Inspector's Report ABP-322166-25

Housing Development	Proposed residential development for Corrib Causeway, Dyke Road
Location	Corrib Causeway, Dyke Road, County Galway
Planning Authority	Galway City Council
Applicant	The Land Development Agency on behalf of Galway City Council
Type of Application	Application for approval made under Section 175 (3) and Section 177AE (3) of the Planning and Development Act, 2000 (as amended) (local authority development requiring environmental impact assessment and appropriate assessment)
Prescribed Bodies	An Taisce Irish Aviation Authority National Transportation Authority Transport Infrastructure Ireland

	Uisce Eireann
Observer	Galway International Arts Festival Airspace Studios Galway Retail Park CLG Cleverson Ltd Brendan Mulligan Intersport Elverys Coil Barry Niall Murphy Derek McDonagh
Date of Site Inspection	18th June 2025
Inspector	Peter Nelson

Contents

1.0 Introduction

Galway City Council is seeking approval from An Coimisiun Pleanála to undertake the development of 219no apartments consisting of 90% affordable apartments and 10% social accommodation apartments and the provision of a creche facility.

The application is being made by Galway City Council pursuant to Section 175 and Section 177AE of the Planning and Development Act, 2000 (as amended). Accordingly, an Environmental Impact Assessment Report (EIAR) and a Natura Impact Statement (NIS) have been prepared in respect of the proposed development.

Before making a decision on the proposed development, the Commission shall consider the EIAR, any submissions or observations and any other information relating to (i) the likely effects on the environment of the proposed development, and (ii) the likely consequences for proper planning and sustainable development in the area in which it is proposed to situate the proposed development. The Commission shall consider the NIS and the likely effects on a European site/s in respect of Appropriate Assessment. The Commission shall also consider the Water Framework Directive Assessment and the likely effects on waterbodies in respect of the objective Article 4 of the Water Framework Directive.

2.0 Site Location and Description

2.1. The site is located in Galway City on the Dyke Road adjacent to the eastern bank of the River Corrib. The site, which has a stated area of 1.44 hectares is currently in use as a public carpark. The site is part of a larger landholding in the ownership of Galway City Council and includes the Black Box Theatre which is directly to the north with the Terryland Forest Park beyond that. A continuation of the surface carpark is to the southeast. To the northeast of the site are the buildings of the Galway Retail Park. To the west of the site is the Commercial Boat Club and the River Corrib.

2.2. Access to the existing car park is from the Dyke Road. The application site currently comprises of 389 no. car parking and the remaining car park comprises of 165 no. car parking spaces (Phase 2 site). There are hedgerows along the eastern boundary

of the site and a timber fence along the boundary with the Dyke Road. There is an existing bring bank facility on the site. The stated ground level on the phase 1 lands ranges from 4.8m to 5.9m with the level in the centre of the site being c. 5.3m. The southern portion of the overall landholding (phase 2) has a high point of 7.12m.

2.3. The site is located in an area in close proximity of the city centre and is adjacent to the Galway Retail Park, and Galway Shopping Centre These are predominantly warehouse structures with extensive surface carparking. The site is also in close proximity to a Lidl and the Corrib Shopping Centre. The site is c.400 meters from Eyre Square, c.600m from the Ceannt Railway Station and the Coach Station, and C.700m from Shop Street.

3.0 **Proposed Development**

3.1. The proposed development will consist of the construction of a new residential development of 219 no. apartment units and a childcare facility (approx. 241 sq m) in the form of 1 no. new residential block (5 - 9 storeys over lower ground floor level) with associated car parking, bicycle parking, public and communal open spaces, and all ancillary works on a site area of 1.144 ha.

3.2. The proposed development will provide for:

a) 219 no. residential apartment units (109 no. 1-bedroom units, 100 no. 2-bedroom units and 10 no. 3-bedroom units) each with an associated private open space area in the form of a balcony or terrace.

b) A raised pedestrian boardwalk along the western elevation of the proposed building.

c) Open Space (approx. 2,778 sq m) is proposed in the form of (i) public open space (approx. 1,183 sq m) to the west of the proposed building fronting on to Dyke Road accommodating outdoor seating, planting, a sunken garden and pedestrian pathways and connections; and (ii) communal open space (approx. 1,605 sq m) to the east of the proposed building in the form of a courtyard including outdoor seating, planting, a children’s play area and outdoor sports equipment.

d) A childcare facility (approx. 241 sq m) at ground floor level with dedicated external play area (approx. 61 sqm) at surface level.

e) A total of 33 no. new car parking spaces at surface level to serve the proposed residential development (including 2 no. accessible spaces). In addition, 2 no. set down / drop off spaces are proposed to serve the childcare facility.

f) A total of 465 no. bicycle parking spaces to include 330 no. standard residential spaces, 100 no. visitor spaces, 25 no. cargo bicycle spaces and 10 no. bicycle parking spaces dedicated for the childcare facility staff, all at surface / lower ground floor level.

g) Vehicular access to serve the development is proposed via Dyke Road at 2 no. new locations along the western site boundary (to the northwest and southwest of the main development site). Pedestrian and Cyclist access is also proposed throughout the site via Dyke Road and a new pedestrian crossing is also delivered at Dyke Road. The proposed development will extinguish the existing pedestrian connection between Galway Retail Park and the subject site as part of wider proposals for local improvements to permeability.

h) The removal of 389 no. existing car parking spaces (311 no. from Car Park 1 and 78 no. from Car Park 2) is proposed to provide for the new development. An overall total of 165 no. existing car parking spaces will be maintained in Car Park 2.

i) The extinguishment of the main existing vehicular entrance serving Car Park 1 and Car Park 2 at Dyke Road with provision made for a new vehicular access point (to the south of the main development site) to facilitate continued access to existing Car Park 2 and the remaining car parking spaces (165 no.).

j) The removal of existing bring bank facilities including 2 no. clothing banks and 8 no. bottle banks from Dyke Road.

k) 2 no. telecommunications lattice towers (overall height 6.45 m and 7.67 m) affixed to the rooftop supporting 9 no. 2m 2G/3G/4G antennas; 9 no. 0.8m 5G antennas; 6 no. 0.3m microwave transmission links; together with all associated telecommunications equipment and cabinets. The proposed overall building height including the telecommunications towers is approx. 38.18 m (+43.18 AOD).

3.3. The development will also provide for all associated site development works, infrastructure, excavation and clearance works including decommissioning the existing Black Box Theatre waste water pumping station, provision for a new

pumping station complete with below ground emergency storage, all boundary treatment/retaining walls, public lighting, internal roads and pathways, ESB substations, switch rooms, water tank rooms, cleaner store and WC, meter rooms, facilities management office, parcel store, comms rooms, plant room, generator room / associated plant space, bin storage, bicycle stores, hard and soft landscaping, play equipment, below ground attenuation tanks, nature based SUDs features, green roofs, roof plant, new and replacement site services and connections for foul drainage, surface water drainage and water supply.

3.4. The following table sets out key statistics of the proposed development.

Table 1 – Proposed Development Key Statistics

Application Red Line Boundary Area	1.144 ha
Net Site Area	0.95 ha (excluding public roads)
Mix of Uses	• Residential – 219 no. residential social and affordable apartment units (17,787 sqm GFA) • Childcare Facility (241 sqm GFA) • Total GFA (18,874 sqm)
Gross Residential Density	191 dph (based on gross site area)
Net Residential Density	231 dph (based on net site area)
SRSCG Net Residential Density	234 dph (based on a net site area excluding non-residential uses)
Height	5-9 storeys over lower ground floor level
Residential Mix	• 109 no. 1-bed units (49.8%) • 22 no. 2-bed (3-person) units (10%) • 78 no. 2-bed (4-person) units (35.6%) • 10 no. 3-bed units (4.6%)
Residential Mix Tenure	• 22 no. social housing units (10%) • 197 no. affordable housing units under cost rental model (90%)
Dual Aspect	39% (86 no. units)

Communal Open Space	1,605 sqm
Public Open Space	1,183 sqm (10% of site area)
Car Parking	33 no. car parking spaces (0.15 ratio) including 5 no. GoCar parking spaces and 2 no. accessible parking spaces.
Bicycle Parking	• 339 no. long stay resident spaces. • 110 no. short stay visitor spaces • 10 no. short stay spaces dedicated for childcare facility staff use
Plot Ratio	1: 1.98 (based on net site area)
Site Coverage	0.35 (based on net site area)

Table 2 – Residential Unit Breakdown

Type	**Studio**	**One Bed**	**Two Bed (3 P)**	**Two Bed (4 P)**	**Three Bed**	**Total**
Apartments	**0**	**109**	**22**	**78**	**10**	**219**
%	**0**	**49.8%**	**10%**	**35.6%**	**4.6%**	**100%**

3.5. The application for approval was accompanied by a number of supporting documents. These include, but are not limited to:

Table 3 – Supporting Documents

Planning Report	Outline Mobility Management Plan
Social, Community and Cultural Infrastructure Audit	Landscape Design Statement
Statement of Housing Mix	Outline Landscape Specification and Management Plan
Letter of Consent from Galway City Council	Lighting Impact Assessment Report
Letter of Support from Galway City Council	Energy Report
Part V Letter	Telecommunications Report
Development Framework	Appropriate Assessment Screening Report

Architectural Design Statement	Natura Impact Statement.
Universal Design Statement	Climate Change Impact Assessment Report
Building Lifecycle Report	Hydrological and Hydrogeological Risk Assessment Report
Schedule of Accommodation	Water Framework Directive Assessment
Housing Quality Assessment	Outline Construction & Environmental Management Plan
Infrastructure Report	Outline Resource & Waste Management Plan
Site Specific Flood Risk Assessment	Operational Waste and Services Management Plan AECOM 46.
Traffic & Transportation Assessment	Management Strategy Report Wind and Microclimate Study
Public Transport Capacity Assessment	Daylight and Sunlight Assessment Report
Stage 1 Road Safety Audit	Verified Views and CGI Booklet
DMURS Compliance Statement	

3.11. The subject application forms part of an overall three phase development framework, the Corrib Causeway Development Framework. The Framework forms part of a strategic landbank located on the edge of Galway City Centre, which has been earmarked as a regeneration site in the Galway City Council Development Plan 2023- 2029.

3.12. Phase 1 relates to the current subject proposal; Phase 2, an existing car park south of the site is intended to be redeveloped for civic, commercial, and cultural uses; and Phase 3 is intended to provide additional residential units, should the Black Box Theatre be relocated.

4.0 **Planning History**

4.1. There has been no previous recent planning application on the subject site. Notwithstanding, there has been a number of planning applications in the vicinity of the subject site, the more relevant of which can be summarised as follows:

4.2. <u>Adjoining site to the southeast.</u>

P.A. Ref: 22/259

Student Accommodation, Headford Road. (Cleverson Ltd. Site) Permission granted on the 23rd November 2022 for minor amendments to previously approved development (PL 20/184, ABP-309673-21).

Condition 6

'The access route from Headford Road shall allow for general public accessibility and shall from first occupation of the building allow for direct access to lands at the rear of the site currently used as a public car park. The exact extent of this area, any alterations required to activate this access on the western side, agreement with respect to operation and the provision of a public right of way or transfer of lands shall be agreed with the Planning Authority in writing, prior to the commencement of the development.

Reason: In order to ensure access, permeability and vibrance in accordance with the Galway City Development Plan'

ABP Ref: 309673-21

Permission granted on the 12th July 2021 for demolition of an ESB unit enclosure and construction of a seven/eight storey development including 4 no. retail units, a gym and student accommodation (254 no. student beds) (Cleverson Ltd. Site). The proposed development includes a vehicular access onto Headford Road via a double height void over ground floor, extension of footpath at Headford road to facilitate landscaping and street furniture, 25 no. external bicycle parking spaces, 114 no. internal bicycle parking spaces over two levels, bin storage areas, 11 no. car parking spaces, outdoor setting area, loading area, substation, telecoms, water pump, switch room, firefighting stare emergency generator signage, landscaping and all ancillary site development works and services.

Condition no.7 states:

The access route from the Headford Road and the area highlighted as 'SHARED SURFACE' on the submitted site layout plan, shall allow for general public accessibility and shall, from first occupation of the building, allow for direct access to lands at the rear of the site currently used as a public car park. The exact extent of this area, any alterations required to activate this access on the western site, agreement with respect to operation and the provision of a public right-of-way or

transfer of land shall be agreed with the planning authority in writing prior to commencement of development.

4.3. Relevant planning applications in the vicinity of the site.

ABP. Ref: 314597-22 Bus Connects

Permission granted on the 27th September 2024 for a Cross City Link (University Road to Dublin Road) scheme which has an overall combined length of approximately 6.7km and is routed along the University Road, St. Vincent's Avenue, St. Francis Street, Eglinton Street, Eyre Square, Forster Street, College Road and Dublin Road and also encompasses numerous roads within the city centre including Fairgreen Road, Bothar Uí Eithir, Prospect Hill, Bothar na mBan, St. Brendan's Avenue, Headford Road, Dyke Road, Woodquay, Daly's Place, Merchants Road, Forthill Street, Queen Street and Dock Road.

ABP Ref: 320938-24

Part X Permission granted 12th March 2025 for Woodquay Park Landscape Upgrade: Included in the plans is the creation of accessible, public, green space, with biodiversity-friendly planting, age and mobility-friendly pathways, sheltered seating niches and spaces for play and for rest. The project will also involve traffic calming upgrades and improved pedestrian facilities to the surrounding streets at Woodquay Park, Terryland, Galway.

ABP 320181-24

Local Authority Development of a water sports centre at Dyke Road. A decision has yet to be reached on this application.

5.0 Legislative and Policy Context

5.1. Relevant legislative provisions

EU EIA Directive (2014/52/EU)

The Environmental Impact Assessment Directive (EIA Directive) means Directive 2014/52/EU of the European Parliament and of the Council of 16th April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment.

European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018

These Regulations transpose the requirements of the 2014 Directive into Irish legislation setting out the requirements for planning consent procedures.

EU Habitats Directive (92/43/EEC)

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

European Communities (Birds and Natural Habitats) Regulations 2011

These Regulations consolidate the European Communities (Natural Habitats) Regulations 1997 to 2005 and the European Communities (Birds and Natural Habitats) (Control of Recreational Activities) Regulations 2010, as well as addressing transposition failures identified in CJEU judgements. The Regulations in particular require in Reg 42(21) that where an appropriate assessment has already been carried out by a 'first' public authority for the same project (under a separate code of legislation) then a 'second' public authority considering that project for appropriate assessment under its own code of legislation is required to take account of the appropriate assessment of the first authority.

National nature conservation designations

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

European and National sites located in proximity to the subject site include:

- Lough Corrib Special Area of Conservation is approximately 70m west of the site.

- Galway Bay Complex Special Area of Conservation is approximately 700m south of the site.
- Inner Galway Bay Special Protection Area is approximately 700m south of the site.
- Lough Corrib Special Protection Area is approximately 2.8km north of the site.
- Galway Bay Complex Proposed Natural Heritage Area 700m south of the site.
- Lough Corrib Proposed Natural Heritage Area 700m north of the site.

Planning and Development Acts 2000 (as amended)

Part X of the Act sets out the requirements for the environmental impact assessment of developments which necessitate the preparation of an EIAR.

- Section 175 (1) sets out the requirements for the environmental impact assessment of developments carried out by or on behalf of local authorities.
- Section 175 (1) requires a local authority to prepare, or cause to be prepared, an Environmental Impact Assessment Report in respect of the proposed development.
- Section 175 (2) states that a proposed development in respect of which an EIAR is required shall not be carried out unless the Commission has approved it with or without modifications.
- Section 175 (3) states that where an EIAR has been prepared pursuant to subsection (1), the local authority shall apply to the Commission for approval of the proposed development.
- Section 175 (6) states that before making a decision in respect of a proposed development, the Commission shall consider the EIAR and any other information furnished and relating to the likely effects on the environment; the likely consequences for proper planning and sustainable development in the area; the views of any other Member State of the European Communities or a state which is a party to the Transboundary Convention to which a copy of the EIAR was sent; the report and any recommendations of the person conducting an oral hearing.

- Under Section 175(9)(a), the Commission shall make its decision on the application within a reasonable period of time and may, in respect of such application:
    - approve the proposed development,
    - make such modifications to the proposed development as it specifies in the approval and approve the proposed development as so modified,
    - approve, in part only, the proposed development (with or without specified modifications of it of the foregoing kind), or
    - refuse to approve the proposed development,
    - and may attach to an approval under subparagraph (i), (ii) or (iii) such conditions as it considers appropriate.

Section 175 (12) states that the Commission shall have regard to the provisions of any special amenity order relating to the area; the area or part of the area is a European site or an area prescribed for the purposes of section 10(2)(c), that fact; where relevant, the policies of the Government, the Minister or any other Minister of the Government, and the provisions of this Act and regulations under this Act where relevant.

Part XAB sets out the requirements for the appropriate assessment of developments which could have an effect on a European site or its conservation objectives.

- 177(AE) sets out the requirements for the appropriate assessment of developments carried out by or on behalf of local authorities.
- Section 177(AE) (1) requires a local authority to prepare, or cause to be prepared, a Natura impact statement in respect of the proposed development.
- Section 177(AE) (2) states that a proposed development in respect of which an appropriate assessment is required shall not be carried out unless the Commission has approved it with or without modifications.
- Section 177(AE) (3) states that where a Natura impact assessment has been prepared pursuant to subsection (1), the local authority shall apply to the

Commission for approval and the provisions of Part XAB shall apply to the carrying out of the appropriate assessment.

- Section 177(V) (3) states that a competent authority shall give consent for a proposed development only after having determined that the proposed development shall not adversely affect the integrity of a European site.
- Section 177AE (6) (a) states that before making a decision in respect of a proposed development the Commission shall consider the NIS, any submissions or observations received and any other information relating to:
    - The likely effects on the environment.
    - The likely consequences for the proper planning and sustainable development of the area.
    - The likely significant effects on a European site.

5.2. Relevant Planning Policy

5.2.1. Project Ireland 2040, National Planning Framework, First Revision, 2025

The National Planning Framework (NPF) is the Government's high-level strategic plan for shaping the future growth and development of our country out to the year 2040.

It is focused on delivering 10 National Strategic Outcomes (NSOs). NSO 1 is 'Compact Growth'. The NPF states that:

'Carefully managing the sustainable growth of compact cities, towns and villages will add value and create more attractive places in which people can live and work. All our urban settlements contain many potential development areas, centrally located and frequently publicly owned, that are suitable and capable of re-use to provide housing, jobs, amenities and services, but which need a streamlined and co-ordinated approach to their development, with investment in enabling infrastructure and supporting amenities, to realise their potential. Activating these strategic areas and achieving effective density and consolidation, rather than more sprawl of urban development, is a top priority.'

For the Galway City and Metropolitan Area, the NPF states that *'It will be necessary to focus on regeneration and redevelopment projects within the existing built up footprint, and develop a more compact urban form, facilitated through well-designed medium and higher density development. It will also be necessary to identify sustainable greenfield development sites that can be integrated with the existing built-up footprint of the city and serviced by high capacity public transport.'*

A stated Key future growth enabler for Galway includes: 'Delivering a number of regeneration projects to extend and intensify the City Centre, including the Station, Docks, Headford Road and Sandy Road areas;'

Relevant National Policy Objectives (NPOs) include:

National Policy Objective 4

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 8

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 and ensure compact and sequential patterns of growth.

National Policy Objective 9

Deliver at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, within their existing built-up footprints and ensure compact and sequential patterns of growth.

National Policy Objective 12

Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.

National Policy Objective 21

The Government will support the LDA, in association with Local Authorities, to fulfil its statutory mandate to deliver a significant number of homes on State lands in major mixed tenure developments, with a particular focus on brownfield and infill urban sites in the five main cities and regional centres as a priority.

National Policy Objective 22

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.

National Policy Objective 37

Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages.

National Policy Objective 42

To target the delivery of housing to accommodate approximately 50,000 additional homes per annum to 2040.

National Policy Objective 45

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, increased building height and more compact forms of development.

5.3. Regional Spatial and Economic Strategy for the Northern and Western Region, 2020

Policy 1.3 Metropolitan Area Strategic Plan (MASP)

Recognise the importance of the Galway Metropolitan Area Strategic Plan (MASP) in the delivery of strategic growth with critical mass that supports the development of the city and existing surrounding settlements as strong, attractive urban places supported by a level of services and infrastructure that creates successful, sustainable, universally accessible and socially inclusive communities and which harnesses the strengths associated with scale to maximise economic opportunities and supports investment.

Regional Policy Objective: RPO 3.6.4

The assembly support the regeneration and development of city centre sites at Galway Harbour, Ceannt Station and Headford Road (S/M).

5.4. Galway City Council City Development Plan 2023-2029

The Galway City Development Plan 2023-2029 is the operational plan for the area.

The Plan came into effect on the 4th of January 2023.

Zoning

The site is zoned 'CI Enterprise, Industry and Commercial'. The objective of this zoning is 'to provide for enterprise, light industry and commercial uses other than those reserved to the CC zone.'

This zoning allows for:

'for development of Regeneration and Opportunity Sites in accordance with the provisions of Chapter 10 and Policy 10.2 Strategic Regeneration and Opportunity Sites, particularly where it is identified to provide for mixed use development which includes for residential.'

Chapter 10.7. Headford Road Regeneration Sites

Dyke Road Car Park Regeneration Site

'This City Council owned site measures approximately 1.79 hectares. It is a Land Development Agency (LDA) national priority site for delivery of housing and other uses in collaboration with the City Council. The site has the advantage of scale, at a location close to the banks of the River Corrib and Terryland Forest Park with potential to exploit good open aspect of the River. The site is currently occupied by the Black Box Theatre, an adaptive, multipurpose, performance space, and an extensive surface car park that supports the theatre, the adjacent retailing and provides commuter car parking.

The redevelopment of this site by the LDA has potential to transform this area and be a catalyst for regeneration of the wider Headford Road area. Investment at this location can create a driving force for further similarly scaled projects on the adjacent regeneration sites. The scale of the development could transform the character of this greater area, reversing the current sterile environment to one of a liveable urban quarter.

As an LDA project, the residential element of development will include for affordable housing options. Other uses may include office/commercial use as well as provision of civic, cultural and arts infrastructure. There is potential to explore innovation and research uses allied to University of Galway with enhanced linkage to the university made possible with the proposed new pedestrian and cycle bridge. Any development will be required to be an exemplar in architecture, urban design and placemaking and deliver a high-quality public realm linked to the wider green network.

In the event that opportunities arise to progress development proposals to planning consent stage in advance of the adoption of a LAP, these proposals will include for a Masterplan which will take cognisance of the integrated development strategy included for in the framework plan for this area. The Masterplan will be required to have regard to guidance set out in Chapter 8. Flood risk assessment of the lands was undertaken including detailed modelling and identification of possible flood mitigation measures in 2012 and will be required to be reviewed in the context of the Coirib go Cósta Galway City Flood Relief Scheme.'

Relevant Development Plan Policies

Policy 3.3 Sustainable Neighbourhood Concept:

(5). 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.

(7). Ensure the design of residential developments have regard to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) and demonstrate compliance with the Urban Design Manual–A Best Practice Guide and the Design Manual for Urban Roads and Streets (2019)

Policy 9.1 Flood Risk

1. Support, in co-operation with the OPW, the implementation of EU Flood Risk Directive (2007/60/EC), the Flood Risk Regulations (SI No, 122 of 2010) and the DECLG and OPW Guidelines for Planning Authorities, the Planning System and Flood Risk Assessment Management (2009),

updated/superseding legislation or departmental guidelines and have regard to the findings and relevant identified actions of the Corrib Catchment Flood Risk Management (CFRAM) Study.

2. Support and facilitate the implementation of the Coirib go Cósta Galway City Flood Relief Scheme in conjunction with the OPW to support a climate resilient city, protect against flooding and minimise the impact of future climate events. Support in general the associated mitigation and adaptation measures in order to prevent flooding and coastal erosion, subject to appropriate environmental, visual, built heritage and other relevant considerations.
3. Ensure the recommendations of the Strategic Flood Risk Assessment (SFRA) for the Galway City Development Plan 2023-2029 are taken into consideration in the assessment of developments in identified areas of flood risk and require site specific Flood Risk Assessment (FRA) and associated design and construction measures appropriate to the scale and nature of the development and the risks arising, in all areas of identified flood risk including on sites where a only small proportion of the site is at risk of flooding and adopt a sequential approach in accordance with the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009).
4. Protect and promote sustainable management and uses of water bodies and watercourses from inappropriate development, including rivers, streams, associated undeveloped riparian strips, wetlands and natural floodplains.
5. Ensure flood risk is incorporated into the preparation of any future local area plans, framework plans and masterplans in the city.
6. Ensure any proposed measure designed to alleviate flooding/coastal erosion is subject to Appropriate Assessment in accordance with Article 6 of the EU Habitats Directive, where appropriate.
7. Continue to protect the coastal area and the foreshore and avoid inappropriate development in areas at risk of coastal erosion and/or would cause and escalate coastal erosion in adjoining areas.
8. Protect and maintain, where feasible, undeveloped riparian zones and natural floodplains along the River Corrib and its tributaries.

Policy 9.3 Water Services

1. Work in close liaison with Irish Water in the operation of water and wastewater facilities in the city and the upgrade and expansion of the network and the delivery of strategic projects such as the Terryland Water Treatment Plant Intake Works.
2. Support the delivery of the objectives of the Irish Water Water Services Strategic Plan (2015) and implementation of the Irish Water Capital Investment Plan 2020-2024.
3. Work in conjunction with Irish Water to ensure the provision and maintenance, of a high quality and efficient water supply capable of meeting existing and future needs of the city and support any ongoing water mains rehabilitation and water conservation projects.
4. Encourage all significant water users to use best practices in water conservation and continue to promote water conservation measures in the design of all new development in the city, such as rainwater harvesting and re-use of grey water, in liaison with Irish Water.
5. Support and liaise with Irish Water in the provision of a sustainable and effective wastewater drainage collection and treatment system capable of meeting the existing and future needs of domestic, commercial and industrial users in the city and MASP area.
6. Support the Irish Water ongoing watermain rehabilitation and water leak reduction programme in order to conserve the city's water supply.
7. Support the decommissioning of existing individual effluent treatment systems which include septic tanks at locations which include Ballyloughane, where there is a feasible option to connect to the public sewer network. Galway City Council will collaborate with Irish Water in this regard.
8. Support the development and implementation of Drinking Water Safety Plans by Irish Water, which seek to protect human health by identifying, assessing and managing risks to water quality and quantity; taking a holistic approach from source to tap.

9. Support the promotion of effective management of trade in discharges to sewers by Irish Water in order to maximise the capacity of existing sewer networks and minimise detrimental impacts on sewage treatment works.

Policy 9.4 Sustainable Urban Drainage Systems (SuDS)

1. Ensure the use of Sustainable Urban Drainage Systems (SuDS) and sustainable surface water drainage management, wherever practical in the design of development to enable surface water run-off to be managed as near to its source as possible and achieve wider benefits such as sustainable development, water quality, biodiversity local amenity and climate adaptation.
2. Promote the use of green infrastructure e.g. green roofs, green walls, bioswales, planting and green spaces for surface water retention purposes as an integrated part of SUDS and to deliver all the ancillary benefits.

Policy 10.2 Strategic Regeneration and Opportunity Sites

1. Facilitate and enable the redevelopment of strategic Regeneration and Opportunity Sites in the city to support the sustainable and compact growth of the city which will add value and create more attractive places in which people can live and work and achieve alignment with the National Strategic Outcomes of the NPF and the Regional Policy Objectives of the RSES and implementation of the Core Strategy.
2. Give priority to the development of the strategic Regeneration and Opportunity sites in line with core strategy, in particular to deliver new residential neighbourhoods, on lands supported by a number of land use zonings including CC and CI, as referenced in the land use zoning objectives in Chapter 11.

General Development Standards and Guidelines

11.3 Residential Development

11.3.3 (a) Car Parking Standard Maximum 1 car parking space per dwelling For new developments in the inner residential areas at locations that are served by public transport or close to high density employment areas, a reduced overall car parking standard can apply, in particular on grounds of sustainability or urban design.

5.4.1. **Relevant Section 28 Guidelines**

- Sustainable Residential Development and Compact Settlements - Guidelines for Planning Authorities 2024.
- Urban Development and Building Heights- Guidelines for Planning Authorities 2018.
- Guidelines for Planning Authorities - Design Standards for New Apartments 2023.
- Childcare Facilities - Guidelines for Planning Authorities 2001.

6.0 **Consultations**

6.1. Consultees

6.1.1. The applicant sent a copy of the planning application to the prescribed bodies as required under s175 of the Planning & Development Act, 2000 (as amended). Observations were received from six bodies, and these can be summarised as follows.

6.1.2. Transport Infrastructure Ireland (TII)

- No specific observations to make on the proposed development.

6.1.3. National Transport Authority (NTA)

- Supports in principle the proposed development given the zoning of the area.
- Concerned that the prosed level of car parking may be too low, given the mix of units types the number of persons likely to live in the units, and the need to support sustainable communities with flexibility at various life stages.
- Potential uses with overspill on-street car parking in adjoining areas.
- Supports the high level of cycle parking provision. The design of the cycle parking is unclear.
- The design and location of cycle parking provided should include for a range of cycle types, including cargo bikes and should ensure that those with

heavier bikes, including e-bikes are accommodated in a more amendable manner by providing a significant proportion of Sheffield stands.

- Supports the approach to improving permeability, which includes the identification of 'potential future linkages' to adjoining areas to the east which will be important as the wider area redevelops.
- The 'potential future permeability link' to the east of the development should be ensured.

6.1.4. An Taisce

- A higher percentage of family type units (3 bed) is recommended to achieve a balance diverse and lifelong community.
- 'Build to Rent' should be avoided to maintain a more stable and owner occupier community.
- Clarity is required on the number of units suitable for reduced mobility/additional needs users, families, couples, living alone, elderly.
- Units specifically for students should be restricted or not included.
- Co-living should not be permitted.
- Proposed 9 storey building not justified. Seven storeys are sufficient.
- An assessment of potential flooding should ensure that the proposed development will not impact on the flood risk to the area.
- An integrated flood management plan with evacuation plan should be designed and put in place.
- The flood risk assessment was carried out before recent reports from UCG.
- Will the development be car free?
- There is a lack of designated crossing points with user friendly dropped kerbs.
- Fire safety issues.
- There are issues with the wastewater pipe adjacent to the site, with one pipe being 'at risk of collapse at any time'.
- The proposed development is premature pending the completion of an upgrade to the Galway City wastewater network.

6.1.5. Irish Aviation Authority

- The applicant should engage with the HSE and the Aeromedicial & Special Operations Section and University Hospital Galway with regard to the potential impact of the proposed development and any cranes utilized during the construction phases would have on helicopter operators to and from University Hospital Galway.
- Recommends conditions relating to notification and a lighting scheme.

6.1.6. Uisce Eireann

- A confirmation of feasibility was issued as a result of an enquiry on the 11th March 2025 stating that both water and wastewater connection are feasible, and that there is sufficient capacity for the proposed development.
- An existing sewer runs through the site, as identified by both Uisce Eireann and the applicant. The applicant sought and received a confirmation of feasibility for the diversion of this asset. Further to this the applicant has received a statement of design acceptance from Uisce Eireann.

7.0 **Public Submissions**

Submissions have been received from:

- Galway International Arts Festival
- Airspace Studios
- Galway Retail Park CLG
- Cleverson Ltd
- Brendan Mulligan
- Intersport Elverys
- Coil Barry
- Niall Murphy
- Derek McDonagh

To avoid unnecessary repetition the main issues raised can be collectively summarised as follows under the broad headings:

Culture

- Protection of the ability of all those who work in, perform in and attend events at the Black Box Theatre to continue to engage with the venue safely and without disruption.
- Construction noise would significantly disrupt rehearsals, performances, and daily operations. An acoustic impact survey is required.
- Prolonged exposure to construction dust and restricted airflow would impair working conditions for staff and artists.
- The front car parking is the only viable access point for large vehicles servicing the theatre at present. Its loss will severely restrict logistical operations. Reduced parking will directly impact attendance and revenue.
- Alternative accessible routes and parking arrangements must be clearly planned and communicated to ensure continued inclusive access to the venue.
- Negative impact on the sustainability of the cultural and creative development of the area.
- Loss of workspaces for artists and depletion of tourism activities.
- The potential displacement of artists and arts workers would be devastating to the cultural fabric of the city.
- Local arts community need to be involved in future phases which are proposing cultural facilities.
- The provision of much needed housing should not come at the cost of erasing vital cultural infrastructure and displacing artists and arts workers.
- The proposed development should enhance, rather than compromise, existing cultural assets.

Infrastructure

- Longstanding deficiencies in the wastewater collection network in the Galway agglomeration, some of which will directly affect this proposed development.

- The deficiencies that will lead to wastewater from the proposed development being frequently discharged untreated into the waters in the River Corrib a Special Area of Conservation, must be addressed prior to construction.
- There are two wastewater siphons (pipes) under the River Corrib, between the Long Walk and the Ballyknow Quay, one is at risk of collapse which could result in the larger pipe becoming blocked having impact on Galway City and Galway Bay SAC.
- There is no evidence in the Confirmation of Feasibility from Uisce Eireann that the capacity of the two pipes, under the estuary of the River Corrib through which the wastewater arising from the proposed development, is adequate.
- If permission is to be granted it should include conditions requiring remedial works to the two pipes under the estuary of the River Corrib and improvements to the stormwater overflow chamber at the Long Walk to reduce tidal infiltration.
- Concerns relating to the separation distance between the permitted infrastructure on the Cleverson Ltd lands and the proposed development, specifically relating to the pumping station position.

Flooding

- The flood risk assessment was carried out before recent reports from UCG.
- The dyke on Dyke Road needs to be assessed to allow for climate change. A ground investigation on the embankment is required.
- Further clarity on the plans for the embankment are required in advance of making any decision on this development.

Carparking

- Reservations regarding the solutions provided for replacing the parking stock locally. The proposal of utilising the privately owned Galway Retail Park as a source of parking for the spaces removed at Corrib Causeway will not work as it is a privately owned company that legally enforce clamping for anyone that leaves the site.
- Business will not have any more customers as they will not be able to get into the city or park locally.

- It is unreasonable to assert that 33 no. car parking spaces is adequate to accommodate 219 no. new housing units.
- It is likely that any parking demand overflow from the new development would result in residents parking in the retail park reducing spaces for customers putting pressure on the retail park.
- The application documentation does not provide sufficient detail as to how the residential and commercial car parking provision will be managed during the operational phase of development.
- Concern that the proposed reduction in car parking will further increase the pressure on the existing car parking provision within the adjoining retail park and will have a detrimental effect on their business and also on the other business in Galway Retail Park.

Connectivity

- The proposed development includes pedestrian/cycle movement which traverses an area which comprises a 'back of house' service, delivery and staff parking area for the adjoining Cleverson (student accommodation) development. There are operational and general security concerns associated with unfettered pedestrian and cyclist access to the rear of a student accommodation development in an area which effectively comprises a service yard, which will be used by large delivery/services vehicles.
- Access through the permitted student accommodation development was not designed for, nor is it capable of accommodating a vehicular traffic 'through route'.
- Allowing through traffic movements at this location would pose a greater accident risk at the junction due to the intensification of use at the entrance onto what is essentially a 4-way priority.
- The proposed development will reduce the accessibility from the subject site to the Retail Park due to the boundary fencing and increased hedgerows.

Other Matters

- Concerned relating to the environmental impact of the proposed development.
- Noise and traffic chaos during construction.

- Development better suited to outside the city centre.

7.1. Response of Applicant to Submissions

The main points of the submission received on the 29th July 2025 from the applicant can be summarised as follows:

Car Parking

- The loss of car parking is a notable aspect of the proposal, it is essential to recognise that this outcome is entirely consistent with long-established planning policies and objectives at national, regional, and local levels, which have persistently identified this site as a key strategic location for significant residential-led redevelopment.
- A substantial portion of the existing parking provision is underutilised, validating the rationale for rationalising parking supply in favour of a higher-order land use that delivers on strategic housing and regeneration objectives.
- The design of the proposed development will incorporate clear and transparent car parking strategies, communicated effectively to future residents and visitors.
- The Traffic and Transport Assessment has concluded that the creche will not create congestion pressures on the local road network, and all anticipated demand will be effectively managed on-site through considered design and operational strategies.
- There is no specific requirement for the delivery of the multi storey car park at the subject site nor is there a supporting Development Plan policy or objective for same.
- The proposed parking strategy has been designed to fully comply with the Galway City Council Development Plan standards, taking into account the site's high level of connectivity to sustainable transport infrastructure and aligns with national planning policy objectives.

Bicycle Parking

- Resident long stay bicycle parking will be secure and covered located at the lower ground floor level. In addition, locations for cycle maintenance are proposed within building Core C for residents to utilise. Visitor cycle parking spaces and childcare facility staff spaces are proposed at surface level.

Construction Impacts

- Chapter 9 of the EIAR outlines a series of robust mitigation measures designed to minimise and manage noise emissions throughout the duration of the construction phase.
- It is important to emphasise that construction noise impacts will be temporary in nature and progressively reduce as works transition from heavy civil works to above-ground structural and internal fit-out phases. As such, Chapter 9 of the EIAR concluded that the relative construction noise impact will not be significant.
- The construction phase will be closely managed through proactive planning, site logistics, and coordination with local authorities, ensuring that potential disruption to the local community is minimised and that all construction activities are carried out in accordance with best practice standards.

Wastewater Capacity

- It is important to clarify that all of the existing infrastructure including the stormwater overflows (SWOs), the Long Walk SWO and the twin siphons under the Corrib, are operated and maintained by Uisce Éireann. The responsibility for assessing, upgrading and ensuring the compliance and capacity of these assets rests with Uisce Éireann as the statutory provider.
- The current proposal delivers on the appropriate specific upgrades referenced in the Confirmation of Feasibility that accompanies this application. Matters outside of this are for the consideration of Uisce Eireann as the statutory undertaker.

Water Pumping Station at Cleverson's Site

- The location of this existing WWPS was considered in the design of the proposed development layout and internal unit configuration.

- The design approach ensures there is no material impact on residential amenity.

Permeability

- The proposed development has been masterplanned in a manner that safeguards and facilitates the delivery of this east-west connection.
- There are currently no pedestrian crossing points on the Dyke Road after the Dyke Road/Headford Road signal-controlled junction. The BusConnects scheme includes a new signal-controlled junction on the Dyke Road with new pedestrian crossings on each arm and significantly improved pedestrian routes in this section of Dyke Road.
- Tactile paving and dropped kerbs are proposed at all intersections within the proposed development of the footpaths with the proposed internal roads.
- The proposed scheme has been designed to safeguard and facilitate such future permeability, ensuring that the eastern boundary retains the capacity to evolve in response to subsequent development opportunities in the adjoining lands, including the Galway Retail Park and potential connections to Headford Road.
- Should future development proposals emerge for the Galway Retail Park, the design of the eastern edge can be modified to create a new active street frontage, promoting permeability, vibrancy, and the integration of a mix of uses, in line with compact growth and urban placemaking objectives.

Flood Risk

- Mitigation measures proposed for the development have been designed to be independent of the existing Dyke Road embankment and the future Coirib go Cósta Flood Relief Scheme.
- As the site of the proposed development is located within Flood Zone C with respect to coastal flooding, the findings of the NUIG research document do not affect the conclusions or mitigation measures set out in the SSFRA.

Impact on the Black Box Theatre

- Acknowledged that the construction phase may cause temporary disturbances to the surrounding area, a comprehensive Construction Management Plan (CMP) will be implemented to mitigate such impacts.
- In the operational phase, the development is not anticipated to negatively affect the theatre's functionality.
- The proposed development is a residential scheme, which, once operational, will not give rise to any significant noise emissions that could interfere with theatre activities.
- The theatre has its own dedicated vehicular entrance and on-site parking area, both of which are situated outside the boundaries of the proposed development and will not be affected by the development.
- Car Park 2 will contain 165 no. spaces for any overflow car parking requirements.
- The EIAR details air quality mitigation measures during construction.
- It is important to clarify that theatres are not reliant on natural daylight for their core functions, as performances and backstage operations occur in purpose-lit, controlled environments.
- While the Daylight and Sunlight Assessment identified that the development may result in a modest reduction in VSC for two windows on the elevation of the Black Box, it will not materially impact the theatre's functionality or viability.
- No disruptions to utility services serving the Black Box Theatre are envisaged as a result of the proposed works.
- The proposed development incorporates strategic infrastructure upgrades and access arrangements to ensure long-term sustainability and operational continuity for the theatre and the surrounding community.

Engagement with IAA

- Engagement has taken place with the IAA and the National Ambulance Service Directorate and the applicant fully accepts the recommended planning

condition requiring formal engagement with the IAA and University Hospital Galway in advance of all crane activities.

Detailed Design and Fire Safety

- Detailed design, construction methodologies, and fire safety compliance fall under the regulatory frameworks of Building Control Regulations, the Fire Services Acts, and the associated Technical Guidance Documents (TGDs), which ensure that developments meet or exceed the mandatory standards of safety and quality prior to the commencement of construction.

Environmental Impact

- A comprehensive suite of environmental assessments (including AA Screening report, NIS, EIAR) have been undertaken and address any potential ecological impacts arising from the proposed development. These assessments confirm that the project will not result in significant adverse effects on biodiversity, wildlife, or designated conservation sites.

Unit Mix & Residential Typology

- The primary objective of this development is to deliver high-quality, affordable, and social housing that actively contributes to the regeneration of the area and aligns with broader national housing policy objectives.
- The proposed development meets the requirements of the Apartment Guidelines (2023) especially SPPR 1 in terms of unit mix, which was the appropriate context at the time of lodgement.
- The proposal will diversify the housing stock and offer a meaningful increase in affordable apartment options for a range of household types.
- The scheme will comply fully with relevant Building Regulations and Universal Design principles, ensuring ease of access and functionality for all users. A proportion of units will be specially adapted for accessibility needs as per Part M requirements of the Building Regulations, promoting inclusivity within the development.
- Co-living and student accommodation is not proposed as part of this development.

- This proposed management framework will ensure that the development is maintained to a high standard over its lifecycle, supporting the creation of a sustainable and vibrant residential community.

7.2. Further Responses

Further responses have been received from the following.

- An Taisce
- IAA
- Airspace Studios
- Galway Retail Park CLG
- Cleverson Ltd
- Brendan Mulligan
- Intersport Elverys
- Derek McDonagh

The main points raised are summarised below. It is considered that no new issues were raised and therefore they did not need to be recirculated to the applicant.

Parking

- There remains significant concern in relation to the proposed development and the resulting impact on the neighbouring retail park.
- With the removal of the car parking there will be an under-provision of spaces on the site to provide for the existing day-to-day demand.
- The proposed provision of 33 no car parking spaces for the development is an unacceptably low provision and will result in car parking overflowing into the existing retail park.
- The traffic survey should have been carried out at a busier time of the year, such as during The Arts Festival or The Races.
- Active travels measures are not in place to compensate for the loss of parking.

- A detrimental impact on car parking in the Galway Retail Park seems inevitable.

Aviation

- Recommendation to attach a condition relating to the erection of cranes on site.

Access

- The Cleverson Development has not been designed to take vehicular traffic other than infrequent controlled service vehicles.
- Through traffic movements at the Cleverson Development junction with the Headford Road would pose a traffic risk and would place other unreasonable burdens including piling costs, maintenance and surveillance security obligations.
- The developers of the Cleverson Site request that a revised access proposal be considered.

Pumping Station

- The proposed development positions new residential blocks only 6-7m from the permitted Cleverson pumping station, falling short of the 15m implied separation distance required under the Uisce Eireann 'Code of Practice for Wastewater'.
- Recommended that proposed wastewater pumping station to be designed with sufficient capacity and storage to also serve the Cleverson Development.
- The developers of the Cleverson Site are keen to ensure that the grant of a permission for the subject development would not prejudice any potential future amendment or standalone planning permission.

Infrastructure.

- There is insufficient or no capacity within the wastewater drainage network to take the volume and convey it to the Mutton Island WWTP without it being discharged through Stormwater Overflows downstream.

- Interventions recommended Section 5 and 6 of The Galway Drainage Area Plan Stage 4 Strategy, Optioneering and Future Solutions Design Report, April 2025, (GDAP) are directly relevant to the provision of adequate wastewater capacity to service this proposed development.
- In the GDAP to overcome a 'Hydraulic incapacity of the sewer network downstream, particularly around St. Brendan's Avenue resulting in surcharge backup' the recommended option includes the upgrade of approximately 877 meters of combined sewer which will enhance sewer capacity and facilitate better surcharge management.
- If the proposed development is constructed before these improvements, flood risk would be exacerbated.
- The proposed development is premature as there is no prospect of the necessary interventions to provide adequate capacity in the wastewater drainage network within the next 5 years or more.
- The frequent overflows are a breach of the Wastewater Discharge Licence and would compromise the achievement of 'good' status required to comply with the Water Framework Directive.
- The development would result in an increase of polluting matters into the estuary of the River Corrib, a Special Area of Conservation.

8.0 **Assessment**

8.1. In terms of assessing the planning application there are four separate elements: a planning assessment, an environmental impact assessment (EIA), an appropriate assessment (AA) and a Water Framework Directive Assessment (WFA). This planning assessment section addresses issues that are not more appropriately addressed in the EIA and it should be read in conjunction with both the EIA, AA, WFA sections.

Having examined the application details and all other documentation on file, including the third-party submissions, and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this planning application, other than those set out in detail within the EIA, AA and WFD are as follows:

- Nature of the application
- The Masterplan and Site Layout
- Density
- Building Height and Design
- Flood Risk
- Compliance with the Sustainable Urban Housing: Design Standards for New Apartments Guidelines (July 2023)
- Daylight, Sunlight and Shadowing
- Parking and Transport
- Infrastructure

8.2. Nature of the Application

8.2.1. This application under Part X and XAB Section 175 (3) and Section 177AE (3) of the Planning and Development Act, 2000 (as amended) (The Act). Planning applications where the Planning Authority, either in its own capacity or in partnership with another entity, proposes to carry out development within its functional area in which an Environmental Impact Assessment (EIAR) and Natura Impact Assessment (NIS) have been prepared. Such applications are made directly to An Coimisiun Pleanála for assessment and decision, in this case for approval of a residential-led development for 219 apartments and a creche.

8.2.2. The application is being made by Galway City Council (GCC) in partnership with the Land Development Agency (LDA). Therefore, it is not an application for permission made under Part 9 of the Land Development Agency Act, 2021, or to which Part 5 of the Planning & Development Act, 2000 (as amended), applies.

8.3. The Masterplan and Site Layout

8.3.1. Section 10.7 of the Galway City Development Plan 2023-2029 states that the development of the Headford Road Regeneration Sites, of which the subject site is one of, would be best realised within the structure of a Local Area Plan (LAP). The LAP has yet to be prepared. It is stated that the LAP will build on a previous draft framework for these lands. The Draft Headford Framework Plan was prepared in 2009 and did not progress beyond draft stage.

8.3.2. Section 10.7 of the Development Plan requires that, in the event of application for the Dyke Road Car Park lands being lodged before a Local Area Plan for the wider Headford Road area has been adopted, a masterplan will take cognisance of the integrated development strategy included for in the framework plan for this area.

8.3.3. A Development Framework has been submitted as part of the application. The proposed Corrib Causeway Development Framework comprises of three phases. Phase 1 is the subject of this application, the proposed phase 2 is to develop the south of the car park for civic, commercial and cultural uses. Phase 3 consist of two potential options: the conservation of the Black Box theatre or relocation of the theatre to another location and development of a residential block facing Terryland Forrest Park.

8.3.4. An Architectural Design Statement has been included with the application. It states the subject site, the central area of the overall landholding, being the more underutilized was identified as the best location for residential development, providing an enhancement of the River Corrib's riverside environment and providing an attractive outlook for residents.

8.3.5. I consider that the provision of residential uses on the subject site and potentially on the phase three site to be acceptable as it locates the residential element in close proximity to the natural amenities of the River Corrib walkways and the Terryland Forest Park. I consider that proposed commercial and cultural elements in Phase 2 south of the subject adjacent to the Headford Road will provide the opportunity for an accessible landmark building which will complement the recently granted student accommodation. (P.A. Ref: 22/259). In this regard the masterplan and the proposed development will comply with Development Plan Policy 10.2 and therefore comply

with the CC objective of the site. A number of observations relate to the loss of carparking on this site. I have assessed this in section 8.9 of this report.

8.3.6. The Masterplan and the proposed development generally adhere to the objectives of the Draft Headford Road Framework Plan 2009. I note that the Draft Headford Road Framework Plan 2009 indicated a new junction with the Dyke Road north of the subject site and the N6 and indicated a new street, 'Pier Street' which would traverse the subject site and connect to the Headford Road

8.3.7. In the proposed masterplan this new link has been updated due to the student accommodation approval. Condition No.6 of the planning application for amendments to the student accommodation (P.A. Ref: 22/259) stated that '*The access route from Headford Road shall allow for general public accessibility and shall from first occupation of the building allow for direct access to lands at the rear of the site currently used as a public car park…..'*

8.3.8. The student development showed a vehicular and pedestrian access route going through the site and ending at the site boundary. At this location on the application site a turning circle is proposed with a pedestrian link to the adjoining student accommodation site. In the Architectural Design Statement it is stated that in accordance with condition no. 6 of P.A. Ref: 22/259 pedestrian and cycle movement will be facilitated, however a through route for vehicles was determined to be not possible for Phase 1 due to a number of factors including the ongoing engagement with the student accommodation developer and potential management/security concerns.

8.3.9. An observation has been received from the developer of the proposed student accommodation. They state that there are operational and general security concerns associated with unfettered pedestrian and cyclist access to the rear and that access through the permitted student accommodation development was not designed is it capable of accommodating a vehicles traffic through route.

8.3.10. The Architectural Design statement states that the proposed site layout is the first phase of the public street connecting to the Headford Road and that the phase two application will allow an update of the southern street which will remove the need for the proposed turning circle as through access will be provided whether trough the student accommodation or via the eastern edge of the phase 2 site.

8.3.11. I consider that the granting permission for the student accommodation under P.A. Ref 22/259 and ABP ref.309673 established the provision of a through route from the subject site to the Headford Road. While I acknowledge there may be detailed design arrangement to be resolved, the establishment of this general public accessible route is a key element in the overall development of these regeneration lands. As there is no guarantee of the adjoining phases being developed, I consider that the proposed development should provide provision for this access. I note that, in their further submission, the developers of the student accommodation site suggest an alternative access route through their site and have submitted drawings of a revised scheme for their site. The acceptability of a revised scheme on this neighbouring site is a matter for a subsequent planning application and cannot be considered in this appeal. There is an opportunity for the access route to the building and creche to be redesigned to allow for the access to the adjoining lands. If the Board is minded to grant permission, I recommend the attachment of condition requiring for a redesign of the access road to facilitate a connection. I consider that such a condition would not preclude the developers of the adjoining site amending their proposed development to allow for a revised access route arrangement.

8.3.12. An observation raised the issue of the reduced accessibility from the subject site to the Galway Retail Park due to the proposed boundary fencing and increased hedgerow. At present there is one pedestrian access from the retail park to the site which is currently in use as a car parking. The applicant considered the retention and enhancement of this east west link and considered removing ground floor apartments to allow a pedestrian link. This was rejected for a number of reasons, including flood management measures, pedestrian safety and significant security concerns for residents. Given that there is not an adopted LAP with a masterplan for the adjoining site and that the existing link was serving the car park to be removed I consider that future pedestrian linkages to the adjoining site located at the north and south of the site as shown on the submitted masterplan would provide adequate permeability and connectivity for Phase 1.

8.3.13. The submitted Masterplan and the Architectural Design Statement has detailed the potential for a north south connection and a new street that will integrate with future development of the lands currently occupied by the Galway Retail Park. I am satisfied that the layout of the proposed development and its open space will not be

prejudicial to the successful redevelopment of the Headford Road Regeneration Area.

8.3.14. In conclusion, subject to the change to allow for access to the adjoining lands, I am satisfied that the proposed Master plan and site layout will comply with Development Plan Policy 10.2 and therefore comply with the CC objective of the site. I consider that the proposed development will not prejudice the coherent development of the remaining Terryland Regeneration Lands and will provide a catalyst for the comprehensive, efficient and permeable layout for the remaining lands.

8.4. Density

8.4.1. The proposed development consists of 219 apartments on a site with a net area of 0.95 Hectares. The proposed development at a net density of 234dph.

8.4.2. Development Plan Policy 3.3 (5), encourages 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.

8.4.3. Policy 5.5(5) Sustainable Neighbourhood Concept of the Galway City Development Plan states that the Galway Urban Density and Building Height Study (UDBHS) (2021) gives direction on the suitability of different neighbourhoods in the city to accommodate increased densities.

8.4.4. Section 17.3 East: Bohermore, Headford Road, College Road, Lough Atalia of the UDBHS (2021) notes that densities in this area could be significantly increased to create a high density new northern neighbourhood for the city centre, with the Headford Road axis as its High Street. It also states that is scope for greater density with a mixed-use development capacity to deliver 50+ dph. The proposed development at a net density of 234dph would 50+ DPH and in principle would comply with the development plan in this regard.

8.4.5. I note that Section 3.4 of the Development Plan states that the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas

DECLG2009 provides guidance with regard to higher density residential development.

8.4.6. These guidelines have been replaced by the Sustainable and Compact Settlement: Guidelines for Planning Authorities 2024. As these set out current national planning policy I will also have regard to the provisions contained in these guidelines. For Galway City centre and the immediate surrounding neighbourhoods, in Table 3.2 the Guidelines recommend the application of density in the range of 100dph to 250dph (net). The proposed development at a net density of 234dph is within this density range. Given the accessible location of the site and its proximity to a planned Bus Connects Cross-City Link, I consider that the density is acceptable as the proposed development will contribute to compact growth and has the potential to act as a catalyst to the regeneration of the entire Headford Road area creating a new urban neighbourhood in an extension of the City Centre area.

8.5. Building Height and Design

8.5.1. Section 17.3 of the Galway UDBHS (2021) states that 'within the Headford regeneration area where large sites are capable of generating their own character, there is scope for greater height if designed carefully as demonstrated in approved development.' It is noted that planning permission has been granted for a 7-storey student accommodation development on the adjoining site to the southeast.

8.5.2. The proposed development consists of a single block articulated by a change in heights and materials. The height of the building ranges from five-storeys over basement to nine storeys over basement with the building having a maximum height of 32.20m. Two mobile telecommunications antenna mast are proposed. The overall height of the proposed development including the mast is 38.18m.

8.5.3. I note that in their submission An Taisce consider the height of the proposed building to be excessive and should be limited to 7 storeys only.

8.5.4. Criteria for taller buildings is set down under Section 3.2 of the Urban Development and Building Heights Guidelines in relation to design at a district level.

8.5.5. The proposal development presents a strong urban edge to a new city centre extension redevelopment area that will positively responds to the River Corrib and its

overall natural environment. The proposed development will create its own character which will act as a catalyst and precedent for compact growth in this underutilised area.

8.5.6. The articulation of the building form by its variation in height, well considered materials and its cranking linear form will ensure the proposal is not monolithic. The proposal enhances the urban design context for public spaces, including the Dyke Road river walkway and the Terryland Forest Park. The proposed development will enhance the River Corrib frontage by introducing a sense of scale and enclosure. This can be seen in the submitted verified views and CGIs especially view V7, V10 and V16

8.5.7. The proposed development will make a positive contribution to the improvement of legibility through for the wider area by establishing a strong identity for the urban edge of the Headford Road Regeneration Area. The proposal will positively contribute to the mix of uses available in the area and has the potential to create a new urban residential community.

8.5.8. I satisfied that the proposal does comply with the criteria set down under Section 3.2 of the guidelines. Having regard to the submitted drawings and the verified views and CGIs I am also satisfied that the proposed density, scale and height of the proposed development is appropriate for this Dyke Road Regeneration Site and will provide a suitable precedent to the regeneration to the wider Headford Road regeneration area. Therefore, I consider that the proposed development has been carefully designed and will generate its own character for the Headford Road/Dyke Road and is in compliance with Section 17.3 of the Galway UDBHS (2021) and therefore the development plan.

8.6. Flood Risk

8.6.1. The site is adjacent to the Corrib River. The ground levels on the overall master plan site range from 3.84m at the northern end of the site to 7.12m in the southern portion of the site. There is a small retaining wall in the southern portion of the site where the car parking levels step up from about 6.0m to around 7.0m. The ground levels on the phase 1 lands range from 4.8m to 5.9m with the level in the centre of the site typically being around 5.3m.

8.6.2. The Galway City Development Plan 2023-2029 included a flood risk assessment.

It identifies the main sources of flood risk within Galway City. These are:

- Coastal and estuarine flooding of areas adjacent to the coast or tidal estuaries.
- Fluvial or riverine flooding due to the riverbanks overtopping.
- Fluvial or riverine flooding due to embankment collapse or overtopping, particularly along the Dyke Road embankment.
- Pluvial flooding resulting from water run-off and ponding in low spots following intense rainfall.
- Drainage flooding due to failure or inadequacies of the sewerage system.

8.6.3. The Dyke Road embankment is c.20m west of the subject site. The site is located in Flood Zone A. which indicates a high probability of flooding. The Flood Zones are based on an undefended scenario and do not take into account the presence of flood protection structures such as flood walls or embankments. This is to allow for the residual risk of flooding behind the defences due to overtopping or breach and that there may be no guarantee that the defences will be maintained in perpetuity.

8.6.4. The Development Plan Flood Risk Assessment reviewed specific development sites including the Dyke Road Car Park and Headford Road Retail Area. A 3-stage justification test was carried out for the site. The site was identified in the core strategy as strategic regeneration site adjacent to the city centre and given its accessible location the site meets Part 2 of the Justification Test.

8.6.5. Part 3 of the justification test highlights the residual risk of the site from the Dyke Road embankment overtopping or breaching. At present the Dyke Road embankment is shown to prevent the River Corrib entering the area in the defended 1% AEP fluvial event. This does not include sufficient freeboard however and does not meet the standard of protection required for a formal defence. It is stated that the embankment is critical to preventing flood risk to the subject site. The embankment is modelled to overtop in the 0.1% AEP event. As part of the Coirib go Cósta: Galway City Flood Relief Scheme improvements to the Dyke Road embankment are being proposed. Given the proximity to an SAC and protected structure the works will be significant to develop, design and execute.

8.6.6. Part 3 of the Justification Test included a detailed flood risk assessment and model runs were carried out. I note that the model runs carried out show that the site is currently defended to the 1% AEP standard of protection, but that the embankment height is variable and does not include a freeboard allowance. There is a high residual risk of flooding in both the 0.1% AEP event and when climate change is considered, when the embankment is overtopped and a high volume of water from the Corrib is allowed to fill the site and surrounding lands. Flood levels in the 0.1% AEP result in between 0.5 and 1.5m of flooding across the site. I note that the Stage 3 FRA undertaken in this assessment has demonstrated that the principle of land raising is acceptable.

8.6.7. The report recommends that development of this regeneration site requires site specific assessment and plan should include the following additional flood management measures.

- Highly vulnerable development should be located above the 0.1% AEP level, with an appropriate freeboard. This may be achieved through setting the ground floor at a suitable height or by locating highly vulnerable uses (and particularly sleeping accommodation) at first floor level.
- An emergency plan and evacuation procedure in the event of an embankment failure should be prepared along with any planning proposal for the site.
- Basements should be discouraged, and if included should be accessed from a level above the recommended finished floor level and fully sealed to ensure no water ingress.

8.6.8. A Site-Specific Flood Risk Assessment (SSFRA) has been included with the application. This has been prepared by AECOM and dated 1st March 2025. Given that the residential use is classed as a highly vulnerable development in The Food Risk Management Guidelines and the site is located in Flood Zone A, a justification test is required. Therefore, the applicant has carried out a site-specific justification test as per Chapter 5 of the Planning System and Flood Risk Management – Guidelines for Planning Authorities (Nov 09) DHLGH. The following is a summary of that justification test:

Table 4 Justification Test

Justification Test for Development Management			
Criteria			**Response**
1		The subject lands have been zoned or otherwise designated for the particular use or form of development in an operative development plan, which has been adopted or varied taking account of the Guidelines.	The site is zoned CI. The zoning objective specifically identifies that the 'CI' zoning should allow for the development of Regeneration and Opportunity Sites in with the provisions of Chapter 10. The Development Plan Core Strategy promotes the development of regeneration and opportunity sites. Chapter 10 states that the site will include for affordable housing options.
2		The proposal has been subject to an appropriate flood risk assessment that demonstrates:	The existing Coirib go Cósta Flood Relief project model has been used as the baseline model for the LDA Corrib Causeway Project Hydraulic Assessment.
	(i)	The development proposed will not increase flood risk elsewhere and, if practicable, will reduce overall flood risk.	The hydraulic model demonstrates that there are no changes in offsite flood extents between the pre-development and post-development scenarios for the Q100_MRFS event.
	(ii)	The development proposal includes measures to minimise flood risk to people, property, the economy, and the	The following mitigation measures are proposed:

		environment as far as reasonably possible.	• The adoption of a residential Finished Floor Level (FFL) of 7.28m • External services and chambers to be watertight and flood-proof. • Critical infrastructure including the substation and the wastewater pumping station are above the 0.1% AEP flood level • Foul and Storm anti flood valves installed on connections below the 7.28m level. • Any infrastructure/ objects below the design flood level are at risk in a flood event. Mitigation measures are included in the evacuation / emergency strategy. • The provision of emergency evacuation routes above the 7.28m level
	(iii)	The development proposed includes measures to ensure that residual risks to the area and/ or development can be managed to an acceptable level as regards the adequacy of existing flood protection measures or the design, implementation and funding of any future flood risk management measures and	A Flood Emergency Plan which includes: Provision of flood warnings, evacuation plans and ensuring public / residents are aware of the flood risk. Coordination of emergency plans with the relevant emergency services. The flood evacuation route proposed is above both the 100 year (1%AEP) _MRFS flood level and also the

		provisions for emergency services access; and	1,000 year (0.1% AEP) _MRFS event. Flood monitoring and warning systems Door closers to prohibit access to spaces below +7.28m.
	(iv)	The development proposed addresses the above in a manner that is also compatible with the achievement of wider planning objectives in relation to development of good urban design and vibrant and active streetscapes.	The mitigation measures have been carefully developed with the entire design team so as to ensure urban design and active streetscapes.

8.6.9. I note that the Development Plan SFRA for the Dyke Road and Headford Road Retail Area assumed the lands would be raised as the Stage 3 FRA undertaken demonstrated that the principle of land raising is acceptable and the increase in flood extent in other areas would be negligible. The flood risk assessment did not include for compensatory storage. The application SSFRA states that when designing the proposed development this was deemed not feasible as the land will be developed in three phases, raising the lands would require a volume of flood compensation storage that would result in the lands being undevelopable. Significant retaining structures around the perimeter of the lands would be required which may prevent wider planning objectives in relation to development of good urban design and vibrant and active streetscapes.

8.6.10. It is proposed to set the building Finished Floor Level (FFL) at 7.28m, with the external ground level at circa 5m. The proposed building will, in effect, be on stilts with only the cores extending down to external ground level. It is proposed that the lower ground level façade will be permeable as screens/louvres are proposed. It is

stated that in doing so the flood storage volume currently available on site can be maintained.

8.6.11. The CFRAM Fluvial Flood levels- Modelling Water level (m OD) indicated that the closest measured node point to the site will have an estimated water level of 6.48 for the 1% AEP (Flood Zone A) and 6.98 for 0.1% Event (Flood Zone B). The SSSFA states that taking a conservative approach by adopting a 500mm climate-change allowance, with 300mm freeboard equates to a proposed residential finished floor level of 7.28 OD. I note that it is stated that this floor level will provide protection against a 0.1% AEP plus 300mm. Aside from the building cores, bike and bin storage no uses are proposed in the basement area with permeable facades which allow flood waters to run through.

8.6.12. I note that the submission from An Taisce and from Niall Murphy all raise concerns relating to the potential for flooding in the area. One of the concerns relates to the flood risk assessment which was carried out before recent reports from UCG. The referenced analysis from a NUIG research team stated that Storm Eowyn which occurred in January 2025 ‘generated storm surges that were more than 2.5m above the normal predicted tidal water levels.’ I note that Storm Éowyn’s landfall on January 24th coincided with outgoing water, meaning there was little to no flooding impacts. The data from NUIG suggests that the water levels would have reached 4.96 metres above the normal tidal level at Galway Port. The team’s modal imagery shows that the subject site is outside the area at risk from a 2.5m storm surge or sea level rise. The imagery shows that some flooding is to be expected on the Dyke Road adjoining the site. With regard to coastal flooding the SSFRA states that from a review of the OPW CFRAM mapping and predicted flood water levels it can been seen that the coastal flood risk at the site is low. Having assessed the CFRAM Mapping I concur that the maps indicate the coastal flood risk at the site to be low.

8.6.13. The SSFRA indicated that that Galway City Council stated that the Coirib go Cósta Flood Relief Scheme is developing the works for the Dyke Road embankment improvements. However, there is no programme for these works that can be provided. Ground investigations are yet to commence and given the proximity to an SAC and protected structure the works will be significant to develop, design and execute. The objective of the Coirib go Cósta Flood Relief Scheme is to ‘assess and develop a Flood Relief Scheme, that is technically, socially, environmentally,

aesthetically and economically acceptable, to reduce the risk of flooding to the Community of Galway City to a determined Standard of Protection and to manage residual risk.'

8.6.14. I note that coastal flooding was assessed in detail as part of the study using a dynamic hydraulic model of the entire coastal floodplain of the study area for the Coirib go Cósta Flood Relief Scheme. The target Standard of Protection (SoP) for coastal flooding for the scheme is to prevent flooding to properties during fluvial flood events with a 0.5% Annual Exceedance Probability (AEP). The predicted coastal 0.5 AEP Extents shows that the subject site will not be impacted by fluvial flooding. The proposed defences include a freeboard allowance to allow for uncertainty in the design. A detailed Scheme Climate Change Adaption Plan (SCCAP) will be prepared for the preferred scheme, which will identify the strategy for maintaining the SoP of the scheme in the event of future increases in extreme flood risk.

8.6.15. As part of the public consultation the Coirib go Costa Flood Relief Scheme recognises the risk of overtopping of the existing embankment providing flood protection along the Dyke Road and puts forward three options: a combination of embankment and wall, a wall only and an embankment only. A preferred scheme option, when chosen, will be subject to detailed design, including but not limited to technical assessments, planning approvals, further public, and stakeholders' engagement and other statutory or regulatory requirements. I note that the design of the proposed development has regard to the Coirib go Costa Flood Relief Scheme, but the proposed flood mitigation measures do not rely on the above proposed additional measures to the Dyke Road embankment.

8.6.16. From an assessment of the information in Site Specific Flood Risk Assessment submitted with the application and having regard to the site-specific justification test for the Dyke Road Carpark and Headford Road Retail Area – Part of Headford Road and Dyke Road Regeneration Site contained in the Galway City Development Plan 2023-2029 I consider that the proposed development satisfies the justification Test for the following reasons:

- The proposed site is designated in the Galway City Development Plan as a regeneration site and is a Land Development Agency (LDA) national priority

site for the delivery of housing and other uses in collaboration with the City Council.

- The proposed development has been designed with finished floor level of the ground floor apartments that is above the 0.1% AEP level, including allowance for climate change and an appropriate freeboard.
- The proposed area below the ground floor has permeable façade and aside from bike and bin stores does not have a use.
- An adequate emergency plan has been submitted with the planning application.
- The hydraulic modelling demonstrates that there are no changes in the offsite flood extents between the pre-development and the post development scenarios.
- The provision of emergency evacuation routes above the 7.28m level.

Given the result of the justification test and the proposed Coirib go Costa Flood Relief Scheme I am satisfied that the design and management of the proposed will not result in an adverse impact on the surrounding area and will ensure the impact of flooding on the proposed residents will not be significant.

I note that in the further submission from An Taisce, dated the 19th August 2025, it is stated that if the proposed development is built before the improvement works to the sewer network around St. Brendan's Avenue, as included in the Galway City Drainage Area Plan - Stage 4: Strategy, Optioneering and Future Solutions Design Report are carried out, the flood risk would be exacerbated. As stated above I am satisfied that the design and management of the proposed development will ensure the impact of flooding will not be significant and will not exacerbate the risk of flooding in the area.

8.7. Compliance with the Sustainable Urban Housing: Design Standards for New Apartments Guidelines

8.7.1. Section 11.3 of the General Development Standards and Guidelines in the Galway City Development Plan deals with Residential Development. It states that *'Apartment*

developments will be reviewed having regard to the above and also the Government guidance, Sustainable Urban Housing: Design Standards for New Apartments (2020), which provides the current quantitative guidance for designing apartments in order to ensure design quality safeguards are in place to avoid the development of poor quality living environments'.

8.7.2. I note that The Design Standards for Apartments, Guidelines for Planning Authorities (2025) have been recently published and Sustainable Urban Housing: Design Standards for New Apartments (2020) and subsequent revisions. These are applicable to any application for planning permission and to any subsequent appeal or direct application to An Coimisiún Pleanála submitted after the issuing of the Guidelines, i.e. from 9th July 2025.

8.7.3. I note the Department Circular letter NSP 04/2025 which states that:

"The revocation of the 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities', 2023 (and all preceding updates) does not apply to current appeals or planning applications, i.e. that were subject to consideration within the planning system on or before the 8th of July 2025. These will be considered and decided in accordance with the 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities', 2023, or as set out below, where applicable."

I shall therefore assess the proposed development against the standards in 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities', 2023. I note that in their observation An Taisce consider that a higher percentage of family type units is recommended.

8.7.4. The SPPRs contained within these Guidelines are as follows:

- SPPR 1 (Housing developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) There are no studios proposed, and 109 no. 1-bed apartments proposed. This equates to 49.8%. Therefore, SPPR 1 is complied with. Given the proposed development provides 78no four person apartments and 10no. five person apartments, I consider that there is an adequate mix of dwelling types for a variety of household sizes.

- SPPR 2 – As this refers to building refurbishment schemes on sites of any size, or urban infill schemes on sites of up to 0.25 hectares, it is not relevant to this application.
- SPPR 3 relates to minimum apartment floor areas. A Housing Quality Audit has been submitted with the application, and I note the content of same. The proposed development has 65% of the apartments which are 10% over the minimum apartment sizes detailed in the SPPR 3. Therefore, SPPR 3 is complied with.
- SPPR 4 states that (i) 'A minimum of 33% of dual aspect units will be required in more central and accessible urban locations, where it is necessary to achieve a quality design in response to the subject site characteristics and ensure good street frontage where appropriate.' Given the definition of accessible urban locations in paragraph 2.4 (1) of the Guidelines, and the proximity of good public transport links, I consider the site to be in an accessible location. It is proposed that 86 of the apartments are dual aspect. This accounts for 39% of the overall development of 219 apartments. Therefore, SPPR 3 is complied with.
- SPPR 5 states 'Ground level apartment floor to ceiling heights shall be a minimum of 2.7m and shall be increased in certain circumstances, particularly where necessary to facilitate a future change of use to a commercial use.' The submitted sections show that the proposed development maintains a minimum ceiling height of 2.7m at ground floor and 2.4 m on upper floors.
- SPPR 6 states that a maximum of 12 apartments per floor per core may be provided in apartment schemes. The proposed development has three stair/lift core and further to an inspection of the floor plans I consider that no floor has more than 12 apartments per core.
- SPPR 7 – As this refers to shared accommodation/co-living, it is not relevant to this application.

8.7.5. Appendix 1 of the Guidelines relates to minimum and aggregate floor areas, room widths, private open space, and storage. Having assessed the submitted drawings and the Housing Quality Audit I consider that the proposed room sizes and widths

comply with the standards. I also consider that the proposed storage areas meet in some incidences exceed the guideline standards.

8.7.6. Private amenity space is provided to all apartments by the way of balconies to upper floors. The balconies all provide the required minimum depth of at least 1.5m, all balconies are accessed off the living areas and, in some cases, also from a bedroom.

8.7.7. Appendix 1 also requires communal amenity space. The proposed development will provide 1,605 sq.m of communal amenity space via a private and sheltered garden to the east of the block. I consider that the proposed communal open space is in an accessible location and will receive adequate daylight. (see section 7.8).

8.7.8. Having regard to the foregoing, I consider that the SPPRs are complied with. I also consider that other requirements of the Guidelines relating to minimum and aggregate floor areas, room widths, private open space, storage, and communal amenity space are complied with, and the proposed development would provide an appropriate standard of residential amenity for the future occupants.

8.8. Daylight, Sunlight and Shadowing

8.8.1. A Daylight and Sunlight Assessment Report was submitted with the application. This report assessed the proposed development against the BRE Guidelines (BR 209). The impact of the proposed development on the windows of the adjoining Black Box Theatre and the first-floor commercial units of Galway Retail Park were assessed. I note that the loss of light to the artist studios in the Black Box Theatre has been raised as a reason for concern in the submission from Artspace Studios.

8.8.2. The report states that at The Black Box the Vertical Sky Component (VSC) of 2 no. windows would be impacted, with a level of effect categorised as ‘minor adverse’ for both. The two affected windows already had baseline VSC values below the recommended minimum of 27%, at 19.82% and 19.87%, and with the proposed development would be 82% compliant with BRE Guidelines. This is due to the existing metal structure overhead, which limits the amount of daylight reaching these windows. The report concluded that the proposed development is likely to cause a relatively greater reduction in daylight due to the already low baseline values. I

consider that this to be reasonable and acceptable given the urban location, the commercia/cultural use of the Black Box Theatre and that the BRE VSC standards are for residential development.

8.8.3. While two windows in the Galway Retail Park will experience a 'moderate adverse' effect from the proposed development, these spaces are non-residential and again I consider this to be acceptable.

8.8.4. The report finds that the proposed development would not considerably affect the current levels of sunlight in the existing properties. Only 2 no. windows at The Black Box fall marginally below the recommendations for annual sunlight hours. Therefore, with regard to sunlight and daylight, I consider that the proposed development will not be seriously injurious to the amenities of the studio spaces of the Black Box or the surrounding properties.

8.8.5. The Spatial Daylight Autonomy (SDA) received in all habitable rooms within the proposed development both with and without trees has been assessed. Out of 558 no. habitable rooms that have been assessed 555 no. habitable rooms meets or exceeds the appropriate target values. This gives a circa compliance rate of 99%. I consider that this is a hight rate of compliance and acceptable.

8.8.6. For sunlight exposure the assessment has shown that, depending on effect of trees, the circa compliance rate for the assessed units, in accordance with the BRE Guidelines, is 94%. I consider, again that for a development of this size that this is acceptable.

8.8.7. Having regard to the above, I consider that the proposed apartments will receive adequate sunlight and daylight.

8.8.8. The submitted Daylight and Sunlight Assessment Report also assessed the level of sun on the proposed amenity areas. The public open space which runs parallel to Dyke Road will benefit from ample levels of sunlight given its unobstructed southwest orientation.

8.8.9. The communal open space to the east of the building, while partially obstructed by the southern wing of the building, will have almost 60% of its area capable of receiving 2 hours of sunlight on the Match 21st and will therefore meet the BRE

Guideline (BR209) criteria. I therefore consider that the communal open space and the proposed play area will receive adequate sunlight.

8.9. Parking and Transport

8.9.1. The proposed development includes the removal of the existing car park and the provision of 33 car parking spaces for 219 residential units. I note that in a number of the submissions the issues of the removal of car parking on this site and the limited parking for the future occupants has been raised as points of concern.

Removal of the existing car parking.

8.9.2. Submissions state that the loss of the existing car park will further increase the pressure on the existing car parking within the adjoining retail park and will have a detrimental effect on the business in the Galway Retail Park.

8.9.3. I note that the submission from the Galway International Arts Festival states that the car parking in front of the Black Box Theatre. is the only viable access point for large vehicles servicing the theatre at present. Its loss will severely restrict logistical operations. Reduced parking, it is claimed, will directly impact attendance and revenue. I note that the Back Box Theatre is owned and managed by Galway City Council.

8.9.4. The existing Dyke Road car parking is a long-term public car park with a daily charge regardless of time or duration of stay in the car park. A monthly charge is also accepted. The applicant has included in their submission a survey of use of the car park which concludes that it is underutilised. At the time of site inspection, I observed this to be the case.

8.9.5. As stated above, the delivery of a regeneration project to extend and intensify the City Centre on these lands along with adjoining lands on the Headford Road is identified as a Growth Enabler for Galway in the National Planning Framework First Revision 2025. The site has been identified in the Galway City Development Plan as a Regeneration and Opportunity Site. The proposed development has the potential to act as a catalyst to kick-start the regeneration of the wider area and revitalise underutilised lands through the implementation of a fully integrated and sustainable development. This is an important regeneration site with the opportunity to provide

an extension to the City Centre and to provide housing in a highly accessible location. The proposed development of 219 residential units will also provide a customer base within walking distance of the nearby commercial units.

8.9.6. This proposed Phase 1 will result in the removal of 389 no. car parking spaces. No.165 public car parking spaces will remain in the southern section of the Masterplan lands. I note the Development Plan maximum parking standard for theatres in this area is 1 space per 10 seats. The capacity of the Black Box Theatre is 600 seats and therefore to comply with Development Plan the maximum number of car parking for a theatre of the size of the Black Box would be 60 spaces. Therefore, given the highly accessible location of the Black Box Theatre and its proximity to existing and future public transport I consider that there will be adequate car parking to serve the Black Box Theatre if the parking on the phase two lands remains. I note that the existing access to the Black Box curtilage, delivery areas and onsite parking will remain as existing. I consider that the proposed development will not be seriously injurious to the operations of the Black Box Theatre.

8.9.7. Having regard to the above, I consider that the loss of car parking on this underutilised site to provide for a significant residential development on this designated redevelopment site to be warranted.

Car Parking Provision

8.9.8. The submission from the NTA raises concerns that the car parking provision may be too low, given the mix of unit types, the number of persons likely to live in the units and the need to support sustainable communities.

8.9.9. The proposed development consists of 219no. residential units and 33 car parking spaces. In the development plan the site is located in the Inner Residential Neighbourhood Area. Section 11.3.3 of the development plan states that the parking standard is a maximum of 1 car parking space per dwelling and that for new developments in the inner residential areas at locations that are served by public transport or close to high density employment areas, a reduced overall car parking standard can apply, in particular on grounds of sustainability or urban design.

8.9.10. As stated above in Section 7.4 of this report, I consider that the site is located in a City Centre location as defined in table 3.2 of the Sustainable and Compact Settlements – Guidelines for Planning Authority. SPPR3 (i) of the guidelines states that:

'In city centres and urban neighbourhoods of the five cities, defined in Chapter 3 (Table 3.1 and Table 3.2) car-parking provision should be minimised, substantially reduced or wholly eliminated. The maximum rate of car parking provision for residential development at these locations, where such provision is justified to the satisfaction of the planning authority, shall be 1 no. space per dwelling.'

8.9.11. The proposed development site is in a highly accessible location, being 100m from a supermarket, 600 m from Shop Street 650m from Eyre Square and 800m north of Ceant Train & Bus Station. The site is within a 15-minute walking distance from the city centre and the hospital and the university. I note the site is served by bus routes with 9 no. routes passing within 1 km of the site. There are several bus stops within 500 m radius of the site. The site is also within 500 meters of the proposed BusConnects Galway network. A bus stop on Francis Street, 500m from the site serves all of the proposed Bus Connects routes. Most of the employment areas in Galway are within a 30min. public transport travel time of the proposed site with the remaining employment area being within 60min.

8.9.12. The Public Transport Capacity Report has been submitted with the planning application. The report assessed the bus capacity for the buses stopping at the Francis Street inbound and outbound bus stops. The survey found that the bus routes serving these stops are high frequency routes bus also have a high rate of available capacity. The report concludes that the proposed development site is well served by public transport with large capacity and frequent services. It also concludes that the existing bus network has sufficient capacity to accommodate passenger trips generated from the proposed development site. Given the proximity of the city centre to the site the report noted that the site has the potential for a significant modal shift towards increased public transport with a number of existing and proposed bus services in close proximity to the site. The report has assessed the public transport demand from the proposed development and concludes that there is amply capacity on the existing bus network for bus commuting from the

proposed development. I consider that the conclusion of this report in this regard appears to be reasonable.

8.9.13. An Outline Mobility Management Plan has also been submitted with the application. The report states that the proposed provision of 33 car parking spaces equates to a provision of 0.15 car parking spaces and the lower provision is aimed at reducing the additional traffic loading in the area due to the good sustainable transport connectivity available in the area.

8.9.14. I note that 5 of the 33 car parking spaces are being designated for car club use only. The Outline Mobility Management Plan states that European research has shown that each car club space has the potential to replace the journey of up to 15 private cars. The plan estimates that the 5 no. car club spaces result in an 'equivalent provision' of 26=(5x15) =101 no. private car spaces which equated to 0.46 car parking spaces per residential unit.

8.9.15. A submission raises a concern that the low car parking provision will result in an overspill of car parking to the adjoining retail park and on the adjoining roads. I note that there is parking enforcement including clamping in the Galway Retail Park and Galway Shopping Centre for non-customers and for long term use. I also note that there is parking restriction in most of the existing surrounding residential areas.

8.9.16. With a proposed reduction in transportation emissions of 50% by 2030 based on the government's 'Climate Action Plan 2025' there is a major emphasis to make the shift towards active travel. While noting the National Transport Authority concern relating to the number of car parking spaces, as stated above I consider that this is one of the most accessible locations in Galway City for significant residential development and along with the mobility management measures proposed, there is a significant opportunity for future occupants to utilise active travel. In this regard the proposed development will contribute to achieving the NPF objective 10 of ensuring compact and sequential patterns of growth and contribute to the Climate Action Plan 2025 target of reducing traffic emission. I therefore consider that proposed car parking provision is acceptable and in compliance with SPPR3(i) of the Compact Settlement Guidelines.

8.9.17. The NTA comments also state that the design and location of cycle parking provided should include for a range of cycle types. A total of 345 bicycle spaces are proposed,

these included storage for larger bike such as cargo bikes. Of these spaces 119 spaces are designated for visitors, including 8 cargo spaces and 2 universal accessible spaces. Ten spaces are to be designated for the staff of the creche. This number of spaces exceeds the Development Plan requirements for bicycle parking as detailed in Table 11.3. *Cycle Parking Requirements for Residential Developments* and also meets the requirements of SPPR 4 - *Cycle Parking and Storage* of the Sustainable and Compact Settlement – Guidelines for Planning Authorities.

8.9.18. In the response to the observation received the applicants have submitted a drawing (drawing no. DRG-MOLA-ZZ-ZZ-DR-A-02160 the proposed bicycle parking provision. This includes the provision cargo bike parking, Sheffield Stands and Stacked Bike parking spaces. Having assessed the drawings I am satisfied that adequate provision has been made for the parking of various types of bicycles throughout the site in appropriate locations.

8.10. Infrastructure

Existing Infrastructure

8.10.1. It is proposed to relay the gravity foul sewer serving the Black Box Theatre and install a new gravity sewer network to serve the development. The existing wastewater pumping station (WWPS) that serves the Black Box Theatre is to be decommissioned and a new WWPS constructed. The pumping station is located so that it is above the 1 in 100-year return period event water level. An emergency tank with 24-hour storage capacity at dry weather flow has been provided to serve Phase 1 development and the Black Box Theatre. The existing 150mm rising main serving the existing WWPS is to be retained and reused. Uisce Éireann have confirmed that a 20m upgrade of a 150mm diameter sewer from Dyke Road to Wood Quay will be required. It is stated that these works will be undertaken by Uisce Eireann. Uisce Eireann have stated that these works would have to be funded by the applicant.

8.10.2. A number of the observations raise concerns relating to the condition of infrastructure in the area. An Taisce in their submission states that there are issues with two wastewater pipes under the River Corrib at the Long Walk, with one pipe being at risk of collapse at any time. They also consider that the proposed

development is premature pending an upgrade to the Galway City wastewater network is complete.

8.10.3. Brendan Mulligan, in his submission, considers that there are longstanding deficiencies in the wastewater collection network in the Galway agglomeration, some of which will directly affect this proposed development. He considers If permission is to be granted, it should include conditions requiring remedial works to the two existing siphons under the estuary of the River Corrib and improvements to the stormwater overflow camber at the Long Walk to reduce tidal infiltration.

8.10.4. Mr. Mulligan has included a copy of an independent survey, carried out by McBreen Environmental in 2024 and commissioned by a third party of the two siphons at the Long Walk. The report gave the structural condition of the larger siphon a Grade 5 and indicates that for this grade *'best practice indicates that this pipe is at risk of collapse at any time. And urgent consideration should be given to repairs to avoid total failure'.* Mr Mulligan has included a copy of the Uisce Eireann Galway City Drainage Area Plan Stage 3 Risk Assessment and Needs Identification Report. In this report the same siphons were not classed as being either grade 4 or 5 sewers. I note that the service grades of the sewers of the Stage 3 Report were based on 2019 CCTV data.

8.10.5. Mr. Mulligan's submission also states that the Storm Water Outflow (SWO) at the Long Walk often overflow discharging polluting matter into the waters within a Special Area of Conservation. It also states that the SWO is subject to tidal backup. A copy of the Uisce Eireann record of the frequency of the and duration of overflow events at the Long Walk Storm Overflow has been submitted.

8.10.6. Mr Mulligan states that the raising the weir level of the Long Walk SWO to prevent tidal inflows and the construction of a third 750mm diameter siphon are included in the recommended programme of works which was part of the EPA Wastewater Discharge Licence Application with a completion date of 2014, and that these have not been carried out. This appears to be the case.

8.10.7. Mr Mulligan highlights that in Table 12-1 of the Uisce Eireann Galway City Drainage Area Plan Stage 3 Risk Assessment and Needs Identification Report (June 2024) the following measure is proposed: '*The weir level on the SWO at Long Walk needs*

to be raised to prevent inflow from the Corrib River under high tide conditions. High tide causes backflow into the siphons.'

8.10.8. I note that this risk is one of numerous identified in the Galway City Drainage Area Plan Stage 3 Risk Assessment and Needs Identification Report. The further submission from Mr Mulligan and An Taisce, both dated the 19th August 2024, have included extracts from the Galway City Drainage Area Plan Stage 4 - Strategy, Optioneering and Future Solutions Design Report. To overcome the issues relating to discharges from the Long Walk SWO the report recommends that Option 2 be selected as the recommended solution. Option 2 consists of the installation of approximately 6.8km of surface water sewer to facilitate separate of surface water from combine sewer upstream and reduce surcharge in the combined network. The suggested implementation timeframe for these works are medium/long term or more than 5 years. An Taisce consider that the proposed development is premature until the above works are carried out.

8.10.9. I also note that the Uisce Eireann wastewater supply capacity register states there is spare capacity available at the Galway Wastewater Treatment Plant for Galway City and water supply capacity register states that there is capacity for water supply subject to Level of service (LoS) improvement required.

8.10.10. A Confirmation of Feasibility from Uisce Eireann was submitted with the application. It confirms that there is sufficient capacity at the water treatment plant and wastewater treatment plant for the proposed development. An Uisce Eireann reply to a Design Submission confirms that they have no objection to the proposals subject to local upgrades. In response to a request for the diversion of the 225mm sewer as part of the proposed development Uisce Eireann states that, subject to valid agreements being put in place, the diversion can be facilitated. The submissions from Brendan Mulligan and An Taisce, state that in the Confirmation of Feasibility there is no evidence of adequate capacity of the pipes under the estuary of the River Corrib to accommodate the proposed development. I note that the most recent Annual Environmental Report (2024) available from the EPA for the Galway Wastewater Treatment Plant indicates that the WWTP is compliant with the Emissions Limit Values set in the Wastewater Discharge Licence. It states that the discharge from the wastewater treatment plant does not have an observable impact

on the water quality and does not have an observable negative impact on the Water Framework Directive status.

8.10.11. As Uisce Eireann is the national regulated water utility and have stated that there is sufficient capacity in the water treatment plant and sufficient capacity at the wastewater treatment plant, I am satisfied that there is sufficient infrastructural treatment capacity for the proposed development.

8.10.12. While the concern about overflows is acknowledged, these relate to the wider public wastewater network and remain the responsibility of Uisce Éireann. Any breach of the WWTP Licence is the responsibility of the EPA. I note that the most recent available Annual Environmental Report (AER) for the Galway City WWTP is 2024 (UE, 2024). The AER identified that the final effluent was compliant with the Emission Limit Values (ELVs) specified in the discharge license (EPA Licence No. D0050-01). I note that in this report it is stated that upgrading to the Long Walk SWO is at planning stage.

8.10.13. I recognise that there may be deficiencies in the public network and acknowledge the stated concerns relating to the protection of the European Sites. I consider the issue to be whether the proposed development will have significant impacts on the current situation and would have significant effects on the appropriate European site or compromise the Article 4 Objectives of the Water Framework Directive.

8.10.14. The proposed development site is currently a car park with a 100% impermeable surface where surface water discharges unattenuated directly to the Terryland Stream. The proposed development includes green roofs, exfiltration permeable paving and lengths of raingardens/swales. It is also proposed to provide hydrocarbon separator upstream of the main development attenuation tanks to remove any hydrocarbons suspended in the site run off before the connection to the existing concrete network. With the construction of the proposed development the rate of run-off discharge from the proposed development will reduce from 130 l/s to 25 l/s resulting in a reduction of approximately 80%.Having regard to the proposed surface water strategy, I consider that there will be a significant improvement in the quality and quantity of run-off discharged from the site.

8.10.15. The proposed development includes the decommissioning of the existing wastewater pumping station (WWPS) serving the Black Box Theatre, and the construction of a new WWPS with 24hr storage capacity serving the theatre and the proposed development. The existing WWPS is included in Galway City Drainage Area Plan Stage 3 Risk Assessment and Needs Identification Report as a Risk due to the infiltration in heavy rain. The proposed WWPS will be an improvement on the current situation by resolving the infiltration issues to the network.

8.10.16. The proposed development consists of 219 apartments and a creche. The applicant has calculated a population equivalent (PE) for the proposed development of 686 persons. The overall PE capacity of the Galway WWTP in the is 170,000. The PE of the proposed development would represent 0.4% of the total capacity of the Galway WWTP. I consider, therefore, that the increase discharge to the Galway WWTP as a result of the proposed development is not significant in terms of the overall scale of the facility. I, therefore, consider that the increased load does not have the capacity to alter the effluent released from the WWTP or associated infrastructure to such an extent as to result in significant effects on the receiving waters.

8.10.17. The proposed development has been Appropriately Assessed (See Section 9 and Appendix 2) which following an examination, analysis and evaluation of the NIS all associated material submitted and taking into account the observations, I consider that adverse effects on site integrity of the Lough Corrib SAC, Galway Bay Complex SAC, Inner Galway Bay SPA and Lough Corrib SPA can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.

8.10.18. The proposed development has also been assessed to determine if it will compromise Water Framework Directive (WFD) Article 4. (See Section 9 and Appendix 2). I draw the Commission attention to the Waster Framework Directive status of the Corrib River (Corrib_020 & Corrib_10) as Good. Corrib Estuary Transitional Waterbody as Moderate, Inner Galway Bay North Coastal Waterbody as Good and Clare Corrib Ground Water Body as Good. The Moderate status of the Corrib Estuary Transitional Waterbody relates to Chemical Surface Water Status and are not a result of any potential issues with the wastewater infrastructure. Urban

Wastewater Treatment has not been identified as a significant pressure on the status of this waterbody.

8.10.19. A Water Framework Directive Assessment has been submitted with the application. This has been assessed in Section 11 of this report. Having regard to the design of the proposed development and the information submitted with the application, especially the NIS, the EIAR and the WFDA, I am satisfied that the proposed development will not cause a deterioration in the status of waterbodies connected to the proposed development, specifically within a local zone of the Clare-Corrib GWB, and receiving waterbodies including the Terryland_010, the Corrib_020, the Corrib Estuary and the Inner Galway Bay North.

8.10.20. To conclude, notwithstanding issues in the wider Galway infrastructure network, having regard to the:

- Relative scale of the development,
- The existing capacity of the Galway Wastewater Treatment Plant,
- The local improvement works in the network and resolution of existing issues with the Black Box pumping station,
- The proposed surface water management,

and subject to a connection agreement from Uisce Eireann I consider that the development can be considered to be acceptable and will not compromise the objectives of Article 4 of WFD and adverse effects on site integrity of the Lough Corrib SAC, Galway Bay Complex SAC, Inner Galway Bay SPA and Lough Corrib SPA can be excluded.

Pumping Station

8.10.21. The submission from Cleverson Ltd. raises concerns relating to the distance of the proposed pumping station on the adjoining student accommodation site, as granted permission under permissions Ref 22/259 and ABP ref.309673, to the residential units within the proposed development. In the Uisce Eireann Code of Practice for Wastewater Infrastructure, it is recommended that, in order to minimise odour, noise and vibration, the minimum separation distance to be provided between

pumping stations and a property boundary is 15m.This distance may be subject to change depending on local circumstances and early discussions with the Planning Authority and Irish Water. Cleverson Ltd states that the pumping station, as granted permission under Ref 22/259 and ABP ref.309673 would, be 6-7m from the proposed residential units which are the subject of this application. It appears that the proposed building is approximately 10m from the location of the pumping station as granted permission on the neighbouring site. The applicant states that the window of the nearest residential unit is 6m above ground floor level. Having regard to the vertical and horizontal distance between the proposed apartment and the proposed pumping station I consider that there will be adequate distance achieved to prevent any significant impact on future residents. I also consider that granting permission for the proposed development will not prejudice the development of the adjoining site.

8.10.22. I note that in their further submission Cleaverson Ltd. suggest that the pumping station on the application site be designed with sufficient capacity and storage to serve the Cleaverson development. While this may be a practical approach, I consider that this is beyond the scope of this application as there is uncertainty as to the extent of the development on the Cleaverson site.

8.10.23. Having regard to the above I am satisfied that the infrastructure for the proposed development will not have a significant impact on the surrounding area or on any proposed development.

9.0 Environmental Impact Assessment

9.1. Statutory Provisions

9.1.1. In the Schedule 5, Part 2 of the Planning and Development Regulations 2001 as amended defines projects that require a mandatory EIA. These include:

- Schedule 5, Part 2- Class 10 Infrastructure Projects (b) (i) Construction of more than 500 units, requires EIA for 500 dwelling units.
- Schedule 5, Part 2- Class 10(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.

9.1.2. The proposed development includes 219 no. residential units which is below the threshold of 500 units for a mandatory EIA. The 1.144-hectare site is located in a business district. The proposed development does not exceed the threshold for Part 2, Section 2, Section 10(b)(i) and 10(b)(iv). Notwithstanding this the applicant has had regard to the precautionary principle and prepared a EIAR for the proposed development.

9.2. EIA Structure

9.2.1. This section of the report comprises the environmental impact assessment of the proposed development in accordance with Planning and Development Act 2000 (as amended) and the associated Regulations, which incorporate the European directives on environmental impact assessment (Directive 2011/92/EU as amended by 2014/52/EU). Section 171 of the Planning and Development Act, 2000 (as amended) defines EIA as:

a. consisting of the preparation of an EIAR by the applicant, the carrying out of consultations, the examination of the EIAR and relevant supplementary information by the Board, the reasoned conclusions of the Board and the integration of the reasoned conclusion into the decision of the Board, and

b. includes an examination, analysis and evaluation, by the Board, that identifies, describes and assesses the likely direct and indirect significant effects of the proposed development on defined environmental parameters and the interaction of these factors, and which includes significant effects arising from the vulnerability of the project to risks of major accidents and/or disasters.

9.2.2. Article 94 of the Planning and Development Regulations, 2001 and associated Schedule 6 set out requirements on the contents of an EIAR.

9.2.3. This EIA assesses compliance with the requirements of Article 94 and Schedule 6 of the Regulations. The EIA also provides an examination, analysis and evaluation of the development and an assessment of the likely direct and indirect significant effects of it on the following defined environmental parameters, having regard to the EIAR and relevant supplementary information:

- Population and human health.

- Biodiversity, with particular attention to the species and habitats protected under the Habitats and Birds Directives (Directive 92/43/EEC and Directive 2009/147/EC respectively).
- Land, soil, water, air and climate.
- Material assets, cultural heritage and the landscape.
- The interaction between these factors.
- The vulnerability of the proposed development to risks of major accidents and/or disasters.

9.2.4. The assessment provides a reasoned conclusion and allows for integration of the reasoned conclusions into the Boards decision, should they agree with the recommendation made.

9.3. Issues Raised in Respect of EIA

9.3.1. Issues raised in respect of EIA by parties to the application are:

- Reduction in air quality
- Damage to the cultural fabric of the city.
- Flood risk in the area.
- Inadequate existing wastewater infrastructure.
- The proposed removal of car parking spaces in the area.

9.4. Compliance with the Requirements of Article 94 and Schedule 6 of the Regulations 2001

9.4.1. Compliance with the requirements of Article 94 and Schedule 6 of the Regulations is assessed below.

Table 5: Information to be contained in an EIAR

Article 94 (a) Information to be contained in an EIAR (Schedule 6, paragraph 1)
A description of the proposed development comprising information on the site, design, size and other relevant features of the proposed development (including the additional information referred to under section 94(b).
A description of the proposed development is contained in Chapter 3 of the EIAR including details on the location, site, design and size of the development, arrangements for access and construction methodology and spoil and waste to be generated. In each technical chapter the EIAR details are provided on use of natural resources and the production of emissions and/or waste (where relevant). It is noted that the proposed development works includes the decommissioning the existing Black Box Theatre wastewater pumping station and that the proposal does not involve building demolition works.
A description of the likely significant effects on the environment of the proposed development (including the additional information referred to under section 94(b).
An assessment of the likely significant direct, indirect, and cumulative effects of the development is carried out for each of the technical chapters of the EIAR. I am satisfied that the assessment of significant effects is comprehensive and robust and enables decision making.
A description of the features, if any, of the proposed development and the measures, if any, envisaged to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment of the development (including the additional information referred to under section 94(b).
The EIAR includes designed in mitigation measures and measures to address potential adverse effects identified in technical studies. These, and arrangements

for monitoring, are summarised in Chapter 9 (Mitigation and Monitoring Measures) and in Appendix 14-2 Outline Construction Environmental Management Plan Mitigation measures comprise standard good practices and site-specific measures and are largely capable of offsetting significant adverse effects identified in the EIAR for the reasons stated in the assessment below.
A description of the reasonable alternatives studied by the person or persons who prepared the EIAR, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the proposed development on the environment (including the additional information referred to under section 94(b).
A description of the alternatives considered is contained in Chapter 4 of the EIAR. The alternatives considered include alternative location, alternative uses, alternative layout and design. Given the nature of the proposed development, it was not considered necessary to consider alternative process for the proposed development. The main reasons for opting for the current proposal were based on minimising environmental effects including flooding and urban design. I am satisfied, therefore, that the applicant has studied reasonable alternatives in assessing the proposed development and has outlined the main reasons for opting for the current proposal before the Board and in doing so the applicant has taken into account the potential impacts on the environment.
Article 94(b) Additional information, relevant to the specific characteristics of the development and to the environmental features likely to be affected (Schedule 6, Paragraph 2).
A description of the baseline environment and likely evolution in the absence of the development.
A description of the baseline environment is included in each technical chapter of the EIAR and an assessment of the likely evolution of it, in the absence of the development.
A description of the forecasting methods or evidence used to identify and assess the significant effects on the environment, including details of difficulties (for

example technical deficiencies or lack of knowledge) encountered compiling the required information, and the main uncertainties involved
The methodology employed in carrying out the EIA, including the forecasting methods is set out, in each of the individual chapters assessing the environmental effects. The applicant has indicated no difficulties were encountered (technical or otherwise) in compiling the information to carry out EIA. I am satisfied that forecasting methods are adequate in respect of likely effects on biodiversity, land, soil, water, air and climate, material assets, cultural heritage and the landscape.
A description of the expected significant adverse effects on the environment of the proposed development deriving from its vulnerability to risks of major accidents and/or disasters which are relevant to it.
This issue is specifically dealt with in the in Chapter 17 of the EIAR. Specific risks have been identified in relation to the project's vulnerability of the project to peat slide, flooding and fire. These risks are reasonable and are assessed in my report.
Article 94 (c) A summary of the information in non-technical language.
Volume 1 consists of a non-technical summary which I consider to be adequate.
Article 94 (d) Sources used the description and the assessments used in the report
The sources used to inform the description, and the assessment of the potential environmental impact are set out at the end of each chapter. I consider the sources relied upon are generally appropriate and sufficient.
Article 94 (e) A list of the experts who contributed to the preparation of the report
A list of the various experts who contributed to the report are set out in Table 1-1 in Chapter 1 of the Report. Where relevant the introductory section of each chapter also details the individual's expertise, qualifications which demonstrates the competence of the person in preparation of the individual chapters within the EIAR. I am satisfied that the EIAR has been prepared by experts with competency in the technical subject areas.

9.4.2. **Consultations**

The application has been submitted in accordance with the requirements of the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended) in respect of public notices. In addition, the applicant has carried out public consultation though the implementation of a Community & Stakeholder Engagement Plan as detailed in the submitted Site Development Framework report. Submissions have been received from statutory bodies and third parties and are considered in this report, in advance of decision making.

I am satisfied, therefore, that appropriate consultations have been carried out and that third parties have had the opportunity to comment on the proposed development advance of decision making.

9.4.3. **Compliance**

Having regard to the foregoing, I am satisfied that the information contained in the EIAR, and supplementary information provided by the developer is sufficient to comply with article 94 of the Planning and Development Regulations, 2001. Matters of detail are considered in my assessment of likely significant effects, below.

9.5. Assessment of Likely Significant Effects

9.5.1. This section of the report sets out an assessment of the likely environmental effects of the proposed development under the following headings, as set out Section 171A of the Planning and Development Act 2000, as amended:

- Population and human health.
- Biodiversity, with particular attention to the species and habitats protected under the Habitats and Birds Directives (Directive 92/43/EEC and Directive 2009/147/EC respectively).
- Land, soil, water, air and climate.
- Material assets, cultural heritage and the landscape.
- The interaction between these factors.

- The vulnerability of the proposed development to risks of major accidents and/or disasters.

9.5.2. In accordance with section 171A of the Act, which defines EIA, this assessment includes an examination, analysis and evaluation of the application documents, including the EIAR and submissions received and identifies, describes and assesses the likely direct and indirect significant effects (including cumulative effects) of the development on these environmental parameters and the interaction of these. Each topic section is therefore structured around the following headings:

- Issues raised in the appeal/application.
- Examination of the EIAR.
- Analysis, Evaluation and Assessment: Direct and indirect effects.
- Conclusion: Direct and indirect effects.

9.6. Population and Human Health

9.6.1. Issues Raised

With regard to population and human health, noise and disturbance to the existing artists' studios and the loss of car parking were raised in the submissions.

Examination of the EIAR

9.6.2. Context

Chapter 5 deals with Population and Human Health. The assessment is undertaken in accordance with government and industry best practice guidelines. The assessment methodology includes desk top studies and site visits to examine the receiving environment. The study area consisted of a 1km radius of the subject site. No limitations are identified and are not evident in the assessment.

9.6.3. Baseline

A total of 25,913 people were recorded within the study area in the 2022 census. The site is in the St. Nicholas ED which saw a 25.9% increase in population between 2016 and 2022. With a consistently rising demand for housing in Galway City, population figures are envisaged to increase across most EDs within the Galway City administrative area in the next decade. It is also worth noting that, Galway City's population continues to expand robustly. The Core Strategy Chapter of the City

Development Plan 2023-2029 projects the population to increase to approximately 114,900 people by 2031 for the Galway City and Suburbs area.

The study highlights that Galway has an above average concentration of individuals under 30 years of age. This reflects the Study Area's proximity to the local university.

The household size in the study area is 2.49 persons while the CSO 2022 household size figure for Galway City is 2.62. In the study area 60% of the total households are 1-2 person households.

The Study Area catchment area has a slightly smaller proportion of individuals classed as at work compared to Galway City. The proportion of those classed as 'retired' within the Study Area is slightly higher than the average for Galway City.

There is a wide range of employment opportunities in various sectors within the Study Area and wider surrounding area.

Give the site central location it has a wide range of social and community infrastructure facilities. The subject site is located within the Galway City Core Retail Area and is proximate to a variety of land uses, services, amenities and public transport nodes.

9.6.4. Potential Effects

Table 6: Summary of Potential Effects: Population and Human Health

Project Phase	**Potential Direct, Indirect and Cumulative Effects**
Do Nothing	• Underutilisation of the site from a sustainable planning and development perspective, particularly considering the location of the lands adjacent to high quality public transport, and within a city centre area.
Construction	• The likely effect of air quality on human health, arising from construction dust, during the construction stage will be slight, short term and not significant. • All construction works will take place during daytime hours and so the relative construction noise impact will be slight, not significant and short-term.

	• The likely levels of vibration from the site are expected to be significantly below the vibration criteria for building damaged based on experience from other similar sites. • Potential risk of runoff with contaminants migrating offsite via existing surface water drainage within the site. During a flood event there is the potential for pollutants derived from construction materials to be mobilised by flood waters. • Based on the implementation of the mitigation measures outlined in Chapter 8 Hydrology the likely effect on water quality and subsequently human health will be imperceptible and short-term during the construction phase. • In light of national, regional and local policy it is likely that that the impact of removal of car parking and provision would have a significant, long-term positive effect that will achieve local and wider county, regional and national objectives.
Operation	• There will be an addition of 219 no. units to the supply of housing to the study area. This is considered to be a significant and positive, long-term effect. • The proposed development itself will employ between 10-20 no. staff for the management of the residential scheme and staff for the childcare facility The overall effect on employment is direct and indirect, moderately positive and medium to long term effects. • Given the low level of carparking and the accessible location there will be a negligible impact on air quality in the vicinity of the development due to associated traffic flows. The overall effect of operational noise and vibration on human health is neutral, not significant and long-term. • With the pollution control measures, to ensure the risks are minimised. It is considered that the likely impact on the water

	quality from surface water runoff will be positive, imperceptible – slight and permanent. • With the reduction of traffic movement there is likely to be a long-term positive impact on the surrounding road network as a result of the proposed development. • The visual impact of the proposed development is predicted to be significant, positive and permanent due to the regeneration of the existing car park into a vibrant, high-quality architectural space.
Decommissioning	• Not Applicable
Cumulative	• The cumulative impact of the proposed development with the remaining masterplan proposal has been noted. • The other permitted development in the area including the Bus Connects and the adjoining Student Accommodation are noted.

9.6.12. Mitigation

No specific mitigation measures are required during the Construction Phase of the Proposed Development in relation to population and human health, given the lack of direct effects resulting from the Proposed Development.

Mitigation measures in relation to air quality, noise, traffic, waste etc. are identified in their respective chapters in this EIAR.

The proposed development has been designed to avoid negative impacts on population and human health through:

The inclusion of a childcare facility.

- Landscaping to mitigate against issues arising from microclimate conditions.
- A comprehensive foul and surface water management system.
- Energy efficiency measures.
- High quality finishes and materials.

9.6.13. Residual Effects

The new population will support existing schools, shops, public transport, and the local community. Additional facilities will be provided in the area including the childcare facility. It is considered that there will be a slight, long-term, positive impact on the population and human health. No specific mitigation measures have been proposed for population and human health so residual impacts will be slight positive.

9.6.14. Analysis, Evaluation and Assessment: Direct and Indirect Effects

I have examined, analysed and evaluated chapter 4 of the EIAR, all of the associated documentation and submissions on file in respect of human health and population. I am satisfied that the applicant's presented baseline environment, is comprehensive and that the key impacts in respect of likely effects on human health and population, as a consequence of the development, have been identified. Parties to the application have raised a number of issues in respect of human health and population, which I address below:

- Noise
- Construction Impacts

In relation to nuisance arising from increased noise and dust during the construction phase, I am satisfied that these impacts would be mitigated by a suite of appropriate construction phase management measures, including implementation of measures within the mitigation measures of section 9.7 of the EIAR to control noise to specific target levels, and section 10.6 dust avoidance, remedial and mitigation measures monitoring, resulting in no significant residual effects for human health.

9.6.15. Conclusion: Direct and Indirect Effects

9.6.16. Having regard to the examination of environmental information in respect of human health and population, in particular the EIAR provided by the applicant and observers in the course of the application, it is considered that the main significant direct and indirect effects on human health and population are, and will be mitigated as follows:

• significant direct positive impacts for population, due to the substantive increase in the housing stock during the operational phase.

• direct negative effects arising for human health during the construction phase, which would be mitigated by a suite of appropriate construction phase management measures, including dust management, noise minimisation measures and monitoring, resulting in no residual impacts on human health.

9.7. Environmental Topic: Biodiversity

9.7.1. Issues Raised

The additional loading on the wastewater infrastructure in the area and its impact on the Special Area of Conservation has been raised in a submission.

Examination of the EIAR

9.7.2. Context

Chapter 6 deals with Biodiversity. The assessment is undertaken in accordance with government and industry best practice guidelines. The assessment included desk study, habitat surveys, terrestrial fauna study, bat activity survey, breeding bird surveys, and wintering bird survey. I consider that adequate surveys have been carried out at appropriate times of the year, to identify the effects of the proposed development on the biodiversity of the area.

No limitations are identified and are not evident in the assessment.

9.7.3. Baseline

The baseline line and the receiving environment is described in section 6.3. The EIA identifies that the proposed site is c.15m east of the Lough Corrib SAC, downstream of the Lough Corrib SPA and c.700m upstream of the of the Inner Galway Bay SPA and Galway Bay Complex SAC.

The River Corrib is a main wildlife corridor and includes reed swamp and meadows along Dyke Road. The Terryland Forest Park, an important local biodiversity area, is adjacent to the site.

The proposed surveys did not find any protected or rare species or non-native invasive species on the proposed development site.

The EIA identifies the site as being almost entirely comprised of built or disturbed environment including car parking, footpaths and other areas of hardstanding. The same habitats are noted to the east of the site: The Galway Retail Park.

Given the disturbed landscape badgers, otters and other mammals were not recorded on the site. There is potential for these species in the adjoining Terryland Forest Park and along the banks of the River Corrib.

Three Bat species were recorded during activity surveys; however, the existing car park site has no potential for roosting bats. Suitable mature trees with potential roost features exist to the north of the site, in Terryland Forest Park and adjacent lands.

While Lough Corrib SAC is the closest European site selected for the Lesser horseshoe bat, the roost that forms the QI population for this European site is c. 35km away from the project, on the northern shores of Lough Corrib.

The NBDC desk study returned records of a total of 76 breeding bird species within c.2km of the site. Records included 3 species listed under Annex I of the Birds Directive, 18 Amber-listed and 11 Red-listed species. This includes 64 species with breeding and wintering populations. The three Annex I species include black-throated diver, little egret, and Mediterranean gull, all of which are birds typically found in coastal and estuarine habitats.

While the site does not provide breeding or foraging habitat for most species, the lands surrounding it including the River Corrib and Terryland Forest Park are considered high value for birds as they are commonly used and support a range of species.

No wintering bird species were observed foraging within the site during wintering bird surveys. Five species were observed flying over the site.

There are NBDC records of sea lamprey, brook lamprey and salmon in the vicinity of the Proposed Development in the River Corrib.

White-clawed crayfish are a QI species of Lough Corrib SAC, 15m from the site. White-clawed crayfish are freshwater species and do not occur in brackish estuarine habitats and they have not been recorded downstream of the site.

The NBDC desk study did not return any records of freshwater pearl mussel within c. 2km of the site. However, salmonid species passing through the lower River Corrib,

form a key supporting role to the freshwater pearl mussel population and are at risk of water quality impacts in the lower River Corrib, i.e. where the site is located.

There are NBDC records of harbour seal, grey seal, harbour porpoise and bottlenose dolphin within the vicinity of the site.

9.7.4. Potential Effects

Table 7: Summary of Potential Effects - Biodiversity

Project Phase	**Potential Direct, Indirect and Cumulative Effects**
Do Nothing	• Expected that the existing recolonising bare ground would continue to develop and would likely continue to support similarly low numbers of flora and fauna.
Construction	• Impact on SAC/SPA dealt with in the assessment of the NIS. • Contamination of surface water affecting aquatic and wetlands habitats impacting the Galway Bay Complex pNHA downstream and surface water and ground water quality and associated habitats. • The accidental spread of non-native invasive plant species as a result of construction works has the potential to impact terrestrial habitats within and immediately adjacent to the site boundary. • Dust during construction works which could affect vegetation in habitat areas adjacent to the site. • Foraging badger might become entrapped in deep excavations, particularly in areas adjacent to open parkland. • Disturbance of otter from foraging areas could potentially affect the local otter population. • Construction could affect the wintering bird colonies and have long-term effects on the local wintering populations.

	• The effects of frequent and/or prolonged pollution events in a river system could potentially have significant long-term effects on fish population and marine mammals.
Operation	• Impact on SAC/SPA dealt with in the assessment of the NIS
Decommissioning	• N/A
Cumulative	• It is predicted that once appropriate mitigations are put in place during construction, impacts on biodiversity will not be significantly impacted.

9.7.12. Mitigation

Mitigation measures for significant effects from the proposed development on Biodiversity are detailed in Section 6.6 of the EIA. Mitigation measures for the pNHA are as those detailed in the NIS. The mitigation measures include:

- Adequate protection of adjacent vegetation during construction.
- A confirmatory pre-construction invasive species survey to be undertaken. An Invasive Species Management Plan to be implementation if required.
- Construction Phase, all works will be undertaken in accordance with the Construction Environmental Management Plan (CEMP).
- There will be no authorised discharge of water to ground during the construction phase.
- During the construction phase, fuelling and lubrication of equipment will be carried out in accordance with the procedures outlined in the CEMP in a designated area of the site away from any watercourses and drains.
- Emergency procedures will be developed by the appointed contractor in advance of works commencing and spillage kits will be available on-site including in vehicles operating on-site.
- A piling risk assessment is completed by the appointed contractor at detailed design stage and in advance of construction works commencing on site. The proposed piling methodology will adhere to the Environment Agency's (EA)

guidance on ‘Piling into Contaminated Sites’ (EA, 2002) and ‘Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention’ (EA,2001)

- Implementation of dust control measures.
- Security lighting in active works areas in close proximity to watercourses with known otter activity will be designed in conjunction with a suitably qualified ecologist to minimise light spill.
- A confirmatory pre-construction check of the site for potential new badger burrow entrances, resting places and signs will be carried out prior to construction works commencing to confirm their usage by badger or other potential protected mammals.
- Construction stage lighting details will be reviewed by a qualified bat ecologist. If necessary, the bat ecologist will recommend adjustments to directional lighting to restrict light spill in sensitive areas.
- Should nesting birds be encountered during surveys, the removal of vegetation will be required to be delayed until after the nesting has finished.

9.7.13. Residual Effects

Therefore, the Proposed Development is not likely to have significant residual effects on any nationally designated sites. The landscaping design will result in a potential positive impact on local habitats, in that there will be an increase in vegetated habitat over the current site.

With the implementation of the mitigation measures outlined, no residual impacts are predicted on bats, breeding/wintering birds, fish, marine mammals at any geographical scale. Bats boxes are to be installed to provide alternative roosts.

9.7.14. Analysis, Evaluation and Assessment: Direct and Indirect Effects

9.7.15. I have examined, analysed and evaluated chapter 6 of the EIAR, all of the associated documentation and submissions on file in respect of biodiversity. I am satisfied that the applicant’s presented baseline environment, is comprehensive and that the key impacts in respect of likely effects on biodiversity, as a consequence of the development have been identified. The impact of the proposed development on

the Local Corrib SAC, Galway Bay SAC, Inner Galway Bay SPA and Lough Corrib Spa have been assessed in the Appropriate Assessment and I consider that adverse effects on site integrity these European Sites can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.

9.7.16. Conclusion: Direct and Indirect Effects

Having regard to the examination of environmental information in respect of biodiversity, in particular the EIAR provided by the applicant and the observers in the course of the application, it is considered that the main significant direct and indirect effects on biodiversity are, and will be mitigated as follows:

- direct negative effects arising for aquatic habitat during the construction phase, which would be mitigated by a suite of appropriate construction phase surface water management measures, including sediment and pollution control measures, resulting in no residual impacts on biodiversity.
- Direct positive effects arising from the provision of roost facilities appropriate to the bat species recorded will be within or adjacent to the Proposed Development site.

9.8. Environmental Topic: Land, soil, water, air, climate.

9.8.1. Issues Raised

Concern has been raised in the submission relating to water quality due to the current condition of the wastewater infrastructure in the area. Concern has also been raised relating to noise and air quality during construction.

Examination of the EIAR

9.8.2. Context

The EIAR deals with Land, soil, water, air, climate in separate chapters. Chapter 7 deals with Land and Soil, Chapter 8 deals with Water (Hydrology and Hydrogeology), Chapter 9 deals with Noise and Vibration, Chapter 10 deals with Air Quality and Chapter 11 deals with Wind and Microclimate. The assessments are undertaken in

accordance with government and industry best practice guidelines. The assessments included desk study, and direct and indirect site investigation including noise monitoring surveys. I consider that adequate surveys have been carried out to identify the effects of the proposed development on the land, soil, water, air, climate of the area.

No limitations are identified and are not evident in the assessment.

I will deal with Land & Soil, Water and Air & Climate separately.

9.8.3. **Land and Soil**

Baseline

The soils beneath the site of the proposed development are mapped by Teagasc (Teagasc, 2025) as made ground (IFS Soil Code: Made). It is possible that the site was partially filled in the 1970s and 1980s with rubble from Galway's inner city, which may include medieval and late medieval architecture fragments. The subsoil or quaternary sediments beneath the site of the proposed development are mapped by the GSI (GSI, 2025) as urban. The bedrock beneath the site is mapped by the GSI (GSI, 2025) as the Burren Formation (New Code: CDBURR). Site investigation revealed that the bedrock is predominately fossiliferous limestone. The Ground Investigation Report did not identify any karst features at the site. Some high resistivities at depth indicate that there is clean limestone present that is liable to karstification, but it does not have to be karstified.

Table 8: Summary of Potential Effects: Land and Soil

Project Phase	**Potential Direct, Indirect and Cumulative Effects**
Do Nothing	• There would be no change or resulting impact on the nature of the site with respect to land, soil and geology which would remain as a public surface car park with localised areas of underlying soils impacted with hydrocarbon contamination.
Construction	• Unavoidable loss of in-situ soils and bedrock from the Proposed Development site to achieve the required

	formation levels for the Proposed Development including building foundations, roads, drainage and other infrastructure. • Potential risk associated with the use of cementitious materials during construction of subsurface structures on the underlying soil and geology. • Potential accidental release of deleterious materials including fuels and other materials being used onsite. • Potential impacts from importation of fill material may include loss of attribute and changes in the geological regime at the source site.
Operation	• No significant effects
Decommissioning	• N/A
Cumulative	• No significant effects predicted

Mitigation

The mitigation measures are detailed in Chapter 7. . They include.

- Implementation of the measures in the CEMP,
- The implementation of a Pollution Prevention Plan.
- The importation of aggregates and materials will be subject to management and control procedures including testing for contaminants, invasive species and other anthropogenic inclusions and assessment of the suitability for use.
- Preparation and implementation of an Excavated Material Management Plan.
- Where possible, stockpiling of soils and subsoils onsite will be avoided.

Residual Effects

The EIAR states that there will be no significant adverse residual impacts on land, soils and geology anticipated regarding the proposed development.

Analysis, Evaluation and Assessment: Direct and Indirect Effects

I have examined, analysed and evaluated Chapter 7 of the EIAR, all of the associated documentation and submissions on file in respect of Land and Soil. I am satisfied that the applicant understanding of the baseline environment, by way of desk and site surveys and archaeological testing, is comprehensive and that the key impacts in respect of likely effects on Land and Soil, as a consequence of the development have been identified. Adequate Mitigation measures have been proposed and there will be no significant residual effects.

Conclusion: Direct and Indirect Effects

Having regard to the examination of environmental information in respect of noise and vibration, in particular the EIAR provided by the applicant observers during the course of the application, it is considered that there will be no significant direct and indirect effects on land and soil.

9.8.4. **Water (Hydrology and Hydrogeology)**

Baseline

The EPA maps the groundwater body (GWB) beneath the site as the Clare-Corrib GWB (EU Code: IE_WE_G_0020) which has been classified as a Regionally Important Aquifer - Karstified (conduit) (RKc). The GSI (GSI, 2025) has assigned a groundwater vulnerability rating of 'High' for the groundwater beneath the site.

Groundwater primarily discharges into rivers, large springs, and Lake Corrib (EU Code: IE_WE_30_666a), located approximately 3.55m north of the site at its closest point. During winter, it contributes to turloughs and is directed through artificial channels to manage flooding.

Contributions to the River Corrib (River Waterbody Code: IE_WE_30C020600), located approximately 0.07km west of the site at its closest point, and the Terryland Stream, located approximately 0.13km north of the site at its closest point, are also considered likely.

The site is mapped by the EPA (EPA, 2025) as within the Corrib WFD Catchment (Catchment I.D.: 30), the Corrib_SC_010 WFD Sub-catchment (Sub-catchment I.D.: 30_18) and the Terryland_010 WFD River Sub-Basin (River Waterbody Code: IE_WE_30T010500). The closest surface water feature is recorded on the EPA database (EPA, 2025) as the Terryland Stream (River Waterbody Code: IE_WE_30T010500), which is located approximately 0.13km north of the site at its closest point.

There is existing surface water infrastructure traversing the site and the existing carpark site is nearly 100% impermeable and unattenuated flows discharges to the Terryland Steam.

The site benefits from the Dyke Road flood protection embankment, which provides some defence against the 1% Annual Exceedance Probability (AEP) event, though it lacks sufficient freeboard and climate change allowances.

The site of the proposed development is located within an area serviced by mains water supply.

Potential Effects

Table 9: Summary of Potential Effects: Water (Hydrology and Hydrogeology)

Project Phase	**Potential Direct, Indirect and Cumulative Effects**
Do Nothing	• The risk to persons and property from flooding remains unchanged. • Surface water treatment and discharge volumes would remain unchanged with potential for increased negative effects in response to climate change pressures.

Construction	• Potential impacts from importation of fill material may include loss of attribute and changes in the geological regime at the source site. • Potential accidental release of hazardous material including fuels and oils being used onsite to the underlying groundwater. • A temporary reduction in impermeable surfaces across the site and the groundwater vulnerability is expected to temporarily increase. • Potential release of contaminants which would spread rapidly through the interconnected network of underground pathways characteristic of karst landscapes to receiving watercourses including the Terryland Stream, the Corrib River and the Corrib Estuary. • Potential to mobilise anthropogenic contaminates in the underlying groundwater. • Potential risk of runoff with contaminants migrating offsite via existing surface water drainage and during floor events.
Operation	• Increase discharge to the Galway WWTP will reduce the overall available capacity of the facility and UE infrastructural upgrades are required before connection. • While the development is to be defended from flooding, the site is located within flood zone A, therefore there is a potential imperceptible to slight negative risk to the site.
Decommissioning	• N/A
Cumulative	• No significant effects predicted

Mitigation

The mitigation measures are detailed in Chapter 8. They include.

- Implementation of the measures in the CEMP,
- The implementation of a Pollution Prevention Plan.
- The importation of aggregates and materials will be subject to management and control procedures including testing for contaminants, invasive species and other anthropogenic inclusions and assessment of the suitability for use.
- Preparation and implementation of an Excavated Material Management Plan.
- Where possible, stockpiling of soils and subsoils onsite will be avoided.
- A suitable risk assessment for wet concreting shall be completed prior to works being carried out.
- The proposed piling methodology will give cognisance to the UK Environment Agency's (EA) guidance on 'Piling into Contaminated Sites' (EA, 2002) and 'Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention' (EA, 2001).
- Emergency procedures will be developed by the main contractor in advance of works commencing and spillage kits will be available on-site including in vehicles operating on-site.
- Any connection to the public foul drainage network during the construction phase of the Proposed Development will be undertaken in accordance with the necessary temporary discharge licences issued by UE.
- Ongoing regular operational monitoring and maintenance of drainage and the SuDS measures will be incorporated into the overall management strategy.
- Local Improvements to wastewater drainage infrastructure including 20m Approx. foul sewer network upgrade from 150mm diameter to 225mm diameter from Dyke Road and Wood Quay.
- Decommissioning of the underperforming Black Box pumping station and the construction of a new pumping station with 24-hour storage capacity serving the proposed development and Black Box, reducing risk of infiltration.
- Flood mitigation measures proposed include the following:
    - The adoption of a residential Finished Floor Level (FFL) of 7.28m

- External services and chambers to be watertight and flood-proof.
- Critical infrastructure including the substation and the wastewater pumping station are above the 0.1% AEP flood level.
- Foul and Storm anti flood valves installed on connections below the 7.28m level.
- Any infrastructure/ objects below the design flood level are at risk in flood event. Mitigation measures are included as part of the evacuation / emergency strategy.
- The provision of emergency evacuation routes above the 7.28m level
- Preparation of flood excavation plans.

Residual Effects

The EIAR states that there will be no significant adverse residual impacts on land, soils and geology anticipated regarding the proposed development.

Analysis, Evaluation and Assessment: Direct and Indirect Effects

A Water Framework Assessment Report has been included with the application and assessed in Section 10 of this report. My assessment concluded that the proposed mitigation measures are comprehensive and if implemented will prevent any significant impact on the receiving ground water and surface water environment.

The impact of the proposed development on the existing Galway water/wastewater infrastructure is discussed in detail in Section 8.10 when I concluded that, notwithstanding issues in the wider Galway infrastructure network, having regard to the:

- Relative scale of the development,
- The existing capacity of the Galway Wastewater Treatment Plant,
- The local improvement works in the network and resolution of existing issues with the Black Box pumping station,
- The proposed surface water management,

and subject to a connection agreement from Uisce Eireann I consider that the development can be considered to be acceptable

Having regard to the design of the proposed development and the information submitted with the application, especially the NIS, the EIAR and the WFDA I am satisfied that the proposed development will not cause a deterioration in the status of waterbodies connected to the proposed development, specifically within a local zone of the Clare-Corrib GWB, and receiving waterbodies including the Terryland_010, the Corrib_020, the Corrib Estuary and the Inner Galway Bay North.

I therefore consider that with the implementation of standard construction methods and the stated mitigation measures the proposed development will not comprise the objectives of Article 4 of WFD.

I have examined, analysed and evaluated Chapter 8 of the EIAR, all of the associated documentation and submissions on file in respect of Hydrology and Hydrogeology. I am satisfied that the applicant understanding of the baseline environment, by way of desk and site surveys and archaeological testing, is comprehensive and that the key impacts in respect of likely effects on Hydrology and Hydrogeology. I consider that will be no significant adverse residual impacts on the receiving hydrological and hydrogeological environment associated with the Proposed Development.

Conclusion: Direct and Indirect Effects

Having regard to the examination of environmental information in respect of noise and vibration, in particular the EIAR provided by the applicant observers during the course of the application, it is considered that flooding is a significant impact which has been mitigated for by design and operational execution plans.

9.8.5. **Air & Climate**

Baseline

Noise and Vibration

The noise environment in the area is predominantly influenced by traffic noise on the Headford Road and Dyke Road during daytime and night-time. During the daytime the sound pressure levels recorded is ~63 dB LAeq, 12 Hour. During the evening the

sound pressure levels recorded is ~59 dB LAeq, 4 Hour. During the night-time the sound pressure levels recorded is ~49 dB LAeq, 8 Hour. There is no significant existing noise impact from the existing cinema and commercial / retail buildings along the eastern boundary of the site.

Air Quality

The background air quality in the area of the proposed development is of good quality and the site is located in 'Zone C' as denoted by the EPA.

Wind and Microclimate

Galway exhibits predominantly south-westerly and westerly winds. The median wind speed for Galway is around 5m/s, i.e. for 50% of the year wind speed exceeds 5m/s which above the Lawson's sitting comfort criteria which states that the local air speed at designated locations should not exceed 4 m/s for more than 5% of the year.

Potential Effects

Table 10: Summary of Potential Effects: Air & Climate.

Project Phase	**Potential Direct, Indirect and Cumulative Effects**
Do Nothing	• The noise environment at the nearest noise sensitive locations and across the development site itself will remain unchanged.
Construction	• Noise Impacts from Construction and Construction Traffic • Potential impact from dust soiling due to earthworks and track out.
Operation	• None
Decommissioning	• N/A
Cumulative	• No significant effects predicted

9.8.6. Mitigation

The mitigation measures are detailed in Chapter,9,10 & 11. They include.

- Implementation of the measures in the CEMP.
- Restricted hours of construction.
- Use of noise reduced plant and all plant maintained in good working order.

- If required periodic noise monitoring will be undertaken during construction works to determine noise levels at noise sensitive receptors.
- The cumulative noise level from construction activities on the development site (including plant and equipment) shall not exceed 65dB LAeq, 12 hour at residential properties closest to the site boundary.
- The preparation and implementation of an operational Acoustic Design Statement.
- Develop and implement a Dust Management Plan (DMP).
- Record all dust and air quality complaints, identify cause(s), take appropriate measures to reduce emissions in a timely manner, and record the measures taken.

9.8.7. Residual Effects

The EIAR states that there will be no significant adverse residual impacts on the receiving air and climate environment associated with the Proposed Development subject to the implementation of the mitigation measures.

Analysis, Evaluation and Assessment: Direct and Indirect Effects

I have examined, analysed and evaluated chapter 9,10 & 11 of the EIAR, all of the associated documentation and submissions on file in respect of air and climate. I am satisfied that the applicant's presented baseline environment, is comprehensive and that the key impacts in respect of likely effects on air and climate, as a consequence of the development have been identified.

Parties to the application have raised the issues in respect of air, specifically noise and dust which I address below.

There are no residential receptors immediately adjoining the site and the residential nature of the proposed development and the receiving environment is such that, once constructed the development would not result in substantive increases in noise levels in the area.

Noise and dust management measures are proposed as part of the CEMP and operation noise measures as included in the Management Strategy Report sets out how the facility would be managed over the operation phase of the project. The

measures outlined are typical and well established as being effective in controlling noise and vibration in residential developments.

9.8.8. Conclusion: Direct and Indirect Effects

Having regard to the examination of environmental information in respect of noise and vibration, in particular the EIAR provided by the applicant observers during the course of the application, it is considered that the main significant direct and indirect effects on land, soil, water, air, climate are, and will be mitigated as follows:

- direct negative effects arising for air quality during the construction phase, which would be mitigated by a suite of appropriate construction phase management measures, including a dust management plan.
- direct negative effects arising for noise during the construction phase, which would be mitigated by appropriate construction phase management measures, including the control of construction hours and noise minimisation measures.

9.9. Environmental Topic: Material assets, cultural heritage and the landscape.

9.9.1. Issue Raised

The issues of infrastructure deficiencies and negative impacts on the cultural heritage of the city have been raised in the submissions. The suitability of the existing waste water infrastructure has also been raised. The submission also raises concerns relating to the loss of car parking.

Examination of the EIAR

9.9.2. Context

The following chapters deal with the environmental effect on Material assets, cultural heritage and the landscape: Chapter 12 The Landscape, Chapter 13 Traffic and Transport, Chapter 14 Material Assets: Waste, Chapter 15 Material Assets: Utilities, Chapter 16 Cultural Heritage.

9.9.3. Baseline

The Landscape

The area is characterized by its relatively flat topography, and the variety of natural and built environment, including the Terryland Forest Park, the River Corrib and a mix use of existing buildings. The River Corrib and its floodplains play a significant role in the area's landscape, influencing both the natural environment and the development patterns of the city.

The site area, consisting of a car park, exhibits low visual quality. The site is primarily defined by its extensive coverage of impermeable surfaces, including both asphalt and block/slab paving.

Traffic and Transport

The site is an active public car park with a total of 554 available parking spaces that were surveyed. The overall surveyed maximum capacity of the combined car parks was 263 on the weekday and 350 on the weekend. Users of both sections of the car park tended to be using the spaces for long periods of time.

Dyke Road is a two-way single carriageway with a single wide footpath on the western side of the carriageway until the N6 overpass. There are no existing designated cycle lanes on the road.

The primary junction between Dyke Road and Headford Road is a signal-controlled junction. Headford Road is a main route into Galway City Centre. Based on the November 2023 survey, the baseline AADT for the Headford Road is approximately 12,600 with 2% HGVs.

Existing pedestrian facilities are poor in the vicinity of the site and do not provide full connectivity to the surrounding roads. Cyclists are not offered segregated facilities for their journeys in the area.

Due to its city centre location, the site is well served by the existing bus network with 9 no. routes passing within 1km of the Proposed Development.

Material Assets: Waste

The site is located on the edge of Galway City and lies wholly within Galway City Council’s jurisdiction.

The soils beneath the site of the Proposed Development are mapped by Teagasc (Teagasc, 2025) as made ground (IFS Soil Code: Made). The soils beneath the existing Black Box Theatre adjoining the northern boundary of the site are mapped

as mineral alluvium (IFS Soil Code: AlluvMIN). it is possible that the site was partially filled in the 1970s and 1980s with rubble from Galway's inner city, which may include medieval and late medieval architecture fragments.

The bedrock beneath the site is mapped by the GSI (GSI, 2025) as the Burren Formation (New Code: CDBURR) described as pale grey packstones and wackestones, but also contains intervals of dark cherty limestones, often associated with oolitic grainstones. The closest bedrock outcrop recorded by the GSI (GSI, 2025) is located approximately 0.36km west of the site. Additional outcropping is recorded approximately 0.87km north of the site.

Material Assets: Utilities

The main surface water pipe running south to north along the western boundary of the site is a 450mm Ø concrete pipe. There is also a surface water pipe running through the site which serves the retail development on the Headford Road to the east of the proposed development which discharges into this surface water pipe. The surface water drainage does discharge into the Terryland Stream.

The existing Black Box Theatre is serviced by a gravity foul sewer that runs south to a pumping station. From there, the sewage is pumped further south along Dyke Road until it joins a combined sewer network on Headford Road.

A 9" cast-iron watermain runs along Dyke Road. From this watermain, a water connection feeds the Black Box theatre and the Headford Road shopping centre.

Galway 110kV substation is the closest substation to the Proposed Development and is located approximately 3km south.

The Gas Networks Ireland map indicates that connections to the natural gas network are available in the Dyke Road area.

In terms of broadband two of the main utility companies are available adjacent to the site namely Open Eir and Virgin.

Cultural Heritage

There are no monuments recorded by the National Monuments Service (NMS) within the boundary of the subject site. There are no recorded archaeological sites in the immediate vicinity of the proposed development. The nearest recorded monument is located roughly 250m to the southwest of the subject site (GA094-100059--, Quay).

There is no NIAH or RPS sites within the immediate vicinity of the subject site. Nothing of archaeological significance was noted during the site inspection.

9.9.4. Potential Effects

Table 9: Summary of Potential Effects - Material assets, cultural heritage and the landscape.

Project Phase	**Potential Direct, Indirect and Cumulative Effects**
Do Nothing	• If the site remains in its current state as a car park, it will not align with the current land use designation and Planning Scheme, which envision significant development for a mixed-use development, including housing and potentially office, civic, and cultural spaces. • No reduction in traffic loading due to the removal of the existing public car park. • Existing baseline traffic figures would be expected to grow as per the TII standard predicted values. • There would be no excavation, construction or operational waste generated at the site. • The existing land use and material assets in the study area will remain in the current state. • No effect upon the archaeological, architectural, or cultural heritage resource.
Construction	• Receptors nearest to the development and have direct views will experience profound short term visual impact during construction due to the very high level of change in the environment and their proximity. • No predicted road closures or traffic disruption. • Construction and excavation related wastes have potential to impact on the local waste management network.

	• A minor volume of hazardous waste may be generated during the construction phase. • The potential for ESB temporary network suspensions during construction.
Operation	• The completed landscape scheme will have a positive effect on the site and the areas through the completion of the new public open space, pedestrian links and increase in street-level activity that the development will bring. • Permeant significant positive change in the view from Corrib Waterside Pier, Riverside Path (NUIG), Dyke Road (Northwest of the site), Dyke Road (southwest of the site) & Quincentennial Bridge. • The removal of the existing public car park will also reduce the number of existing cars accessing the Proposed Development site by an estimated 38%. • The removal of the low-quality car park will have significant positive impact. • Excessive demand on the water network resulting in surcharging of foul drainage manholes, increased demand on the wastewater treatment plant or reduced water supply as a result of loss of pressure in the surrounding area. • Infiltration of contaminated groundwater into surface water network, which discharges to the Terryland River.
Decommissioning	N/A
Cumulative	• The overall cumulative impact of the full Development Framework is expected to be a long-term positive impact on the surrounding roads.

	• An improvement in provision of sustainable modes of transport (walking, cycling and public transport) with the introduction of future transport schemes in the area. • There will be a greater demand on existing local waste management services and on regional waste acceptance facilities.

9.9.5. Mitigation

With regard to landscape there are no relevant mitigation measures over and above the measures integrated into the design of the scheme such as landscape works, visual variety in the building, height limitations, breaking down of visual massing and variation of materials.

The traffic mitigation measures are detailed in section 13.6 of the EIAR and include the preparation and Implementation of a Construction Transportation Management Plan (CTMP).

The design and construction of the built services in accordance with the relevant guidelines and codes of practice will mitigate any potential impacts during the operational phase of the development.

Mitigation measures for waste are detailed in section 14.6 of the EIAR and include:

- Implementation measures outlined in the Outline Resource and Waste Management Plan.
- Waste to be dealt with in accordance with provision of the Water Management Act 1996.
- Implementation of the measures outlined in the Operational Waste and Services Management Plan.

Mitigation measures for utilities are detailed in section 15.6 of the EIAR and include:

- All design and construction will be carried out in accordance with the Construction Industry Research and Information Association (CIRIA) C532 Control of Water Pollution from Construction Sites Guidance for Consultants and Contractors.

- The water system will be metered to determine water consumption and facilitate leakage detection.
- The Management Company will be responsible for the provision of a leaflet to all new tenants encouraging energy efficient operation of their system.
- All critical infrastructure within the buildings will be at a minimum level of 7.28 m OD Malin.
- To minimise sediment, build up within the storm water drainage network, trapped inlets will be used at all points of entry and key manholes will have sumps to collect material.
- A maintenance company that will be responsible for the regular maintenance and monitoring of all infrastructure installed as part of the development.

Mitigation measures for Cultural Heritage are detailed in section 16.6 of the EIAR and include:

- Suitably qualified archaeologist monitor initial groundworks/site investigation works to establish the extent of previous ground disturbance at the subject site.
- Based on the results of this work further mitigation such as intermittent inspections may be recommended if deemed required.

9.9.6. Residual Effects

With regard to landscape, as there are no substantive mitigation measures over and above those incorporated into the design of the proposed development, the impacts will be as per the predicted impacts.

Residual impacts on the surrounding roads and traffic during the operational phase is considered to be a long-term positive impact. The volumes of traffic generated from the proposed development when compared to the baseline scenario will have a not significant effect on the road network traffic volumes.

Waste materials will be generated on an ongoing basis during the operational phase; these will for the most part consist of municipal waste and recyclable materials. A certain proportion of operational waste will nevertheless need to be disposed of at landfill.

9.9.7. Analysis, Evaluation and Assessment: Direct and Indirect Effects

I have examined, analysed and evaluated chapters 12,13,14,15 &16 of the EIAR, all of the associated documentation and submissions on file in respect of Material assets, cultural heritage and the landscape. I am satisfied that the applicant's presented baseline environment, is comprehensive and that the key impacts in respect of likely effects on material assets, cultural heritage and the landscape, , as a consequence of the development have been identified. Parties to the application have raised a number of issues in respect of, which I address below.

- Negative impacts on the cultural heritage of the city.
- Loss of Car Parking
- Impact on existing wastewater infrastructure.

9.9.8. The loss of cultural heritage of the city relates to the impact of the proposed development on the existing Black Box Theatre. This has been assessed in the Planning Assessment Section 8.8. With regard to sunlight and daylight, I consider that the proposed development will not be seriously injurious to the amenities of the studio spaces of the Black Box or the surrounding properties.

9.9.9. The loss of car parking will be a direct effect and has been assessed in the Planning Assessment Section 8.9. I consider that the loss of car parking on this underutilised site to provide for a significant residential development on this designated redevelopment site to be warranted and will not have a significant negative on the operation of the Black Box Theatre.

Continued liaison with utility providers will serve to address the potential impacts of the development on various infrastructures during the construction phase, and the information presented highlights capacity in local services to cater for the proposed development.

9.9.10. Conclusion: Direct and Indirect Effects

Having regard to the examination of environmental information in respect of material assets, cultural heritage and the landscape, in particular the EIAR provided by the applicant and observers in the course of the application, it is considered that the main significant direct and indirect effects on archaeological, architectural and cultural heritage are, and will be mitigated as follows:

- direct negative effects arising for the visual amenities and landscape / townscape of the area during the construction phase, which would not be significant and would be of temporary duration.
- direct positive effects arising for landscape / townscape arising from the proposed development, which would have significant positive effects for the appearance of the area.
- direct negative effects arising from loss of car parking will be mitigated against by the provision of a new residential neighbourhood on an underutilised site.
- Significant direct positive impacts for material assets, due to the substantive increase in the housing stock during the operational phase.

9.10. Risk Management

9.10.1. Issues Raised

The issue of flooding has been raised in the submission as has the need for an integrated flood management plan with evacuation plan which takes into account the most recent research.

Examination of the EIAR

9.10.2. Context

Chapter 17 sets out the assessment of the vulnerability of the proposed development to risks of major accidents and/or disasters. It assesses the expected effects of the project to risk of major accidents and disasters including the methodology used for the assessment. The Department of Defence Consolidated List of National Hazards was used to identify a preliminary list of potential major accidents and disasters. The site is not located in closed proximity to any COMHA site.

9.10.3. Potential Effects

The relevant major accidents or disasters are detailed in the table below:

Table 10- Accidents and Disasters

Major Accident or Disaster	Why Relevant	Potential Receptor	Covered within the EIAR

Water Supply Contamination	Waterborne diseases can be caused by consuming contaminated drinking water. No public health issues have been identified for the Proposed Development.	Local water users	Chapter 8 Hydrology of this report identifies the control measures required to avoid contamination of water supplies
Floods/ Storm surge/tidal flooding	The site is located adjacent to the River Corrib and is located in Flood Zone A where the risk of flooding is deemed to be high.	Future residents, surrounding roads, residents, commercial and retail properties.	A Site-Specific Flood Risk Assessment has been prepared which is detailed in Chapter 8 Hydrology and summarised in Section 17.4.4 of this chapter
Air Quality Events	Dust emissions during the construction phase and vehicular emissions during the construction and operational phase.	Residents/ workers	Chapter 10 Air Quality of this EIAR identifies the impact of the construction and operation of the development on ambient air quality.

9.10.5. Mitigation

Mitigation measures and Management Plans are detailed in section 17.4 and includes the following:

- Preparation of a Fire Safety and Emergency Response Plan.
- Preparation of a Construction Dust Management Plan.
- Preparation of a Construction Noise Management Plan.

- Flood mitigation measures proposed include the following:
    - The adoption of a residential Finished Floor Level (FFL) of 7.28m
    - External services and chambers to be watertight and flood-proof.
    - Critical infrastructure including the substation and the wastewater pumping station are above the 0.1% AEP flood level.
    - Foul and Storm anti flood valves installed on connections below the 7.28m level. Any infrastructure/ objects below the design flood level are at risk in a flood event. Mitigation measures are included as part of the evacuation / emergency strategy.
    - The provision of emergency evacuation routes above the 7.28m level.

9.10.6. Residual Effects

Control measures will put in place for health and safety and environmental management as per conditions of the planning permission, relevant code of practices and relevant legislation. The residual impacts will be negligible once all control, mitigation and monitoring measures have been implemented.

9.10.7. Conclusion

Given the location of the site and stated management plans and the flooding mitigation measure and evaluation plans I am satisfied that the potential for significant hazards is low. With the implementation of the said mitigation measures the impact of a hazard will be reduced or eliminated.

I therefor consider that the residual impacts will be negligible and there will be no potential for cumulative effects to arise.

9.11. Interactions

9.11.1. Interrelationships between various environmental aspects have been assessed in Chapter 18. Table 18-2 Interactions between Factors and Table 18-2 to table 18-13 of the EIAR tabulates the assessment of the interaction of each environmental topic against all other topics.

The environmental impact assessment report concludes that inter-relationships are negligible, and no additional significant effects are identified through effect interactions. Given the assessment of each of environmental topics above and the lack of direct negative effects after mitigation measures, I am satisfied no additional significant effects will occur.

9.12. Reasoned Conclusions

9.12.1. Having regard to the examination of environmental information provided in respect of the proposed development, in particular the EIAR and the supplementary information provided by the applicant, the submissions from the planning authority, prescribed bodies and third parties in the course of the application/appeal, it is considered that the main significant, direct, indirect and cumulative effects on the environment, with the implementation of proposed mitigation measures are:

- significant direct positive impacts for population and material assets, due to the substantive increase in housing stock during the operational phase.
- direct negative effects arising for water and aquatic habitat during the construction phase, which would be mitigated by a suite of appropriate construction phase surface water management measures, including sediment and pollution control measures, resulting in no residual impacts on water and biodiversity.
- direct negative effects due to flooding which would be mitigated against by design and by operation management and evacuation plans.
- direct negative effects arising for air quality during the construction phase, which would be mitigated by a suite of appropriate construction phase management measures, including a dust management plan.
- direct negative effects arising for water during the construction phase, which would be mitigated by a suite of appropriate construction phase management measures, including sediment and pollution-control measures, local infrastructure improvements, operational surface water management, resulting in no residual impacts on water.

- direct effects arising for landscape / townscape during the operation of the proposed development, which would have slight to significant and positive effects for the appearance of the area, resulting in no residual impacts for landscape and visual amenities. appearance of the area, resulting in no residual impacts for landscape and visual amenities.
- direct negative effects arising from loss of car parking will be mitigated against by the provision of a new residential neighbourhood on an underutilised site.

Arising from my assessment of the project, including mitigation measures set out in the EIAR and the application, and as conditions in the event of a grant of planning permission for the project, the environmental impacts identified would not be significant and would not justify refusing permission for the proposed development.

10.0 **Appropriate Assessment**

10.1. Stage 1 – Screening Determination for Appropriate Assessment (AA)

10.1.1. Having carried out AA screening (stage 1) of the project (included in appendix 1 to this report), it has been determined that the project may have likely significant effects on Lough Corrib SAC, Galway Bay Complex SAC, Inner Galway Bay SPA and Lough Corrib SPA in view of the sites' conservation objectives.

10.1.2. AA (stage 2) is therefore required of the implications of the project on the qualifying interests (QIs) of the SACs and the SCIs of the SPAs in light of their conservation objectives.

10.1.3. The possibility of likely significant effects on other European sites has been excluded on the basis of the nature and scale of the project, separation distances, and the weakness/absence of connections between the subject site/proposed development and other European sites.

This determination is based on:

- The nature of the proposed development.
- The scale of the proposed development.
- The proximity of the development site to European Sites.

- The ecological connections to European Sites.
- The applicant's AA Screening Report.

10.2. Stage 2 – Appropriate Assessment (AA)

10.2.1. In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on Lough Corrib SAC, Galway Bay Complex SAC, Inner Galway Bay SPA and Lough Corrib SPA in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of 177AE was required.

10.2.2. Following an examination, analysis and evaluation of the NIS all associated material submitted and taking into account the observations, I consider that adverse effects on site integrity of the Lough Corrib SAC, Galway Bay Complex SAC, Inner Galway Bay SPA and Lough Corrib SPA can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.

10.2.3. My conclusion is based on the following:

- The contents of the applicants Natura Impact Statement.
- Detailed assessment of construction and operational impacts.
- An assessment of all aspects of the project including proposed mitigation measures in relation to the conservation objectives of Lough Corrib SAC, Galway Bay Complex SAC, Inner Galway Bay SPA and Lough Corrib SPA
- An assessment of in-combination effects with other plans and projects including historical and current plans and projects.
- No reasonable scientific doubt as to the absence of adverse effects on the integrity of Lough Corrib SAC, Galway Bay Complex SAC, Inner Galway Bay SPA and Lough Corrib SPA.
- Effectiveness of mitigation measures proposed and adoption of CEMP.

- Application of planning conditions to ensure the implementation of mitigation measures.

See Appendix 2.

11.0 **Water Framework Directive**

11.1. The applicant has submitted a Water Framework Directive Assessment (WFDA) prepared by the Enviroguide. The stated overall objective of the assessment is to determine if any specific components or activities associated with the proposed development will compromise Water Framework Directive (WFD) Article 4 objectives, namely:

- Prevent deterioration of the status of all bodies of surface water and groundwater.
- Protect, enhance and restore all bodies of surface water and groundwater with the aim of achieving at least good status by the end of 2027 at the latest.
- Protect and enhance all artificial and heavily modified bodies of water, with the aim of achieving at least good ecological potential and good surface water chemical status.
- Achieve compliance with the standards and requirements for designated protected areas.

11.2. The assessment aims to identify any waterbodies with the potential to be impacted, describe the proposed mitigation measures, and defines any residential potential impacts.

11.3. I am satisfied that the information contained in the WFDA, and supplementary information provided by the applicant is sufficient to ascertain if the proposed development will compromise Water Framework Directive (WFD) Article 4 objectives.

11.4. I consider that the proposed mitigation measures are comprehensive and if implemented will prevent any significant impact on the receiving ground water and surface water environment.

Having regard to:

- Relative scale of the development,
- The existing capacity of the Galway Wastewater Treatment Plant,
- The local improvement works in the network and resolution of existing issues with the Black Box pumping station,
- The proposed surface water management,

and the information submitted with the application, especially the NIS, the EIAR and the WFDA I am satisfied that the proposed development will not cause a deterioration in the status of waterbodies connected to the proposed development, specifically within a local zone of the Clare-Corrib GWB, and receiving waterbodies including the Terryland_010, the Corrib_020, the Corrib Estuary and the Inner Galway Bay North.

11.5. I therefore consider that with the implementation of standard construction methods and the stated mitigation measures the proposed development will not comprise the objectives of Article 4 of WFD.

See Appendix 3.

12.0 **Recommendation**

Following from the above assessment, I recommend that permission is **GRANTED** for the development as proposed due to the following reasons and considerations, and subject to the conditions set out below.

13.0 **Reasons and Considerations**

Having regard to the following:

a) the site's location close to Galway City Centre on lands within the Dyke Road Regeneration site as designated for residential development in Galway City Development Plan,

b) the policies, zoning objectives and objectives of the Galway City Development Plan 2023-2029, The Regional Spatial and Economic Strategy for the Northern and Western Region 2020-2032 and the Metropolitan Area Strategic Plan (MASP) for

the Galway Metropolitan Area and the Revised National Planning Framework – April 2025.

a) the site's location close to Galway City Centre on lands within the Dyke Road Regeneration site as designated for residential development in Galway City Development Plan,

b) the policies, zoning objectives and objectives of the Galway City Development Plan 2023-2029, The Regional Spatial and Economic Strategy for the Northern and Western Region 2020-2032 and the Metropolitan Area Strategic Plan (MASP) for the Galway Metropolitan Area and the Revised National Planning Framework – April 2025.

c) Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024)

d) the provisions of the Urban Development and Building Heights Guidelines for Planning Authorities (December 2018),

e) the provisions of the Sustainable Urban Housing: Design Standards for New Apartments (July 2023),

f) the Design Manual for Urban Roads and Streets (DMURS) (2013)

g) the Planning System and Flood Risk Management (including the associated Technical Appendices) (2009)

h) the nature, scale and design of the proposed development

i) the availability in the area of a wide range of social, community, transport and water services infrastructure,

j) the pattern of existing and permitted development

k) the submissions and observations received

it is considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable density of development in this accessible urban location, would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of urban design, height and quantum of development, would be acceptable in terms of pedestrian and traffic safety and flood risk. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

14.0 **Recommended Draft Order**

Proposed Development

The proposed development will consist of the construction of a new residential development of 219 no. apartment units and a childcare facility (approx. 241 sq m) in the form of 1 no. new residential block (5 - 9 storeys over lower ground floor level) with associated car parking, bicycle parking, public and communal open spaces, and all ancillary works on a site area of 1.144 ha.

The proposed development will provide for:

a) 219 no. residential apartment units (109 no. 1-bedroom units, 100 no. 2-bedroom units and 10 no. 3-bedroom units) each with an associated private open space area in the form of a balcony/terrace.

b) A raised pedestrian boardwalk along the western elevation of the proposed building.

c) Open Space (approx. 2,778 sq m) is proposed in the form of (i) public open space (approx. 1,183 sq m) to the west of the proposed building fronting on to Dyke Road accommodating outdoor seating, planting, a sunken garden and pedestrian pathways and connections; and (ii) communal open space (approx. 1,605 sq m) to the east of the proposed building in the form of a courtyard including outdoor seating, planting, a children's play area and outdoor sports equipment.

d) A childcare facility (approx. 241 sq m) at ground floor level with dedicated external play area (approx. 61 sqm) at surface level.

e) A total of 33 no. new car parking spaces at surface level to serve the proposed residential development (including 2 no. accessible spaces). In addition, 2 no. set down / drop off spaces are proposed to serve the childcare facility.

f) A total of 465 no. bicycle parking spaces to include 330 no. standard residential spaces, 100 no. visitor spaces, 25 no. cargo bicycle spaces and 10 no. bicycle parking spaces dedicated for the childcare facility staff, all at surface / lower ground floor level.

g) Vehicular access to serve the development is proposed via Dyke Road at 2 no. new locations along the western site boundary (to the northwest and southwest of the main development site). Pedestrian and Cyclist access is also proposed throughout the site via Dyke Road and a new pedestrian crossing is also delivered at Dyke Road. The proposed development will extinguish the existing pedestrian connection between Galway Retail Park and the subject site as part of wider proposals for local improvements to permeability.

h) The removal of 389 no. existing car parking spaces (311 no. from Car Park 1 and 78 no. from Car Park 2) is proposed to provide for the new development. An overall total of 165 no. existing car parking spaces will be maintained in Car Park 2.

i) The extinguishment of the main existing vehicular entrance serving Car Park 1 and Car Park 2 at Dyke Road with provision made for a new vehicular access point (to the south of the main development site) to facilitate continued access to existing Car Park 2 and the remaining car parking spaces (165 no.).

j) The removal of existing bring bank facilities including 2 no. clothing banks and 8 no. bottle banks from Dyke Road.

k) 2 no. telecommunications lattice towers (overall height 6.45 m and 7.67 m) affixed to the rooftop supporting 9 no. 2m 2G/3G/4G antennas; 9 no. 0.8m 5G antennas; 6 no. 0.3m microwave transmission links; together with all associated telecommunications equipment and cabinets. The proposed overall building height including the telecommunications towers is approx. 38.18 m (+43.18 AOD).

The development will also provide for all associated site development works, infrastructure, excavation and clearance works including decommissioning the existing Black Box Theatre waste water pumping station, provision for a new pumping station complete with below ground emergency storage, all boundary treatment/retaining walls, public lighting, internal roads and pathways, ESB substations, switch rooms, water tank rooms, cleaner store and WC, meter rooms, facilities management office, parcel store, comms rooms, plant room, generator room / associated plant space, bin storage, bicycle stores, hard and soft landscaping, play equipment, below ground attenuation tanks, nature based SUDs features, green roofs, roof plant, new and replacement site services and connections for foul drainage, surface water drainage and water supply.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Matters Considered

In making its decision, the Commission had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

In coming to its decision, the Commission had regard to the following:

a) the site's location close to Galway City Centre on lands within the Dyke Road Regeneration site as designated for residential development in Galway City Development Plan,

b) the policies, zoning objectives and objectives of the Galway City Development Plan 2023-2029, The Regional Spatial and Economic Strategy for the Northern and Western Region 2020-2032 and the Metropolitan Area Strategic Plan (MASP) for the Galway Metropolitan Area and the Revised National Planning Framework – April 2025.

c) Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024)

d) the provisions of the Urban Development and Building Heights Guidelines for Planning Authorities (December 2018),

e) the provisions of the Sustainable Urban Housing: Design Standards for New Apartments (July 2023),

f) the Design Manual for Urban Roads and Streets (DMURS) (2013)

g) the Planning System and Flood Risk Management (including the associated Technical Appendices) (2009)

h) the nature, scale and design of the proposed development

i) the availability in the area of a wide range of social, community, transport and water services infrastructure,

j) the pattern of existing and permitted development

k) the submissions and observations received

it is considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable density of development in this accessible urban location, would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of urban design, height and quantum of development, would be acceptable in terms of pedestrian and traffic safety and flood risk. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment: Stage 1

The Commission considered the documents submitted with the application, and all the other relevant submissions on file, and carried out an Appropriate Assessment in relation to the potential effects of the proposed development on designated European sites. The Commission agreed with the screening assessment and conclusion carried out in the Inspector's Report that Lough Corrib SAC, Galway Bay Complex SAC, Inner Galway Bay SPA and Lough Corrib SPA are the only European Sites in respect of which the proposed development has the potential to have a significant effect in view of the Conservation Objectives for the sites and that Stage 2 Appropriate Assessment is, therefore, required.

Appropriate Assessment: Stage 2

The Commission considered the Natura Impact Statement, and all the other relevant submissions on file, and carried out an Appropriate Assessment of the implications of the proposed development on the aforementioned sites in view of these sites' Conservation Objectives. The Commission considered that the information before it was sufficient to undertake a complete assessment of all aspects of the proposed development in relation to the sites' Conservation Objectives using the best scientific knowledge in the field. In completing the assessment, the Commission considered, in particular, the following:

(i) the site-specific Conservation Objectives for the European Sites,

(ii) the likely direct and indirect impacts arising from the proposed development, both individually or in combination with other plans or projects, and

(iii) mitigation measures which are included as part of the current proposal.

In completing the Appropriate Assessment, the Commission accepted and adopted the Appropriate Assessment carried out in the Inspector's Report in respect of the potential effects of the proposed development on the aforementioned European Sites. In overall conclusion, the Commission were satisfied that the proposed development would not adversely affect the integrity of the European Sites in view of the sites' Conservation Objectives and that there is no reasonable scientific doubt as to the absence of such effects.

Environmental Impact Assessment (EIA):

The Commission completed an environmental impact assessment of the proposed development, taking into account:

a) the nature, scale, location and extent of the proposed development,

b) the environmental impact assessment report and associated documentation submitted with the application.

c) the submissions from the planning authority, the observers and the prescribed bodies in the course of the application, and,

d) the Inspector's report.

The Commission considered that the environmental impact assessment report, supported by the documentation submitted by the applicant, adequately considers alternatives to the proposed development, and adequately identifies and describes the direct, indirect, secondary and cumulative effects of the proposed development on the environment. The Commission completed an environmental impact assessment in relation to the proposed development and, in doing so, agreed with the examination, set out in the Inspector's report, of the information contained in the environmental impact assessment report, associated documentation submitted by

the applicant, and submissions made in the course of the planning application, and adopted the Inspector's assessment in this regard.

Reasoned Conclusions on the Significant Effects

The Commission considered and agreed with the Inspector's reasoned conclusions that the main significant direct and indirect effects of the proposed development on the environment are, and would be mitigated, as follows:

- significant direct positive impacts for population and material assets, due to the substantive increase in housing stock during the operational phase.
- direct negative effects arising for water and aquatic habitat during the construction phase, which would be mitigated by a suite of appropriate construction phase surface water management measures, including sediment and pollution control measures, resulting in no residual impacts on water and biodiversity.
- direct negative effects due to flooding which would be mitigated against by design and by operation management and evacuation plans.
- direct negative effects arising for air quality during the construction phase, which would be mitigated by a suite of appropriate construction phase management measures, including a dust management plan.
- direct negative effects arising for water during the construction phase, which would be mitigated by a suite of appropriate construction phase management measures, including sediment and pollution-control measures, local infrastructure improvements, operational surface water management, resulting in no residual impacts on water.
- direct effects arising for landscape / townscape during the operation of the proposed development, which would have slight to significant and positive effects for the appearance of the area, resulting in no residual impacts for landscape and visual amenities. appearance of the area, resulting in no residual impacts for landscape and visual amenities.

- direct negative effects arising from loss of car parking will be mitigated against by the provision of a new residential neighbourhood on an underutilised site.

Conclusions on Proper Planning and Sustainable Development:

The Commission considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable density of development in this accessible urban location, would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of urban design, height and quantum of development, would be acceptable in terms of pedestrian and traffic safety and flood risk. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Note: As the Local Authority are the applicant in this case, I considered that planning contributions do not apply.

15.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application submitted on 20th December 2024 and drawing submitted on the 29th July 2025, except as may otherwise be required in order to comply with the following conditions. Where any conditions of approval require further details to be prepared by or on behalf of the local authority, these details shall be placed on the file and retained as part of the public record.

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

2. The mitigation measures and monitoring commitments identified in the Environmental Impact Assessment Report, and other plans and particulars submitted with the application shall be carried out in full except as may otherwise be required in order to comply with other conditions. Prior to the

commencement of development, a schedule of mitigation measures and monitoring commitments identified in the Environmental Impact Assessment Report, and details of a time schedule for implementation of the mitigation measures and associated monitoring, shall be prepared by the local authority and placed on file and retained as part of the public record.

Reason: In the interest of clarity and protection of the environment during the construction and operational phases of the proposed development.

3. The mitigation and monitoring measures identified in the Natura Impact Statement submitted with the application shall be implemented in full. Prior to the commencement of development, details of a time schedule for implementation of mitigation measures and associated monitoring shall be prepared by the local authority and placed on file and retained as part of the public record.

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

4. The mitigation and monitoring measures identified in the Water Framework Directive Assessment submitted with the application shall be implemented in full. Prior to the commencement of development, details of a time schedule for implementation of mitigation measures and associated monitoring shall be prepared by the local authority and placed on file and retained as part of the public record.

   Reason: To ensure the objectives of Article 4 of the Water Framework Directive are not compromised.

5. A revised access road layout and turning circle shall be redesigned to allow for an access route from the site through the adjoining lands which have the benefit of planning permission for student accommodation (P.A Ref: 22/259 & ABP. Ref:309673). This access route shall allow for general public

accessibility and shall be provided from first occupation of the building. The exact extent of this area, any alterations required to activate this access, agreement with respect to the operation and the provision of a public right of way shall be prepared by the local authority and placed on file and retained as part of the public record.

Reason: In order to ensure access, permeability and vibrance in accordance with The Galway City Development Plan 2023-2029.

6. Proposals for a development name and numbering scheme and associated signage shall be prepared by the local authority and placed on file and retained as part of the public record. Thereafter, all such names and numbering shall be provided in accordance with the agreed scheme.

   Reason: In the interest of urban legibility

7. Details of the materials, colours and textures of all the external finishes to the proposed shall be prepared by the local authority and placed on file and retained as part of the public record.
   Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

8. The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths, and kerbs shall comply with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS

   Reason: In the interest of amenity and of traffic and pedestrian safety.

9. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through the communal open spaces, details of which be prepared by the local authority and placed on file and retained as part of the public record.

   Reason: In the interests of amenity and public safety.

10. 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.

    Reason: In the interests of visual and residential amenity.

11. All roads and footpaths and cycleways where applicable shown to adjoining lands shall be constructed up to the boundaries to provide access to adjoining lands with no obstruction including the erection of any structure which would otherwise constitute exempted development under the Planning and Development Regulations 2001, as amended. These areas shall be shown in a revised taking in charge drawing which shall be placed on file and retained as part of the public record.

    Reason: In the interest of permeability and proper planning and sustainable 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. A Construction and Environmental Management Plan (CEMP) shall be prepared by the local authority and placed on file and retained as part of the public record. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities. The CEMP shall include all relevant construction mitigation measures from the AA, WFD and the EIA.

    Reason: In the interest of environmental protection and public health and safety.

14. Prior to the commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols, shall be prepared and placed on file and retained as part of the public record The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. Reason: In the interest of proper planning and sustainable development.

15. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials for each apartment unit shall prepared by the

local authority and placed on file and retained as part of the public record. Thereafter, the agreed waste facilities shall be maintained and waste shall be managed in accordance with the agreed plan.

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

16. 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 prepared by the local authority and placed on file and retained as part of the public record.
Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

17. No advertisement or advertisement structure shall be erected or displayed on the building or within the curtilage of the site in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

18. The applicant shall enter into water and waste water connection agreements with Uisce Éireann prior to commencement of development.

Reason: In the interest of public health.

19. The attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

20. The applicant shall contact the Irish Aviation Authority and University Hospital at least 30 days prior to the erection of all cranes in accordance with S.I 215 of 2005 Irish Aviation Authority (Obstacles to Aircraft in Flight) Order. A suitable crane lighting scheme shall be agreed in writing the Irish Aviation Authority.

Reason: In the interest of aircraft and public safety.

21. All mitigation measures in relation to archaeology and cultural heritage as set out in the Chapter 16 of the EIAR included in application documents shall be implemented in full. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any archaeological investigative work/ excavation required, following the completion of all archaeological work on site and any necessary post-excavation specialist analysis. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation either in situ or by record of places, caves, sites, features or other objects of archaeological interest.

22. The site shall be landscaped in accordance with the detailed scheme of landscaping which accompanied the application submitted, unless otherwise agreed in writing with the local authority prior to commencement of development. The landscape scheme shall be implemented fully in the first planting season following completion of each phase of the development, and any trees or shrubs which die or are removed within three years of planting

shall be replaced in the first planting season thereafter. Access to green roof areas shall be strictly prohibited unless for maintenance purposes.

Reason: In the interests of residential and visual 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.

Peter Nelson
Planning Inspector

28 August 2024

Appendix 1 - AA Screening Determination

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Brief description of project	219no. residential apartment units, raised pedestrian boardwalk, open space, creche, 33no. car parking spaces, 455 bicycle parking spaces, a new pumping station ESB substation, below ground attenuation tanks, nature base SUDs features, site services and connections for foul drainage, surface water drainage and water supply.
Brief description of development site characteristics and potential impact mechanisms	The 1.144 ha site is currently being used as surface public parking. The site is c.15m from the Lough Corrib Special Area of Conservation. Surface water from the proposed development will ultimately discharge to the Terryland Stream which flows to the River Corrib and European Sites downstream. The site is also located c.700m from the Galway Bay Complex SAC (000268) and Inner Galway Bay SPA (004031). The site is also 3km from the Lough Corrib SPA.
Screening report	AA screening report issued 11/03/2025 prepared by Scott Cawley.
Natura Impact Statement	Natura Impact Statement issued 11/03/2025 prepared by Scott Cawley.
Relevant Observations	Works are required to city's infrastructure to prevent overflows discharge polluting matters into the waters within a SAC. The proposed development will increase pressure on the infrastructure and increase risk to the SAC.

Step 2. Identification of relevant European sites using the Source-pathway-receptor model

European Site (code)	Qualifying interests[1] Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections[2]	Consider further in screening[3] Y/N
Lough Corrib SAC (000297)	Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110] Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or Isoeto-Nanojuncetea [3130] Hard oligo-mesotrophic waters with benthic vegetation of Chara spp. [3140] Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation [3260] Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210] Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410] Active raised bogs [7110] Degraded raised bogs still capable of natural regeneration [7120] Depressions on peat substrates of the Rhynchosporion [7150]	15m west of the site.	Surface water discharge to Terryland Stream. Disturbance. Wastewater to Mutton Island WWTP.	Y

	Calcareous fens with Cladium mariscus and species of the Caricion davallianae [7210] Petrifying springs with tufa formation (Cratoneurion) [7220] Alkaline fens [7230] Limestone pavements [8240] Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] Bog woodland [91D0] Margaritifera margaritifera (Freshwater Pearl Mussel) [1029] Austropotamobius pallipes (White-clawed Crayfish) [1092] Petromyzon marinus (Sea Lamprey) [1095] Lampetra planeri (Brook Lamprey) [1096] Salmo salar (Salmon) [1106] Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303] Lutra lutra (Otter) [1355] Najas flexilis (Slender Naiad) [1833] Hamatocaulis vernicosus (Slender Green Feather-moss) [6216]			
Galway Bay Complex SAC (00268)	Mudflats and sandflats not covered by seawater at low tide [1140] Coastal lagoons [1150] Large shallow inlets and bays [1160] Reefs [1170]	c.700m south of the site	Surface water discharge to Terryland Stream. Disturbance. Wastewater to Mutton Island WWTP.	Y

	Perennial vegetation of stony banks [1220] Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] Mediterranean salt meadows (Juncetalia maritimi) [1410] Turloughs [3180] Juniperus communis formations on heaths or calcareous grasslands [5130] Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210] Calcareous fens with Cladium mariscus and species of the Caricion davallianae [7210] Alkaline fens [7230] Limestone pavements [8240] Lutra lutra (Otter) [1355] Phoca vitulina (Harbour Seal) [1365]			
Inner Galway Bay SPA (004031)	Black-throated Diver (Gavia arctica) [A002] Great Northern Diver (Gavia immer) [A003] Cormorant (Phalacrocorax carbo) [A017] Grey Heron (Ardea cinerea) [A028]	c.700m south of the site	Surface water discharge to Terryland Stream. Disturbance. Wastewater to Mutton Island WWTP.	Y

	Light-bellied Brent Goose (Branta bernicla hrota) [A046] Teal (Anas crecca) [A052] Red-breasted Merganser (Mergus serrator) [A069] Ringed Plover (Charadrius hiaticula) [A137] Golden Plover (Pluvialis apricaria) [A140] Lapwing (Vanellus vanellus) [A142] Dunlin (Calidris alpina) [A149] Bar-tailed Godwit (Limosa lapponica) [A157] Curlew (Numenius arquata) [A160] Redshank (Tringa totanus) [A162] Turnstone (Arenaria interpres) [A169] Black-headed Gull (Chroicocephalus ridibundus) [A179] Common Gull (Larus canus) [A182] Common Tern (Sterna hirundo) [A193] Wigeon (Mareca penelope) [A855] Sandwich Tern (Thalasseus sandvicensis) [A863] Wetland and Waterbirds [A999]			
Lough Corrib SPA (004042)	Black-throated Diver (Gavia arctica) [A002] Great Northern Diver (Gavia immer) [A003] Cormorant (Phalacrocorax carbo) [A017]	2.8km north of the site	Surface water discharge to Terryland Stream. Disturbance. Wastewater to Mutton Island WWTP	Y

	Grey Heron (Ardea cinerea) [A028] Light-bellied Brent Goose (Branta bernicla hrota) [A046] Teal (Anas crecca) [A052] Red-breasted Merganser (Mergus serrator) [A069] Ringed Plover (Charadrius hiaticula) [A137] Golden Plover (Pluvialis apricaria) [A140] Lapwing (Vanellus vanellus) [A142] Dunlin (Calidris alpina) [A149] Bar-tailed Godwit (Limosa lapponica) [A157] Curlew (Numenius arquata) [A160] Redshank (Tringa totanus) [A162] Turnstone (Arenaria interpres) [A169] Black-headed Gull (Chroicocephalus ridibundus) [A179] Common Gull (Larus canus) [A182] Common Tern (Sterna hirundo) [A193] Wigeon (Mareca penelope) [A855] Sandwich Tern (Thalasseus sandvicensis) [A863] Wetland and Waterbirds [A999]			
The applicant's Appropriate Assessment Screening Report additional included SAC and SPAs I considered these not to be relevant European sites due to lack of ecological connections.				
Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites				

AA Screening matrix

Site name **Qualifying interests**	**Possibility of significant effects (alone) in view of the conservation objectives of the site***	
	Impacts	**Effects**
Site 1: **Lough Corrib SAC (000297)** Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110] Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or Isoeto-Nanojuncetea [3130] Hard oligo-mesotrophic waters with benthic vegetation of Chara spp. [3140] Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation [3260] Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210] Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410] Active raised bogs [7110] Degraded raised bogs still capable of natural regeneration [7120] Depressions on peat substrates of the Rhynchosporion [7150] Calcareous fens with Cladium mariscus and	Direct: None Indirect: Negative impacts (temporary) on surface water/water quality due to construction related emissions including increased sedimentation and construction related pollution. Human Disturbance during construction and during operational phase. Risk of air quality impacts associated with construction of the proposed development. Risk of hydrological effects associated with the proposed development.	Disturbance/displacement Changes to habitat quality/ function Habitat loss/ modification Negative effects on habitat quality undermine conservation objectives related to water quality. Possibility of significant effects cannot be ruled out without further analysis and assessment.

species of the Caricion davallianae [7210] Petrifying springs with tufa formation (Cratoneurion) [7220] Alkaline fens [7230] Limestone pavements [8240] Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] Bog woodland [91D0] Margaritifera margaritifera (Freshwater Pearl Mussel) [1029] Austropotamobius pallipes (White-clawed Crayfish) [1092] Petromyzon marinus (Sea Lamprey) [1095] Lampetra planeri (Brook Lamprey) [1096] Salmo salar (Salmon) [1106] Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303] Lutra lutra (Otter) [1355] Najas flexilis (Slender Naiad) [1833] Hamatocaulis vernicosus (Slender Green Feather-moss) [6216]		
	Likelihood of significant effects from proposed development (alone): Y	
Site Name **Qualifying Interests**	**Possibility of significant effects (alone) in view of the conservation objectives of the site***	
	Impacts	**Effects**
Site 2: Galway Bay Complex SAC (00268) Mudflats and sandflats not covered by seawater at low tide [1140]	Direct: None Indirect: Negative impacts (temporary) on surface water/water quality due to construction	Disturbance/displacement Changes to habitat quality/ function Habitat loss/ modification Negative effect on habitat quality undermines conservation objectives related to water quality.

Coastal lagoons [1150] Large shallow inlets and bays [1160] Reefs [1170] Perennial vegetation of stony banks [1220] Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] Mediterranean salt meadows (Juncetalia maritimi) [1410] Turloughs [3180] Juniperus communis formations on heaths or calcareous grasslands [5130] Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210] Calcareous fens with Cladium mariscus and species of the Caricion davallianae [7210] Alkaline fens [7230] Limestone pavements [8240] Lutra lutra (Otter) [1355] Phoca vitulina (Harbour Seal) [1365]	related emissions including increased sedimentation and construction related pollution. Human Disturbance during construction and during operational phase. Risk of hydrological effects with the discharge of contaminants associated with the proposed development to ground affecting both underlying aquifer and downstream waterbodies.	Possibility of significant effects cannot be ruled out without further analysis and assessment.
	Likelihood of significant effects from proposed development (alone): Y	
	Impacts	**Effects**
Site 3: Inner Galway Bay SPA (004031)	Direct: None	

Black-throated Diver (Gavia arctica) [A002] Great Northern Diver (Gavia immer) [A003] Cormorant (Phalacrocorax carbo) [A017] Grey Heron (Ardea cinerea) [A028] Light-bellied Brent Goose (Branta bernicla hrota) [A046] Teal (Anas crecca) [A052] Red-breasted Merganser (Mergus serrator) [A069] Ringed Plover (Charadrius hiaticula) [A137] Golden Plover (Pluvialis apricaria) [A140] Lapwing (Vanellus vanellus) [A142] Dunlin (Calidris alpina) [A149] Bar-tailed Godwit (Limosa lapponica) [A157] Curlew (Numenius arquata) [A160] Redshank (Tringa totanus) [A162] Turnstone (Arenaria interpres) [A169] Black-headed Gull (Chroicocephalus ridibundus) [A179] Common Gull (Larus canus) [A182] Common Tern (Sterna hirundo) [A193] Wigeon (Mareca penelope) [A855]	Indirect: Negative impacts (temporary) on surface water/water quality due to construction related emissions including increased sedimentation and construction related pollution. Risk of hydrological effects with the discharge of contaminants associated with the proposed development to ground affecting both underlying aquifer and downstream waterbodies.	

Sandwich Tern (Thalasseus sandvicensis) [A863] Wetland and Waterbirds [A999]		
	Likelihood of significant effects from proposed development (alone): Y	
	Impacts	**Effects**
Site 3: Lough Corrib SPA (004042) Black-throated Diver (Gavia arctica) [A002] Great Northern Diver (Gavia immer) [A003] Cormorant (Phalacrocorax carbo) [A017] Grey Heron (Ardea cinerea) [A028] Light-bellied Brent Goose (Branta bernicla hrota) [A046] Teal (Anas crecca) [A052] Red-breasted Merganser (Mergus serrator) [A069] Ringed Plover (Charadrius hiaticula) [A137] Golden Plover (Pluvialis apricaria) [A140] Lapwing (Vanellus vanellus) [A142] Dunlin (Calidris alpina) [A149] Bar-tailed Godwit (Limosa lapponica) [A157] Curlew (Numenius arquata) [A160] Redshank (Tringa totanus) [A162] Turnstone (Arenaria interpres) [A169] Black-headed Gull (Chroicocephalus ridibundus) [A179] Common Gull (Larus canus) [A182]	Direct: None Indirect: Negative impacts (temporary) on surface water/water quality due to construction related emissions including increased sedimentation and construction related pollution. Risk of hydrological effects associated with the proposed development.	

Common Tern (Sterna hirundo) [A193] Wigeon (Mareca penelope) [A855] Sandwich Tern (Thalasseus sandvicensis) [A863] Wetland and Waterbirds [A999]		

Step 4 Conclude if the proposed development could result in likely significant effects on a European site.

It is not possible to exclude the possibility that proposed development alone would result significant effects on Lough Corrib SAC, Galway Bay Complex SAC, Inner Galway Bay SPA and Lough Corrib SPA for effects associated with surface water, disturbance, air quality, hydrogeological effects.

An appropriate assessment is required on the basis of the possible effects of the project 'alone'. Further assessment in-combination with other plans and projects is not required at screening stage.

Proceed to AA.

Screening Determination

Significant effects cannot be excluded.

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that it is not possible to exclude that the proposed development alone will give rise to significant effects on Lough Corrib SAC, Galway Bay Complex SAC, Inner Galway Bay SPA and Lough Corrib SPA European Sites in view of the sites conservation objectives. Appropriate Assessment is required.

This determination is based on:

- The nature of the proposed development.
- The scale of the proposed development.
- The proximity of the development site to European Sites.
- The ecological connections to European Sites
- The applicant's AA Screening Report.

Appendix 2: AA Determination

Lough Corrib SAC (00297): **Summary of Key issues that could give rise to adverse effects:** **(i) Habitat degradation as a result of hydrological impact.** **(ii) Habitat degradation as a result of hydrogeological impact** **(iii)Disturbance and Displacement Impacts** **(iv)Habitat degradation as a result of air quality impacts** **See Table 6 NIS**			
Qualifying Interest features likely to be affected.	**Conservation Objectives**	**Potential adverse effects**	**Mitigation measures**
Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110]	**Restore favourable conservation condition of the habitat in the SAC.** Habitat area / Hectares / Area stable or increasing, subject to natural processes. Habitat distribution / Occurrence / No decline, subject to natural processes	**Yes** An accidental pollution event during construction or operation could affect surface or ground water inputting to the Terryland River and downstream in the lower River Corrib. An accidental pollution event of a sufficient magnitude, either alone or cumulatively with other pollution sources, could affect the quality of the habitats and the fauna communities they support.	**Yes** The mitigation measures described in Section 7.1.4 of the NIS to protect water quality in the receiving environment will ensure that surface water quality inputting to the Terryland River, lower River Corrib, is protected during construction and operation of the Proposed Development.
Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or Isoeto-Nanojuncetea [3130]	**To restore the favourable conservation condition of the habitat in the SAC.** Habitat area / Hectares / Area stable or increasing, subject to natural processes. Habitat distribution / Occurrence / No decline, subject to natural processes	**Yes** An accidental pollution event during construction or operation could affect surface or ground water inputting to the Terryland River and downstream in the lower River Corrib. An accidental pollution event of a sufficient magnitude, either alone or or cumulatively with other pollution sources, could affect the quality of the habitats and the fauna communities they support.	**Yes** The mitigation measures described in Section 7.1.4 of the NIS to protect water quality in the receiving environment will ensure that surface water quality inputting to the Terryland River, lower River Corrib, is protected during construction and operation of the Proposed Development.

Hard oligo-mesotrophic waters with benthic vegetation of Chara spp. [3140]	**To restore the favourable conservation condition of the habitat in the SAC** Habitat area / Hectares / Area stable or increasing, subject to natural processes. Habitat distribution / Occurrence / No decline, subject to natural processes	**Yes** An accidental pollution event during construction or operation could affect surface or ground water inputting to the Terryland River and downstream in the lower River Corrib. An accidental pollution event of a sufficient magnitude, either alone or cumulatively with other pollution sources, could affect the quality of the habitats and the fauna communities they support.	**Yes** The mitigation measures described in Section 7.1.4 of the NIS to protect water quality in the receiving environment will ensure that surface water quality inputting to the Terryland River, lower River Corrib, is protected during construction and operation of the Proposed Development.
Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation [3260]	**To restore the favourable conservation condition of the habitat in the SAC.** Habitat area / Kilometres / Area stable or increasing, subject to natural processes. Habitat distribution / Occurrence / No decline, subject to natural processes	**Yes** An accidental pollution event during construction or operation could affect surface or ground water inputting to the Terryland River and downstream in the lower River Corrib. An accidental pollution event of a sufficient magnitude, either alone or cumulatively with other pollution sources, could affect the quality of the habitats and the fauna communities they support.	**Yes** The mitigation measures described in Section 7.1.4 of the NIS to protect water quality in the receiving environment will ensure that surface water quality inputting to the Terryland River, lower River Corrib, is protected during construction and operation of the Proposed Development.
Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210]	**To maintain the favourable conservation condition of the habitat in the SAC** Habitat area / Hectares Area stable or increasing, subject to natural processes. Habitat distribution / Occurrence / No decline, subject to natural processes Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) occurs mainly as small areas and in intimate association with other habitats in this SAC including other grassland types, fens and limestone	**Yes** An accidental pollution event during construction or operation could affect surface or ground water inputting to the Terryland River and downstream in the lower River Corrib. An accidental pollution event of a sufficient magnitude, either alone or cumulatively with other pollution sources, could affect the quality of the habitats and the fauna communities they support.	**Yes** The mitigation measures described in Section 7.1.4 of the NIS to protect water quality in the receiving environment will ensure that surface water quality inputting to the Terryland River, lower River Corrib, is protected during construction and operation of the Proposed Development.

	pavements and is therefore difficult to map separately. O'Neill et al. (2013) surveyed and mapped some grassland sites within the SAC in detail and the surveys of limestone pavement sites carried out by Wilson and Fernandez (2013) included associated grassland habitats; however, as all areas of this habitat within the SAC have not been identified, the total area is unknown		
Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410]	**To maintain the favourable conservation condition of the habitat in the SAC.** Habitat area / Hectares / Area stable or increasing, subject to natural processes. Habitat distribution / Occurrence / No decline, subject to natural processes	**Yes** An accidental pollution event during construction or operation could affect surface or ground water inputting to the Terryland River and downstream in the lower River Corrib. An accidental pollution event of a sufficient magnitude, either alone or cumulatively with other pollution sources, could affect the quality of the habitats and the fauna communities they support.	**Yes** The mitigation measures described in Section 7.1.4 of the NIS to protect water quality in the receiving environment will ensure that surface water quality inputting to the Terryland River, lower River Corrib, is protected during construction and operation of the Proposed Development.
Active raised bogs [7110]	**To restore the favourable conservation condition of the habitat in the SAC.** Habitat area / Hectares / Restore the area of active raised bog to 78.8ha, subject to natural processes. Habitat distribution / Occurrence / Restore the distribution and variability of active raised bog across the SAC.	**None.** The Active Raised Bogs are located within a separate Water Framework Catchment and Ground Water Body and are not located downstream of the Proposed Development.	**No**
Degraded raised bogs still capable of natural regeneration [7120]	The long-term aim for Degraded raised bogs still capable of natural regeneration is that its peat-forming capability is re-established; therefore, the conservation objective for this habitat is inherently linked to that of Active raised bogs (7110)	**None**	**No**

	and a separate conservation objective has not been set in Lough Corrib SAC		
Depressions on peat substrates of the Rhynchosporion [7150]	Depressions on peat substrates of the Rhynchosporion is an integral part of good quality Active raised bogs (7110) and thus a separate conservation objective has not been set for the habitat in Lough Corrib SAC	**None**	**No**
Calcareous fens with Cladium mariscus and species of the Caricion davallianae [7210]	**To maintain the favourable conservation condition of the habitat in the SAC.** Habitat area / Hectares / Area stable or increasing, subject to natural processes. Habitat distribution / Occurrence / No decline, subject to natural processes	**Yes** An accidental pollution event during construction or operation could affect surface or ground water inputting to the Terryland River and downstream in the lower River Corrib. An accidental pollution event of a sufficient magnitude, either alone or cumulatively with other pollution sources, could affect the quality of the habitats and the fauna communities they support.	**Yes** The mitigation measures described in Section 7.1.4 of the NIS to protect water quality in the receiving environment will ensure that surface water quality inputting to the Terryland River, lower River Corrib, is protected during construction and operation of the Proposed Development.
Petrifying springs with tufa formation (Cratoneurion) [7220]	**To maintain the favourable conservation condition of the habitat in the SAC.** Habitat area / Square metres / Area stable or increasing, subject to natural processes. Habitat distribution / Occurrence / No decline, subject to natural processes	**None,** the QI is located within a separate Ground Water Body, and is not located downstream of the Proposed Development	**No**
Alkaline fens [7230]	**To maintain the favourable conservation condition of the habitat in the SAC** Habitat area / Hectares / Area stable or increasing, subject to natural processes. Habitat distribution / Occurrence / No decline, subject to natural processes	**Yes** An accidental pollution event during construction or operation could affect surface or ground water inputting to the Terryland River and downstream in the lower River Corrib. An accidental pollution event of a sufficient magnitude, either alone or cumulatively with other pollution sources, could affect the quality of the habitats and the fauna communities they support.	**Yes** The mitigation measures described in Section 7.1.4 of the NIS to protect water quality in the receiving environment will ensure that surface water quality inputting to the Terryland River, lower River Corrib, is protected during construction and operation of the Proposed Development.

Limestone pavements [8240]	**To maintain the favourable conservation condition of the habitat in the SAC** Habitat area / Hectares / Area stable or increasing, subject to natural processes. Habitat distribution / Occurrence / No decline, subject to natural processes	**No** There is no direct loss of any habitat corresponding to this priority Annex I habitat type nor potential for hydrological/hydrogeological impacts arising from the Proposed Development.	**No**
Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]	**To maintain the favourable conservation condition of the habitat in the SAC** Habitat area / Hectares / Area stable or increasing, subject to natural processes. Habitat distribution / Occurrence / No decline, subject to natural processes	**None.** There is no direct loss of any habitat corresponding to this Annex I habitat type nor potential for hydrological/hydrogeological impacts arising from the Proposed Development.	**No**
Bog woodland [91D0]	**To maintain the favourable conservation condition of the habitat in the SAC** Habitat area / Hectares / Area stable or increasing, subject to natural processes. Habitat distribution / Occurrence / No decline, subject to natural processes	**None.** There is no direct loss of any habitat corresponding to this priority Annex I habitat type nor potential for hydrological/hydrogeological impacts arising from the Proposed Development.	**No**
Margaritifera margaritifera (Freshwater Pearl Mussel) [1029]	**To restore the favourable conservation condition of the habitat in the SAC** Distribution / Kilometres / Maintain at 9.1km Population size / Number of adult mussels / Restore Owenriff population to at least one million adult mussels.	**Yes.** The population of freshwater pearl mussel for which the site is designated relates to the Owenriff catchment which, itself, is hydrologically isolated and upstream of the Terryland River and Lower River Corrib and is, therefore at no risk of water quality or groundwater effects. However, salmonid species passing through the lower River Corrib, form a key supporting role to the qualifying interest freshwater pearl mussel	**Yes** The mitigation measures described in Section 7.1.4 of the NIS to protect water quality in the receiving environment will ensure that surface water quality inputting to the Terryland River, lower River Corrib, is protected during construction and operation of the Proposed Development.

		population and are at risk of water quality impact in the lower River Corrib. An accidental pollution event during construction or operation at times of high water could affect groundwater inputting to the Terryland River and downstream in the lower River Corrib. An accidental pollution event of a sufficient magnitude, either alone or cumulatively with other pollution sources, could affect the quality of the habitats and the salmonid fish populations they support.	
Austropotamobius pallipes (White-clawed Crayfish) [1092]	**To maintain the favourable conservation condition of the habitat in the SAC** Distribution: rivers / Occurrence / No reduction from baseline. Distribution: Lough Corrib / Occurrence / No reduction from baseline	**None**. White-clawed crayfish are not present in the SAC downgradient of the Project or downstream of the Terryland River (as per the results of white-clawed crayfish surveys of the lower River Corrib presented in the application documents for the N6 GCRR project). Therefore, there are no risks of impacting white-clawed crayfish in Lough Corrib SAC.	**No**
Petromyzon marinus (Sea Lamprey) [1095]	To restore the favourable conservation condition of the habitat in the SAC Distribution: extent of anadromy Percentage of river accessible Greater than 75% of main stem length of rivers accessible from estuary	**Yes** An accidental pollution event during construction or operation could affect ground water inputting to the Terryland River and downstream in the lower River Corrib and Galway Bay. An accidental pollution event of a sufficient magnitude, either alone or cumulatively with other pollution sources, could affect the quality of the habitats and the fauna communities they support.	Yes The mitigation measures described in Section 7.1.4 of the NIS to protect water quality in the receiving environment will ensure that surface water quality inputting to the Terryland River, lower River Corrib, is protected during construction and operation of the Proposed Development.
Lampetra planeri (Brook Lamprey) [1096]	To maintain the favourable conservation condition of the habitat in the SAC Distribution Percentage of river accessible Access to all watercourses down to first order streams	**Yes** An accidental pollution event during construction or operation could affect ground water inputting to the Terryland River and downstream in the lower River Corrib and Galway Bay. An accidental pollution	**Yes** The mitigation measures described in Section 7.1.4 of the NIS to protect water quality in the receiving environment will ensure that surface water quality inputting to the Terryland River, lower

		event of a sufficient magnitude, either alone or cumulatively with other pollution sources, could affect the quality of the habitats and the fauna communities they support.	River Corrib, is protected during construction and operation of the Proposed Development.
Salmo salar (Salmon) [1106]	To maintain the favourable conservation condition of the habitat in the SAC Distribution: extent of anadromy Percentage of river accessible 100% of river channels down to second order accessible from estuary.	**Yes** An accidental pollution event during construction or operation could affect ground water inputting to the Terryland River and downstream in the lower River Corrib and Galway Bay. An accidental pollution event of a sufficient magnitude, either alone or cumulatively with other pollution sources, could affect the quality of the habitats and the fauna communities they support.	**Yes** The mitigation measures described in Section 7.1.4 of the NIS to protect water quality in the receiving environment will ensure that surface water quality inputting to the Terryland River, lower River Corrib, is protected during construction and operation of the Proposed Development.
Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303]	To maintain the favourable conservation condition of the habitat in the SAC Population per roost Number Minimum number of 100 bats for summer roost (roost id. 217 in NPWS database).	**None.** The main roost associated with this QI species, is located at Ebor Hall, on the northern shores of Lough Corrib, approximately 36km from the Proposed Development. As such, there is no potential for likely significant effects on this species.	**No**
Lutra lutra (Otter) [1355]	To maintain the favourable conservation condition of the habitat in the SAC Distribution / Percentage positive survey sites / No significant decline Habitat distribution / Occurrence / No decline, subject to natural processes Extent of terrestrial habitat / Hectares / No significant decline. Area mapped and calculated as 1,054ha along riverbanks/ lake shoreline/around ponds. Extent of freshwater (river) habitat / Kilometres / No significant decline. Length mapped and calculated as 314.2km	**Yes** An accidental pollution event during construction or operation could affect surface water inputting to the Terryland River and downstream in the lower River Corrib. An accidental pollution event of a sufficient magnitude, either alone or cumulatively with other pollution sources, could affect the quality of the habitats and the fauna communities they support. Noise, vibration and increased works, with the proposed construction, particularly if required at night-time which otter utilise could potentially result in negative impacts to QI otter populations	**Yes** The mitigation measures described in Section 7.1.4 of the NIS to protect water quality in the receiving environment will ensure that surface water quality inputting to the Terryland River, lower River Corrib, is protected during construction and operation of the Proposed Development. The mitigation measures described in Section 7.1.4 of the NIS to manage a range of potential disturbance risk will minimise the potential impacts to QI otter population.

	Extent of freshwater (lake) habitat / Hectares / No significant decline. Area mapped and calculated as 4,178ha		
Najas flexilis (Slender Naiad) [1833]	To restore the favourable conservation condition of the habitat in the SAC Population extent / Hectares; distribution / Restore the spatial extent of Najas flexilis within the lake, subject to natural processes. Population depth / Metres / Restore the depth range of Najas flexilis within the lake, subject to natural processes	**Yes** An accidental pollution event during construction or operation could affect surface water inputting to the Terryland River and downstream in the lower River Corrib. An accidental pollution event of a sufficient magnitude, either alone or cumulatively with other pollution sources, could affect the quality of the habitats and the fauna communities they support.	**Yes** The mitigation measures described in Section 7.2.4 of the NIS to protect water quality in the receiving environment will ensure that surface water quality inputting to the Terryland River, lower River Corrib, is protected during construction and operation of the Proposed Development.
Hamatocaulis vernicosus (Slender Green Feather-moss) [6216]	To maintain the favourable conservation condition of the habitat in the SAC Distribution of populations / Number and geographical spread of populations / No decline, subject to natural processes. Population size / Number of individuals / No decline, subject to natural processes.	**No.** The known distribution of this QI species is located within a separate WFD catchment and GWB and are not located downstream of the Proposed Development.	**No**

The above table is based on the documentation and information provided on the file and from the NPWS site and I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests.

Assessment of issues that could give rise to adverse effects view of conservation objectives.

Habitat degradation as a result of hydrological impact.

The proposed development site is in close proximity to the River Corrib and the Terryland Stream. The release of contaminated surface water runoff and / or an accidental spillage or pollution event into any surface water features during Construction,

or Operation phases, has the potential to affect water quality in the receiving aquatic environment. The associated effects of a reduction of surface water quality could potentially extend for a considerable distance downstream of the location of the accidental pollution event or the discharge. Such an occurrence, of a sufficient magnitude in the absence of mitigation could undermine the conservation objectives of Lough Corrib SAC. This reduction in water quality could result in the degradation of sensitive habitats present within these European sites, which in turn would negatively affect QI species which rely upon these habitats. It could also result in the degradation of the local aquatic environment, which could in turn negatively affect QI species including otter and fish species such as Atlantic salmon, sea lamprey and brook lamprey.

Mitigation measures and conditions

During the Construction Phase, all works will be undertaken in accordance with the Construction Environmental Management Plan.

Mitigation works will be adopted as part of the construction works for the Proposed Development. These measures will address the main activities of potential impact which include:

- Control and Management of surface water runoff.
- Control and management of shallow groundwater during excavation and dewatering.
- Management and control of soil and materials.
- Appropriate fuel and chemical handling, transport and storage; and,
- Management of accidental release of contaminants at the site.

Surface water runoff management will be required to prevent runoff entering excavations during construction. Surface water will require diversion around the open excavations using standard temporary drainage methods to ensure that surface water is effectively conveyed around works areas.

There will be no authorised discharge of water to ground during the construction phase. Where water must be pumped from the excavations, water will be discharged by the contractor, following appropriate treatment (e.g., settlement or hydrocarbon interceptor) to sewer in accordance with the necessary discharge licences issued by UÉ under Section 16 of the Local Government (Water Pollution) Acts and Regulations for any water discharges to sewer or from FCC under Section 4 of the Local Government (Water Pollution) Act 1977, as amended for discharges to surface water.

Where required, all public sewers will be protected to ensure that any untreated wastewater generated onsite does not enter the public sewers.

Where required, standard design and construction measures (i.e., groundwater drainage around impermeable subsurface structures) will ensure that groundwater flow across the site is maintained and that there will be no impact on groundwater levels.

During the construction phase, fuelling and lubrication of equipment will be carried out in accordance with the procedures outlined in the CEMP in a designated area of the Proposed Development site away from any watercourses and drains (where not possible to carry out such activities onsite).

Strict supervision of contractors will be adhered to in order to ensure that all plant and equipment utilised on-site is in good working condition.

Only emergency breakdown maintenance will be carried out on-site. Drip trays and spill kits will be available on-site to ensure that any spills from vehicles are contained and removed off-site

Emergency procedures will be developed by the appointed Contractor in advance of works commencing and spillage kits will be available on-site including in vehicles operating on-site.

The emergency procedures shall be cognisant of the following:

- Any required emergency vehicle or equipment maintenance work will take place in a designated impermeable area within the site.
- Emergency response procedures will be put in place, in the unlikely event of spillages of fuels or lubricants.

- Spill kits including oil absorbent material will be provided so that any spillage of fuels, lubricants or hydraulic oils will be immediately contained.
- In the event of a leak or spill from equipment in the instance of a mechanical breakdown during operation, any contaminated soil will be removed from the Proposed Development site and compliantly disposed of off-site. Residual soil will be tested to validate that all potentially contaminated material has been removed. This procedure will be undertaken in accordance with industry best practice procedures and standards.
- All construction works staff will be familiar with emergency procedures in the event of accidental fuel spillages.
- All construction works staff on-site will be fully trained on the use of equipment.

Pumping of concrete will be monitored to ensure that there is no accidental discharge.

Given the vulnerability of the underlying groundwater at the site, the shallow groundwater table, the potential presence of karst landforms and the detectable concentrations of hydrocarbons in shallow soils (GII, 2024), it is proposed that a piling risk assessment is completed by the appointed Contractor at detailed design stage and in advance of construction works commencing onsite. Piling methodology will adhere to Environment Agency guidance on 'Piling into Contaminated Sites' (EA, 2002) and 'Piling and Prevention Ground Improvements Methods on Land Affected by Contamination: Guidance on Pollution Prevention' (EA, 2001) in order to minimise the potential for introduction of any temporary conduit between any potential sources of contamination at the ground surface and underlying groundwater. The piling methods will also include procedures to ensure any potential impact to water quality is prevented including preventing surface runoff or other piling/drilling fluids from entering the pile bores and surrounding formation.

All below ground drainage infrastructure will be constructed in accordance with current UÉ requirements to ensure that there are no potential impacts to groundwater quality.

Habitat degradation as a result of hydrogeological impact

An accidental pollution event during construction, or operation, has the potential to affect groundwater quality locally and any groundwater dependent habitat downgradient of the Proposed Development. The local hydrogeological regime potentially contributes to and supports Qualifying Interest priority Annex I habitats within Lough Corrib SAC.

Mitigation measures and conditions

As per mitigation measures for hydrological impact as a detailed above

Habitat Degradation as a result of Air Quality during construction

The Proposed Development has the potential to generate dust during construction works which could affect vegetation in habitat areas adjacent to the subject site. Dust deposition due to demolition, earthworks, construction and trackout has the potential to affect sensitive habitats and plant communities. Lough Corrib SAC is located approximately 15m west of the site boundary. Construction works will take place 20m from Lough Corrib SAC Therefore, the sensitivity of the Area to Ecological Impacts is High; in terms of construction and track out dust impacts, and low risk for earthworks. Therefore, Lough Corrib SAC has the potential to be impacted by dust during the construction phase of the development. The proposed development will not create a significant increase in operational traffic and will remove the existing car parking from the site and therefore an assessment of the traffic emissions on the Lough Corrib SAC is not required.

Mitigation measures and conditions

The potential for fugitive dust emission effects at the nearest sensitive ecological receptors will be controlled to ensure impacts are of negligible significance.

In accordance with the IAQM Guidance, the highest risk category should be applied when determining proposed mitigation measures. Therefore, the mitigation measures applicable to a High-Risk site will be applied. These relate to:

- Site Communications

- Dust Management.
- Site Management.
- Preparation and Maintaining the Site.
- Operating Vehicles/Machinery and sustainable travel,
- Operations,
- Waste Management
- Measures specific to earthworks
- Measures specific to construction
- Measures specific to trackout.

Disturbance and displacement impacts

Lough Corrib SAC is within the disturbance ZoI and there is potential for Qualifying interests species to be disturbed and displaced from foraging habitats within the site during construction and operation.

Mitigation measure and conditions

Night working within/directly adjacent to watercourses where otter are known to commute will be avoided, where possible, and will only be permitted with the prior approval of the planning authority.

Where night-working adjacent to watercourses known to support otter, is required, the advice of a suitably qualified ecologist/ECoW must be sought and a derogation licence, if necessary, will be sought from NPWS permitting such works.

Security lighting in active works areas in close proximity to watercourses with known otter activity will be designed in conjunction with a suitably qualified ecologist to minimise light spill.

Measures to reduce light spill to include the following:

- The use of sensor/timer triggered lighting.

- LED luminaires should be used where possible due to their sharp cut-off, lower intensity, good colour rendition and dimming capability.
- Column heights should be considered to minimise light spill; and
- Accessories such as baffles, hoods or louvres can be used to reduce light spill and direct it only where needed.

In-combination effects

I am satisfied that in-combination effects has been assessed adequately in the NIS. The applicant has demonstrated satisfactorily that no significant residual effects will remain post the application of mitigation measures and there is therefore no potential for in-combination effects.

Findings and conclusions

The applicant determined that following the implementation of mitigation measures the construction and operation of the proposed development alone, or in combination with other plans and projects, will not adversely affect the integrity of this European site.

Based on the information provided, I am satisfied that adverse effects arising from aspects of the proposed development can be excluded for the Lough Corrib SAC considered in the appropriate Assessment. No direct impacts are predicted. Indirect impacts would be temporary in nature and mitigation measures are described to prevent ingress of sediment laden surface water and groundwater and to limit dust deposition. I am satisfied that the mitigation measures proposed to prevent adverse effects have been assessed as effective and can be implemented.

Reasonable scientific doubt

I am satisfied that no reasonable scientific doubt remains as to the absence of adverse effects.

Site Integrity

The proposed development will not affect the attainment of the Conservation objectives of the Lough Corrib SAC Adverse effects on site integrity can be excluded and no reasonable scientific doubt remains as to the absence of such effects.

Lough Corrib SPA (004042) **Summary of Key issues that could give rise to adverse effects:** **(i) Habitat degradation as a result of hydrological impacts** **(ii) Habitat degradation as a result of hydrogeological impacts.** **See Table 8 NIS**			
Qualifying Interest features likely to be affected.	**Conservation Objectives** **Targets and attributes**	**Potential adverse effects**	**Mitigation measures**
Gadwall Anas strepera [A051], Shoveler Anas clypeata [A056], Pochard Aythya farina [A059], Tufted Duck Aythya fuligula [A061], Coot Fulica atra [A125]	Restore favourable conservation condition. Winter population trend / Percentage change in number of individuals / Long term winter population trend is stable or increasing. Winter spatial distribution / Hectares, time and intensity of use / Sufficient number of locations, area, and availability (in terms of timing and intensity of use) of suitable habitat to support the population target.	**Yes** An accidental pollution event during construction or operation could affect the surface water in Terryland River and Lough Corrib. An accidental pollution event of a sufficient magnitude, either alone or cumulatively with other pollution sources, could affect the quality of the habitats and the fauna communities they support.	**Yes** The mitigation measures described in Section 7.2.4 of the NIS to protect water quality in the receiving environment will ensure that surface water quality is protected during construction and operation of the Proposed Development.
Common Scoter Melanitta nigra [A065]	Maintain favourable conservation condition. Breeding population trend / Percentage change in number of potential		**Yes** The mitigation measures described in Section 7.2.4 of the NIS to protect water quality in the receiving

	breeding pairs / Long term trend is stable or increasing. Productivity rate / Number of young fledged per potential breeding pair / Sufficient productivity to maintain the population trend as stable or increasing. Distribution of nesting habitat / Spatial distribution / No significant loss of distribution in the long term, other than that occurring due to natural patterns of variation		environment will ensure that surface water quality is protected during construction and operation of the Proposed Development.
Hen Harrier Circus cyaneus [A082]	Restore favourable conservation condition. Roost attendance: individual hen harriers / Number / Long term winter population trend within the SPA is stable or increasing. Forage area spatial distribution, extent and abundance / Location and hectares; prey biomass / Sufficient extent of suitable habitats and biomass of available prey items across the site to help support the population		**Yes** The mitigation measures described in Section 7.2.4 of the NIS to protect water quality in the receiving environment will ensure that surface water quality is protected during construction and operation of the Proposed Development.
Golden Plover Pluvialis apricaria [A140] and Greenland White-fronted Goose Anser albifrons flavirostris [A395]	Maintain favourable conservation condition. Winter population trend / Percentage change in number of individuals / Long term winter population trend is stable or increasing. Winter spatial distribution / Hectares, time and intensity of use / Sufficient		**Yes** The mitigation measures described in Section 7.2.4 of the NIS to protect water quality in the receiving environment will ensure that surface water quality is protected during construction and operation of the Proposed Development.

	number of locations, area, and availability (in terms of timing and intensity of use) of suitable habitat to support the population target		
Black-headed Gull Chroicocephalus ridibundus [A179], Common Gull Larus canus [A182], Common Tern Sterna hirundo [A193] and Arctic Tern Sterna paradisaea [A194]	To restore the favourable conservation condition Breeding population size / Number of Apparently Occupied Nests (AON) / Longterm population is stable or increasing. Productivity rate / Number of fledged young per AON / Sufficient to maintain population		**Yes** The mitigation measures described in Section 7.2.4 of the NIS to protect water quality in the receiving environment will ensure that surface water quality is protected during construction and operation of the Proposed Development.
Wetlands [A999]	To maintain the favourable conservation condition Wetland habitat area / Hectares / No significant loss to wetland habitat within the SPA, other than that occurring from natural patterns of variation. Wetland habitat quality and functioning / Quality and function of the wetland habitat / No significant impact on the quality or functioning of the wetland habitat within the SPA, other than that occurring from natural patterns of variation.		**Yes** The mitigation measures described in Section 7.2.4 of the NIS to protect water quality in the receiving environment will ensure that surface water quality is protected during construction and operation of the Proposed Development.

The above table is based on the documentation and information provided on the file and I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests.

Assessment of issues that could give rise to adverse effects view of conservation objectives.

Habitat degradation as a result of hydrological impacts

Lough Corrib SPA contains suitable inland foraging/roosting sites located within the potential ZoI of the proposed development. The proposed development site does not provide breeding or foraging habitat for most breeding birds and does not contain any suitable habitat for SCI wintering birds. An accidental pollution event during construction or operation could affect the surface water inputting to the Terryland River and the River Corrib. An accidental pollution event of a sufficient magnitude, either alone or cumulatively with other pollution sources, could affect the quality of the habitats and the fauna communities they support. Therefore, there is potential for the Proposed Development to result in significant effects which could have implications for the conservation objectives of Lough Corrib SPA.

Mitigation measures and conditions

As per mitigation measures for Lough Corrib SPA and as in Section 7.2.4 of the NIS.

Habitat degradation as a result of hydrogeological impacts.

An accidental pollution event during construction or operation could affect the ground waterbody inputting to the Terryland River and the River Corrib. An accidental pollution event of a sufficient magnitude could affect the quality of the habitats and the fauna communities they support. Lough Corrib SPA contains suitable inland foraging/roosting sites located within the potential ZoI of the Proposed Development. Potential impacts may arise due to the direct loss of important ex-situ inland sites that individual SCI bird species of local SPA populations rely upon as feeding and/or roosting habitat where these sites fall within the Proposed Development boundary. Therefore, there is potential for the proposed development to result in significant effects which could have implications for the conservation objectives of Lough Corrib SPA.

Mitigation measures and conditions

As per mitigation measures for Lough Corrib SAC and as in Section 7.2.4 of the NIS.

In-combination effects

I am satisfied that in-combination effects has been assessed adequately in the NIS. [The applicant has demonstrated satisfactorily that no significant residual effects will remain

post the application of mitigation measures and there is therefore no potential for in-combination effects.

Findings and conclusions

The applicant determined that following the implementation of mitigation measures the construction and operation of the proposed development alone, or in combination with other plans and projects, will not adversely affect the integrity of this European site.

Based on the information provided, I am satisfied that adverse effects arising from aspects of the proposed development can be excluded for the Lough Corrib SPA considered in the appropriate assessment. No direct impacts are predicted. Indirect impacts would be temporary in nature and mitigation measures are described to prevent accidental pollution of surface water and groundwater and to limit dust deposition. I am satisfied that the mitigation measures proposed to prevent adverse effects have been assessed as effective and can be implemented.

Reasonable scientific doubt

I am satisfied that no reasonable scientific doubt remains as to the absence of adverse effects.

Site Integrity

The proposed development will not affect the attainment of the Conservation objectives of the Lough Corrib SPA. Adverse effects on site integrity can be excluded and no reasonable scientific doubt remains as to the absence of such effects.

Galway Bay Complex SAC [000268]

Summary of Key issues that could give rise to adverse effects:

(i) Habitat degradation as a result of hydrological impacts

(ii) Habitat degradation as a result of hydrogeological impacts

(iii)Disturbance/Displacement

See Table 10 NIS

Qualifying Interest features likely to be affected.	**Conservation Objectives** **Targets and attributes (summary- inserted)**	**Potential adverse effects**	**Mitigation measures** **(summary)**
Mudflats and sandflats not covered by seawater at low tide) [1140]	Maintain favourable conservation condition. Habitat area / Hectares / The permanent habitat area is stable or increasing, subject to natural processes. Community distribution / Hectares / Conserve the following community types in a natural condition: Intertidal sandy mud community complex; and Intertidal sand community complex	**Yes** An accidental pollution event during construction or operation could affect the surface or ground waterbody inputting to Galway Bay. An accidental pollution event of a sufficient magnitude, either alone or cumulatively with other pollution sources, could affect the quality of the habitats and the fauna communities they support.	**Yes** The mitigation measures described in Section 7.3.4 of the NIS to protect water quality in the receiving environment will ensure that surface and ground water quality inputting to Galway Bay is protected during construction and operation of the Proposed Development.
Coastal lagoons [1150]	Restore favourable conservation condition. Habitat area / Hectares / Area stable, subject to slight natural variation. Favourable reference area 76.7ha.	**Yes** An accidental pollution event during construction or operation could affect the surface or ground waterbody inputting to Galway Bay. An accidental pollution event of a	**Yes** The mitigation measures described in Section 7.3.4 of the NIS to protect water quality in the receiving environment will ensure that surface and ground water quality inputting to

	Habitat distribution / Occurrence / No decline, subject to natural processes.	sufficient magnitude, either alone or cumulatively with other pollution sources, could affect the quality of the habitats and the fauna communities they support.	Galway Bay is protected during construction and operation of the Proposed Development.
Large shallow inlets and bays [1160]	Maintain favourable conservation condition. Habitat area / Hectares / The permanent habitat area is stable or increasing, subject to natural processes. Community extent / Hectares / Maintain the extent of the Zostera-dominated community complex and the maërl-dominated community, subject to natural processes	**Yes** An accidental pollution event during construction or operation could affect the surface or ground waterbody inputting to Galway Bay. An accidental pollution event of a sufficient magnitude, either alone or cumulatively with other pollution sources, could affect the quality of the habitats and the fauna communities they support.	**Yes** The mitigation measures described in Section 7.3.4 of the NIS to protect water quality in the receiving environment will ensure that surface and ground water quality inputting to Galway Bay is protected during construction and operation of the Proposed Development.
Reefs [1170]	Maintain favourable conservation condition. Distribution / Occurrence / The distribution of reefs is stable or increasing, subject to natural processes. Habitat area / Hectares / The permanent habitat area is stable, subject to natural processes	**Yes** An accidental pollution event during construction or operation could affect the surface or ground waterbody inputting to Galway Bay. An accidental pollution event of a sufficient magnitude, either alone or cumulatively with other pollution sources, could affect the quality of the habitats and the fauna communities they support.	**Yes** The mitigation measures described in Section 7.3.4 of the NIS to protect water quality in the receiving environment will ensure that surface and ground water quality inputting to Galway Bay is protected during construction and operation of the Proposed Development.
Perennial vegetation of stony banks [1220]	Maintain favourable conservation condition. Habitat area / Hectares / Area stable or increasing, subject to natural processes, including erosion and succession. Habitat distribution / Occurrence / No decline, or change in habitat	**Yes** An accidental pollution event during construction or operation could affect the surface or ground waterbody inputting to Galway Bay. An accidental pollution event of a sufficient magnitude, either alone or cumulatively with other	**Yes** The mitigation measures described in Section 7.3.4 of the NIS to protect water quality in the receiving environment will ensure that surface and ground water quality inputting to Galway Bay is protected during construction and

	distribution, subject to natural processes.	pollution sources, could affect the quality of the habitats and the fauna communities they support.	operation of the Proposed Development.
Salicornia and other annuals colonising mud and sand [1310]	Maintain favourable conservation condition. Habitat area / Hectares / Area stable or increasing, subject to natural processes, including erosion and succession. For sub-sites mapped: Barna House – 0.067ha, Seaweed Point – 0.003ha, Roscam West and South – 0.023ha, Kilcaimin – 0.015, Kileenaran – 0.007ha, Kinvara West – 0.017ha, Scanlan's Island – 0.117ha, Tawin Island – 1.098ha Habitat distribution / Occurrence / No decline, or change in habitat distribution, subject to natural processes	**Yes** An accidental pollution event during construction or operation could affect the surface or ground waterbody inputting to Galway Bay. An accidental pollution event of a sufficient magnitude, either alone or cumulatively with other pollution sources, could affect the quality of the habitats and the fauna communities they support.	**Yes** The mitigation measures described in Section 7.3.4 of the NIS to protect water quality in the receiving environment will ensure that surface and ground water quality inputting to Galway Bay is protected during construction and operation of the Proposed Development.
Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330]	Restore favourable conservation condition. Habitat area / Hectares / Area increasing, subject to natural processes, including erosion and succession. For sub-sites mapped: Barna House – 2.33ha, Seaweed Point – 1.41ha, Roscam West and South – 3.30ha, Oranmore North – 4.24ha, Kilcaimin – 6.82ha, Tawin Island – 53.85ha, Tyrone House Dunbulcaun Bay – 9.83ha, Kileenaran – 15.37ha, Kinvara West – 13.33ha, Scanlan's Island – 4.13ha	**Yes** An accidental pollution event during construction or operation could affect the surface or ground waterbody inputting to Galway Bay. An accidental pollution event of a sufficient magnitude, either alone or cumulatively with other pollution sources, could affect the quality of the habitats and the fauna communities they support.	**Yes** The mitigation measures described in Section 7.3.4 of the NIS to protect water quality in the receiving environment will ensure that surface and ground water quality inputting to Galway Bay is protected during construction and operation of the Proposed Development.
Mediterranean salt meadows (Juncetalia 159aritime) [1410]	Restore favourable conservation condition. Habitat area / Hectares / Area stable or increasing, subject to natural processes, including erosion and succession. For sub-sites mapped: Barna House – 0.282ha,	**Yes** An accidental pollution event during construction or operation could affect the surface or ground waterbody inputting to Galway Bay. An accidental pollution event of a sufficient magnitude, either alone or	**Yes** The mitigation measures described in Section 7.3.4 of the NIS to protect water quality in the receiving environment will ensure that surface and ground water quality inputting to Galway Bay is protected during construction and

	Seaweed Point – 0.931ha, Kilcaimin – 0.005ha, Tawin Island – 1.799ha. Tyrone House-Dunbulcaun Bay – 8.184ha, Kileenaran – 0.271ha Habitat distribution / Occurrence / No decline, subject to natural processes	cumulatively with other pollution sources, could affect the quality of the habitats and the fauna communities they support.	operation of the Proposed Development.
Turloughs [3180]	Maintain favourable conservation condition. Habitat area / Hectares / Area stable at c.59ha or increasing, subject to natural processes. Habitat distribution / Occurrence / No decline, subject to natural processes	**Yes** An accidental pollution event during construction or operation could affect the surface or ground waterbody inputting to Galway Bay. An accidental pollution event of a sufficient magnitude, either alone or cumulatively with other pollution sources, could affect the quality of the habitats and the fauna communities they support.	**Yes** The mitigation measures described in Section 7.3.4 of the NIS to protect water quality in the receiving environment will ensure that surface and ground water quality inputting to Galway Bay is protected during construction and operation of the Proposed Development.
Juniperus communis formations on heaths or calcareous grasslands [5130]	Restore favourable conservation condition. Habitat area / Occurrence / Area stable or increasing, subject to natural processes. At least 1.4ha at mapped location Habitat distribution / Hectares / No decline	**None.** Terrestrial habitats above the high tide line are beyond the effective range of contaminated water inundation and therefore are not at risk of effects from water pollution in Galway Bay.	**No**
Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco Brometalia) (*important orchid sites) [6210]	Maintain favourable conservation condition. Habitat area / Hectares / Area stable or increasing, subject to natural processes. Habitat distribution / Occurrence / No decline, subject to natural processes	**None.** Terrestrial habitats above the high tide line are beyond the effective range of contaminated water inundation and therefore are not at risk of effects from water pollution in Galway Bay.	**No.**
Calcareous fens with Cladium mariscus and species of the Caricion davallianae [7210]*	Maintain favourable conservation condition. Habitat area / Hectares / Area stable or increasing, subject to natural processes.	**Yes** An accidental pollution event during construction or operation could affect the surface or ground waterbody inputting to Galway Bay. An accidental	**Yes** The mitigation measures described in Section 7.3.4 to protect water quality in the receiving environment will ensure that surface and ground water quality

	Habitat distribution / Occurrence / No decline, subject to natural processes	pollution event of a sufficient magnitude, either alone or cumulatively with other pollution sources, could affect the quality of the habitats and the fauna communities they support.	inputting to Galway Bay is protected during construction and operation of the Proposed Development.
Alkaline fens [7230]	Maintain favourable conservation condition. Habitat area / Hectares / Area stable or increasing, subject to natural processes. Habitat distribution / Occurrence / No decline, subject to natural processes	**Yes** An accidental pollution event during construction or operation could affect the surface or ground waterbody inputting to Galway Bay. An accidental pollution event of a sufficient magnitude, either alone or cumulatively with other pollution sources, could affect the quality of the habitats and the fauna communities they support.	**Yes** The mitigation measures described in Section 7.3.4 to protect water quality in the receiving environment will ensure that surface and ground water quality inputting to Galway Bay is protected during construction and operation of the Proposed Development.
Otter Lutra [1355]	Restore favourable conservation condition. Distribution / Percentage positive survey sites / No significant decline. Extent of terrestrial habitat / Hectares / No significant decline. Area mapped and calculated as 262ha above high water mark (HWM); 14ha along river banks/around ponds	**Yes.** An accidental pollution event during construction or operation could affect the ground waterbody inputting to Galway Bay. An accidental pollution event of a sufficient magnitude, either alone or cumulatively with other pollution sources, could affect the quality of the habitats and the fauna communities they support. Noise, vibration and increased works, with the proposed construction, particularly if required at night-time which otter utilise could potentially result in negative impacts to QI otter populations.	**Yes** The mitigation measures described in Section 7.3.4 to protect water quality in the receiving environment will ensure that ground water quality inputting to Galway Bay is protected during construction and operation of the Proposed Development. The mitigation measures described in Section 7.3.4 to manage a range of potential disturbance risk will minimise the potential impacts to QI otter population.
Harbour seal Phoca vitulina [1365]	Maintain favourable conservation condition. Access to suitable habitat / Number of artificial barriers / Species range within the site should not be restricted by artificial barriers to site use. Breeding behaviour / Breeding sites / Conserve	**Yes** An accidental pollution event during construction or operation could affect the surface or ground waterbody inputting to Galway Bay. An accidental pollution event of a sufficient magnitude, either alone or cumulatively with other	**Yes** The mitigation measures described in Section 7.3.4 of the NIS to protect water quality in the receiving environment will ensure that surface and ground water quality inputting to Galway Bay is protected during construction and

	breeding sites in a natural condition	pollution sources, could affect the quality of the habitats and the fauna communities they support. The Proposed Development is not located close to any haul out or breeding/resting sites for seals	operation of the Proposed Development.

The above table is based on the documentation and information provided on the file and I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests.

Assessment of issues that could give rise to adverse effects view of conservation objectives.

Habitat degradation as a result of hydrological impacts

The development is connected to Galway Bay as a result of surface water from the development via the Terryland Stream and the River Corrib. The release of contaminated surface water runoff and / or an accidental spillage or pollution event into any surface water features during construction, or operation, has the potential to affect water quality in the receiving aquatic environment. The associated effects of a reduction of surface water quality could potentially extend for a considerable distance downstream of the location of the accidental pollution event or the discharge point and therefore impact downstream waterbodies (Galway Bay Complex SAC). This reduction in water quality could result in the degradation of sensitive habitats present within these European sites, which in turn would negatively affect the QI otter and marine mammal species that rely upon these habitats as foraging and / or roosting habitat. It could also negatively affect the quantity and quality of prey available to QI otter and marine mammal species.

Mitigation measures and conditions

As per the mitigation measures listed under the Lough Corrib SAC and in Section 7.1.4.2

Habitat degradation as a result of hydrogeological impacts

The local hydrogeological regime contributes to, and supports, the Qualifying Interest priority Annex I Turloughs [3180*], Alkaline fen [7230] and Calcareous fen [7210] habitats within the Galway Bay Complex SAC. An accidental pollution event during construction, or operation, has the potential to affect groundwater quality locally and any groundwater dependent habitat downgradient of the Proposed Development site in the Galway Complex SAC. An accidental groundwater pollution event could undermine the conservation objectives of the Galway Complex SAC by affecting by affecting the vegetation composition and habitat distribution of the turlough and fen habitats within Galway Bay.

Mitigation measures and conditions

As per the mitigation measures listed under the Lough Corrib SAC and in Section 7.1.4.2

Disturbance/Displacement

Whilst Galway Bay Complex SAC is not within the disturbance ZoI of the Proposed Development, it is possible that the QI otter population from this SAC, overlap with the Lough Corrib population. Whilst otters are generally nocturnal in habit and can tolerate high levels of human presence and disturbance, temporary displacement in the vicinity of the proposed development noise and vibration associated with construction works could temporarily displace commuting or foraging otter during the construction phase of the development. Therefore, there is potential for the Proposed Development to result in significant effects (albeit short-term) which could have implications for the conservation objectives of Galway Bay Complex SAC as a result of disturbance/displacement impacts on otter during construction.

Mitigation measures and conditions

As per the mitigation measures listed under the Lough Corrib SAC and in Section 7.1.4.2 of the NIS.

In-combination effects

I am satisfied that in-combination effects has been assessed adequately in the NIS. The applicant has demonstrated satisfactorily that no significant residual effects will remain post the application of mitigation measures and there is therefore no potential for in-combination effects.

As stated in Section 8.10 on the main report, I consider that having regard to:

- Relative scale of the development,
- The existing capacity of the Galway Wastewater Treatment Plant,
- The local improvement works in the network and resolution of existing issues with the Black Box pumping station,
- The proposed surface water management,

that the proposed development will result in a significant improvement in the quality and quantity of run-off discharged from the proposed development and that increased discharge to the Galway WWTP as a result of the proposed development is not significant in terms of the overall scale of the facility. The proposed development, therefore, will not create significant additional pressure of the infrastructure of the city. I therefore consider that the increased load does not have the capacity to alter the effluent released from the WWTP or associated infrastructure to such an extent as to result in significant effects on the receiving waters.

Findings and conclusions

The applicant determined that following the implementation of mitigation measures the construction and operation of the proposed development alone, or in combination with other plans and projects, will not adversely affect the integrity of this European site.

Based on the information provided, I am satisfied that adverse effects arising from aspects of the proposed development can be excluded for the Galway Bay Complex SAC considered in the appropriate Assessment. No direct impacts are predicted. Indirect impacts would be temporary in nature and mitigation measures are described to prevent

contamination of surface water, pollution of groundwater and disturbance and displacement of QI species. Monitoring measures are also proposed to ensure compliance and effective management of measures. I am satisfied that the mitigation measures proposed to prevent adverse effects have been assessed as effective and can be implemented.

Reasonable scientific doubt

I am satisfied that no reasonable scientific doubt remains as to the absence of adverse effects.

Site Integrity

The proposed development will not affect the attainment of the Conservation objectives of the Galway Bay Complex SAC. Adverse effects on site integrity can be excluded and no reasonable scientific doubt remains as to the absence of such effects.

Inner Galway Bay SPA (004031): **Summary of Key issues that could give rise to adverse:** **(i) Habitat degradation as a result of hydrological impacts.** **(ii) Habitat degradation as a result of hydrogeological impacts.** **See Table 12 NIS**			
Qualifying Interest features likely to be affected.	**Conservation Objectives** **Targets and attributes (summary- inserted)**	**Potential adverse effects**	**Mitigation measures** **(summary)**
Great Northern Diver Gavia immer [A0003], Grey Heron Ardea cinerea [A028], Brent Goose Branta bernicla hrota [A046], Wigeon Anas penelope [A050], Teal Anas crecca [A052], Shoveler Anas clypeata [A056], Red-breasted Merganser Mergus serrator [A069], Ringed Plover Charadrius hiaticula [A137], Golden Plover Pluvialis apricaria [A140], Lapwing Vanellus vanellus [A142], Dunlin Calidris alpina alpina [A149], Bar-tailed Godwit Limosa lapponica [A157], Curlew Numenius Arquata [A160], Redshank Tringa tetanus	Maintain favourable conservation condition. Population trend / Percentage change / Long term population trend stable or increasing. Distribution / Range, timing and intensity of use of areas / No significant decrease in the range, timing or intensity of use of areas by all species mentioned above, other than that occurring from natural patterns of variation.	Yes An accidental pollution event during construction or operation could affect the surface waterbody inputting to Galway Bay. An accidental pollution event of a sufficient magnitude, either alone or cumulatively with other pollution sources, could affect the quality of the habitats and the fauna communities they support.	Yes The mitigation measures described in Section 7.4.4 of the NIS to protect water quality in the receiving environment will ensure that surface water quality inputting to Galway Bay is protected during construction and operation of the Proposed Development.

[A162], Turnstone Arenaria interpres [A169], Black-headed Gull Chroicocephalus ridibundus [A179], Common Gull Larus canus [A182]			
Cormorant Phalacrocorax carbo [A017]	Maintain favourable conservation condition. Breeding population abundance: apparently occupied nests (AONs) / Number / No significant decline. Productivity rate / Mean number / No significant decline. Distribution: breeding colonies / Number; location; area (hectares) / No significant decline		Yes The mitigation measures described in Section 7.4.4 of the NIS to protect water quality in the receiving environment will ensure that surface water quality inputting to Galway Bay is protected during construction and operation of the Proposed Development.
Sandwich Tern Sterna sandvicensi [A191]	Maintain favourable conservation condition. Breeding population abundance: apparently occupied nests (AONs) / Number / No significant decline Productivity rate: fledged young per breeding pair / Mean number / No significant decline Distribution: breeding colonies / Number; location; area (Hectares) / No significant decline		Yes The mitigation measures described in Section 7.4.4 of the NIS to protect water quality in the receiving environment will ensure that surface water quality inputting to Galway Bay is protected during construction and operation of the Proposed Development.
Common Tern Sterna hirundo [A193]	Maintain favourable conservation condition. Breeding population abundance: apparently occupied nests (AONs) /		Yes The mitigation measures described in Section 7.4.4 of the NIS to protect water quality in the receiving environment will ensure

	Number / No significant decline Productivity rate: fledged young per breeding pair / Mean number / No significant decline Distribution: breeding colonies / Number; location; area (Hectares) / No significant decline		that surface water quality inputting to Galway Bay is protected during construction and operation of the Proposed Development.
Wetlands [A999]	Maintain favourable conservation condition. Habitat area / Hectares / The permanent area occupied by the wetland habitat should be stable and not significantly less than the area of 13,267ha, other than that occurring from natural patterns of variation		Yes The mitigation measures described in Section 7.4.4 of the NIS to protect water quality in the receiving environment will ensure that surface water quality inputting to Galway Bay is protected during construction and operation of the Proposed Development.

The above table is based on the documentation and information provided on the file and the NWPS site. I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests.

Assessment of issues that could give rise to adverse effects view of conservation objectives.

Habitat degradation as a result of hydrological impacts

The Proposed Development is hydrologically connected to Inner Galway Bay via the Terryland Stream and River Corrib. In addition, the Proposed Development is hydrologically connected to Inner Galway Bay as a result of foul waters from the footprint of the Proposed Development which will join the public sewer and will be treated at the Galway WwTP prior to subsequent discharge to the Corrib Estuary. The release of contaminated surface water runoff and/or an accidental spillage or pollution event into any surface water features during construction, or operation, has the potential to result in significant effects which could have implications for the conservation objectives of Inner

Galway Bay SPA as a result of hydrological impacts. A reduction in water quality could result in the degradation of sensitive habitats present within these European sites, which in turn would negatively affect the SCI bird species that rely upon these habitats as foraging and / or roosting habitat. It could also negatively affect the quantity and quality of prey available to SCI bird species. These potential impacts could occur to such a degree that they result in significant effects which could have implications for the conservation objectives of Inner Galway Bay SPA.

Mitigation measures and conditions

As per the mitigation measures listed under the Lough Corrib SAC and in Section 7.1.4.2 of the NIS.

Habitat degradation as a result of hydrogeological impacts

An accidental pollution event of a sufficient magnitude, either alone or cumulatively with other pollution sources, could affect the quality of the habitats and the fauna communities they support. Potential impacts may arise due to the direct loss of important ex-situ inland sites that individual SCI bird species of local SPA populations rely upon as feeding and/or roosting habitat where these sites fall within the Proposed Development boundary. Therefore, there is potential for the Proposed Development to result in significant effects which could have implications for the conservation objectives of Inner Galway Bay SPA.

Mitigation measures and conditions

As per the mitigation measures listed under the Lough Corrib SAC and in Section 7.1.4.2 of the NIS.

In-combination effects

I am satisfied that in-combination effects has been assessed adequately in the NIS. The applicant has demonstrated satisfactorily that no significant residual effects will remain post the application of mitigation measures and there is therefore no potential for in-combination effects.

As stated in Section 8.10 on the main report, I consider that having regard to:

- Relative scale of the development,

- The existing capacity of the Galway Wastewater Treatment Plant,
- The local improvement works in the network and resolution of existing issues with the Black Box pumping station,
- The proposed surface water management,

that the proposed development will result in a significant improvement in the quality and quantity of run-off discharged from the proposed development and that increased discharge to the Galway WWTP as a result of the proposed development is not significant in terms of the overall scale of the facility. The proposed development, therefore, will not create significant additional pressure of the infrastructure of the city. I therefore consider that the increased load does not have the capacity to alter the effluent released from the WWTP or associated infrastructure to such an extent as to result in significant effects on the receiving waters.

Findings and conclusions

The applicant determined that following the implementation of mitigation measures the construction and operation of the proposed development alone, or in combination with other plans and projects, will not adversely affect the integrity of this European site.

Based on the information provided, I am satisfied that adverse effects arising from aspects of the proposed development can be excluded for the Inner Galway Bay SPA considered in the appropriate Assessment. No direct impacts are predicted. Indirect impacts would be temporary in nature and mitigation measures are described to prevent ingress of contaminated surface water and pollution of groundwater. Monitoring measures are also proposed to ensure compliance and effective management of measures. I am satisfied that the mitigation measures proposed to prevent adverse effects have been assessed as effective and can be implemented.

Reasonable scientific doubt

I am satisfied that no reasonable scientific doubt remains as to the absence of adverse effects.

Site Integrity

The proposed development will not affect the attainment of the Conservation objectives of the Inner Galway Bay SPA. Adverse effects on site integrity can be excluded, and no reasonable scientific doubt remains as to the absence of such effects.

Appropriate Assessment Conclusion: Integrity Test

In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on Lough Corrib SAC, Galway Bay Complex SAC, Inner Galway Bay SPA and Lough Corrib SPA in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of 177AE was required.

Following an examination, analysis and evaluation of the NIS all associated material submitted and taking into account observations of the Department of Housing, Local Government and Heritage, I consider that adverse effects on site integrity of the Lough Corrib SAC, Galway Bay Complex SAC, Inner Galway Bay SPA and Lough Corrib SPA can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.

My conclusion is based on the following:

- The contents of the applicants Natura Impact Statement.
- Detailed assessment of construction and operational impacts.
- An assessment of all aspects of the project including proposed mitigation measures in relation to the conservation objectives of Lough Corrib SAC, Galway Bay Complex SAC, Inner Galway Bay SPA and Lough Corrib SPA
- An assessment of in-combination effects with other plans and projects including historical and current plans and projects.

- No reasonable scientific doubt as to the absence of adverse effects on the integrity of Lough Corrib SAC, Galway Bay Complex SAC, Inner Galway Bay SPA and Lough Corrib SPA
- Effectiveness of mitigation measures proposed and adoption of CEMP.
- Application of planning conditions to ensure the implementation of mitigation measures.

Appendix 3: Water Framework Directive

1. Introduction

The applicant has submitted a Water Framework Directive Assessment (WFDA) prepared by the Enviroguide. The stated overall objective of the assessment is to determine if any specific components or activities associated with the proposed development will compromise Water Framework Directive (WFD) Article 4 objectives, namely:

- Prevent deterioration of the status of all bodies of surface water and groundwater.
- Protect, enhance and restore all bodies of surface water and groundwater with the aim of achieving at least good status by the end of 2027 at the latest.
- Protect and enhance all artificial and heavily modified bodies of water, with the aim of achieving at least good ecological potential and good surface water chemical status.
- Achieve compliance with the standards and requirements for designated protected areas.

The aim of the assessment is to identify any waterbodies with the potential to be impacted, describe the proposed mitigation measures, and defines any residential potential impacts.

I am satisfied that the information contained in the WFDA, and supplementary information provided by the applicant is sufficient to ascertain if the proposed development the proposed development will compromise Water Framework Directive (WFD) Article 4 objectives.

2. Hydrology

Groundwater Body and Flow Regimes

The EPA (EPA, 2025) maps the groundwater body (GWB) beneath the site as the Clare-Corrib GWB (EU Code: IE_WE_G_0020).

The GSI (GSI, 2025) has classified the bedrock of the Burren Formation beneath the site and within the surrounding areas as a 'Regionally Important Aquifer - Karstified (conduit) (RKc).

The GSI (GSI, 2025) has assigned a groundwater vulnerability rating of 'High' for the groundwater beneath the site. The anticipated depth to bedrock based on the high groundwater vulnerability rating and moderate permeability subsoils beneath the site is between 3.0mbGL and 5.0mbGL.

The Ground Water Investigation Report did not identify any karst features at the site.

Flood Risk

The WFDA highlights the conclusion of the Site-Specific Flood Risk Assessment which demonstrates that the demonstrates that the proposed development will not adversely impact flood risk in the surrounding areas, and the inclusion of flood compensatory storage and sustainable drainage systems will ensure that the flood risk to the development and adjacent properties is minimised.

Water Use and Source Protection.

The WFDA notes the two groundwater sources recorded at the site or within a 2km radius of the site. The source use for the supplies (GSI Name: 1121NEW005 and 1121NEW006), which are located approximately 0.66km and 2.0km northeast of the site respectively, is domestic. The yield both supplies is classified as 'Good' with a reported yield of 141.8m3 /day (GSI, 2025). There are no groundwater source protection areas located within a 2km radius of the site. The site of the Proposed Development is located within an area serviced by mains water supply.

The Corrib River, located approximately 0.07km west of the site at its closest point, is identified by the EPA (EPA, 2025) as a surface water drinking water sources, under Article 7 of the Water Framework Directive.

Water Use and Source Protection

The Corrib River, located approximately 0.07km west of the site at its closest point, is identified by the EPA (EPA, 2025) as a surface water drinking water sources,

under Article 7 of the Water Framework Directive. There are no groundwater source protection areas located within a 2km radius of the site.

Water Quality

Receiving Water Quality: _ Galway City Wastewater Treatment Plant (WWTP)

The most recent available Annual Environmental Report (AER) for the Galway City WWTP is 2022 (UE, 2023). The AER identified that the final effluent was compliant with the Emission Limit Values (ELVs) specified in the discharge license (EPA Licence No. D0050-01). The AER notes that the discharge from the wastewater treatment plant does not have an observable negative impact on the Water Framework Directive status.

Water Framework Directive

The following is the Water Framework Directive Status of the waterbodies that have a hydraulic connection to the site.

Table 1 Water Framework Directive Status

WFD Waterbody Name (EPA Name)	Waterbody EU Code	Location from Site	Distance from Site (km)	Current WFD Status (2016-2021)	WFD Risk	Hydraulic Connection to the Site
River Waterbodies						
Terryland_010 (Terryland Stream)	IE_WE_30T010500	North	0.13	Moderate	At Risk	Yes, receives surface water drainage from the site.
Corrib_020 (Corrib River)	IE_WE_30C020600	West	0.07	Good	Not at Risk	Yes, downstream of the Terryland Stream (diurnal flow)

						and receives groundwater from the site.
Corrib_010 (Corrib River)	IE_WE_30C020300	Northwest	3.22	Good	Not at Risk	No hydraulically upstream of the site.
Lake Waterbodies						
Corrib Lower	IE_WE_30_666a	Northwest	3.56	Good	Not at Risk	No, hydraulically upstream of the site.
Transitional Waterbodies						
Corrib Estuary	IE_WE_170_070	South	0.99	Moderate	Review	Yes, downstream of the Terryland Stream (via through an underground conduit system) and the Corrib River. Also receives treated effluent from the Galway City WWTP
Coastal Waterbodies						
Inner Galway Bay North	IE_WE_170_0000	Southeast	3.32	Good	Not at Risk	Yes, downstream of the Corrib Estuary and receives treated effluent from

						the Galway City WWTP
Inner Galway Bay South	IE_WE_160_0000	South	6.63	High	Not at Risk	Yes, downstream of the Inner Galway Bay North coastal waterbody
Outer Galway Bay	IE_WE_100_0000	Southwest	7.00	High	Not at Risk	Yes, downstream of the Inner Galway Bay North coastal waterbody
Aran Islands, Galway Bay, Connemara (HAs 29;31)	IE_WE_010_0000	Southwest	17.06	High	Review	Yes, downstream of the Outer Galway Bay coastal waterbody
Groundwater Bodies						
Clare-Corrib	IE_WE_G_0020	Underlying Aquifer	n/a	Good	Not at Risk	Yes, Underlying Aquifer

3. Screening of Potential Effects

Surface Water Bodies

For the purpose of the WFDA, the Corrib_010 and Corrib Lower were screened out for further assessment as they are upstream of site and proposed development and there are no proposed construction or operational activities that could propagate upstream and adversely affect the waterbody.

The Inner Galway Bay South, Outer Galway Bay and Aran Islands, Galway Bay, Connemara (HAs 29;31) were also excluded based on the substantial water

volumes associated with coastal waterbodies and their significant distance from the site and Proposed Development.

I consider that this approach is acceptable as the proposed development will not have the potential to cause a deterioration in the status of these waterbodies or hinder the future attainment of good surface water quality objectives.

The screened in surface waterbodies are as follows:

- Terryland_10.
- Corrib_020.
- Corrib Estuary.
- Inner Galway Bay North.

Groundwater Bodies

Given the proximity to the development site the Clare-Corrib GWB was screened in.

The WFDA states that no other ground water bodies are sufficient closed or hydraulicly connected to have their status impacted as a result of the proposed development. I consider that this to be acceptable.

Table 2. Risk Evaluation

Source	Pathway	Receptor	Risk Evaluation
Construction Phase			
Discharge of Contaminants to Ground / Groundwater	Vertical and Lateral Groundwater Migration in Bedrock Aquifer	Water Quality, Physio-Chemical and Aquatic Flora & Fauna of: Clare-Corrib GWB Receiving WFD Surface Waterbodies (i.e., the Terryland_10, the Corrib_020, the Corrib Estuary and the Inner Galway Bay North) Protected Areas	**Low to Moderate Risk (worst-case unmitigated scenario)** During groundworks and excavations, groundwater vulnerability will increase, creating a direct pathway for surface contaminants to enter the bedrock aquifer and migrate towards downgradient surface water bodies. The Clare-Corrib GWB has high interconnection between

			groundwater and surface water, with limited potential for attenuation of dissolved contaminants, which can rapidly migrate towards watercourses. In a worst-case scenario during the Construction Phase (e.g., accidental release of fuels, chemicals, or oils), without mitigation measures, contaminants could discharge to groundwater. This would impact the Clare-Corrib GWB, posing an indirect risk to downstream waterbodies (Terryland_10, Corrib_020, and Corrib Estuary). Given the significant dilution that will occur there is no perceived impact on the Inner Galway Bay North.
Piling	Introduction of Preferential Pathways During Pilin	Water quality, Physio-Chemical Hydromorphology and Aquatic Flora & Fauna of: Clare-Corrib GWB Receiving WFD Surface Waterbodies (i.e., the Terryland_10, the Corrib_020, the Corrib Estuary and the Inner Galway Bay North) Protected Areas	Low to Moderate Risk Piling during the construction phase of the Proposed Development, may potentially create pathways for contaminants to enter underlying groundwater. Pilling also has the potential to alter karstic flow paths linking downstream waterbodies with pollutants. In the worst-case scenario drilling fluids used during piling could potentially be introduced to the subsurface and groundwater and rapidly

			migrate to the receiving waterbodies including the Terryland_10, Corrib_020, and Corrib Estuary and associated Protected Areas. Given the significant dilution that will occur there is no perceived impact on the Inner Galway Bay North.
Discharge of Entrained Sediment or Other Contaminants in Surface Runoff	Lateral Migration at the Site to the Onsite Drainage and Migration Offsite	Water quality, Physio-Chemical Hydromorphology and Aquatic Flora & Fauna of: Receiving WFD Surface Waterbodies (i.e., the Terryland_10, the Corrib_020, the Corrib Estuary and the Inner Galway Bay North) Protected Areas	Low to Moderate Risk Potential risk of runoff with contaminants migrating offsite via existing surface water drainage within the site. Potential impact to water quality and WFD status of the Terryland_10, the Corrib_020, the Corrib Estuary and downstream waterbodies and associated Protected Areas.
Dewatering During Excavation	Changes to Hydrogeological Regime	Water quality, Physio-Chemical Hydromorphology and Aquatic Flora & Fauna of: Clare-Corrib GWB	Low Risk to Moderate Risk Where water must be pumped from the excavations, it is considered that there will be a temporary drawdown of local groundwater levels during the dewatering operations. However, the extent of the impact is considered to be temporary and localised to the immediate area surrounding the excavations.
Dewatering During Excavation	Discharge of water (groundwater / surface water runoff) to	Water quality, Physio-Chemical and Aquatic Flora & Fauna of:	Low Risk There will be no discharge of groundwater to ground. Unauthorised discharge of water (groundwater / surface water

	ground, sewer or watercourses	Receiving WFD Surface Waterbodies (i.e., the Terryland_10, the Corrib_020, the Corrib Estuary and the Inner Galway Bay North) Protected Areas	runoff) to sewers or watercourses will also not be permitted. The appointed Contractor will ensure that the discharge of water to sewers or watercourses will be in accordance with the necessary discharge licences issued by UE under Section 16 of the Local Government (Water Pollution) Acts and Regulations for any water discharges to sewer or from Galway County Council under Section 4 of the Local Government (Water Pollution) Act 1977, as amended in 1990 for discharges to surface water and ultimately discharged to the receiving surface waterbodies (i.e., the Terryland_10, or the Corrib Estuary and the Inner Galway Bay North via Galway City WWTP).
Foul Water Discharge	Discharge to Mains Sewer	Water quality, Physio-Chemical Hydromorphology and Aquatic Flora & Fauna of: Receiving WFD Surface Waterbodies (i.e., the Corrib Estuary and the Inner Galway Bay North) Protected Areas	Low Risk Foul water during the Construction Phase of the Proposed Development will be either removed by tanker in accordance with waste management legislation and managed accordingly or discharged under consent to the mains UE drainage network and ultimately discharged to the receiving surface

			waterbodies (i.e., the Corrib Estuary and the Inner Galway Bay North via Galway City WWTP). Foul water from the Site will only be discharged to the UE network under the appropriate consents from UE and therefore, the Proposed Development will not cause a potential impact to the WFD status of any receiving waterbody and associated Protected Areas.
Operational Phase			
Discharge of Surface Water Runoff	Discharge to Surface Water Drainage Network	Water quality, Physio-Chemical Hydromorphology and Aquatic Flora & Fauna of: Receiving WFD Surface Waterbodies (i.e., the Terryland_10, the Corrib_020, the Corrib Estuary and the Inner Galway Bay North) Protected Areas	Low to Moderate Risk (worst-case unmitigated scenario) During the Operational Phase of the Proposed Development, there is limited potential for discharge of any contaminated runoff to the receiving waterbodies associated with surface water runoff from the site. However, in a worst-case scenario during the Operational Phase (e.g., failure of SuDS) in the absence of any mitigation measures there is potential for discharge of contaminants to receiving surface water receptors (i.e., the Terryland_10, the Corrib_020, the Corrib Estuary). Given the significant dilution that will

			occur there is no perceived impact on the Inner Galway Bay North.
Discharge of Contaminants to Ground / Groundwater	Vertical and Lateral Groundwater Migration in Bedrock Aquifer	Physio-Chemical Hydromorphology and Aquatic Flora & Fauna of: Clare-Corrib GWB Receiving WFD Surface Waterbodies (i.e., the Terryland_10, the Corrib_020, the Corrib Estuary and the Inner Galway Bay North) Protected Areas	No Identified Risk Based on the design of the Proposed Development there is limited potential sources of contamination during the Operational Phase and there will be limited potential for discharge of contaminants associated with surface water runoff to ground via unpaved, permeable areas due to the low infiltration potential at the Site. Furthermore, the proposed attenuation design does not allow for infiltration due to poor ground conditions, a high-water table and the potential presence of karst features beneath the site. Surface water will be managed in accordance with the principles and objectives of SuDS to treat and attenuate water prior to discharging offsite. Ongoing regular operational monitoring and maintenance of drainage and the SuDS measures will be incorporated into the overall management strategy for the Proposed Development. This will ensure that there are no impacts to the WFD status of any receiving

			waterbody and associated Protected Areas during the Operational Phase of the Proposed Development.
Foul Water Discharge	Discharge to Mains Sewer	Water quality, Physio-Chemical and Aquatic Flora & Fauna of: Receiving WFD Surface Waterbodies (i.e., the Corrib Estuary and the Inner Galway Bay North) Protected Areas	Low Risk Foul water during the Operational Phase of the Proposed Development will be discharged to the UE drainage network and ultimately discharged to the Corrib Estuary and the Inner Galway Bay North via Galway City WWTP. Foul water from the Site will only be discharged to the UE network under the appropriate consents from UE. The Galway City WWTP (EPA Licence No. D0050-01) was identified by UE to have sufficient capacity to accept foul water from the Proposed Development subject to provision of the new WWPS and upgrade works to the existing 150mm diameter sewer from Dyke Road to Wood Quay, which will be completed in advance of any connection from the site. Therefore, the Proposed Development will not cause a potential impact to the WFD status of any receiving waterbody and associated Protected Areas.

4. Water Action Plan (WAP) 2024 Programme of Measures

Mitigation Measures

Section 6 of the WFDA details mitigation measures and standard measures to reduce the potential for impacts to the objectives of the WFD. The majority of these mitigation measures are common to the those to address impacts on the European Sites (AA) and on the environment of the area (EIAR). These mitigation measures are summarised below.

Construction Phase:

During the Construction Phase, all works to be undertaken in accordance with the Construction Environmental Management Plan and subsequent updated CEMP.

Mitigation works will be adopted as part of the construction works for the Proposed Development. These measures will address the main activities of potential impact which include:

- Control and Management of surface water runoff.
- Control and management of shallow groundwater during excavation and dewatering.
- Management and control of soil and materials.
- Appropriate fuel and chemical handling, transport and storage.
- Management of accidental release of contaminants at the site.
- Control and handling of cementitious materials.

The main contractor will produce a Pollution Prevention Plan (or similar document) which will include pollution mitigation measures contained in the CEMP and detailing procedures and diagrams for:

- Dewatering of excavations.
- Temporary soil storage.
- Fuel storage/refuelling.
- Concrete wash-out area.
- Controlling surface water entering Site.

- Preventing existing drainage features becoming pathways for construction run-off.
- Reducing soil exposure and reinstating as rapidly as possible.
- Contingency measures.

Surface water runoff management will prevent runoff entering excavations during construction.

Dewatering methodology will ensure that dewatering is confined to the localised zone and not extend towards site boundary.

Use of recharge wells if required.

Where water must be pumped from excavation, water to be discharged using settlement or hydrocarbon interceptor to sewer in accordance with necessary discharge licence.

Fuelling and lubrication of equipment carried out off site or if necessary in a designated bunded area.

All machinery to be in good working condition.

Portable generators or similar will be placed on monitored drip trays.

Specified emergency procedures will be developed by the main contractor in advance of works commencing and spillage kits will be available on-site including in vehicles operating on-site.

Operational Phase:

As stated in Section 8.10 on the main report, I consider that having regard to:

The local improvement works in the network and resolution of existing issues with the Black Box pumping station with the construction of new pumping station with 24hr storage.

Surface water will be managed in accordance with the principles and objectives of SuDS and the GDSDS to treat and attenuate water prior to discharging offsite.

Ongoing regular operational monitoring and maintenance of drainage and the SuDS measures will be incorporated into the overall management strategy for the proposed development.

Residual Risk to Waterbody Status

The WFDA states that the effect of the design avoidance and mitigation measures have been assessed and summarised in Table 6-1. In all cases the proposed measures are sufficient to meet WFD objectives.

Table 3. Summary of WFD Status for Unmitigated and Mitigated Scenarios

WFD Waterbody	WFD Status	Unmitigated Status Change	Mitigated Status Change
Construction			
Terryland_010 (Terryland Stream)	Moderate	Poor	Moderate
Corrib_020 (Corrib River)	Good	Poor	Good
Corrib Estuary	Moderate	Poor	Moderate
Inner Galway Bay North	Good	Good	Good
Clare-Corrib GWB	Good	Poor	Good
Operation Phase			
Terryland_010 (Terryland Stream)	Moderate	Poor	Moderate
Corrib_020 (Corrib River)	Good	Moderate	Good
Corrib Estuary	Moderate	Moderate	Moderate
Inner Galway Bay North	Good	Good	Good
Clare-Corrib GWB	Good	Good	Good

5. Assessment and Conclusion

I have examined the WFDA and I am satisfied that the document and its recommendations represent a comprehensive assessment of the potential impacts of the proposed on the objectives of Article 4 of the Waste Water Directive.

I consider that the proposed mitigation measures are comprehensive and if implemented will prevent any significant impact on the receiving ground water and surface water environment.

Having regard to:

- Relative scale of the development,
- The existing capacity of the Galway Wastewater Treatment Plant,

- The local improvement works in the network and resolution of existing issues with the Black Box pumping station,
- The proposed surface water management,

and the information submitted with the application, especially the NIS, the EIAR and the WFDA I am satisfied that the proposed development will not cause a deterioration in the status of waterbodies connected to the proposed development, specifically within a local zone of the Clare-Corrib GWB, and receiving waterbodies including the Terryland_010, the Corrib_020, the Corrib Estuary and the Inner Galway Bay North.

I therefore consider that with the implementation of standard construction methods and the stated mitigation measures the proposed development will not comprise the objectives of Article 4 of WFD.