



An
Bord
Pleanála

Inspector's Report ABP-321768-25

Development

Permission for the development of a pair of semi-detached dwellings, enclosing side garden walls and gates and dividing rear garden walls and amenity space and associated site works to include provision of two additional car parking spaces, provision of footpaths and continuation of street lighting and connection to existing services to include potable, surface and foul water connections.

Location

'Garraí Caol', Doughiska & Merlin Park, Galway City

Planning Authority

Galway City Council

Planning Authority Reg. Ref.

2460353

Applicant

JLH Property Holding Company Ltd.

Type of Application

Permission

Planning Authority Decision

Refuse planning permission

Type of Appeal

First Party v Decision

Appellant	JLH Property Holding Company Ltd.
Observer(s)	None received
Date of Site Inspection	6 th day of March 2025
Inspector	Fergal Ó Bric

1.0 Site Location and Description

- 1.1 The appeal site has a stated area of 0.091 hectares and is located within the north-eastern section of the 'Garraí Caol' residential development which is located at the intersection of the R921 (Old Dublin Road) and the R338 (Coast Road). The Castlegar GAA grounds are located immediately to the south and east of the subject site. The appeal site is located approximately four and a half kilometres north-east of Galway City centre (Eyre Square).
- 1.2 The appeal site comprises a triangular strip of land in the corner of a recently constructed housing development 'Garraí Caol' which comprises a mixture of blocks of apartments and duplex units over three and four storeys in height as well as two storey apartments and a pair of single storey semi-detached units immediately adjoining and west of the subject site. There are a series of interconnected areas of public open space along the northern and north-western sections of the Garraí Caol residential development and these comprise some open grass areas, formal play areas including play equipment and a multi-use games area (MUGA). The subject site currently comprises an area of public open space within the residential development and the site fronts onto the R921 and backs onto the Castlegar GAA grounds with a pair of semi-detached single storey dwellings to its (south-west) side.
- 1.3 Site boundaries comprise a low wall and tree lined boundary along the northern and north-eastern boundary which bounds the R921, a post and rail fence and grassed bank along the southern boundary with the Castlegar GAA grounds and open to the west into the 'Garraí Caol' residential development. The appeal site currently comprises a grassed area comprising part of the designated public open space associated with the 'Garraí Caol' residential development. The topography of the site falls gradually from east to west towards the established residential development. Site levels vary from c. 20.41 metres OD Malin in the eastern section of the site to c. 18.71 metres OD Malin in the western section of the site.
- 1.4 There are two bus stops (along routes 402, 404 and 409) located proximate to the appeal site, one on either side of the R921, at the Doughiska Road junction located approximately 190 metres north-east of the appeal site boundary. There is footpath connectivity linking the appeal site to the bus stops. There is a dedicated bus lane along the appeal site road frontage (R921) allowing buses to travel uninterrupted to

the city centre. There is a public footpath and street lighting along the appeal site road frontage leading towards Galway city centre.

2.0 Proposed Development

2.1 The development as proposed would comprise:

- Development of a pair of semi-detached single storey one bedroomed townhouses (51 square metres each).
- Private amenity space.
- Extension of internal access road and provision of two additional car parking spaces,
- Provision of footpaths and continuation of street lighting,
- Connection to existing services to include potable, surface and foul water connections

2.2 The planning application was accompanied by the following reports/studies.

- Planning Report incorporating a design and layout rationale
- Landscape Plan proposals

2.3 The Planning Authority carried out an Appropriate Assessment (AA) screening exercise and concluded 'Having regard to the limited nature and scale of the proposed development, confined within an existing residential development on residentially zoned lands with connections to existing services, and the absence of connectivity to European sites, it is concluded that no Appropriate Assessment issues arise as the proposed development would not be likely to have a significant effect individually, or in combination with other plans or projects on these European sites'.

2.4 The Planning Authority carried out a preliminary Environmental Impact Assessment (EIA) screening exercise and concluded 'Having regard to the limited nature and scale of the proposed development to established residential properties and the absence of any significant environmental sensitivity in the vicinity of the site, there is no real likelihood of significant effects on the environment arising from the proposed

development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required’.

- 2.5 The applicants submitted an alternative layout plan as part of their appeal submission for the Board’s consideration whereby the two dedicated car parking spaces are omitted. This is a matter that will be addressed in detail later within the assessment part of this report.

3.0 Planning Authority Decision

The Planning Authority issued a Notification of Decision to refuse planning permission on the 5th day of November 2024 for two reasons as follows:

- 1- The proposed residential development is in an area reserved under planning reference number 19/95, as communal open space, a natural wild meadow for the benefit of existing and future residents, visual amenity and biodiversity. The proposed development would result in a significant reduction in quantum, quality and functionality of the existing amenity space, which would be detrimental to the residential amenity of existing and future residents. The proposed development would be contrary to the Policy 3.3 Sustainable Neighbourhood Concept of the Galway City Development Plan 2023-2029 which states that it is the policy of the Council to ensure that designated residential amenity open spaces, which are in use and reflect high residential value and are allied to existing residential developments are protected for such use, Section 11.3.1(c) amenity open space provision in residential developments which requires that all residential development shall provide for good quality active and passive communal recreation and amenity open space and the provisions under Section 11.1 of the City Development Plan which states that irrespective of zoning, there will be a presumption against development on open space in residential estates unless otherwise specifically referenced in the planning permission for development and such lands will be protected for recreation, open space and amenity purposes. The proposed development which would erode the coherent and integrated layout of open space for the site permitted under planning reference 19/95 seriously injure residential and visual amenities, and biodiversity, be contrary to the policies of

the City Development Plan and consequently would be contrary to the proper planning and sustainable development of the area.

- 2- The proposed development includes the provision of car parking spaces associated with proposed and approved residential development on an area zoned 'RA' in the Galway City Development Plan 2023-2029, where it is the policy of the Planning Authority 'To provide for and protect recreational uses, open space amenity uses, natural heritage and biodiversity'. The proposed development would materially contravene the RA recreation and amenity land use zoning objective of the City Development Plan 2023-2029, for these lands and the policies as set out in the City Development Plan for the use of particular areas for particular purposes and would, therefore, be contrary to the proper planning and sustainable development of the area.

3.1 Planning Authority Reports

Planning Report

The report of the Planning Officer recommended a refusal of planning permission consistent with the Notification of Decision which issued.

3.2 Other Technical Reports

None received.

3.3 Prescribed Bodies

None received.

3.4 Third Party Observations

The report of the Planning Officer states that no third-party observations were received.

4.0 Planning History

Appeal Site:

Planning Authority Ref. 2460078- Planning permission refused by GCC for the development of three dwelling units on the subject site, extension to internal access road, relocation of two existing car parking spaces and provision of two additional car parking spaces. Three reasons for refusal were set out as follows (1) The development of residential units on lands designated as open space would materially contravene the recreation and amenity zoning policy (2) the reduction in public open space provision would be contrary to Policy 3.3 (sustainable neighbourhood concept) within the City Development Plan and Section 11.3.1 (c) (open space provision in residential developments) in the Plan. (3) Proposals would be contrary to Section 5.2 within the City Plan as part of the residential development is on lands designated/zoned open space within the City Green Network.

Planning Authority Ref. 19/95- Planning permission granted by GCC for the development of 53, one, two and three bed residential units, comprising houses and apartments, ranging in height from one to four storeys, a playground and multi-use games area, car and bicycle parking, internal access roads, footpaths and streetlighting, connection to public water services and all associated site works. This development has since been developed as is known as the 'Garrai Caol' residential development.

5.0 Policy Context

5.1 Development Plan

5.1.1. The Galway City Development Plan (GCDP) 2023-2029 came into effect on the 4th day of January 2023 and is the relevant development plan.

5.1.2 The appeal site is zoned 'Residential' (R) under the Galway City Development Plan 2023 – 2029, with an objective 'to provide for residential development and for

associated support development, which will ensure the protection of existing residential amenity and will contribute to sustainable residential neighbourhoods.

5.1.3. The appeal site is located within the 'Outer Suburbs' (see Fig. 3.1 & also Fig 11.32 Galway City Development Plan 2023 – 2029).

5.1.4. The provisions of the Galway City Development Plan 2023-2029 relevant to this assessment are as follows:

Section 3.4 Sustainable Neighbourhoods concept – 'Within existing neighbourhoods, designated residential open spaces which have a high amenity value, and which are allied to existing residential developments will be protected for such use. Exceptions to allow for infill development will only be considered on underutilised lands which do not contribute positively to the urban structure and form and lack community value. Such infill development will only be considered where it contributes to placemaking and community, improves the quality of the neighbourhood and can enhance the built environment with better informal supervision of the public realm'

'Application of density standards will be balanced with general criteria such as standards of layout and design, architectural quality and provision of open space. In the established neighbourhoods, residential densities will be required to be balanced with protection of existing residential amenity and character of these areas'

- Policy 3.3 - Sustainable Neighbourhood Concept-Encourage higher residential densities at appropriate locations as guided by the Galway Urban Density and Building Height Study (2021). Such locations include strategic Regeneration and Opportunity Sites, and residential and mixed-use zoned sites located close to public transport routes and routes identified in the Galway Transport Strategy as suitable for high frequency, public transport services.

(1) Promote the development of compact, well designed, safe and attractive neighbourhoods that deliver efficient use of land and have effective integration with social and physical infrastructure, including public transport, that will enable the development of successful communities and facilitate the growth strategy for Galway City as envisioned in the NPF and RSES

(9) Ensure designated residential amenity open spaces, which are in use and reflect high residential value and are allied to existing residential developments are protected for such use. Exceptions to allow for infill development will only be considered on underutilised lands which do not contribute positively to the urban structure and form and lack community value. Such development will only be considered where it contributes to place making and community, improves the quality of the neighbourhood and can enhance the built environment with better informal supervision of the public realm and can, where housing is part of the proposal, provide a mix in size and type of housing units.

- Policy 3.4 - Sustainable Neighbourhoods: Outer Suburbs

- Facilitate consolidation of existing residential development and densification where appropriate within the outer suburbs to deliver on population targets m, while ensuring the reasonable protection of residential amenities.
- Ensure that sustainable neighbourhoods are places where housing, streets, open spaces and local facilities come together in a coherent, integrated and attractive form with appropriate community infrastructure delivered in tandem with new growth,
- Require the integration of biodiversity measures, green infrastructure and energy efficiency in the design and layout of residential development,
- Encourage a mix of housing types and sizes within residential developments,
- Encourage the use of homezones within residential developments,
- Require residential developments of over ten units to provide recreational facilities as an integral part of the proposed open space,
- Ensure that the design and layout have regard to adjoining developments,
- Encourage the protection of universal design principles and lifetime adaptability in the design and layout of residential development,
- Promote the use of appropriate placenames for new residential development in support of recognition of Galway city as a bilingual city.

Infill development will be required to have regard to the existing pattern of development, plots, blocks, streets and spaces and should not be of such a scale

that represents a major addition to, or redevelopment of, the existing urban fabric. The protection of existing residential amenity and character is a priority but must be balanced with opportunities for sustainable high-quality regeneration and high-quality regeneration and appropriately scaled infill.

Density:

The Development Plan shall:

- Facilitate consolidation of existing residential development and densification where appropriate within the outer suburbs to deliver on population targets m, while ensuring the reasonable protection of residential amenities.
- Ensure that sustainable neighbourhoods are places where housing, streets, open spaces and local facilities come together in a coherent, integrated and attractive form with appropriate community infrastructure delivered in tandem with new growth,
- Require the integration of biodiversity measures, green infrastructure and energy efficiency in the design and layout of residential development,
- Encourage a mix of housing types and sizes within residential developments,
- Encourage the use of homezones within residential developments,
- Require residential developments of over ten units to provide recreational facilities as an integral part of the proposed open space,
- Ensure that the design and layout have regard to adjoining developments,
- Encourage the protection of universal design principles and lifetime adaptability in the design and layout of residential development,
- Promote the use of appropriate placenames for new residential development in support of recognition of Galway city as a bilingual city.

- Policy 8.7 - Urban Design and Placemaking

- Encourage high quality urban design in all developments.
- Promote the reuse and adaptation of derelict and vacant buildings.

Chapter 11, Part B includes development standards and guidelines, the following are of relevance to this assessment:

- 11.3.1 (c) Amenity Open Space Provision in Residential Developments

Communal Open Space: Communal recreation and amenity space is required at a rate of 15% of the gross site area. It should be provided as multi-functional open space in new residential developments easily accessible to all, encouraging active and passive use for persons of all abilities regardless of mobility and/or age.

- 11.3.1 (d) Overlooking

- 11.3.1 (e) Daylight

- 11.3.1 (f) Distances between dwellings for new residential development

- 11.3.1 (g) Car Parking Standards (Outer Suburbs)

- 11.3.1 (h) Cycle Parking Standards

- 11.3.1 (i) Refuse Storage Standards.

5.2 National Policy

National Planning Framework 'Project Ireland 2040'

The NPF sets out a targeted pattern of growth for Galway City and Suburbs to 2040 of between 40,000 - 45,000 people. Relevant Policy Objectives include:

- **National Policy Objective 2a:** A target of half (50%) of future population and employment growth will be focused in the existing five cities and their suburbs.
- **National Policy Objective 3a:** Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.
- **National Policy Objective 3b:** Deliver at least half (50%) of all new homes that are targeted in the five cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints.
- **National Policy Objective 13:** In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes

in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.

- **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, area or site-based regeneration and increased building heights.

5.3. Ministerial Guidelines

5.3.1 Having regard to the nature of the proposed development and to the location of the appeal site, I consider the following Guidelines to be pertinent to the assessment of the proposal.

- Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024).
- Design Manual for Urban Roads and Streets (2019).
- Appropriate Assessment of Plans and Projects in Ireland, Guidelines for Planning Authorities, 2010.

5.4 Natural Heritage Designations

- Lough Corrib SAC (Site Code: 000297), is located approximately 4.63 kilometres west of the appeal site.
- Lough Corrib SPA (Site Code: 004042), is located approximately 4.63 kilometres west of the appeal site
- Galway Bay Complex pNHA (Site Code: 000268), c. 0.71 kilometres south-west of the appeal site.
- Galway Bay Complex SAC (Site Code: 000268), c. 0.71 kilometres south-west of the appeal site.

- Inner Galway Bay SPA (Site Code: 004031), c. 0.91 kilometres south-west of the appeal site.

5.5 EIA Screening

(See Form 1 and Form 2 attached). Having regard to the limited nature and scale of development on an underutilised brownfield site and the absence of any significant environmental sensitivity in the vicinity of the site, as well as the criteria set out in Schedule 7 of the Planning and Development Regulations, 2001, as amended, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1 Grounds of Appeal

The applicants submitted a first party appeal submission addressing issues raised within the Planning Authority (PA) report and specifically addressing the two reasons for refusal as set out within the PA's decision. The issues raised relate to the following matters:

Principle of Development:

- The National Planning Framework and the Sustainable Residential Development and Compact Settlement Guidelines (SRDCSG,s) for Planning Authority's (PA. s) 2024, promote higher density housing to achieve compact development within brownfield sites within our cities.

Design and Layout:

- The proposals do not conflict with Policy 3.3(1) of the current Galway City Development plan (GCDP) as they will provide for much needed additional

housing units on residentially zoned lands within an established and permitted housing development and located along a public transport corridor.

- The development would provide for high quality passive open space and natural surveillance from the proposed housing and would make a positive contribution to the residential amenity within the overall estate.
- The appeal site is currently grassed but is underutilised by residents.
- The area of public open space that would be lost has limited amenity value.
- The houses are primarily designed to meet the needs of elderly people and/or single person households. They also have the potential to allow for downscaling, thereby enabling larger under-occupied residential accommodation to be released into the housing stock.
- The area has some aesthetic and natural habitat value as it was sown with grass but also has the potential to be abandoned through a lack of use and poor natural surveillance and potential for anti-social behaviour.
- The volume of open space within Garrai Caol would be reduced from 22% to 17% of the overall site area but will not reduce the quantum of active open space within the residential development.
- The appeal site, as originally proposed has minimal natural surveillance from the houses within Garrai Caol. However, under the current proposals, the public open space to the front and side (north and east) of the proposed houses will receive excellent natural surveillance, including over the estate footpath area which connects directly onto the R921, a public transport corridor.
- Policy 3.3(9) provides exceptions for development on public open space (POS), whereby it can be demonstrated that the POS does not contribute positively to the urban structure and form and lacks community value.
- The proposed open space will make a more positive contribution to the housing development and the wider area through tree and woodland planting to reinforce existing woodland and roadside trees on site.
- Section 11.2.8 within the City Plan specifically references the lands south of Castlegar GAA pitches and that the strip of land adjoining the roadside boundary (zoned RA) be reserved free of development and that the existing trees be retained and additional trees planted along the road to ensure the

visual impact of any development is minimised. The proposed development achieves this objective.

- The appeal site is currently being used as a rat-run from the adjacent bus stops on the old Dublin Road, through Garraí Caol and Castlegar GAA grounds to the Durling and Reilean housing developments (east of the GAA grounds).
- The original tree planting on the recreation and amenity zoned lands will not be impacted by the layout changes and additional landscaping/tree planting is proposed to further reinforce the roadside boundary.
- The Case Planner (as set out within the PA report) stated that the two car parking spaces associated with the two houses are not compatible with the Recreation and Amenity land use zoning objective. These spaces are not technically required, notwithstanding that a car parking use is 'open for consideration' on RA zoned lands.
- The Case Planner acknowledges the positive attributes of the permitted landscaping proposals on site. However, no assessment against the requirements of Section 11.3.1(c) of the merits of the current proposals is provided.
- The first reason for refusal quotes only in part the text of Policy 3.3 (9) and does not reference the exceptions provided for including underutilised lands which do not contribute positively to the urban structure and form and those lands that lack community value. The exception in this case is justified.
- Exceptions are permissible, if they can be justified, and the Planning Authority (PA) have not outlined any reason why the applicant's current proposals are not justifiable.

Other Issues:

- The current proposal does not involve the construction of any residential unit on recreation and amenity zoned lands and, therefore, this element would not

materially contravene the Recreation and Amenity (RA) land use zoning objective.

- The decision of the PA does not reflect the view expressed when further information was sought under planning reference 24/60078 where the principle of development was considered acceptable for a similar type of development.
- The current proposal is considered to be consistent with what the further information request under planning reference 24/60078 was seeking to achieve.

Access, traffic and car parking

- The proposed layout involves extending the internal access road and providing two additional car parking spaces and additional bicycle parking in the north-eastern section within the Garrai Caol residential development.
- A section of the proposed cycle parking and almost one car parking space are located on lands zoned as recreation and amenity.
- Bicycle parking and sections of the access road were permitted on recreation and amenity zoned lands when the residential scheme was originally permitted under planning reference 19/95.
- The overall Garrai Caol residential development benefits from shared car parking and is in proximity to a public transport network. Having regard to the provisions of the Sustainable and Compact Settlement Guidelines 2024, where a reduction in car parking provision is provided for on public transport corridors, it is considered that the additional two car parking spaces are not essential to serve the proposed houses or the overall residential development.
- The permitted 53 residential units within the Garrai Caol residential development are served by 50 on site car parking spaces. This allowance recognises the location of the site on a high frequency public transport corridor along the Dublin Road, to which the houses have direct access onto.
- The number of bicycle spaces on site was increased (under planning condition nu. 22 of planning reference 19/95) from 35 to 55 on-site covered bicycle parking spaces, an over provision of 22.5 spaces in excess of the

Development Plan standards The Compact Settlement Guidelines 2024, set out that car parking ratios should be reduced or wholly eliminated at locations which have access to public transport. This up-to-date policy supports the omission of car parking which will entirely remove the concern of the PA in relation to car parking provision on the recreation and amenity zoned lands.

- The applicants have submitted an alternative layout as part of their appeal submission whereby the two car parking spaces are omitted. These could be omitted by condition, if the Board are minded to grant planning permission.

6.2 Planning Authority Response

None received.

6.3 Observations

None received.

7.0 Assessment

7.1 The main issues are those raised within the grounds of the first party appeal and the Planning Report, and I am satisfied that no other substantive issues arise. The issue of appropriate assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Principle of Development
- Design and Layout including Open Space provision
- Access and traffic.
- Other Issues.
- Appropriate Assessment

7.2 Principle of Development

7.2.1 Within the National Planning Framework (NPF) Galway is identified as being an important economic driver of national growth and as being a key regional centre within the northern and western region. Urban infill development is specifically referenced in the NPF, Section 4.5. The NPF targets a significant proportion of future

urban development within urban infill/brownfield sites within the built footprint of existing urban areas. The Regional Spatial and Economic Strategy (RSES) for the northern and western region has identified the preparation of a Metropolitan Area Strategic Plan (MASP) for Galway city and its surrounds. Section 3.6.3 of the RSES sets out the following 'Galway Metropolitan area has considerable land capacity that can significantly contribute to meeting the housing demands based on population targets set out within the NPF and the RSES. The targets set out within the RSES are that the population within the MASP area is anticipated to grow by 27,500 persons to the year 2026 and by a further 14,500 persons to the year 2031 and the population growth within the city and suburbs is expected to grow by 23,000 persons by 2026 and 12,000 persons to 2031. It is anticipated that 50% of all new homes are to be delivered within the existing built-up footprint and 40% of these on infill/brownfield sites (RPO 3.6.2).

7.2.2 Section 3.5 of the City Development Plan (CDP) is entitled Sustainable Neighbourhoods-Outer Suburbs. The Doughiska residential area is specifically referenced as part of the eastern established suburbs, with the Doughiska Road junction located approximately two hundred metres east of the appeal site. Section 1.4.6 of the CDP sets out housing targets as part of the Core strategy. These population targets are consistent with the targets as identified above in Section 7.2.1 for the MASP area as set out within the RSES. Policy 1.4 sets out the following in relation to brownfield sites 'Support the compact growth of the city by promoting development on designated regeneration and opportunity sites, by the redevelopment of brownfield and underutilised sites and through encouraging the reuse and adaptation of the existing building stock'. Therefore, I consider that the current proposals for the addition of a pair of dwelling units within an established and permitted residential development would be acceptable in principle, having regard to the established residential character of the area. Therefore, I consider that the current proposals would be consistent with the sequential approach to residential development as recommended within the Sustainable Residential Development and Compact Settlement Guidelines (SRDCSG's) 2024.

7.2.3 I acknowledge the context of the appeal site. The appeal site is located approximately four and a half kilometres east of Eyre Square and is located along a dedicated bus route linking the appeal site to/from the city centre. The Dublin Road

also forms part of the current Bus Connects network proposals for the Galway suburbs (as per the NTA website) which will provide a bus service every ten-fifteen minutes between the Dublin Road to/from Galway City centre along designated bus routes 402, 404 and 409 linking the appeal site with the city centre and the suburbs of Merlin, Oranmore, Newcastle, Westside, Parkmore, Mervue, Roscarn, Doughiska and Briar Hill. A 10–15-minute bus frequency from the Dublin Road to the city centre is proposed under the bus connects project. Two bus stops are located within approximately 190 metres of the appeal site, one linking the appeal site to the city centre and the other going out of the city in an easterly direction towards Oranmore. Presently the current bus frequency between the appeal site and the city centre varies from 15 minutes along route 409 to 30 minutes along routes 402 and 404.

7.2.4 I consider from a sequential perspective, the appeal site would be suitable for development, given its access to public water services, its residential zoning status and given its location on a high frequency bus corridor and the location of the subject site within a permitted residential development permitted by Galway City Council under planning reference 19/95. The current City Development Plan provides for development of the site given its residential zoning and, therefore, is not constrained by Core Strategy provisions.

7.2.5 In conclusion, the current proposals, located on an underutilised brownfield infill site on residentially zoned and serviced lands, would provide for additional housing units, as provided for within the Core Strategy. Section 3.5 of the CDP 2023 sets out locations suitable for residential development in urban areas, including the within the Sustainable Neighbourhoods-Outer Suburbs and would be consistent with the Core and Settlement Strategies as set out in the current City Development Plan 2023-2029.

7.3 Design and Layout including Open Space provision

I note that the Planning Authority within their planning assessment did not raise any particular issue with the design and layout of the development proposals from an overlooking, over shadowing, house type or the quality of residential units that would be provided. Therefore, it is not considered necessary to specifically address these issues as part of this assessment

Density:

- 7.3.1 In relation to the appropriateness of the density of the proposal, the report of the Planning Officer references The Sustainable Residential Development and Compact Settlements, Guidelines (SRDCSG) for Planning Authorities (2024) in terms of developing more sustainable and compact settlements and targeting at least 50% of new housing growth in the five cities, one of which is Galway. The Planning Authority (PA) did not specifically raise the issue of density within their planning assessment and, therefore, it is considered that the PA did not consider the density of development as proposed to represent an area of concern.
- 7.3.2 The Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024) provides guidance in respect of the density of residential development at different locations/scales. Table 3.2 (Area and Density Ranges Limerick, Galway and Waterford City and Suburbs) provides three density ranges. In my opinion, the 'City – Urban Neighbourhoods' range is the most relevant typology to the appeal site. This typology is described as including: (i) the compact medium density residential neighbourhoods around the city centre that have evolved over time to include a greater range of land uses, (ii) strategic and sustainable development locations; and (iii) lands around existing or planned high-capacity public transport nodes or interchanges (defined in Table 3.8) all in the city and suburbs area. The appeal site is located along the Dublin Road route with a service frequency of 15-30 minutes. The appeal site is located along the Bus Connects route proposal with a service frequency of every 10-15 minutes to/from the city centre. There is presently a bus every 15-30 minutes connecting the two bus stops in proximity to the site, which are located approximately within approximately 190 metres further east of the appeal site, along the R921, adjacent to the Doughiska Road junction.
- 7.3.3 In the context of accessibility, I note that Table 3.8 within the Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024) refers to locations within 500 metres walking distance of an existing or planned Bus Connects 'Core Bus Corridor' stop. I note that the appeal site is comfortably within this range, with the existence of two bus stops (one for outgoing buses and one for inbound

buses) located approximately 190 metres east of the appeal site along the Dublin Road adjacent to the Doughiska Road junction. I note that the bus corridor is proposed to be upgraded to a higher frequency bus corridor under current Bus Connects proposals (ABP planning reference 321776-25) which would provide separate two metre footpaths and cycleways and would improve the extent of connectivity and permeability between the appeal site and the city centre and broaden the scope of active travel possibilities in this area.

7.3.4 SPPR 4 (1) of the Urban Development and Building Heights: Guidelines for Planning Authorities (December 2018) provides that ‘is a specific planning policy requirement that in planning the future development of greenfield or edge of city/town locations for housing purposes, planning authorities must secure - the minimum densities for such locations set out in the Guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended), titled “Sustainable Residential Development in Urban Areas (2007)” or any amending or replacement Guidelines. The Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024) have replaced the Sustainable Residential Development in Urban Areas (2007) Guidelines and in this regard, I consider that the density ranges set out in Table 3.2 of the Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024) is, therefore, the appropriate guidance in this instance.

7.3.5 Residential Amenity:

Open Space.

The first reason for refusal as set out within the Planning Authority (PA) decision is that the proposed development would be located on lands reserved under planning reference 19/95 as communal open space and the provision of a natural wild meadow for the benefit of existing and future residents. The PA considered that the development would result in a significant reduction in the quantum, quality and functionality of the amenity space, which would be detrimental to the residential amenity of residents. The PA also state that the proposals would be contrary to Policy 3.3 (sustainable neighbourhood concept) of the Development Plan and Section 11.3.1 (c) amenity open space provision in residential developments and section 11.1 of the

Plan where there is a presumption against development on open space lands in residential developments. The PA also consider the proposals would erode the coherent and integrated layout of the open space as originally permitted and would injure the residential and visual amenity and biodiversity within the site and would be contrary to policies within the City Development Plan.

I acknowledge that the subject site was identified as part of the public open space (POS) within the layout as permitted under planning reference 19/95 and that a wild grassed meadow would be planted in this area. The subject site is currently grassed. However, I note that the subject site is located at the north-easterly tip of the Garraí Caol' residential development and currently does not benefit from passive surveillance from the vast majority of the existing residential units (except from the adjoining single storey dwelling) within the development. The peripheral location of the subject site does not lend itself to being part of the active open space. I note that the majority of the public open space within the residential development is centrally located and comprises grassed areas available for passive and active uses, a dedicated play equipment area and a multi-use games area (MUGA). The public open space currently comprises 22% of the total site area, and this would be reduced to 17% of the site area, if the current proposals are to be developed. I note that this 17%, would exceed the Development Plan public open space standards. Section 11.3.1 (c) within the Plan sets out the following in relation to communal open space 'Communal recreation and amenity space is required at a rate of 15% of the gross site area. It should be provided as multi-functional open space in new residential developments easily accessible to all, encouraging active and passive use for persons of all abilities regardless of mobility and/or age'. Therefore, the current proposals, in terms of public open space provision would be acceptable, in principle. I note that the Planning Authority accepted the principle of residential development at this location under planning reference 24/60078.

Policy 3.3 within the Plan refers to the development of sustainable neighbourhoods. I consider that the current proposals would contribute towards the achievement of this policy given the location of the residential units on residential zoned and serviced lands and located along a high frequency public transport corridor, on a brownfield site.

Therefore, I am satisfied that the current proposals would comply with this policy of developing sustainable neighbourhoods within the Development Plan.

Policy 3.3 (9) specifically references areas of open space within residential developments which are in use and reflect high residential value and are allied to existing residential developments be protected from development. Section (9) also provides for exceptions to this policy, whereby the open spaces should be in use and reflect high residential value. I am of the opinion that the appeal site is underutilised and does not reflect high residential value by virtue of its peripheral location within the north-eastern tip of the Garrai Caol residential development and owing to the fact that it does not benefit from passive surveillance from the vast majority of the adjoining residential units within the development. I consider the current proposals would qualify as an exception as set out within Policy 3.3(9) in this instance for these very reasons.

The PA reference Section 11.3.1 (c) within the Development Plan in relation to the provision of good quality active and passive communal recreation and amenity open space. The quantum of public open space referenced within this section of the Plan is 15% within residential development. The current proposals, if developed, would result in 17% of the overall site area within Carraí Caol being available as public open space, which exceeds the current City Development Plan standards. I am of the opinion that the subject site is not the optimal location for the provision of public open space as it is located on the periphery of the appeal site and the site does not presently benefit from passive surveillance from many of the adjoining residential units and is, therefore, potentially vulnerable to anti-social behaviour. The quality of this particular portion of open space is considered to be sub-optimal for these reasons. Notwithstanding, the current proposal, public open space within the Garraí Caol' development would comprise 17%, and much of this open space is directly overlooked by the existing residential units within 'Garrai Caol'. The open space comprises a balance of quality active and passive spaces, including a dedicated play equipment area, a MUGA area and open grassland area suitable for passive or active use and suitable to meet the needs of a wide range of age cohorts within the development.

I note that Section 11.1 of the Development Plan provides for a presumption against development on lands designated as open space. I would concur with the sentiment

of this provision. However, I am of the opinion that in this instance, the applicants have provided adequate justification for the development of a pair of semi-detached single storey residential units in this instance. I am of the opinion that this section of peripheral open space is not of high residential value and is underutilised and that the current proposal will provide for a greater level of passive surveillance of the remaining public open space and additional landscaping proposals will provide improved visual and residential amenities for existing and future residents of the Garraí Caol residential development.

In Conclusion, I consider that the applicants proposals provide for adequate quality and quantum of public open space within the development and that the quality of the open space presently provided by the subject site is considered to be sub-optimal. I consider that the proposal would comply with the provisions of Policy 3.3 within the City Development Plan and that the exceptions as provided for within Policy 3.3 (9) of the Plan which provides for development on lands designated as open space only where the applicants have demonstrated that the open space is not functional and underutilised due to the low level of passive surveillance that it is presently afforded. The Planning Authority did not make reference to these exceptions provided for within Policy 3.3(9) and therefore, did not address the merits of the planning rationale as presented by the applicants within their proposals and reiterated within their planning appeal submission.

7.4 Access and Traffic

- 7.4.1 The second reason for refusal as set out by the Planning Authority sets out that the proposed car parking spaces associated with the two proposed dwelling units would materially contravene the Recreation and Amenity (RA) land use zoning objective pertaining to the northern part of the appeal site. Within their planning documentation as submitted to the Planning Authority, the applicants set out that the bicycle parking spaces and one of the car parking spaces would be located on the RA zoned lands.
- 7.4.2 The issue of material contravention will be addressed later within the planning assessment. I note that the appeal site along the Dublin Road is located within the 50 kilometre per hour (kmh) speed control zone. The appeal site is located along a high frequency bus corridor linking the appeal site with the city centre and the city suburbs. Vehicular access to the appeal site would be via the internal access road

serving the established and permitted 'Garraí Caol' residential development which accesses onto the R338 (Coast Road) within the 50 kmh speed control zone. There is also a pedestrian footpath and gate located in the northern section of the appeal site which directly accesses onto the public footpath alongside the R921 (Old Dublin Road) and connects to the city centre in a westerly direction and also with the local bus stops located approximately 190 metre east of the appeal site boundary, at the Doughiska Road junction.

- 7.4.3 Within the existing Garraí Caol residential scheme a total of 50 dedicated on-site communal car parking spaces were permitted to serve the 53 residential units on site under planning reference 19/95 and the applicants also proposed the provision of 35 bicycle parking spaces to serve that development. However, under condition number 22 of planning reference 19/95, the PA required the provision of 55 covered bicycle parking spaces, which was 22.5 spaces in excess of the Development Plan standards. Under the current proposals, the applicants are proposing to provide five additional bicycle parking spaces to serve the two additional residential units, providing for a total of 60 on site bicycle parking spaces within the whole of the Garraí Caol residential development.
- 7.4.4 On balance, given the location of the proposals within the outer suburbs, within 190 metres of two bus high frequency stops to/from the city centre and the proposals to provide covered bicycle storage shelters providing capacity for the storage of an additional 5 bicycles on site, the footpath connectivity to the city centre from the Dublin road, I consider the omission of the two car parking spaces as proposed within the applicants 'appeal alternative Site Layout Plan' (Drawing number PP-04/F as submitted to the Board on the 28th January 2025 to be acceptable in this instance. I also note the proposals to upgrade the bus frequency and to provide wider and improved footpaths and cycleways from the Dublin Road (as proposed within Bus connects proposal under Board reference 321776-25 and currently under consideration by the Board and due for decision in the Summer of 2025) to the city centre will also encourage more use of active travel patterns by existing and future residents.
- 7.4.5 In conclusion, I am satisfied that the scale of the development would not result in excessive traffic levels being generated and that the proposals are designed in accordance with the Design Manual for Urban Roads and Streets standards

(DMURS) best practice standards. Therefore, I am satisfied that the safety of pedestrians and drivers is optimised in accordance with best practice as promoted by TII and Galway City Council within Section 4.4 of the City Development Plan in relation to sustainable mobility which encourages measures that make a positive contribution towards the improvement of pedestrian connectivity.

7.5 Other Matters

7.5.1 The second refusal reason within the PA; s decision references that the two car parking spaces on site are proposed on lands zoned Recreation and Amenity (RA) would materially contravene this land use zoning objective. The applicants have set out within their appeal submission that the car parking spaces are 'open for consideration' on the RA zoned lands. Section 11.2.2 within the City Development Plan sets out the following in relation to car parking on RA zoned lands 'Uses which may contribute to the zoning objectives, dependent on the RA location and scale of development, for example: – Development of buildings of a recreational, cultural or educational nature or car parking areas related to and secondary to the primary use of land/water body for outdoor recreation'. Therefore, I am satisfied that the two car parking spaces, notwithstanding that one of them would be located on RA zoned lands, are associated with and integral to the primary use of the site, that being providing for residential development and, therefore, would be open for consideration in this instance.

7.5.2 I note that the applicants as part of their appeal submission submitted an alternative layout, whereby the two car parking spaces would be omitted as provided for within the SRDCSG;s, SPPR 3 and, therefore, this overcomes the issue of a potential material contravention, as no car parking would then be proposed within the appeal site. This is notwithstanding the fact that the car parking, if permitted would not in my opinion materially contravene the RA zoning objective as set out in the paragraph above. Therefore, I consider that the applicants' alternative layout has addressed the second reason for refusal as set out within the PA; s decision and the issue of material contravention no longer arises.

8.0 Appropriate Assessment

- 8.1 I have considered the development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located approximately 4.63 kilometres east of the Lough Corrib Special Area of Conservation (SAC-site code 000297 and the Lough Corrib Special Protection Area (SPA-site code 004042) and approximately 0.71 kilometres north-east of the Galway Bay Complex SAC (site code 000268) and approximately 0.91 kilometres north-east the Inner Galway Bay SPA (site code 004031). The development description was set out within Section 2 of the report above. Neither of the appellants referenced the potential for adverse impacts to arise upon Natura 2000 sites. The PA conducted an AA screening exercise, referenced in Section 2.3 of this report above.
- 8.2 The applicants did not submit an AA screening report as part of their planning documentation. I consider that the appeal site is not hydrologically/ecologically connected to any of the European sites, located west and south-west of the appeal site. There were no drainage ditches evident within the confines of the appeal site nor along its boundaries. Therefore, I am satisfied that there is no apparent surface water hydrological link between the appeal site and any European site.
- 8.3 I am satisfied that once the proposed development is developed in accordance with best practice construction standards and in accordance with a construction traffic and environmental plan (to be conditioned) and given that the site is connected to the public piped water services, that no adverse impacts on water quality, or the qualifying interests or conservation objectives of the European sites referenced in Section 8.1 above, would arise.
- 8.4 I am satisfied that with the implementation of the standard control construction measures including those of surface water management in the form of SuDS measures and the installation of a hydrocarbon interceptor will not result in the residential development adversely impacting upon surface nor groundwater quality in this area. I consider that even in the unlikely event that standard control measures should fail, an indirect hydrological link (via the Maam Clonbur groundwater body) represents a weak ecological connection. I consider this to be the case given the separation distance to the nearest European sites and the nature of the built-up urban environment between the appeal site and the nearest European sites, the absence of

suitable habitat on site to serve the protected species for foraging/feeding purposes, As such any pollutants from the site that should enter groundwater during the construction stage, via spillages onto the overlying soils, will be subject to dilution and dispersion within the groundwater body, rendering any significant impacts on water quality within the nearest European sites unlikely. This conclusion is supported within the Planning Authority's AA screening determination, which concluded the following 'no Appropriate Assessment issues arise as the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on these European sites'.

8.5 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 these or any other European Site. The reason for this conclusion is as follows:

- The modest scale of the development, which relates to the additional development within a brownfield site.
- The separation distance from the nearest European site and the lack of hydrological or ecological connectivity to any Natura 2000 site.
- The AA screening exercise conducted by the Planning Authority which concluded that either alone or in combination with other plans or projects, there would be no likely significant effects on any European sites.

8.6 I conclude that on the basis of objective information, the proposed development would not have a 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 (as amended) is not required.

9.0 Recommendation

I recommend that planning permission be granted subject to the following conditions.

10.0 Reasons and Considerations

Having regard to the location of the existing underutilised brownfield site within the 'existing built up area' of Merlin Park/Doughiska on residentially zoned and serviced

lands, the provisions of the Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024), specifically Table 3.2-Areas and Density ranges-Limerick, Galway and Waterford City Suburbs, and the Galway City Development Plan 2023-2029, specifically Policy 3.4 regarding sustainable neighbourhoods-outer suburbs, the established pattern of residential development in the area, and the modest nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be consistent with the Core Strategy of the current Galway City Development Plan 2023-2029, that the development would not contravene the underlying land use zoning objectives within the site, result in the creation of a traffic hazard or seriously injure the amenities of neighbouring properties within the area. 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 on the 5th day of November 2024 and the alternative Site Layout Plan (Drawing number PP-04/F) as submitted to the Board on the 28th day of January 2025 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 Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, proposals for increased on-site attenuation in accordance with the *Greater Dublin Regional Code of Practice for Drainage Works*, shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of public health.

- 3 The developer shall enter into water and/or wastewater connection agreement(s) with Irish Water prior to the commencement of this development.

Reason: In the interest of public health.

- 4 Details of the materials, colours, and textures of all the external finishes to the proposed development, including external lighting throughout the development, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual and residential amenities.

- 5 (a) The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths and kerbs shall comply with the requirements of the Design Manual for Urban Roads and Streets, in particular carriageway widths and corner radii within the development shall be in accordance with the guidance provided in the National Cycle Manual.

(b) The materials used in any roads/footpaths provided by the developer shall comply with the detailed standards of the planning authority for such road works.

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

6. The developer shall liaise with the project design team within Galway City Council in relation to the Dublin Road bus connects project prior to the commencement of any works along the perimeter of the Old Dublin Road.

Reason: In the interest of public safety and sustainable transportation.

- 7 Details of all boundary treatments shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual and residential amenity

8. Proposals for a naming and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to

commencement of development. Thereafter, all signs, and numbers shall be provided in accordance with the agreed scheme.

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

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

Reason: In the interests of visual and residential amenity.

- 10 The subject site shall be landscaped as per the details submitted on the Landscape Plan proposal, drawing number 2409-01 Rev A as submitted to the Planning Authority on 5th day of November 2024. The Plan shall be implemented within the first planting season following substantial completion of external construction works.

All planting shall be adequately protected from damage until established. Any plants which die, are removed, or become seriously damaged or diseased, within a period of five years from the completion of the development or until the development is taken in charge by the local authority, whichever is the sooner shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

11. Prior to the commencement of development details of the following shall be submitted to, and agreed in writing with, the planning authority:
 - (i) Precise details of the materials to be used within the bicycle parking shelter including provision of adequate illumination.

Reason: In the interest of sustainable transportation.

12. Site development and building works shall be carried out only between the hours of 0700 and 1900 from Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

13. The construction of the development shall be managed in accordance with a Construction Traffic and Environmental Waste Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, management of construction waste and materials on site, environmental control measures, including noise, dust and vibration management measures, working hours, construction traffic and parking, management of laying of independent foul sewer line, liaisons with neighbours during the construction period, measures for managing construction sediment run-off and off-site disposal of construction/demolition waste.

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

14. Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority full details of the proposed public lighting throughout the residential scheme, including the lighting levels within the open space areas of the development.

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

15. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and 3 (Part V) of the Planning and Development Act 2000, as amended,

unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

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

16. 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.

17. 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.

- 18 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 commencement of development.

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

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.

Fergal Ó Bric
Planning Inspectorate

7th day of May 2025

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	ABP-321768-25			
Proposed Development Summary	Permission for the development of two dwellings, enclosing side garden walls and gates and dividing rear garden walls and amenity space and associated site works to include provision of two additional car parking spaces, provision of footpaths and continuation of street lighting and connection to existing services to include potable, surface and foul water connections.			
Development Address	Doughiska & Merlin Park, Galway City			
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	No further action required	
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?				
Yes		Class.....	EIA Mandatory EIAR required	
No	X		Proceed to Q.3	
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?				
		Threshold	Comment (if relevant)	Conclusion
No		N/A		No EIAR or Preliminary Examination required
Yes		Class 10, (b), (i) (threshold is 500 dwelling units)	Proposal is significantly below threshold	Proceed to Q.4

4. Has Schedule 7A information been submitted?		
No	X	Preliminary Examination required
Yes		Screening Determination required

Inspector: Fergal Ó Bric

Date: 7th day of May 2025

Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	ABP-321768-25	
Proposed Development Summary	Permission for the development of two dwellings, enclosing side garden walls and gates and dividing rear garden walls and amenity space and associated site works to include provision of two additional car parking spaces, provision of footpaths and continuation of street lighting and connection to existing services to include potable, surface and foul water connections.	
Development Address	Doughiska & Merlin Park, Galway City	
The Board carries 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.		
	Examination	Yes/No/ Uncertain
Nature of the Development Is the nature of the proposed development exceptional in the context of the existing environment? Will the development result in the production of any significant waste, emissions or pollutants?	The proposed development comprises an additional two residential units within an established residential development of 53 residential; units and is located within an urban area. The proposed development will not give rise to the production of significant waste, emissions or pollutants.	No No
Size of the Development Is the size of the proposed development exceptional in the context of the existing environment? Are there significant cumulative	The size of the proposed development would not be described as exceptional in the context of the existing environment.	No No

