road safety hazards particularly for vulnerable road users. It is therefore considered that the proposed development would contravene DM Standard 28, DM Standard 31 and DM Standard 33(a) of the Galway County Development Plan 2022-2028 and would interfere with the safety and free flow of traffic and endanger

public safety by reason of traffic hazard, obstruction of road users or otherwise and therefore would be contrary to the proper planning and sustainable development of the area.

3. In the absence of a comprehensive bat survey surveying the bats and their roosts utilising the site and adjoining mature trees for foraging or commuting at different times including that of dawn, the Planning Authority cannot be satisfied, that the potential impact of the development on bats has been comprehensively addressed. In this regard, in the absence of contrary evidence, the development as proposed is considered contrary to Policy Objective NHB 9 to protect bats and bats habitats, of the Galway County Development Plan 2022-2028. Therefore, if permitted as proposed, it would materially contravene a policy objective contained in the current county development plan and would therefore be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. There is a single Planning Report on file. The report addressed the following:

- The subject site is zoned Town Centre C1 land in Moycullen village as per the Small Growth Towns in the Galway County Development Plan 2022-2028 for which the policy objective zoning is to provide for the development and improvement of appropriate town centre uses including retail, commercial, office and civic/community uses and to provide for “Living over the Shop” scheme Residential accommodation, or other ancillary residential accommodation and as the subject proposal is for exclusively for residential use it is considered contrary to the land use zoning. The applicant has provided a justification for sole residential use in the details received and this is accepted by the Planning Authority.
- Having regard to the inappropriate development on this confined infill site, with an indicated density of approximately 70 units per hectare, that is considered out of keeping with the existing pattern of development and the scale, height, massing, urban grain and definition as proposed would

represent an incongruous form of development the proposed density is not considered acceptable at this location.

- The site appears extremely restricted in relation to manoeuvring required for the proposed scale and density. There is also a lack of necessary auto track analysis to alleviate any concerns. Furthermore, the control of sightlines on the vertical and horizontal plane in particular to the northern western direction has not been demonstrated (vegetation set back etc) and the reply to the RSA acquires further demonstration especially the dwell area and the potential conflict with pedestrian permeability movements.
- The car parking standards as set out in DM Standard 31 are 1.5 parking spaces per unit. 4 no. car parking spaces have been provided which is below the standard as set out in Table 15.1 of the Galway County Development Plan 2022-2028.
- The Planning Authority has serious concerns in relation to the scale and massing of the proposed development. The proposed development is not considered to contribute to the urban animation at street level nor does it enhance the streetscape. Furthermore, the proposed development is considered to impact the residential amenity of adjoining property and is also considered an overdevelopment of a confined infill site.
- The Planning Authority has serious concerns in relation to the design proposal which is not considered in keeping with the prevailing built form, scale and urban fabric of Maigh Cuilinn. The roofscape, massing, scale and excessive height of the proposed development does not assimilate with the prevailing adjoining built form and is not considered in accordance with Policy Objective PM 10 - Design Quality. The design as presented lacks has a poor contextual relationship with the adjoining development along this scenic route. Furthermore, the height of the proposed structure, having regard to the residential amenity of the Tigh an Ghabhann estate to the north is completely out of character and would have an overarching impact on the residential amenity of these residences as further exemplified in the submissions received. The proposed development is not contextually appropriate or

designed to fit-in with the existing surrounding development.

3.2.2. Other Technical Reports

- Roads Department – retained concerns from previous planning file 24/60979

It is considered, the proposed development would endanger public safety by reason of traffic hazard because of the additional traffic turning movements the development would generate at a point where the proposed site entrance on to the road network is deemed unsatisfactory, owing to the restricted forward sight distances available at the road frontage in particular in a north western direction, precluding the provision, and maintenance of, a safe and satisfactory means of vehicular access whilst outside the control of the applicant.

3.3. Prescribed Bodies

3.3.1. Udaras na Gaeltachta -

3.3.2. Transport Infrastructure Ireland – Requests that the planning authority has regard to the provisions of DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities and relevant TII Publications.

3.4. Third Party Observations

There are 7 third party observations on file:

- Concerns in relation to bat survey undertaken
- Missing information from the planning report submitted
- Overshadowing & loss of privacy.
- Result in loss of residential amenity for neighbouring properties
- A revised design should be considered that includes reduced height and design

4.0 Planning History

24/60072 – permission refused to Heanue Construction Ltd for permission to construct: (1) a residential apartment complex containing three one-bedroom apartments and three two-bedroom apartments as well as all ancillary site services. Gross floor space of proposed works: 432.48 sqm.

Reason(s) for refusal:

1. Having regard to the single residential use proposed at this central location in Maigh Cuilinn, the Planning Authority is not satisfied that the proposed development would provide a sufficient use mix at this location and would not materially contravene the land use zoning policy objective of the site which is zoned as Town Centre in the Galway County Development Plan 2022-2028 and Policy Objective MSGT 1 Sustainable Town Centre and is therefore considered unacceptable. Furthermore, the proposed density significantly exceeds that as set out in the Core Strategy and DM Standard 2 (Table 15.1 Residential Density) of the Galway County Development Plan 2022-2028 with a proposed density of 6 no. units on a site area indicated as 0.057ha. The development as proposed is considered contrary to a policy objective of the Galway County Development Plan 2022-2028 and would therefore be contrary to the proper planning and sustainable development of the area.
2. The Planning Authority is not satisfied that the proposal is in accordance with the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, July 2023. It is considered that the development as proposed is delivering apartments down to an absolute minimum standard contrary to sustainable and good quality urban development and contrary to Section 28 Ministerial Guidelines and would therefore be contrary to the proper planning and sustainable development of the area.
3. Having regard to nearby development it is considered that the scale and massing of the proposed development is incongruous with adjoining development, with an overly dominant visual impact contrary to Policy Objective PM 10 and would set an undesirable precedent for similar future development in the area. Also, the proposed development, by reason of the

confined site configuration, the deficient quantum, quality, and poor orientation of private open

4. space provision for the proposed residential units, would constitute a substandard quality of residential design and layout, which would be seriously injurious to the residential amenities of prospective occupants. Furthermore, by reason of potential overlooking and overshadowing the proposed development would have an adverse impact on the residential amenity of nearby properties, particularly to the immediate east and north of the site and would materially contravene DM Standard 2 of the Galway County Development Plan 2022-2028. Therefore, if permitted as proposed, it would materially contravene a policy objective and development management standard contained in the current county development plan and would therefore be contrary to the proper planning and sustainable development of the area.
5. Having regard to the information provided with the application, and noting the Qualifying Interests of the Lough Corrib SAC (Site Code: 000297) which is downgradient from the subject site, and with particular concerns in relation to surface water disposal, the Planning Authority as the competent Authority are not satisfied that the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effects on the integrity of the Lough Corrib SAC in view of the sites' conservation objectives and particularly during construction phase of the development. Furthermore, there is mature woodland immediately adjoining the site and it has been indicated in a submission received that there is a lesser horseshoe bat roost within same and a bat survey has not been submitted. Therefore, if permitted as proposed, the Planning Authority cannot be satisfied that the proposal will not adversely affect the integrity a European site in light of their conservation objectives and in this regard the development has the potential to have significant effects on the qualifying interests and conservation objectives of a protected European site and would materially contravene Policy Objective NHB 2 and Policy Objective NHB 3 and DM Standard 50 of the Galway County Development Plan 2022-2028 and would be contrary to the proper planning and sustainable development of the area.

6. Based on the details received, the Planning Authority is not satisfied that surface water arising from the proposed development will be satisfactorily disposed of within the site. Therefore, if permitted as proposed the development would contravene DM Standard 67 of the Galway County Development Plan 2022-2028, and therefore would be contrary to the proper planning and sustainable development of the area.
7. On the basis of information included with the planning application, and having regard to the existing site entrance and the proposed intensification of use, resulting in the creation of additional turning movements to occur in close proximity to the local public road, in the absence of contrary evidence, it is considered that the proposed development would contravene DM Standard 33(a) and DM Standard 31 Car Parking Standards of the Galway County Development Plan 2022-2028, and would endanger public safety by reason of traffic hazard, or obstruction of road users, or otherwise, and therefore would be contrary to the proper planning and sustainable development of the area.
8. The applicant has not submitted a Linguistic Impact Statement and is therefore considered contrary to Policy Objective GA 4 of the Galway County Development Plan 2022-2028 to ensure that permanent residents enhance and reinforce the development of the Irish language as the community's primary language, and would therefore materially contravene a policy objective of the Galway County Development Plan 2022-2028 and would be contrary to the proper planning and sustainable development of the area.

5.0 Policy Context

- 5.1.1. National Planning Framework 2040 The following National Policy Objectives are considered relevant in the assessment of the current proposals:

National Policy Objective 32 To target the delivery of 550,000 additional households to 2040.

National Policy Objective 33 Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location”.

National Policy Objective 35 Increase residential density in settlements through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes or site-based regeneration and increased buildings.

5.1.2. Section 28 Ministerial Guidelines - The following is a list of section 28 Ministerial Guidelines considered of relevance to the proposed development. Specific policies and objectives are referenced within the assessment where appropriate.

- Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities 2022
- Design Standards for New Apartments 2023
- Design Manual for Urban Roads and Streets' (DMURS 2013)
- 'The Planning System and Flood Risk Management' (including the associated 'Technical Appendices') (DoEH&LG 2009)
- 'Quality Housing for Sustainable Communities' Best Practice Guidelines (DoEHLG 2007)
- Appropriate Assessment of Plans and Projects in Ireland, Guidelines for Planning Authorities (DoEH&LG 2009)

5.2. **Galway County Development Plan 2022 to 2028**

The Development Plan was adopted by the elected members on the 9th May and came into effect on the 20th day of June.

Volume 1: Chapter 2 Core Strategy, Settlement Strategy and Housing Strategy

The Galway County Development Plan 2022-2028 is the strategy for the proper planning and sustainable development of the functional area of Galway County. The GCDP identifies Moycullen as a Small Growth Town located within Tier 5 of the Settlement Hierarchy of the county ('Other Villages population <1,500) as identified in Sections 2.6.1 and 2.6.6 of the Galway County Development Plan. Small Growth Towns are described as small towns with local service and employment potential, with a need to promote regeneration and revitalization of towns and support local enterprise and employment opportunities to ensure their viability as service centres for surrounding rural areas.

These towns have an important function in supporting the development of local areas. The residential development will be proportioned to the growth of the towns, with the growth strategy focusing on the localised sustainable growth that meets the needs of the local population and wider hinterland. Economic and employment related development that would strengthen the local employment base and reduce the dependence on commuting will be supported where, appropriate.

The following are considered relevant in this case:

Chapter 2: - Core Strategy, Settlement Strategy and Housing Strategy

The Core Strategy Table (Table 2.11) allocates 167 units to Moycullen, with 117 units allocated to greenfield

sites and 50 units on the basis of a density of 16 units per hectare. The Core Strategy Policy Objectives as they relate to the proposed develop are:

- CS 1 - Implementation
- CS 2 - Compact Growth
- CS 3 - Population Growth
- CS 6 - Strategic Roads
- SS 5 - Small Growth Towns (Level 5) - Protect and strengthen the economic diversity of the Small
- Growth Towns enabling them to perform important retail, service, amenity, residential and community functions for the local population and rural hinterlands.
- HS 1 - Housing Requirements
- PV1 - Part V Provision

Chapter 3 Placemaking, Regeneration and Urban Living

- PM 1 - Placemaking

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- PM 4 - Sustainable Movement within Towns

- PM 5 - Sustainable Transport
- PM 6 - Health and Wellbeing
- PM 7 - Inclusivity
- PM 8 - Character and Identity
- PM 9 - Vitality in Towns & Villages
- PM 10 - Design Quality
- PM 11 - Design of Materials
- PM 13 - Public Realm Opportunities
- CGR 1 - Compact Growth
- CGR 6 - Density
- CGR 8 - Town & Village Centre
- CGR 9 - Delivering Improved Public Realm
- CGR 13 - Town Centre First

Section 3.7 Urban Living

Section 3.7.2 Layout and Design

This section of the GCDP sets out that neighbourhoods must be attractive, safe and vibrant for people to live there. Future development proposals will be required to ensure that:

- The principles of good placemaking are adhered to as set out in this chapter;
- While residentially zoned areas are intended primarily for housing development, a range of other uses, particularly those that have the potential to foster the development of new residential communities may be considered e.g. crèches, schools, nursing homes or homes for older persons, open space, recreation and amenity uses;
- Development proposals must comply with the standards set out within the Development Management Standards set out in Chapter 15;
- Proposed developments must have regard to the relevant policy objectives set out within the plan
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Volume 2 of Galway County Development Plan: Small Growth Towns

Town Centre C1

“Provide for the development and improvement of appropriate town centre uses including retail, commercial, office and civic/community uses and to provide for “Living over the Shop” scheme residential accommodation or other ancillary residential accommodation.”

SGT 12 High Quality, Contextually Sensitive Design

Ensure that new developments are responsive to their site context and in keeping with the character, amenity, heritage, environment and landscape of the area. New development proposals will be required to complement the existing character of the area in terms of scale, height, massing, building line, urban grain and definition and through high quality design proposals for buildings/structures/shop fronts, the use of high quality, appropriate materials and the provision of appropriate signage, lighting, landscaping proposals and other such details.

SGT 13 Social and Specialist Housing

Require that a minimum of 20% of all new eligible residential sites are set aside for the development of new social and specialist housing units, unless addressed through suitable alternative arrangements by agreement with the Planning Authority, in accordance with County Galway Housing Strategy and Part V of the Planning and Development Act 2000 (as amended) and any subsequent amendments to the Part V provision to reflect Government policy.

HSGT 2 Sustainable Residential Communities

Promote the development of appropriate and serviced lands to provide for high quality, well laid out and well landscaped sustainable residential communities with an appropriate mix of housing types and densities, together with complementary land uses such as community facilities, local services and public transport facilities, to serve the residential population of Headford settlement plan. Protect existing residential amenities and facilitate compatible and appropriately designed new infill

development, in accordance with the proper planning and sustainable development of the plan area. Specifically encourage living over the shop

Specific Planning Policy:

- The site is zoned Town Centre C1
- The site is located in the Gaeltacht.
- The site is located with an Urban Landscape Sensitivity

5.3. Natural Heritage Designations

- SAC:Lough Corrib SAC (approximately 1.17 km from the subject site)
- SAC:Ross Lake and Woods SAC (approximately 3.54 km from the subject site)
- SAC:Connemara Bog Complex SAC (approximately 3.84 km from the subject site)
- SPA:Lough Corrib SPA (approximately 2.91 km from the subject site)

6.0 EIA Screening

See completed Form 2 on file. Having regard to the nature, size and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations, I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, or an EIA determination therefore is not required.

7.0 The Appeal

7.1 This is a first party appeal against the decision Galway County Council to refuse permission for the development. The applicant has addressed each of the reasons for refusal in turn. The Grounds of Appeal can be summarised as follows:

7.1.1 Refusal Reason 1

- The proposed development is in keeping with the existing pattern of development in the area. The proposed development is similar in design,

scale and materiality to what has been permitted in the area. See PA reg ref: 23/60172.

- The proposal is set back from the building line to the northeast, it is in line with adjacent development to the southwest. A variation in building line adds variation to the streetscape. The site is zoned town centre and should be developed in a sustainable manner. Adjacent single storey development could be considered to be an inappropriate form of development for town centre where higher densities should be encouraged.
- The development of this site will allow for future residents to be able to walk, cycle and use public transport options.
- The proposal does not have an impact on neighbouring residential properties. The houses on the adjacent site to the east are located 20m from the rear elevation of the proposed development in excess of the 16m required by the current guidelines. The site to the northeast is currently vacant and overgrown and is zoned for Open Space and Recreation.
- In terms of density, the proposal aligns with current Ministerial Guidelines. Neighbouring development to the southwest of the site can be categorised as low-density, low-rise development and constitute an unsustainable use of valuable town centre zoned land. The provision of 4 apartments on a brownfield infill site should be considered a suitable typology of development for a town centre location. The density set out in the Galway County Development Plan are unrealistic for an apartment development in a brownfield, infill town centre site. The development of anything less than 4 units would constitute an unsustainable form of development.

7.1.2 Refusal Reason 2

- The applicant proposes a revised site layout for 3 car parking spaces and separate entry and exit points into the site. The revised site layout provides adequate sightlines in and out of the site and adequate manoeuvrability for vehicles within the site.
- The loss of car parking spaces should not be considered to be significant owing to the central location of the site, availability of on street parking and

proximity to public transport options. Reduced car parking is also supported by Sustainable Urban Housing Design Standards for new apartments 2022.

- The levels to the front of the site have been revised to ensure there is no gradient when entering and exiting the site. Permeability through the site is not affected by this proposal.

7.1.3 Refusal Reason 3

- A bat survey has been submitted as part of the appeal. There are no building or trees on the site itself but the adjacent site the northeast is wooded and a number of trees overhang the site.
- Three bat species were detected in the adjacent site and area surrounding the site. No bats were found to be roosting in the trees that overhang the site. The majority of activity detected was linked to the wooded area. The bats detected appeared to be using the area for foraging and commuting. The trees are not in danger of being felled and the zoning of the site will ensure its current use is protected in so far as possible.
- As there is no potential for bat roost within the development site boundaries and considering the observations of the dusk survey and an assessment of the adjoining trees, a dawn survey was not deemed necessary.
- A number of mitigation measures are proposed as a caution to ensure no disturbance to bat species.

7.2 Planning Authority Response

- None

7.3 Observations

There are two observations on file from residents of 7 & 9 Tigh An Ghabhann (rear of site). One observation was in English the other was As Gaeilge. The issues raised can be summarised as follows:

- Proposal will result in overshadowing and loss of privacy
- Issues outlined with respect to the bat survey undertaken

- Issues with regard to surface water
- Issues with regard to integrity of retaining wall on site.

7.4 Prescribed Bodies

- Udaras na Gaeltachta

Recommendations set out with regard to Irish Language

8.0 Assessment

8.1 The main issues in this appeal are those raised in the grounds of appeal, and I am satisfied that no other substantive issues arise. The issue of appropriate assessment also needs to be addressed. The planning authority refused permission on these residentially zoned lands for five reasons. In broad terms, it is the density, site access, car parking and local bat populations that form the basis for the planning authority's concerns. The issues can be dealt with under the following headings:

- Design & Density,
- Site Access/ Car Parking
- Bat Survey
- Other Issues
- Appropriate Assessment

8.2 Design & Density

8.2.1. The first ground for refusal was that the design did not complement the established character of the area, and that the proposed density—approximately 70 units per hectare—exceeded the limits set out in the County Development Plan and the Sustainable & Compact Settlement Guidelines. For clarity, the issues of design and density are addressed separately below.

8.2.2 Design

The proposal involves constructing a three-storey structure with the following spatial parameters:

- A setback of 15.6 m from the public road.

- An 11 m setback from the rear boundary.
- A 21 m distance from the rear boundary of the neighbouring properties at Tig an Ghabhann.
- A narrowest setback of 1.1 m from the southern boundary.
- A total building height of 9.15 m.

The layout includes two one-bedroom units on the ground floor and two duplex units on the first and second floors, accessed via an internal staircase. The building features modern finishes with a nap plaster finish on the first floor and stone cladding at the ground level. The design rationale and visual impact have been documented in a supporting design statement and visual impact assessment. Notably, the proposal is comparable to a recently permitted three-storey complex (planning reference 23/60172) that comprises five residential units.

8.2.3 The proposal includes for sliding doors and rear terraces and ground floor and first floor of the development proposal. The objector on file raises concerns with regard to loss of privacy with respect to this aspect of the proposal as it will look directly into rear of properties at Tig an Ghabhann. While noting concerns relating to lack of privacy, I note SPPR 1 of the Sustainable & Compact Settlement Guidelines, requires a separation distance of 16m. The actual separation distance is 20m in excess of these requirements. While noting the concerns of the observer, I consider owing to the infill nature of the site and the applicant meeting the SPPR as set out in the compact settlement guidelines the separation distance as set out in this instance is acceptable.

8.2.4 With respect to potential overshadowing, I consider there is some possibility of overshadowing particularly affecting the adjacent dwelling to the south of the site. The overshadowing will impact upon northern elevation of this dwelling, where there is a degree of overshadowing already occurring due to large trees in the adjacent site to the north. Sunlight from the east and south is not restricted by the proposed new build and only partially obscured to the west. However, I consider western sunlight is already obscured owing to existing mature trees to the north of the proposed site. In general, I consider the degree of overshadowing that can possibly occur to be minimal and within the bounds of acceptance for an urban site. Regarding properties to the rear of the site and noting concerns of observers, I

consider that there will be some minor impact on sunlight into the rear garden space of the properties at Tigh An Ghabhann, however a degree of overshadowing would be expected owing to the topography of both sites. The proposed site is naturally on a higher level than these dwelling houses and the construction of any property would impact upon these properties. In my view, I do not consider the degree of overshadowing in the context of this urban infill site to be substantial. The proposal satisfies the criteria regarding separation distances as set out in the Compact Settlement Guidelines.

8.2.5 In assessing the design the planning authority considered the proposal would run contrary to the following policy objectives:

- Policy Objective PM8 mandates high-quality design that enhances the unique features of towns and villages.
- Policy Objective PM10 requires that new buildings exhibit exceptional architectural quality, functional appropriateness, and environmental sensitivity.
- DM Standard 2 emphasises that development must respect the settlement's character while contributing to effective placemaking, noting that despite the absence of a detailed daylight and shadow analysis, the 21 m rear setback and alignment with adjacent residential development mitigate potential negative impacts.

8.2.6 While I do not consider the proposal runs contrary to any of these objectives, I note that the development is supported by a several strategic policies within the County Development Plan. Specifically:

- Policy CGR8 encourages a mix of appropriate uses in town centres, facilitating the regeneration and reuse of underutilised land.
- Policy CGR13 promotes town and village renewal.
- Policy Objective UL1 supports the development of infill sites.

The design is further supported by the inclusion of bin storage and cycle facilities, and the proposal is consistent with Section 3.7.1 of the guidance for infill development, which seeks to maintain existing building lines where possible.

8.2.7. These policies, along with the National Planning Framework's target of achieving 50% of new residential development within built-up areas, underpin the argument for permitting the proposal. There is no explicit contravention of the development plan's policies, and the modern design intervention is not considered to detract significantly from the amenity of adjoining properties. I consider the proposed design is appropriate for an urban infill site and aligns with the relevant planning policies and guidelines. The broader strategic objectives of efficient land use and urban regeneration as set out in the National Planning Framework and County Development Plan support the development. The overall design intervention is deemed acceptable, contributing positively to the streetscape and urban fabric of Moycullen.

8.2.8 Density

The planning authority considered a density of 70 units per hectare to be excessive for the proposed site and would materially contravene objectives namely DM Standard 2, Table 15.1 in relation to core strategy. The planning authority references table 2.11 of the Core Strategy and table 15.1 of the County Development Plan that states the appropriate density for residential developments within Small Growth Towns is 16 units per ha. The applicant sets out that density is only one variable used in the assessment of development proposals. Section 3.3.4 of the Compact Settlement Guidelines contain guidance for small and medium sized towns. It is an objective of these Guidelines that the scale of new development in the central areas of small to medium sized towns should respond positively to the scale, form and character of existing development, and to the capacity of services and infrastructure (including public transport and water services infrastructure). The applicant asserts that the addition of 4 units on an infill site is not an excessive density and conforms with the Compact Settlement Guidelines.

5.3.1. With regard to the Table 15.1 of the County Development Plan, I note the stated density for small growth towns states "16 or site specific." The development plan states that table 15.1 is to be read in conjunction with and shall be in accordance with the Sustainable Residential in Urban Areas 2009 and Circular 02/2021. I note that under Circular Letter: NRUP 02/2024 issued by the Department of Housing, Local Government and Heritage, the Sustainable Residential Development in Urban

Areas Guidelines for Planning Authorities have been revoked and are replaced by the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities. To ensure consistency planning authorities are requested to review statutory development plans currently in force and form a view as to whether the plan(s) is materially consistent with the policies and objectives (including SPPRs) of the new Guidelines. If not, then steps should be taken to vary the statutory development plan so as to remove the material inconsistency(s) concerned. What this means for residential densities for Galway in general and the appeal site in particular is that the issue of residential density must be assessed in accordance with the Compact Settlements Guidelines until a formal review has been completed.

- 5.3.2. The Compact Settlements Guidelines refer to residential density in terms of settlements and area types. Section 3.3.4 refers to Small and Medium Sized Towns (1,500 – 5000 population), the appeal site falls within this category. Table 3.6 “Areas and Density Ranges” for Small to Medium Sized Towns, explain that for small and medium sized towns density ranges from 25 dph to 40 dph (net) shall generally be applied for medium sized towns.
- 5.3.3. In terms of accessibility as set out under Table 3.8 I note that lands within 500m from an existing or proposed high frequency bus service are considered to be in a accessible location. I consider at a distance of 250m from nearest high frequency bus service the lands fall into the category of accessible location.
- 5.3.4. The site is located on lands zoned town centre.. Section 3.3.6 of the Compact Settlement Guidelines sets out Exceptions for density in particular cases. Regarding infill development, small infill sites that are not sufficient scale to define their own character and density need to respond to the scale and form of surrounding development. I consider that the provision of four units at this location not to be excessive in this local context. The layout and extent of the proposed new building can be adequately accommodated on site. In my view I consider the proposed density accords with the recommended approach for small and medium sized towns and infill sites as set out in the Compact settlement guidelines. The development is located in a highly accessible location, with a design proposal and layout that can be adequately accommodated on site. The provision of 4 units in this instance is not excessive given the site context.

I therefore consider a refusal reason based on design, density and layout to be unwarranted in this instance.

8.3 Site Access/ Car Parking

- 8.3.1 The second reason for refusal cited by the planning authority relates to concerns that the proposed access and exit arrangements could contribute to a traffic hazard. The authority also noted that the site appears highly constrained in terms of manoeuvrability relative to the scale and density of the proposed development. Furthermore, the car parking provision falls below the standard set out in DM Standard 31 of the Galway County Development Plan 2022-2028, which requires 1.5 spaces per unit. The proposal originally included four parking spaces, which was below the prescribed standard in Table 15.1 of the Development Plan. A revised site layout has since been submitted by the applicant, incorporating separate entry and exit points and reducing on-site parking to three spaces. Additionally, an auto track analysis has been provided.
- 8.3.2 The applicant has submitted revised sightline drawings for the proposed entry and exit points, taken from a height of 1.2m. The site is situated along a straight section of road within a 50kph speed zone. In accordance with DM Standard 28 of the Galway County Development Plan, sightlines of 70m, measured 2.4m back from the edge of the public road, are required. Based on the details submitted, I am satisfied that the proposal meets the necessary visibility requirements for both entry and exit points.
- 8.3.3 A swept path analysis has been provided to illustrate vehicular movements at the front of the development. The planning authority expressed concerns regarding restricted manoeuvrability within the site due to its constrained nature. While I acknowledge that movement within the site is somewhat limited, I also note the potential for conflicts arising from the proposed parking layout. In terms of car parking standards, while the planning authority has raised concerns regarding the shortfall in on-site provision, Section 5.3.4 of the Compact Settlement Guidelines advocates for the relaxation or omission of car parking requirements in urban areas. Given the site's location—approximately 250m from the nearest bus stop—along with the provision of ample bicycle storage and the availability of on-street parking across the road, I do not consider the provision of three on-site spaces to be

essential for the success of the development. Furthermore, the introduction of on-site car parking within such a constrained layout may exacerbate traffic conflicts rather than alleviate them.

8.3.4 Based on the revised submission, I am satisfied that the applicant has demonstrated compliance with DM Standard 28 in relation to sightline requirements. However, given the limited manoeuvrability on-site, the site's proximity to public transport, and national policy guidance supporting reduced car parking in urban areas, I do not consider the provision of on-site parking to be a necessary component of the development. Should the Board be minded to grant permission, I recommend that a revised site layout be submitted, omitting all on-site car parking and replacing it with a single pedestrian and cycle access. In light of these considerations, I do not consider traffic safety or car parking provision to constitute substantive grounds for refusal in this instance.

8.4 Bat Survey

8.4.1 The planning authority concluded that the Bat Survey as submitted was incomplete and a more comprehensive Bat survey is required in particular a before Dusk survey. The survey shall identify whether any more bats or roosts are present on site. A revised Bat survey has been submitted as part of the appeal. The results of the Bat survey including Dusk survey are summarised in Table 4 of the document with a complete data set of bat species identified in real time in the field using the Echometer Touch Pro2 detector. A map outlining the location of the bat calls is also provided. The observation on file raises concerns regarding the completeness of the Bat survey and states that they have seen bats cross the site on various occasions.

8.4.2 A total of three bat species were detected, Common Pipistrelle, Soprano Pipistrelle and Lieslers Bat. No bats were found to be roosting in the trees which immediately bordered the site. Bat activity was noted on site in terms of bat crossing and assumed feeding, however the level of activity which was detected was not considered extensive. The vast majority of activity detected was linked to the wooded area. As this area does not make up part of the development site, the trees on site are not a risk of being felled. None of the trees bordering the site are used for roosting.

8.4.3 A number of recommendations are set out in Section 4 of the report which should offset any negative potential impacts on the bats as a result of construction. These measures include:

- Installation of bat boxes post construction
- Careful cutting of tree limbs which overhang the proposed development
- Bat friendly lighting to avoid unnecessary disturbance to bats

8.4.4 Based on the information provided I consider that the Bat Survey as submitted is a comprehensive and fair assessment of local bat conditions. I note that there is no potential for loss of bat roosts within the development boundaries. No bats were observed roosting in trees which border the site during the activity survey. All mature trees which border the site will be retained with tree limb felling only permitted to accommodate the development. The measures indicated in section 4 of the report shall be implemented in full, including the use of hand tools for felling. All of these works will be carried out from the 1st of September to 31st of October. Bat boxes shall be erected around the site for increased opportunities for bat roosting. The design of lighting for the development will serve to minimise disturbance to bat habitats. The lighting shall be carried out to the guidelines presented in the Bat Conservation Trust and Institute of Lighting Engineers – Bats and Lighting in the UK. Having regard to the above I consider the development proposal aligns with Policy Objective NHB9 of the County Development Plan. I do not consider the development will cause a significant disturbance to bat populations to warrant a refusal of permission in this instance.

8.5 Other Issues

8.5.1 Material Contravention

The first reason for refusal as set out by the Planning Authority is that the density as proposed would contravene Table 15.1 and DM standard 2 of the Galway County Development Plan. I do not consider the proposed density to material contravene the development plan. Regarding density and density parameters the compact settlement guidelines is the precedent document with regard to informing density. This is clarified in Circular Letter NRUP 02/2024, in this regard I do not consider a

material contravention has occurred. There is no requirement to proceed to test as required under 37 2 (b) of the Planning and Development Act.

8.5.2 SPPR – Site Specific Planning Requirements (Apartment Guidelines 2023)

The applicant proposes construction of 4 units of varying sizes. The unit breakdown and private amenity space is as follows:

Type A (1 bed) 53.01m² with a private open space rear balcony of 6.47m².

Type B (1 bed) 50.27m² with a private open space rear balcony of 6.62m².

Type C (2 bed) 92.95m² with a private open space rear balcony of 7.51m².

Type D (2 bed) 89m² with a private open space rear balcony of 7m².

I note site specific planning requirements are relaxed for infill schemes of up to 0.25ha. In any case the proposed apartment sizes as set out align with SPPR 3 of the Apartment Design Guidelines. Regarding dual aspect ratios the apartments as proposed accommodate dual aspect as required under SPPR 4.

Floor to ceiling heights for each of the units meet the required minimum height of 2.7, as required under SPPR. Full details of private storage, bicycle storage and bin storage for the site has been provided as required under the standards.

Notwithstanding the general relaxation of requirements for infill sites of the size of the one proposed, I consider the proposed development adequately meets the required standards generally. I am satisfied the development as proposed is in compliance with Design Standards for New Apartments Guidelines 2023.

8.6 AA Screening

I have considered the proposal to construct a dwelling in light of the requirements S177U of the Planning and Development Act 2000 as amended. The application is accompanied by an Appropriate Assessment Screening Report prepared by OMC Consultants, which concludes that there will be no significant effect on any European Site as a result of the proposed development.

The subject site is located 1.29km from the nearest European Site Lough Corrib SAC and 2.53km from Lough Corrib SPA. The development proposal consists of construction of 4 apartment units within a single building.

Having considered the nature, scale, and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows:

- scale and nature of the development on a Brownfield site
- Lack of Hydrological pathways
- due to the highly modified nature of the site, the habitats recorded within the development boundaries do not represent suitable ex situ supporting habitat for SCI species.
- Location-distance from nearest European site and lack of connections

I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Recommendation

For the reasons outlined above, I consider that the proposal is in compliance with the proper planning and sustainable development of the area, and I recommend that permission is GRANTED subject to the following conditions.

10.0 Reasons and Considerations

It is considered that, subject to compliance with the conditions set out below, the proposed construction of 4 apartment units on the infill site existing accords with the zoning objective C1 – Town Centre for Moycullen as set out the Moycullen Small Town Growth Plan 2022- 2028 and the County Development Plan 2022 to 2028. It is considered that the proposed density is not excessive for this infill site and would not adversely affect the amenity of properties in the vicinity. The proposed infill development complies with Galway County Development Plan 2022 to 2028 Policy CGR8 in facilitating the regeneration and reuse of underutilised land and Policy CGR13 in promoting town and village renewal. The proposal also aligns with

Sustainable Residential Development and Compact Settlement Guidelines 2024 and Apartment Design Guidelines 2023 in relation to design, layout and Site Specific Planning Requirements. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application and by the plans and particulars received by An Bord Pleanála, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to commencement of development the applicant shall submit a revised site layout for the written approval of the planning authority that shall demonstrate the following:

- a) Removal of parking spaces in their entirety from the front of the building
- b) revised front boundary detail that demonstrates the removal of both vehicular access and the inclusion of a single access for pedestrian/cycling activity only.
- c) A revised landscaping scheme for the front of the site, that takes account of revised layout

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

3. All of the mitigation measure cited in Section 4.0 of the Bat Survey Report submitted to An Bord Pleanála on the 23rd day of October 2024 shall be implemented in full.

Reason: In the interest of the natural heritage of the area and protecting the environment.

4. (i) Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.

(ii) Following construction, certification shall be provided by the appointed Construction Environmental Manager, or other suitably qualified person, confirming that the construction measures have been carried out in full. This certification may be made available to the Planning Authority upon request.

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

5. a) All necessary measures shall be taken by the developer to prevent the spillage or deposit of clay, rubble or other debris on adjoining public roads or footpaths during the course of the development works. The developer shall ensure that all vehicles leaving the development are free from any material that would be likely to deposit on the road and in the event of any such deposition, immediate steps shall be taken to remove the material from the road surface. The developer shall be responsible for the full cost of carrying out of road/footpath cleaning works. A wheel washing facility shall be operational at site entrance/exit.

(b) All vehicles/machinery associated with construction works for the development here permitted shall be contained within the site and adequate provision shall be made for same. In the event that vehicles/machinery associated with construction works, park on the public road, then the Planning Authority or the Roads Authority shall be empowered to cease all works on site and works shall not recommence without the prior written agreement of the Planning Authority.

Reason: In the interest of proper planning and development

6. a) A minimum of 25 % of the residential units (1 unit) hereby permitted shall be restricted to use by those who can demonstrate the ability to preserve and protect the language and culture of the Gaeltacht, for a period of 15 years.

(b) Prior to occupation of the development, the developer shall enter into a Section 47 agreement with the planning authority, to restrict the sale of units of the agreed portion of the residential elements of the development hereby permitted for the use of occupants who have an appropriate competence/fluency in Irish, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the written satisfaction of the planning authority that it has not been possible to transact each specified housing unit for use by occupants with the required competence/fluency in Irish.

(c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning authority of satisfactory documentary evidence from the developer regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the developer or any person with an interest in the land, that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

(d) The appropriate competence / fluency in Irish required to demonstrate compliance with this occupancy clause shall be akin to that required to at a minimum pass level B2 Meánleibhéal 2 in the Teastas Eorpach na Gaeilge examinations and a future occupier of each residential unit subject of this occupancy clause shall provide proof to the developer and planning authority, by way of a compliance submission, that a nominated adult residing in the respective household has completed such an examination, or similar level of examination in the Irish language, within a reasonable timeframe of purchasing / occupying the respective residential unit.

(e) This condition shall not affect the sale of the dwelling by a mortgagee in possession or the occupation of the dwelling by any person deriving title from such a sale.

Reason: To ensure that the proposed housing unit(s) is/are used to meet the [state relevant development plan policy or applicant's stated housing needs] and that development in this area is appropriately restricted [to meeting essential local need] [to preserve and protect the language and culture of the Gaeltacht] in the interest of the proper planning and sustainable development of the area.

7. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the Planning Authority for such works and services. No surface water shall discharge into adjoining properties or public road.

Reason: In the interests of public health.

8. The developer shall enter into water and wastewater connection agreements with Uisce Éireann, prior to commencement of development.

Reason: In the interest of public health.

9. (a) The site shall be landscaped and paving and earthworks carried out in accordance with the detailed scheme of landscaping, which accompanied the application, unless otherwise agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of residential and visual amenity.

10. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company. A management scheme providing adequate measures for the future maintenance of public open spaces, roads and communal areas shall be submitted to, and agreed in writing with, the planning authority prior to occupation of the development.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

11. The development works shall be adequately supervised by a Consulting Engineer who shall, on completion of the works and prior to the occupation of any of the associated apartment units, issue a certificate as to the adequacy of the standard of the works which shall be submitted for the written agreement of the

Planning Authority. Details of the consulting engineer's full professional indemnity insurance shall be forwarded to the Planning Authority for confirmed written approval prior to any works commencing on site.

(ii) Prior to the pouring of foundations, the approved Consulting Engineer shall certify that the individual units have been set out in accordance with Condition No. 1 above.

Reason: To ensure an adequate standard of development.

12. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Saturdays inclusive, and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

13. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. The cables shall avoid roots of trees and hedgerows to be retained in the site. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. Reason: In the interests of visual and residential amenity.

14. Construction and demolition waste shall be managed in accordance with a finalised Construction and Demolition Waste Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects", published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, including contaminated materials, and details of the methods and locations to be employed for the prevention, minimisation, handling, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the

Region in which the site is situated. Full project waste disposal records shall be maintained and be available for inspection by the planning authority.

Reason: In the interest of sustainable waste management.

15. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

16. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the

Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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.

Darragh Ryan
Planning Inspector

21st of March 2025

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	321107-24		
Proposed Development Summary	Construction of 4 apartment units		
Development Address	Killrainey, Moycullen, Co. Galway		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)	Yes	X	
	No		
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes			Proceed to Q3.
No	X		Tick if relevant. No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			
No	X	10. Infrastructure projects, (b) (i) Construction of more than 500 dwelling units. And (iv) Urban	Proceed to Q4

		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. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	X	10. Infrastructure projects, (b) (i) Construction of more than 500 dwelling units.	Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No	X	Pre-screening determination conclusion remains as above (Q1 to Q4)
Yes		

Inspector: _____ **Date:** _____

Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	ABP- 321107-24
Proposed Development Summary	Construction of 4 apartments
Development Address	Killrainey, Moycullen, Co. Galway
<p>The Board carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations.</p> <p>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</p>	
<p>Characteristics of proposed development</p> <p>(In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</p>	<p>The proposed residential development has been designed to logically address the topography on site, resulting in minimal change in the locality, with standard measures to address potential impacts on surface water and groundwaters in the locality. Construction activities will require the use of potentially harmful materials, such as fuels and other such substances. Use of such materials would be typical for construction sites. Any impacts would be local and temporary in nature and the implementation of the standard construction practice measures outlined in the Outline CEMP would satisfactorily mitigate potential</p>

	impacts. No operational impacts in this regard are anticipated
<p>Location of development</p> <p>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>The nearest European sites are listed in Section 5.2 of this report. Protected habitats or habitats suitable for substantive habituating of the site by protected species were not found on site. The proposed development would not result in significant impacts to any protected sites, including those linked to the Lough Corrib SAC.</p> <p>The site is not within an area of archaeological potential.</p> <p>There are no adjoining Protected Structures.</p>
<p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>Construction activities will require the use of potentially harmful materials, such as fuels and other similar substances and give rise to waste for disposal. The use of these materials would be typical for construction sites. Noise and dust emissions during construction are likely. Such construction impacts would be local and temporary in nature, and with the implementation of the standard measures outlined in the Construction Waste Management Plan, the project would satisfactorily mitigate the</p>

		<p>potential impacts. Operational waste would be managed through a waste management plan to obviate potential environmental impacts. Other operational impacts in this regard are not anticipated to be significant.</p> <p>The development will implement SUDS measures to control surface water run-off. The development would not increase risk of flooding to downstream areas with surface water to discharge at greenfield runoff rates.</p>
Conclusion		
Likelihood of Significant Effects	Conclusion in respect of EIA	No
There is no real likelihood of significant effects on the environment.	EIA is not required.	
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.		
There is a real likelihood of significant effects on the environment.		

Inspector: _____

Date: _____

DP/ADP: _____

Date: _____

(only where Schedule 7A information or EIAR required)