An Bord Pleanála

Inspector's Report

ABP-322424-25

Development	Construction of 84 student accommodation apartments, a café, retail space and road improvement works along the Dyke Road.
Location	Site located to the west of the Coolough Road (L-1005) in the townland of Coolagh, Co. Galway in addition to road improvement works located on the Dyke Road (L-1004) located in the townland of Terryland, Co. Galway.
Planning Authority	Galway City Council
Planning Authority Reg. Ref.	2460348
Applicant(s)	McHugh Property Holdings Limited.
Type of Application	Permission.
Planning Authority Decision	Grant Permission.
Type of Appeal	Third Party.
Appellant(s)	1. Bernie and Kevin Ryan and Others.

	2. Dean Heneghan on behalf of The Crestwood Residents and Others. 3. Richard Browne.
Observer(s)	Cassie Ní Chatháin (Conradh na Gaeilge).
Date of Site Inspection	24 June 2025.
Inspector	Stephen Rhys Thomas.

Contents

1.0 Site Location and Description

1.1. The site is located in Galway city in the suburb of Terryland 2km north of the city centre (Eyre Square) and about 1.2km from the closest part of the University of Galway main campus. The site has a stated area of 2.58 ha and includes a linear section of public road. Housing estates are situated to the east of the site, with a large construction site for residential units (student residences) across the Coolough Road (also known as Coolagh Road) to the east. To the west of the site is open countryside. The site sits on a local high point with views across the flat landscape to the west and south. Two houses in good condition and a small ruin are located on the main portion of the appeal site, the rest of the site comprises grassland, overgrown areas and copses of mature trees. The public road in the vicinity of the site is wide, with pavements on both sides.

1.2. The linear portion of the site comprises the public road and footpaths associated with Dyke Road to the south and is positioned 450 metres to the south. The portion of the site that includes Dyke Road is narrow with a single pavement on the eastern side, the western side comprises a bank with hedging and agricultural grazing fields beyond. The southern portion of the Dyke Road (L1004) within the site has no pavements, is constricted in width and joins a narrow road bridge and two iron footbridges over the Terryland River. The bridges are not part of the appeal site but are an integral part of the former Corporation Waterworks, its buildings and watercourse canal infrastructure.

2.0 Proposed Development

2.1. The proposed development on a site of 2.58ha is for a student accommodation scheme comprising:

The demolition of two existing dwellings located centrally within the site and demolition of the partial building ruins located in the south-eastern portion of the site.

Construction of a student accommodation scheme comprising 84 apartments in seven blocks that vary in height from part 1, 2 and 3 storey up to 4 storey with a 5 storey set back on block D, all with selected brick and nap plaster finish.

Block A – 41 bed spaces arranged in 1 five bed unit, 1 six bed unit, 2 seven bed units and 2 eight bed units. One to four storeys, maximum height 14.8 metres above adjacent ground level.

Block A houses a number of services at ground floor level and includes the following: Reception / Entrance 48 sqm, Café 72.7 sqm, Shop 67 sqm, Common / Games Room 38.3 sqm, Laundry 25.6 sqm, Tv Room 26.8 sqm, Gym 38.6 sqm, Study Room 50.5 sqm, Staff Room and Kitchenette 19.2 sqm, Manager's Office 8.5 sqm, General Office 8.4 sqm, as well as Storerooms, locker room, bin stores, bike store and comms room.

Block B – 78 bed spaces arranged in 1 five bed unit, 7 seven bed units and 3 eight bed units. Two to three storeys, maximum height 11.1 metres above adjacent ground level.

Block C – 92 bed spaces arranged in 1 five bed unit, 9 seven bed units and 3 eight bed units. Three to four storeys, maximum height 14.8 metres above adjacent ground level, including ground floor heating and water plant rooms

Block D - 134 bed spaces arranged in 2 five bed unit, 12 seven bed units and 5 eight bed units. Four to five storeys, maximum height 18.4 metres above adjacent ground level.

Block E - 88 bed spaces arranged in 1 five bed unit, 7 seven bed units and 4 eight bed units. Four storeys, maximum height 14.9 metres above adjacent ground level.

Block F - 76 bed spaces arranged in 4 six bed units, 4 seven bed units and 3 eight bed units. Three to four storeys, maximum height 15.8 metres above adjacent ground level.

Block G – 79 bed spaces arranged in 1 four bed unit, 2 five bed units, 1 six bed unt. 5 seven bed units and 3 eight bed units. Three to four storeys, maximum height 14.3 metres above adjacent ground level.

Communal open space and outdoor recreational areas.

Internal and external (visitor) bicycle parking. 302 long stay and 120 short stay.

Refuse storage areas.

Car parking at surface level, 16 spaces.

Hard and soft landscaping and boundary treatments including an elevated mesh walkway (82 metres) and a bridge spanning the limestone pavement in the north western portion of the site.

New vehicular entrance at the southern end of the main residential site and two pedestrian/cyclist entrances from the Coolough Road.

A toucan pedestrian crossing at the southern end of the main residential site on the Coolough Road.

The proposed scheme will be utilised for short term visitor letting during the summer months.

ESB substation, acoustically enclosed heat pump compound, plant room and switch rooms located adjacent to Block C

Road improvement works along the Dyke Road, to include: 4 metre wide Shared Pedestrian and Cycle Facility on the western side of the road with boundary fence, 1.8 metre minimum footpath along eastern side of road, proposed 5.5 metre wide carriageway, drawing 11857-2010 P2 refers.

Documentation included with the planning application included:

- Environmental Impact Assessment Screening Report
- Ecological Impact Assessment
- Landscape Management and Maintenance Specification
- Design Manual for Urban Roads and Streets (2019) Report
- Road Safety Audit Stage 1
- Environmental, Mechanical and Electrical Engineering design report
- Outdoor Lighting Report
- Planning Report and Statement of Consistency
- Architectural, Urban Design and Place Making Statement
- Daylight & Sunlight Assessment & Shadow Analysis Report
- Landscape Design Statement
- Visuals Booklet

- Energy Statement
- Appropriate Assessment Screening Report and Natura Impact Statement
- Landscape and Visual Impact Assessment
- Engineering Planning Report
- Construction and Environmental Management Plan
- Mobility Management Plan
- Flood Risk Assessment
- Stage 1 Stormwater Audit
- Public Lighting Calculation Report and Specifications
- Noise Impact Assessment
- Operational Management Plan

2.2. Further Information received by the planning authority 14th February 2025, included the followed updated documents:

- Landscape Response.
- Updated Ecological Impact Assessment.
- Updated Appropriate Assessment Screening Report and Natura Impact Statement.
- Updated Construction & Environmental Management Plan.
- Updated Mobility Management Plan.
- Drawing 11857-2011 Coolough Road Bus Stop and Pedestrian Crossing Indicative Design
- Updated Public Lighting Drawing.
- Updated Public Lighting Calculation Report.
- Updated Operational Management Plan.
- Bat Derogation Licences.

2.3. The overall scheme remains the same in terms of quantum and design of the development. However, the bridge span over the limestone pavement in the north of the site is to be omitted, the proposed circular walkway will now circumvent the limestone pavement habitat. Drawings 2387-02 Landscape Plan Proposal: Masterplan and 2387-05 Landscape Plan Proposal: Circulation, both refer.

2.4. Key Statistics:

Site Area	2.58 ha
Residential Density	69.80 dph *
Building Height	Part 2 storey/3 storey to 4 storeys with a 5th storey set back on Block D
Residential Floor Area	14,777 sqm
Commercial Facilities Floor Area	Retail space 77 sqm café 82 sqm
Open Space	7,527 sqm 35.86%
Parking	422 bicycle spaces (302 resident and 120 visitor) 16 car spaces
4 Bed Units	1
5 Bed Units	8
6 Bed Units	6
7 Bed Units	46
8 Bed Units	23
Total bedspaces	586

* The Sustainable and Compact Settlements Guidelines for Planning Authorities, provides advice on calculating residential density for student residences, note 3 page 18 of the guidelines and section 9.4.4 of my report refers.

3.0 **Planning Authority Opinion**

3.1. The planning authority and the applicant convened a meeting under section 32C of the planning act for the proposed Large-scale Residential Development on the 30th May 2024.

3.2. Further to that meeting the planning authority issued an opinion under section 32D of the Act 28th July 2023 stating that the documents that had been submitted constitute a reasonable basis on which to make an application for permission for the proposed LRD subject to the issues (summarised) raised below being addressed.

1. A report to show compliance with the Galway City Development Plan (CDP) and Compact Settlement Guidelines.
2. Compliance with section 11.30 of the CDP, Guidelines on Residential Development for Third Level Students (1999 and 2005), Student Accommodation Scheme (2007), National Student Accommodation Strategy (2017) and Circular APH2-2016 PL8-2016 - Identifying Planning Measures to Enhance Housing Supply.
3. Address Climate Change, and section 11.31 of the CDP.
4. Demonstrate accessibility and active travel modes from the site to the University of Galway, along Coolough and Dyke Road.
5. Comply with section 5.2 and 11.33 of the CDP with reference to protected sites and appropriate assessment.
6. Submit an EcIA.
7. Submit an EIA Screening Report with regard to section 11.32 of the CDP.
8. Building Height justification in the context of the Urban Development and Building Heights Guidelines (2018), policies of the CDP, section 8.8 of the CDP and the Urban Density and Building Heights Study.
9. Submit an overshadowing/daylight/sunlight analysis.
10. Building finishes and landscape report.
11. Operational management plan.
12. Noise Impact Assessment.

13. Compliance with relevant CDP Development Management Guidelines with reference to ministerial guidelines, fire and building regulations, Uisce Éireann, ecology, groundwater, flood risk, and archaeology.

14. Landscape report to include: open space quantum and use as per table 11.2 of the CDP, home zone space clarity, active versus passive space provision, usability of spaces, permeability, boundary treatments, photomontages, natura based solutions and planting at swales/rain gardens.

15. Active Travel – a special development contribution will be applied to address measures along L-1004-0 and L-1005-0, rationalise cycle parking to accord with section 11.3.1 (h) of the CDP and prepare an MMP including summer period use.

4.0 Planning Authority Decision

4.1. Decision

4.1.1. The planning authority issued a notification to grant permission subject to 26 conditions.

4.2. Planning Authority Reports

4.2.1. Planning Reports

Report 1 (16/12/2024)

Zoning objectives are met across the site, R, RA and CF.

The design of the student accommodation complies with the relevant standards.

The proposed density 56dph is considered to be acceptable and in adherence with Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (DHLGH January 2024).

All other aspects of the development including residential amenity, sustainability, transport, traffic, flood risk, natural/built/archaeological heritage, amongst others, were deemed to be broadly acceptable.

Further information sought with regard to additional bus stops, revised and additional pedestrian crossings, review of cycle parking provision, nature conservation and the sustainable management and treatment of the recorded Annex I habitats on the R residential section of the proposed development site.

Report 2 (03/04/2025)

Further information submitted considered to be acceptable, grant permission subject to conditions.

4.2.2. Other Technical Reports

- Transportation Department – further information required (11 December 2024)
    - No objections and conditions suggested, further information required with respect to the MMP (20 March 2025).
- Executive Engineer (Environment) – no objections subject to conditions.
- Active Travel Unit – no objections but details required (22 November 2024)
    - No objections and conditions suggested, (24 March 2025).
- Site Inspection report – site notice in place.

4.2.3. **Conditions**

4.2.4. Planning authority conditions specific to the development proposed and as amended include:

2. The proposed development hereby permitted shall only be occupied as student accommodation, in accordance with the definition of student accommodation provided under section 13(d) of the Planning and Development (Housing) and Residential Tenancies Act 2016 and as visitor or tourist accommodation outside academic term times and shall not be used for any other purpose without a prior grant of planning permission for change of use.

Reason: In the interest of residential amenity and to limit the scope of the proposed development to that for which the application was made.

3. Prior to the commencement of development, revised drawings and particulars shall be submitted for the written agreement of the Planning Authority showing the following amendments:

a. The design of the northern Zebra crossing indicated on drawing no. 11857-2011-P1 shall be updated to indicate the required pedestrian Toucan Crossing as agreed and approved under Planning Permission GCC pl. ref. no. 23/60174/An Bord Pleanála ref. no. ABP-319927-24.

b. The southern pedestrian crossing shall be a Type B Zebra Crossing as per the Traffic Signs Advice Note Zebra Crossing (TSAN-2024-01) by the Department of Transport. The applicant shall demonstrate that the proposed crossing meets the design parameters in the standard.

c. The uncontrolled crossing of the vehicular entrance shall include on both sides, suitable infrastructure for those with visual and mobility impairments.

d. At detailed design a Stage 2 Road Safety Audit shall be undertaken and recommendations adopted into the design prior to construction.

e. An increased number of cycle parking Sheffield stands shall be incorporated into the scheme.

f. All cycle infrastructure and facilities proposed, including cycle parking, should comply with the requirements of the NTA Cycle Design Manual (NTA and Department of Transport 2023).

The development shall be carried out and completed in accordance with the agreed details.

Reason: In the interest of orderly development and proposed planning and sustainable development.

4. a. Prior to the commencement of development, revised drawings shall be submitted for the written agreement of the Planning Authority showing the provision of bus stopping facilities at this location on both sides of the road providing for access to buses travelling in both directions and to support travel by bus in accordance with current NTA Bus Guidance and specifications. The design shall take cognisance of the requirements of the Cycle Design Manual with regards to

interactions at bus stops. The development shall be carried out and completed in accordance with agreed details.

b. The developer shall pay to the Planning Authority a financial contribution as a special contribution under section 48(2) (c) of the Planning and Development Act 2000 in respect of works in respect of works for the provision of bus stop on the Coolough Road or alternatively, the developer shall carry out these works at its own expense in accordance with the specification of the Planning Authority and the specifications and requirements set out in current NTA Bus Guidance.

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

5. Prior to the commencement of development, an updated Operational Management Plan which includes management and control protocols addressing car parking over the out-of-term summer period and measures to ensure compliance with these protocols shall be submitted to, and agreed in writing with, the Planning Authority. The development shall be carried out in accordance with agreed details.

Reason: To support sustainable travel.

6. All mitigation measures associated with construction, post construction and operational phases of the development as outlined in the submitted Natural Impact Statement, Ecological Impact Assessment, Noise Impact Assessment and Preliminary Construction Environmental Management Plan and shall be implemented in full and shall be supervised by suitably qualified and bonded persons.

Reason: To safeguard the quality of surrounding environment and in the interest of sustainable development.

7. The proposed development shall be implemented as follows:

(a) The student accommodation and complex shall be operated and managed in accordance with the measures indicated in the Student Accommodation Operational Management Plan submitted.

(b) Student house units shall not be amalgamated or combined.

(c) The communal open spaces, car parking areas, sewers, watermains and communal services and access roads shall all be retained in private ownership or control and shall be maintained by a properly constituted management company which shall also provide for the external repainting of the development every 4 (four) years. The details of the management company shall be agreed in writing with the Planning Authority prior to the commencement of development.

Reason: In the interests of the residential amenities.

26. The developer shall pay to the Planning Authority a financial contribution as a special contribution under section 48(2) (c) of the Planning and Development Act 2000 in respect of works to improve the junction of the Dyke Road and Coolough Road and a pedestrian footpath and shared pedestrian and cyclist facility/infrastructure on the Dyke Road. The amount of the contribution shall be agreed between the Planning Authority and the developer. The contribution shall be paid prior to commencement of development or in such phased payments as the Planning Authority may facilitate and shall be updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office. Alternatively, the developer may carry out these works at its own expense in accordance with the specifications of the Planning Authority and those set out in the Design Manual for Urban Roads and Streets.

Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the Planning Authority which are not covered in the Development Contribution Scheme, and which will benefit the proposed development.

4.2.5. Conditions 1, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24 and 25 are standard, technical or contribution/bond conditions that would be attached to any large scale commercial/residential scheme in Galway City.

4.3. **Prescribed Bodies**

Transport Infrastructure Ireland (TII) - The Authority will entertain no future claims in respect of impacts (e.g. noise and visual) on the proposed development, if approved, due to the presence of the existing road or any new road scheme which is currently in planning. Submission dated 19th November 2024
Submission dated 19th February 2025 – no further comments.

National Transport Authority (NTA) – Further consideration should be given to the provision of bus stops along the Coolough Road at this location as part of the proposed road improvement works. Submission dated 27th November 2024

In the event of a grant of permission the local authority should consider the possibility of providing an increased number of Sheffield stands.

All cycle infrastructure and facilities proposed, including cycle parking, should comply with the requirements of the new NTA Cycle Design Manual.

The NTA also offers further recommendations to do with Cycle Design Manual, and routing to and from the development city centre. Submission dated 19th March 2025

An Taisce – concerns with regard to wastewater services, transport and public transport, active travel and negative impacts to a limestone pavement.

Submission dated 27th November 2024, (and duplicated under the heading of Former Chair of An Taisce Galway)

Department of Housing, Local Government and Heritage Development Applications Unit (DAU) – Archaeology, condition recommended.

Nature Conservation – queries with the to the management recreational spaces in terms of ecological value, bridge over limestone pavement area, bat assessment methodology and lighting impact upon bats. Specifically:

1. It is not clear how the ecological value of the grassland can be recreated or maintained if the use of these areas is recreation. Such areas may require

mowing or fertilisation to maintain their aesthetic appeal and this may not be compatible with the ecological objective of this measure.

2. It is noted that: “The scrub habitat recorded in the north-west of the site will be retained around the limestone pavement habitat. A bridge is proposed to cross the limestone pavement habitat and grassland habitat in the north of the site. ”There does not appear to be an examination as to how this boardwalk will be constructed across this sensitive habitat without being impacted upon it. Contrary to the assertion in the report, it is clearly within the construction zone. Further information is required to clarify how this habitat will be protected both during construction and operation.
3. It should be acknowledged that the static bat detector surveys, whilst appropriate in their purpose, are not able to accurately record usage across the whole site. Particularly in the context of use by lesser horseshoe bats, such detectors only record bats flying toward and close to the microphone. Therefore it is possible that the value of the site as a foraging resource or commuting route for this species has been underestimated.
4. Impacts of lighting in the completed development are difficult to predict, given the uncertainty of any control over management of the development in the future. Whilst it is stated that the future lighting design will be designed “with consideration” of relevant guidelines, in the absence of detailed light spill modelling data it is not possible to conclude what the impact on usage of the site or the perimeter would be. Installation of exterior security lighting or lighting for aesthetic purposes could lead to increases in the lit environment that could have a significant impact on bat movements beyond the site boundary. It is not satisfactory to just predict impacts within the site itself, since the zone of influence of the lighting will extend into the scrub to the west.

   The drawing titled “Horizontal illuminance” would indicate that lighting on the western perimeter is facing across the path i.e. toward the perimeter. This would conflict with the statement that “Lighting will be directed away from the existing treeline in the west of the site”.

Further information is required to clarify the impact on lesser horseshoe bats foraging outside the western perimeter of the site.

Submission dated 26 November 2024.

National Environmental Health Service Galway – no objections subject to conditions with regard intended use for the café and to incorporate universal design principles.

4.4. Third Party Observations

4.4.1. 39 observations from individuals, residents associations, and an elected representative, issues include:

- Over concentration of Student Accommodation and Policy, lack of detail about summer usage, will not address the housing crisis and there is no need for additional student accommodation at this location.
- Pedestrian/Cycle Infrastructure will lead to a local nuisance, and existing facilities are very poor, proposed indicative cycle lane designs are not adequate and not in accordance with DMURS, there is not enough destination cycle parking in Galway.
- Traffic and Public Transport, the site is too far to walk to University of Galway and other more direct walking links should be developed
- Vehicular access is poorly designed and Parking is limited,
- Insensitive Design, building height especially block B, overall scale and density, all leading to overshadowing, boundary treatments that comprise railings are inappropriate to the area and the overall visual amenities will be impacted upon
- Noise, vibration and light, both during construction and operational phases
- Natural Heritage and Environmental Assessments, biodiversity of the area will be affected (Badgers, Little Egrets, Bats, Peregrine Falcon, Grouse, Red Squirrel and Pine Martin have all been seen in the area), the Bat derogation licence applies to the wrong site.
- Wastewater capacity constraints, the development cannot be accommodated.

- Gaeltacht and other various criticisms about the overall development including the lack of public consultation and the existence of a sterilisation agreement.

4.4.2. After the receipt of further information, further observations were received and issues reiterated. In addition, procedural issues were highlighted such as a lack of notification, site notice, compliance with conditions, and the information submitted was criticised and more information is required.

4.4.3. Observations included photographs of public protests, accident locations, current road and footpath conditions, DMURS guidance, layout extracts, newspaper articles, faint copy of a legal agreement and Irish translations.

5.0 Planning History

5.1. **Site:**

None relevant.

5.2. **In the vicinity:**

17/377 - ABP-302626-18 – permission for a mixed housing development on lands consisting of 30 housing units.

ABP-306403-20 – permission for 255 student bedspaces and associated site works.

ABP-319927-24 – permission for a large-scale residential (LRD) development: Amendments to extant permission (ref. ABP-306403-20) to include a total of 257 bedrooms along with ancillary student facilities and all associated site works.

6.0 Policy Context

6.1. **Development Plan**

Galway City Development Plan 2023-2029

Zoning Objectives:

The majority of the site is zoned ‘R’ Residential with a stated objective ‘to provide for residential development and for associated support development, which will ensure the protection of existing residential amenity and will contribute to sustainable residential neighbourhoods’.

Dyke Road to the south, outlined in red as part of the proposed development site adjoins RA zoned lands - to provide for and protect recreational uses, open space, amenity uses, natural heritage and biodiversity, CF zoned lands to provide for and facilitate the sustainable development of community, cultural and institutional uses and development of infrastructure for the benefit of the citizens of the city, and R to provide for residential development and for associated support development which will ensure the protection of existing residential amenity and will contribute to sustainable residential neighbourhoods.

Views and Prospects are shown as present along the western side of Dyke Road.

Relevant policies /objectives include: Section 1.4 Core Strategy Context Section 3.2 Housing Strategy Section 4.2 Land Use and Transportation Section 8.8 Urban Design and Placemaking Section 11.1 Land Use Zoning Policies and Objectives Section 11.3 General Development Standards and Guidelines:

Specific Development Standards

11.30 Student Accommodation.

The City Council supports the provision of high quality, professionally managed, purpose built student accommodation on/off campus at appropriate locations in terms of access to sustainable and public transport modes and third level institutes, in a manner that respects the residential amenities of the surrounding area.

Student accommodation should be designed to be attractive, accessible, safe, and minimise adverse impacts on the surrounding area while creating mixed, healthy and inclusive communities. The nature, layout and design of the development should be appropriate to its location and context and should not result in an unacceptable impact on local character, environmental quality or residential amenity. Proposals should be designed to be safe and secure for their occupants whilst respecting the character and permeability of the surrounding area.

An appropriate management plan should be part of student accommodation applications to minimise potential negative impacts from occupants and the development on surrounding properties and neighbourhoods and to create a positive and safe living environment for students. Adequate open space of suitable orientation should be provided within developments.

Proposals for student accommodation should comply in general with the design standards promoted in the Guidelines on Residential Development for Third Level Students (DES 1999), the subsequent supplementary document (2005) and the Student Accommodation Scheme, (ORC 2007) and National Student Accommodation Strategy (2017) and Circular Pl8/2016 unless superseded by new standards. Alternative design standards will be required to show that they are adapted from other international standards and prevailing best practice.

When assessing planning applications for student accommodation consideration will be given to the following:

• The location and accessibility to educational facilities and the proximity to existing or planned public transport corridors and cycle routes;

• The potential impact on local residential amenities;

• Adequate amenity areas and open space;

• The level and quality of on-site facilities, including storage facilities, waste management, bicycle facilities, leisure facilities, car parking and amenity;

• The architectural quality of the design and also the external layout, with respect to materials, scale, height and relationship to adjacent structures. Internal layouts should take cognisance of the need for flexibility for future possible changes of uses;

• The number of existing similar facilities in the area. In assessing a proposal for student accommodation the Council will take cognisance of the amount of student accommodation which exists in the locality and will resist the over-concentration of such schemes in any one area, in the interests of sustainable development and residential amenity.

• Details of the full nature and extent of use of the proposed use of the facilities outside of term time. Land Use Zoning Objectives and Development Standards and Guidelines Galway City Development Plan 2023-2029.

• Consideration regarding compliance with Part V arrangements for social housing will not be required where the accommodation is for student accommodation of a recognised third level institution.

• The proposed development includes ancillary facilities adequate to meet the needs of the development, including refuse/recycling facilities and cycle parking.

• There will be a presumption against the requirement for car parking, however each proposal will be assessed on its merits and the intensity of use outside of the academic year.

• At least 10% of bed spaces shall be designed for students with disabilities. All permissions for student accommodation shall have a condition attached requiring planning permission for a change of use from student accommodation to other types of accommodation. Future applications for change of use will be resisted except where it is demonstrated that continuing over-provision of student accommodation exists in the city.

Policy 7.4 - Bilingual City

6.2. **Supporting Documents - Galway City Development Plan 2023–2029**

Galway City Urban Density and Building Heights Study September 2021

The purpose of the Galway City Urban Density and Building Heights Study was to examine what are the optimal densities and heights that can achieve the most efficient and effective use of land, can make a positive contribution to the character of the city, can create good quality mixed use communities while also contribute to successful place making and liveability. The study contributed to the formulation of a strategy on density and height to inform the Galway City Development Plan 2023–2029.

6.3. **National Policy**

6.3.1. National Planning Framework First Revision – April 2025

National Strategic Outcome 6, including:

Investment in student accommodation within our universities.

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.

Students Demand for student accommodation exacerbates the demand pressures on the available supply of rental accommodation in urban areas in particular. In the

years ahead, student accommodation pressures are anticipated to increase. The location of purpose- built student accommodation needs to be as proximate as possible to the centre of education, as well as being connected to accessible infrastructure such as walking, cycling and public transport. Student accommodation also contributes to the financial, cultural and social fabric of regions, cities and towns. The adaptive reuse of existing buildings and brownfield sites for student accommodation can assist with the reduction of vacancy and dereliction, thereby promoting vitality and vibrancy in settlements, in support of Town Centre First principles. The National Student Accommodation Strategy supports these objectives.

6.3.2. **Climate Action Plan 2025**

TR/25/7 Advance roll-out of walking/cycling infrastructure in line with National Cycle Network and CycleConnects plans.

6.3.3. **National Biodiversity Action Plan (NBPA) 2023-2030**

The 4th NBAP strives for a “whole of government, whole of society” approach to the governance and conservation of biodiversity. The aim is to ensure that every citizen, community, business, local authority, semi-state and state agency has an awareness of biodiversity and its importance, and of the implications of its loss, while also understanding how they can act to address the biodiversity emergency as part of a renewed national effort to “act for nature”. This National Biodiversity Action Plan 2023- 2030 builds upon the achievements of the previous Plan. It will continue to implement actions within the framework of five strategic objectives, while addressing new and emerging issues:

▪ Objective 1 - Adopt a Whole of Government, Whole of Society Approach to Biodiversity

▪ Objective 2 - Meet Urgent Conservation and Restoration Needs

▪ Objective 3 - Secure Nature’s Contribution to People

▪ Objective 4 - Enhance the Evidence Base for Action on Biodiversity

▪ Objective 5 - Strengthen Ireland’s Contribution to International Biodiversity Initiatives

6.3.4. **Section 28 Ministerial Guidelines**

Having considered the nature of the proposed development sought under this application, its location, the receiving environment, the documentation contained on file, including the submission from the Planning Authority, I consider that the following guidelines are relevant:

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

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

Table 3.2 - Area and Density Ranges Limerick, Galway and Waterford City and Suburbs

City - Suburban/Urban Extension Suburban areas are the low density car orientated residential areas constructed at the edge of cities in the latter half of the 20th and early 21st century, while urban extension refers to greenfield lands at the edge of the existing built-up footprint that are zoned for residential or mixed-use (including residential) development. It is a policy and objective of these Guidelines that residential densities in the range 35 dph to 50 dph (net) shall generally be applied at suburban and urban extension locations in Limerick, Galway and Waterford, and that densities of up to 100 dph (net) shall be open for consideration at 'accessible' suburban / urban extension locations (as defined in Table 3.8). Section 5.3.7

Daylight "In drawing conclusions in relation to daylight performance, planning authorities must weigh up the overall quality of the design and layout of the scheme and the measures proposed to maximise daylight provision, against the location of the site and the general presumption in favour of increased scales of urban residential development. Poor performance may arise due to design constraints associated with the site or location and there is a need to balance that assessment against the desirability of achieving wider planning objectives. Such objectives might include securing comprehensive urban regeneration and or an effective urban design and streetscape solution".

6.3.5. **Other National Guidance**

Design Manual for Urban Roads and Streets 2019

Cycle Design Manual - August-September 2023

6.4. Natural Heritage Designations

Lough Corrib SAC (000297) adjacent.

Galway Bay Complex SAC (000268) 1.5km south.

Inner Galway Bay SPA (004031) 1.6km south.

Proposed Natural Heritage Areas: Lough Corrib 194 metres west.

7.0 Environmental Impact Assessment (EIA) Screening

7.1. Introduction

7.1.1. The applicant prepared a document entitled 'Environmental Impact Assessment (EIA) Screening Report', prepared by a technical team of suitably qualified and competent persons. The report states that the criteria as set out in Schedule 7 of the Regulations have been assessed, it is based on relevant information received and as set out in Schedule 7A. The EIA Screening report concludes that the proposed development will not be likely to have significant effects on the environment. The planning authority carried out an EIA Screening Determination and concluded that an Environmental Impact Assessment Report (EIAR) is not required.

7.2. Assessment

7.2.1. Detailed assessment is set out at Appendices 3 and 4 of this report.

7.3. Conclusion

7.3.1. Having regard to:

1. the criteria set out in Schedule 7, in particular

a) The nature and scale of the project, which is below the thresholds in respect of Class 10(b)(i) and Class 10(b)(iv) of the Planning and Development Regulations 2001, as amended.

b) The location of the site on zoned lands (Zoning Objective 'R' Residential'), and other relevant policies and objectives in the Galway City Development Plan 2023-2029, and the results of the strategic environmental assessment of this plan undertaken in accordance with the SEA Directive (2001/42/EC).

c) The nature of the site and its location in an urban neighbourhood area which is served by public services and infrastructure.

d) The pattern of existing and permitted development in the area.

e) The planning history at the site and within the wider area.

f) The location of the site outside of any sensitive location specified in article 109(4)(a) the Planning and Development Regulations 2001, as amended and the absence of any potential impacts on such locations.

g) The guidance set out in the 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development', issued by the Department of the Environment, Heritage, and Local Government (2003).

h) The criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended.

i) The available results, where relevant, of preliminary verifications or assessments of the effects on the environment carried out pursuant to European Union legislation other than the EIA Directive.

j) The features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including those identified in the initial and updated (14th February 2025) versions of the Ecological Impact Assessment, Landscape Management and Maintenance Specification, Design Manual for Urban Roads and Streets (2019) Report, Road Safety Audit Stage 1, Environmental, Mechanical and Electrical Engineering design report, Outdoor Lighting Report, Daylight & Sunlight Assessment & Shadow Analysis Report, Landscape Design Statement, Energy Statement, Appropriate Assessment Screening Report and Natura Impact Statement, Landscape and Visual Impact Assessment, Engineering Planning Report, Construction and Environmental Management Plan, Mobility Management Plan, Flood Risk Assessment, Stage 1 Stormwater Audit, Public Lighting Calculation Report and Specifications, Noise Impact Assessment and an Operational Management Plan

k) the absence of any significant environmental sensitivity in the vicinity, and the location of the proposed development outside of any designated archaeological protection zone

2. the features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment.

7.3.2. The development is not likely to have an effect on the environment and the preparation of an EIAR is not required.

8.0 The Appeal

8.1. Grounds of Appeal

8.1.1. The appeals raise issues similar to those throughout the planning process and are reiterated and reinforced. Three third party grounds of appeal raise similar themes and are summarised as follows:

- Traffic and transport.

  Dyke Road, this is a narrow and substandard road without suitable facilities to accommodate the scale of development proposed. The improvements that have been proposed are not up to an approved standard, and do not meet with the National Cycle Manual or NTA requirements.

  The Road Safety Audit did not address any of the proposed improvements to the Dyke Road. Traffic counts carried out by residents show that over 1,000 cars use the road on any weekday morning.

  The site is not within 15 minutes walk of the University Campus.

  Not enough car parking spaces will lead to ad hoc parking in the wider area, at all times of the year.

  No pedestrian or cyclist facilities will be provided across the site frontage.

  Any improvements works to the Dyke Road, east of the Coolough Junction and the junction itself should be completed before other development is operational, ABP-306403-20 refers.

The proposed development should provide for wider pedestrian and cyclist linkages across the city, in accordance with Development Plan policies and objectives. Improvements to the road infrastructure are required well beyond the confines of the proposed development site.

There are no viable bus routes in the vicinity that will serve the development, reliance will be on driving, walking and cycling.

- Scale of Development

  Density – the proposed residential density of 69.8 dwellings per hectare (dph), is far greater than the Compact Settlement Guidelines that set a range of between 35-50 dph. This is not an accessible location and higher densities should not be considered as appropriate.

  Height – the proposed development relies on the precedent of an existing scheme across the road, designed prior to the Galway Heights Strategy. The proposed buildings will be higher than those around the area and be harmful to Protected Panoramic View V-2 of the development plan.

  Buildings of the heights proposed at the fringe of the city, against a rural setting are not appropriate.

- Student Accommodation

  Need, the requirement for additional student accommodation at this location has not been adequately demonstrated. There are already 1,500 student bedspaces recently approved, in addition to 1,200 in the wider area of Galway. Other better situated lands are located on the University of Galway campus, and these should be developed first. Taken together within the existing student housing facility, the development will lead to an over concentration of students and lead to antisocial behaviour.

  Development will not address the housing need of the area.

- Natural Heritage

  The biodiversity value of the area will be diminished and wildlife will be displaced.

- Visual Amenity

The buildings are too tall, situated on a local high point and will be visible from many vantage points. Protected Panoramic View 2, table 5.9 of the development plan will be impacted upon. The visual Impact Assessment is criticised as not being representative enough.

- Physical Infrastructure

  Wastewater deficiencies are recognised in the area and the proposed development will make matters worse.

  Local amenities will not be improved by this development. In terms of public open space and play areas.

- Procedural Matters

  Public notices concerning submission of further information were not erected.

Appeals include: previous submissions, photographs, newspaper articles and co-signatories to the appeal.

8.2. **Applicant Response**

8.2.1. The applicant has prepared a detailed response to the grounds of appeal. The background to the application is provided and most of the detail already within the application is reiterated, with respect to each ground set out by third parties the applicant responds as follows:

- Height – the proposed development complies with local and national guidance on heights, accords with the precedent set at the site across the road, and the site has been arranged to minimise the impact from taller buildings.
- Density – the site is accessible and higher densities are appropriate, bus services (route 407) are available within 250 metres walk and a new bus stop will form part of the development. BusConnects will enhance matters in the future.
- Overconcentration – the R zoning supports the development, details of existing and permitted student residences are provided, table 3 and figure 4 refer. Student housing is not envisaged as part of Sandy Quarter and Corrib Village is on campus, the same issues don't arise. The applicant sets out

student population levels around the city and suggests that purpose built student residences will divert students away from conventional tenancies and free up availability for others.

The Operational Management Plan will manage student behaviour and minimise impacts for the wider community.

- Demand – data used by third parties is criticised as being out of date and the applicant submits that actual bed space delivery up to 2019 stood at 541, when the National Student Accommodation Strategy indicated a far greater number.

  More up to date market analysis, and a student union survey suggest a need for student accommodation, and there is an acknowledged shortage of such accommodation in the city.

- Location – distances from the site to the university campus are disputed and it is contended that the Kingfisher building and other new development is an acceptable measure of distance. The proposed site is acceptable and proximate to the college buildings.

- Car Parking – during term time parking is for staff and café use, summer term, an additional 10 spaces could be made available. In any case the Operational Management Plan and a booking system will ensure no off site parking. Parking in the wider area is examined and given that the intention is for students to occupy the facility, this is seen as not an issue of concern. Tour groups and summer students will avail of bus transport for which a new stop is planned.

- Dyke Road – improvements are planned, together with an additional bus stop, an additional pedestrian crossing south of the main entrance will be agreed with the planning authority.

- Limestone Pavement – the limestone pavement will be protected during construction and operational phases of the development, drawings demonstrate this. The Calcareous grassland will be managed purely for ecological purposes not recreational uses. All these measures already highlighted in the documentation already submitted.

In terms of Bats, survey work has already been carried out, the site is not consequential if lost to development, however, measures will be deployed and these have already been outlined, derogation licenses have been submitted.

- Visual Impact – existing material is reiterated to demonstrate no adverse visual impact.
- Infrastructure – confirmation of feasibility issued by Uisce Éireann, and public transport infrastructure improvements are set out.
- Amenity – green spaces and indoor amenity for the future occupants is reiterated and complies with the planning authority's requirements.
- Procedural Matters – public notices were considered acceptable, and no new notices were required. Third parties were notified of further information received. Relevant consents have been secured.

8.3. **Planning Authority Response**

None.

8.4. **Observations**

A single observation, summarised as follows:

Cassie Ní Chatháin (**Conradh na Gaeilge**) – the background to the organisation is provided and recommendations offered in the context of the Irish language, the local area and to support University initiatives to promote the Irish language:

1. That at least 25% of the rooms be reserved for Irish-speaking students

2. That the development be given a name in Irish only, based on the indigenous placenames of the area

3. That any signage associated with the scheme in general and with the individual blocks be in Irish or bilingual, in both Irish and English.

9.0 Assessment

9.1. Introduction

9.1.1. The main issues in this appeal are those raised in the grounds of appeal, and I am satisfied that no other substantive issues arise. This is an appeal that concerns purpose built student residences in the eastern suburbs of Galway city. The planning authority issued a notification to grant permission, and the appellants have raised many issues about the broad suitability of the development at this particular location and road safety concerns. Having examined the application details and all other documentation on file, including all of the report/s of the local authority, observer's submissions, having inspected the site, and having regard to the relevant policies and guidance, I consider that the substantive issues in this appeal to be considered can be grouped as follows:

- Principle of Development
- Traffic and Transport
- Design
- Natural Heritage
- Views
- Infrastructure
- Other Matters
- Conditions

9.2. Principle of Development

9.2.1. The proposed development is for 84 student apartments in seven blocks up to five storeys, and provide 586 student bed spaces. In addition, on site facilities will include a café/retail space, usual student amenities and public realm improvements along the Dyke Road to the south. A permitted student accommodation facility is currently under construction across the road, for 257 bedrooms within two blocks up to four storeys. Appellants and observers are concerned that this is not the right location for more student housing and that permission should be refused. The issues of concern revolve around the overconcentration of student accommodation in a suburban

housing area at the edge of the city. The increase in students will bring antisocial behaviour and impact the amenities of the area. At length, the provision of more student housing will not address the housing need of the area. The applicant disagrees and points out that the proposed development is compliant with the land use zoning, will free up conventional housing for others and student behaviour can be managed on site.

9.2.2. Zoning – According to the Galway City Development Plan 2023-2029, the majority of the site is zoned 'R' Residential with a stated objective 'to provide for residential development and for associated support development, which will ensure the protection of existing residential amenity and will contribute to sustainable residential neighbourhoods'. Dyke Road outlined in red as part of the proposed development site adjoins RA zoned lands, CF zoned lands, R zoned lands and a Views and Prospects objective.

9.2.3. As the development will be for residential purposes, I am satisfied that such a use will be compatible with and contribute to the zoning objective. In addition, the development plan's housing strategy seeks to support the development of high quality and high standard purpose built student accommodation (PBSA) at appropriate locations and of appropriate design (including adequate communal facilities and external communal space) to meet the demand for student housing in accordance with the National Student Accommodation Strategy (2017) and any subsequent updates. In terms of location and design, I examine these topics in the subsequent sections of my assessment.

9.2.4. The planning authority issued a notification to grant permission based on the premise that the scheme would protect the existing residential amenity and contribute to sustainable residential neighbourhoods. From a purely zoning objective perspective, the proposed development complies with the development plan objectives for the area. The improvements to the Dyke Road, whilst the detail is criticised, the principle of providing footpaths and cycle provision will not run counter to any land use zoning objective found along its length.

9.2.5. In addition to Land Use Zoning Objectives, the development plan sets out Development Standards and Guidelines, section 11.30 Student Accommodation refers. Section 11.30 sets out a list of parameters that should be met when

considering new student accommodation. In my assessment that follows, each section extracts and references the development plan guidance.

9.2.6. Student Accommodation Overconcentration - Section 11.30 of the development plan refers to the number of existing similar facilities in the area, and states that assessment of student accommodation should take cognisance of the amount of student accommodation which exists in the locality and should resist the over-concentration of such schemes in any one area, in the interests of sustainable development and residential amenity. Appellants are highly critical of the need for more student accommodation at this location. In their opinion residential amenity will be diminished and antisocial behaviour increased. Figures are provided by the appellants about existing and proposed student accommodation around the city, the appellant counters these and provides statistics to the contrary. In addition, the applicant points to University Galway's support for student accommodation in general and at this site.

9.2.7. The city development plan states that consideration of the number of existing similar facilities in the area should be undertaken, in order to resist the over-concentration of such schemes in any one area, in the interests of sustainable development and residential amenity. The numbers provided by each party to the appeal are relevant and conclusions either way could realistically be arrived at. However, I note that the planning authority, with access to all of the statistics showing permissions and refusals with respect to similar development across the city, concluded that an overconcentration would not be a factor of concern at this location.

9.2.8. I note that construction of a purpose built student residence is underway across the road and I appreciate that this would ignite concerns amongst locals. The provision of another facility at his location would in simplistic terms, represent a concentration of a particular use at this location that was not present before. However, in terms of overconcentration, the development plan's objectives to ensure that this does not become a problem for existing residents are clearly set out with reference to location and sustainability. I examine these matters in detail in the traffic and transport section of my report. I am satisfied that given the absence of any purpose built student accommodation in this neighbourhood heretofore, I am not satisfied that overconcentration is a realistic issue of concern, when taken together with existing and permitted similar schemes in the area. Together with the applicant's initial

Operational Management Plan, updated by the submission of further information, addresses issues raised by third parties in relation to antisocial behaviour and the development is acceptable at this location.

9.2.9. Student Accommodation Need – linked to overconcentration, third parties have called into question the need for student accommodation at this location at all, given its locational disadvantages and receiving environment. In that context, the applicant has provided Small Area Population statistics (SAPs, CSO 2022) for the area and concluded that 741 students are identified for the wider area and that 512 students are located in purpose built accommodation, table 4 of the applicant's response to the grounds of appeal report refers. I note that the proposal would increase the provision of student accommodation in this area. In all likelihood this will absorb an element of student accommodation from existing private housing in the area, though this is difficult to quantify accurately. The applicant has provided other information, with reference to demand for student accommodation, market analysis and a Student Union Survey, all on the topic of need. Compelling arguments are provided on both sides of the issue. However, I am minded to note government initiatives aimed at providing well designed and located student accommodation in order to free up conventional accommodation in the private rental sector. Specifically the revised National Planning Framework (NPF) that highlights the demand for student accommodation is exacerbating pressures on the available supply of rental accommodation. As well other policy documents such as Housing for All, the National Student Accommodation Strategy 2017 currently under review, and the local development plan, all of which support the provision of student accommodation. I consider that the need for student accommodation for Galway cannot be logically opposed, no further assessment of this ground of appeal is necessary or warranted.

9.2.10. Summary – the site is located on lands zoned for residential purposes and the proposed development would accord with that objective. In terms of overconcentration and actual need, I am satisfied that student housing is needed in Galway City and that the provision of student residences at this location will not adversely impact the amenities of the area. The following sections of my assessment address each matter raised by third parties and the observer to the appeal in greater detail.

9.3. **Traffic and Transport**

9.3.1. Appellants and observers to the appeal have raised issues about the locational appropriateness of the proposed development. Specifically, that the site is further from the university than claimed and that the pedestrian and cycle environment in the area is not up to standard. The lack of car parking on the site is criticised and will lead to overspill parking in the surrounding estates, during the academic year and the summer when units are let out. Planned improvements to the Dyke Road are not specific and the plans that have been tabled will not be suitable for all users. Walking distances are too far and bus transport in the area is poor. Pedestrian crossing points are poorly located. The applicant disagrees and is clear that improvements at the site and along Dyke Road will encourage walking and cycling. The site is close to the University and walking distances are short. The planning authority broadly agree and conditions 3, 4, 5 and 26 all refer to traffic and transport related matters, along Coolough and Dyke Road. The applicant has not appealed any of the conditions attached to the notification to grant permission.

9.3.2. Section 11.30 of the development states that consideration should be given to the location and accessibility to educational facilities and the proximity to existing or planned public transport corridors and cycle routes. The site is located in a suburban area to the north east of the city centre and University of Galway. The area is characterised by low density suburban housing and open landscape with protected status unlikely to be developed in the short term. There are roads and footpaths in the area, but the most direct route to the city and university campus lacks a footpath on its western side and at all at the bridge over the Terryland River. The proposed development aims to provide cycle and pedestrian facilities along this section of the Dyke Road. A

9.3.3. Walking Distances – The appeal site is located just over a kilometre and a half from the University of Galway campus. In the vicinity of Bóthar Na dTreabh (N6), University of Galway comprises a central and north campus, both span this wide and busy road. Notwithstanding the lack of a continuous footpath from the site to the university, I walked from the appeal site to the Arts and Science building (Foirgneamh na nDán/na hEolaíochta) located on the central campus and this walk took 13 minutes. I note that third parties consider different timings to different parts of the campus, and the applicant has provided a walking time for closest point of University of Galway to the site. The university campus is very large and traversing

the entire city centre campus from north to south could take upwards of 15 minutes in itself. The point I am trying to illustrate is that the walking distances from the site to any part of the university campus are variable and could be as short as 12/13 minutes or longer depending on your destination and of course cycling would be faster. In that context I note that crossing points up and across the busy Bóthar Na dTreabh were provided with steel bicycle ramps.

9.3.4. Based upon my experience of walking form the site to the university in a wet and windy day, I am satisfied that the proposed site is entirely acceptable and should be considered to be an appropriate location. The walking environment is moderately well served, except along Dyke Road, where improvements are planned as part of this application. I also note that the north and central campuses of the university are served by an accessible (for the mobility impaired) route, and the improvements planned along Dyke Road would expand accessibility in all its forms. I did not cycle, but I encountered cyclists, improved facilities for them would be a welcome addition to assisting with modal shift. In that respect, I note the detailed submission made by the NTA during the planning application process and I note conditions attached by the planning authority to address their concerns. I consider that the improvements planned by the current proposal at the residential site and along Dyke Road will improve matters for pedestrian and cyclist alike. In addition, conditions attached to recent development in the area (condition 19 of ABP-319927-24) and the subject appeal look for further pedestrian improvements at the junction of the Dyke Road and Coolough Road, and this is important to enhance the safety of vulnerable road users.

9.3.5. Pedestrian Crossing Points – initial concerns from third parties were critical of the design of the proposed pedestrian crossing points. The planning authority requested further information to settle matters and broadly accepted the applicant's amended proposals but refined by condition 3 parts a) and b). I am satisfied that any road safety concerns have been addressed by the futter information submitted by the applicant and refined by condition 3 attached to the notification to grant permission issued by the planning authority.

9.3.6. Parking – third parties are broadly dissatisfied that not enough car parking spaces have been provided in order to deal with the demand during the academic year and during the summer tourist season. It is considered by many that overspill car parking

at adjacent housing estates will occur and this will diminish residential amenities and lead to unwelcome traffic. Cycle parking is also criticised as not being up to standard. Firstly, I note section 11.30 of the development plan states that there will be a presumption against the requirement for car parking, however each proposal will be assessed on its merits and the intensity of use outside of the academic year. In this case the planning authority decided that the number of spaces provided (16 spaces in total) was acceptable and condition 5 demands an updated Operational Management Plan to monitor and manage car parking protocols. In addition, section 11.30 states that ancillary facilities adequate to meet the needs of the development, including refuse/recycling facilities and cycle parking should be provided. The applicant has provided a total of 422 bicycle spaces (302 resident and 120 visitor), as well as a full suite of ancillary facilities. I note that the NTA has some initial concerns about cycling facilities in general and these issues steered the planning authority in the direction of a further information request. Information was submitted to address these concerns and refined by condition 3, parts e) and f) in particular. The applicant in their response to the grounds of appeal, have stated a willingness to provide an additional ten spaces to accommodate summer parking and a bus pull space. In addition, the applicant points out that together with an operational management plan, the proximity to the university and city centre, more sustainable modes of transport will be availed of. I am satisfied that a sufficient amount of car parking and cycle spaces have been provided. I note the submission of the MMP and its targets for modal shit and above all the location of the facility close to existing public transport and a short walk to the university and the city centre. Finer details to do with the Operational Management Plan can be agreed at a later stage if necessary, however, given the public realm improvements planned (new bus stop and works along the Dyke Road) I do not see a need to provide the additional ten car parking spaces within the site at this time.

9.3.7. Public Transport – in terms of poor location, criticisms are levelled at the development due to the lack of public transport in the area. The applicant has prepared an MMP, in which targets are set and sustainable travel options listed. A new bus stop is planned and its design and delivery are refined by condition 4 of the notification to grant permission. I am satisfied that the concerns raised by the NTA have been adequately addressed during the planning application process and that

the proposed development is well located and served by public transport. On the day of my site visited I observed the 438 TFI Local Link and 407 City route pass in front of the site. Given the close proximity of the site to the university and the city centre, together with improvements at the site and along Dyke Road, it is most likely that students and summer residents will either walk or cycle, and public transport utilised when necessary and for longer journeys during term time. I note that third parties undertook a traffic count in the area and found high levels of vehicles using local roads and that the proposed development would add to existing problems. The proposed development is for student residences, where the primary method of accessing the site will be by public transport, walking and cycling. There will be busy periods at the beginning and end of term time and summer time, but these will be managed by the Operational Management Plan. Given the low car dependency nature of the development, limited car parking and an MMP with targets for modal shift, I am satisfied that the proposed development will not be a large generator of traffic such that any perceptible impact to existing traffic volumes would be experienced. Together will local road improvements for vulnerable road users and the low volume of traffic likely to be generated by the proposed development I am satisfied that the development will not lead to excessive traffic volumes, congestion or hazard.

9.3.8. Traffic and Transport Conclusion – given the nature of the development proposed, student residences, and their likely mode of transport to and from college and home, I am satisfied that there will be minimal traffic and transport impacts for the area. There are a number of factors to consider, the MMP prepared by the applicant and the primary mode of transport likely to be walking and cycling. The development includes a considerable amount of public realm improvements not least at the site frontage but along the Dyke Road. With reference to the Dyke Road, I note local concerns that these improvements should be completed prior to the occupation of the units and I agree, a suitable condition should be attached in this respect. On that basis, I am satisfied that the proposed development fulfils all the relevant criteria as it is set out in section11.30 of the development plan with respect to student accommodation assessment.

9.4. **Design**

9.4.1. Third parties are concerned about the scale, density and overall design of the development, and how it is out of character with the suburban nature of the area. Such a high density of development will bring problems of antisocial behaviour and this will adversely impact residential amenities. The applicant points to the Operational Management Plan and how it will moderate student behaviour on the site. In terms of the design and layout of the development the applicant leans on government policy to increase residential densities and the Architectural, Urban Design and Place Making Statement sets out the parameters for the scheme and the shape it has taken. The planning authority issued a notification to grant permission without modifications to the overall design, height and scale of the development.

9.4.2. Section 11.30 of the development plan states; consideration should be given to:

- The architectural quality of the design and also the external layout, with respect to materials, scale, height and relationship to adjacent structures. Internal layouts should take cognisance of the need for flexibility for future possible changes of uses;
- Adequate amenity areas and open space;
- The level and quality of on-site facilities, including storage facilities, waste management, bicycle facilities, leisure facilities, car parking and amenity;

9.4.3. The planning authority considered the application against these parameters, amongst others, and issued a notification to grant permission. The appellants are still concerned, however, about the scale of development at this particular location. I note the prevailing character of the area, which at present comprises low density suburban housing. Permission for student residences has been granted across the road from the appeal site and construction is under way. This permitted development comprises two blocks, up to four storeys and with an equivalent density of 64 units per hectare, ABP reference numbers 306403 and 319927 both refer. The immediate area is experiencing change, as a response to better use of zoned and serviced land.

9.4.4. In terms of residential density, according to the applicant, the proposed development would equate to 70 dwellings per hectare (dph) and this would accord with new advice set out in national policy. I note that the Sustainable Residential Development and Compact Settlement guidelines, indicates that student accommodation density

should be calculated on the basis of 1 dwelling per 4 bedspaces for net density. In this instance, and according to my calculations, the proposed 586 bed spaces divided by 4 equates to 146.5 dwellings across 2.09 Hectares (developable area) and equal 70 dph.

9.4.5. Looking at the detail of the Compact Settlement guidelines, table 3.2 states that at City - Suburban/Urban Extension sites, suburban areas are characterised by low density car orientated residential areas, urban extension refers to greenfield lands at the edge of the existing built-up footprint of the city zoned for residential development, the appeal site fits this category. It is a policy and objective of the Guidelines that residential densities in the range 35 dph to 50 dph (net) shall generally be applied at suburban and urban extension locations in Limerick, Galway and Waterford, and that densities of up to 100 dph (net) shall be open for consideration at 'accessible' suburban / urban extension locations (as defined in Table 3.8). Table 3.8 refers to accessibility, in my mind the appeal site falls between being an accessible and an intermediate location. However, there is a planned Bus Connects route (route 7 and C1 Castlebar) that will run along Coolough Road where the site is located and for purposes of accessibility the fact the University of Galway campus is within walking and cycling distance is relevant. I am satisfied that the density of development proposed is consistent with recommendations of the guidelines.

9.4.6. Height - The development is arranged a layout of seven blocks in a landscaped setting, with the dominant circulatory feature being a path for pedestrians and cyclists. According to the applicant, separate blocks adds significantly to the opportunity for place making with separately identifiable buildings increasing the sense of 'home' and pride of place for the occupants. With reference to height, it is stated that blocks between part 2 storey/3 storey up to a 5th storey set back at Block D, have had regard to the Urban Development and Building Heights Guidelines and Galway's Urban Density and Building Height Study that states up four storeys is appropriate here. The applicant has prepared detailed drawings and cross sections that illustrate the development relative to its surroundings and a visual impact assessment has been prepared. I note that construction is underway for a student residences across the road and these two blocks will rise to four storeys. The proposed development is comparable to that development.

9.4.7. Third parties reference none compliance with the Galway City Urban Density and Building Heights Study. I note that the purpose of the Galway City Urban Density and Building Heights Study is to examine what are the optimal densities and heights that can achieve the most efficient and effective use of land, can make a positive contribution to the character of the city, can create good quality mixed use communities while also contribute to successful place making and liveability. The study contributes to the formulation of a strategy on density and height that informed the Galway City Development Plan 2023–2029 and is attached to the development plan as a supporting document. I can see that the guidance looks at a broad range of two to three storeys and such a range should be considered across all of the north and east suburbs of Galway City. Since the publication of the Galway City Urban Density and Building Heights Study and the adoption of the Galway City Development Plan, new guidance on residential density and consequently building height has come into force - Sustainable and Compact Settlements Guidelines for Planning Authorities. The Compact Settlements Guidelines, state that there are exceptions to density and in this case building height, the guidelines presume against very high densities that exceed 300 dph (net) and consequently very tall buildings must be carefully considered. In this instance, neither the density or height is at such a magnitude to invoke the exceptions listed in the guidelines. The proposed development amounts to mostly three to four storey with a fifth storey element the centre of the site. This scale and height is similar to the emerging character of the area as represented by new student accommodation to the east that is up to four storeys.

9.4.8. Given the emerging character of this area and the heights permitted and under construction I am satisfied that range of heights proposed are acceptable. The fifth storey element of block D is broken up in form, well designed and given its location back and within the site, I am satisfied that the overall development reads as three and four storeys as viewed from surrounding areas. This view is predicated on the visual representations submitted by the applicant, on site observations and cross sections shown on drawing number P-040. I am satisfied that in order to achieve the residential densities at this location as advised by the Compact Settlement Guidelines, the range of heights proposed by the applicant are acceptable,

notwithstanding the lower range envisaged for the entire northern suburbs area by the Galway City Urban Density and Building Heights Study.

9.5. **Natural Heritage**

9.5.1. Concerns have been raised by third parties about how the development will impact upon the adjacent SAC and how the existing ecology of the site will be adversely impacted upon. With respect to designated sites (Natura 2000 and pNHAs), I have already assessed the likelihood of any adverse impact of the development at section 10.0 and appendices 1, 2 and 4 of my report and no adverse effects are anticipated. I have taken into account the issues raised by third parties, the submission of the DAU as part of the planning application process and the further information submitted by the applicant and deemed acceptable to the planning authority, condition 6 of the notification to grant permission refers. Specifically, the issues raised by the DAU with respect to the ecological value of the grassland, bridge over limestone pavement habitat areas, bat survey techniques, impacts of lighting and bat derogation licenses were all addressed by the application. To be clear the Ecological Impact Assessment, AA Screening and NIS Report, Environmental Impact Assessment Screening Report and other documentation all take into account the entirety of the appeal site, that includes improvements to the Dyke Road. I note that specific walkover surveys and point count surveys did not take place along the public road and this is understandable given the nature of the works proposed along Dyke Road and the likelihood of any adverse effects. Drawing 11857-2010 shows an indicative design approach to road improvements with a 4 metre shared pedestrian and cycle facility along the western side, this will entail the removal of the existing bank and hedge to the aquicultural field with a fence. I note the issues raised by third parties with respect to the detailed design of the improvements along Dyke Road. It is appropriate to require more detailed design information for the fence and recommend the replanting of an appropriately designed hedgerow and I am satisfied that the overall natural heritage impacts of the Dyke Road improvements have been adequately considered. To require greater detail on the design of a fence and hedge when the corridor of improvements has been adequately assessed will not undo any of the findings set out by the applicant in their documents.

9.5.2. With reference to third parties and concerned about wildlife, habitats and the ecology of the site. I not that the Ecological Impact Assessment (EcIA) was updated to take

account of the DAU comments, and concluded that, provided the proposed works are constructed and operated in accordance with the design described within the application documents, there will be no significant effects on biodiversity at any geographic scale. From my observations of the site and the documentation (as updated) contained within the application, I concluded that no European sites would be adversely impacted upon and nor would there be environmental impacts to any pNHAs. As for the appeal site, the applicant has prepared an Ecological Impact Assessment (EcIA) and Preliminary Construction Environmental Management Plan (CEMP), both updated as further information responses dated 14th February 2025. Specifically, the landscape masterplan for the entire site has been modified to take account of a portion of limestone pavement and calcareous grassland habitat within the site. The omission of a bridge over the limestone pavement, specially designed decked walkway over existing calcareous grassland areas to be retained and new calcareous grassland topsoiling, further information landscape drawings 2387-03 (04 of 4), 2387-05, 2387-06 and 2387-07 submitted 14th February 2025 all refer and address the concerns raised by the DAU.

9.5.3. With reference to protected species in general and bat species in particular, I note that the applicant submitted the relevant derogation licences to do with the appeal site, and this addresses recent changes to regulations on such matters. In this respect in note that a third party queries the location for these derogation licences, specifically that the Eircode given on the licence does not relate to the appeal site. I have searched the NPWS data base with respect to Bat Derogations Issued 2025[1], and I note that Bat Derogation Licence number DER-BAT-2025-29 is registered with the NPWS and relates to the appeal site. All of the documentation that is publicly available on the NPWS website refers to the appeal site, though I note that the Eircode given is not accurate, however in the circumstances no further action is warranted and the Commission are entitled to make a decision on this appeal. The updated EcIA states that on a precautionary basis, surveys were continued at the site throughout the activity season, with statics being deployed one week of every month between June and October in line with best practice guidance (Collins, 2023). The results are presented in the updated EcIA, in order to address concerns about protected species (Bats), any potential for significant impacts was avoided by

[1] https://www.npws.ie/licensesandconsents/disturbance/application-for-derogation/bat-derogations-issued

retaining the most suitable habitats and that the initial lighting design concluded lighting would not have significant impacts on bats and the applicant retains this assertion. However, in response to point 1c of the further Information request, the lighting plan was redesigned to limit spill and these drawings and calculations are on appeal file.

9.5.4. I am satisfied that the ecological sensitivities (flora and fauna) of the site have been adequately identified and assessed by the applicant. The measures outlined in the EcIA, changes to the landscape masterplan and CEMP all contribute to ensure that there will be no significant effects on biodiversity at any geographic scale, section 7 of the EcIA refers. The entire site as delineated within the red line boundary of the application was assessed by the applicant and I am satisfied that the development as a whole will not adversely impact the natural environment to such an extent that requires further assessment.

9.6. **Views**

9.6.1. It has been stated by third parties that because of the scale of the development, up to five storeys, that protected views will be adversely impacted upon and that the character of the area will change for the worse. The applicant prepared Landscape and Visual Impact Assessment, in which the main finding was that no impact to any of the key scenic sensitivities of any protected scenic views would result. However, it was noted that some occasional vantage points from distance and 'High' or 'Medium' visual effects will be highly localised to within 100 metres of the site. In general, the LVIA found that the scheme would be appropriately absorbed within the landscape and scenic amenity, within an area zoned for residential development in the development plan. The planning authority broadly agreed and a notification to grant permission issued.

9.6.2. Third parties refer to Panoramic Protected View V2 and I understand that this is taken from Galway City Urban Density and Building Heights Study, this is translated as a blue zig-zag line on the Galway City Development Plan 2023-2029, zoning Map A. View V2 references views from Dyke Road and Coolagh Road encompassing the River Corrib and Coolagh fen to the west. The proposed site that will accommodate the student residences is not located along the westward facing Views and Prospects zone along Dyke Road, it is about 500 metres to the north. The portion of

the appeal site that concerns improvements to Dyke Road is positioned where the Views and Prospects objective is located, but I am satisfied that no adverse visual impact will occur given the nature of the works proposed along the road.

9.6.3. With reference to the likelihood that adverse visual impact that could result from the student residences part of the scheme, I note the contents of the applicant's LVIA. I note the concerns raised by the appellants that a fuller and more representative viewpoint sample should have been illustrated. However, I am satisfied that the scope of the LVIA is adequate for the purposes of assessing the visual impact of the development. It is apparent that the character of the area will undergo change, and this has already begun with the construction of similar development to the east. The area will no longer be characterised by one and two storey detached and semidetached housing, and the development plan notes this and new national guidance on residential densities point towards better use of urban land which inevitably results in buildings taller than that already in existence. I am not concerned that long range views will be interrupted as it is clear that the suburban character of the area will be fractionally consolidated with this development and that is how the massing of mainly three and four storey buildings will be read from a distance. No protected views will be adversely affected and the LVIA demonstrates this.

9.6.4. In terms of the visual amenity that may be affected in the immediate vicinity of the site, I note that the applicant acknowledges this up to a point. The LVIA accepts that the landscape will have a 'High' visual impact on a small number of residential receptors to the north-east of the site. This is to be expected; however, I am satisfied that the careful architectural design and variation in building height lessens the perception of an adverse impact to property in the vicinity. In addition, the overall urban design and placemaking principles applied, seek to assist with the integration of the proposed development and I think that this has been successfully achieved in this instance. Moreover, I am satisfied that section 11.30 of the development plan to do with the quality of architectural design, external layout, materials, scale, height and relationship to adjacent structures have all been adequately met.

9.7. **Infrastructure**

9.7.1. Concerns are raised by third parties about the wastewater infrastructure in the area. In addition, local residents see no improvement for them in terms of general

residential amenities and how the scheme has been designed for the future student residents and not the wider community. The applicant explains that a confirmation of feasibility was provided by Uisce Éireann and that the green space and amenities provided within the development provide a variety of passive and active engagement. In addition, the provision of a café and retail space ensure further integration with the wider community.

9.7.2. Firstly, I must point out that the proposed development is for student residences accommodated in a number of apartment blocks set around a landscaped site. The development is not a conventional housing estate. Nevertheless, the applicant has provided over 30% open space which is in excess of that required by the development plan for housing developments. The proposed development will be accessible to the public and as the applicant points out the café and retail element my attract the local community as patrons in the future. Given the nature of the development for student and periodic tourist use, I am satisfied that the development provides a suitable and appropriate level of amenities. As for the assertion from an appellant that the proposed development will lend nothing to the area, I find the contrary to be the case. The development will utilise zoned and serviced land and in return provided a viable retail and café offering, together with a well landscaped facility that may be used by the wider community.

9.7.3. With respect to the water services element of the proposed development, I note the contents of the applicant's Engineering Planning Report that states a new foul network connection is proposed from the adjacent 225m uPVC sewer located within the Crestwood residential estate. Wastewater from the development will flow by gravity to where it will discharge to this existing public network. Uisce Éireann issued a Confirmation of Feasibility (CDS24005732), dated 1st August 2024, that confirmed the proposed Wastewater Connection is feasible subject to upgrades of an approximate 50m network extension, drawing 11857-2002 refers. Similarly in terms of water supply, Uisce Éireann confirmed that the proposed Water Connection is feasible subject to upgrades of an approximate 50m network extension, drawing 11846-2001 refers.

9.7.4. Lastly with respect surface water management of the site, I note that surface water drainage is proposed to discharge to the existing storm water drainage network located to the north-east of the site, in the Crestwood residential estate. This surface

water will be discharged to an existing 600mm concrete storm sewer in the Crestwood residential estate. Prior to discharge to the existing network all surface water will pass through a Class 1 petrol interceptor. Importantly, SuDS measures such as tree pits, permeable paving and swales will be located throughout the development to assist in the storm water management of the site, drawing 11857–2001 refers. Interception storage will be achieved by implementing swales, permeable paving, treepits and infiltration/attenuation storage tanks and growth factors will be applied to the allowable discharge for the 100-year event. The applicant prepared a Flood Risk Assessment (FRA) that concluded that the risk of fluvial flooding to the subject site is minimal and the site is not close to the coast. In terms of pluvial flooding, surface water arising on the site will be managed by a dedicated stormwater drainage system in accordance with Sustainable Drainage Systems (SuDS) principles, limiting discharge from the site to greenfield runoff rates. The landscaping and topography of the developed site should provide safe exceedance flow paths and prevent surface water ponding to minimise residual risks associated with an extreme flood event or a scenario where the stormwater drainage system becomes blocked. There is no suggestion that groundwater flooding is an issue. The site is located on Flood Zone C (low probability of flooding i.e., 0.1% AEP), given the use proposed, the justification test is not required in this instance and the development poses no flood risk.

9.7.5. I note that Uisce Éireann issued a Confirmation of Feasibility, water and wastewater connections are feasible with minor upgrades. In addition, I note that the Council's Planning Report references the Surface Water Drainage Section had no objection subject to condition. Despite being unable to locate this report, I am satisfied that a suitable condition should be attached from a surface water management and flood risk perspective.

9.8. **Other Matters**

9.8.1. Procedural – third parties highlight procedural matters, specifically to do with public notices. In this respect I note that public notices were published in accordance with the regulations and were not required to be readvertised after the submission of further information, that was deemed not to be significant by the planning authority. All third parties were notified when further information was submitted and some prepared observations and lodged them with the planning authority. I am satisfied

that the planning authority deployed the correct procedures to process the planning application and the fact that the application is now before the Commission on appeal, illustrates the effectiveness of the applicant to follow procedures and illicit observations from interested parties. No further action is required.

9.8.2. Residential Amenity – There have been no issues raised by third parties with respect to how or if the development will impact existing residential amenities, such as they relate to overshadowing, loss of light, overlooking or overbearing appearance as experienced from their homes. It is the broader issue of residential amenities that I have already examined that have exercised third party's interest. Section 11.30 of the development plan states the potential impact on local residential amenities should be considered and what follows is summarised and expanded upon where necessary.

9.8.3. I note that the proposed development is not located excessively close to other residential units, for instance block F is more than 31 metres from the rear elevation of 1 Crestwood to the north east. Block G is 25 metres and across the road from the three storey block of the permitted student residence currently under construction. Block B is positioned north of Caislin, the southern elevation of block B is two storeys in height at its western end and three storeys at its eastern end. The two storey western portion of block B is 15 metres from the side elevation of 6 Caislin and the three storey element is 21 metres from the side elevation of 7 Caislin. A wide and mature belt of trees are located at the boundary of the site along its southern side and these are to remain in place. Given the orientation to the north of Caislin and relative height and design of Block B, I do not anticipate any adverse residential amenity impacts as a result of overshadowing, loss of light, overlooking or overbearing appearance.

9.8.4. The applicant prepared a Daylight and Sunlight Analysis Report that confirms no adverse amenity impacts will result from the development as proposed to existing houses in the vicinity. The report also assesses what impacts if any will result to blocks A and B of the development to the east currently under construction, and no adverse impacts will be experienced by future occupants there either.

9.8.5. No issues were raised with respect to the residential amenities for the future occupants of the student residences. In that respect I note that each unit has been

designed in accordance with the relevant guidelines. The applicant states that the proposed development has been designed in accordance with the Department of Education and Science on Residential Developments for Third Level Students (DES 1999), the subsequent supplementary document from 2005 and the Student Accommodation Scheme (ORC 2007).

9.8.6. A range of services are located in Block A of the proposed development including the reception area, a common room, a gym and study room. Block A also contains a commercial space consisting of a shop space measuring 77 sqm and a café space measuring 81.7 sqm. These spaces will be accessible by the public and according to the applicant help integrate the proposed development with the surrounding community. The retail space will also create an active frontage within the proposed development leading to active and lively streets which engage with the wider area. Along with these communal facilities, the proposed development includes a variety of amenity spaces that provide opportunity for both active and passive recreation. Such recreation facilities include table tennis and chest tables located along the recreational walkways traversing the layout of the scheme, in addition to calisthenics equipment and MUGAs that ensures there's a wide variety of recreational activities within the proposed development.

9.8.7. With refence to third parties and concerns with regard to the residential amenities of the wider area being affected by antisocial behaviour and excessive noise. I note that the applicant prepared an Operational Management Plan and a Noise Impact Assessment, I am satisfied that both of these documents are adequately designed to address adverse impacts and can be addressed by condition as appropriate.

9.8.8. The applicant points out that there are no specific and detailed design guidance documents for student accommodation. At the time that this planning application was made this is true, however, I note that a guidance document aimed firstly at new design standards or typologies for state sponsored on-campus student accommodation has been published, entitled Design Guide for State Sponsored Student Accommodation May 2025. These guidelines are not section 28 guidelines for the purposes of this appeal but are of some interest. The guidelines state that it is also intended, where appropriate, that the standards contained within the Design Guide, will inform the planning and design of off-campus forms of student accommodation that are led by the private sector. In this context it is useful to

compare some parameters of the current proposal against those contained in the new guidelines, for instance standard bedroom sizes in the subject appeal are 12.6 sqm, the new guidelines look for a minimum required area of 8 sqm for a single study bedroom and 11.5 sqm for a study bedroom incorporating an en-suite bathroom. In this instance, the applicant's bedroom provision is in excess of that now advised. The guidelines set no provision for bedrooms and those students with disabilities other than identifying the provision of elevators as beneficial. However, I note that the applicant, in accordance with the development plan, states that the proposed accommodation for the scheme allows for an extensive mix of cluster types ranging from 4 bed to 8 bed clusters, and over 10% of bedrooms are designed for persons with disabilities.

9.8.9. I note that the primary motivation behind the guidelines is to secure value for money and in this respect the new guidelines state that clear standards are set out to enable the most efficient use of space and enhance viability. In that context I am satisfied that the proposed development exceeds the minimum standards set out in the guidelines and will provide a suitable environment for future student and tourist related occupants. The subject of value for money and viability is a matter for the developer and no further comment is warranted.

9.9. **Conditions**

9.9.1. The planning authority issued a notification to grant permission subject to 26 conditions, 19 of the conditions are standard, technical or contribution/bond conditions that would be attached to any large scale commercial/residential scheme in Galway City, numbers 1, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24 and 25 all refer.

9.9.2. Seven conditions attached to the notification to grant permission are specific to the proposed development. What follows is a list of those site specific conditions and my comments:

2. The proposed development hereby permitted shall only be occupied as student accommodation, in accordance with the definition of student accommodation provided under section 13(d) of the Planning and Development (Housing) and Residential Tenancies Act 2016 and as visitor or tourist accommodation outside

academic term times and shall not be used for any other purpose without a prior grant of planning permission for change of use.

Reason: In the interest of residential amenity and to limit the scope of the proposed development to that for which the application was made.

Comment – This condition is relevant to ensure the residential amenities of the area are preserved, and should be attached.

3. Prior to the commencement of development, revised drawings and particulars shall be submitted for the written agreement of the Planning Authority showing the following amendments:

(a) The design of the northern Zebra crossing indicated on drawing no. 11857-2011-P1 shall be updated to indicate the required pedestrian Toucan Crossing as agreed and approved under Planning Permission GCC pl. ref. no. 23/60174/An Bord Pleanála ref. no. ABP-319927-24.

(b) The southern pedestrian crossing shall be a Type B Zebra Crossing as per the Traffic Signs Advice Note Zebra Crossing (TSAN-2024-01) by the Department of Transport. The applicant shall demonstrate that the proposed crossing meets the design parameters in the standard.

(c) The uncontrolled crossing of the vehicular entrance shall include on both sides, suitable infrastructure for those with visual and mobility impairments.

(d) At detailed design a Stage 2 Road Safety Audit shall be undertaken and recommendations adopted into the design prior to construction.

(e) An increased number of cycle parking Sheffield stands shall be incorporated into the scheme.

(f) All cycle infrastructure and facilities proposed, including cycle parking, should comply with the requirements of the NTA Cycle Design Manual (NTA and Department of Transport 2023).

(g) Detailed design proposals for the pedestrian and cyclist improvements along Dyke Road shall include appropriate fencing and hedge planting, to the technical standards of the planning authority.

The development shall be carried out and completed in accordance with the agreed details.

Reason: In the interest of orderly development and proposed planning and sustainable development.

Comment – This condition is relevant to ensure the traffic and transport objectives of the area are achieved, and should be attached. In addition, I note that Drawing 11857-2010 shows an indicative design approach to road improvements with a 4 metre shared pedestrian and cycle facility along the western side, this will entail the removal of the existing bank and hedge to the agricultural field with a fence. It is appropriate to require detailed design of the fence and recommend the replanting of an appropriately designed hedgerow to replace that lost to facilitate pedestrian and cyclist safety, part (g) in italics refers.

4. a. Prior to the commencement of development, revised drawings shall be submitted for the written agreement of the Planning Authority showing the provision of bus stopping facilities at this location on both sides of the road providing for access to buses travelling in both directions and to support travel by bus in accordance with current NTA Bus Guidance and specifications. The design shall take cognisance of the requirements of the Cycle Design Manual with regards to interactions at bus stops. The development shall be carried out and completed in accordance with agreed details.

b. The developer shall pay to the Planning Authority a financial contribution as a special contribution under section 48(2) (c) of the Planning and Development Act 2000 in respect of works in respect of works for the provision of bus stop on the Coolough Road or alternatively, the developer shall carry out these works at its own expense in accordance with the specification of the Planning Authority and the specifications and requirements set out in current NTA Bus Guidance.

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

Comment – This condition is relevant to ensure the traffic and transport objectives of the area are achieved, and should be attached. I have concerns that the application

of a section 48(2)(c) special contribution condition has not outlined the specific exceptional costs in any detail. However, the planning authority in their wording has offered an alternative, that the developer cover the cost of works and I am satisfied that an agreement can be reached either way. The applicant has not appealed any of the conditions attached to the notification to grant permission.

5. Prior to the commencement of development, an updated Operational Management Plan which includes management and control protocols addressing car parking over the out-of-term summer period and measures to ensure compliance with these protocols shall be submitted to, and agreed in writing with, the Planning Authority. The development shall be carried out in accordance with agreed details.

Reason: To support sustainable travel.

Comment – This condition is relevant to ensure the traffic and transport objectives of the area are achieved, and should be attached.

6. All mitigation measures associated with construction, post construction and operational phases of the development as outlined in the submitted Natural Impact Statement, Ecological Impact Assessment, Noise Impact Assessment and Preliminary Construction Environmental Management Plan and shall be implemented in full and shall be supervised by suitably qualified and bonded persons.

Reason: To safeguard the quality of surrounding environment and in the interest of sustainable development.

Comment – This condition is relevant to ensure the natural heritage objectives of the area are achieved, and should be attached.

7. The proposed development shall be implemented as follows:

(a) The student accommodation and complex shall be operated and managed in accordance with the measures indicated in the Student Accommodation Operational Management Plan submitted.

(b) Student house units shall not be amalgamated or combined.

(c) The communal open spaces, car parking areas, sewers, watermains and communal services and access roads shall all be retained in private ownership or control and shall be maintained by a properly constituted management company which shall also provide for the external repainting of the development every 4 (four) years. The details of the management company shall be agreed in writing with the Planning Authority prior to the commencement of development.

Reason: In the interests of the residential amenities.

Comment – This condition is relevant to ensure the residential amenities of the area are preserved, and should be attached.

26. (a) The developer shall pay to the Planning Authority a financial contribution as a special contribution under section 48(2) (c) of the Planning and Development Act 2000 in respect of works to improve the junction of the Dyke Road and Coolough Road and a pedestrian footpath and shared pedestrian and cyclist facility/infrastructure on the Dyke Road. The amount of the contribution shall be agreed between the Planning Authority and the developer. The contribution shall be paid prior to commencement of development or in such phased payments as the Planning Authority may facilitate and shall be updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office. Alternatively, the developer may carry out these works at its own expense in accordance with the specifications of the Planning Authority and those set out in the Design Manual for Urban Roads and Streets.

(b) All improvements along Dyke Road shall be complete and operational prior to the occupation of the student residences.

Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the Planning Authority which are not covered in the Development Contribution Scheme, and which will benefit the proposed development.

Comment – This condition is relevant to ensure the traffic and transport objectives of the area are achieved, and should be attached. However, I recommend an amendment to the condition to take account of the concerns of third parties. Specifically, that all improvements along Dyke Road are complete prior to the occupation of the student residences, I have included a part (b) in italics above. In addition, I have concerns that the application of a section 48(2)(c) special contribution condition has not outlined the specific exceptional costs in any detail. However, the planning authority in their wording has offered an alternative, that the developer cover the cost of works and I am satisfied that an agreement can be reached either way. The applicant has not appealed any of the conditions attached to the notification to grant permission.

9.9.3. I note a single observation, in relation to the Irish Language. The observer requests that:

1. That at least 25% of the rooms be reserved for Irish-speaking students

2. That the development be given a name in Irish only, based on the indigenous placenames of the area

3. That any signage associated with the scheme in general and with the individual blocks be in Irish or bilingual, in both Irish and English.

9.9.4. Broadly, condition 13 as set out in the schedule of conditions at section 14.0 of my report provides adequately for the provision of placenames in Irish and English. However, I not certain that a condition can compel the developer to reserve at least 25% of the rooms for Irish-speaking students. The site is located with a Gaeltacht Planning Area (Fig 7.3 Development Plan). There is no requirement under the Development Plan for a proportion of the units to be reserved for Irish Speakers. I am satisfied that an appropriate condition requiring the name of the development and signage to have regard to the location of the site within a Gaeltacht Planning Area is sufficient in this case to meet Development Plan policy requirements for a bilingual city.

9.9.5. Lastly, consideration regarding compliance with Part V arrangements for social housing will not be required where the accommodation is for student accommodation of a recognised third level institution, section 11.30 of the development plan refers. This is such a case and a Part V (housing) condition is not required.

10.0 Appropriate Assessment

10.1. Screening Determination - Finding of likely significant effects

10.1.1. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of objective information provided by the applicant, I conclude that the proposed development could result in significant effects on the Lough Corrib SAC [000297], Galway Bay Complex SAC [000268] and the Inner Galway Bay SPA [004031] in view of the conservation objectives of a number of qualifying interest features of those sites.

10.1.2. It is therefore determined that Appropriate Assessment (stage 2) [under Section 177V of the Planning and Development Act 2000] of the proposed development is required.

10.2. Natura Impact Statement (NIS)

10.2.1. In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on the Lough Corrib SAC [000297], Galway Bay Complex SAC [000268] and Inner Galway Bay SPA [004031] in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of S177U was required.

10.2.2. Following an examination, analysis and evaluation of the NIS all associated material submitted, and taking into account observations on nature conservation, I consider that adverse effects on site integrity of the Lough Corrib SAC [000297], Galway Bay Complex SAC [000268] and Inner Galway Bay SPA [004031] 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:

- Detailed assessment of construction and operational impacts.
- Effectiveness of mitigation measures proposed including supervision and integration into CEMP ensuring smooth transition of obligations to eventual contractor.
- Application of planning conditions to ensure application of these measures.

10.2.4. The proposed development will not affect the attainment of conservation objectives for the Lough Corrib SAC [000297], Galway Bay Complex SAC [000268] and Inner Galway Bay SPA [004031].

11.0 Water Framework Directive (WFD)

11.1. The subject site is located at Coolough and Dyke Road, Galway City, nearby waterbodies include: Menlough IE_WE_30_290 (350m), CORRIB_020 IE_WE_30C020600 (500m), TERRYLAND_010 IE_WE_30T010500 (700m) and GWDTE-Lough Corrib Fen 1 (Menlough) (SAC000297) IE_WE_G_0119.

11.2. The proposed development comprises student residences and improvements to a public road. Section 2.0 of the Inspector's Report refers. No water deterioration concerns were raised in the planning appeal.

11.3. I have assessed the student residences project and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface and ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

11.4. The reason for this conclusion is as follows:

- The nature of the works that include SuDS measures and landscaping
- Lack of any direct hydrological connections
- The serviced nature of the lands

11.5. Conclusion - I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

12.0 Recommendation

12.1. Having regard to the above assessment, and based on the following reasons and considerations, it is recommended that permission be granted subject to conditions.

13.0 Reasons and Considerations

Conclusions on Proper Planning and Sustainable Development:

Having regard to:

(i) the site's location on lands with a zoning objective for 'R' and other policy and objective provisions in the Galway City Development Plan 2023 – 2029 in respect of residential development,

(ii) the nature, scale and design of the proposed development which is consistent with the provisions of the Galway City Development Plan 2023 – 2029 and appendices contained therein,

(iii) the Sustainable Residential development and Compact Settlements: Guidelines for Planning Authorities (2024),

(iv) to the pattern of existing and permitted development in the area, and

(v) to the submissions and observations received,

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

Appropriate Assessment (AA)-Stage 1

The Board completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European sites, taking into account the nature, scale and location of the proposed development within an established town centre location and adequately serviced urban site, the Appropriate Assessment Screening Report submitted with the application, the Inspector's Report, and submissions on file. In completing the screening exercise, the Board adopted the report of the Inspector and concluded that, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have a significant effect on any European site in view of the conservation objectives of such sites, other than the Lough Corrib SAC [000297], Galway Bay Complex SAC [000268] and Inner Galway Bay SPA [004031], which are the European Sites for which likelihood of significant effects could not be ruled out.

Appropriate Assessment-Stage 2

The Board considered the Natura Impact Statement and all other relevant submissions including expert submissions received and carried out an appropriate assessment of the implications of the proposed development on the Lough Corrib SAC [000297], Galway Bay Complex SAC [000268] and Inner Galway Bay SPA [004031], in view of the site's Conservation Objectives. The Board considered that the information before it was sufficient to undertake a complete assessment of all aspects of the proposed development in relation to the site's Conservation Objectives using the best available scientific knowledge in the field.

In completing the assessment, the Board considered, in particular, the following:

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

(b) the mitigation measures which are included as part of the current proposal, and

(c) the conservation objectives for the European sites.

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

In overall conclusion, the Board was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Site in view of the conservation objectives of the site. This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable scientific doubt as to the absence of adverse effects.

Environmental Impact Assessment (EIA):

The Board completed an environmental impact assessment screening of the proposed development and considered that the Environmental Impact Assessment Screening Report submitted by the applicant, which contains the information set out Schedule 7A to the Planning and Development Regulations 2001 (as amended), identifies and describes adequately the direct, indirect, secondary, and cumulative effects of the proposed development on the environment.

Having regard to:

the criteria set out in Schedule 7, in particular

a) The nature and scale of the project, which is below the thresholds in respect of Class 10(b)(i) and Class 10(b)(iv) of the Planning and Development Regulations 2001, as amended.

b) The location of the site on zoned lands (Zoning Objective 'R' Residential'), and other relevant policies and objectives in the Galway City Development Plan 2023-2029, and the results of the strategic environmental assessment of this plan undertaken in accordance with the SEA Directive (2001/42/EC).

c) The nature of the site and its location in an urban neighbourhood area which is served by public services and infrastructure.

d) The pattern of existing and permitted development in the area.

e) The planning history at the site and within the wider area.

f) The location of the site outside of any sensitive location specified in article 109(4)(a) the Planning and Development Regulations 2001, as amended and the absence of any potential impacts on such locations.

g) The guidance set out in the 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development', issued by the Department of the Environment, Heritage, and Local Government (2003).

h) The criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended.

i) The available results, where relevant, of preliminary verifications or assessments of the effects on the environment carried out pursuant to European Union legislation other than the EIA Directive.

j) The features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including those identified in the initial and updated (14th February 2025) versions of the Ecological Impact Assessment, Landscape Management and Maintenance Specification, Design Manual for Urban Roads and Streets (2019) Report, Road Safety Audit Stage 1, Environmental, Mechanical and Electrical Engineering design report, Outdoor Lighting Report, Daylight & Sunlight Assessment & Shadow Analysis Report, Landscape Design Statement, Energy Statement, Appropriate Assessment Screening Report and Natura Impact Statement, Landscape and Visual Impact Assessment, Engineering Planning Report, Construction and Environmental Management Plan, Mobility Management Plan, Flood Risk Assessment, Stage 1 Stormwater Audit, Public Lighting Calculation Report and Specifications, Noise Impact Assessment and an Operational Management Plan

k) the absence of any significant environmental sensitivity in the vicinity, and the location of the proposed development outside of any designated archaeological protection zone

2. the features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment,

it is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not, therefore, be required.

14.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 14th day of February 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity

2. All mitigation measures associated with construction, post construction and operational phases of the development as outlined in the submitted Natural Impact Statement, Ecological Impact Assessment, Noise Impact Assessment and Preliminary Construction Environmental Management Plan and shall be implemented in full and shall be supervised by suitably qualified and bonded persons.

Reason: To protect the integrity of European Sites and safeguard the quality of surrounding environment in the interest of sustainable development.

3. The proposed development hereby permitted shall only be occupied as student accommodation, in accordance with the definition of student accommodation provided under section 13(d) of the Planning and Development (Housing) and Residential Tenancies Act 2016 and as visitor or tourist accommodation outside academic term times and shall not be used for any other purpose without a prior grant of planning permission for change of use.

Reason: In the interest of residential amenity and to limit the scope of the proposed development to that for which the application was made.

4. Prior to the commencement of development, revised drawings and particulars shall be submitted for the written agreement of the Planning Authority showing the following amendments:

(a) The design of the northern Zebra crossing indicated on drawing no. 11857-2011-P1 shall be updated to indicate the required pedestrian Toucan Crossing as agreed and approved under Planning Permission GCC pl. ref. no. 23/60174/An Bord Pleanála ref. no. ABP-319927-24.

(b) The southern pedestrian crossing shall be a Type B Zebra Crossing as per the Traffic Signs Advice Note Zebra Crossing (TSAN-2024-01) by the Department of Transport. The applicant shall demonstrate that the proposed crossing meets the design parameters in the standard.

(c) The uncontrolled crossing of the vehicular entrance shall include on both sides, suitable infrastructure for those with visual and mobility impairments.

(d) At detailed design a Stage 2 Road Safety Audit shall be undertaken and recommendations adopted into the design prior to construction.

(e) An increased number of cycle parking Sheffield stands shall be incorporated into the scheme.

(f) All cycle infrastructure and facilities proposed, including cycle parking, should comply with the requirements of the NTA Cycle Design Manual (NTA and Department of Transport 2023).

(g) Detailed design proposals for the pedestrian and cyclist improvements along Dyke Road shall include appropriate fencing and hedge planting, to the technical standards of the planning authority.

The development shall be carried out and completed in accordance with the agreed details.

Reason: In the interest of orderly development and proposed planning and sustainable development.

5. (a) Prior to the commencement of development, revised drawings shall be submitted for the written agreement of the Planning Authority showing the provision of bus stopping facilities at this location on both sides of the road providing for access to buses travelling in both directions and to support travel by bus in accordance with current NTA Bus Guidance and specifications. The design shall take cognisance of the requirements of the Cycle Design Manual with regards to interactions at bus stops. The development shall be carried out and completed in accordance with agreed details.

(b) The developer shall pay to the Planning Authority a financial contribution as a special contribution under section 48(2) (c) of the Planning and Development Act 2000 in respect of works in respect of works for the provision of bus stop on the Coolough Road or alternatively, the developer shall carry out these works at its own expense in accordance with the specification of the Planning Authority and the specifications and requirements set out in current NTA Bus Guidance.

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

6. Prior to the commencement of development, an updated Operational Management Plan which includes management and control protocols addressing car parking over the out-of-term summer period and measures to ensure compliance with these protocols shall be submitted to, and agreed in writing with, the Planning Authority. The development shall be carried out in accordance with agreed details.

Reason: To support sustainable travel.

7. The proposed development shall be implemented as follows:

(a) The student accommodation and complex shall be operated and managed in accordance with the measures indicated in the Student Accommodation Operational Management Plan submitted.

(b) Student house units shall not be amalgamated or combined.

(c) The communal open spaces, car parking areas, sewers, watermains and communal services and access roads shall all be retained in private ownership or control and shall be maintained by a properly constituted management company which shall also provide for the external repainting of the development every 4 (four) years. The details of the management company shall be agreed in writing with the Planning Authority prior to the commencement of development.

Reason: In the interests of the residential amenities.

8. (a) Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

(b) Surface water run-off associated with this development shall not be permitted to discharge onto the public road or footpath or onto adjacent properties.

(c) Surface Water Drainage System shall be constructed in accordance with the plans and particulars set out in the Documents and Drawings that accompanied the application. A Stage 2 Stormwater Audit (Detailed Construction Design Stage) is required, and particulars shall be agreed in writing with the Planning Authority prior to construction commencing on site and the development shall be carried out in accordance with agreed details. A Stage 3 Audit (Development Completion Stage) shall be submitted post construction of the development.

Reason: In the interest of public health.

9. The developer shall ensure that the development is served by adequate water supply and/or wastewater facilities and shall enter into a connection agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.

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

10. The developer shall ensure that all demolition and construction activity within this site shall comply with the following:

(a) All demolition/construction activity shall be restricted to between 0800 hours and 1800 hours Monday to Friday and between 0900 hours and 1300 hours Saturday, unless otherwise agreed in writing with the Planning Authority. No works shall take place on Sundays, Bank Holidays or Public Holidays.

(b) The mitigation measures and best practice construction obligations of the submitted Preliminary Construction Environment Management Plan shall be implemented in full under the supervision and certification of a suitably qualified and bonded engineer(s).

(c) Prior to works commencing on the site the developer shall carry out a full dilapidation survey of all neighbouring areas and properties. The results of these surveys will be held on file and will be made available to all parties when / as required as set out in Construction Management Plan.

(d) All workers and visitors to the site shall not park on the adjacent public footpaths or roadways.

(e) In the event that rock breaking is required on the site, a schedule of works including mitigating measures and the hours and days of operations shall be submitted for the agreement of the Planning Authority in writing.

(f) The applicant shall be responsible for installing and maintaining to a satisfactory standard a vehicular wheel washing facility on site during all the construction phases of this development so as to prevent any dirt being transferred to the public roadways.

(g) All retaining walls shall be designed and their construction supervised and certified by a suitably qualified bonded Structural Engineer.

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

11. The developer shall ensure that all demolition/construction activity within this site shall comply with the following:

(a) All work shall be carried out in such a manner so as not to cause environmental pollution.

(b) All waste arising from site clearance and construction on site shall be dealt with in compliance with all relevant waste and environmental legislation.

(c) Prior to the commencement of development, the developer or any agent acting on its behalf shall prepare a Construction and Demolition Resource Waste Management Plan (RWMP) as set out in the Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for C&D Projects (2021) including demonstration of proposals to adhere to best practice and protocols. 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. The RWMP must be submitted to the Planning Authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

(d) All waste arising from the development shall be segregated prior to disposal.

(e) All wastes arising from the development shall be disposed of by suitably licenced service provider to a suitably licensed facility and shall be carried out in line with the procedures of submitted Waste Management Plan.

(f) Any hazardous waste arising shall be dealt with in compliance with hazard waste legislation.

(g) All additional capacity wastes arising from the day-to-day phase shall be disposed of by suitably licenced service provider to a suitably licensed facility. The three-bin system shall comprise of a recycling bin, a food waste (brown) bin and a mixed residual waste bin.

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

12. (a) The developer shall engage a suitably qualified Archaeologist to monitor (licensed under the National Monuments Acts) all site clearance works, topsoil stripping and other groundworks associated with the development. No groundworks shall take place in the absence of the Archaeologist without his/her express consent.

The use of appropriate machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary.

(b) Should archaeological remains be identified during the course of archaeological monitoring, works shall be suspended in the area of archaeological interest pending a decision of the Planning Authority, in consultation with the Department, regarding appropriate mitigation (preservation in situ/excavation).

(c) The developer shall facilitate the Archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the Planning Authority, following consultation with the Department, shall be complied with by the developer.

(d) Following the completion of all archaeological work on site and any necessary post excavation specialist analysis, the Planning Authority and the Department shall be furnished with a final archaeological report describing the results of the monitoring and any subsequent required archaeological investigative work/excavation required. All resulting and associated archaeological costs shall be borne by the developer.

(e) The Construction Environment Management Plan (CEMP) shall incorporate any significant findings that emerge from the programme of Archaeological Monitoring including (but not limited to) the location of any archaeological or cultural heritage constraints relevant to the proposed development and present appropriate mitigation measures to protect the archaeological or cultural heritage environment.

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

13. Proposals for an estate/development name in Irish, student apartment/cluster numbering scheme and associated signage shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. Thereafter, all estate/development signs, and student apartment/cluster numbers, shall be provided in accordance with the agreed scheme. No advertisements/marketing signage relating to the name of the development shall be erected until the developer has obtained the Planning Authority's written agreement

to the proposed name. The development shall be completed in accordance with the agreed details.

Reason: In the interests of urban legibility, and to ensure the use of locally appropriate place names for new residential developments.

14. Full details of all signs associated with the overall scheme and individual blocks shall be submitted to and agreed in writing with the Planning Authority prior to their erection on site. The development shall be completed in accordance with the agreed details.

Reason: In the interest of the visual amenities of the area.

15. All details of the materials, colours, and textures of all external finishes to the building, site boundary treatment and associated public realm/open space areas shall as indicated on submitted and approved drawings. Any changes to the proposed external finishes of the buildings, site boundary treatment and public realm shall be agreed in writing with the Planning Authority prior to commencement of development.

Reason: In the interest of visual amenity.

16. (a) No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas, or equipment, unless authorised by a further grant of planning permission.

(b) No access to the roof areas other than for maintenance shall be permitted.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.

17. (a) The site shall be fully landscaped in accordance with the landscape plans submitted, within the first planting season following completion of the development.

(b) On completion of the landscaping/amenity scheme for the development, the developer shall submit to the Planning Authority a certificate of completion from a suitably qualified landscape designer confirming that the landscaping works have been satisfactorily carried out in accordance with the approved landscaping/amenity scheme. The developer shall be responsible for full maintenance of the landscaping and for the replacement of all failed stock. A copy of the maintenance agreement with a suitably qualified person shall be submitted with the required certification.

Reason: In the interest of the visual and residential amenities of the area

18. All service cables associated with the proposed development (such as electrical, communal television, telephone, and public lighting cables) shall be run underground within the site.

Reason: In the interests of orderly development, the visual amenities of the area and for satisfactory future maintenance.

19. (a) During the operational phase the noise level arising from the development, as measured at the nearest dwelling, shall not exceed:

(i) An Leq, 1h value of 55 dB(A) during the period 0800 to 2200 hours from Monday to Saturday inclusive.

(ii) An Leq, 15 min value of 45 dB(A) at any other time. The noise at such time shall not contain a tonal component.

(b)All sound measurement shall be carried out in accordance with ISO Recommendation 1996:2007: Acoustics – Description and Measurement of Environmental Noise.

Reason: To protect the residential amenities of property in the vicinity of the site.

20. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme

made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission

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

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

22. (a) The developer shall pay to the Planning Authority a financial contribution as a special contribution under section 48(2) (c) of the Planning and Development Act 2000 in respect of works to improve the junction of the Dyke Road and Coolough Road and a pedestrian footpath and shared pedestrian and cyclist facility/infrastructure on the Dyke Road. The amount of the contribution shall be agreed between the Planning Authority and the developer. The contribution shall be

paid prior to commencement of development or in such phased payments as the Planning Authority may facilitate and shall be updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office. Alternatively, the developer may carry out these works at its own expense in accordance with the specifications of the Planning Authority and those set out in the Design Manual for Urban Roads and Streets.

(b) All improvements along Dyke Road shall be complete and operational prior to the occupation of the student residences.

Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the Planning Authority which are not covered in the Development Contribution Scheme, and which will benefit the proposed development.

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.

Stephen Rhys Thomas
Senior Planning Inspector

09 July 2025

15.0 Appendix 1 - AA Screening Determination

Screening for Appropriate Assessment
Test for likely significant effects

Step 1: Description of the project and local site characteristics

Case file: ABP-322424-25

Brief description of project	Construction of 84 student accommodation apartments, a café, retail space and road improvement works along the Dyke Road.
Brief description of development site characteristics and potential impact mechanisms	A detailed description of the development location is provided at section 1.0 of the Inspector's Report. Potential impact mechanisms include: construction phase activities.
Screening report	Yes
Natura Impact Statement	Yes
Relevant submissions	Appellants and observers raise issues with many aspects of the development in the context of the wider environment, sections 4.4 and 8.0 of the Inspector's Report refer. An Taisce and the DAU prepared a submission on the planning application with respect to natural heritage, section 4.3 of the Inspectors Report refers. In summary, the DAU's concerns required amendments to the landscape design, grassland areas, bat species and these were submitted by the applicant. The NIS and EcIA were adjusted accordingly and examined further at appendix 2.

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

Three European sites were identified as being located within a potential zone of influence of the proposed development as detailed in Table 1 below. I note that the applicant included a greater number

of European sites in their initial screening consideration. There is no ecological justification for a wider consideration of sites, and I have only included those sites with any possible ecological connection or pathway in this screening determination.

European Site (code)	Qualifying interests (summary) Link to conservation objectives (NPWS, date)	Distance from proposed development	Ecological connections	Consider further in screening Y/N
Galway Bay Complex SAC [000268]	[1140] Mudflats and sandflats not covered by seawater at low tide [1150] Coastal lagoons* [1160] Large shallow inlets and bays [1170] Reefs [1220] Perennial vegetation of stony banks [1310] Salicornia and other annuals colonising mud and sand [1330] Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1410] Mediterranean salt meadows (Juncetalia maritimi) [3180] Turloughs* [5130] Juniperus communis formations on heaths or calcareous grasslands [6210] Semi-natural dry grasslands and scrubland facies on calcareous substrates	1.6 km	There is no potential for direct effects on the QI species or habitats designated as part of this SAC as the site is located outside the boundary of this SAC. The site is located within an area of groundwater vulnerability deemed as 'extreme' and 'exposed rock' No EPA mapped or unmapped watercourses exist within the site which could act as direct conduits for surface water pollution. However, the River Corrib is located approx. 560m west of the Proposed Development site. As such, taking a precautionary approach and in the absence of mitigation, there is	Y A complete source pathway receptor chain was identified and in the absence of mitigation, there is potential for the Development to result in likely significant effects on this European Site.

	(Festuco-Brometalia) (*important orchid sites) [7210] Calcareous fens with Cladium mariscus and species of the Caricion davallianae* [7230] Alkaline fens [1365] Harbour Seal (Phoca vitulina) [1355] Otter (Lutra lutra https://www.npws.ie/protected-sites/sac/000268		potential for indirect effects to the aquatic influenced QI habitats and species designated as part of this SAC. A complete source pathway receptor chain for likely significant effect was identified via the River Corrib and groundwater connectivity. The site comprises scrub, buildings and grassland habitats. Therefore, there is no suitable supporting habitat for QI species such as otter designated as part of this SAC. As such, there is no potential for ex-situ disturbance to any QI species associated with Galway Bay Complex SAC was identified.	
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	0 km	The site is located entirely outside of Lough Corrib SAC, there is no potential for direct effect to this SAC. Qualifying Interest habitat (8240 Limestone	Y A complete source pathway receptor chain was identified

	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 species of the Caricion davallianae [7210] Petrifying springs with tufa formation (Cratoneurion) [7220] Alkaline fens [7230]		pavements) occurs adjacent and within the site. This habitat is located outside the footprint of proposed works and this habitat will be entirely retained. There is no potential for effect on limestone pavement habitat during the construction and operational phases of the development. A section (0.117ha) of semi natural grassland habitat corresponding to the Annex I habitat Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (6210) is within the site. 0.078ha will be lost to facilitate the development. From the field surveys carried out and based on a review of historical aerial imagery, this grassland habitat has developed on ground that has been previously disturbed and is not	and in the absence of mitigation, there is potential for the Proposed Development to result in likely significant effects on this European Site.

	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] https://www.npws.ie/protected-sites/sac/000297		naturally occurring. Scrub encroachment via bramble and blackthorn is also evident. This habitat does not form an extension of the SAC. The development site is located entirely outside of this SAC and the loss of a 0.078ha of this habitat will not have any effect on Lough Corrib SAC. The lesser horseshoe bat roost for which the SAC has been designated (roost id. 217 in NPWS database) is located approximately 32km to the north-west of the Proposed Development site. This is significantly outside the foraging range (2.5km) of Lesser Horseshoe bat (NPWS, 2013). There is therefore no potential for significant effect on the lesser horseshoe bat population for which the SAC has been designated, however, the comments of the DAU have been	

			taken into account in this screening exercise. The site and SAC are located within the same hydrological sub-catchment (Corrib_SC_010). Whilst, the Proposed Development is located on free draining limestone soils and there is no potential for significant run off of surface waters from the site into the SAC, this pathway for indirect effect on the adjacent habitats via overland flow has been considered. No EPA mapped or unmapped watercourses exist within the Proposed Development site which could act as direct conduits for surface water pollution to Lough Corrib SAC. The closest surface water feature in the vicinity is the unnamed Lake (IE_WE_30_290) which is located approximately	

			350m to the west of the site. An unnamed watercourse (EPA RWB code: IE_WE_30C020600, segment code: 30_205) flows out of this lake into the River Corrib. The site and SAC are underlain by the same groundwater body (GWB) (GWDTE-Lough Corrib Fen 1 (Menlough) (SAC000297)). The site is also partially located within the Clare-Corrib groundwater body. The site is located within an area of groundwater vulnerability deemed as 'extreme' and 'exposed rock'. Taking a precautionary approach, a potential source pathway receptor chain for impacts to water quality within the SAC was identified via the percolation of pollutants to groundwaters during works associated with the construction and	

			operational phases of the Proposed Development. There is no potential for disturbance to QI species due to the lack of suitable supporting habitat in close proximity to the site. The site comprises mainly grassland habitats, scrub and existing buildings. Therefore, there is no suitable supporting habitat for QI species such as otter designated as part of this SAC within the site. The nearest watercourse is the River Corrib, located 560m to the west. No potential for impact via disturbance to QI species were identified.	
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]	1.6 km	The site is located outside the boundary of this SPA and as such, there is no potential for direct effect. The site and SPA are located within separate hydrological sub-	Y A complete source pathway receptor chain was identified and in the

	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]		catchments and groundwater bodies. The site is located within an area of groundwater vulnerability deemed as 'extreme' and 'exposed rock'. No EPA mapped or unmapped watercourses exist within the Proposed Development site which could act as a direct conduit for surface water pollution. However, the River Corrib is located approx. 560m west of the Proposed Development site. Downstream connectivity exists between the River Corrib and this SPA (approx. 1.6km). Given the nature of Clare-Corrib GWB, there is potential for the percolation of polluting materials resulting from works associated with the construction phase of the Proposed Development to enter the River Corrib, which is hydrologically connected to and therefore acts a conduit for pollution to	absence of mitigation, there is potential for the Proposed Development to result in likely significant effects on this European Site

	https://www.npws.ie/protected-sites/spa/004031		this SPA. As such, taking a precautionary approach and in the absence of mitigation, there is potential for indirect effects to the aquatic influenced QI habitats and species designated as part of this SPA. A complete source pathway receptor chain for likely significant effect was identified via the River Corrib and groundwater connectivity during the construction and operational phases. The habitats within the site were assessed for potential suitable supporting habitat for the SCI species designated as part of the SPA. Three dedicated wintering bird surveys were conducted in 2024 and given the nature of the site (inhabited dwellings, scrub and amenity grassland), no significant suitable supporting habitat for any SCI bird	

			species was identified. No SCI bird species were recorded within the site. Therefore, potential effects to SCI bird species have been screened out. As such, no potential for ex-situ disturbance/displacement and habitat loss for these SCI bird species of this SPA was identified.	

Ecological surveys were undertaken by the applicant at an appropriate season and frequency, using best practice survey methods. Three dedicated wintering bird surveys were undertaken (following the precautionary principle). Bird surveys were conducted on 18th January, 26th February and 19th March 2024 by the applicant's ecologists. In addition, the following surveys were conducted:

- Multi-disciplinary ecological walkover – 17/01/2024
- Wildlife camera deployment/collection – 19/03/2024 & 02/04/2024
- Dedicated Grassland & Limestone Pavement surveys – 30/05/2024 & 25/06/2024
- Inspection, bat surveys and static detector collection – 26/02/2024, 01/05/2024, 20/05/2024, 04/06/2024

Based on survey findings, and the habitat composition, the site does not provide significant supporting habitat for wintering birds associated with any SPA. No SCI bird species associated with any SPA was recorded within the footprint of the proposed works within the site. This suggests these SCI bird species are not dependant on these habitats. The site does not provide significant suitable supporting habitat for any SCI bird species associated with any Special Protection Areas.

Step 3. Describe the likely effects of the project (if any, alone <u>or</u> in combination) on European Sites

The proposed development will not result in any direct effects on either the SAC or SPA.

Sources of impact and likely significant effects are detailed in the Table below.

Screening matrix

Site name	**Possibility of significant effects (alone) in view of the conservation objectives of the site***	
	Impacts	**Effects**
Lough Corrib SAC [000297]	Construction phase, that may include: Vegetation clearance Demolition Surface water runoff from soil excavation/infill/landscaping (including borrow pits) Dust, noise, vibration Lighting disturbance Impact on groundwater/dewatering Storage of excavated/construction materials Access to site Pests	Taking a precautionary approach, a potential pathway for indirect effects on the SAC via deterioration of water quality via a shared groundwater body and resulting from run off of pollutants during the construction phase of the proposed development via overland flow to the stormwater network was identified. A complete source pathway receptor chain was identified and in the absence of mitigation, there is potential for the proposed development to result in likely significant effects on this European Site. Therefore, the European Site is located within the Likely Zone of Impact and is considered further in this assessment.
	Impacts	**Effects**
Galway Bay Complex SAC [000268]	Construction phase, that may include: Vegetation clearance Demolition	Taking a precautionary approach, a potential pathway for indirect effects on the SAC via deterioration of water quality via a shared groundwater body and

	Surface water runoff from soil excavation/infill/landscaping (including borrow pits) Dust, noise, vibration Lighting disturbance Impact on groundwater/dewatering Storage of excavated/construction materials Access to site Pests	resulting from run off of pollutants during the construction phase of the proposed development via overland flow to the stormwater network was identified. A complete source pathway receptor chain was identified and in the absence of mitigation, there is potential for the proposed development to result in likely significant effects on this European Site. Therefore, the European Site is located within the Likely Zone of Impact and is considered further in this assessment.
	Likelihood of significant effects from proposed development (alone): **Yes**	
	Impacts	**Effects**
Inner Galway Bay SPA [004031	Construction phase, that may include: Vegetation clearance Demolition Surface water runoff from soil excavation/infill/landscaping (including borrow pits) Dust, noise, vibration Lighting disturbance Impact on groundwater/dewatering Storage of excavated/construction materials	Taking a precautionary approach, a potential pathway for indirect effects on the SAC via deterioration of water quality via a shared groundwater body and resulting from run off of pollutants during the construction phase of the proposed development via overland flow to the stormwater network was identified. A complete source pathway receptor chain was identified and in the absence of mitigation, there is potential for the proposed development to result in likely

	Access to site Pests	significant effects on this European Site. Therefore, the European Site is located within the Likely Zone of Impact and is considered further in this assessment.
	Likelihood of significant effects from proposed development (alone): **Yes**	

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

The primary consideration in terms of source-receptor-pathways for indirect impacts relates to surface water and potential indirect impacts on hydrologically linked habitats and aquatic species. The potential for impact is considered whereby the Development would result in a significant detrimental change in surface water quality either alone or in combination with other projects or plans as a result of indirect pollution of surface water during construction. The effect would have to be considered in terms of changes in water quality which would affect the habitats or species for which the Lough Corrib SAC, Galway Bay Complex SAC or the Inner Galway Bay SPA are designated.

Based on the information provided in the screening report, site visit, review of the conservation objectives and supporting documents, I consider that in the absence of mitigation measures beyond best practice construction methods, the proposed development has the potential to result significant effects on the Lough Corrib SAC [000297], Galway Bay Complex SAC [000268] and the Inner Galway Bay SPA [004031].

I concur with the applicants' findings that such impacts could be significant in terms of the stated conservation objectives of the SAC and SPA when considered on their own and in combination with other projects and plans in relation to pollution related pressures and disturbance on qualifying interest habitats and species.

Screening Determination

Finding of likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of objective information provided by the applicant, I conclude that the proposed development could result in significant effects on the Lough Corrib SAC [000297], Galway Bay Complex SAC [000268] and the Inner Galway Bay SPA [004031] in view of the conservation objectives of a number of qualifying interest features of those sites.

It is therefore determined that Appropriate Assessment (stage 2) [under Section 177V of the Planning and Development Act 2000] of the proposed development is required.

16.0 **Appendix 2 - AA Determination**

Appropriate Assessment
The requirements of Article 6(3) as related to appropriate assessment of a project under part XAB, sections 177V [or S 177AE] of the Planning and Development Act 2000 (as amended) are considered fully in this section.
Taking account of the preceding screening determination at appendix 1 of my report, the following is an appropriate assessment of the implications of the proposed development of student accommodation and public road improvements in view of the relevant conservation objectives of the Lough Corrib SAC [000297], Galway Bay Complex SAC [000268] and the Inner Galway Bay SPA [004031] based on the scientific information provided by the applicant. The information relied upon includes the following: • Natura Impacts Statement (updated 14th February 2025) • Environmental Impact Assessment Screening Report (updated 14th February 2025) • Ecological Impact Assessment (updated 14th February 2025) • Landscape Management and Maintenance Specification (updated 14th February 2025) • Environmental, Mechanical and Electrical Engineering design report • Outdoor Lighting Report • Landscape Design Statement • Appropriate Assessment Screening Report and Natura Impact Statement • Engineering Planning Report • Construction and Environmental Management Plan (updated 14th February 2025) • Flood Risk Assessment • Public Lighting Calculation Report and Specifications (updated 14th February 2025) • Noise Impact Assessment

- Operational Management Plan (updated 14th February 2025)

I am satisfied that the information provided is adequate to allow for Appropriate Assessment. I am satisfied that all aspects of the project which could result in significant effects are considered and assessed in the NIS and mitigation measures designed to avoid or reduce any adverse effects on site integrity are included and assessed for effectiveness.

Submissions/observations

Third Party appellant and observer issues include the following:

- The biodiversity value of the area will be diminished and wildlife will be displaced.

An Taisce – concerns with regard to wastewater services, and negative impacts to a limestone pavement.

Department of Housing, Local Government and Heritage Development Applications Unit (DAU)

Nature Conservation – queries with the to the management recreational spaces in terms of ecological value, bridge over limestone pavement area, bat assessment methodology and lighting impact upon bats. Specifically:

1. It is not clear how the ecological value of the grassland can be recreated or maintained if the use of these areas is recreation. Such areas may require mowing or fertilisation to maintain their aesthetic appeal and this may not be compatible with the ecological objective of this measure.
2. It is noted that: “The scrub habitat recorded in the north-west of the site will be retained around the limestone pavement habitat. A bridge is proposed to cross the limestone pavement habitat and grassland habitat in the north of the site. ”There does not appear to be an examination as to how this boardwalk will be constructed across this sensitive habitat without being impacted upon it. Contrary to the assertion in the report, it is clearly within the construction zone. Further information is required to clarify how this habitat will be protected both during construction and operation.
3. It should be acknowledged that the static bat detector surveys, whilst appropriate in their purpose, are not able to accurately record usage across the whole site. Particularly in the context of use by lesser horseshoe bats, such detectors only record

bats flying toward and close to the microphone. Therefore it is possible that the value of the site as a foraging resource or commuting route for this species has been underestimated.

4. Impacts of lighting in the completed development are difficult to predict, given the uncertainty of any control over management of the development in the future. Whilst it is stated that the future lighting design will be designed "with consideration" of relevant guidelines, in the absence of detailed light spill modelling data it is not possible to conclude what the impact on usage of the site or the perimeter would be. Installation of exterior security lighting or lighting for aesthetic purposes could lead to increases in the lit environment that could have a significant impact on bat movements beyond the site boundary. It is not satisfactory to just predict impacts within the site itself, since the zone of influence of the lighting will extend into the scrub to the west.
   The drawing titled "Horizontal illuminance" would indicate that lighting on the western perimeter is facing across the path i.e. toward the perimeter. This would conflict with the statement that "Lighting will be directed away from the existing treeline in the west of the site".

   Further information is required to clarify the impact on lesser horseshoe bats foraging outside the western perimeter of the site.

   I note that further information in response to all of these issues was submitted to the planning authority on the 14th February 2025. Grasslands are to be retained, no impact to limestone pavement as bridge over is to be omitted and bat species assessment and derogation licences clarified, and mitigation recommended.

Lough Corrib SAC [000297]:

Summary of Key issues that could give rise to adverse effects (from screening stage):

(i) Deterioration to water quality via overland flow and the percolation of polluting materials through the karsified bedrock underlying the site during the construction and operational phases of the development.

Section 5.1 NIS, (list below in the order presented in the NIS)

Qualifying Interest features likely to be affected	Conservation Objectives	Potential adverse effects	Mitigation measures (summary) NIS Section 6.1	
1029 Freshwater Pearl Mussel Margaritifera margaritifera	To restore the favourable conservation condition of Freshwater Pearl Mussel in Lough Corrib SAC	The site is located adjacent to the SAC with no identifiable habitat, surface water features within or adjacent to the site. According to Map 9 of the Conservation Objectives (CO) document for this SAC, the mapped suitable target habitat, distribution and catchment for M. margaritifera is located approximately 23km north-west of the site. There is no potential for direct or indirect effects on Freshwater pearl Mussel as the population for which this SAC has been designated is restricted to the Owenriff River, within the Upper catchments of Lough Corrib (NPWS 2017). As such, no complete source-pathway- receptor chain for any likely	None necessary.	

		significant effect on this QI species as a result of the Proposed Development was identified. No further assessment is required.		
1092 White-clawed Crayfish Austropotamobius pallipes	To maintain the favourable conservation condition of White-clawed Crayfish in Lough Corrib SAC	According to the CO document for this SAC (NPWS 2017), the distribution of crayfish in Lough Corrib is uncertain. The River Corrib is located 560m west of the site. The site is located within an area of groundwater vulnerability deemed as 'extreme' and 'exposed rock'. The site and SAC are partially underlain by the same groundwater body the GWDTE-Lough Corrib Fen 1 (Menlough) (SAC000297). The site is partially underlain by Clare-Corrib GWB. GSI data sheet for Clare-Corrib GWB was reviewed, *'Overall, flow directions are to the southwest, with all groundwater discharging to Lough Corrib.*	Construction Phase Control Measures A preliminary Construction and Environmental Management Plan (CEMP) has been prepared for the proposed development and is included with the planning application documents and can be found at section 6.1 of the NIS.	

		Although, there are six surface water catchments within the GWB, a key aspect is that groundwater can flow across the surface water divides and beneath surface water channels, as evidenced by the tracer test data.' It is also stated in the document that 'The main groundwater discharges are to the streams, rivers and large springs found within the body and there is a high degree of interconnection between groundwater and surface water in karstified limestone areas.' As such, groundwater flows in a south westerly direction towards the River Corrib, located 560m from the site. Taking a precautionary approach, there is potential for indirect effects to QIs via the percolation of polluting materials through the karstified bedrock,		

		causing deterioration to water quality as a result of excavations and works associated with the construction and operational phases of the Proposed Development. As such, a complete source-pathway-receptor chain for likely significant effect was identified and is assessed further. Potential for indirect impacts on this QI exists via potential for deterioration in water quality associated with the construction and operation of the Proposed Development. According to the Article 17 Report (NPWS 2019), the overall Conservation Status for this species is 'Bad' and the overall Conservation Trend is 'Deteriorating'.		
1095 Sea Lamprey Petromyzon marinus	To restore the favourable conservation condition of Sea	As above for White-clawed Crayfish	As above	

	Lamprey in Lough Corrib SAC		
1096 Brook Lamprey Lampetra planer	To maintain the favourable conservation condition of Brook Lamprey in Lough Corrib SAC	According to the CO document for the SAC, spawning habitat and particle size for this QI species is considered to be available very widely in all river systems within the SAC apart from steep and torrential areas of boulder rock (NPWS 2017). The River Corrib is located 560m west of the Proposed Development site. Taking a precautionary approach, there is potential for indirect effects to QIs via the percolation of polluting materials through the karstified bedrock, causing deterioration to water quality as a result of excavations and works associated with the construction and operational phases of the Proposed Development. As such, a complete source-pathway-receptor chain for likely significant	As above.

		effect on this QI species was identified and is assessed further. According to the Natura 2000 Form, permanent brook lamprey populations are present within the SAC. According to the Article 17 Report (NPWS 2019), the overall Conservation Status for Brook Lamprey is 'Favourable', and the overall Conservation Trend is 'Stable'.		
1106 Salmon Salmo salar	To maintain the favourable conservation condition of Atlantic Salmon in Lough Corrib SAC	According to the CO document for this SAC, salmon spawn in the headwaters of Lough Corrib tributaries (NPWS 2017). The Proposed Development site is partially underlain by Clare-Corrib GWB. GSI data sheet for Clare-Corrib GWB was reviewed, 'Overall, flow directions are to the southwest, with all groundwater discharging to Lough Corrib'. As such, groundwater flows	As above.	

		in a south westerly direction towards the River Corrib, located 560m from the Proposed Development site. Taking a precautionary approach, there is potential for indirect effects to QIs via the percolation of polluting materials through the karstified bedrock, causing deterioration to water quality as a result of excavations and works associated with the construction and operational phases of the Proposed Development. As such, a complete source-pathway-receptor chain for likely significant effect on this QI species was identified and is assessed further. Potential for indirect impacts on this QI exists via potential for deterioration in water quality associated with the construction and operation of the		

		Proposed Development. According to the Article 17 Report (NPWS 2019), the overall Conservation Status for Atlantic Salmon is 'Inadequate' and the overall Conservation Trend is 'Stable		
1303 Lesser Horseshoe Bat Rhinolophus hipposideros	To restore the favourable conservation condition of Lesser Horseshoe Bat in Lough Corrib SAC	The lesser horseshoe bat roost for which the SAC has been designated (roost id. 217 in NPWS database) is located approximately 32km to the north-west of the Proposed Development site, as per Map 11 of the CO document for this SAC (NPWS 2017). This is significantly outside the foraging range (2.5km) of Lesser Horseshoe bat (NPWS, 2013). There is therefore no potential for significant effect on the lesser horseshoe bat population for which the SAC has been designated. No complete source- pathway-receptor chain for any effect on this habitat as a	None necessary.	

		result of the Proposed Development was identified. No further assessment is required.	
1355 Otter Lutra lutra	To maintain the favourable conservation condition of Otter in Lough Corrib SAC	According to the CO document for this SAC (NPWS 2017), otter will utilise freshwater habitats from estuary to headwaters. The Proposed Development site and this SAC are partially underlain by the same groundwater body the GWDTE-Lough Corrib Fen 1 (Menlough) (SAC000297). The Proposed Development site is partially underlain by Clare-Corrib GWB. GSI data sheet for Clare-Corrib GWB was reviewed, 'Overall, flow directions are to the southwest, with all groundwater discharging to Lough Corrib'. As such, potential groundwater connectivity exists between the Proposed Development site and the River Corrib.	Construction Phase Control Measures A preliminary Construction and Environmental Management Plan (CEMP) has been prepared for the proposed development and is included with the planning application documents and can be found at section 6.1 of the NIS.

		Taking a precautionary approach, in the absence of mitigation, there is potential for indirect effects to QI species otter through the deterioration to water quality in this SAC via the percolation of polluting materials through the karstified bedrock, causing deterioration to water quality as a result of excavations and works associated with the construction and operational phases of the Proposed Development. As such, a complete source-pathway-receptor chain for likely significant effect on this QI species was identified and is assessed further. Otter are likely to use the section of the River Corrib to the east of the site on occasion.		
1393 Slender Green Feather-moss Drepanocladus vernicosus	To maintain the favourable conservation condition of	There is no suitable supporting habitat as described within the CO document for this QI,	None necessary.	

	Slender Green Feather-moss (Shining Sickle-moss) in Lough Corrib SAC.	within or adjacent to the site.	
1833 Slender Naiad Najas flexilis	To restore the favourable conservation condition of Slender Naiad in Lough Corrib SAC.	According to the Najas flexilis distribution map within the CO supporting document for Najas flexilis, the known and possible habitat for this QI species is located in the north -western extant of Lough Corrib SAC (NPWS, 2017). This mapped area is located approx. 34km north-west of the site. Given the distance there is no potential for indirect effects to this QI species.	As above.
3110 Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae	To restore the favourable conservation condition of Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) in Lough Corrib SAC.	The site and SAC are partially underlain by the same groundwater body the GWDTE-Lough Corrib Fen 1 (Menlough) (SAC000297). The site is partially underlain by Clare-Corrib GWB. GSI data sheet for Clare-Corrib GWB was reviewed, 'Overall, flow directions are to the	Construction Phase Control Measures A preliminary Construction and Environmental Management Plan (CEMP) has been prepared for the proposed development and

		southwest, with all groundwater discharging to Lough Corrib'. As such, potential groundwater connectivity exists between the site and the River Corrib. Taking a precautionary approach, there is potential for indirect effects to groundwater influenced QIs via the percolation of polluting materials through the karstified bedrock, causing deterioration to water quality as a result of excavations and works associated with the construction and operational phases of the development. As such, a complete source-pathway-receptor chain for likely significant effect on this QI habitat was identified and is assessed further.	is included with the planning application documents and can be found at section 6.1 of the NIS. Further information received informed a redesigned landscape masterplan, omission of bridge feature, specially designed decking over existing grasslands, if present and specialised planting and soil selection techniques.	
3130 Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae	To restore the favourable conservation condition of Oligotrophic to	As above.	As above.	

and/or Isoeto-Nanojuncetea	mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or Isoeto-Nanojuncetea. in Lough Corrib SAC.		
140 Hard oligo-mesotrophic waters with benthic vegetation of Chara spp.	To restore the favourable conservation condition of Hard oligo-mesotrophic waters with benthic vegetation of Chara spp. in Lough Corrib SAC	As above.	As above.
3260 Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation	To maintain the favourable conservation condition of Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation in Lough Corrib SAC	According to the CO document for this SAC, little is known about the distribution of the habitat and its sub-types in this SAC (NPWS 2017). The description of this habitat is broad, from upland bryophyte/macroalgal dominated stretches, to lowland depositing rivers with pondweeds ad starworts (NPWS 2017). roposed Development site and this SAC are partially underlain by the	As above.

		same groundwater body the GWDTE-Lough Corrib Fen 1 (Menlough) (SAC000297). The Proposed Development site is partially underlain by ClareCorrib GWB. GSI data sheet for Clare-Corrib GWB was reviewed, 'Overall, flow directions are to the southwest, with all groundwater discharging to Lough Corrib'. As such, potential groundwater connectivity exists between the Proposed Development site and the River Corrib. Taking a precautionary approach, there is potential for indirect effects to this QI habitat via the percolation of polluting materials through the karstified bedrock, causing deterioration to water quality as a result of excavations and works associated with the construction and		

		operational phases of the Proposed Development. As such, a complete source-pathway-receptor chain for likely significant effect on this QI habitat was identified and is assessed further.		
6210 Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites)	To maintain the favourable conservation condition of Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites)	According to the CO document for this SAC (NPWS 2017), all areas of this habitat within the SAC have not been identified and the total area is unknown. However, there will be no loss to this QI habitat as the site is located entirely outside of this SAC. As such, there is no potential for direct effects to this QI habitat designated as part of this SAC. Whilst, the development is located on free draining limestone soils and there is no potential for significant run off of surface waters from the site into the SAC, this pathway for indirect	As above.	

		effect on the adjacent habitats via overland flow has been considered. As such, a complete source-pathway-receptor chain for likely significant effect on this QI habitat was identified and is assessed further.	
6410 Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae)	To maintain the favourable conservation condition of Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae)	According to the CO document for this SAC, the full extent of QI habitat 6410 in this SAC is currently unknown (NPWS 2017). However, this habitat was not recorded within or directly adjacent to the site.	None necessary.
7110 Active raised bogs	To restore the favourable conservation condition of Active raised bogs* in Lough Corrib SAC	In light of the conservation objectives for QI habitats 7120 and 7150 and according to Map 4 of the CO document for this SAC active raised bog habitat is located approximately 6km from the site. As such there is no potential for indirect effects and no complete source pathway receptor chain for likely significant effect on these	As above.

		QI habitats was identified, and no further assessment is required.		
7120 Degraded raised bogs still capable of natural regeneration	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) and a separate conservation objective has not been set in Lough Corrib SAC.	As above.	As above.	
7150 Depressions on peat substrates of the Rhynchosporion	Depressions on peat substrates of the Rhynchosporion is an integral part of good quality. Active raised bogs (7110) and thus a separate conservation	As above.	As above.	

	objective has not been set for the habitat in Lough Corrib SAC.		
7210 Calcareous fens with Cladium mariscus and species of the Caricion davallianae	To maintain the favourable conservation condition of Calcareous fens with Cladium mariscus and species of the Caricion davallianae in Lough Corrib SAC.	According to the CO document for Lough Corrib SAC, QI habitats 7210, 7220 and 7230 have not been mapped in detail for this SAC (NPWS 2017). Therefore, on a precautionary basis and due to the distance of approximately 560m to the River Corrib, any pollution to GW on site may indirectly enter the River Corrib through GW connectivity given the extent of these QI habitats (Calcareous fen, petrifying spring and alkaline fen) and have not been mapped in detail. As such, a complete source-pathway-receptor chain for likely significant effect on this QI habitat was identified and is assessed further.	Construction Phase Control Measures A preliminary Construction and Environmental Management Plan (CEMP) has been prepared for the proposed development and is included with the planning application documents and can be found at section 6.1 of the NIS.
7220 Petrifying springs with tufa	To maintain the favourable	As above.	As above.

formation (Cratoneurion)	conservation condition of Petrifying springs with tufa formation (Cratoneurion)* in Lough Corrib SAC.		
7230 Alkaline fens	To maintain the favourable conservation condition of Alkaline fens in Lough Corrib SAC.	As above.	As above.
8240 Limestone pavements	To maintain the favourable conservation condition of Limestone pavements* in Lough Corrib SAC.	This habitat exists within and adjacent to the site. The development is located on free draining limestone soils and there is no potential for significant run off of surface waters from the site into the SAC, this pathway for indirect effect on the adjacent habitats via overland flow has been considered. As such, a complete source-pathway-receptor chain for likely significant effect on this QI habitat was identified and is assessed further.	Construction Phase Control Measures A preliminary Construction and Environmental Management Plan (CEMP) has been prepared for the proposed development and is included with the planning application documents and can be found at section 6.1 of the NIS.

91A0 Old sessile oak woods with Ilex and Blechnum in the British Isles	To maintain the favourable conservation condition of Old sessile oak woods with Ilex and Blechnum in the British Isles in Lough Corrib SAC	According to Map 8 of the CO document for Lough Corrib SAC, the nearest mapped location for this QI habitat is the north-western extant of Lough Corrib SAC, approx. 27 km north-west of the site. This QI habitat was not recorded within or adjacent to the site. There is no potential for indirect effects on this QI habitat given the distance and the nature and scale of the development. As such, no complete source-pathway- receptor chain for any likely significant effect on this habitat as a result of the development was identified. No further assessment is required.	None necessary.	
91D0 Bog woodland	To maintain the favourable conservation condition of Bog woodland* in Lough Corrib SAC.	As above.	As above.	

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

(i) Water quality degradation

The primary consideration in terms of source-receptor-pathways for indirect impacts relates to surface water and potential indirect impacts on hydrologically linked habitats and aquatic species.

The likelihood of impacts on hydrologically connected European sites is low and will be avoided by best practice construction management.

However, In the absence of mitigation, a potential pathway for indirect effects on the QI species/habitats listed above, in the form of deterioration of water quality arising from the percolation of polluting materials through the karstified bedrock into ground waters bodies (Clare-Corrib and Menough Fen) and through overland flow from the site during construction activities associated with the Proposed Development was identified.

The construction phase will involve excavations and earth moving which create the potential for pollution in various forms, i.e. the generation of suspended solids and the potential for spillage of fuels associated with the refuelling of excavation machinery. There is a risk of the percolation of pollutants to ground water during the above activities. As such, the construction phase of the Proposed Development may result in pollution via groundwater entering Lough Corrib SAC.

Mitigation measures and conditions

Construction Phase Control Measures

- Construction Compound and Storage Areas
- Oil and Fuel Storage and Environmental Response Procedures
- Fuels and Oils Management
- Spill Control and Response
- Soil and Groundwater – minimise cut and fill
- Surface Water & Ground Water – note FRA and SuDS measures.

Operational Phase

The operational phase will result in the production of foul sewage and surface-water runoff which, if not adequately treated, has potential to result in indirect effects on surface and groundwater quality and, therefore, potential adverse effects on the above screened-in European Sites.

Measures include -

Surface Water Drainage - The surface water drainage system has been designed to cater for all surface water run-off from the development and includes infiltration trees, swales and an infiltration tank. The proposed drainage system will join the existing storm water drainage network located north-east of the site at Crestwood residential estate.

Wastewater Drainage -

A new foul water network is proposed within the site and will connect to the existing wastewater network in Crestwood residential development. A pre-connection enquiry was submitted to Irish Water for the development, which is based on the envisaged wastewater discharge volumes from the development. Following their assessment, Irish Water issued a Confirmation of Feasibility (CDS24001134) confirming the wastewater connection is feasible subject to upgrades.

I am satisfied that the preventative measures which are aimed at interrupting the source-pathway-receptor are targeted at the key threats to protected aquatic species and by arresting these pathways or reducing possible effects to a non-significant level, adverse effects can be prevented. Mitigation measures related to water quality are captured in Planning condition 6 of the Inspector's Report.

In-combination effects

I am satisfied that in-combination effects have been assessed adequately in the NIS. The proposed development was considered in-combination with other plans and projects in the area that could result in cumulative impacts on designated Sites. No other plans and projects could combine to generate significant effects when mitigation measures are considered. I am satisfied that the applicant has demonstrated that no significant residual effects will remain post the application of mitigation measures.

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 the proposed development can be excluded for the Lough Corrib SAC [000297]. No direct impacts are predicted. Indirect impacts would be temporary in nature and mitigation measures are described to prevent ingress of silt laden surface water and other construction related pollutants. I am satisfied that the mitigation measures proposed to prevent such effects have been assessed as effective and can be implemented and conditioned if permission is granted. **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 Conservation objectives of the Lough Corrib SAC [000297]. 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 (from screening stage):** **(i) Deterioration to water quality via the percolation of polluting materials through the karsified bedrock underlying the site during construction and operational phases.** **Section 5.1 NIS**				
Qualifying Interest features likely to be affected	**Conservation Objectives**	**Potential adverse effects**	**Mitigation measures (summary)** NIS Section 6.1	

1140 Mudflats and sandflats not covered by seawater at low tide	To maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide in Galway Bay Complex SAC	The site of the proposed development is located approx. 1.6 km from Galway Bay Complex SAC, separated by existing dwellings to the south of the proposed development. Taking a precautionary approach, a potential pathway for indirect effects on the SAC via deterioration of water quality via a shared groundwater body and resulting from run-off of pollutants during the construction and operational phases of the proposed development via overland flow to the stormwater network was identified. Therefore, following the precautionary approach, in the absence of	Construction Phase Control Measures A preliminary Construction and Environmental Management Plan (CEMP) has been prepared for the proposed development and is included with the planning application documents and can be found at section 6.1 of the NIS.	

		mitigation, there is potential for indirect adverse effect to these Qualifying Interests (Qis) as a result of the proposed development.		
1150 Coastal lagoons	To restore the favourable conservation condition of Coastal lagoons in Galway Bay Complex SAC	As above		
1160 Large shallow inlets and bays	To maintain the favourable conservation condition of Large shallow inlets and bays in Galway Bay Complex SAC	As above	As above	
1310 Salicornia and other annuals colonising mud and sand	To maintain the favourable conservation condition of Salicornia and other annuals colonizing mud and sand in Galway Bay Complex SAC	According to Map 9 of the CO document for this European Designated site, this habitat is mapped approximately 8.7km south of the site. Absence of a complete source-	None necessary.	

		pathway-receptor chain.		
1330 Atlantic salt meadows (Glauco Puccinellietalia maritimae)	To restore the favourable conservation condition of Atlantic salt meadows (Glauco-Puccinellietalia maritimae) in Galway Bay Complex SAC	As per Map 9 in the Site-Specific Conservation Document (NPWS 2013), this terrestrial QI Habitat: Atlantic salt meadows (Glauco-Puccinellietalia maritimae) is mapped approx 4.3km southwest of the site. Absence of a complete source-pathway-receptor chain.	As above	
1410 Mediterranean salt meadows (Juncetalia maritimi)	To restore the favourable conservation condition of Mediterranean salt meadows (Juncetalia maritimi) in Galway Bay Complex SAC	As per Map 9 in the Site-Specific Conservation Document (NPWS 2013), this terrestrial QI Habitat: Atlantic salt meadows (Glauco-Puccinellietalia maritimae) is mapped approx 5km from the site. Absence of a complete source-	As above	

		pathway-receptor chain.		
7210 Calcareous fens with Cladium mariscus and species of the Caricion davallianae	To maintain the favourable conservation condition of Calcareous fens with Cladium mariscus and species of the Caricion davallianae in Galway Bay Complex SAC	Fen vegetation occurs in wetland areas to the east of Oranmore and in Ballindereen Lough, mapped approx 13.7km southeast from the site, as per Map 10 in the Site-Specific Conservation Document for this SAC (NPWS 2013). Absence of a complete source-pathway-receptor chain.	As above	
1355 Lutra lutra (Otter)	To restore the favourable conservation condition of Otter in Galway Bay Complex SAC	According to Map 11 of the CO document for this European Designated site, this QI species commuting habitat was recorded approximately 1.6km from the Proposed Development site (NPWS 2013). Potential groundwater connectivity exists	Construction Phase Control Measures A preliminary Construction and Environmental Management Plan (CEMP) has been prepared for the proposed development and is included with the planning	

		between the site and the River Corrib. The River Corrib discharges to Galway Bay. Taking a precautionary approach, there is potential for indirect effects to this QI habitat via the percolation of polluting materials through the karstified bedrock, causing deterioration to water quality as a result of excavations and works associated with the construction and operational phases of the development. As such, a complete source-pathway-receptor chain for likely significant effect on this QI species was identified and is assessed further.	application documents and can be found at section 6.1 of the NIS.	

1365 Phoca vitulina (Harbour Seal)	To maintain the favourable conservation condition of Harbour Seal in Galway Bay Complex SAC	According to Map 12 of the CO document for this European Designated site, this QI species nearest mapped resting site is located in Lough Atalia located approximately 2km from the site and the mapped habitat for this QI species is located approximately 1.6km from the site (NPWS 2013). Potential groundwater connectivity exists between the Proposed Development site and the River Corrib. The River Corrib discharges to Galway Bay. Taking a precautionary approach, there is potential for indirect effects to this QI habitat via the percolation of polluting materials through the	As above	

		karstified bedrock, causing deterioration to water quality as a result of excavations and works associated with the construction and operational phases of the development. As such, a complete source-pathway-receptor chain for likely significant effect on this QI species was identified and is assessed further.		
1220 Perennial vegetation of stony banks	To maintain the favourable conservation condition of Perennial vegetation of stony banks in Galway Bay Complex SAC	The site of the proposed development is located approx. 4.8 km from Galway Bay Complex SAC, separated by existing dwellings to the south of the proposed development. Taking a precautionary approach, a potential pathway for indirect effects on the SAC via	As above	

		deterioration of water quality via a shared groundwater body and resulting from run off of pollutants during the construction and operational phases of the proposed development via overland flow to the stormwater network was identified. Therefore, following the precautionary approach, in the absence of mitigation, there is potential for indirect adverse effect to these Qualifying Interests (Qis) as a result of the proposed development.		
3180 Turloughs	To maintain the favourable conservation condition of Turloughs in Galway Bay Complex SAC	Given the separation distance involved, indirect impacts on the following QI habitat: Turloughs can be ruled out due to the buffering	None necessary	

		distance of approx. 10km from the site, as per Map 10 of the Conservation Objectives document, the absence of a hydrological connectivity, and the absence of a complete source-pathway-receptor chain.		
5130 Juniperus communis formations on heaths or calcareous grasslands	To restore the favourable conservation condition of Juniperus communis formations on heaths or calcareous grasslands in Galway Bay Complex SAC	Indirect impacts on the following terrestrial QI habitat: Juniperus communis formations on heaths or calcareous grasslands can be ruled out due to the terrestrial nature of the habitat, the buffering distance of approx. 11.8km from the site, as per Map 10 of the Conservation Objectives document, and the absence of a complete source-	As above	

		pathway-receptor chain.		
6210 Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco Brometalia)(*important orchid sites)	To maintain the favourable conservation condition of Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco Brometalia) in Galway Bay Complex SAC	Given this QI habitat is entirely terrestrial in nature, there is no potential for direct or indirect effects to this QI habitat associated with Galway Bay Complex SAC in the form of deterioration to water quality.	As above	

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

(i) Water quality degradation

As per Lough Corrib SAC.

Mitigation measures and conditions

As per Lough Corrib SAC.

I am satisfied that the preventative measures which are aimed at interrupting the source-pathway-receptor are targeted at the key threats to protected aquatic species and by arresting these pathways or reducing possible effects to a non-significant level, adverse effects can be prevented. Mitigation measures related to water quality are captured in Planning condition 2 of the Inspector's Report.

In-combination effects I am satisfied that in-combination effects have been assessed adequately in the NIS. The proposed development was considered in-combination with other plans and projects in the area that could result in cumulative impacts on designated Sites. No other plans and projects could combine to generate significant effects when mitigation measures are considered. I am satisfied that the applicant has demonstrated that no significant residual effects will remain post the application of mitigation measures.	
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 the proposed development can be excluded for the Galway Bay Complex SAC [000268]. No direct impacts are predicted. Indirect impacts would be temporary in nature and mitigation measures are described to prevent ingress of silt laden surface water and other construction related pollutants. I am satisfied that the mitigation measures proposed to prevent such effects have been assessed as effective and can be implemented and conditioned if permission is granted. **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 Conservation objectives of the Galway Bay Complex SAC [000268]. 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 effects (from screening stage):**	

(i) There is hydrological connectivity between the Proposed Development and this SPA via the River Corrib located 560m west of the Proposed Development site. Taking the precautionary approach, a potential pathway for indirect effects on the SPA was identified as a result of the percolation of polluting materials to groundwaters arising from construction and operational works. **Section 5.1 NIS**				
Qualifying Interest features likely to be affected	**Conservation Objectives Targets and attributes (as relevant - summary)**	**Potential adverse effects**	**Mitigation measures (summary)** section 6.1 of the NIS.	
Great Northern Diver (Gavia immer) [A003]	To maintain the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.	This SPA is located less than 1.6km south-east of the site. The site comprises mainly managed and unmanaged grasslands, existing dwellings and scrub. Three dedicated wintering bird surveys were conducted in 2024 and given the nature of the site (inhabited dwellings, scrub and amenity grassland), no significant suitable supporting habitat for any SCI bird species was identified. No SCI bird species were recorded within the site. As such,	Construction Phase Control Measures A preliminary Construction and Environmental Management Plan (CEMP) has been prepared for the proposed development and is included with the planning application documents and can be found at section 6.1 of the NIS.	

		no potential for ex-situ disturbance/displacement and habitat loss for these SCI bird species of this SPA was identified. However, due to the possibility of groundwater flows and resultant connections, the construction and operational phases of the development may result in the deterioration of water quality in the SPA via pollution to groundwaters through the percolation of polluting materials through the bedrock underlying the site, adversely impacting the designated site and supporting habitats associated with SCI bird species designated as part of this SPA, in the absence of mitigation. In the absence of appropriate design and mitigations, there is potential for indirect effects to water quality in the SPA resulting from		

		works associated with the development. As such, a complete source-pathway-receptor chain for adverse effects wetlands was identified due to deterioration to water quality resulting from construction and operational activities. A complete source-pathway-receptor chain for adverse effects on this SPA was identified and it is assessed further.		
Cormorant (Phalacrocorax carbo) [A017]	As above	As above	As above	
Grey Heron (Ardea cinerea) [A028]	As above	As above	As above	
Light-bellied Brent Goose (Branta bernicla hrota) [A046]	As above	As above	As above	
Wigeon (Anas Penelope) [A050]	As above	As above	As above	
Teal (Anas crecca) [A052]	As above	As above	As above	
Shoveler (Anas clypeata) [A056]	As above	As above	As above	

Red-breasted Merganser (Mergus serrator) [A069]	As above	As above	As above
Ringed Plover (Charadrius hiaticula) [A137]	As above	As above	As above
Golden Plover (Pluvialis apricaria) [A140]	As above	As above	As above
Lapwing (Vanellus vanellus) [A142]	As above	As above	As above
Dunlin (Calidris alpina alpina) [A149]	As above	As above	As above
Bar-tailed Godwit (Limosa lapponica) [A157]	As above	As above	As above
Curlew (Numenius 51enelop) [A160]	As above	As above	As above
Redshank (Tringa 52enelop) [A162]	As above	As above	As above
Turnstone (Arenaria interpres) [A169]	As above	As above	As above
Black-headed Gull (Chroicocephalus ridibundus) [A179]	As above	As above	As above
Common Gull (Larus canus)	As above	As above	As above

[A182]			
Sandwich Tern (Sterna sandvicensis) [A191]	As above	As above	As above
Common Tern (Sterna hirundo) [A193]	As above	As above	As above
Wetlands and waterbirds [A999]	To maintain the favourable conservation condition of wetland habitat in Inner Galway Bay SPA as a resource for the regularly occurring migratory waterbirds that utilise it.	Emissions to surface and ground water pathways during the construction and operational phases have the potential to result in adverse impacts on Wetlands and Waterbirds [A999]. A complete source-pathway-receptor chain for adverse effects on this habitat was identified.	As above

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:

(i) Water quality degradation

As above for SAC. Maintenance of good water quality is an attribute required to maintain favourable conservation condition for bird species and relevant habitats.

Mitigation measures and conditions - As above for SAC

In-combination effects

I am satisfied that in-combination effects have been assessed adequately in the NIS. The proposed development was considered in-combination with other plans and projects in the area that could result in cumulative impacts on designated Sites. No other plans and projects could combine to generate significant effects when mitigation measures are considered. I am satisfied that the applicant has demonstrated that no significant residual effects will remain post the application of mitigation measures.	

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 the proposed development can be excluded for the Inner Galway Bay SPA [004031]. No direct impacts are predicted. Indirect impacts would be temporary in nature and mitigation measures are described to prevent ingress of silt laden surface water and other construction related pollutants. I am satisfied that the mitigation measures proposed to prevent such effects have been assessed as effective and can be implemented and conditioned if permission is granted.

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 Conservation objectives of the Inner Galway Bay SPA [004031]. 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 the Lough Corrib SAC [000297], Galway Bay Complex SAC [000268] and Inner Galway Bay SPA [004031] in view of the

conservation objectives of those sites and that Appropriate Assessment under the provisions of S177U was required.

Following an examination, analysis and evaluation of the NIS all associated material submitted, and taking into account observations on nature conservation, I consider that adverse effects on site integrity of the Lough Corrib SAC [000297], Galway Bay Complex SAC [000268] and Inner Galway Bay SPA [004031] 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:

- Detailed assessment of construction and operational impacts.
- Effectiveness of mitigation measures proposed including supervision and integration into CEMP ensuring smooth transition of obligations to eventual contractor.
- Application of planning conditions to ensure application of these measures.
- The proposed development will not affect the attainment of conservation objectives for the Lough Corrib SAC [000297], Galway Bay Complex SAC [000268] and Inner Galway Bay SPA [004031].

17.0 **Appendix 3 - EIA Pre-Screening**

Case Reference	ABP-322424-25
Proposed Development Summary	Construction of 84 student accommodation apartments, a café, retail space and road improvement works along the Dyke Road.
Development Address	Coolough Road and Dyke Road, Galway City.
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☒ Yes, it is a 'Project'. Proceed to Q2. ☐ No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. **EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.**	State the Class here
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed	

type of proposed road development under Article 8 of the Roads Regulations, 1994. **No Screening required.**	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. **EIA is Mandatory. No Screening Required**	
☒ Yes, the proposed development is of a Class but is sub-threshold. **Preliminary examination required. (Form 2)** **OR** **If Schedule 7A information submitted proceed to Q4. (Form 3 Required)**	**'Infrastructure Projects' within Schedule 5 (10) of the Planning and Development Regulations 2001 as amended:** **b) (i) Construction of more than 500 dwelling units** **(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.** **The proposed development is for 586 student bedspaces, equating to approximately 146 dwellings, on a site area of approximately 2.09 hectares. The proposed development does not trigger the requirement for a mandatory EIA because:** **• The number of student bedspaces falls significantly below the threshold of 500 no. dwellings.** **• The developable site area of 2.09 and the total site area of 2.577 hectares (inclusive of planned pavement improvements) falls below the threshold for sites in an urban area.**

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☒	**Screening Determination required**
No ☐	

Inspector: _____Date: _____

18.0 **Appendix 4 - EIA Screening Determination**

A. CASE DETAILS		
An Bord Pleanála Case Reference	ABP-322424-25	
Development Summary	Construction of 84 student accommodation apartments, a café, retail space and road improvement works along the Dyke Road.	
	Yes / No / N/A	**Comment (if relevant)**
1. Was a Screening Determination carried out by the PA?	**Y**	Section 6.6 of the PA report states: *Having completed the EIA screening of the proposed development and considering the Environmental Impact Assessment Screening Report submitted which identifies, and describes adequately the direct, indirect, secondary, and cumulative effects of the proposed development It can be concluded that, by reason of the nature, scale and location of the subject site, the proposed development would not be likely to have significant effects on the environment. It is*

		decided, therefore, that an environmental impact assessment report for the proposed development is not necessary in this case.
2. Has Schedule 7A information been submitted?	**Y**	Report entitled: Environmental Impact Assessment Screening Report Coolough Road Student Accommodation Scheme
3. Has an AA screening report or NIS been submitted?	**Y**	AA screening report and NIS both submitted.
4. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	**N**	**None.**
5. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA	**Y**	SEA was undertaken by the planning authority in respect of the Galway City Development Plan 2023-2029.

B. EXAMINATION	Yes/ No/ Uncertain	Briefly describe the nature and extent and Mitigation Measures (where relevant) (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact) **Mitigation measures** –Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.	Is this likely to result in significant effects on the environment? Yes/ No/ Uncertain
This screening examination should be read with, and in light of, the rest of the Inspector's Report attached herewith			
1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)			
1.1 Is the project significantly different in character or scale to the existing surrounding or environment?	**No**	The development comprises the construction of residential units on residentially zoned lands. The nature and scale of the proposed	**No**

		development reflects the surrounding pattern of development.	
1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	**Yes**	The proposal will develop an existing site currently occupied by two housing units, within the existing built up area. The proposed development is not considered to be out of character with the existing and emerging pattern of development in the wider area.	**No**
1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?	**Yes**	Construction materials will be typical of an urban environment. The loss of natural resources or local biodiversity as a result of the development of the site are not regarded as significant.	**No**
1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?	**Yes**	Construction activities will require the use of potentially harmful materials, such as fuel and other substances. Such use will be typical of construction sites. Any impacts would be local and temporary in nature and the implementation of a Construction	**No**

		Environmental Management Plan will satisfactorily mitigate potential impacts. No operational impacts in this regard are anticipated.	
1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	**Yes**	Construction activities will require the use of potentially harmful materials, such as fuels and other substances and will give rise to waste for disposal. Such use will be typical of construction sites. Noise and dust emissions during construction are likely. Such construction impacts would be local and temporary in nature and the implementation of a Construction Environmental Management Plan will satisfactorily mitigate potential impacts. Operational waste will be managed via a Waste Management Plan. Significant operational impacts are not anticipated.	**No**
1.6 Will the project lead to risks of contamination of land or water from releases	**No**	No significant risk identified. Operation of a Construction Environmental Management	**No**

of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?		Plan will satisfactorily mitigate emissions from spillages during construction. The operational development will connect to mains services. Surface water drainage will be separate to foul services within the site. No significant emissions during operation are anticipated.	
1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	**Yes**	Potential for construction activity to give rise to noise and vibration emissions. Such emissions will be localised and short term in nature and their impacts will be suitably mitigated by the operation of a Construction Environmental Management Plan. Management of the scheme in accordance with an agreed Management Plan will mitigate potential operational impacts.	**No**
1.8 Will there be any risks to human health, for example due to water contamination or air pollution?	**No**	Construction activity is likely to give rise to dust emissions. Such construction impacts would be temporary and localised in nature and the operation of a Construction Environmental Management Plan would	**No**

		satisfactorily address potential impacts on human health. No significant operational impacts anticipated.	
1.9 Will there be any risk of major accidents that could affect human health or the environment?	**No**	No significant risk having regard to the nature and scale of the proposed development. Any risk arising from construction will be localised and temporary in nature. The site is not at risk of flooding. There are no SEVESO/COMAH sites in the vicinity of this location.	**No**
1.10 Will the project affect the social environment (population, employment)	**Yes**	The redevelopment of the site will increase the local population. This is not regarded as significant given the suburban location of the site and the surrounding pattern of land use.	**No**
1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?	**No**	The proposed development relates to a site in an existing suburban environment. Permitted developments within the vicinity of the site have been subject to separate assessments. No significant cumulative impacts are anticipated.	**No**

2. Location of proposed development			
2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following: - European site (SAC/ SPA/ pSAC/ pSPA) - NHA/ pNHA - Designated Nature Reserve - Designated refuge for flora or fauna - Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan	**Yes**	The site is located adjacent to the Lough Corrib SAC, and close to the Proposed Natural Heritage Areas: Lough Corrib. The potential for adverse impacts to the SAC have been addressed at section 10 of the Inspector's Report and appendices 1 and 2. The applicant prepared an EcIA report, no adverse impacts are anticipated with respect to the pNHA. Accordingly, I do not consider the project likely to result in a significant effect on the environment in terms of ecological designations or biodiversity	**No**
2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-	**No**	No such species use the site and no impacts on such species are anticipated. In response to further information request an updated Ecological Impact Assessment and Public	**No**

wintering, or migration, be affected by the project?		Lighting Layout Drawing and Report was prepared and conclusions do not differ. The site is located at the eastern edge of a wide expanse of undeveloped habitat which connects it to a known Lesser Horseshoe roost (i.e Menlo Castle) – its value was not underestimated during the assessment. However, in the context of this wider habitat, the site is not considered to present an indispensable foraging resource as it is located at the edge of much more suitable habitats. Despite this, suitable habitats within the site were retained by avoiding felling/site clearance and were kept as viable connecting and foraging habitats by avoiding lighting in these areas. Any potential for significant impacts was avoided by retaining the most suitable habitats.	

2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?	**No**	There are no landscape designations or protected scenic views at the subject site. There are no protected structures within or adjoining the site, and the site is not included within an architectural conservation area. Due to the size of the site, there is moderate potential for the continued survival of archaeological material and features within the site. Further archaeological assessment, and as necessary, preservation by record and/ or in-situ, during construction could be considered.	**No**
2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?	**No**	A portion of Limestone Pavement is located at the western end of the site and will be retained in situ, protected during construction and during the operational phase. A boardwalk will be constructed over areas of retained calcareous grassland area. The limestone pavement will be fenced during the construction phase to mitigate	**No**

		against any potential negative impacts. Please see the revised Construction & Environmental Management Plan (section 8.7) for further details. The proposed elevated boardwalk will act as a buffer to the limestone pavement during the operational phase. As illustrated on Dwg 2387-06 Landscape Plan Proposal: Passive and Active Amenity, it is not proposed to have any active recreation areas in the area of the limestone pavement. The boardwalk provides a durable pathway that allows users to navigate through the landscape while minimizing ecological disturbance. The boardwalk will be supported by the stilts to allow grass grow underneath and to have minimum impact on the ground.	
2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which	**No**	There are no direct connections to watercourses in the area. The development will implement SUDS measures to control surface water run-off. The site is not at risk of	**No.**

could be affected by the project, particularly in terms of their volume and flood risk?		flooding. Proposals to improve pedestrian and cyclist facilities along Dyke Road, do not include any river or watercourse crossing.	
2.6 Is the location susceptible to subsidence, landslides or erosion?	**No**	No such risks identified.	**No**
2.7 Are there any key transport routes (e.g. National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	**No**	The site is served by a local urban road network. There are sustainable transport options available to future residents. No significant contribution to traffic congestion is anticipated given the student and seasonal tourist occupation patterns planned for. Improvements are planned to the local road network along Dyke Road, installation of footpaths and cycle paths.	**No**
2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?	**No**	There are no such adjoining land uses.	**No**
3. Any other factors that should be considered which could lead to environmental impacts			

3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?	**No**	Other projects have been identified as part of the planning history in section 5.0 of this report (i.e., relevant if granted permission). These developments are of a nature and scale that have been determined to not have likely significant effects on the environment. No developments have been identified in the vicinity that could give rise to significant cumulative environmental effects.	**No**
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	**No**	No transboundary considerations arise.	**No**
3.3 Are there any other relevant considerations?	**No**	**None**	**No**
C. CONCLUSION			
No real likelihood of significant effects on the environment.	✓	EIAR Not Required	
Real likelihood of significant effects on the environment.	☐	EIAR Required	

D. MAIN REASONS AND CONSIDERATIONS

EG - EIAR <u>not</u> Required

Having regard to: -

1. the criteria set out in Schedule 7, in particular

a) The nature and scale of the project, which is below the thresholds in respect of Class 10(b)(i) and Class 10(b)(iv) of the Planning and Development Regulations 2001, as amended.

b) The location of the site on zoned lands (Zoning Objective 'R' Residential'), and other relevant policies and objectives in the Galway City Development Plan 2023-2029, and the results of the strategic environmental assessment of this plan undertaken in accordance with the SEA Directive (2001/42/EC).

c) The nature of the site and its location in an urban neighbourhood area which is served by public services and infrastructure.

d) The pattern of existing and permitted development in the area.

e) The planning history at the site and within the wider area.

f) The location of the site outside of any sensitive location specified in article 109(4)(a) the Planning and Development Regulations 2001, as amended and the absence of any potential impacts on such locations.

g) The guidance set out in the 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development', issued by the Department of the Environment, Heritage, and Local Government (2003).

h) The criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended.

i) The available results, where relevant, of preliminary verifications or assessments of the effects on the environment carried out pursuant to European Union legislation other than the EIA Directive.

j) The features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including those identified in the initial and updated (14th February 2025) versions of the Ecological Impact Assessment, Landscape Management and Maintenance Specification, Design Manual for Urban Roads and Streets (2019) Report, Road Safety Audit Stage 1, Environmental, Mechanical and Electrical Engineering design report, Outdoor Lighting Report, Daylight & Sunlight Assessment & Shadow Analysis Report, Landscape Design Statement, Energy Statement, Appropriate Assessment Screening Report and Natura Impact Statement, Landscape and Visual Impact Assessment, Engineering Planning Report, Construction and Environmental Management Plan, Mobility Management Plan, Flood Risk Assessment, Stage 1 Stormwater Audit, Public Lighting Calculation Report and Specifications, Noise Impact Assessment and an Operational Management Plan

k) the absence of any significant environmental sensitivity in the vicinity, and the location of the proposed development outside of any designated archaeological protection zone

2. the features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment.

The development is not likely to have an effect on the environment and the preparation of an EIAR is not required.

The Board concluded that the proposed development would not be likely to have significant effects on the environment, and that an environmental impact assessment report is not required.

Inspector _____ **Date** _____

Approved (DP/ADP) _____ **Date _____**

19.0 Appendix 5 - Water Framework Directive (WFD) Screening

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	**ABP-322424-25**	**Townland, address**	Coolough and Dyke Road, Galway City.
Description of project		The proposed development is for 84 student accommodation apartments, a café, retail space and road improvement works along the Dyke Road.	
Brief site description, relevant to WFD Screening,		A full description of the development site can be found at section 1.0 of my report. In summary, the site comprises the two houses and associated gardens, with some amount of grassland and scrub.	
Proposed surface water details		Storm water drainage services for the proposed development are as follows: • Storm Water Network for internal roads, footpaths, pedestrian areas, and carpark • Storm Water Network for roof runoff from the proposed buildings The storm water drainage design has been designed to cater for surface water runoff from all hardstanding areas. The storm water drainage services have been designed to take account of the requirements of the Department of Environment “Recommendations for Site Development Works for Housing	

	Areas", 1998, the "Greater Dublin Strategic Study" and "Sewers for Adoption" published by WRC, UK. A dedicated storm water drainage system will be provided to pick up surface water run-off from roofs, carparks and other hardstand areas. Surface water runoff from roads and footpaths throughout the site will be collected by a combination of channel drains and precast concrete gullies with lockable cast iron grating and frame connected to a piped system. The pipe diameter of the new network will range between 150 and a maximum of 300mm and will be laid at gradients varying between 1/29 and 1/200 given the site area and topography. All velocities within said gradients will be required to fall within the limits of 0.75 and 3m/sec as set out in 'Recommendations for Site Development Works' as published by the Department for the Environment. Surface water drainage is proposed to discharge to the existing storm water drainage network located to the north-east of the site, in the Crestwood residential estate. This surface water will be discharged to an existing 600mm concrete storm sewer in the Crestwood residential estate. The exact location and depth of this existing 600mm concreate storm sewer is to be confirmed during detailed design. Prior to discharge to the existing network all surface water will pass through a Class 1 petrol interceptor.

	SuDS measures such as tree pits, permeable paving and swales will be strategically located throughout the development to aid in the storm water management of the site. These measures will assist in preserving the current greenfield runoff on the site. Refer to drawing 11857–2001 for locations of the proposed SuDS measures and soakaways. It is proposed to install a Class 1 Bypass Petrol Interceptor upstream of the connection into the existing storm sewer network. The separator has been sized to cater for roads, carparking and footpath areas of the site with an allowance for contributing roof areas. .
Proposed water supply source & available capacity	The water supply services have been designed to take account of the requirements of the Civil Engineering Specification for the Water Industry (CESWI), subject to the particular requirements applied to it by Irish Water, as outlined in the Irish Water Code of Practice for Water Infrastructure. Other design guidelines adhered to include the Department of Environment "Recommendations for Site Development Works for Housing Areas", 1998. Refer to Drawing 11846-2001 which outlines the details of the existing and proposed water supply network. The watermain running along the Coolough Road to the south to the proposed site is an Irish Water asset and therefore it will require a connection

	application. The estimated water consumption for the development was evaluated in accordance with the Irish Water Code of Practice for Water Supply and the EPA Wastewater Treatment Manuals - Treatment Systems for Small Communities, Business, Leisure Centres and Hotels. This information formed part of the Irish Water pre-connection application. A pre-connection enquiry was submitted to Irish Water for the development for an occupancy of 586 persons. Following their assessment, Irish Water issued a Confirmation of Feasibility (CDS24005732) confirming the proposed Water Connection is feasible subject to upgrades of an approximate 50m network extension.
Proposed wastewater treatment system & available capacity, other issues	A new foul network connection is proposed from the development to the adjacent 225m uPVC sewer located within the Crestwood residential estate. Wastewater from the development will flow by gravity to where it will discharge to this existing public network. The existing foul sewer to the north of the site is a 225mm uPVC sewer. Irish Water issued a Confirmation of Feasibility (CDS24005732) confirming the proposed Wastewater Connection is feasible subject to upgrades of an approximate 50m network extension. The foul loadings for the sewers have been evaluated in accordance with the Irish Water Code of Practice for Wastewater Appendix D. Expected occupancy figures for the proposed building are estimated at 586 residents.

Others?	None.

Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	**Distance to (m)**	**Water body name(s) (code)**	**WFD Status**	**Risk of not achieving WFD Objective e.g.at risk, review, not at risk**	**Identified pressures on that water body**	**Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)**
River[2]	500m	CORRIB_020 IE_WE_30C020600	SW 2016-2021 Good	Not At Risk	Urban	Surface run-off
Lake[3]	350m	Menlough IE_WE_30_290	SW 2016-2021 Good	Not at Risk	Urban	Surface run-off

[2] https://www.catchments.ie/data/#/waterbody/IE_WE_30C020600?_k=9oz3hr
[3] https://www.catchments.ie/data/#/waterbody/IE_WE_30_290?_k=1z8rr5

River[4]	700m	TERRYLAND_010 IE_WE_30T010500	SW 2016-2021 Moderate	At Risk	Urban	Surface run-off
Groundwater[5]	0m	GWDTE-Lough Corrib Fen 1 (Menlough) (SAC000297) IE_WE_G_0119	GW 2016-2021 Good	Not at risk	Urban	Infiltration to groundwater

Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.

CONSTRUCTION PHASE

No.	Component	Water body receptor	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no)	**Determination* * to proceed to Stage 2. Is there a risk to**

[4] https://www.catchments.ie/data/#/waterbody/IE_WE_30T010500?_k=st8ldu
[5] https://www.catchments.ie/data/#/waterbody/IE_WE_G_0119?_k=7qn86r

		(EPA Code)				Detail	**the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.**
1.	Surface	CORRIB_020 IE_WE_30C020600	Existing municipal drainage system.	Siltation, pH (concrete), hydrocarbon spillages.	Standard construction practice, submission of a Preliminary CEMP, section 8 refers and includes: • Fuels and oils management, • Spil Control and response, • Soil and groundwater – minimis cut and fill,	No.	Screened out.

					• Surface water – flood risk not an issue of concern, Section 8.6.1 refers specifically to the construction phase of the development and section 8.6.2 refers to concrete handling. In all cases standard practice techniques are to be deployed, together with specific silt fencing and dewatering bags.		
2.	Surface	Menlough IE_WE_30_290	Existing municipal drainage system.	Siltation, pH (concrete), hydrocarbon spillages.	As Above	No.	Screened out.

3.	Surface	TERRYLAND_010 IE_WE_30T010500	Existing municipal drainage system.	Siltation, pH (concrete), hydrocarbon spillages.	As Above	No.	Screened out.
4.	Ground	GWDTE-Lough Corrib Fen 1 (Menlough) (SAC000297) IE_WE_G_0119	Pathway does not exist. Taken from the applicant's FRA – The closest surface water feature to the subject site is approximately 320m west of the subject site, as a result of the Lake west of Coolough and is not expected to influence the sites hydrology. GSI	Hydrocarbon spillages.	As Above	No.	Screened out.

			subsurface mapping of karst features in the area show that there are no karst features located in the vicinity of the subject site. The closest karst feature to the subject site is a swallow hole located approximately 1.7km east of the subject site.				
OPERATIONAL PHASE							
1.	Surface	CORRIB_020 IE_WE_30C020600	Existing municipal drainage system.	Hydrocarbon spillages..	Once complete, the development will provide a dedicated storm water drainage system will be provided to pick up surface water run-off	No.	Screened out.

					from roofs, carparks and other hardstand areas. Surface water runoff from roads and footpaths throughout the site will be collected by a combination of channel drains and precast concrete gullies with lockable cast iron grating and frame connected to a piped system. Prior to discharge to the existing network all surface water will pass through a Class 1 petrol interceptor. SuDS measures such as tree pits, permeable paving and swales will be strategically located		

					throughout the development to aid in the storm water management of the site. These measures will assist in preserving the current greenfield runoff on the site. The infiltration rates for the proposed soakaway elements have been estimated based on conservative infiltration rates for the area. On site infiltration tests will be conducted prior to the detailed design stage and carried out in accordance with the requirements set out in BRE Digest 365:2016.		

2.	Surface	Menlough IE_WE_30_290	Existing municipal drainage system.	Hydrocarbon spillages.	As Above	No.	Screened out.
3.	Surface	TERRYLAND_010 IE_WE_30T010500	Existing municipal drainage system.	Hydrocarbon spillages.	As Above	No.	Screened out.
4.	Ground	GWDTE-Lough Corrib Fen 1 (Menlough) (SAC000297) IE_WE_G_0119	Existing municipal drainage system.	Hydrocarbon spillages.	As Above	No.	Screened out.
DECOMMISSIONING PHASE							

	The applicant states that it is not intended that the Proposed Development will be removed, as permanent planning permission is being sought for this development. Therefore, it is intended that the Proposed Development will be retained as permanent and will not be decommissioned.