



An
Coimisiún
Pleanála

Inspector's Report

ACP-323256-25

Development	Large Scale Residential development consisting of 168 no. residential units and 2 storey creche and all associated site works
Location	Bóthar an Chóiste, in the townlands of Castlegar and Ballinfoil, Galway
Planning Authority	Galway City Council.
Planning Authority Reg. Ref.	2560148.
Applicant(s)	Lock House Developments Limited.
Type of Application	Permission.
Planning Authority Decision	Grant Permission.
Type of Appeal	Third Party.
Appellant(s)	An Taisce.
Observer(s)	None.

Date of Site Inspection

18th September 2025.

Inspector

Kathy Tuck.

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1.0 Site Location and Description

- 1.1. The appeal site which has a stated area of c.4.626 ha is located on lands to the north of Bóthar an Chóiste within the northern Outer Suburb Neighbourhoods of Ballinfoile and Castlegar to the east of the N84 Headford Road. The site is also situated approximately c.500m to the east of the designated village envelope of Castlegar.
- 1.2. The proposed development site is greenfield, save for existing dwelling house at the south-western corner of the site and a derelict dwelling and outbuilding located at the south-eastern section of the site. Site boundaries are largely demarcated by stone walls and natural hedgerows. An agricultural laneway occurs along the south-eastern site boundary. The subject site rises from south to north and sits at a higher elevation than Bóthar an Chóiste and nearby housing estate Cluain Riocard to the south.
- 1.3. The site is situated approximately c.3.5 km to the north of city centre and approximately c 300m to the east of the An Triantán local centre, which includes a convenience store and other local neighbourhood services. The no. 407 bus route [Bus Éireann service Eyre Square - Bóthar an Chóiste] has inbound/outbound bus stops outside An Triantán local centre on either side of the road. The no. 407 bus service has 30-minute service frequency during weekdays and Saturdays and 60minute frequency on Sundays. Castlegar National School is located approx. 0.8km to the north-east.

2.0 Proposed Development

- 2.1. This is an application for a Large-Scale Residential Development which consists of the following:
- 2.2. The demolition of an existing house which has a given area of c.124.6 sq.m, a ruined outbuilding c.42.8 sq.m, and a ruined dwelling of c.41.7sq.m. The construction of 168 no. residential units comprising:
 - 70 no. two storey houses –
 - 36 no. two-beds.
 - 26 no. three-beds.
 - 8 no. four-beds.

- 2 no. apartment blocks comprising 54 no. apartments
 - 27 no. one-beds.
 - 27 no. two-beds.
 - 44 no. duplex units (19 no. one-beds, 25 no. two-beds).
- 2.3. Development of a two-storey creche facility (c. 300 sqm), associated outdoor play areas and parking.
 - 2.4. Provision of all associated surface water and foul drainage services and connections including pumping station with all associated site works and ancillary services.
 - 2.5. The upgrade of the existing Bóthar an Chóiste road from the proposed development to the junction at L5041 consisting of road improvements, road widening and junction re-alignment. A Letter of consent from GCC dated 1st of May 2025 in relation to the inclusion of lands relating upgrade of the existing Bóthar an Chóiste road from the proposed development to the junction at L5041 consisting of road improvements, road widening and junction re-alignment within the Council's charge/ownership pursuant to Art. 297 of the Planning and Development Regulations 2001 (as amended) accompanied the Planning Application.
 - 2.6. Pedestrian, cyclist, and vehicular links throughout the development and access to Bóthar an Chóiste, and pedestrian and cyclist link to the adjacent Greenway route.
 - 2.7. Provision of Bat Boxes, a Native Hedgerow Corridor (biodiversity and pollinator friendly) along the northern boundary, and the provision of Sustainable Drainage Systems (SuDS) features.
 - 2.8. Provision of shared communal and private open space, site landscaping and public lighting, resident and visitor parking including electric vehicle charging points, bicycle parking spaces, and all associated site development works.
 - 2.9. The application was also accompanied by the following:
 - An Appropriate Assessment Screening and NIS Report.
 - Environmental Impact Assessment Screening Report.
 - An Ecological Impact Assessment Report.
 - Site Specific Flood Risk Assessment.

- Social Infrastructure Audit.
- Sustainability and Climate Action Statement.
- Architectural and Urban Design Statement.
- Landscape Design Report.
- Traffic and Transport Assessment (TTA).
- Civil Works Design Report.
- Daylight and Sunlight Assessment and Shadow Analysis.
- Architectural and Engineering Drawings.

3.0 Planning Authorities Pre-Application Opinion

- 3.1. The Planning Authority and the Applicant convened a meeting under Section 32C of the Planning and Development Act, 2000 (as amended), for the proposed Large-scale Residential Development in respect of a development on 10th December 2024.
- 3.2. Following this meeting, the Planning Authority issued an LRD Opinion on 27th June 2024 pursuant to Section 32D (1) of the 2000 Act. It was the opinion of the Planning Authority that there was a reasonable basis on which to make an application for the proposed LRD.
- 3.3. The detailed assessment contained within the Opinion highlights issues for the applicant to consider or address when making a future planning application. These can be summarised as follows:
 1. Demonstrate compliance with all relevant planning policy and national guidance.
 2. Demonstrate how the issues raised under the SHD application process for a residential development on this site, Bord Pleanála Case reference: TA61.314295 have been addressed in the proposed scheme.
 3. Ecology.
 4. Traffic & Transportation Issues.
 5. Open Space and Landscaping.
 6. Environment.

7. Housing.

8. Water Safety.

4.0 Planning Authority Decision

4.1. Summary of Decision

4.1.1. Galway City Council issued Notification of Decision to Grant Permission on the 11th July 2025 subject to 27 no. conditions none of which significantly altered the proposed development. The following conditions are of note:

4.1.2. Condition no. 2: The development shall be carried out on a phased basis in accordance with the phasing of development indicated in Figure 3.1 – Phasing Diagram of the submitted Construction Environment Management Plan with the upgrade of the existing Bóthar an Chóiste road from the proposed development to the junction at L5041 consisting of road improvements, road widening and junction re-alignment in the first phase (Phase no. 1) of development. Work on any subsequent phases shall not commence until such time as the written agreement of the Planning Authority is given to commence the next phase. In the event of any disagreement on phasing, between the developer and the Planning Authority, the matter shall be referred to An Coimisiún Pleanála for determination.

REASON: To ensure the timely provision of services, for the benefit of the occupants of the proposed dwellings.

4.1.3. Condition no. 3: The front boundary wall over the entire roadside frontage shall be set back in line with Galway City Councils requirements for any future upgrading of Bóthar An Chóiste Road. The exact position shall be agreed in writing with the Planning Authority to allow for the construction of a footpath and two-way cycle track as per the Cycle Design manual prior to commencement of development. The development shall be completed in accordance with agreed details.

REASON: In the interests of orderly development and to facilitate any future road improvements on Bóthar An Chóiste Road and the implementation of a strategic goal of the Galway City Development Plan.

4.1.4. Condition no. 25: A Section 48 Financial Contribution of €1,245,111.

- 4.1.5. Condition no 26: A Section 48(2)(C) Financial Contribution in respect of works to upgrade of the existing Bóthar an Chóiste Road from the proposed development to the junction at L5041 consisting of road improvements, road widening and junction re-alignment. I note that this amount was not specified, and the condition required an agreement between the Planning Authority and the developer in terms of the amount.
- 4.1.6. Condition no 27: Requires the payment of a bond of a cash deposit to the value of €420,000 (Four Hundred and Twenty Thousand Euro), or, a bond of an Insurance Company, to the written agreement of the Planning Authority, to the value of €672,000 (Six Hundred and Seventy-two Thousand Euro).

4.2. **Planning Authority Reports**

4.2.1. Planning Reports

The report of the Planning Officer dated the 9th July 2025, set out the Planning History of the subject site, provides a summary all internal and external consultee reports, provides a summary of 3rd party submissions and observations, set out details of the LRD meetings held to date, and sets out spatial data of the proposed development.

The assessment considered the land use and development plan policy and notes that the proposal was considered to be in keeping with the land use zoning pertaining to the site. The assessment set out a full consideration of the EclA, AA Screening, NIS and EIA Screening submitted which were all deemed to be acceptable. A recommendation was made to grant permission in line with the decision issued.

4.2.2. Other Technical Reports

Transportation Department: Report dated the 24th June 2025 notes no objection subject to condition.

Drainage Division: Report dated the 19th June 2025 notes no objection subject to condition.

Active Travel Division: Report date the 18th June 2025 notes no objection subject to condition.

Building Control: Report date the 4th July 2025 notes no objection subject to condition.

Recreation & Amenity Division: Report date the 9th July 2025 notes that the current proposal addresses concerns raised around site circulation & permeability, hierarchy of open space, amenity provision, play provision and green infrastructure, which “we are satisfied have been met”. The report notes no objection subject to condition.

4.3. Prescribed Bodies

4.3.1. Uisce Éireann

The report received notes the applicant’s engagement with a pre-connection enquiry process, which resulted in the issuance of a confirmation of feasibility (COF) for the proposed development on the 10th of April 2025 (reference: CDS24006375). This statement confirms the feasibility to connect to Uisce Éireann’s water services, though subject to an approximately 450-meter extension from the proposed project boundary to facilitate connection to the nearest Uisce Éireann water main. The COF report also states that wastewater connection will also require a network/foul rising main extension of approximately 450m to facilitate connection to the nearest Uisce Éireann owned foul sewer located approximately 450m from the property boundary.

UE also advised that additional storage over and above standard UE requirements will be required on site to balance flows to the UE network. A balanced reduced pass forward flow to the UE network (potentially to off peak hours) would be required hence the requirement for additional balanced storage.

In addition, the report acknowledges the applicant has submitted finalised designs and has been issued of a statement of design acceptance (SODA) on the 11th April 2025. These designs outline the necessary infrastructure upgrades described in the COF to facilitate connections from the development to Uisce Éireann water and wastewater networks, to be undertaken by the applicant as self-lay works. The report recommends that permission be granted subject to condition.

4.3.2. An Taisce

Wastewater Treatment

The submission raises concerns over the deficiencies in the wastewater drainage network in the Galway Agglomeration. It states that while Uisce Éireann’s Wastewater Capacity Register indicates that there is available capacity in Galway City – it does not

indicate there is capacity in the wastewater drainage network to convey all wastewater safely to the wastewater treatment plant at Mutton Island for treatment as there isn't.

Condition 5.4 of the Wastewater Discharge Licence granted by the EPA in 2010 required the completion of the improvements set out in Schedule C: Specified Improvement Programme attached to the licence by 1st May 2014 – bulk of works still have not commenced.

There are significant volumes of wastewater being discharged frequently into the River Corrib which is within a SPA and SAC.

A condition should be attached to the effect that before the dwellings are occupied necessary wastewater infrastructure works should be fully completed including improvements to stormwater overflows at The Long Walk, remedial works to two siphons under River Corrib estuary and provide a third larger siphon.

Sustainable Travel

Car parking provision only falls slightly below the maximum provision set out in the Galway City Development plan. Cycle parking provision is considered to be generous – lack of cycle track between the L5041 and the proposed entrance to the subject site will be a major deterrent to future residents to choose a more sustainable mode of travel. The provisional modal split targets set out by the applicant is unlikely to be achieved. Submitted that the Planning Authority request a reduction in the quantum of car parking being provided.

Appropriate Assessment and NIS is deficient.

Conclusions drawn in the AA Screening report are incorrect. Considered that the wastewater drainage network and the stormwater overflow at the long walk is overlooked. Report is deficient in that ignores the fact that wastewater from the proposed development will be discharged frequently into the estuary of the River Corrib which is in within the SAC SPA.

Planning authority should request a revised AA screening and NIS taking into account the current and future discharge of wastewater into the River Corrib via the stormwater overflow on the Long Walk.

Ecological Impact Assessment Report (EclA)

Pathway from the proposed development to the River Corrib SCA and SPA via the wastewater drainage network and the stormwater overflow at the long walk is overlooked. Report is deficient.

Planning authority should request a revised EclA.

EIA Screening Report

Pathway from the proposed development to the River Corrib SCA and SPA via the wastewater drainage network and the stormwater overflow at the long walk is overlooked. Report is deficient.

Planning authority should request a revised EIA Screening.

4.3.3. National Transport Authority (NTA)

The Local Authority should be satisfied that the key design principle of the 'Network Approach' as detailed in the Cycle Design Manual, is met or can be met prior to occupation in the event of a grant. All cycle infrastructure and facilities proposed, including cycle parking, should comply with the requirements of the new NTA Cycle Design Manual.

4.3.4. Department of Housing, Heritage and Local Government.

No objection regarding the application subject to conditions.

4.3.5. Transport Infrastructure Ireland (TII)

The Authority will rely on the planning authority to abide by official policy in relation to development on/affecting national roads as outlined in DECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012), subject to the following:

- The proposed development is located in proximity to a future national road scheme. The planning authority is advised that national road schemes should be protected and kept free from any developments or accesses in accordance with national policy. The applicant should be made aware of the plans for a new road scheme should the permission be granted.
- It is unclear that the proposed development is consistent with the Galway Transport Strategy (GTS). Public transport accessibility and facilities are currently limited in this area. An inappropriate level of car parking provision

would imply that the development would promote an undesirable dependence on the private car and therefore, may impact adversely on the efficiency and operation of the existing and future national road network in the area. A check should be made to ensure that proposed development is not at variance and conflicting with the GTS measures and that it is in line with the provisions of Section 3.5 of the Galway City Development Plan. In TII's opinion, if the parking is found to be inconsistent with the GTS, the proposal in its current form would be considered to be at variance with the provisions of the DECLG Spatial Planning and National Roads Guidelines for Planning Authorities (January, 2012). This proposed development should take due cognisance of and be in line with the provisions of the GTS, as set out in Section 4.6. Please acknowledge receipt of this submission in accordance with the provisions of the Planning and Development Regulations, 2001 as amended.

4.4. Third Party Observations

The Planning Authority received 5 no. submissions which are summarised as follows:

Compliance with Development Plan

- No overall vision for the area, no proper management Castlegar Castle ruin, adjacent to Bóthar an Chóiste plan in place, no provision for any much-needed facilities such as playing/recreation areas, playgrounds, public transport, cemetery provision, footpaths or street lighting
- Proposal does not align with Galway City Development Plan 2023-2029 - proximity to Castlegar village will have a substantial impact on the amenity and traffic flows through the village.
- The Development plan as quoted above, the City Council commits to preparing an Area Plan for Castlegar. Would be premature to grant permission for a development of this scale before such a plan is in place - the Plan should come before the development, not the other way around.

Transportation/Sustainability

- Welcome that this application includes the improvement of Bóthar an Chóiste to the west of the proposed development. However, no improvements of Bóthar an Chóiste are proposed to the east
- Bóthar an Chóiste will become even less safe and convenient for walking and cycling than it already is. Therefore, this development goes against this Objective No 28.
- Since these improvements are limited to the western end of Bóthar an Chóiste, and since this development (and likely future developments) will generate additional traffic to the east, it cannot be claimed that these improvements will actually accommodate future developments. Any road improvements which would be capable of accommodating future developments on these lands must, by necessity, include improvements to the east as well as to the west.
- Multiple ways in which this development will have adverse impacts on both local traffic and wider commuter traffic volumes.
- Bóthar an Chóiste is already a busy rat-run - no other junction providing vehicular access to this stretch of road, all of this traffic was either through traffic or terminated at a residence or business along the road.
- Traffic study included in the application and the proposed road improvements make the assumption that all vehicular, pedestrian and cycle traffic to/from the development will go via the western end of Bóthar an Chóiste and the L5041 - the road as-is is not safely walkable or cyclable by adults, never mind primary school age children. This will deter them from using these preferred active modes of transport. They will revert to travelling by car as the only safe and practical option.
- No assessment of junctions at eastern end of Bóthar an Chóiste - unclear what impact the proposed development would have on the safety and capacity of these junctions.
- Applicant should perform a safety and capacity analyses of these junctions to establish that they are capable of safely absorbing the increased usage before obtaining permission to proceed with the development.
- Construction traffic will give rise to a safety issue for current residents.
- Layout is dominated by an array of hard surfaces with limited landscaping areas and excessively wide home zones.

- Not served by adequate public transport.
- Crucial to consider the cumulative impact of this proposed development alongside other recent and ongoing housing projects in the wider area. Notably, there has been a social housing development recently constructed, with further ongoing development located just off the Headford Road, specifically at Sceilg Ard.

Impact on Amenity

- Proposed development does not “protect and enhance the existing character and amenity” of the village. It does not provide “improved pedestrian, cycle and traffic movement”. In fact, it will degrade amenity and considerably worsen traffic conditions.
- Introducing a large number of additional residents dependent on this underperforming service will likely reduce its reliability even further.

5.0 Planning History

A Strategic Housing Development application ref. no. SHD 20 04/An Coimisiún Pleanála (formally An Bord Pleanála) ref. no. 314295-22 was refused permission by An Coimisiún Pleanála for 170 no. residential units (84 no. houses, 86 no. apartments), crèche and all associated site works for the following reason:

- Having regard to the design and layout of the proposed development, including a central shared space that would be dominated by an array of hard surfaces with limited soft landscaping and excessively wide home zones, the limited passive surveillance and weak urban edge onto Bóthar an Chóiste, the unbalanced distribution of fully functional open spaces, and the absence of proposals to provide a greenway along the western boundary of the site, the proposed development would not be conducive to creating a people-friendly environment, would not feature sufficient quality, functional, recreational and amenity space and facilities to conveniently serve the public and communal open space needs of future residents of the development, would fail to provide a sufficiently appropriate active frontage addressing the public road and would fail to ensure sufficient permeability through the development. Accordingly, the design and layout of the proposed development would be contrary to the

standards set out in the Design Manual for Road and Streets issued by the Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government in March 2019, would be contrary to the principles advocated in the Guidelines for Sustainable Residential Development in Urban Areas and the accompanying Urban Design Manual: A Best Practice Guide issued by the Department of the Environment, Heritage and Local Government in May 2009, which includes 'layout' as one of the 12 criteria for the design of residential development, would be contrary to the communal amenity space provisions in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities issued by the Department of Housing, Planning and Local Government in December 2022 and would fail to comprehensively provide for the 'RA Greenway' specific objective of the Galway City Development Plan 2023-2029. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

6.0 Policy Context

6.1. National Policy

6.1.1. National Planning Framework, First Revision 2025

A number of overarching national policy objectives (NPOs) are of relevance, targeting future growth within the country's existing urban structure. NPOs for appropriately located and scaled residential growth include:

National Policy Objective 2: The projected level of population and employment growth in the Eastern and Midland Regional Assembly area will be at least matched by that of the Northern and Western and Southern Regional Assembly areas combined.

National Policy Objective 3: Eastern and Midland Region: approximately 470,000 additional people between 2022 and 2040 (c. 690,000 additional people over 2016-2040) i.e. a population of almost 3 million Northern and Western Region: approximately 150,000 additional people between 2022 and 2040 (c. 210,000

additional people over 2016-2040) i.e. a population of just over 1 million; Southern Region: approximately 330,000 additional people over 2022 levels (c. 450,000 additional people over 2016-2040) i.e. a population of just over 2 million.

National Policy Objective 4: A target of half (50%) of future population and employment growth will be focused in the existing five cities and their suburbs.

National Policy Objective 7: Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements and ensure compact and sequential patterns of growth.

National Policy Objective 8: Deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints and ensure compact and sequential patterns of growth.

National Policy Objective 11: Planned growth at a settlement level shall be determined at development plan-making stage and addressed within the objectives of the plan. The consideration of individual development proposals on zoned and serviced development land subject of consenting processes under the Planning and Development Act shall have regard to a broader set of considerations beyond the targets including, in particular, the receiving capacity of the environment.

National Policy Objective 12: Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.

National Policy Objective 22: In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth.

National Policy Objective 43: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

National Policy Objective 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.

6.1.2. **Housing for All – A New Housing Plan for Ireland**

This is the government's housing plan to 2030. It is a multi-annual, multi-billion-euro plan which aims to improve Ireland's housing system and deliver more homes of all types for people with different housing needs. The overall objective is that every citizen in the State should have access to good quality homes:

- To purchase or rent at an affordable price,
- Built to a high standard in the right place,
- Offering a high quality of life.

6.1.3. **Climate Action Plan, 2025.**

The purpose of the Climate Action Plan is to lay out a roadmap of actions which will ultimately lead to meeting Ireland's national climate objective of pursuing and achieving, by no later than the end of the year 2050, the transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy. It aligns with the legally binding economy-wide carbon budgets and sectoral emissions ceilings that were agreed by Government in July 2022.

6.1.4. **National Biodiversity Action Plan (NBAP) 2023-2030**

Ireland's 4th NBAP sets the biodiversity agenda for the period 2023 – 2030. The NBAP has a list of Objectives which promotes biodiversity as follows:

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.

6.2. Regional Policy

6.2.1. Northern and Western Regional Assembly- Regional Spatial and Economic Strategy (RSES) 2020-2032

The Regional Spatial and Economic Strategy (RSES) for the Northern and Western region recognises that Galway is the only city within this region. It is stated that Galway has been the primary beneficiary of population growth within the region over the last two decades. It comprises approximately 38% of the total increase or 69,204 persons and is the fastest growing city in Ireland over the past 50 years.

Policy Objective PRO 3.2

- a) Deliver at least 50% of all new city homes targeted in the Galway MASP, within the existing built-up footprint of Galway City and suburbs.
- b) Deliver at least 40% of all new housing targeted in the Regional Growth Centres, within the existing built-up footprint.
- c) Deliver at least 30% of all new homes that are targeted in settlements with a population of at least 1,500 (other than the Galway MASP and the Regional Growth Centres), within the existing built-up footprints.

Section 3.6: Galway Metropolitan Area Strategic Plan

The subject site is situated within the Galway MASP boundary as per Fig. 2.0 of the RSES.

A key ambition of the RSES strategy is to grow globally competitive urban centres of scale that shall be compact, connected, vibrant and inclusive places for people and for businesses to grow. The primary centre identified for growth in the region is Galway City through its designation as a Metropolitan Area in the NPF. The next tier identified comprises the Regional Growth Centres of Athlone, Letterkenny and Sligo. The RSES amplifies the provisions of the NPF and this MASP sets out the strategic direction the

city will grow to achieve compact growth, as envisaged within the first national strategic outcome in the NPF.

A number of strategic locations have been identified that present the opportunity and capacity to deliver the necessary quantum of housing to facilitate targeted growth, subject to the adequate provision of services and this includes for the consolidation of the existing neighbourhoods of Knocknacarra, Rahoon, Castlegar and Roscam where the subject site is situated.

Policy Objective PRO 3.6.2

The Assembly supports the proposition that 50% of new homes for the population targets will be constructed within the existing city development envelope, 40% of these shall be located on infill and/or brownfield sites

Consolidation neighbourhoods of Knocknacarra, Rahoon, Castlegar and Roscam

This is a tenet of compact growth and will have general application throughout the city. Alternative arrangements may pertain to Architectural Conservation Areas and areas with high incidences of protected structures. The existing neighbourhoods of Knocknacarra, Rahoon, Castlegar and Roscam have the potential to develop c.170ha of residentially zoned land suitable for higher density development. The future development plans for the city will prioritise the staged release of serviced lands to meet the population targets referenced above.

Policy Objective PRO 3.6.3

- a) The Assembly supports the preparation of a Building Heights Study, a strategy to guide future sustainable development which takes into account the historic, cultural and infrastructure features of the city. In developing this strategy, areas of high density will target residential density of 50 units/ha. The default rate for other areas will generally be 35 units/ha.
- b) The preparation of a Building Heights Study shall take into account all material considerations including but not limited to, the historic cultural and infrastructure features of the city, urban design, architectural quality, place-making, regeneration and public transport provisions. It shall also take account of the economic, social and environmental issues that need to be addressed so that quality living is delivered. The study should be cognisant of the need to deliver

compact growth and density of residential development may be one metric but the quantum of commercial, social and cultural floor space should also be a consideration.

6.3. **National Planning Guidelines**

Having considered the nature of the proposal, the receiving environment, the documentation on file, including the submissions from the planning authority, I am of the opinion that the directly relevant Section 28 guidelines are as follows:

- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024.
- Design Manual for Quality Housing, Department of Housing, Local Government and Heritage, 2023.
- Sustainable Urban Housing: Design Standards for New Apartments, 2023.

6.4. **Local Planning Policy**

6.4.1. **Galway City Development Plan 2023-2029**

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

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

Core Strategy

Table 1.9 of the City Plan outlines the Core Strategy for the period 2023-2029. The subject site is identified as an Outer Suburb (East) area, where there is proposed residential yield of 2,100 units for an estimated population capacity of 5,250 people. Section 1.4.3 Household Projections states that *“In total it is estimated that there will be a need at a minimum for an additional 4,245 housing units in the city over the plan period up to the end of 2028.”*

Zoning

The site is zoned under objective ‘R’. The objective of this zoning is ‘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.’ This zoning allows for residential, local shops, local offices, licensed premises, banks and other local services and childcare facilities

The subject site is situated within the North of Bóthar an Cóiste development area where the following stipulations apply:

- Layout of residential development and boundary treatment shall have regard to the protected views from the Headford Road.
- Requirements for road improvements capable of accommodating future developments shall be incorporated into any development proposals.
- Development on these lands shall demonstrate coordination with the overall land bank.
- Development will only be considered where it accords with main drainage proposals.

Relevant Sections of the Development Plan:

Policy 2.2 Climate Action

Support the implementation of water management measures through mechanisms such as SuDS, rainwater harvesting, use of grey water, water storage and nature based solutions to adapt to the impacts of climate change.

Policy 2.4: Sustainable Building Design and Construction

Increase the energy performance of new buildings in the city by encouraging energy efficiency and energy conservation in the siting, layout, design, and construction of development. Encourage new development to limit greenhouse gas (GHG) emissions and make use of opportunities for renewable and low carbon energy including through design, layout, orientation and construction practices. Support flexibility, accessibility and adaptability in terms of layout and design of new housing.

Chapter 3: Housing and Sustainable Neighbourhoods

Policy 3.1 Housing Strategy

Policy 3.3 Sustainable Neighbourhood Concept, promotes (inter alia) compact, well designed, safe and attractive neighbourhoods that deliver efficient use of land and have effective integration with social and physical infrastructure, and encourages

higher residential densities at appropriate locations as guided by the Galway Urban Density and Building Height Study (2021).

Policy 3.4 Sustainable Neighbourhoods: Outer Suburbs

Chapter 4: Sustainable Mobility and Transportation

Policy 4.1 General

- Develop a compact city, where sustainable land use and transportation are integrated and where there is choice and accessibility to a range of transport modes, with increasing support for a shift to more sustainable modes in line with national aims on climate action and where safety and ease of movement is provided to and within the City and onward to the wider area of the MASP, County Galway and the Northern and Western Region.
- Align with the National Strategic Outcomes of the NPF and the regional policy objectives of the RSES in the promotion of sustainable patterns of transport and in the support for the delivery of key transport infrastructure that will enable development to take place in accordance with the Core Strategy.

Policy 4.2 Land Use and Transportation

Policy 4.4 Sustainable Mobility – Walk and Cycle

Policy 4.6 Road and Street Network and Accessibility

Policy 4.8 Specific Objectives

Chapter 5: Natural Heritage, Recreation and Amenities

Policy 5.1 Green Network and Biodiversity

Policy 5.2 Protected Spaces: Sites of European, National and Local Ecological Importance

Policy 5.5 Community Spaces: Greenways, Boreens and Public Rights of Way.

Chapter 7: Community and Culture

Policy 7.5 Community Facilities

Chapter 8: Built Heritage, Placemaking and Urban Design

Policy 8.7 Urban Design and Placemaking

Chapter 9: Environment and Infrastructure

Policy 9.4 Sustainable Urban Drainage Systems (SuDS)

Chapter 11: Land Use Zoning Objectives and Development Standards and Guidelines

Residential Development - 11.3.1 Outer Suburbs identifies standards and policies for residential development including (any relevant to this assessment). 11.3.1(c) sets standards for *Amenity Open Space Provision in Residential Developments*

Section 11.14 Childcare Facilities

Section 11.14.1 Children's Play areas

Section 11.20 Green Design & Surface Water/SuDS

Section 11.31 Climate – Scheme Sustainability Statement

Section 11.32 Environmental Impact Assessment

Section 11.33 Appropriate Assessment / Natura Impact Statement

Section 11.35 Ecological Impact Assessment (EclA).

6.4.2. **Urban Density and Building Heights Study, 2021**

The Urban Density and Building Heights Study was adopted by Galway City Council on the 21st of September 2021. Within this study the subject site is located within the North Outer Suburbs – Ballinfoile and Castlegar.

Section 19.3 sets out the opportunities for growth in this area stating that investment has been made in these communities, with improvement to road infrastructure and public transport services and new community and retail facilities. This section also states that “investment is evident in the ‘suitability’ analysis which shows this area having a good level of suitability for higher density development.”

Development Guidance for this area states that densities should make best use of land and the infrastructure and investments already made and an appropriate target density range of 40 and 50 dph for new development. Regarding heights open for consideration the study states:

“New development should be of a scale that respects the scale of prevailing neighbourhoods and newer areas. In the newer areas of Castlegar where high density

development has taken place, building heights of between 2 and 4 storeys is appropriate development.”

6.4.3. Galway Transportation Strategy

This strategy sets out a series of actions and measures, covering infrastructural, operational and policy elements to be implemented in Galway City Council administrative area and sets out a framework to deliver the projects in a phased manner.

The N6 Galway City ring road project is identified as an important element of the strategy to remove car journeys and traffic congestion from the city roads to enable the reallocation of road space to more sustainable forms of transport. Figure 4.4 of the Strategy illustrates the emerging route for the ring road project, which would be complemented by a high-quality public transport system with increased passenger capacity, in conjunction with the delivery and promotion of a core and feeder cycling network and an attractive pedestrian-prioritised network. In line with the Galway MASP proposals referenced above, the Strategy indicates a feeder cycle route as part of the wider cycle network and a public bus route along the L5041 local road to the south of the application site.

6.5. Natural Heritage Designations

The site is not located within or adjacent to any designated sites. The appeal site is situated approximately:

- c.703m to the east of the Lough Corrib SAC (site code 000297).
- c.1.7km to the north of the Inner Galway Bay SPA (site code 004031).
- c.1.7km Galway Bay Complex SAC (site code 000268).
- c.2.8km to the east of the Lough Corrib SPA (site code 004042).

7.0 The Appeal

7.1. Grounds of Appeal

The Commission received a 3rd party appeal from An Taisce against the decision of Galway City Council to grant permission for this Large-Scale Residential Development. The grounds of the appeal can be summarised as follows:

- The Planning Authority failed to consider the concerns raised by An Taisce in the submission made.
- Concerns included:
 - Inadequate wastewater infrastructure.
 - Car parking provision will not encourage sustainable transport.
 - AA Screening/NIS/EcIA/EIA Screening documents are all deficient.
- Submission concluded that development could be considered to be premature prior to the provision of:
 - Adequate capacity in wastewater drainage network from the appeal site to Mutton Island WWTP.
 - Safe cycle infrastructure between the L5041 and the entrance to the site of the proposed development.
- Planning Officer's report only provided a brief summary of concerns raised by An Taisce:
 - No reference made at all within the assessment set out in section 6 of the report without the exception of concerns raised over sustainable travel which were shared by the NTA.
- Despite the concerns raised by the NTA and An Taisce permission was still granted with only a generic condition attached relating to cycle infrastructure with no mention of prior to commencement.
- Section 6.7.1 of the Planning Officers report related to Wastewater is extremely short.

- No reference made to serious concerns raised by An Taisce which were well founded.
 - Assumed concerns were not considered in decision making process.
- On review of the Galway Drainage Area Plan (DAP) – Stage 4 Strategy issued by Uisce Éireann – concerned that there is no reference to the structural condition of the larger two siphons under the Corrib Estuary through which wastewater from the proposed development will have to pass through to get to the Wastewater Treatment Plant at Mutton Island.
- The McBreen Environmental Survey Report which undertook a survey of the 2 no. siphons in May 2024 found that the largest of the 2 was at risk of collapsing at any time.
- Section 6.24 of the Galway Drainage Area Plan (DAP) – Stage 4 Strategy acknowledges that the Surface Water Overflow does not comply with the current statutory requirements of Ireland and is predicted to spill more than 10 times per annum which is secondary performance requirements.
- Table 16-129 of the DAP indicates:
 - Annual spill frequency is 5”.
 - Annual spill volume is 63,283m³ – this is the equivalent of more than 25 Olympic Swimming Pools. This is a huge volume of polluting matter being discharged annually into the Corrib Estuary (Galway Bay Complex SAC).
- Section 4 of the DAP identifies 5 areas where prioritised intervention will be focused and this does not include for the Long Walk Area even though it is acknowledged that the area around Long Walk contains the largest concentration of reported pollution incidents.
 - Consider this to be remarkable given that wastewater from all existing developments and all future developments in Galway City and Oranmore east of the Corrib must pass through the Long Walk SWO and the two siphons under the Corrib Estuary to get to the WWTP at Mutton Island.

- Status of the Corrib Estuary is moderate in the Cycle 3, HA30 Corrib Catchment Report, May 2024 which is down from good status in Cycles 1 and 2. The environmental objective for this water is good states dated 2022-2027. This is also an obligation under the Water Framework Directive.
- The DAP sets out 3 no. interventions to address the lack of capacity – option 3 included the provision of a third large Siphon 750mm in diameter together with surface water separation of combined sewer upstream of the SWO at Long Wall:
 - This was already identified by Galway City Council in 2007 – 18 years ago. An EPA licence was issued in 2010.
 - Option 3 found to be inadequate without the addition of significant online storage downstream and it was recognised that transversing the designated site would present environmental risks.
- Section 6.24.6 of the DAP recognises that only option 2 fully meets the risk reduction requirement for SWO spills.
 - Option 1& 3 will face greater Planning and Environmental considerations.
 - Options 2 selected and includes for extensive works.
- Phasing of works/timeline – suggestive timeline set out in medium/long term and reasons for such are:
 - Works to be undertaken in a busy city area requiring stakeholder involvement.
 - Involves surface water separation works.
 - Timelines implies sometimes beyond 2030.
- Galway city responsible for delivery of 6.8km of new surface water sewer as per Option 2 – unclear if Galway City Council are aware or have agreed option 2.
- Assumed Uisce Éireann informed of need for more capacity downstream of Long Walk SWO since it became licence holder in 2014.
 - Nothing done to address capacity in more than 18 years.

- New developments since 2007 on the east of the Corrib are approved to connect to the Wastewater drainage network in the full knowledge of inadequate capacity downstream.
- It is submitted that no permission should be granted for any further development to the east of the Corrib until certain that necessary interventions to increase capacity can be provided.
- Recently approved 949sqm³ wastewater treatment tank at Merlin Park (ABP-320864-24) will not be an effective intervention to address the frequent and significant discharge into the River Corrib.
 - Not in accordance with current statutory requirements as per the DoEHLG.
- The DAP 2024 identified 23 no. SWO's compared to only 13 SWO's included within schedule A.4 of the wastewater drainage licence no. D0050-01 issued to Uisce Éireann:
 - Uisce Éireann not yet brought the existing 10 no. unknown and unlicensed SWO's to the attention of the EPA.
 - Section 9.6 of the DAP recommended that the EPA licence be reviewed.
 - Uisce Éireann should request that the EPA amend the wastewater discharge licence.
 - Condition no. 5 of the wastewater discharge licence requires that the licensee complete improvement set out in Schedule C of the licence which relate to works to the 13 no. storm water overflows – more than 11 years and these works have not been completed.
- Unclear what works for Galway were included within Uisce Éireann's draft capital investment plan 2025-2029.

The 3rd party appeal was accompanied by a copy of the submission made to the Planning Authority and a number of extracts from the Drainage Area Plan Stage 4 for Galway City.

7.2. Applicant Response

A response to the 3rd party appeal from the applicant was received by the Commission on the 2nd November 2025. The response can be summarised as follows:

1. Wastewater Infrastructure.

- The application was accompanied by a Confirmation of Feasibility and a statement of Design Acceptance from Uisce Éireann.
- Wastewater connection was considered to be acceptable subject to upgrade – which requires a 450m connection extension from the subject site which is to be funded by the applicant.
- It is stated that the Planning Officer did not consider An Taisce's comments under section 6.7.1 of their assessment – a breakdown of their concerns were set out in detail under section 2 of the assessment.
- Section 7.3 of the Planning Officers report (conclusion) confirms that the recommendation to grant permission is subject to full compliance with the conditions below which have taken into consideration the various submissions and reports.
- Refute that Galway City Council (GCC) did not attach appropriate conditions – condition no. 8 relates to wastewater connection.
- Section 2 of the Civil Design report which accompanied the application sets out the wastewater drainage design for the proposed development:
 - The wastewater will flow via the proposed gravity foul sewer network within the development to a pumping station located within the lowest part of the site at the south-west corner. Upgrade works to Bóthar an Chóiste have been proposed which include for the provision of a new 225mm gravity sewer and discharge manhole to receive the pumped effluent.
 - Loading rates are noted as being designed to cater for 6 times the dry weather flow.
- Wastewater drainage design is in line with Civil Engineering Specification for Water Industry, requirements of Uisce Éireann's code of practice.

- Section 9.4 of the Galway City Development Plan 2023-2029 notes with regard to Mutton Island Wastewater Treatment Plant:
 - *The current load reported in the Annual Environmental Report to the EPA for Galway was circa 103,000 PE for 2020. In this regard it is anticipated that the WWTP has capacity to accommodate the projected growth over the plan period 2023-2029.*
- Reference made to the Galway Drainage Area Plan stage 4 report by Uisce Éireann – this is not in the public domain as advised by Uisce Éireann.
- 3rd Party states that Long Walk Storm Water Overflow is not listed in the DAP among the areas where interventions have been prioritised – the Long Walk Surface Water Overflow is identified in Table 9-11 as an area for intervention in the medium/long term.
- Tobin Engineers state:
 - 3rd party appellant builds on the argument that the spill volume is significant in scale in relation to Corrib Estuary when the output from the proposed development will equate to 0.0019%;
 - COF is reassurance to the Commission to grant permission.
- Sterilisation:
 - Request the Commission to refuse all development east of the river Corrib will be detrimental to Galway City meeting the required increase of housing provision.
 - If refused will set a precedent influencing all other residential proposals on zoned lands.
 - If refused could sterilise 232.97ha of zoned lands.

2. Active Travel

- Proposal will upgrade Bóthar an Chóiste to junction with L5041.
 - Regularise traffic movements.
 - Allow for safer pedestrian movements.
- Detailed engagement with the roads department of Galway City Council.

- Section 4.3 and section 2.3.1 of the Traffic and Transport Assessment sets out details of proposed junction upgrades and the L-5041 upgrade works.
- Priority junction proposed at site entrance – secondary cycle/pedestrian access proposed.
- Road upgrades and accessibility works conditioned to be undertaken in Phase 1 of development.
- Mobility Management Plan confirms road widths in vicinity can accommodate cyclists and sets out NTA future cycle connection plan.
- Condition no. 3 requires a set back of front boundary wall which will allow for cycle track and footpath.

3. Car Parking

- Informed by National Regional and Local Policy – Minor shortfall of 20spaces.
- Justification for shortfall set out by applicant:
 - supported by NPO 37 Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages.
 - Section 5.3.4 of the Compact Guidelines –
 - In areas where car-parking levels are reduced studies show that people are more likely to walk, cycle, or choose public transport for daily travel.
 - Car parking ratios should be reduced at all urban locations, and should be minimised, substantially reduced or wholly eliminated at locations that have good access to urban services and to public transport.
- It is submitted that the provision of 239 car parking spaces for 168 no. residential units is in line with national planning policy.

4. Appropriate Assessment/NIS deficient

- Reports were reviewed and assessed by Galway City Council being the competent authority.
- The appellant contends that the conclusions drawn in Section 6.2.3 - operation phase of the NIS where it is stated proposal will have no adverse effect on water quality is incorrect – the applicant does acknowledge that the proposal will generate additional foul and wastewater.
- Wastewater Drainage designed in accordance with industry standards – as described in Section 2.1.1.1 in the AA Screening/NIS.
- The potential for likely significant effects on all European sites full assessed in the AA Screening and NIS.
- All potential pathways for significant effects on European Sites including all potential hydrological pathways during all phases of development include a consideration of wastewater.

5. Ecological Impact Assessment Report is deficient

- Section 6.4.1 Operational Phase of the EclA acknowledges that the proposal will generate additional foul and wastewater – however the correctly designed drainage measures of the development which will connect to the public mains which was deemed feasible by Uisce Éireann.
- Demonstrated that there will be no adverse effects on European Sites due to operational wastewater discharge.
- Galway City Council, being the competent authority, deemed the EclA to be acceptable.

6. EIA Screening Report is deficient.

- Foul wastewater is addressed throughout the submitted EIA Screening Report.
- It clearly sets out how it is proposed to treat the wastewater generated from the proposed development.
- The applicant was accompanied by a COF and an agreed design report from Uisce Éireann.

- Conclusion of the EIA Screening was informed by the Civil Works design report, COF, and the conclusions and findings of the various technical reports – all of which are set out within section 1.2 of the EIA Screening report.
- The EIA Screening is not deficient as it was proposed in line with the applicable guidance, legislation and best practice by competent individuals.

The applicant's response was accompanied by the following:

- A letter from Tobin the project engineers,
- A copy of the Planning Authorities decision,
- The LRD opinion issued by the Planning Authority,
- A copy of the Confirmation of Feasibility issued by Uisce Éireann,
- A copy of the statement of design acceptance issued by Uisce Éireann,
- Drawing no. 3510 submitted as part of the LRD application and amended to indicate the footpath and cycle lane provision as per condition no.3 of the grant of permission,
- A map highlighting all Residential zoned lands to the east of the River Corrib.

7.3. Planning Authority Response

None received.

7.4. Observations

None received.

8.0 Assessment

8.1. Introduction

- 8.1.1. Having examined the application details and all other documentation on file, including appeal submissions, the reports of the local authority, having inspected the site, and

having regard to the relevant local policies and guidance, I consider that the substantive issues in this appeal are as follows:

- Principle of Development
- Design and Layout
- Previous Refused Scheme
- Wastewater Infrastructure.
- Sustainable Travel.
- Planning Conditions.
- Other Matters.

8.2. Principle of Development

Land Use Zoning

- 8.2.1. The application site features a land-use zoning 'Residential - R' with an objective in the Development Plan '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'. The Development Plan states that residential and childcare facility uses are compatible with and contribute to 'Residential - R' zoning objectives.
- 8.2.2. Having regard to the nature of the development proposed and the current statutory plan for this area, the residential and childcare facility uses proposed on this site are acceptable, and I am satisfied that the proposed development would be in accordance with the Development Plan land-use zoning objectives for the site.

Core Strategy

- 8.2.3. The appeal site is situated within the outer suburban area of Galway City Council. The Core Strategy of the Galway City Development Plan 2023-2029 states that residential areas outside the specifically identified growth areas in the city, such as the subject site area, will grow, but at constrained rates and in character with the established character of their respective areas, with policy to allow for consolidation and densification where appropriate. The outer suburbs eastern area of the city, including the Castlegar and Doughiska areas, are anticipated to yield in the region of 2,060 housing units in the Plan period based on the settlement strategy for the city.

- 8.2.4. I notes that the subject site is part of a larger landbank of residential zoned lands which has not yet been developed and on foot of undertaking a review of the planning register for the area do not benefit from a permission for development. Having regard to the nature and scale of development, zoning objectives for the site and the pattern of development in the area I am satisfied that the development is consistent with and will contribute to the core strategy of the CDP.
- 8.2.5. I note that further to the land use zoning pertaining to the subject site, the Galway City Development Plan 2023-2029 also provides for a specific development objectives set out within figure 11.4 which pertains to the entire residential zoned land bank identified to the north of Bóthar an Chóiste and not specifically to the site subject to this appeal.
- 8.2.6. The objective sets out details of boundary treatments to the Headford Road, requirements for road improvements capable of accommodating future developments, a coordination for the development of the overall land bank, and a requirement to demonstrate accordance with main drainage proposals. The applicant provided an assessment of this objective and demonstrated how the proposal would comply within the Planning report/Statement of Consistency submitted.
- 8.2.7. The application considered that the provision of two metre native hedgerow along the northern boundary of the site in order to protect the visual experience of these protected views from the Headford Road; the upgrade of the existing Bóthar an Chóiste road from the proposed development to the junction at L5041 consisting of road improvements, road widening and junction realignment; potential pedestrian links to the east together with the greenway will allow for future potential connections to the adjoining lands; and the comprehensive engagement which has occurred with Uisce Éireann demonstrates how the proposal would complies with the requirements of the specific objective.
- 8.2.8. I consider that the details set to by the applicant within section 7.1.3 of the Planning report/Statement of Consistency submitted demonstrates clearly that the proposal would accord with the requirements of the Objective set out within Figure 11.4 of the City Plan in terms of the development of the Bóthar an Chóiste residential zoned land bank.

Density

- 8.2.9. Section 11.3.1(a) of the Galway City Development Plan 2023-2029 states that ‘except where the Design Standards for New Apartments - Guidelines for Planning Authorities 2020 apply, residential density shall accord with the Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities (DECLG, 2009)’. I note that the current development plan has not been amended or varied to include for the provision of the Compact Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024). However, section 5.11 of the 2009 sustainable development guidelines note that for out suburban/greenfield sites that net residential densities in the general range of 35-50 dwellings per hectare should be encouraged generally.
- 8.2.10. Policy 3.3 of the City Development Plan 2023-2029 point 5 further seeks to ‘*Encourage higher residential densities at appropriate locations as guided by the Galway Urban Density and Building Height Study (2021). Such locations include strategic Regeneration and Opportunity Sites, and residential and mixed-use zoned sites located close to public transport routes and routes identified in the Galway Transport Strategy as suitable for high frequency, public transport services.*’
- 8.2.11. The Urban Density and Building Heights Study was adopted by Galway City Council on the 21st of September 2021. I note that section 19.3 of the Galway Urban Density and Building Heights Study (GCC 2021) which relates to the development potential of Ballinfoile and Castlegar that an appropriate target density range for new development within this emerging area would be between 40 and 50 dph with height of between 2 and 4 storeys being considered appropriate.
- 8.2.12. The subject site is considered to be City - Suburban/Urban Extension as per Table 3.2 of the Compact Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024). Suburban/Urban Extension 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.

- 8.2.13. The applicant is seeking permission for the development of 168 residential units on a site with a stated area of 4.626ha which would yield a gross density of 36 units per hectare. The applicant, within the statement of consistency, has based the calculation on a developable area of 3.762ha and calculated a net density of 44.6units per ha. I consider that the net developable area has been calculated through the omission of the Greenway which has been provided along the western boundary of the site.
- 8.2.14. Having regard to table 3.2 of the Compact Settlements Guidelines, section 19.3 of the Galway Urban Density and Building Heights Study (GCC 2021) and Section 11.3.1(a) of the Galway City Development Plan 2023-2029, I consider that the density proposed for this development to be acceptable and in accordance with the relevant Section 28 guidelines and the Galway City Development Plan 2023-2029.

8.3. Design and Layout

- 8.3.1. From the outset, I note that the appellant to this appeal did not raise any concerns over the layout or the design of the proposed development. Furthermore, the assessment of the Planning Authority considered the layout and design to be acceptable and to overcome any concerns that were raised as part of the Section 247 opinion issued.
- 8.3.2. The assessment of the Planning Officer concluded that the LRD Development as proposed would be consistent with all the relevant policies and objectives of the Galway City Development Plan 2023-2029, the relevant development standards outlined in the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (DHLGH 2024), Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities, and Chapter 11 Land Use Zoning Objectives and Development Standards and Guidelines of the City Development Plan.
- 8.3.3. The scheme provides for a mix of tenures including for terrace and semi-detached houses, duplex and apartment units. The higher blocks, being the 2 no. apartment blocks, which range from 3 to 4 stories in height, have been positioned on site adjacent to and addressing Bóthar an Chóiste at the south-west corner of the site. The south - east corner of the site provides for a terrace of 11 no. duplex units which are stepped in nature being 3 stories in height. I consider the position of the higher units to the front

of the site, where it addresses the public road, provides for a strong urban edge with the inclusion of public open space between these units and Bóthar an Chóiste retaining somewhat of the existing rural feel.

- 8.3.4. The remainder of the site provides for the proposed house units which are intermittently broken up through the inclusion of informal and formal areas of open space. The housing types and formats proposed echo both traditional and contemporary design features of domestic architecture and are arranged in three distinctive character areas as one moves northwards across the site. These character areas, as described in the accompanying Architectural Design Statement, include Character area 01 – Urban Blocks with a view situated on the steeper part of the site, this area features larger buildings, marking the development's entrance and providing a recreational space with play equipment and includes three main access points.
- 8.3.5. The architectural approach to the scheme proposes the extensive use of robust materials of plaster render treatments, concrete roof tiles and neutral tone of grey including grey brick cladding reminiscent of the prevailing limestone geology in the locality and lighter buff brick finish. The materiality links all three-character areas and housing formats to present a cohesive overall architectural language. Details of boundary treatments are provided in drawing titled 'Boundary Treatment Plan & Details' drawing no. 3008 which includes the use of grey coloured brick rather than buff brick again echoing the natural geology of the area.
- 8.3.6. The applicant has submitted a Visual Impact Assessment which forms an appendix to the Architectural Design Statement. I note that heights across the scheme range from 2 to 4 stories and that section 19.3 of the Galway Urban Density and Building Heights Study (GCC 2021) advises that a significant amount of land has been zoned for housing development and, to make best use of this land and the investment already made in the area, the higher densities of recent housing development in Castlegar should be pursued. The Building Heights Study advises that heights open for consideration in new development should be of a scale that respects the scale of prevailing neighbourhoods and newer areas. The study further notes that in the newer areas of Castlegar where high density development has taken place, building heights of between 2 and 4 storeys is appropriate. The variety of heights within the proposed development is therefore considered to be in compliance with this recommendation of the Galway Urban Density and Building Heights Study (GCC 2021).

- 8.3.7. The inclusion of various areas of open space which are indicated as having some form of play function together with the provision of communal open space ensures ease of access for future potential residents. I note that the circulation and connectivity drawing submitted as part of the application demonstrates the provision of 2m wide pedestrian footpath throughout the estate providing ease of access from all units proposed to the various areas of open space within the development.
- 8.3.8. The layout as proposed provides for a total of 5,842sq.m of public open spaces which accords to 15.5% of the overall gross site area. Section 11.3.1 (C) Amenity Open Space Provision in Residential Developments of the City Development Plan requires that recreation and amenity space be provided at a rate of 15% of the gross site area and that it should be provided as multi-functional open space in new residential developments easily accessible to all, encouraging active and passive use for persons of all abilities regardless of mobility and/or age. I further note that Policy and Objective 5.1 of the Compact Guidelines, 2024 states that the requirement for Public open space provision is not less than a minimum of 10% of net site area and not more than a minimum of 15% of net site area save in exceptional circumstances. I consider that the provision of open space accords with the requirements of both the Compact Guidelines and the Galway City Development Plan 2023-2025.
- 8.3.9. In terms of impact on existing levels of residential amenity, I note that the nearest existing dwelling is situated approximately c.24m from the eastern boundary of the site and a further c. 17m to the nearest proposed dwelling. The adjoining dwelling is also separated from the appeal site via a farm access route. Overall having regard to the separation distances provided and the orientation of the site relative to the path of the sun, I do not consider that the development as proposed will give rise to any undue negative impact on the current level of the residential amenities enjoyed by the neighbouring properties to the east in terms of overlooking, overbearance or overshadowing. I note that the lands to the west of the appeal site are currently undeveloped. However, having regard to Figure 11.4 of the City Development Plan 2023-2029 I note that these lands benefit from a residential zoning and I consider that having regard to the location of the greenway being proposed along the western boundary of the site, I do not consider that to permit the proposed scheme would impact negatively upon the development potential of these lands.

- 8.3.10. In terms of internal amenity for the future potential residents, I note that the applicant has provided a Planning Statement which has clearly demonstrated that the development complies with the requirements of the Sustainable Development and Compact Settlement Guidelines, 2024; the relevant sections of the Galway City Development 2023-2029. The housing quality assessment clearly demonstrates that each of the proposed housing units comply with the requirements of the Quality Housing for Sustainable Communities 2007.
- 8.3.11. I note that the apartment quality assessment has provided an assessment of each of the apartment and duplex unit proposed against the Design Standards for New Apartments, 2018. This document has since been superseded by the 2023 Guidelines. However, I consider this to be a typographical error given that the sequential standards set out are those which are included in the design standards for new apartment 2023, which are the correct guideline to be applied.
- 8.3.12. I further note that the Planning Officer, under a number of sections of their report, provides for an assessment of the development against the requirements of 'The Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities 2025'. The subject LRD was lodged with the Planning Authority on the 19th May 2025. As per Circular Letter: NSP 04/2025 issued by the Department of Housing, Local Government and heritage, applications in the planning system on or before the 8th of July 2025 are to be considered against the requirements of the 2023 apartment guidelines. I have confirmed that the proposed apartment units are in compliance with the requirements of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities 2023.
- 8.3.13. The internal layout of the scheme in terms of road widths, footpath provision and cycle network proposed has all been designed in line with the requirements of the Design Manual for Urban Roads and Streets (DMURS). The application was accompanied by a statement of compliance with DMURs. This document has set out the 4 principles of DMURS and provided an assessment of the scheme to demonstrate compliance with each. On review of this document, I consider that the proposed development accord with the requirements of DMURs.
- 8.3.14. I consider after a review of all the documentation available to me including the floor plans, the housing and apartment quality assessment, the Planning Officer's

assessment, and the design statement, I accept that the proposed development would comply with requirements of the Sustainable Development and Compact Settlement Guidelines, 2024; the relevant sections of the Galway City Development 2023-2029; the Design Standards for New Apartments, 2023, and the Quality Housing for Sustainable Communities 2007, and will therefore provide for a high level of residential amenity for all future potential residents.

8.4. Previous Refused Scheme

- 8.4.1. The appeal site was subject to a previous application under the Strategic Housing Development legislation made directly to An Bord Pleanála on the 8th august 2022 under ABP-314295-22. Permission was sought for the demolition of an existing dwelling and agricultural out-buildings and the construction of 170 residential units, a creche facility and all associated site works.
- 8.4.2. The Board refused permission for the proposed development as it was considered that the layout was dominated by array of hard surfaces with limited soft landscaping and excessively wide home zones, limited passive surveillance and weak urban edge when addressing Bóthar an Chóiste. It was further considered that in the absence of proposals to provide a greenway along the western boundary of the site, the proposed development would not be conducive to creating a people-friendly environment, would not feature sufficient quality, functional, recreational and amenity space and facilities to conveniently serve the public and communal open space needs of future residents of the development, would fail to provide a sufficiently appropriate active frontage addressing the public road and would fail to ensure sufficient permeability through the development.
- 8.4.3. In the first instance I would draw the Commission's attention to the LRD opinion issued by the Planning Authority where the applicant was requested to demonstrate how the issues raised under the SHD application process for a residential development on this site, Bord Pleanála Case reference: TA61.314295, have been addressed in the proposed scheme. The applicant is response set out, under Section 7.3 of the Planning Report and Statement of Consistency submitted as part of the LRD application, a response to this item.

- 8.4.4. The response provides for a comparison of the layout submitted under the SHD and the layout subject to this LRD application. It is stated that the active frontage along Bóthar an Chóiste has been vastly improved within the proposed development through the provision of enhanced passive surveillance and creates a stronger urban edge along Bóthar an Chóiste, contributing to the overall safety and cohesion of the development.
- 8.4.5. I accept this statement and consider it has been achieved through the relocation of the duplex apartment block which has been situated along the southern boundary of the site and provided with a set back from Bóthar an Chóiste through the insertion of an area of landscaped public open space. This has been replicated on the western side of the proposed entrance through the provision of the two no. apartment buildings again being set back from the roadway via areas of public open space.
- 8.4.6. With regard to the distribution of the open space, I consider the amended plan has now evenly distributed the open space throughout the scheme allowing for each core of dwelling to have ease of access to such. Furthermore, the inclusion of play space on both sides of the development, in the form of a playground along the eastern boundary and sports ground including a playing pitch (MUGA) and table tennis provision on the western boundary, in addition to informal play spaces serving the duplex and apartment units to the front of the site, offer a higher level of amenity for future potential residents than that of the previously refused scheme.
- 8.4.7. Furthermore, I consider that the amended scheme has reorganised the proposed parking provision and home zones and incorporated a number of soft landscaping features which provided for brake in the continuity of the parking proposed to serve the housing units. The home zone widths have been reconfigured and are no longer excessive in term of their widths.
- 8.4.8. The amended layout provides for inclusion of a greenway which is situated along the western boundary of the subject site and provides for a potential connection to lands situated further to the west. The lack of such was referenced within the reason for refusal for the previous scheme. I consider that the inclusion of this greenway together with the internal cycle and pedestrian routes and the acceptance of the Applicant, as indicated within the response to the 3rd party appeal, to set back the front boundary of the site to provide for a future cycle and pedestrian infrastructure along Bóthar an

Chóiste, provides for a well-connected permeable development which will encourage sustainable modes of transport.

- 8.4.9. Overall, I consider that the amended scheme, through the provision of a strong urban edge, reconfiguration of open space and the inclusion of a greenway and cycle/pedestrian connectivity has overcome the previous concerns raised by the Commission under ABP-314295-22 and is therefore considered to be acceptable.

8.5. Wastewater Infrastructure.

- 8.5.1. Wastewater generated from the proposed development will flow via a proposed gravity foul sewer network within the development which will then connect to an onsite pumping station located within the lowest part of the site at the south-west corner. Upgrade works to Bóthar an Chóiste have been proposed which include for the provision of a new 225mm gravity sewer and discharge manhole to receive the pumped effluent. Thus, the wastewater generated from the proposed development will discharge to an existing 225mm diameter foul sewer running in a west to east direction along the road linking the proposed developments to the Headford Road. This existing sewer network was constructed to service housing developments south of the proposed development, including Bothar an Chóiste, owned by Galway City Council. This 225mm sewer connects to a 450mm concrete foul sewer, further south of the GCC Bóthar an Chóiste housing development.
- 8.5.2. The 3rd Party appellant, An Taisce, states that there are issues with the 2 no. wastewater pipes which are situated under the River Corrib at the Long Walk, which forms part of the European Designated Natura 2000 site (Lough Corrib SAC and SPA). It is contended that one of the pipes is at risk of collapse at any time.
- 8.5.3. The appeal submitted was accompanied by extracts from Uisce Éireann Galway City Drainage Area Plan Stage 4 Strategy, Optioneering and Future Solutions Design Report (June 2024). To overcome the issues relating to discharges from the Long Walk SWO, the report recommends that Option 2 be selected as the recommended solution. Option 2 consists of the installation of approximately 6.8km of surface water sewer to facilitate separation of surface water from the combined sewer located upstream and reduce surcharge in the combined network. The suggested implementation timeframe for these works are medium/long term or more than 5 years.

The appellant considers that the proposed development is premature until the above works are carried out.

- 8.5.4. I also note that the Uisce Éireann wastewater supply capacity register states there is spare capacity available at the Galway Wastewater Treatment Plant for Galway City, and water supply capacity register states that there is capacity for water supply subject to Level of service (LoS) improvement required. I note that the wastewater drainage licence no. D0050-01 issued to Uisce Éireann and compliance with such comes under the remit of the EPA.
- 8.5.5. A Confirmation of Feasibility together with a Statement of Design Acceptance from Uisce Éireann was submitted with the application. It confirms that there is sufficient capacity at the water treatment plant and wastewater treatment plant for the proposed development. An Uisce Éireann reply to a Design Submission confirms that they have no objection to the proposals subject to local network upgrades which includes the provision of a 450m rising main to connect the subject site to the nearest Uisce Eireann owned foul sewer. The Appellant state that in the Confirmation of Feasibility there is no evidence of inadequate capacity? of the pipes under the estuary of the River Corrib to accommodate the proposed development. That CoF includes a requirement to obtain a Connection Agreement from UE before the development can be connected to mains services.
- 8.5.6. I note that the most recent UE Annual Environmental Report (2024) available from the EPA for the Galway Wastewater Treatment Plant indicates that the WWTP is compliant with the Emissions Limit Values set in the Wastewater Discharge Licence. The AER referenced above also provides an assessment of SWO performance which is covered by the licence. It states that the discharge from the wastewater treatment plant does not have an observable impact on the water quality and does not have an observable negative impact on the Water Framework Directive status. I note that in this report it is stated that upgrading to the Long Walk SWO is at planning stage.
- 8.5.7. As Uisce Éireann is the national regulated water utility and have stated that there is sufficient capacity in the water treatment plant and sufficient capacity at the wastewater treatment plant, I am satisfied that there is sufficient infrastructural treatment capacity for the proposed development.

- 8.5.8. While the concern about overflows is acknowledged, these relate to the wider public wastewater network and remain the responsibility of Uisce Éireann. The Urban Wastewater Treatment Directive sets out the standards which are to be met in the collection and treatment of wastewater as well as the monitoring requirements for wastewater discharges from urban areas. The overarching aim of the directive relates to protecting the environment from the adverse effects of urban wastewater discharges. Compliance with the requirements of the directive is monitored by the EPA, and annual reports on compliance with licences issued under this directive are available on www.EPA.ie.
- 8.5.9. I recognise that there may be deficiencies in the public network and acknowledge the stated concerns relating to the protection of the European Sites. I consider the issue to be whether the proposed development will have significant impacts on the current situation and would have significant effects on the appropriate European site or compromise the Article 4 Objectives of the Water Framework Directive.
- 8.5.10. The proposed development site is currently a greenfield site with a number of derelict agricultural buildings and one no. dwelling. Surface water currently is absorbed into the soil but also runs unattenuated directly onto Bóthar an Chóiste. The proposed development provides for a suite of Sustainable Urban Drainage details which includes for green roofs, exfiltration permeable paving and lengths of raingardens/swales.
- 8.5.11. Stormwater generated from the proposed impermeable surfaces of the development will enter the proposed stormwater sewer system via a network of drains, SuDS measures overflow and gullies located throughout the site. It is proposed that all stormwater generated will be conveyed to soakaway tanks via an oil/petrol interceptor. Stormwater design has been carried out using Causeway Flow design software considering 1 in 100-year storm events (+ 20% for Climate Change). Storm water from roof run-off and impermeable areas will discharge to 5 No. soakaways on the site. The stormwater discharges to soakaways off cellular storage for 95% porosity. The soakaways are designed to hold water for the largest storage required over a 48-hour storm period with rainfall depths taken for the 100-year return period + 20% for climate change for sliding durations obtained from Met Eireann. These details have all been quantified by the applicant within the Civil Design report submitted under section 3.3 and appendix B.

- 8.5.12. The site is currently undeveloped and greenfield in nature, as such all surface water is either absorbed into the earth or runs onto Bothar an Choiste. While I accept that the proposed development will introduce harder surfaces and inevitably additional surface water runoff, I consider that the suite of SUDs measures together with the proposal to include for a surface water pipe as part of the of the upgrade road work, and the acceptance of the Water Drainage Section of the Planning Authority that the additional generated surface water run-off will be dealt with appropriately.
- 8.5.13. The proposed development includes the provision of a wastewater pumping station (WWPS) which is situated at the lowest part of the site within the south-west corner. It is proposed that all wastewater from the proposed development will flow to this pumping station via a proposed gravity sewer. In addition, upgrade works are proposed to Bóthar an Chóiste which will provide for a new 225mm gravity sewer and discharge manhole. The proposed works along Bóthar an Chóiste will allow for other dwellings along this section for the road which are currently operating on a on-site waste water treatment plant to connect to the mains.
- 8.5.14. The proposed pumping station will be a medium sized pumping facility and will be located no closer than 15m from the boundary of the nearest property in accordance with Uisce Éireann requirements. The proposed pumping station will be sized to initially cater for a total of 168 units, and a Creche.
- 8.5.15. The proposed development consists of 168 no. residential dwellings and a creche. The applicant has calculated a population equivalent (PE) for the proposed development of 446 persons. The overall PE capacity of the Galway WWTP is 170,000. The PE of the proposed development would represent 0.09% of the total capacity of the Galway WWTP. I consider, therefore, that the increase discharge to the Galway WWTP as a result of the proposed development is not significant in terms of the overall scale of the facility. I, therefore, consider that the increased load does not have the capacity to alter the effluent released from the WWTP or associated infrastructure to such an extent as to result in significant effects on the receiving waters.
- 8.5.16. The proposed development has been Appropriately Assessed (See Section 9 and Appendix 2) which following an examination, analysis and evaluation of the NIS all associated material submitted and taking into account the observations, I consider that

adverse effects on site integrity of the Lough Corrib SAC, Galway Bay Complex SAC, Inner Galway Bay SPA and Lough Corrib SPA can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.

- 8.5.17. The proposed development has also been assessed to determine if it will compromise Water Framework Directive (WFD) Article 4 (See Section 10 and Appendix 5 of my report below). I draw the Commission's attention to the Water Framework Directive status of the Corrib River (Corrib_020 & Corrib_10) as being Good. The Corrib Estuary Transitional Waterbody status is moderate, and the Inner Galway Bay North Coastal Waterbody as Good and Clare Corrib Ground Water Body is recorded as being Good.
- 8.5.18. The Chemical Surface Water Status is listed as failing to achieve good due to the presence of polybrominated diphenyl ethers (PBDEs).
- 8.5.19. PBDEs are a class of chemicals that have been used widely in various products like furniture, electronics, and textiles. They have been found in Galway Estuary in levels exceeding the environmental quality standards, however these are failing across all water bodies monitored and are considered to be persistent ubiquitous substances, characterised by their ability to persist in the environment for many years, in some cases decades. Given their widespread pervasive nature exceedances of Environmental Quality Standards in water bodies are common. The proposed development will not contribute to such concentrations.
- 8.5.20. The Moderate status of the Corrib Estuary Transitional Waterbody relates to ecological status of the waterbody and is attributable to the Phytoplankton Status or Potential. While the waterbody has been assigned a WFD Risk of 'Review', it has not been designated to be At Risk of failing the WFD. The EPA's assessment is that the phytoplankton samples which led to the 'Moderate Status' designation may have been due to a weather-related event. Notwithstanding this, the chlorophyll and water chemistry data for the estuary is all indicative of high quality, which strongly suggests that the wastewater collection and treatment system in Galway is not currently having a significant impact on the water quality in the estuary.
- 8.5.21. Urban Wastewater Treatment has not been identified as a significant pressure on the status of this waterbody and it is noted that the Galway WWTP is compliant with its Licence requirements and is achieving its Emission Limit Values. Having regard to the

relative scale of development proposed, and subject to connection agreement from Uisce Éireann, I conclude that the proposed development will have no significant impact on wastewater discharge or receiving waters.

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

- Relative scale of the development,
- The existing capacity of the Galway Wastewater Treatment Plant,
- The local improvement works in the network along Bóthar an Chóiste,
- The proposed surface water management, and
- subject to a connection agreement from Uisce Éireann,

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

8.6. Sustainable Travel

8.6.1. The appellant contends that in its current form the proposed development would not promote or encourage future potential residents to opt for a more sustainable mode of transport given the location of the subject site and its lack of cycle/pedestrian connectivity. The appellant concluded that there will be a lack of active travel infrastructure in place to serve the development by the time the first homes are occupied.

8.6.2. Concern was also raised over the excessive quantum of car parking being proposed to serve the development. It is argued that the car parking quantum proposed is only a little below the maximum provisions as set out within the Galway City Development Plan 2023-2029 and the development is therefore likely to be car dependent. The appellant requested that the Planning Authority, at the time of assessment seek a reduction in the quantum of car parking being provided.

8.6.3. The subject site is situated to the north of Bóthar an Chóiste which in its current form is a narrow local road serving a number of one-off residential units which widens to

the south-west where it serves a number of established residential areas and forms a junction with the N84. The statutory description of the proposed development includes for upgrade works to the existing Bóthar an Chóiste road from the proposed development to the junction at L5041 consisting of road improvements, road widening and junction re-alignment, for the provision of cyclist, and vehicular links throughout the development and access to Bóthar an Chóiste, and pedestrian and cyclist link to the adjacent proposed Greenway route.

- 8.6.4. Condition no. 2 of the grant of permission requires the applicant to undertake the upgrade works proposed to Bóthar an Chóiste as part of phase 1 of the development. While condition no. 3 requires that the front boundary wall to be set back in accordance with the requirements of Galway City Council to provide for footpath and cycle lane which would accord with the requirements of the NTA's Cycle Design Manual. I note that in response to the 3rd Party Appeal, the applicant included a drawing within appendix 5 of the response documentation which indicates the provision of an area reserved for a footpath and two-way cycle track in line with condition no. 3 of the grant of permission.
- 8.6.5. The proposed development provides for 393 cycle parking spaces with 18 spaces provided in rear gardens of proposed dwellings, 150 long stay/50 short stay for apartments and duplex apartments and 8 spaces for the creche. I note that this would accord and exceed the requirements of Table 11.3 of the City Development Plan.
- 8.6.6. Section 5.7 of the City Development Plan relates to the provision of greenways and notes that play an important role in nature conservation and enhance the ecological corridor network linking habitats, through sensitive location, design and maintenance. There is an overarching aim within the City Plan to continue to develop and improve the greenway network in the city, providing alternative accessible circulation routes for pedestrians and cyclists, for the enjoyment of the entire community. I note that there is a 'RA Greenway' objective relating to the western boundary of the site as per the Land Use Zoning Map of the City Plan. The applicant has included for a greenway along the western boundary of the site which provides for a future connection to land to the west which are zoned for Enterprise, Light Industry and Commercial.
- 8.6.7. Furthermore, appendix F (section F4.8) of the Galway Transport Strategy (2016) identifies a public transport route and a feeder cycle network route along the L5041

local road to the south of the application site, and not along Bóthar an Chóiste. Feeder cycle routes are stated in the Development Plan to be located on streets or roads that are highly constrained or suited to other modes, and need to cater for cyclists too.

- 8.6.8. While I accept that currently the surrounding area would not support pedestrian and cycle movements, having regard to the upgrades proposed to Bóthar an Chóiste together with the sets backs required under condition no. 3 which are both required to be undertaken within Phase 1 of development, together with the quantum of cycle parking provided, I do not accept the contention of the 3rd Party Appellant and consider that the proposal will encourage a more sustainable mode of travel.
- 8.6.9. I further note that Bus Connects Route 7 (Cappagh Road – Castlegar) runs along Bóthar an Chóiste approximately c. 350m to the southwest of the entrance to the proposed development which would equate to c.6-minute walking distance.
- 8.6.10. I note that the submission on file from Transportation Infrastructure Ireland, received by the Planning Authority on the 16th June 2025, notes concern over the lack of clarity if the scheme as proposed accords with the Galway Transport Strategy and it requested a check be made to ensure that proposed development is not at variance and conflicting with the GTS measures and that it is in line with the provisions of Section 3.5 of the Galway City Development Plan.
- 8.6.11. I further note that the submission from TII makes reference to the car parking being provided and considers that if the parking is found to be inconsistent with the Galway Transport Strategy, the proposal in its current form would be considered to be at variance with the provisions of the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (January, 2012).
- 8.6.12. Table 11.6 of the Galway City Development Plan 2023-2029 sets maximum car parking space requirements. Childcare development is set out as being 1 space per 20m² of operational space. The subject site is situated in the outer suburbs of Galway City as per figure 11.32 of the City Development Plan. Section of the City Pan 11.3.1 of the plan states sets out a number of options for car parking provision and states that these standards should not be exceeded. The applicant has indicated in Table 7.1 of the Traffic and Transport Assessment (TTA) submitted that parking has been provided in line with 1.5 grouped spaces per dwelling and 1 space per 3 dwellings for visitors for the proposed houses which is consistent with Section 11.3.1 of the City

Development Plan and 1 space per apartment and 1 visitor space for every 4 apartments in line with the Sustainable Urban Housing: Design Standards for new Apartments, 2022.

- 8.6.13. The development which comprises of 168 dwellings, provides for 110 car parking spaces to serve the 70 no. houses, 121 car parking spaces to serve the apartment units and 15 spaces to serve the proposed creche. This equates to a total of 239 car parking spaces, 28 spaces less than the maximum quantum required as per the City Development Plan.
- 8.6.14. Section 5.3.4 of the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities, 2024 sets out the quantum, form and location for car parking to serve residential development. As noted within section 8.3.7 of my report above, the subject site is situated c.350m from a planned Bus Connects Route (route 7) and therefore in line with Table 3.8 of the Compact Guidelines can be considered as an accessible location. Therefore, in accordance with SPPR 3 (ii) the car parking provision should not exceed 1.5 car parking spaces per dwelling which would equate to a total of 252 parking spaces for residential element plus 6 creche spaces, a requirement of approximately parking spaces, 258 spaces.
- 8.6.15. Overall, I consider that the quantum of parking provided which falls 28 no. spaces below the maximum set out within the Galway City Development Plan 2023-2029 and 19 spaces less than maximum identified within SPPR3 of the Compact Guidelines, 2024, is adequate to serve the proposed development. Furthermore, the quantum of car parking provided would not generate a car dependent development having regard to the proposed cycle and footpath infrastructure being provided as part of the development and the proximity of the subject site to the planned Bus Connects Route 7 and wider cycle network proposals.

8.7. Planning Conditions

- 8.7.1. The Planning Authority granted permission subject to 27 no. conditions on the 11th of July 2025. I have set out below details of each condition and provided an examination of if they should be included by the Commission in the event that the decision of the Planning Authority is upheld and permission is granted.

Condition no	Details
1.	Standard condition.
2.	Requires the development to be completed on a phased basis as indicated within the CEMP submitted to the Planning Authority. I note that the works to Bóthar An Chóiste are indicated as being within phase 1 of the development. Therefore, I consider that this condition is acceptable and should therefore be retained. I have included it as condition no. 3.
3.	Requires that the front boundary wall of the entire site. This will allow for cycle and pedestaling infrastructure. I note that the appellant to this appeal raised concerns over the lack of cycle connectivity of the subject site to the surrounding area. I consider that this requirement over comes the concerns raised by the appellant and will encourage future potential residents to opt for a sustainable travel mode. Therefore, the condition should be retained. I have included it as condition no. 4.
4	Requires all mitigation that is set out within the NIS, EcIA, the Noise Impact Assessment and preliminary Construction Environmental Management Plan be implemented in full. Again, I consider this to be a standard condition and should therefore be retained. I have included it as condition no. 2.
5	Standard condition included.
6	Standard condition for surface water runoff.
7	Condition no.7 requires the compliance with "Site Development Works for Housing Areas" and issued by The Department of the Environment, Community & Local Government 1998. However, I note that some of the requirements of this document such as road widths, may conflict with the requirements of more up to date guidance, such as DMURS. I therefore consider that this condition should be omitted and the Commission general condition relating

	to finishes be in accordance with the requirements of the Planning Authority be included.
8	Requirements of Uisce Éireann. The applicant had received a confirmation of feasibility for both wastewater and water supply connection which notes that upgrade works would be required. A Statement of Design Acceptance was also issued by Uisce Éireann. This condition sets out that the application must enter into a Connection Agreements with Uisce Éireann and undertake works in accordance with Uisce Éireann's Standard Details and Codes of Practice. This is considered to be a standard condition when it is proposed to connect to Uisce Éireann's assets and therefore should be retained.
9	Relates to storm/surface drainage requirements and has been included on foot of a report received from the drainage department of the Planning Authority. The condition requires post construction drawings to be submitted which details surface water infrastructure. This will allow the Local Authority to have adequate information in the event an issue occurs post taking in charge. This condition is considered to be acceptable and should be included.
10	Relates to construction works. While this condition captures the hours of operation pertaining to works on the site, I consider the rest of the condition to be overly onerous on the applicant. It requires and updated Construction Management Plan and Construction Traffic Management Plan, to Galway City Council for agreement prior to the commencement of the work. While I do agree that these documents should be submitted, I consider the rest of the condition would be included within these documents and therefore does not need to be reiterated. Reference is also made to the requirement to submit a dilapidation survey of all neighbouring areas and properties. From an assessment of documentation submitted and the internal consultee reports received, it is unclear to me as to why this would be required.

	Therefore, I consider that this condition should be amended and split so that the hours of operation are highlight in a single condition. This has been included as condition no. 10 and 11.
11	Sets out a number of details relating to demolition/construction activity and requires the submission of a Construction and Demolition Resource Waste Management Plan (RWMP). I consider that the requirements of this condition would be captured within a RWMP and a Construction Management Plan as required under recommended condition 12 (as set out below). Therefore, I consider that the wording of this condition should be amended to simply request a RWMP. Retained as condition no. 12.
12	Standard condition requiring Archaeological monitoring. Retained as condition no. 13.
13	Standard condition requiring naming and number. Retained as condition no. 14.
14	Standard condition requiring details of materials, colours, and textures. Retained as condition no. 15.
15	Standard condition retained as condition 16.
16	Standard condition retained as condition 17.
17	Requires a management company for maintenance of communal open space. I consider that this condition be replaced with the Commissions standard condition which I have included as condition no. 18.
18	Standard condition retained as condition 19.
19	Standard condition retained as condition no. 20.
20	Requires a piece of public art. I note that this is in accordance with point 6 of policy 7.2 Creative City of the Galway City Development Plan 2023-2029 and was not subject to a 1 st Party Appeal. It has therefore been retained as condition no. 21.

21	Requires signage and road markings to accord with Traffic Signs Manual published by the Department of the Environment and Local Government and Guideline. I have retained this condition and required details to be submitted to the PA for the written agreement.
22	Requires all cycle infrastructure and facilities comply with the requirements of the National Transport Authority (NTA) Cycle Design Manual (2023). I have retained this condition and required details to be submitted to the PA for the written agreement.
23	Requires developer satisfy their obligations as set out under Section 96 of the Planning and Development Act 2000, as amended, and to enter into a Part V agreement. I consider recommend that this condition be replaced with the Commissions standard condition which I have included as condition no. 24.
24	Requires the developer to enter into agreement with the Planning Authority with regards to Section 47 of the Planning and Development Act 2000. Again, this is considered to be standard in terms of an application seeking permission for a residential development and should therefore be retained in similar form.
25	Requires the payment a financial contribution of €1,245,111 in accordance with Section 48 of the Planning & Development Act 2000. In light of the details set out within the Galway City Development Contribution Scheme 2020-2026, I consider this condition to be acceptable to be retained.
26	Requires the payment of a financial contribution under section 48(2) (c) of the Planning and Development Act 2000 (as amended). Please see section 8.7.2 of my report below.
27	Requires the payment of a financial bond. I consider this condition to be acceptable to be retained.

- 8.7.2. Condition no. 26 requires the payment of a financial contribution under section 48(2) (c) of the Planning and Development Act 2000 (as amended) in respect of works to upgrade of the existing Bóthar an Chóiste Road from the proposed development to the junction at L5041 consisting of road improvements, road widening and junction re-alignment. The amount of the contribution is not specified and required to be agreed with the Planning Authority, nor is the scope and extent of works specifically identified so as to give sufficient certainty with regard to such costs.
- 8.7.3. Section 48(2)(c) of the Act states that *'a Planning Authority may, in addition to the terms of a scheme, require the payment of a special contribution in respect of a particular development where specific exceptional costs not covered by a scheme are incurred by any local authority in respect of public infrastructure and facilities which benefit the proposed development.'*
- 8.7.4. The works detailed within the condition are subject to a specific objective as set out within Section 4.8 of the City Development Plan, 2023-2029 under Road and Street Network & Accessibility (Point 28) which states *'Implement general road widening and street improvements for safety and convenience to facilitate improved infrastructure and safer environments for sustainable modes of transport such as walking, cycling and public transport. This also includes School Road, Castlegar, and Bóthar an Chóiste.'*
- 8.7.5. Appendix 2 of the adopted Galway City Development Contribution Scheme 2020-2026 sets out a project list which includes projects which are to be funded from development contributions for the period 2020 – 2026. Under Class 1 -Transportation Roads, Bóthar an Chóiste & Merlin Lands Road Upgrade – Housing Related Projects is listed. Furthermore, the works described are also listed within the Statutory Description pertaining to the development subject to this appeal and are included within the red line boundary of the site and supported by a letter of consent from the Local Authority.
- 8.7.6. There is no evidence on file of the formal adoption by the Planning Authority of any other than the 'general' Contribution Scheme made under Section 48 of the Act although such further schemes are specifically provided for (under sub-section (2)(a)) in respect of different parts of its functional area.
- 8.7.7. Having regard to the considerations set out above I am satisfied that the planning authority may have acted 'ultra-vires' in its powers under the Planning and

Development Act 2000, as amended, in attaching Condition no. 25 having regard to the works being included as an objective of the Galway City Development Plan, 2023-2029 and detailed within the Galway City Development Contribution Scheme 2020-2026. Accordingly, I would recommend that this condition be omitted.

8.8. Other Issues

8.8.1. Deficient Assessments

The appellant contends that a number of assessments which accompanied the application were deficient. This included the Appropriate Assessment Screening Report and Natura Impact Assessment (NIS), the Ecological Impact Assessment (EclA), and the Environmental Impact Assessment Screening Report. It is contended that these assessments concluded incorrectly that the operation phase will have no adverse effect on water quality and that the pathway from the proposed development to the River Corrib, which is a SAC and SPA, via the wastewater drainage network and the Stormwater Overflow at the Long Walk is overlooked.

I have undertaken a detailed assessment of the Environmental Impact Assessment Screening Report as set out within section 9 and appendix 2 of this report and the Appropriate Assessment Screening Report and Natura Impact Assessment (NIS), as set out within section 10, Appendix 3 and Appendix 4 of this report, below.

I note that specific details of wastewater drainage is set out within Section 2.3.5 of the EIA Screening report where it states that foul wastewater generated from the proposed development will flow by a 225 mm gravity fed pipe to a newly constructed discharge manhole, which will connect to an existing foul sewer network southwest of the site entrance. All velocities at said gradients fall within the limits as required in accordance with Uisce Éireann Wastewater Infrastructure – Code of Practice and Standard Details. Further consideration is given to this issue under Section 3.5.1.2 of the screening report where cumulations with other existing development and permitted developments within the area and notes that the Confirmation of Feasibility issued by Uisce Eireann indicates that the existing foul sewer network has sufficient capacity to accommodate the proposed development, subject to the provision of a 450-metre extension to the foul rising main. In addition, section 3.7.12 concludes that in light of the mitigation measures set out within the accompanying CEMP and NIS that it is

demonstrated clearly that the qualitative status of the receiving waters will not be altered by the proposed development.

Overall, I consider that the EIA Screening Determination Submitted has been undertaken by competent persons and demonstrated that the proposed development can be considered to be sub-threshold having regard to the information specified in Schedule 7A of the Planning and Development Regulations, 2001 (as amended).

The Appropriate Assessment Screening and Natura Impact Assessment have been presented within one document. Specific details with regard to Wastewater Drainage Design has been set out within Section 2.2.1.1 and details of loading rates generated by the proposed development is set out within section 2.2.1.2 of the document submitted. Having reviewed the documentation submitted and available on file to me I consider that the AA Screening Report and the NIS have been undertaken by a competent person and clearly accords with the requirements of the Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities, 2024 (DoELGH).

With regard to the Ecological Impact Assessment (EclA) report, I note that details of the wastewater drainage design has been set out in section 2.2.2.1 of the report. This is discussed further under section 6.4.1.1 where the wastewater drainage is assessed in terms of the impact on water quality during the operational phase.

Overall, I do not accept the concerns raised by the appellant and consider that the assessments submitted have been undertaken by those with the necessary expertise and have adequately addressed all impacts the proposed development may have upon the surrounding environment and presented adequate mitigation measures to ensure such.

9.0 EIA Screening

- 9.1. Class 10 of Schedule 5 Part 2 of the Planning and Development Regulations 2001 (as amended) provides that mandatory EIA is required for a development comprising the construction of more than 500 dwellings, or for 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. Refer to

Appendix 1 and Appendix 2 (EIA Pre-Screening & Environmental Impact Assessment Screening Determination).

9.2. Having regard to: -

- 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 greenfield nature of the site and its location in an established suburban location, which is served by public services and infrastructure.
- d) The pattern of existing and permitted development in the area.
- e) 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.
- f) 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).
- g) The criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended.
- h) 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.
- i) 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 outline Construction Environmental Management Plan, Ecological Impact Assessment, Arboricultural Report, Invasive Species Management Plan, Site Specific Flood Risk Assessment, Archaeological Impact Assessment, Lighting Design Report and Mobility Management Plan.

9.3. In so doing, it is concluded that by reason of the nature, scale and location of the project, the development would not be likely to have significant effects on the environment and that an Environmental Impact Assessment and the preparation of an Environmental Impact Assessment Report would not, therefore, be required.

10.0 Appropriate Assessment

10.1. Stage 1 - Appropriate Assessment Screening

10.1.1. I am satisfied that the information on file which I have referred to in my assessment allows for a complete examination and identification of any potential significant effects of the development, alone, or in combination with other plans and projects on European sites. I have reviewed the applicant's 'Screening for Appropriate Assessment' and I have carried out a full Screening Determination for the development and it is attached to this report in Appendix 3.

10.1.2. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects could to give rise to significant effects on the Lough Corrib SAC, Galway Bay Complex SAC, Inner Galway Bay SPA and Lough Corrib SPA. Appropriate Assessment is required.

10.1.3. This determination is based on:

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

10.1.4. An appropriate assessment is required on the basis of the effects of the project 'alone'. It is therefore determined that Appropriate Assessment (stage 2) under

Section 177V of the Planning and Development Act 2000, is required on the basis of the effects of the project 'alone'.

10.2. Stage 2 – Appropriate Assessment

- 10.2.1. The following is an objective assessment of the implications of the proposal on the relevant Conservation Objectives (CO) of the Lough Corrib SAC, Galway Bay Complex SAC, Inner Galway Bay SPA and Lough Corrib SPA based on the scientific information provided by the applicant and taking into account expert opinion. It is based on an examination of all relevant documentation, analysis and evaluation of potential impacts, findings and conclusions. A final determination will be made by the Commission.
- 10.2.2. All aspects of the project which could result in significant effects are assessed and mitigation measures designed to avoid or reduce any adverse effects on site integrity are examined and evaluated for effectiveness. Possible in-combination effects were also considered. A full description of the proposed development is set out in section 2 of the AA Screening and NIS Report submitted by the applicant and the potential impacts from the construction and operational phases are set out in Section 6 of same.
- 10.2.3. From undertaking a screening for the need of Appropriate Assessment, it was determined that the proposed development could result in significant effects on Lough Corrib SAC, Galway Bay Complex SAC, Inner Galway Bay SPA and Lough Corrib SPA in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of S177U/ 177AE was required.
- 10.2.4. Following an examination, analysis and evaluation of the NIS, as set out within appendix 4 of my report, and all associated material submitted, I consider that in light of the mitigation measures proposed, that adverse effects on site integrity of the Lough Corrib SAC, Galway Bay Complex SAC, Inner Galway Bay SPA and Lough Corrib SPA can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.
- 10.2.5. My conclusion is based on the following:
- Detailed assessment of construction and operational impacts.
 - The proposed development will not affect the attainment of conservation objectives or prevent or delay the restoration of favourable conservation

condition of the tLough Corrib SAC, Galway Bay Complex SAC, Inner Galway Bay SPA and Lough Corrib SPA.

- Effectiveness of mitigation measures proposed and adoption of CEMP.
- Application of planning conditions to ensure the mitigation measures proposed are undertaken.

11.0 Water Framework Directive

- 11.1. The purpose of the Water Framework Directive (WFD) is to protect and enhance all waters as well as water dependent wildlife and habitats, with the aim to achieve 'good' water quality status for all waters subject to the WFD and to mitigate against the risk of a decline in the water body quality and quantity status.
- 11.2. The Water Framework Directive is considered within 3.2 of the AA Screening and NIS assessment, section 4.6 of the EclA and section 3.7.1.2 of the EIA Screening Determination submitted as part of the application documentation. The application is supported by a Site-Specific Flood Risk Assessment (SSFRA).
- 11.3. I have assessed the proposed development having regard to the information provided in the AA Screening and NIS Report, the EclA, the SSFRA, the CEMP and publicly available information on www.catchments.ie when considering the objectives as set out in Article 4 of the Water Framework Directive to protect and, where necessary, restore surface and ground waterbodies in order to reach good status, meaning both good chemical and good ecological, and to prevent deterioration.
- 11.4. The 3rd Party Appellant has raised concerns over the proposed development and the impact it will have upon the Corrib Estuary. It is contended that while the current status of the Corrib River is good, permitting permission for the proposed development with the ongoing frequent discharge issues from the wastewater collection network, will inevitably endanger the current status of the Corrib River as set by the 2022-2027 Water Framework Directive.
- 11.5. The nearest waterbody to the subject site is the Terryland River (Terryland_010) which is approximately c.446m south of the proposed development site. It's latest Q-Value determination was a Q3 which determines the river to be in a 'Poor' condition. The closest monitoring station is located on the bridge on the Galway-Headford Road which is located approximately c.795m southwest of the proposed development site.

Ballindooley Lough lies approximately c 403m northeast of the proposed development site. This lake is contained within the Lower Corrib catchment and within hydrometric area 30. The Corrib River (Corrib_020) is situated approximately c.2.5km to the west of the subject site. The Corrib River has a good status. The Corrib Estuary is also situated c.2.04km at the nearest point to the south of the subject site and has a moderate status.

- 11.6. This proposed development is located within the Corrib catchment. The majority of the catchment is classed as 'Good to High' according to the latest report carried out by the EPA (EPA, 2024). The proposed development is located within the Corrib Sub-Catchment. This Sub-Catchment contains four different types of waterbodies. The status of the waterbodies within varies in WFD Risk with approximately half being designated as 'Not at Risk'.
- 11.7. The proposed development is located within the Clare Corrib groundwater catchment, within an area of High to Extreme Groundwater Vulnerability as per EPA Maps. The Water Framework Directive (WFD) Groundwater Monitoring Programme (2013-2018) assigned this groundwater catchments as having 'good' status.
- 11.8. The Terryland River and Ballindooley Lough both drain to groundwater within the karstified limestone bedrock region and consequently may have a groundwater connection with the Galway Bay Complex SAC and Inner Galway Bay SPA, particularly Terryland River which displays a strong tidal signal in its water level, particularly at spring tide periods. The majority of the watercourses and lakes within the study area (including Coolagh Lakes, Ballindooley Lough and many of the water courses in the west) do not have an assigned status.
- 11.9. As previously noted, it is proposed to serve the site in terms of wastewater via a connection the municipal services which are under the control of Uisce Éireann. The applicant has submitted a Confirmation of Feasibility and a Statement of Design Acceptance both of which were issued by Uisce Éireann.
- 11.9.1. While the concern about overflows is acknowledged, these relate to the wider public wastewater network and remain the responsibility of Uisce Éireann. There is currently no direct discharge from the appeal site to any of the surrounding receiving waters. I note that the Corrib Estuary Transitional Waterbody status is Moderate, and the Inner Galway Bay North Coastal Waterbody is Good and Clare Corrib Ground Water Body

is also Good. The Moderate status of the Corrib Estuary Transitional Waterbody relates to ecological status of the waterbody. Notwithstanding this, the chlorophyll and water chemistry data for the estuary is all indicative of high quality. I note that the Chemical Surface Water Status is listed as failing to achieve good. However, this has not been demonstrated to be as a result of any potential issues with the wastewater infrastructure. Urban Wastewater Treatment has not been identified as a significant pressure on the status of this waterbody and it is noted that the Galway WWTP is compliant with its Licence requirements and is achieving its Emission Limit Values. Having regard to the relative scale of development proposed, and subject to connection agreement from Uisce Eireann, I conclude that the proposed development will not cause a deterioration in the status of waterbodies connected to the proposed development.

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

Therefore, having regard to:

- Relative scale of the development,
- The existing capacity and performance of the Galway Wastewater Treatment Plant,
- The proposal to provide for improved wastewater connections along Bóthar an Chóiste, and
- The proposed surface water management,

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

11.9.3. I therefore consider that with the implementation of standard construction methods and the stated mitigation measures the proposed development will not comprise the objectives of Article 4 of WFD. See appendix 5.

12.0 Recommendation

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

13.0 Reasons and Considerations

Having regard to the following:

- a) the location of the site on lands zoned for residential use within the outer suburbs of Galway City Centre and within the Galway MASP boundary as per Fig. 2.0 of the Regional Spatial & Economic Strategy for the Northern and Western Region 2020-2032 and the Galway City Development Plan 2023-2029;
- b) the policies and objectives of the Galway City Development Plan 2023-2029, and the Regional Spatial & Economic Strategy for the Northern and Western Region 2020-2032;
- c) Housing for All - a New Housing Plan for Ireland (2021),
- d) Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024),
- e) the Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments (2023),
- f) the Design Manual for Urban Roads and Streets (DMURS) (2013)
- g) the Planning System and Flood Risk Management (including the associated Technical Appendices) (2009),
- h) the nature, scale and design of the proposed development,
- i) the existing pattern of development in the area,
- j) the availability of a wide range of physical, social and community, infrastructure and services in the area,
- k) the proposed infrastructure upgrade works that will improve the sites accessibility and connectivity,
- l) the submissions received,

It is considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable density of development in this urban location, would not seriously injure the residential or visual amenities of the area or properties in the vicinity, would be acceptable in terms of layout, urban design, height and unit mix and would be acceptable in terms of pedestrian safety and convenience, would provide for adequate active travel measure through the provision of the greenway and cycle and pedestrian infrastructure, can adequately be accommodated within the municipal wastewater network, and would not be detrimental to conservation objectives of the surrounding Natura 2000 sites or to the quality of receiving waters. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area and consistent with the Climate Action Plan, 2025, the Climate Action and Low Carbon Development (Amendment) Act 2021 and the Galway City Development Plan 2023-2029.

14.0 **Recommended Draft Order**

Appeal by An Taisce (3rd party) against the decision made on the 11th day of July 2025 by Galway City Council to grant permission to Lock House Developments Limited.

Proposed Development:

The development will consist of a large-scale residential development at Bóthar an Chóiste, in the townlands of Castlegar and Ballinfoil, Galway. The particulars of the development are as follows:

- Demolition of an existing house (124.6 m²), a ruined outbuilding (42.8 m²), and a ruined dwelling (41.7 m²).
- Construction of 168 no. residential units comprising:
 - I. 70 no. two storey houses (36 no. two-beds, 26 no. three-beds, 8 no. four-beds),
 - II. 2 no. apartment blocks comprising 54 no. apartments (27 no. one-beds, 27 no. two-beds),
 - III. 44 no. duplex units (19 no. one-beds, 25 no. two-beds).

- Development of a two-storey creche facility (c. 300 sqm), associated outdoor play areas and parking.
- Provision of all associated surface water and foul drainage services and connections including pumping station with all associated site works and ancillary services.
- The upgrade of the existing Bóthar an Chóiste road from the proposed development to the junction at L5041 consisting of road improvements, road widening and junction re-alignment.
- Pedestrian, cyclist, and vehicular links throughout the development and access to Bóthar an Chóiste, and pedestrian and cyclist link to the adjacent Greenway route.
- Provision of Bat Boxes, a Native Hedgerow Corridor (biodiversity and pollinator friendly) along the northern boundary, and the provision of Sustainable Drainage Systems (SuDS) features.
- Provision of shared communal and private open space, site landscaping and public lighting, resident and visitor parking including electric vehicle charging points, bicycle parking spaces, and
- All associated site development works.

Decision

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

Matters Considered:

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

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

- The location of the site on lands zoned for residential use within the outer suburbs of Galway City Centre and within the Galway MASP boundary as per Fig. 2.0 of the Regional Spatial & Economic Strategy for the Northern and Western Region 2020-2032 and the Galway City Development Plan 2023-2029
- The policies and objectives of the Galway City Development Plan 2023-2029, and the Regional Spatial & Economic Strategy for the Northern and Western Region 2020-2032
- Housing for All - a New Housing Plan for Ireland (2021)
- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024)
- the Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments (2023)
- The Design Manual for Urban Roads and Streets (DMURS) (2013)
- The Planning System and Flood Risk Management (including the associated Technical Appendices) (2009)
- The nature, scale and design of the proposed development
- The existing pattern of development in the area
- The availability of a wide range of physical, social and community infrastructure and services in the area,
- The proposed infrastructure upgrade works that will improve the sites accessibility and connectively
- The submissions received,
- The report of the Planning Inspector

The Commission considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable density of development in this urban location, would not seriously injure the residential or visual amenities of the area or properties in the vicinity, would be acceptable in terms of layout, urban design, height and unit mix and would be acceptable in terms of traffic, pedestrian safety and convenience, can adequately be accommodated within the municipal wastewater network, and would not be detrimental to conservation objectives of the surrounding Natura 2000 sites or to the quality of receiving waters. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area and consistent with the Climate

15.0 Conditions

1. The development shall be carried out and completed in accordance with the application made on the 19th of May 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

REASON: To ensure that the development is carried out in accordance with the permission and that effective control is maintained.

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 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.

3. The development shall be carried out on a phased basis in accordance with the phasing of development indicated in Figure 3.1 – Phasing Diagram of the submitted Construction Environment Management Plan, as submitted to the Planning Authority on the 19th May 2025, with the upgrade of the existing Bóthar an Chóiste Road from the proposed development to the junction at L5041 consisting of road improvements, road widening and junction re-alignment to be completed in the first phase (Phase no. 1) of development. Work on any subsequent phases shall not commence until such time as the written agreement of the Planning Authority is given to commence the next phase. In the event of

any disagreement on phasing, between the developer and the Planning Authority, the matter shall be referred to An Coimisiún Pleanála for determination.

REASON: To ensure the timely provision of services, for the benefit of the occupants of the proposed dwellings.

4. The front boundary wall over the entire roadside frontage shall be set back in line with Galway City Councils requirements for any future upgrading of Bóthar An Chóiste Road. The exact position shall be agreed in writing with the Planning Authority to allow for the construction of a footpath and two-way cycle track as per the Cycle Design manual prior to commencement of development. The development shall be completed in accordance with agreed details.

REASON: In the interests of orderly development and to facilitate any future road improvements on Bóthar An Chóiste Road and the implementation of a strategic goal of the Galway City Development Plan.

5. Any alterations to public services, public areas or utilities necessitated by the development shall be carried out at the developers' expense having firstly obtained the agreement in writing of Galway City Council or other public bodies responsible for such areas or utilities, before any alterations are carried out.

REASON: In the interest of public safety and the proper planning and sustainable development.

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

REASON: In the interests of the proper planning and sustainable development.

7. The development hereby permitted shall be carried out and completed at least to the construction standards to the standard of Galway City Council's Taking In Charge Standards. In following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority.

REASON: To ensure that the development is carried out and completed to an acceptable standard of construction.

8.
 - a. The applicant shall enter into a Connection Agreements with Uisce Éireann to provide for a service connection(s) to the public water and wastewater collection network and adhere to the standards and conditions set out in that agreement.
 - b. All development shall be carried out in compliance with Uisce Éireann's Standard Details and Codes of Practice.
 - c. Where a diversion of Uisce Éireann assets is proposed, the applicant shall enter into a Diversion Agreement with Uisce Éireann for the diversion of the impacted wastewater sewer prior to any works commencing and adhere to the standards and conditions set out in that agreement.

REASON: To provide adequate water and wastewater facilities and protect existing public infrastructure.

9. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the relevant Section of the Council for such works and services. Prior to the commencement of development the developer shall submit to the Planning Authority for written agreement a Stage 2 - Detailed Design Stage Storm Water Audit. Upon completion of the development a Stage 3 Completion Stormwater Audit to demonstrate Sustainable Urban Drainage System measures have been installed, and are working as designed and that there has been no misconnections or damage to storm water drainage infrastructure during construction, shall be submitted to the planning authority for written agreement.

Reason: In the interest of public health and surface water management.

10. 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.

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

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

REASON:: In the interest of public safety and amenity.

12. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. 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.

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

13. "The developer shall engage a suitably qualified (license eligible) archaeologist to carry out an Archaeological Impact Assessment (AIA) and/or Underwater Archaeological Impact Assessment (UAIA) [specify as appropriate following consultation with the National Monument Service (NMS) or Local Authority Archaeologist] in advance of any site preparation works and groundworks, including site investigation works/topsoil stripping/site clearance/dredging and/or construction works. The AIA and/or UAIA shall involve an examination of all development layout/design drawings, completion of documentary/cartographic/photographic research and fieldwork, the latter to include, where applicable - geophysical survey, underwater/marine/intertidal survey, metal detection survey and archaeological testing (consent/licensed as required under the National

Monuments Acts), building survey/ analysis, visual impact assessment [specify appropriate methods following consultation with NMS]. The archaeologist shall prepare a comprehensive report, including an archaeological impact statement and mitigation strategy, to be submitted for the written agreement of the planning authority in advance of any site preparation works, groundworks and/or construction works. Where archaeological remains are shown to be present, preservation in-situ, establishment of 'buffer zones', preservation by record (archaeological excavation) or archaeological monitoring may be required and mitigatory measures to ensure the preservation and/or recording of archaeological remains shall be included in the AIA and/or UAIA. Any further archaeological mitigation requirements specified by the Local Authority Archaeologist, following consultation with the National Monuments Service, shall be complied with by the developer. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer.

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

14. Proposals for a naming / numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all signs, and apartment numbers, shall be provided in accordance with the agreed scheme. The proposed names shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

REASON: In the interest of urban legibility and to ensure the use of locally appropriate place names for new residential areas

15. All details of the materials, colours, and textures of all external finishes to the buildings, site boundary treatment and associated public realm/open space areas shall as indicated on submitted and approved drawings and submitted Architectural Design Statement. 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. The proposed brick facing used in boundary treatment indicated on drawing titled '*Boundary Treatment, Plans & Details*' drawing no. 3008 shall be grey tone in colour.

REASON: In the interest of visual amenity.

16. 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. 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. (a) The communal open spaces, including hard and soft landscaping, car parking areas and access ways, communal refuse/bin storage and all areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company

(b) Details of the management company contract, and drawings/particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation.

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

19. 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 as indicated submitted Utility Statement (Mechanical and Electrical Services).

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

20. Details of public lighting scheme within the development and in the public realm shall be submitted to the Local Authority for agreement in writing before the development commences. Post completion the developer shall submit certification of achievement of the design standards for the development and public roadway along full road frontage. The public lighting scheme shall include the proposed bat protection measures set out in the submitted Natura Impact Statement, Ecological Impact Assessment, Baseline Bat Report and submitted Public Lighting Design Report and associated luminaire layout plan.

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

21. Prior to the commencement of development details regarding a piece of artwork proposed for this development shall be submitted for the written agreement of the Planning Authority. The artwork shall be erected prior to the occupation of any of the residential units. The details including location and timeframe for its erection shall be agreed in writing with the Planning Authority prior to the commencement of development. The erection of an explanatory sign shall be

included adjacent to the artwork. The development shall be completed in accordance with the agreed details

REASON: In the interest of residential amenities and the proper planning and sustainable development of the area.

22. All signage and road markings shall be provided in accordance with the Traffic Signs Manual published by the Department of the Environment and Local Government and Guidelines for setting and managing speed limits in Ireland, March 2015 edition, or later. Details shall be submitted to the planning authority prior to the commencement of development for the written agreement.

REASON: In the interest of orderly development and traffic safety.

23. All cycle infrastructure and facilities proposed, including cycle parking, shall comply with the requirements of the National Transport Authority (NTA) Cycle Design Manual (2023). Details shall be submitted to the planning authority prior to the commencement of development for the written agreement.

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

24. The applicant, or any other person with an interest in the land to which the application relates shall, prior to the lodgement of a commencement notice within the meaning of Part II of the Building Control Regulations 1997, enter into an agreement with the planning authority under section 96 of the Planning and Development Act 2000, providing, in accordance with that section, for the matters referred to in paragraph (a) or (b) of subsection (3) of section 96.

REASON: To comply with the requirements of Part V of the Planning and Development Act 2000 (as amended).

25. (a) Prior to the commencement of any house or duplex unit in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all houses and duplex units permitted, to first occupation by individual purchasers i.e. those not being a

corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each specified house or duplex unit for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.

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

REASON: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

26. Prior to the commencement of development, unless a phased payment scheme is agreed with the Planning Authority, a financial contribution of €1,245,111 (One Million, Two Hundred and Forty-five Thousand, One Hundred and Eleven Euro) shall be paid by the developer to the City Council towards the cost of provision of public services in the area which facilitate the development.

REASON: It is considered reasonable that the developer should contribute towards the cost of provision of public services facilitating the proposed development. The use or return of this contribution shall be carried out as provided for in Section 48 of the Planning & Development Act 2000 (as amended).

27. Prior to the commencement of development, the developer shall lodge with Galway City Council the following:

- a cash deposit to the value of €420,000 (Four Hundred and Twenty Thousand Euro), or,
- a bond of an Insurance Company, to the written agreement of the Planning Authority, to the value of €672,000 (Six Hundred and Seventy-two Thousand Euro)

This is to secure the provision and satisfactory completion and maintenance, of roads, footpaths, road verges, sewers, water mains, surface water drains, any public open spaces and other services required, until taken in charge by the Planning Authority or a private management company, this shall be agreed in writing with the Planning Authority prior to the commencement of any development.

This security shall be kept in force until such time as these services are satisfactorily completed and shall be coupled with an agreement empowering the City Council to apply such security or part thereof for the satisfactory completion or maintenance, as aforesaid, of any part of the development. This shall include the completion, submission and certification of the Galway City Council form 'Application Form for Security /Insurance Bond Release' and the submission of 'as constructed' drawings and any other material required.

REASON: To ensure the satisfactory completion of the 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.

Kathy Tuck

Planning Inspector

17th October 2025.

Appendix 1

EIA Screening

Case Reference	ACP-323256-25
Proposed Development Summary	LRD – 168 no. residential units and a 2 storey creche.
Development Address	Bóthar an Chóiste, in the townlands of Castlegar and Ballinfoil, Galway
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a ‘project’ for the purposes of EIA? (For the purposes of the Directive, “Project” means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☒ 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.	Class 10 (b) (i) of Part 2 of the Regulations: Construction of more than 500 dwelling units and Class 10 (b) (iv) of Part 2 of the Regulations: 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. Class 1(a) Projects for the restructuring of rural land holdings, undertaken as part of a wider proposed development, and not as an agricultural activity that must comply with the European Communities (Environmental Impact Assessment) (Agriculture) Regulations 2011, where the length of field boundary to be removed is above 4 kilometres, or where re-contouring is above 5 hectares, or where the area of lands to be restructured by removal of field boundaries is above 50 hectares.

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 (Complete Form 3)
No ☐	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: _____

Appendix 2

EIA Screening Determination

A. CASE DETAILS		
An Bord Pleanála Case Reference	ACP-323256-25	
Development Summary	Large Scale Residential development consisting of 168 no. residential units and 2 storey creche and all associated site works.	
	Yes / No / N/A	Comment (if relevant)
1. Was a Screening Determination carried out by the PA?	Yes	Set out within Section 6.6.3 of the Planners Report.
2. Has Schedule 7A information been submitted?	Yes	A schedule 7A was submitted as part of the application documentation.
3. Has an AA screening report or NIS been submitted?	Yes	An Appropriate Assessment Screening Report and a Natura Impact Statement was prepared by MKO and 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/A	
5. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried	Yes	SEA of the Galway City development Plan 2023-2029 The application was accompanied by documentation including:

out pursuant to other relevant Directives – for example SEA		• Appropriate Assessment Screening Report: Habitats Directive 92/43/EEC. • Natura Impact Assessment: Habitat Directive 92/43/EEC. • Ecological Impact Assessment. • Sustainability Statement and a Climate Sustainability Statement: • Energy Performance of Buildings Directive (recast) EPBD • Noise & vibration impact assessment: EU Directive 2002/49/EC • Site Specific Flood Risk Assessment: EU Flood Risk Directive (2007/60/EC). • Construction Environmental Management Program: Directive 2008/98/EC.	
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 subject site is situated within the administrative area of Galway City Council and within the townland of Castlegar. The site is currently a greenfield site with a number of derelict farm buildings located at the south-	No

		eastern corner of the site. In addition, there is a dormer dwelling located at the south-west corner of the site. The eastern boundary of the site is shared with a single storey dwelling; the northern and western boundary of the site is share with agricultural undeveloped lands. The southern boundary is shared with the Bóthar an Chóiste. Cluain Riocaird, which is an established residential area, is situated on the opposing side of Bóthar an Chóiste. The proposed development would allow for an extension of this residential area.	
1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	Yes	The construction and operation phase will see a physical change from agricultural to residential use. There are currently a number of derelict agricultural buildings and 1 no. dwelling on site which will require demolition. Proposed excavation works will cause a change in site topography/ ground levels, which will be managed through implementation of the outline Construction Environmental Management Plan (CEMP) final agreed version to be required by condition). The use of the land will change from greenfield / partial agriculture to residential use, a more efficient use of serviced land. There are no watercourses located on or adjacent to the site. The nearest water course, the Terryland River is situated c. 446m to the south of the site and the Ballindooly Lough is situated c.403m to the north-east of the site.	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	The project uses standard construction methods, materials and equipment, and the process will be managed through the implementation of the outline/ final CEMP. There is no significant use of natural resources anticipated. The project uses land, which is a finite resource, however it is used more efficiently and sustainably than at present (green field / partial agriculture). Otherwise, the operational phase of the project will not use natural resources in short supply. The project connects to the public water, wastewater, and surface water drainage services systems. The application has been accompanied by a Acceptance of the Design from Uisce Éireann dated the 11th April 2025. Furthermore, a confirmation of feasibility was also received from Uisce Éireann on the 10th April 2025. This notes that the development is feasible subject to upgrades for both water supply and waste water. All dwellings will have a BER rating of A/A3. Accordingly, I do not consider the use of natural resources in the project likely to result in a significant effect on the environment of the area.	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 phase activities will require the use of potentially harmful materials, such as fuels and create waste for disposal. The use of such substances will be typical of construction sites.	No

		Noise and dust emissions during the construction phase are likely. These works will be managed through implementation of the outline/ final CEMP, which can be required by condition. The operational phase of the project does not involve the use, storage, or production of any harmful substance. Conventional waste produced from residential and small-scale commercial activity (childcare facility) will be managed through the implementation of an Operational Waste Management Plan (OWMP) which can be required by condition. Accordingly, I do not consider this aspect of the project likely to result in significant effects on the environment in terms of human health or biodiversity.	
1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	Yes	Conventional waste will be produced from construction activity and will be managed through the implementation of the outline/ final CEMP. The operational phase of the project (i.e., the occupation of the residential units and childcare facility) will not produce or release any pollutant or hazardous material. Conventional operational waste will be managed through the implementation of an Operational Waste Management Plan. Accordingly, I do not consider the production of waste or generation of pollutants in the project	No

		likely to result in a significant effect on the environment of the area.	
1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?	Yes	The project involves site preparation (vegetation, top and subsoils removal), excavations (foundations for site services, building), reprofiling and construction (roads, footpaths, building), and landscaping works (open spaces). These construction phase activities are associated with contamination risks to land and/ or water sources. I direct the Board to the response to Q:2.1 below in respect of the risk of contamination of protected water bodies/ ecological designations. I direct the Board to the response to Q:2.5 below in respect of the risk of contamination of water resources including surface waters, groundwaters, coastal waters, and of flood risk. Accordingly, as risks of contamination to ground or water bodies are not predicted and/ or can be mitigated against, I do not consider this aspect of the project likely to result in a significant effect on the environment.	No
1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	Yes	Noise, vibration, and light impacts are likely during the site development works. These works are short term in duration, and impacts arising will be temporary, localised, and be managed through implementation of the outline/ final CEMP.	

		The operational phase of the project will also likely result in noise and light impacts associated with the increased intensity of the residential and commercial use (e.g., traffic generation, use of communal and private open spaces). However, these are anticipated to be typical of such mid-scaled, mid-density residential schemes, as proposed. Lighting impacts will be mitigated by the provision of a public lighting plan designed to comply with industry guidance and provided to the satisfaction of the planning authority. I direct the Board to the response to Q:2.8 below in respect of the project's effect on sensitive land uses. Accordingly, I do not consider this aspect of the project likely to result in significant effects on the environment in terms of air quality (noise, vibration, light pollution).	
1.8 Will there be any risks to human health, for example due to water contamination or air pollution?	No	The potential for water contamination and air pollution (noise and dust emissions) during the construction phase is likely. Construction works will be managed through implementation of the outline/ final CEMP. Site development works are short term in duration, and impacts arising will be temporary, localised, addressed by the mitigation measures.	No

		The operational phase of the project will not likely cause risks to human health through water contamination or air pollution due to the nature and design of the scheme, connection to public water systems, incorporation of SuDS features in the surface water management system, and scale of residential and commercial activities, and use arising. Accordingly, in terms of risks to human health, I do not consider this aspect of the project likely to result in a significant effect on the environment.	
1.9 Will there be any risk of major accidents that could affect human health or the environment?	No	There is no risk of major accidents given nature of the project and location of the site. Not at risk of flooding.	No
1.10 Will the project affect the social environment (population, employment)	Yes	The project increases localised temporary employment activity at the site during development works (i.e. site enabling and construction phases). The site development works are short term in duration and impacts arising will be temporary, localised, addressed by the mitigation measures in the outline/ final CEMP. The operational phase of the project (i.e. the occupation of the residential units) will result in a potential increase of up to c. 440 persons (based on average household size of c. 2.62 for Galway City at Census 2022). A slight impact in scale of effect. The childcare facility will cater for 46 children and associated staff members. The subject lands are zoned for residential use. The receiving area is an established urban neighbourhood	No

		location, which is in proximity to services, public transport, amenities, and has the capacity to accommodate the likely impacts associated with the anticipated population increase. Accordingly, I do not consider this aspect of the project likely to result in a significant effect on the social environment of the area.	
1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?	Yes	The site is zoned under Objective R – Residential which seeks 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. The site is located to the north of the City Centre of Galway and is situated to the north of the established residential area of Cluain Riocaird and c. 554m to the east of the N84. The site layout has provided for a pedestrian footpath along the southern boundary of the site where it addresses Bóthar an Chóiste and proposed greenway/shared active travel route has been include along the western boundary of the site which provide for a potential connection to the CI – Enterprise, Light Industry and Related Uses zoned lands to the west.	No

		I direct the Board to the response to Q: 3.1 below in respect of considerations of cumulative effects of the project. I do not anticipate cumulative significant negative effects on the area arising from the project.	
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	No	The project is not located in, on, or adjoining any European Site, any designated or proposed NHA, or any other listed area of ecological interest or protection. A submitted AA Screening Report determined that there was a potential for likely significant effects on the Lough Corrib SAC, Galway Bay Complex SAC, Inner Galway Bay SPA, and the Lough Corrib SPA in the absence of mitigation measures. As such the LRD application was also accompanied by a Natura Impact Statement. The Planning authority within section 6.6.1 of the Planning Officers report considered that the assessment and conclusions presented in the Screening for AA stage 1 Report and AA/NIS stage 2 had been prepared by competent experts and quality and the provision of the best available scientific knowledge and objective information was presented. The NIS adequately identifies and describes the potential direct, indirect and cumulative effects of the	No

		proposed development on the qualifying interests and conservation objectives of relevant European Sites for the competent authority to carry out a Stage II Appropriate Assessment. It is considered reasonable to conclude based on the information provided in the NIS that the proposed development, and subject to the implementation of best practice construction methodologies and the proposed mitigation measures outlined, individually or in combination with other plans and projects would not significantly affect the integrity of relevant European Sites. Accordingly, I consider it reasonable to conclude that potential for significant effects will be adequately assessed and managed through the procedures under the Habitats Directive. Based on the documentation available and the AA undertaken by the planning authority, no requirement for EIA is identified at this time.	
2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?	Yes	The site comprises greenfield lands. The EclA confirms the site as not being under any wildlife or conservation designation. No protected habitats, plant species of conservation importance, or any terrestrial mammals or evidence of mammals of conservation importance were noted on site. Several Annex I habitats have been mapped in the wider area outside the proposed development site.	No

		Bird species were recorded (5 species)all of which are amber listed. The high-risk species identified is Japanese Knotweed, was recorded outside of the proposed development site boundary, to the northwest margin. If Japanese knotweed is found to have encroached into the site, a number of management and control options are provided for the treatment of this Invasive Species. Accordingly, I do not consider the project likely to result in a significant effect on the environment in terms of biodiversity (protected habitats, flora, fauna). The bat habitat survey found 6 no. bat species commuting and foraging across the proposed works site. This including Soprano pipistrelle, Common pipistrelle, Leisler's bat, Brown long-eared bat, Nathusius' pipistrelle and Lesser horseshoe bat. One of the buildings on site was confirmed as a Lesser horseshoe bat roost. A bat derogation licence has been obtained for the proposed development and has been submitted as an appendix to the EclA submitted. No species listed under the Annexes of the European Habitats Directive were recorded during ecological walkover surveys. potential signs of badgers, including a snuffle hole was recorded to the centre-parcel of the proposed development site. No other signs of any other protected terrestrial species were recorded during the	
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		walkover survey. However, the site is likely to be used by non-volant mammals including fox (<i>Vulpes vulpes</i>) and other terrestrial mammals occurring in suburban settings. No watercourses were identified on site. Therefore, the site does not provide habitat of significance habitat for otter (<i>Lutra lutra</i>). The EclA considers the potential impacts of the proposal at construction and operation phases on biodiversity (on-site and within the zone of influence), birds, bats, and mammals. The designed-in mitigation and targeted mitigation devised to address the potential impacts are described. Key among which include project design to retain hedgerows and proposed tree planting scheme (noting additional vegetation and wetlands to be retained by way of revised plans submitted under further information), and at construction stage, the implementation of the CEMP (noise, vibration, dust, surface water and groundwater protection measures), pre-construction surveys and inspections, time-restricted development works, provision of nest boxes and bat boxes, and installation of a bat sensitive lighting scheme. The EclA concludes that with the implementation of mitigation measures, there will be no significant impacts on biodiversity.	
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2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?	Yes	There is a specific development objective pertaining to the subject site which stipulates that the Layout of residential development and boundary treatment shall have regard to the protected views from the Headford Road. The proposal provides for the creation of a two-metre native hedgerow along the northern boundary of the site in order to protect the visual experience of these protected views from the Headford Road, act as a bat and biodiversity corridor, provides a natural screen between the development and the proposed N6 Galway City Ring Road. In addition, native woodland planting is proposed along the western boundary of the site. The application has also been accompanied by Archaeological Testing report. The report concluded there were no finds of archaeological significance recorded in the NMI topographical fields in the areas of the proposed development and no recorded monuments. The nearest recorded monument is Castlegar Castle (GA082-021), located 350m to the SE. The field walkover over survey identified no features of archaeological significance. Having regard to the scale of the site and subject to conditions in respect of further archaeological monitoring, I do not consider the project likely to result in a significant effect on the environment in terms of architectural, archaeological and cultural heritage.	No
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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	There are no such resources on or close to the site.	No
2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?	Yes	The closest mapped surface water body, the Terryland River, is situated c. 530m to the south of the site and the Ballindooly Lough is situated c.390m to the north of the site. I direct the Board to the response to Q:1.2 above in respect of the construction and operation phase impacts of the project on the water resources at the site/ in the vicinity (i.e., surface water/ groundwater impacts). The applicant was accompanied by a NIS as it was ground that there were indirect connections from the subject site and a number of Natura 2000 sites including the Lough Corrib SAC, Galway Bay Complex SAC, Inner Galway Bay SPA, and the Lough Corrib SPA. The NIS has provided for a number of mitigation measures. I direct the Board to the response to Q:1:2 above in respect of the impact of the project on the watercourses, the European sites, and the Irish sea. Mitigation measures are identified in the outline CEMP during the construction phase of the project to safeguard the quality of the surface water runoff, prevent pollution events to groundwater, and mitigate against excessive siltation.	No

		The proposed development will be connected to municipal services in terms of water supply and wastewater treatment and the application has been accompanied by a Confirmation of feasibility and a Statement of Design Acceptance from Uisce Éireann. The operational phase impacts are addressed primarily through design, with a comprehensive surface water management system including SuDS features, on-site attenuation, and discharge to the public surface water network. The project's SSFRA states that the closest past flood events to the subject site are located approximately 530m north of the subject site. The flood event (Flood ID-3533) is a recurring flood event caused by Ballindooly Lake. It further states that based on the topographical survey of the subject site, the north of the subject site has a minimum ground level of 18mOD and based on the Irish DEM, the ground level around the lake is approximately 11mOD, therefore, the flood event is not expected to influence the subject site. The SSFRA concludes that it is estimated that the risk of flooding to the proposed development will be minimal, and that the development will not increase the risk of flooding elsewhere.	
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		Accordingly, I do not consider the project likely to result in a significant effect on the environment in terms of water resources and flood risk.	
2.6 Is the location susceptible to subsidence, landslides or erosion?	No	There is no evidence identified of these risks.	No
2.7 Are there any key transport routes(eg 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	Vehicular access it proposed to be provided centrally along the southern boundary of the site from Bóthar an Chóiste. A submission from the Transport Infrastructure Ireland to the Planning Authority notes that the development site is located in proximity to a future national road scheme and that the applicant should be made aware of such. A report from the Transportation Section of the City Council notes no objection to the proposed development. Public transport accessibility and facilities are currently limited in this area. However, I note that there are future improvements to public transport under the proposed Galway Bus Connects (2023 NTA/GCC) which are indicated by the NTA to commence the implementation of this between 2025 and 2026. Under this scheme, the bus route serving Bóthar an Chóiste outer suburban will be redesigned and upgraded to a new Bus Route no. 7 Cappagh Road to Bóthar an Chóiste via City Centre with a 20-minute service frequency which will enhance public transport accessibility.	No

		The proposed development also includes for upgrade work of the existing Bóthar an Chóiste road from the proposed development to the junction at L5041 which comprises of road improvements, road widening and junction re-alignment. Car and bicycle parking facilities are to be provided within the grounds of the proposed residential development, comprising 239 parking spaces for vehicles and 393 parking spaces / storage for bicycles. During the site development works, the project will result in an increase in traffic activity (HGVs, workers) as construction equipment, materials, and waste are delivered to/ removed from the site. Site development works are short term in duration and impacts arising will be temporary, localised, and managed under the outline/ final CEMP and Construction Management Plan (required by condition). Accordingly, I do not consider the project likely to result in a significant effect on any key transport routes or on the environment in terms of transportation.	
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 private residential dwellings located in close proximity to the site, comprising rural dwellings fronting the New Bóthar an Chóiste to the east of the site and dwellings to the south of the site which form part of a number of established residential areas.	No

		Site development works will be implemented in accordance with the outline/ final CEMP which includes mitigation measures to protect the amenity of adjacent properties and residents. Once operational, the design, siting, and scale of the proposed buildings and the separation distances to the closest dwellings are such that negative impacts arising from overlooking, overshadowing, overbearance are not reasonably anticipated. The operational phase of the project will cause an increase in activity at the site (traffic generation, use of communal and private open spaces) which are considered to be typical of such mid-scaled, mid-density residential schemes as proposed, sited in established urban neighborhood locations such as the receiving area and are well within acceptable parameters for same. The project will be under the control of an established management company and/ or elements taken in charge by the local authority, and no negative impacts on residential amenity are anticipated.	
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	Existing and/ or approved planning permissions in the wider area have been noted in the application documentation and associated assessments	No

3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No	There are no transboundary effects are arising.	No
3.3 Are there any other relevant considerations?	No	No	No

C. CONCLUSION

No real likelihood of significant effects on the environment.	X	EIAR Not Required
Real likelihood of significant effects on the environment.		EIAR Required

D. MAIN REASONS AND CONSIDERATIONS

EG - EIAR not Required

Having regard to: -

1. 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.
2. 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).
3. The greenfield nature of the site and its location in an established suburban neighbourhood, which is served by public services and infrastructure.
4. The pattern of existing and permitted development in the area.
5. 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.

6. 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).
7. The criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended.
8. 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.
9. 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 outline Construction Environmental Management Plan, Ecological Impact Assessment, Arboricultural Report, Site Specific Flood Risk Assessment, Archaeological Impact Assessment, Lighting Design Report and Mobility Management Plan.

In so doing, the Commission concluded that by reason of the nature, scale and location of the project, the development would not be likely to have significant effects on the environment and that an Environmental Impact Assessment and the preparation of an Environmental Impact Assessment Report would not, therefore, be required.

Inspector _____

Date _____

Approved (DP/ADP) _____

Date _____

Appendix 3

Appropriate Assessment Screening

Screening for Appropriate Assessment Test for likely significant effects				
Step 1: Description of the project and local site characteristics Case File: ABP-323256-25				
Brief description of project		Large-scale residential development: Construction of 168 residential units and a creche.		
Brief description of development site characteristics and potential impact mechanisms		The appeal site which has a starts area of c.4.626 ha is located on lands to the north of Bóthar an Chóiste within the northern Outer Suburb Neighbourhoods of Ballinfoile and Castlegar to the east of N84 Headford Road. The site is also situated approximately c.500m to the east of the designated village envelope of Castlegar. The site is situated c.703m to the east of the Lough Corrib SAC (site code 000297); c.1.7km to the north of the Inner Galway Bay SPA (site code 004031); c.1.7km Galway Bay Complex SAC (site code 000268) and c.2.8km to the east of the Lough Corrib SPA (site code 004042).		
Screening report		AA screening report issued 16/05/2025 prepared by MKO Planning and Environmental.		
Natura Impact Statement		NIS report issued 16/05/2025 prepared by MKO Planning and Environmental.		
Relevant submissions		Works are required to city's infrastructure to prevent overflows discharge polluting matters into the waters within a SAC. The proposed development will increase pressure on the infrastructure and increase risk to the SAC.		
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
European Site (code)	Qualifying interests¹	Distance from proposed	Ecological connections²	Consider further in screening³

	Link to conservation objectives (NPWS, date)	development (km)		Y/N
Lough Corrib SAC (000297)	Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>) [3110] Oligotrophic to mesotrophic standing waters with vegetation of the <i>Littorelletea uniflorae</i> and/or <i>Isoeto-Nanojuncetea</i> [3130] Hard oligo-mesotrophic waters with benthic vegetation of <i>Chara</i> spp. [3140] Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation [3260] Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>) (* important orchid sites) [6210] <i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>) [6410] Active raised bogs [7110] Degraded raised bogs still capable of natural regeneration [7120]	c.703m to the west.	There is a potential pathway for indirect effects on groundwater/aquatic dependent Qualifying Interests (QIs) associated with Lough Corrib SAC during the construction and operational phases of the proposed development, in the form of deterioration of water quality resulting from potential hydrological connectivity.	Y

	Depressions on peat substrates of the Rhynchosporion [7150] Calcareous fens with <i>Cladium mariscus</i> and species of the Caricion davallianae [7210] Petrifying springs with tufa formation (Cratoneurion) [7220] Alkaline fens [7230] Limestone pavements [8240] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0] Bog woodland [91D0] <i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel) [1029] <i>Austropotamobius pallipes</i> (White-clawed Crayfish) [1092] <i>Petromyzon marinus</i> (Sea Lamprey) [1095] <i>Lampetra planeri</i> (Brook Lamprey) [1096] <i>Salmo salar</i> (Salmon) [1106] <i>Rhinolophus hipposideros</i> (Lesser Horseshoe Bat) [1303]			
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		<i>Lutra lutra</i> (Otter) [1355] <i>Najas flexilis</i> (Slender Naiad) [1833] <i>Hamatocaulis vernicosus</i> (Slender Green Feather-moss) [6216]			
Galway Complex (00268)	Bay SAC	Mudflats and sandflats not covered by seawater at low tide [1140] Coastal lagoons [1150] Large shallow inlets and bays [1160] Reefs [1170] Perennial vegetation of stony banks [1220] Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (<i>Glaucopuccinellietalia maritima</i>) [1330] Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410] Turloughs [3180] <i>Juniperus communis</i> formations on heaths or calcareous grasslands [5130]	c.1.7km south of the site	potential pathway for indirect effects on groundwater/ marine/ aquatic dependent Qualifying Interests (QIs) Wastewater to Mutton Island WWTP.	Y

	Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210] Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davallianae</i> [7210] Alkaline fens [7230] Limestone pavements [8240] <i>Lutra lutra</i> (Otter) [1355] <i>Phoca vitulina</i> (Harbour Seal) [1365]			
Inner Galway Bay SPA (004031)	Black-throated Diver (<i>Gavia arctica</i>) [A002] Great Northern Diver (<i>Gavia immer</i>) [A003] Cormorant (<i>Phalacrocorax carbo</i>) [A017] Grey Heron (<i>Ardea cinerea</i>) [A028] Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Teal (<i>Anas crecca</i>) [A052] Red-breasted Merganser (<i>Mergus serrator</i>) [A069]	c.1.7km south of the site	A potential pathway for indirect effects on the SCI Species and their supporting wetland habitat associated with this SPA was identified during the construction and operational phases of the proposed development, in the form of deterioration of water quality resulting from potential hydrological connectivity	Y

	Ringed Plover (<i>Charadrius hiaticula</i>) [A137] Golden Plover (<i>Pluvialis apricaria</i>) [A140] Lapwing (<i>Vanellus vanellus</i>) [A142] Dunlin (<i>Calidris alpina</i>) [A149] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Curlew (<i>Numenius arquata</i>) [A160] Redshank (<i>Tringa totanus</i>) [A162] Turnstone (<i>Arenaria interpres</i>) [A169] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Common Gull (<i>Larus canus</i>) [A182] Common Tern (<i>Sterna hirundo</i>) [A193] Wigeon (<i>Mareca penelope</i>) [A855] Sandwich Tern (<i>Thalasseus sandvicensis</i>) [A863] Wetland and Waterbirds [A999]			
Lough Corrib SPA (004042)	Black-throated Diver (<i>Gavia arctica</i>) [A002]	c.2.8km to the west.	Deterioration of water quality resulting from	Y

Great Northern Diver (<i>Gavia immer</i>) [A003] Cormorant (<i>Phalacrocorax carbo</i>) [A017] Grey Heron (<i>Ardea cinerea</i>) [A028] Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Teal (<i>Anas crecca</i>) [A052] Red-breasted Merganser (<i>Mergus serrator</i>) [A069] Ringed Plover (<i>Charadrius hiaticula</i>) [A137] Golden Plover (<i>Pluvialis apricaria</i>) [A140] Lapwing (<i>Vanellus vanellus</i>) [A142] Dunlin (<i>Calidris alpina</i>) [A149] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Curlew (<i>Numenius arquata</i>) [A160] Redshank (<i>Tringa totanus</i>) [A162] Turnstone (<i>Arenaria interpres</i>) [A169] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Common Gull (<i>Larus canus</i>) [A182]		potential hydrological connectivity. Wastewater to Mutton Island WWTP	
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	Common Tern (<i>Sterna hirundo</i>) [A193] Wigeon (<i>Mareca penelope</i>) [A855] Sandwich Tern (<i>Thalasseus sandvicensis</i>) [A863] Wetland and Waterbirds [A999]			
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The applicant's Appropriate Assessment Screening Report additional included SAC and SPAs I considered these not to be relevant European sites due to lack of ecological connections.

Step 3 Conclude if the proposed development could result in likely significant effects on a European site

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Site 1: Lough Corrib SAC (000297) Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>) [3110] Oligotrophic to mesotrophic standing waters with vegetation of the <i>Littorelletea uniflorae</i> and/or <i>Isoeto-Nanojuncetea</i> [3130] Hard oligo-mesotrophic waters with benthic vegetation of <i>Chara</i> spp. [3140]	Direct: None Indirect: Negative impacts (temporary) on surface water/water quality due to construction related emissions including increased sedimentation and construction related pollution. Human Disturbance during construction and during operational phase. Risk of air quality impacts associated with construction of the proposed development.	Disturbance/displacement Changes to habitat quality/function Habitat loss/ modification Negative effects on habitat quality undermine conservation objectives related to water quality. Possibility of significant effects cannot be ruled out without further analysis and assessment.

Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260] Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210] Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410] Active raised bogs [7110] Degraded raised bogs still capable of natural regeneration [7120] Depressions on peat substrates of the Rhynchosporion [7150] Calcareous fens with Cladium mariscus and species of the Caricion davallianae [7210] Petrifying springs with tufa formation (Cratoneurion) [7220] Alkaline fens [7230] Limestone pavements [8240] Old sessile oak woods with Ilex and Blechnum	Risk of hydrological effects associated with the proposed development.		
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in the British Isles [91A0] Bog woodland [91D0] Margaritifera margaritifera (Freshwater Pearl Mussel) [1029] Austropotamobius pallipes (White-clawed Crayfish) [1092] Petromyzon marinus (Sea Lamprey) [1095] Lampetra planeri (Brook Lamprey) [1096] Salmo salar (Salmon) [1106] Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303] Lutra lutra (Otter) [1355] Najas flexilis (Slender Naiad) [1833] Hamatocaulis vernicosus (Slender Green Feather-moss) [6216]		
	Likelihood of significant effects from proposed development (alone): Y	
Site Name Qualifying Interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Site 2: Galway Bay Complex SAC (00268)	Direct: None Indirect:	Changes to habitat quality/ function Habitat loss/ modification

Mudflats and sandflats not covered by seawater at low tide [1140] Coastal lagoons [1150] Large shallow inlets and bays [1160] Reefs [1170] Perennial vegetation of stony banks [1220] Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (Glaucopuccinellietalia maritima) [1330] Mediterranean salt meadows (Juncetalia maritimi) [1410] Turloughs [3180] Juniperus communis formations on heaths or calcareous grasslands [5130] Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210] Calcareous fens with Cladium mariscus and	Negative impacts (temporary) on surface water/water quality due to construction related emissions including increased sedimentation and construction related pollution. Human Disturbance during construction and during operational phase. Risk of hydrological effects with the discharge of contaminants associated with the proposed development to ground affecting both underlying aquifer and downstream waterbodies.	Negative effect on habitat quality undermines conservation objectives related to water quality. Possibility of significant effects cannot be ruled out without further analysis and assessment.	
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species of the Caricion davallianae [7210] Alkaline fens [7230] Limestone pavements [8240] Lutra lutra (Otter) [1355] Phoca vitulina (Harbour Seal) [1365]		
	Likelihood of significant effects from proposed development (alone): Y	
	Impacts	Effects
Site 3: 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] Light-bellied Brent Goose (Branta bernicla hrota) [A046] Teal (Anas crecca) [A052] Red-breasted Merganser (Mergus serrator) [A069] Ringed Plover (Charadrius hiaticula) [A137]	Direct: None Indirect: Negative impacts (temporary) on surface water/water quality due to construction related emissions including increased sedimentation and construction related pollution. Risk of hydrological effects with the discharge of contaminants associated with the proposed development to ground affecting both underlying aquifer and downstream waterbodies.	Disturbance/displacement Changes to habitat quality/ function Habitat loss/ modification Negative effect on habitat quality undermines conservation objectives related to water quality. Possibility of significant effects cannot be ruled out without further analysis and assessment.

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]		
	Likelihood of significant effects from proposed development (alone): Y	
	Impacts	Effects
Site 4: Lough Corrib SPA (004042)	Direct: None Indirect:	Disturbance/displacement Changes to habitat quality/ function Habitat loss/ modification

Black-throated Diver (<i>Gavia arctica</i>) [A002] Great Northern Diver (<i>Gavia immer</i>) [A003] Cormorant (<i>Phalacrocorax carbo</i>) [A017] Grey Heron (<i>Ardea cinerea</i>) [A028] Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Teal (<i>Anas crecca</i>) [A052] Red-breasted Merganser (<i>Mergus serrator</i>) [A069] Ringed Plover (<i>Charadrius hiaticula</i>) [A137] Golden Plover (<i>Pluvialis apricaria</i>) [A140] Lapwing (<i>Vanellus vanellus</i>) [A142] Dunlin (<i>Calidris alpina</i>) [A149] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Curlew (<i>Numenius arquata</i>) [A160] Redshank (<i>Tringa totanus</i>) [A162] Turnstone (<i>Arenaria interpres</i>) [A169]	Negative impacts (temporary) on surface water/water quality due to construction related emissions including increased sedimentation and construction related pollution. Risk of hydrological effects associated with the proposed development.	Negative effect on habitat quality undermines conservation objectives related to water quality. Possibility of significant effects cannot be ruled out without further analysis and assessment.	
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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]		
Step 4 Conclude if the proposed development could result in likely significant effects on a European site.		
It is not possible to exclude the possibility that proposed development alone would result significant effects on Lough Corrib SAC, Galway Bay Complex SAC, Inner Galway Bay SPA and Lough Corrib SPA for effects associated with surface water, disturbance, air quality, hydrogeological effects. An appropriate assessment is required on the basis of the possible effects of the project ‘alone’. Further assessment in-combination with other plans and projects is not required at screening stage. Proceed to AA.		
Screening Determination Significant effects cannot be excluded. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that it is not possible to exclude that the proposed development alone will give rise to significant effects on Lough Corrib		

SAC, Galway Bay Complex SAC, Inner Galway Bay SPA and Lough Corrib SPA European Sites in view of the sites conservation objectives. Appropriate Assessment is required.

This determination is based on:

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

Appendix 4

Appropriate Assessment

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, the following is an appropriate assessment of the implications of the proposed development which comprises of the demolition of the existing dwelling and vacant outbuildings on site and in view of the relevant conservation objectives of the Lough Corrib SAC, Galway Bay Complex SAC, Inner Galway Bay SPA and Lough Corrib SPA based on scientific information provided by the applicant.

The information relied upon includes the following:

- Natura Impact Statement prepared by Greenleaf Ecology.
- The National Parks and Wildlife Services web site.
- The AA determination undertaken by the Planning Authority.

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

3rd Party Appellant:

Works are required to city's infrastructure to prevent overflows discharge polluting matters into the waters within a SAC. The proposed development will increase pressure on the infrastructure and increase risk to the SAC.

NAME OF SAC/ SPA (SITE CODE): Lough Corrib SAC (00297):

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

- (i) Water quality degradation as a result of a potential hydrogeological impact.

See Table 5.1 NIS			
Qualifying Interest features likely to be affected.	Conservation Objectives Targets and attributes	Potential adverse effects	Mitigation measures (summary) NIS SECTION 6.2.2 – 6.2.4
Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110]	Restore favourable conservation condition of the habitat in the SAC.	None Oligotrophic waters containing very few minerals of sandy plains can be ruled out due to the absence of a hydrological connection via the proposed development site and the closest mapped area of this QI habitat, the extensive buffering distance of approx. 29km from the proposed development site to the mapped record of this QI habitat, and the absence of a complete source-pathway- receptor chain.	N/A
Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or Isoeto-Nanojuncetea [3130]	To restore the favourable conservation condition of the habitat in the SAC.	None Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or Isoeto-Nanojuncetea can be ruled out due to the absence of a hydrological connection via the proposed development site and the closest mapped area of this QI habitat, the extensive buffering distance of approx. c.8.4km from the proposed development site to the mapped record of this QI habitat, and the absence of a complete source-pathway receptor chain.	N/A
Hard oligo-mesotrophic waters with benthic	To restore the favourable conservation condition of the habitat in the SAC	Yes A potential pathway for indirect effects on this Qualifying Interest (QI);	Yes The mitigation measures described in Section 7.1.4 of the NIS to protect water quality in

vegetation of Chara spp. [3140]		associated with this SAC was identified during the construction and operational phases of the proposed development, in the form of deterioration of water quality resulting from potential hydrological connectivity.	the receiving environment will ensure that surface water quality inputting to the Terryland River, lower River Corrib, is protected during construction and operation of the Proposed Development.
Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260]	To restore the favourable conservation condition of the habitat in the SAC.	Yes A potential pathway for indirect effects on this Qualifying Interest (QI); associated with this SAC was identified during the construction and operational phases of the proposed development, in the form of deterioration of water quality resulting from potential hydrological connectivity .	Yes The mitigation measures described in Section 6.2.2.2 of the NIS to protect water quality in the receiving environment will ensure that surface water quality protected during construction and operation of the Proposed Development.
Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210]	To maintain the favourable conservation condition of the habitat in the SAC.	None. Semi-natural dry grasslands and scrubland facies on calcareous substrates are designated as part of this SAC. As such, indirect impacts on this terrestrial QI habitat: semi-natural dry grasslands and scrubland facies on calcareous substrates can be ruled out due to the terrestrial nature of the habitat and absence of a pathway.	No
Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410]	To maintain the favourable conservation condition of the habitat in the SAC.	None. The main habitats recorded within the proposed development site include Improved Agricultural Grassland (GA1), Buildings and Artificial Surfaces (BL3), Hedgerow (WL1), Treeline (WL2) and Stonewalls and other stone works (BL1). As such, none of the habitats within the proposed development site correspond to this QI Habitat: Molinia meadows on calcareous, peaty or	No

		clayey-silt-laden soils (Molinion caeruleae) designated as part of this SAC. As such, indirect impacts on this terrestrial QI habitat: Molinia meadows on calcareous, peaty or clayey-silt-laden soils can be ruled out due to the terrestrial nature of the habitat.	
Active raised bogs [7110]	To restore the favourable conservation condition of the habitat in the SAC.	None. As set out within the EclA, the main habitats recorded within the proposed development site include Improved Agricultural Grassland (GA1), Buildings and Artificial Surfaces (BL3), Hedgerow (WL1), Treeline (WL2) and Stonewalls and other stone works (BL1). As such, none of the habitats within the proposed development site correspond to this QI Habitat (Active raised bogs designated as part of this SAC). The Active Raised Bogs are located within a separate Water Framework Catchment and Ground Water Body and are not located downstream of the Proposed Development.	No
Degraded raised bogs still capable of natural regeneration [7120]	The long-term aim for Degraded raised bogs still capable of natural regeneration is that its peat-forming capability is re-established; therefore, the conservation objective for this habitat is inherently linked to that of Active raised bogs (7110) and a separate conservation objective	The main habitats recorded within the proposed development site include Improved Agricultural Grassland (GA1), Buildings and Artificial Surfaces (BL3), Hedgerow (WL1), Treeline (WL2) and Stonewalls and other stone works (BL1). As such, none of the habitats within the proposed development site correspond to this QI	No

	has not been set in Lough Corrib SAC	Habitat: Degraded raised bogs designated as part of this SAC. Indirect effects on this groundwater influenced QI habitat can be ruled out.	
Depressions on peat substrates of the Rhynchosporion [7150]	Depressions on peat substrates of the Rhynchosporion is an integral part of good quality Active raised bogs (7110) and thus a separate conservation objective has not been set for the habitat in Lough Corrib SAC	None The main habitats recorded within the proposed development site include Improved Agricultural Grassland (GA1), Buildings and Artificial Surfaces (BL3), Hedgerow (WL1), Treeline (WL2) and Stonewalls and other stone works (BL1). As such, none of the habitats within the proposed development site correspond to this QI Habitat: Active raised bogs designated as part of this SAC. As such, indirect impacts on the following terrestrial QI habitat: Depressions on peat substrates of the Rhynchosporion can be ruled out due to the terrestrial nature of the habitat.	No
Calcareous fens with Cladium mariscus and species of the Caricion davallianae [7210]	To maintain the favourable conservation condition of the habitat in the SAC.	Yes Due to the full extent of the distribution of this groundwater influenced QI habitat within the SAC being unknown, the construction and operational activities associated with the proposed development may result in pollution, adversely impacting this QI habitat via the deterioration of water and habitat quality.	Yes The mitigation measures described in Section 6.2.2.2 of the NIS to protect water quality in the receiving environment will ensure that surface water quality protected during construction and operation of the Proposed Development.
Petrifying springs with tufa formation	To maintain the favourable conservation condition of the habitat in the SAC.	Yes Due to the full extent of the distribution of this groundwater influenced QI	Yes The mitigation measures described in Section 6.2.2.2 of the NIS to protect water quality

(Cratoneurion) [7220]		habitat within the SAC being unknown, the construction and operational activities associated with the proposed development may result in pollution.	in the receiving environment will ensure that surface water quality protected during construction and operation of the Proposed Development.
Alkaline fens [7230]	To maintain the favourable conservation condition of the habitat in the SAC	Yes Due to the full extent of the distribution of this groundwater influenced QI habitat within the SAC being unknown, the construction and operational activities associated with the proposed development may result in pollution, adversely impacting this QI habitat via the deterioration of water and habitat quality, in the absence of mitigation.	Yes The mitigation measures described in Section 6.2.2.2 of the NIS to protect water quality in the receiving environment will ensure that surface water quality protected during construction and operation of the Proposed Development.
Limestone pavements [8240]	To maintain the favourable conservation condition of the habitat in the SAC to natural processes	No There is no direct loss of any habitat corresponding to this priority Annex I habitat type nor potential for hydrological/hydrogeological impacts arising from the Proposed Development.	No
Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]	To maintain the favourable conservation condition of the habitat in the SAC	None. There is no direct loss of any habitat corresponding to this Annex I habitat type nor potential for hydrological/hydrogeological impacts arising from the Proposed Development.	No
Bog woodland [91D0]	To maintain the favourable conservation condition of the habitat in the SAC	None. There is no direct loss of any habitat corresponding to this priority Annex I habitat type nor potential for hydrological/hydrogeological impacts arising from the Proposed Development.	No

Margaritifera margaritifera (Freshwater Pearl Mussel) [1029]	To restore the favourable conservation condition of the habitat in the SAC	No. The population of freshwater pearl mussel for which the site is designated relates to the Owenriff catchment. The nearest freshwater pearl mussel catchment is mapped approx. 24km northwest of the proposed development site. The distribution of this QI species within this SAC is well-documented and full baseline monitoring took place in 2004 (Moorkens, 2004). Therefore, direct and indirect impacts on this aquatic QI Species can be ruled out due to the absence of a hydrological connection to the mapped areas of Freshwater Pearl Mussels within the SAC, the extensive buffering distance of approx. 24km to the nearest mapped freshwater pearl mussel catchment and the absence of a complete source pathway receptor chain.	No
Austropotamobius pallipes (White-clawed Crayfish) [1092]	To maintain the favourable conservation condition of the habitat in the SAC	Yes. The nearest mapped record of this QI Species is approx. 9.2km northwest of the proposed development site. According to the site-specific conservation objectives white-clawed crayfish (Austropotamobius pallipes) the distribution of crayfish in Lough Corrib is uncertain. It certainly occurs in three 1km squares in the northern	Yes The mitigation measures described in Section 6.2.2.2 of the NIS to protect water quality in the receiving environment will ensure that surface water quality protected during construction and operation of the Proposed Development.

		section of the lower basin (M2341, M2342, M2941) and is probably more widely distributed. Due to the full extent of the distribution of this species within the SAC being uncertain, and the fact they are likely to be more widely distributed within the SAC as stated a potential pathway for indirect effects on this aquatic QI Species: White-clawed Crayfish was identified during the construction and operational phases of the proposed development, in the form of deterioration of water quality resulting from potential hydrological connectivity.	
Lampetra planeri (Brook Lamprey) [1096]	To maintain the favourable conservation condition of the habitat in the SAC	Yes According to the Site Specific Conservation Objective Document for Lough Corrib SAC (NPWS 2017) artificial barriers can block or cause difficulties to brook lampreys' migration both up- and downstream, thereby possibly limiting species to specific stretches, restricting access to spawning areas and creating genetically isolated populations. A potential pathway for indirect effects on this migratory aquatic QI Species: was identified during the construction and operational phases of the proposed development .	Yes The mitigation measures described in Section 6.2.2.2 of the NIS to protect water quality in the receiving environment will ensure that surface water quality protected during construction and operation of the Proposed Development.

Salmo salar (Salmon) [1106]	To maintain the favourable conservation condition of the habitat in the SAC Distribution: extent of anadromy Percentage of river accessible 100% of river channels down to second order accessible from estuary.	Yes A potential pathway for indirect effects on this migratory aquatic QI Species was identified during the construction and operational phases of the proposed development, in the form of deterioration of water quality resulting from potential hydrological connectivity, in the absence of mitigation.	Yes The mitigation measures described in Section 6.2.2.2 of the NIS to protect water quality in the receiving environment will ensure that surface water quality protected during construction and operation of the Proposed Development.
Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303]	To maintain the favourable conservation condition of the habitat in the SAC Population per roost Number Minimum number of 100 bats for summer roost (roost id. 217 in NPWS database).	None. The main roost associated with this QI species, is located at Ebor Hall, on the northern shores of Lough Corrib, approximately 34km from the Proposed Development. As such, there is no potential for likely significant effects on this species. A satellite roost identified on site, however, the proposed development has been concluded not to be detrimental to the maintenance of the bat population at favourable conservation status.	No
Lutra lutra (Otter) [1355]	To maintain the favourable conservation condition of the habitat in the SAC Distribution / Percentage positive survey sites / No significant decline Habitat distribution / Occurrence / No decline, subject to natural processes	Yes The nearest mapped otter commuting buffer is approx. 2.9km northwest of the site of the proposed development site. Areas mapped include 10m terrestrial buffer along shoreline and riverbanks identified as critical for otters	Yes The mitigation measures described in Section 6.2.2.2 of the NIS to protect water quality in the receiving environment will ensure that surface water quality protected during construction and operation of the Proposed Development. The mitigation measures described in Section 6.2.4.1.1 of the NIS to manage a range of potential disturbance risk due to noise and vibration.

	Extent of terrestrial habitat / Hectares / No significant decline. Area mapped and calculated as 1,054ha along riverbanks/ lake shoreline/around ponds. Extent of freshwater (river) habitat / Kilometres / No significant decline. Length mapped and calculated as 314.2km Extent of freshwater (lake) habitat / Hectares / No significant decline. Area mapped and calculated as 4,178ha	An accidental pollution event during construction or operation could affect surface water in the lower River Corrib. An accidental pollution event of a sufficient magnitude, either alone or cumulatively with other pollution sources, could affect the quality of the habitats and the fauna communities they support. Noise, vibration and increased works, with the proposed construction, particularly if required at night-time which otter utilise could potentially result in negative impacts to QI otter populations	
<i>Najas flexilis</i> (Slender Naiad) [1833]	To restore the favourable conservation condition of the habitat in the SAC Population extent / Hectares; distribution / Restore the spatial extent of <i>Najas flexilis</i> within the lake, subject to natural processes. Population depth / Metres / Restore the depth range of <i>Najas flexilis</i> within the lake, subject to natural processes	No The closest mapped known habitat for this QI Species: slender naiad is approx. 35km northwest of the proposed development site. The closest mapped area of possible habitat for this QI Species is approx. 15.7km northwest of the proposed development site.	Yes The mitigation measures described in Section 6.2.2.2 of the NIS to protect water quality in the receiving environment will ensure that surface water quality protected during construction and operation of the Proposed Development.

Hamatocaulis vernicosus (Slender Green Feather-moss) [6216]	To maintain the favourable conservation condition of the habitat in the SAC Distribution of populations / Number and geographical spread of populations / No decline, subject to natural processes. Population size / Number of individuals / No decline, subject to natural processes.	No. The known distribution of this QI species is located within a separate WFD catchment and GWB and are not located downstream of the Proposed Development.	No

The above table is based on the documentation and information provided on the file and from the NPWS site and is 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

- **Water quality degradation**

In screening for appropriate assessment, it was determined that there was a potential pathway which may result in the deterioration of water quality. The release of contaminated surface water runoff and / or an accidental spillage or pollution event into any surface water features during Construction, or Operation phases, has the potential to affect water quality in the receiving aquatic environment. The associated effects of a reduction of surface water quality could potentially extend for a considerable distance downstream of the location of the accidental pollution event or the discharge. Such an occurrence, of a sufficient magnitude in the absence of mitigation could undermine the conservation objectives of Lough Corrib SAC. This reduction in water quality could result in the degradation of sensitive habitats present within these European sites, which in turn would negatively affect QI species which rely upon these habitats. It could also result in the degradation of the local aquatic environment, which could in turn negatively affect QI species including otter and fish species such as Atlantic salmon, sea lamprey and brook lamprey.

Mitigation measures and conditions

A suite of mitigation measures to protect and safeguard ground, surface and coastal water quality during the construction and operational phases under Section 6.2.2.1 and Section 6.2.2.2 of the NIS including the implementation of a Construction and Environmental Management Plan (CEMP), prevention pollution control measures, cement-based product control measures, refuelling, fuel and hazardous materials storage and the employment of SuDS.

In-combination effects

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

Findings and conclusions

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

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

Reasonable scientific doubt

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

Site Integrity

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

NAME OF SAC/ SPA (SITE CODE): Lough Corrib SPA (site code 004042).

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

- **Deterioration of water quality via a pathway from via the Terryland stream which discharges to the Corrib river downstream, of the SPA.**

See Table 5-47 of the NIS

Qualifying Interest features likely to be affected.	Conservation Objectives Targets and attributes	Potential adverse effects	Mitigation measures (summary) NIS SECTION 6.2.4
Gadwall <i>Anas strepera</i> [A051] Shoveler <i>Anas clypeata</i> [A056] Pochard <i>Aythya farina</i> [A059] Tufted <i>Aythya fuligula</i> [A061] Common <i>Melanitta nigra</i> [A065] Golden <i>Pluvialis apricaria</i> [A140] Common <i>Sterna hirundo</i> [A193] Arctic Tern <i>Sterna paradisaea</i> [A194]	Restore favourable conservation condition. Winter population trend / Percentage change in number of individuals / Long term winter population trend is stable or increasing. Winter spatial distribution / Hectares, time and intensity of use / Sufficient number of locations, area, and availability (in terms of timing and intensity of use) of suitable habitat to support the population target.	Yes The main habitats recorded within the proposed development site include Improved Agricultural Grassland (GA1), Buildings and Artificial Surfaces (BL3), Hedgerow (WL1), Treeline (WL2) and Stonewalls and other stone works (BL1). As such, the proposed development site does not provide significant supporting habitat for these SCI Species associated with this SPA. As such, due to the lack of suitable supporting habitat for the SCI Species within the proposed development site, and the buffering distance of approx. 2.8km from the proposed development site to this SPA, there is no potential for the construction of the proposed development to result in significant ex-situ habitat loss, and/ or disturbance or displacement these SCI species as a result of the proposed development. Taking a precautionary approach, a potential pathway for indirect effects on these SCI	The mitigation measures described in Section 6.2.4 of the NIS to protect water quality in the receiving environment will ensure that surface water quality is protected during construction and operation of the Proposed Development.

		Species and their supporting wetland habitat associated with this SPA was identified during the construction and operational phases of the proposed development, in the form of deterioration of water quality resulting from potential hydrological connectivity and supporting habitats for SCI Species.	
Greenland White-fronted Goose Anser albifrons flavirostris [A395]	To restore the favourable conservation condition of Greenland white-fronted goose in Lough Corrib SPA	NO The foraging distance of over-wintering Greenland white-fronted goose from night roosts is estimated at 5 to 8km (Scottish Natural Heritage, 2016), although this will vary depending on site and landscape. As such the proposed development is located on the outer limit of this core foraging range for this SCI species. Therefore, due to the buffering distance of approx. 8km from the proposed development site to this SPA, the intervening landuses, and the results of the WBS carried out by MKO, there is no potential for ex-situ disturbance/ displacement or habitat loss to this SCI species as a result of the proposed development.	N/A

Tufted Duck Aythya fuligula [A061]	To restore the favourable conservation condition of coot in Lough Corrib SPA	Yes Both tufted duck and coot were recorded on Ballindooley Lough, which lies approximately 403m northeast of the proposed development site and this lake and its surrounding wetland habitats may support this wintering bird species listed as Special Conservation Interests (SCIs) of Lough Corrib SPA (which may be linked to the SPA populations). Therefore, taking a precautionary approach, a potential pathway for indirect effects on this SCI Species and their supporting aquatic habitat associated with this SPA was identified during the construction and operational phases of the proposed development, in the form of deterioration of water quality resulting from potential hydrological connectivity and supporting habitats for SCI Species.	The mitigation measures described in Section 6.2.4 of the NIS to protect water quality in the receiving environment will ensure that surface water quality is protected during construction and operation of the Proposed Development.
Coot Fulica atra [A125]	To restore the favourable conservation condition of coot in Lough Corrib SPA		
Black-headed Gull Chroicocephalus ridibundus [A179]	To restore the favourable conservation condition of hen harrier in Lough Corrib SPA	Yes Both black-headed and common gull were recorded utilising the proposed site for foraging purposes and were also recorded on Ballindooley Lough, which lies 403m northeast of the proposed development site and this lake and its	The mitigation measures described in Section 6.2.4 of the NIS to protect water quality in the receiving environment will ensure that surface water quality is protected during construction and operation of the Proposed Development.
Common Gull Larus canus [A182]	To restore the favourable conservation condition of hen harrier in Lough Corrib SPA		

		surrounding wetland habitats may support these wintering bird species listed as Special Conservation Interests (SCIs) of Inner Galway Bay SPA (which may be linked to the SPA populations). As such there is suitable supporting habitat for these species, and as such, there is potential for ex-situ disturbance/ displacement and habitat loss for the SCI species recorded during WBS undertaken by MKO on site.	
Hen Harrier <i>Circus cyaneus</i> [A082]	To restore the favourable conservation condition of hen harrier in Lough Corrib SPA	No The site is of no ecological significance to foraging or roosting hen harrier. as this species has a preference for open heath, scrub and farmland habitats for foraging and reedbed, heath/bog, rank grassland, fen and bracken for roosting (O'Donoghue, 2010). As such, there is no potential for the proposed development to result in significant ex situ disturbance/ displacement or habitat loss to this SCI species.	N/A
Wetlands and waterbirds [A999]	To restore the favourable conservation condition of hen harrier in Lough Corrib SPA	Yes The construction and operational activities associated with the proposed development may result in the deterioration of water quality resulting from potential hydrological connectivity, in the	The mitigation measures described in Section 6.2.4 of the NIS to protect water quality in the receiving environment will ensure that surface water quality is protected during construction and operation of the Proposed Development.

		absence of mitigation. As such, adversely impacting the supporting aquatic and Wetland habitats for SCI Species within the SPA. Following a precautionary principle, a potential pathway for indirect effects on the SCI waterbirds and supporting wetland habitat was identified in the form of deterioration of water quality and supporting wetland habitat for the listed SCI species.	
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The above table is based on the documentation and information provided on the file and from the NPWS site and I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests.

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

(i) Water quality degradation

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

Mitigation measures and conditions

As per mitigation measures as in Section 6.2.4 of the NIS.

In-combination effects

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

Findings and conclusions

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

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

Reasonable scientific doubt

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

Site Integrity

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

NAME OF SAC/ SPA (SITE CODE): Galway Bay Complex SAC (site code 000268)

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

- (i) Water quality degradation as a result of a potential hydrogeological impact.

See Table 5.1 NIS

Qualifying Interest features likely to be affected.	Conservation Objectives Targets and attributes	Potential adverse effects	Mitigation measures (summary) NIS SECTION 6.2.2 – 6.2.4
Mudflats and sandflats not covered by seawater at low tide [1140]	To maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide in Galway Bay Complex SAC	Yes – A potential pathway for indirect effects on this Qualifying Interest (QI); Mudflats and sandflats not covered by seawater at low tide associated with this SAC was identified	The mitigation measures described in Section 6.2.2.2 of the NIS to protect water quality in the receiving environment will ensure that surface water quality protected during construction and operation of the Proposed Development.

		during the construction and operational phases of the proposed development, in the form of deterioration of water quality resulting from potential hydrological connectivity	
Coastal lagoons [1150]	To restore the favorable conservation condition of Coastal lagoons in Galway Bay Complex SAC	Yes - a potential pathway for indirect effects on this Qualifying Interest (QI); Coastal Lagoons associated with this SAC was identified during the construction and operational phases of the proposed development, in the form of deterioration of water quality resulting from potential hydrological connectivity.	The mitigation measures described in Section 6.2.2.2 of the NIS to protect water quality in the receiving environment will ensure that surface water quality protected during construction and operation of the Proposed Development.
Large shallow inlets and bays [1160]	To maintain the favourable conservation condition of Large shallow inlets and bays in Galway Bay Complex SAC	Yes A potential pathway for indirect effects on this Qualifying Interest (QI); Large Shallow Inlets and Bays associated with this SAC was identified during the construction and operational phases of the proposed development, in the form of deterioration of water quality resulting from potential hydrological connectivity.	The mitigation measures described in Section 6.2.2.2 of the NIS to protect water quality in the receiving environment will ensure that surface water quality protected during construction and operation of the Proposed Development.
Reefs [1170]	To maintain the favourable conservation condition of Reefs in Galway Bay Complex SAC.	Yes As per Map 6 in the Site-Specific Conservation Document (NPWS 2013), this marine QI Habitat: Reefs is mapped approx. 3.3km	The mitigation measures described in Section 6.2.2.2 of the NIS to protect water quality in the receiving environment will ensure that surface water quality protected during construction and

		south of the proposed development site. A potential pathway for indirect effects on this Qualifying Interest (QI); Reefs associated with this SAC was identified during the construction and operational phases of the proposed development, in the form of deterioration of water quality resulting from potential hydrological connectivity, in the absence of mitigation.	operation of the Proposed Development.
Perennial vegetation of stony banks [1220]	To maintain the favourable conservation condition of Perennial vegetation of stony banks in Galway Bay Complex SAC	No. As per Map 8 in the Site-Specific Conservation Document (NPWS 2013), this terrestrial QI Habitat: Perennial vegetation of stony banks is mapped approx. 6.6km southwest of the proposed development site. As stated in the Site-Specific Conservation Document (NPWS 2013), the current area of this terrestrial QI Habitat: Perennial vegetation of stony banks is unknown. Indirect impacts on the following terrestrial QI habitat: Perennial vegetation of stony banks can be ruled out due to the terrestrial nature of the habitat, the buffering distance of approx. 6.6km from the proposed development site, as per Map 8 of the Conservation	NA

		Objectives document, and the absence of a complete source-pathway-receptor chain	
Salicornia and other annuals colonising mud and sand [1310]	To maintain the favourable conservation condition of Salicornia and other annuals colonizing mud and sand in Galway Bay Complex SAC	Yes According to the Site-Specific Conservation Objective Document for Galway Bay Complex SAC (NPWS 2013), this aquatic QI habitat Salicornia and other annuals colonising mud and sand was recorded at eight of the ten sub-sites surveyed and mapped, giving a total estimated area of 1.347ha. N.B. Further un-surveyed areas may be present within this site. As per map 9 in the SSCO Document, the nearest mapped area of this aquatic QI habitat: Salicornia and other annuals colonising mud and sand is approx. 9.3km south of the proposed development site. Taking a precautionary approach, a potential pathway for indirect effects on this Qualifying Interest (QI); Salicornia and other annuals colonising mud and sand associated with this SAC was identified during the construction and operational phases of the proposed development, in the form of deterioration of water quality resulting	The mitigation measures described in Section 6.2.2.2 of the NIS to protect water quality in the receiving environment will ensure that surface water quality protected during construction and operation of the Proposed Development.

		from potential hydrological connectivity .	
Atlantic salt meadows (Glaucopuccinellietalia maritimae) [1330]	To restore the favourable conservation condition of Atlantic salt meadows (Glaucopuccinellietalia maritimae) in Galway Bay Complex SAC	Yes As per Map 9 in the Site-Specific Conservation Document (NPWS 2013), this marine QI Habitat: Atlantic salt meadows (Glaucopuccinellietalia maritimae) is mapped approx. 6.6km southwest of the proposed development site. A potential pathway for indirect effects on this Qualifying Interest (QI); Atlantic salt meadows associated with this SAC was identified during the construction and operational phases of the proposed development, in the form of deterioration of water quality resulting from potential hydrological connectivity.	The mitigation measures described in Section 6.2.2.2 of the NIS to protect water quality in the receiving environment will ensure that surface water quality protected during construction and operation of the Proposed Development.
Mediterranean salt meadows (Juncetalia maritimi) [1410]	To restore the favourable conservation condition of Mediterranean salt meadows (Juncetalia maritimi) in Galway Bay Complex SAC	Yes As per Map 9 in the Site-Specific Conservation Document (NPWS 2013), this marine QI Habitat: Mediterranean salt meadows (Juncetalia maritimi) is mapped approx. 1.2km southwest of the proposed development site. A potential pathway for indirect effects on this Qualifying Interest (QI); Mediterranean salt	The mitigation measures described in Section 6.2.2.2 of the NIS to protect water quality in the receiving environment will ensure that surface water quality protected during construction and operation of the Proposed Development.

		meadows associated with this SAC was identified during the construction and operational phases of the proposed development, in the form of deterioration of water quality resulting from potential hydrological connectivity	
Turloughs [3180]	To maintain the favourable conservation condition of Turloughs in Galway Bay Complex SAC	As per Map 10 in the Site-Specific Conservation Document (NPWS 2013), this groundwater dependant QI Habitat: Turlough is mapped approx. 9.9km southeast of the proposed development site. The proposed development site is situated within a different groundwater body (Clare-Corrib) than this QI habitat (Clarinbridge). As such, indirect impacts on the following QI habitat: Turloughs can be ruled out due to the buffering distance of approx. 9.9km from the proposed development site, as per Map 10 of the Conservation Objectives document	N/A
Juniperus communis formations on heaths or calcareous grasslands [5130]	To restore the favourable conservation condition of Juniperus communis formations on heaths or calcareous grasslands in Galway Bay Complex SAC	As per Map 10 in the Site-Specific Conservation Document (NPWS 2013), this terrestrial QI Habitat: Juniperus communis formations on heaths or calcareous grasslands is mapped approx. 8.1km southeast of the proposed development site.	N/A

		As such, 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. 8.1km from the proposed development site, as per Map 10 of the Conservation Objectives document, and the absence of a complete source-pathway-receptor chain.	
Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (*important orchid sites) [6210]	To maintain the favourable conservation condition of Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (*important orchid sites) in Galway Bay Complex SAC	As stated in the Site-Specific Conservation Document for this SAC (NPWS 2013), the current area for this terrestrial QI Habitat: Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco Brometalia) (*important orchid sites) is unknown. Further, areas are likely to be small and often in mosaic with other habitats such as limestone pavement and scrub. The main habitats recorded within the proposed development site include Improved Agricultural Grassland (GA1), Buildings and Artificial Surfaces (BL3), Hedgerow (WL1), Treeline (WL2) and Stonewalls and other stone works (BL1). As such, none of the habitats within the proposed development site correspond to this	N/A

		QI Habitat: Semi-natural dry grasslands and scrubland facies on calcareous substrates (* important orchid sites) designated as part of this SAC. As such, indirect impacts on the following terrestrial QI habitat: Semi-natural dry grasslands and scrubland facies on calcareous substrates (* important orchid sites) can be ruled out due to the terrestrial nature of the habitat.	
Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davallianae</i> [7210]	To maintain the favourable conservation condition of Calcareous fens with <i>Cladium mariscus</i> in Galway Bay Complex SAC	Yes According to the Site-Specific Conservation Objective Document for Galway Bay Complex SAC (NPWS 2013), this groundwater influenced QI Habitat: The full extent of this habitat within the SAC is currently unknown. Fen vegetation occurs in wetland areas to the east of Oranmore (Internal NPWS files). It has also been recorded in Ballindereen Lough. This habitat is found in mosaic with other habitats including the Annex I habitat: Alkaline fens (7230) (Internal NPWS Files). A potential pathway for indirect effects on this groundwater influenced Qualifying Interest (QI); Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davallianae</i> fens associated with this	The mitigation measures described in Section 6.2.2.2 of the NIS to protect water quality in the receiving environment will ensure that surface water quality protected during construction and operation of the Proposed Development.

		SAC was identified during the construction and operational phases of the proposed development, in the form of deterioration of water quality resulting from potential hydrological connectivity	
Alkaline fens [7230]	To maintain the favourable conservation condition of Alkaline fens in Galway Bay Complex SAC	Yes The full extent of this QI habitat: Alkaline fens within the SAC is currently unknown. Further, Fen vegetation occurs in wetland areas to the east of Oranmore (Internal NPWS files). It has also been recorded in Ballindereen Lough, mapped approx. 16.7km southeast from the proposed development site, as per Map 10 in the Site-Specific Conservation Document for this SAC (NPWS 2013). A potential pathway for indirect effects on this groundwater influenced Qualifying Interest (QI); Alkaline fens associated with this SAC was identified during the construction and operational phases of the proposed development, in the form of deterioration of water quality resulting from potential hydrological connectivity.	The mitigation measures described in Section 6.2.2.2 of the NIS to protect water quality in the receiving environment will ensure that surface water quality protected during construction and operation of the Proposed Development.
Lutra lutra (Otter) [1355]	To maintain the favourable conservation condition of Otter in	As per Map 11 in the Site-Specific Conservation Document (NPWS 2013), the	The mitigation measures described in Section 6.2.2.2 of the NIS to protect water quality in the receiving environment will ensure

	Galway Bay Complex SAC	closest mapped commuting/ foraging area for this QI Species: Otter is approx. 2km south of the proposed development site. Further, the Site-Specific Conservation Document states that the terrestrial habitat areas mapped in Map 11 include a 10m terrestrial buffer along shoreline (above HWM and along riverbanks) identified as critical for otters (NPWS, 2007) and that the marine habitat areas are mapped based on evidence that otters tend to forage within 80m of the shoreline. It is important that such commuting routes are not obstructed. As per Map 11 in the SSCO Document, the nearest mapped otter commuting buffer is approx. 2km south of the site of the proposed development site. Areas mapped include 10m terrestrial buffer along shoreline and riverbanks identified as critical for otters (NPWS, 2007). A potential pathway for indirect effects on this mobile aquatic QI Species: was identified during the construction and operational phases of the proposed development, in the form of deterioration of water quality resulting from potential hydrological connectivity.	that surface water quality protected during construction and operation of the Proposed Development.
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Phoca vitulina (Harbour Seal) [1365]	To maintain the favourable conservation condition of Harbour Seal in Galway Bay Complex SAC	Yes As per Map 12 in the Site-Specific Conservation Document (NPWS 2013), the closest mapped resting site for this marine QI Species harbour seal (<i>Phoca vitulina</i>): is approx. 1.9km northeast of the proposed development site. The closest mapped breeding site is approx. 3.9km southwest of the proposed development site, and the closest mapped moulting site is approx. 4.7km southeast from the proposed development site, as per Map 12 in the SSCO Document (NPWS 2013). As such, due to the lack of suitable supporting habitat for this mobile marine QI Species; harbour seal within the proposed development site, and the buffering distance of approx. 4.7km from the proposed development site to the nearest record of this QI Species within the SAC, there is no potential for the construction of the proposed development to result in significant ex-situ habitat loss, and/ or disturbance or displacement to the Harbour Seal, as a result of the proposed development. A potential pathway for indirect effects on this mobile aquatic QI Species: was identified during the construction	The mitigation measures described in Section 6.2.2.2 of the NIS to protect water quality in the receiving environment will ensure that surface water quality protected during construction and operation of the Proposed Development.
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		and operational phases of the proposed development, in the form of deterioration of water quality resulting from potential hydrological connectivity	
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The above table is based on the documentation and information provided on the file and from the NPWS site and I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests.

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

Water quality degradation

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

Mitigation measures and conditions

As per the mitigation measures listed under section 6.2.2 and 6.2.3 of the NIS submitted.

In-combination effects

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

I note that concerns have been raised by the third-party appellant with regard to Wastewater network issues within the Galway City Area. The wastewater capacity register has indicated that there is capacity within the network, and the LRD application has been accompanied by a confirmation of feasibility issued by Uisce Eireann. Water quality is currently determined to be Moderate to Good and the proposed development in combination with existing development, is not considered likely to negatively impact on water quality within the site such as to adversely impact on QI's (see discussion under section 8.2 above). Therefore I do not accept that this will have a significant effect.

Findings and conclusions

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

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

Reasonable scientific doubt

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

Site Integrity

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

NAME OF SAC/ SPA (SITE CODE): Inner Galway Bay SPA (site code 004031).

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

- (i) Water quality degradation as a result of a potential hydrogeological impact.

See Table 5.25 of the NIS

Qualifying Interest features likely to be affected.	Conservation Objectives Targets and attributes	Potential adverse effects	Mitigation measures (summary) NIS SECTION 6.2.2 – 6.2.4
Great Northern Diver (<i>Gavia immer</i>) [A003]	To maintain the favourable conservation condition of Great Northern Diver in Inner Galway Bay SPA	Yes The main habitats recorded within the proposed development	The mitigation measures described in Section 6.2.4 of the NIS to protect water quality in the receiving environment will ensure that surface water quality

		site include Improved Agricultural Grassland (GA1), Buildings and Artificial Surfaces (BL3), Hedgerow (WL1), Treeline (WL2) and Stonewalls and other stone works (BL1). As such, the proposed development site does not provide significant supporting habitat for these SCI Species associated with this SPA.	is protected during construction and operation of the Proposed Development.
Cormorant (Phalacrocorax carbo) [A017]	To maintain the favourable conservation condition of Cormorant in Inner Galway Bay SPA		
Grey Heron (Ardea cinerea) [A028]	To maintain the favourable conservation condition of Grey Heron in Inner Galway Bay SPA		
Wigeon Anas Penelope [A050]	To maintain the favourable conservation condition of Wigeon in Inner Galway Bay SPA	As such, due to the lack of suitable supporting habitat for the SCI Species within the proposed development site, and the buffering distance of approx. 1.7km from the proposed development site to this SPA and the intervening landuses, there is no potential for the construction and operation of the proposed development to result in significant ex-situ habitat loss, and/ or disturbance or displacement ones these SCI species as a result of the proposed development.	
Teal (Anas crecca) [A052]	To maintain the favourable conservation condition of Teal (Anas crecca) in Inner Galway Bay SPA		
[A056] Shoveler Anas clypeata	To restore the favourable conservation condition of shoveler in Lough Corrib SPA		
[A137] Ringed Plover Charadrius hiaticula	To maintain the favourable conservation condition of Ringed Plover in Inner Galway Bay SPA		
A140] Golden Plover Pluvialis apricaria	To maintain the favourable conservation condition of Golden Plover in Inner Galway Bay SPA	A potential pathway for indirect effects on these SCI Species and their supporting wetland habitat associated with this SPA was identified during the construction and operational phases of the proposed development, in the form of deterioration of water quality resulting from potential	
[A142] Lapwing Vanellus vanellus	To maintain the favourable conservation condition of Lapwing in Inner Galway Bay SPA		
A149] Dunlin Calidris alpina alpina	To maintain the favourable conservation condition		

	of Dunlin in Inner Galway Bay SPA	hydrological connectivity.	
[A157] Bar-tailed Godwit <i>Limosa lapponica</i>	To maintain the favourable conservation condition of Bar-tailed Godwit in Inner Galway Bay SPA		
[A162] Redshank <i>Tringa totanus</i>	To maintain the favourable conservation condition of Redshank in Inner Galway Bay SPA		
[A169] Turnstone <i>Arenaria interpres</i>	To maintain the favourable conservation condition of Turnstone in Inner Galway Bay SPA		
A191] Sandwich Tern <i>Sterna sandvicensis</i>	To maintain the favourable conservation condition of Sandwich Tern in Inner Galway Bay SPA		
A193] Common Tern <i>Sterna hirundo</i>	To maintain the favourable conservation condition of Common Tern in Inner Galway Bay SPA		
[A160] Curlew <i>Numenius arquata</i>	To maintain the favourable conservation condition of Curlew in Inner Galway Bay SPA		
[A046] Brent Goose <i>Branta bernicla hrota</i>	To maintain the favourable conservation condition of Light-bellied Brent Goose in Inner Galway Bay SPA	No In general, the foraging distance of over-wintering Brent Greese roosts are situated 5 to 8km (Scottish Natural Heritage, 2016), although this will vary depending on site and landscape. The proposed development is located within the core foraging range for this SCI species.	N/A

		However, due to the buffering distance of approx. 1.7km from the proposed development site to this SPA, the absence of significant supporting habitat within the proposed development site and the results of the WBS carried out by MKO, there is no potential for ex-situ disturbance/displacement or habitat loss to this SCI species as a result of the proposed development	
[A069] Red-breasted Merganser Mergus serrator.	To maintain the favourable conservation condition of Red-breasted Merganser in Inner Galway Bay SPA	Yes The main habitats recorded within the proposed development site include Improved Agricultural Grassland (GA1), Buildings and Artificial Surfaces (BL3), Hedgerow (WL1), Treeline (WL2) and Stonewalls and other stone works (BL1). As such, the proposed development site does not provide significant supporting habitat for these SCI Species associated with this SPA. However red-breasted merganser was recorded on Ballindooley Lough, which lies approximately 403m northeast of the proposed development site and this lake and its surrounding wetland habitats may support this wintering bird	The mitigation measures described in Section 6.2.4 of the NIS to address Ex-situ Disturbance/displacement to Birds in the receiving environment is dealt with specifically under section 6.2.4.1.1 with noise and vibration control.
[A179] Black-headed Gull Larus ridibundus.	To maintain the favourable conservation condition of Black-headed Gull in Inner Galway Bay SPA		
[A182] Common Gull Larus canus.	To maintain the favourable conservation condition of Common Gull in Inner Galway Bay SPA		

		species listed as Special Conservation Interests (SCIs) of Inner Galway Bay SPA (which may be linked to the SPA populations). Therefore, taking a precautionary approach, a potential pathway for indirect effects on this SCI Species and their supporting aquatic habitat associated with this SPA was identified during the construction and operational phases of the proposed development, in the form of deterioration of water quality resulting from potential hydrological connectivity and supporting habitats for SCI Species. As such, there is potential for ex-situ disturbance/ displacement and habitat loss for the SCI species recorded during WBS undertaken by MKO on site.	
[A999] Wetlands and waterbirds	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	Yes. The construction and operational activities associated with the proposed development may result in the deterioration of water quality resulting from potential hydrological connectivity, in the absence of mitigation. As such, adversely impacting the supporting aquatic and Wetland habitats for	The mitigation measures described in Section 6.2.4 of the NIS to protect water quality in the receiving environment will ensure that surface water quality is protected during construction and operation of the Proposed Development.

		SCI Species within the SPA. Following a precautionary principle, a potential pathway for indirect effects on the SCI waterbirds and supporting wetland habitat was identified in the form of deterioration of water quality and supporting wetland habitat for the listed SCI species.	
The above table is based on the documentation and information provided on the file and from the NPWS site and I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests.			
Assessment of issues that could give rise to adverse effects view of conservation objectives (I) Water quality degradation There is a potential hydrologically connection from the subject site to the Inner Galway Bay as a result of foul waters from the footprint of the Proposed Development which will join the public sewer and will be treated at the Galway WwTP prior to subsequent discharge to the Corrib Estuary. The release of contaminated surface water runoff and/or an accidental spillage or pollution event into any surface water features during construction, or operation, has the potential to result in significant effects which could have implications for the conservation objectives of Inner Galway Bay SPA as a result of hydrological impacts. A reduction in water quality could result in the degradation of sensitive habitats present within these European sites, which in turn would negatively affect the SCI bird species that rely upon these habitats as foraging and / or roosting habitat. It could also negatively affect the quantity and quality of prey available to SCI bird species. These potential impacts could occur to such a degree that they result in significant effects which could have implications for the conservation objectives of Inner Galway Bay SPA. Mitigation measures and conditions Mitigation measures listed under Section 6.2.4 of the NIS submitted.			
In-combination effects			

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

I note that concerns have been raised by the third-party appellant with regard to Wastewater network issues within the Galway City Area. The wastewater capacity register has indicated that there is capacity within the network, and the LRD application has been accompanied by a confirmation of feasibility issued by Uisce Eireann. Water quality is currently determined to be Moderate to Good and the proposed development in combination with existing development, is not considered likely to negatively impact on water quality within the site such as to adversely impact on QI's (see discussion under section 8.2 above). Therefore, I do not accept that this will have a significant effect.

Findings and conclusions

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

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

Reasonable scientific doubt

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

Site Integrity

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

Appropriate Assessment Conclusion: Integrity Test

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

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

My conclusion is based on the following:

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

Appendix 5

Water Framework Directive

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	ACP-323256-25	Townland, address	Bóthar an Chóiste, in the townlands of Castlegar and Ballinfoil, Galway
Description of project		Large-scale Residential Development (LRD): 168 houses and a creche. Ancillary and associated development works.	
Brief site description, relevant to WFD Screening,		The subject site is situated along the northern side of Bóthar an Chóiste in the townlands of Castlegar and Ballinfoil and within the administrative area of Galway City Council. The site is situated approximately c. 3.5km to the centre of Galway City. The Site is currently used for agricultural purposes with the majority being greenfield in nature. There is 1 no. dwelling located at the south-western corner of the site and there are also a number of derelict agricultural buildings located on the south-eastern corner of the site.	

	Typically, the site slopes downwards from north to south where the site addresses Bóthar an Chóiste. The soils composition of the site was found to comprise a till type. Till is sediment deposited by or from glacier ice. There are no water features on site. The Site-Specific Flood Risk Assessment submitted found that there are no historical flood events recorded in the vicinity of the subject site and that the proposed development is not at risk of groundwater flooding. The assessment concluded that risks of fluvial, costal and pluvial flooding are all considered to be minimal.
Proposed surface water details	The proposed development has been designed using a nature-based SuDS solutions. Soakaway testing demonstrates good infiltration rates throughout the site. Therefore, soakaways as opposed to attenuation tanks are proposed in the stormwater drainage design. A SuDS report, set out within the Civil design report, has been submitted by the applicant as part of the application documentation which details the proposed surface water drainage system and SUDS regime for the proposed development. As a result, all surface water run-off from the site and the northern section of the upgrade road works will be attenuated on site and percolated to the ground. There is an existing 400mm storm sewer on the L5041 local road and this storm sewer will cater for the catchment area of the southern section of the Bóthar an Chóiste road upgrade works.

	SuDS measures proposed would be a combination of rain gardens, tree pits, and permeable paving. These measures would seek to achieve interception storage. Water quality is managed in the form of the proposed petrol interceptors. Attenuated stormwater generated from the proposed impermeable surfaces of the development will enter the proposed stormwater sewer system via a network of drains, SuDS measures overflow and gullies located throughout the site.
Proposed water supply source & available capacity	The water supply required for the proposed development shall be via a 150mm diameter watermain as per Uisce Éireann requirements. It is proposed to connect to the existing 200mm diameter uPVC watermain located in the main junction of the L5041 local road and Bóthar an Chóiste road, southwest of the residential element of the development. The 150mm watermain will be brought north up to the proposed site entrance, within the upgraded Bóthar an Chóiste, and into the development as a spine watermain. A pre-connection enquiry has been submitted to Uisce Éireann under reference number CDS24006375 and subsequent Confirmation of Feasibility is appended (Appendix D) as part of the Civil Design Report submitted to the Planning Authority.
Proposed wastewater treatment system & available capacity, other issues	It is proposed that the wastewater will flow via the proposed gravity foul sewer network within the development to a pumping station located at the lowest point of the developable area in the southwest section of the site. Upgrade works to the existing Bóthar an Chóiste, servicing the development, have been proposed which will include a new 225mm gravity sewer and discharge manhole, to receive the pumped effluent from the development. The wastewater generated from the proposed development will discharge to an existing 225mm diameter foul sewer to the Headford Road. All gravity

			sewers shall be laid under roads and open spaces. A pre-connection enquiry for the proposed development has been submitted to Uisce Éireann under reference number CDS24006375 and subsequent Confirmation of Feasibility is appended which is presented in Appendix D of the Civil Design Report submitted to the Planning Authority.			
Others?			None			
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
	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 Waterbodies						
	c.446m	Terryland_010 (Terryland Stream) IE_WE_30T01 0500	Moderate	at risk.	Urban Run-off	Potential indirect pathway via run-off.
	c.2.5km	Corrib_020 (Corrib River)	Good	Not at risk.	Urban Run-off	
Lake Waterbodies						
	c.403m	Ballindooly Lough (30_506)	Good – not at risk.	not at risk.	No, hydraulically upstream of the site.	

Transitional Waterbody							
	c.2.04km	Corrib Estuary IE_WE_170_0 70	Moderate	Review	Yes, downstream of the Terryland Stream (via through an underground conduit system) and the Corrib River. Also receives treated effluent from the Galway City WWTP	Surface water impacts and Wastewater discharge via the Mutton Island	
Groundwater Bodies							
	Underlying	Clare-Corrib IE_WE_G_002 0	Good	Not at risk.	Yes, Underlying Aquifer	Potential pathway via discharge to ground.	
Step 3: 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 (EPA Code)	Pathway	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if

							'screened' in or 'uncertain' proceed to Stage 2.
River Waterbodies							
1.	Site clearance & Construction	Terryland_010 (Terryland Stream) IE_WE_30T0 1 0500	Potential pathway via wastewater connection to mains.	Water Pollution Surface water run- off	Use of Standard Construction Practice and mitigation set out within the NIS and CEMP as submitted .	No residual risk. This is a standard residential development	Screen out at this stage.
2.	Site clearance & Construction	Corrib_020 (Corrib River)	Potential pathway via wastewater connection to mains.	Water Pollution Surface water run- off	Use of Standard Construction Practice and mitigation set out within the NIS and CEMP as submitted .	No pathway and no residual risk. This is a standard residential development	Screen out at this stage.
Lake Waterbodies							
3.	Site clearance & Construction	Ballindooly Lough (30_506)	Potential pathway via surface water.	Surface water run- off	Use of Standard Construction Practice and mitigation set	No residual risk. This is a standard	Screen out at this stage.

					out within the NIS and CEMP as submitted .	residential development	
Transitional Waterbody							
	Site clearance & Construction	Corrib Estuary IE_WE_170_070	Potential pathway via wastewater connection to mains.	Water Pollution	Use of Standard Construction Practice and mitigation set out within the NIS and CEMP as submitted.	No residual risk. This is a standard residential development	Screen out at this stage.
Groundwater Bodies							
	Site clearance & Construction	Clare-Corrib IE_WE_G_0020	potential pathway for indirect effects on groundwater.	Water pollution.	Use of Standard Construction Practice and CEMP. Specific mitigation referring to ground water is set out in section 7.4 of the CEMP submitted.	No residual risk. This is a standard residential development	Screen out at this stage.

OPERATIONAL PHASE							
River Waterbodies							
1.		Terryland_010 (Terryland Stream) IE_WE_30T0 1 0500	Potential pathway via wastewater connection to mains.	Water Pollution Surface water run-off	SuDS measures are proposed as part of the proposed development and the ongoing monitoring and maintenance.	No	Screen out at this stage.
2.		Corrib_020 (Corrib River)	Potential pathway via wastewater connection to mains.	Water Pollution Surface water run-off	SuDS measures are proposed as part of the proposed development and the ongoing monitoring and maintenance.	No	Screen out at this stage.
Lake Waterbodies							
3.		Ballindooly Lough (30_506)	Potential pathway via wastewater connection to mains.	Surface water run-off	SuDS measures are proposed as part of the proposed development and the	No	Screen out at this stage.

					ongoing monitoring and maintenance.		
Transitional Waterbody							
		Corrib Estuary IE_WE_170_070	Potential pathway via wastewater connection to mains.	Water Pollution	SuDS measures are proposed as part of the proposed development and the ongoing monitoring and maintenance. Subject to local upgrade works and UE connection agreement.	No	Screen out at this stage.
Groundwater Bodies							
		Clare-Corrib IE_WE_G_0020	potential pathway for indirect effects on groundwater.	Water pollution.	SuDS measures are proposed as part of the proposed development and the ongoing monitoring and maintenance of same.	No	Screen out at this stage.

Decommissioning Phase							
5.	N/A	N/A	N/A	N/A	N/A	N/A	N/A