



An
Coimisiún
Pleanála

Inspector's Report

ACP-323407-25

Development	Construction of discount foodstore (to include off licence), ESB substation, standalone deposit return scheme and associated site works
Location	An Spidéal Thiar, West of L5397 Baile Eamoinn, Co. Galway
Planning Authority	Galway County Council
Planning Authority Reg. Ref.	2560144
Applicant(s)	Aldi Stores (Ireland) Limited
Type of Application	Permission
Planning Authority Decision	Grant permission with conditions
Type of Appeal	Third party
Appellant(s)	Martin O'Donnell Michael Cadden Noel Kavanagh Nigel Slemon Fóram Chois Fharráige um Pleanáil Teanga
Observer(s)	Conradh na Gaeilge

Date of Site Inspection

12th November 2025

Inspector

Bébhinn O'Shea

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1.0 Site Location and Description

- 1.1. The site is located on the R336, on the eastern side of An Spidéal on the Galway Road, adjacent An Ceardlann craft village. The road runs along the coast, there is a beach area opposite, with grassed amenity area/public seating in front, and views out to sea. The land and surrounding lands are generally flat or undulating, with a lower ground level and wetter grassland immediately inside the roadside boundary. The site appears to have been excavated with mounds of spoil/rubble evident, some overgrown with grass/weeds.
- 1.2. The site, as outlined in red, consists predominantly of an L-shaped area of land – the location of the proposed retail store and immediate curtilage - with four narrow strips branching out from same to form/connect to the road network. It includes a length of c. 250m of the R336 and the total site area is 1.32 ha.
- 1.3. Along with consent from the landowner, a letter of consent from Galway County Council accompanies the application, relating to lands outside the blue landholding boundary but inside the red site boundary.

2.0 Proposed Development

- 2.1. Permission is sought by Aldi for a
 - Single storey discount foodstore including off-licence - gross floor area of c. 1,913 sqm (net retail area 1,315 sqm),
 - ESB substation and switch room (c. 22 sqm)
 - standalone deposit return scheme (c. 20 sqm)
 - 1 no. internally illuminated totem sign 5 no. store signs
 - 123 no. car parking spaces (including 17 previously permitted under Reg. Ref.: 21/2211) 4 no. EV spaces, 5 no. accessible spaces 9 no. parent and child spaces
 - 16 no. bicycle parking spaces
 - Vehicular and pedestrian access from local road branching north from the R336 (this is the L5397 Baile Éamon) with additional pedestrian access linking to An Ceardlann at western perimeter.

- all engineering/landscaping/lighting/boundary works, solar panels and plant area.

2.2. The application is accompanied by

- Retail Impact Statement & Planning Report
- Energy Efficiency and Climate Change Adaption Design Statement
- Outdoor Lighting Report
- Site Specific Flood Risk Assessment
- Water Services Planning Report
- Landscape and Visual Impact Assessment
- Appropriate Assessment Screening Report
- Traffic Impact Assessment
- Stage 1/2 Road Safety Audit
- Flood risk assessment

3.0 Planning Authority Decision

3.1. Decision

3.1.1. The Planning Authority sought **Further Information** on 08/04/2025 as follows (summarised):

Item 1: Having regard to DM Standard 28 and DM Standard 33 (a) of GCDP,

- (i) Proposed access road to adhere to PI. Ref. 24/60144 Condition No.8 and detailed design of the proposed access road, works to the R336, works to the L5397, junction works in accordance with TII standards to be submitted.
- (ii) Any new access off the public road L-5397 to be a simple T junction in accordance with TII standards and visibility splays in accordance with the GCDP.
- (iii) The Traffic and Transport Assessment to be re-examined to further evaluate the impact on carrying capacity of the L-5397 to the north including analysis of

vehicular conflicts using the L-5397 and the potential requirement of passing bays

- (iv) Revised Traffic and Transport Assessment evaluation and assessment to address any need for a dedicated right-hand lane on the R-336 / L-5397 junction
- (v) Revised site layout plan which shall provide a pedestrian crossing onto the R-336
- (vi) Provision of on-site traffic calming measures in order to instill key permeability links and improving connectivity. A raised ramp profile detail at desire line crossing points. Address pedestrian desire connectivity links from the village to the west, and linkage from the east and to the south.

Item 2:

- (i) Given the restricted nature of layout and vehicular manoeuvrability concerns, a demonstration / provision of dedicated turning facilities pertaining to HGV movements
- (ii) Comprehensive vehicular assessment and justification in relation to the car parking short-fall in order to adequately serve the cumulative functionality of the proposed development and that of the adjoining extant permitted developments, including car-park compliance statement . Please submit a substantiated car parking compliance in accordance with DM Standard 31(d) of the GCDP
- (iii) Revised/alternative egress route to deter extended reversing movements occurring including potential conflict with pedestrian movements (Objective SSGV 10 Transport Infrastructure)

Item 3: Consideration of impact of noise and vibration on residential amenity and adjacent commercial uses to west, in particular

- (i) Robust details in relation to construction materials and noise mitigation measures to address these acoustic concerns in accordance with Policy Objective NP 5 of the GCDP
- (ii) Revised site layout plan to incorporate additional landscaping along the western boundary to further buffer operational sounds to the west.

Item 4: Confirmation of feasibility for connection from Uisce Eireann in relation to the water and wastewater infrastructure connections in order to serve the proposed development

3.1.2. The Planning Authority subsequently **granted planning permission** subject to 30 No. conditions of which I note the following:

- Condition 2 - All signage displaying opening hours, including that of the proposed totem signage (sign 6) located at the eastern edge of the site adjoining the L-5397, shall be in Irish
- Condition 3 – Materials/colours/textures of external finishes to be agreed
- Condition 4 - Hours of operation and hours of delivery
- Condition 8, 9 – Specific requirements for the footpath and associated public road improvements to the R-336 & L-539
- Condition 17 Uisce Eireann
- Condition 18, 19 – De-exemption of advertising and any development above roof parapet level

3.2. Planning Authority Reports

3.2.1. Planning Reports

3.2.1.1. The first report of the Planning Authority

- Screened the proposed development for the need for Appropriate Assessment and Environmental Impact Assessment and concluded neither were required.
- Concluded that on the basis of the flood risk assessment undertaken, the site is elevated relative to and outside the predictive flood extents of any existing watercourses and tidal reach and considered not at risk of fluvial, ground water or tidal flooding.
- Considered the proposed development in accordance with Policy Objective SSGV1 on 'Village Centre' zoned lands and permissible in principle.

- Raised concerns in relation to parking provision in the absence of extant permissions adjacent being enacted. Noted concerns of the Transportation and Roads department, to be issued as a Further Information request.
- Noted no Protected Structures or NIAH structures or recorded monuments on the site,
- Considered additional landscape required around western boundary
- Raised concerns in relation to residential amenity and operational noise, commercial recording studio, in particular the nature and elevation of external plant area.
- Noted, in terms of the Irish language, Policy Objective GA 1 and GA 6 of the Galway County Development would apply if permission were granted.

The report recommended Further Information be requested as per 3.1.1 above.

3.2.1.2. The second report of the Planning Authority considered the response to Further Information. It noted that

- The Transportation and Roads department were satisfied with the response to Items 1& 2 and recommended permission with conditions.
- In relation to Item no. 3, the external roof top plant area has been relocated to the eastern side of the roof with a distance of c. 54 m to the recording studio. Acoustic wall panelling was also provided. The PA was satisfied the noise matters had been addressed.
- The applicant has satisfactorily submitted an Uisce Éireann confirmation of feasibility letter.

A grant of permission was recommended, subject to 30 no. conditions.

3.2.2. Other Technical Reports

- Roads and Transportation dated 08/04/2025 recommends Further Information as contained within Item 1, 2 and 4 of the Further Information request set out at Section 3.1.1 above.

- Roads and Transportation dated 25/017/2025 recommends permission subject to conditions.

3.3. Prescribed Bodies

- TII : Requests that the planning authority has regard to the provisions of official policy for development proposals

3.4. Third Party Observations

A number of third party submissions were received. I have summarised the issues raised as follows:

Visual impact: Inappropriate design and scale at a prime scenic location which will overshadow An Ceardlann, detract from the character and scenic value of the area and diminish the individuality of An Spidéal. Poor visual integration. Nature, scenic value and sustainability of the village should be prioritised over large scale commercial enterprises. Some verified views not visible. The site is like a “quarry” with all the piles of excavated material which is an appalling view for locals and tourists.

Retail impact: The development is a disproportionate scale of retail for small growth village. Aldi store excessive for An Spidéal. Adequate supermarkets already. More suitable for Bearna. Would seriously affect the vitality and viability of the village. Will impact on small shops and small local independent retailers. It is car-based, of excessive scale, will draw trade from the village centre and damage the retail core and the vitality and viability of An Spidéal. Sequential test has not been met. It has not been demonstrated that there are no other sites in the core. Existing retail floor area not accurate. Does not meet RPG requirements.

Traffic, cycling, pedestrian infrastructure. Inadequate TIA, Discrepancy in car parking provision. Inadequate car parking provision. Under provision of bicycle parking. No cycle lanes. Incorrect reference on public notices for the L5397. GCC should prepare a regeneration feasibility plan to make An Spidéal safer. No car parking should be lost on the right-hand side of the road at Trá na mBan. All

footpaths within the site boundary should be the minimum 1.8m. Poor connections to village. Absence of suitable public realm

Impact on the Irish language/culture. Development will reduce number of Irish speakers in the area. It will draw customers out of the shops where Irish is currently being used as the commercial language. There are implications for the linguistic balance of the area, development could change the use of Irish as the shopping language in An Spidéal. An expert in sociolinguistics and language planning should conduct an independent investigation and report on the impact of this proposed development on language behaviour in the community. All signage should be in Irish, bilingual signage is not in accordance with policy objective GA6 of the County Development Plan. Impact on Developer should recognise and prioritise the Irish language in all aspects of the development, including signage and marketing. Obligations under the in relation to the Irish language under the Planning and Development Act, 2000 must be fulfilled.

Noise/vibration Impact of noise and vibration on nearby commercial recording studio. A schedule of works is required to be agreed. Concerns re on-going noise pollution, from elevated external plant area which is contended should be re-located, from operations/deliveries. Sound proof fencing and screening should be installed

Zoning ESB substation materially contravenes Community Facilities zoning.

Prematurity Premature pending construction of hotel and primary care centre. isolated and disjointed retail unit could be developed. Application needs to stand on its own – there is a disjointed area to the south west side.

Ecology/archaeology Absence of NIS, bat survey or EclA or AIA .

4.0 Planning History

Site:

17/1618 Permission refused by Galway County Council to Baile Éamoinn Teoranta for demolition of dwelling house, shed and associated structures and construction of an 81 bed hotel, 2 associated self-catering dwellings, a Business and Food Innovation Centre, 6 detached dwellings and associated works. Refused on appeal

to An Bord Pleanála (Ref 301454-18) on grounds of deficiency in sewerage facilities. Decision quashed by the High Court and remitted or fresh determination by an Board Pleanala (Ref 309753-21). Permission **granted** by ABP on 31/06/2022 subject to 25 No. Conditions.

21/2211 Permission **granted** by Galway County Council on 27/06/2022 to Baile Éamoinn Teoranta for a two-storey Primary Care Centre, a section of the An Spideal Indictive Relief Road immediate abutting the proposed Primary Care Centre, widening and improvement works to the LS397 , pedestrian and vehicular access ways and associated works

24/60046 Permission **refused** by Galway County Council to Baile Éamoinn Teoranta for amendments to the approved layout and provision of 6 no. residential units permitted in application PI Ref 17/1618; ABP-309753-21 to provide 8 no. 2-story 3 no. bungalow style units 2 no. public open spaces associated road upgrade works approved under PI Ref 21/2211 and amendments to car and bicycle parking, site services, site landscaping and all associated site works. Refused on appeal to An Bord Pleanala Ref BP-319498-24 on grounds of prematurity of development of Phase 2 Residential zoned lands.

24/60146 Permission **granted** on 5/8/2024 to Baile Éamoinn Teoranta for amendments to the approved Primary Care Centre previously permitted under application PI Ref 21/2211 to provide an additional floor including 29 no. consultation rooms and amendments to the internal road layout, parking spaces, pedestrian and vehicular accessways car and bicycle parking, site services, site landscaping and all associated site works. (Note: This is a 5 year permission from the date of planning permission, as per Condition 2 and expires on 04/08/2029)

In vicinity to west:

21/1873 Permission granted for or change of use to part of the existing restaurant seating area to a retail section including wine off license

ACP 302847-18 Permission granted to Irish Water for Construction of a new wastewater treatment plant (WWTP) adjacent to the existing Craft Village

24/60904 and **ACP 322452-25** Permission granted and granted on appeal to ACP for demolition of existing hotel building and construction of mixed use building

24/61496 and **ACP 321819-25** Permission refused and granted on appeal for a new three storey civic building, renovation, upgrade and extension of convent (Protected Structure) and associated works

5.0 Policy Context

5.1. National / Regional

- National Planning Framework First Revision 2025
- Regional Spatial and Economic Strategy (RSES) 2020 - 2032, Northern and Western Regional Assembly.

5.2. Section 28 Guidelines

- Retail Planning Guidelines for Planning Authorities, 2012, (DoECLG), and accompanying Retail Design Manual (hereafter referred to as the RPGs)
- Development Management Guidelines for Planning Authorities, 2007, (DoEHLG).
- The Planning System and Flood Risk Management, 2009, including the associated Technical Appendices (DoHLGH). (hereafter referred to as the FRMGs)
- Appropriate Assessment of Plans and Projects in Ireland, Guidelines for Planning Authorities, 2010, (DoEHLG).

5.3. Local

The relevant plan is the Galway County Development Plan 2022-2028 (referred to hereafter as the GCDP). The following sections are relevant:

5.3.1. Volume 1:

Chapter 2 – Core Strategy

Policy Objective SS6 -Small Growth Villages (Level 6)

Protect the consolidation of *Small Growth Villages* in order to improve local employment, services, rural housing and sustainable transport options.

Chapter 3 – Placemaking, Regeneration and Urban Living –

Policy Objective PM8 – Character and Identity

Policy Objective – Vitality in Towns and Villages

Policy Objective – Design Quality

Policy Objective - CGR12 – Opportunity Sites

Chapter 5 – Economic Development, Enterprise and Retail Development

Table 5.5. – Retail Hierarchy

Table 5.5. sets out the Retail Hierarchy and identified An Spidéal within Level 5 Small town/village centre/rural area.

Policy Objective RET 1 – Retail Hierarchy

The Planning Authority will actively promote a hierarchy of retail functions in the County that complements the settlement hierarchy of this plan and there will be a general presumption against out of town retail development.

Policy Objective RET 2 – Retail Strategy

Support and promote the retail sector in the County and ensure compliance with the Retail Planning Guidelines for Planning Authorities DoECLG (2012), including the need for a sequential approach to retail development, the policies objectives of any future Retail Strategy for Galway and the guidance set out in the Retail Design Manual DoECLG (April 2012).

Policy Objective CSA 12 – High Quality Retail Environment

Chapter 6 – Transport and Movement

Policy Objective ILUTP 1 - Sustainable Transportation

Policy Objective WC 3 - Sustainable Transport Movement

Policy Objective NNR 1 - Restricted Regional Roads

Policy Objective NNR 3 - Design Manual for Urban Roads and Streets

Policy Objective NNR 6 - Transport & Traffic Assessments & Road Safety Audits

Policy Objective NNR 8 - Car Parking

Chapter 7 - Infrastructure and Utilities

Policy Objective WW10 - Surface Water Drainage

Chapter 8 Tourism and Landscape

Policy Objective PVSR 1 – Protected Views and Scenic Routes

Chapter 13: The Galway Gaeltacht and Islands

Chapter 13 of the GCDP divides the Gaeltacht into 6 no. districts and section 13.5.4 identifies An Spidéal as being situated within District D which is referred to as Cois Fharráige.

Policy Objective GA 1 Linguistic and Cultural Heritage of An Ghaeltacht

Policy Objective GA 4 Language Enurement Clause to be applied to certain residential units.

Policy Objective GA6 requires all signs in An Ghaeltacht to be in Irish.

Chapter 15 – Development Management Standards

DM Standard 31 – Parking Standards

Table 15.5 sets out maximum quantum of car parking requirement.

DM Standard 33: Traffic Impact Assessment, Traffic & Transport Assessment, Road Safety Audit & Noise Assessment

5.3.2. **Volume 2**

Sets out settlement plans for smaller settlements including Small Growth Villages and An Spidéal in Section 12.1.

5.3.2.1. Relevant Policy Objectives for Small Growth Villages :

SGV 3 Village Centre sets out that Village Centres (VC) will remain the primary focus for the location of new retail and commercial development, that the location of development is consistent the Guidelines for Planning Authorities Retail Planning 2012 (and any updated/superseding document) and will require Retail Impact Assessments, including details of the sequential approach and Design Statements for retail developments in accordance with the Retail Planning Guidelines. The vitality and viability of village centres are to be protected

SGV 12 High Quality, Contextually Sensitive Design Ensure that new developments are responsive to their site context and in keeping with the character, amenity, heritage, environment and landscape of the area

SGV 17 Flood Risk Areas and Land Use Zones sets out that any proposed development must be in accordance with The Planning System and Flood Risk Management Guidelines

5.3.2.2. Policy Objectives for An Spidéal

SSGV 1 Sustainable Village Centre

Promote the development of An Spidéal village, as an intensive, high quality, well landscaped, human-scaled and accessible environments, with an appropriate mix of uses, including residential, commercial, service, tourism, enterprise, public and community uses as appropriate, that provide a range of retail services, facilities and amenities to the local community and visitors to the villages. The village centre and associated main streets shall remain the primary focus for retail and service activity within these plan areas.

SSGV 10 Transport Infrastructure Includes indicative Relief Road (at north east of proposed development site)

5.3.3. Zoning

5.3.3.1. The site is largely zoned **VC Village Centre** which has the following zoning objective:

Policy Objective:

To provide for the development and improvement of appropriate village centre uses including retail, commercial, office and civic/community uses and to provide for a “Living over the shop” scheme Residential accommodation, or other ancillary residential accommodation.

Description:

To develop and consolidate the existing village centre to improve its vibrancy and vitality with the densification of appropriate commercial and residential developments ensuring a mix of commercial, recreation and civic uses.

Shop – Large Scale Convenience Shop is P Permitted in Principle (P). A use that is classified as Permitted in Principle is one that the Local Authority accepts in theory in the relevant zone, subject to compliance with the relevant policy objectives, standards and requirements set out in this plan and the principles of proper planning and sustainable development.

5.3.3.2. A portion of the site to north east is also zoned **CF Community Facilities**

Policy Objective:

To provide for civic, community and educational facilities.

Description:

To facilitate the development of necessary community, health, religious educational social and civic infrastructure.

Large Scale Convenience Shop is Not Normally Permitted (N) – A use that is classified as Not Normally Permitted is one that, except in exceptional circumstances, will not be permitted by the Local Authority.

5.3.3.3. A portion of the site to southwest is also zoned **OS Open Space/Recreation & Amenity**

Policy Objective:

To protect and enhance existing open space and provide for recreational and amenity space.

Description:

To facilitate the further development and improvement of existing active open spaces, formal exercise areas, sports grounds, playing fields

Large Scale Convenience Retail is Not Normally Permitted (N)

- 5.3.4. **An Spidéal Land Use Zoning Map and Flood Risk Management Map** are contained at the end of Section 12 in Volume 2 of the GCDP.

5.4. Natural Heritage Designations

Moycullen Bogs NHA c 1.7 km to north east

Connemara Bog Complex SAC c. 1.6km to north

Connemara Bog Complex PA c 3.7 km to north

5.5. EIA Screening

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendix 1 of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

6.0 The Appeal

6.1. Grounds of Appeal

There are five appeals to the decision of the planning authority and I have summarised the grounds of the appeal by topic below.

- **Land-use Zoning**

Inefficient use of zoned lands – missed opportunity for more sustainable mixed use urban development. Absence of a commercial mixed use on the site would contravene Objective SGV3 of the GCDP.

Car parking spaces 1-17, ESB substation and access road for delivery vehicles are within the CF Community Facilities zoning. ‘Shop convenience’ is not ‘permissible’ in principle. Therefore these elements materially contravene the CF zoning.

- **Retail Impact / RPGs**

The decision is unlawful as it does not have proper regard to the Retail Planning Guidelines and reference them in the reasons and consideration for the decision

Proposed development does not satisfy RPGs in terms of promoting town centre vitality and will undermine the retail units in the existing centre. The site is peripheral

The size of the retail development and position at the edge of the village, poor connectivity would undermine the town centre.

The village with a population of 254 does not have the capacity for this scale of development. There are existing retail stores (Centra and Spar) in the village, Tesco 4km west of the village (Inverin), Slemmons 6km in Furbo, Supervalu 10km in Bearna, Supervalu and Lidl 13km in Moycullen

The proposal fails the Sequential Trest and criteria set out in the RPGs.

Scale of retail is disproportionate to the role and function of a Small Growth Village.

The village is only intended to grow by 55 people to 2028. The proposal is inconsistent with provisions of policy SS6

The proposal is contrary to SSGV1 as the proposed development is not within the commercial core/main streets.

The CDP does not support large retail convenience development in small villages. It is not appropriately scaled or centrally located, therefore is contrary to RPG’s retail hierarchy. Site is on the north-eastern periphery of the settlement of An Spidéal,

removed from core with poor connectivity. Contrary to objective to promote town centre.

The proposed development would undermine the retail function of Bearnna, a metropolitan town, which is within its catchment. The proposal will fundamentally undermine the Joint Retail Strategy for the County.

Despite its part VC zoning, the site is an edge of centre not town centre site. The commercial core of An Spidéal suffers from vacancy. Sequential test has not been met, the applicant has not demonstrated that other sites are not available.

Proposal is premature pending construction of permitted neighbouring development of primary care centre and hotel, and should be phased to follow same.

The proposal is not in accordance with the Retail Planning Guidelines. An Spidéal is a small growth village, the scale and function of the proposal is not appropriate and would be better suited to Bearnna or Moycullen which are within the catchment. The site is an out of centre site as defined by the RPGs and does not meet the criteria of the RPGs.

The proposed development will undermine the Bearnna Town Plan which includes provision for an expanded town centre.

An Spidéal is already well served by 2 supermarkets.

Irish language

The planning authority is obliged to take into account the language planning process in Cois Ferraige. The main aim is to support the community is maintaining Irish as the primary community language, enhance the language community and increase the number of daily speakers.

Signage must be in Irish and comply with GA 6 of the CDP. Condition 2 should be amended in this regard. The GCC Irish Officer should be involved in approving wording on signage.

Traffic / Parking

Access arrangements and local roads are substandard. The modification of the R336 to accommodate vehicular access will reduce on-road parking for the adjacent beach.

Additional parking, refuse collection, HGVS will cause congestion. The proposal is car dependent.

Traffic survey does not reflect increased traffic in summer months.

There is a discrepancy in the figure for car-parking provision.

Dual use of car-parking spaces not appropriate. Reduction in car-parking provision requires to be supported by a mobility management plan; which was not part of the application. Parking is insufficient. Bicycle parking is insufficient.

The proposal would result in dangerous turning manoeuvres, traffic disruption and congestion and increased likelihood of accidents.

Application should have been invalid as the local road L5397 is referred to as the LS397.

- **Connectivity**

There is no suitable connectivity between to the village core and no pedestrian route between parking rows within the development . Pedestrian connectivity to the Craft Centre is unclear.

Inadequate cycling arrangements and connections to the village.

- **Ecology / AA / flood risk**

No Natura Impact Statement was submitted. There is a drain north south through the site which flows towards the sea and is a hydrological link to European sites. A coastal flood risk area is within the site. The significant works if carried out at a time of flooding would lead to adverse effects on the hydrological link.

Construction mitigation measures are required. Impact of coastal flooding at operational stage is not assessed in SSFRA.

A bat survey and Ecological Impact Assessment should have been submitted, in the absence of this development should not proceed

- **Design, architecture and visual impact on character of area**

The site has high profile location and requires a high standard of urban design. The proposed eastern elevation is an elongated monotonous appearance with no vertical relief, and industrial in appearance. The sea of parking to the front will provide a dead frontage. It is a poor design intervention at an urban edge on the Wild Atlantic Way. A universal design template has been proposed which is alien to the village.

There is no usable public realm within the proposal, which is dominated by car parking and has limited landscaping

The village is blessed with natural amenity features of coastlines beaches. A walkway runs along the seafront in front of the site and the development will reduce parking serving that area.

The development is architectural ballast which will have an enduring irreversible impact on the character of An Spidéal

An Spidéal is an ACA, the proposal does not contribute positively in terms of design, scale, setting and materials as per policy AH4 of the CDP. No appraisal of landscape impact was undertaken. Architectural Heritage Impact Assessment should have been undertaken.

Visual impact will be significant at prominent location of entrance to village and across the road from the beach.

6.2. Applicant Response

The applicant has responded to the appeals in a grouped manner, identifying particular parts of each appeal as necessary. An overview of the site location, proposed development and application is initially provided. I have summarised the remainder of the response below.

- **Irish language:**

The response notes condition 2 of GCC decision and accepts the condition, to have all signage in Irish and states that it will 'omit Irish from the totem sign'. (I am satisfied that the latter part of the response is a typographical error and intended to read will 'omit English from the totem sign'.)

- **Retail**

The applicant does not accept that the decision is unlawful as it does not have proper regard to the RPGs. The planning report references the RPGs. The GCDP references the RPGS in particular Chapter 5. The Core Strategy is informed by the RPGs. The planning report states all matters raised in submissions are noted. The Council has addressed the development plan in its report and decision, including retail policy, and policy objective SSGV1 and the decision is consistent with the requirements of the Planning Act.

The applicant does not accept that the proposal is a large scale convenience supermarket. The RPGs define a supermarket as '*singe level self-service store selling mainly food with a net retail floorspace of less than 2,500 sq m*'. The proposed store is 1,315 sq m net retail floor area and is medium sized. The VC centre zoning identifies a large scale convenience/comparison as Permitted in Principle.

Clear precedent exists for medium sized stores in Level 5 settlements of the retail hierarchy in Clifden, MaighCullen, Portumna. An Spidéal is located within the economic engine of County Galway. GCC considered the development acceptable in accordance with SSGV1 and Village Centre Zoning.

The RIS Table 8.9 demonstrates there is surplus expenditure available to 2028 (when the store is due to open) which exceeds the turnover of the store, so the store will not detract from the town centre.

The qualitative assessment in the RIS is correct in excluding populations in areas to Moycullen and Bearn as populations are likely to travel to shop in Moycullen Bearn or Galway City for convenience retail. Including these settlements in the catchment would inflate the available surplus of retail expenditure in the catchment of An Spidéal. The area west of An Spidéal is sparsely served by convenience retail .

Section 2.5.3 of the RPGS is noted in relation to competition and existing commercial interests.

The RPGs and development set out clear planning policy framework and hierarchy to promote retail development in villages.

The zoning matrix identifies the site as a sequentially preferably location. A sequential test was submitted and updated as part of this submission. There are limited option located in appropriately zoned VC lands due to small sites and narrow plots. The appellants themselves and do not identify any opportunities. 8 sites are considered in a Revised RIS. There are no sites which are suitable, available and viable

In relation to impact on Bearna, there is no objective in the GCDP that requires proposed retail development in An Spidéal to be directed to Bearna. The proposed store will service predominantly areas north and west of the settlement, currently underserved by retail

- **Built and Archaeological Heritage.**

The site is outside the ACA and there is a built up area in between the edge of the ACA and the proposed store. Comments on design contribution to the ACA are not therefore relevant. The ACA was taken into consideration with the selection of viewpoints. The proposed development is not in a Designed Landscape. The proposed store incorporates high quality architectural features including limestone and glazed curtain walling. The stone provides a connection to the character of the local area. The closes archaeological feature is c. 200m west. Archaeological Impact Assessment (AIA) has not been required on wider lands in the vicinity. The applicant is willing to accept a condition for AIA if required.

- **Perceived Material Contravention of Zoning.**

The proposed development is designed to integrate with extent permission 21/1211 (as amended) under 24/60146 for a primary care centre and 17/1618 ABP 309753-21 for a hotel to the south. The Aldi store is on VC zoned lands. The shared parking and substation which serve the primary care centre also are on CF zoned lands as previously permitted. The proposed Aldi takes access from roads and infrastructure

permitted previously. The area of Open Space facilitates water services previously permitted.

- **Piecemeal/premature development.**

The applicant refutes these claims. The development is part of a coherent masterplan for the lands. The primary care centre will be progressed in the short term. The planning permission for the subject application includes a condition phasing the development.

- **Connectivity**

The proposed development has appropriate links, to An Ceardlann and pedestrian footpaths on the R336. The overall masterplan will improve footpath infrastructure to Baile Eamonn

- **Inefficient use of land/ overdevelopment**

This claim is refuted. The applicant notes contradicting statements in the appeals in this regard in terms of overdevelopment versus loss of a more sustainable mixed use urban development through this single storey big box approach. The proposal does not materially contravene SGV3. There is an overall mix upon the masterplan site consistent with zoning. Site coverage is 14% it is not over development

- **Urban Design, Views and Public realm.**

A specific response is submitted by Deay Gahan Architects and CSR Landscape Architects which refute the criticism contained within the appeal. Additional planting to benefit eastern views is proposed.

- **Traffic and Transport**

The vast majority of trips to discount food stores are linked trips and therefore the development does not give rise to additional congestion.

Car parking was dealt at FI stage by the Planning Authority. There are 170 spaces between the proposed development and the primary care centre.

Aldi operate mobility management plans. Proposed bicycle parking provision is considered sufficient. Will accept condition for 3 additional spaces if considered appropriate.

Access arrangements are not substandard and have been previously permitted. The proposal incorporates a ghost island priority T junction with the R336 with storage area for right turning traffic accessing Baile Eamonn road.

No road safety issues have been identified in the audits.

- **Ecology**

It is noted that the planning report concluded after AA screening that Stage 2 AA was not required. A screening report accompanied the application.

The submission states that the Council accepts that a new surface water drainage system has been permitted and will service the masterplan development and that the Planning report accepted there was no need for a justification test.

An EclA is submitted in response to the appeal which concludes that there are no trees or structure of bat roosting potential on site, not bat roosts or foraging activity were evident on site. The EclA concludes that there would be no significant effects on biodiversity

- **Invalidation of file**

It is not accepted that the application should be invalidated due to the reference to road LS397 instead of L5397. The road Baile Eamonn was named in the application form and notices and complies with the Planning Regulations. The appellants clearly understand the location of the stie.

- **Appendices** to the submission supporting the above are:

- Galway County Council Planning Reports and Decision
- Retail Impact Statement and Planning Report by John Spain and Associates (revised)
- Architects Design Statement by Deady Gahan Architects
- Response to Appeals by Cunnane Strattan Reynolds Land Planning and Design (new)
- Response to Third Party Appeal Submissions by TPS M Moran & Associates Traffic and Transportation Planning Consultants (new)

- Ecological Impact Assessment (EclA) by Almemar Marine and Environmental Consultancy (new)

6.3. Planning Authority Response

None received

6.4. Observations

Conradh na Gaeilge: This observation sets out the obligations of planning authorities in relation to the Irish language under the Planning Act. It recommends that clear language conditions be attached to any permission. It also makes recommendations in relation to Irish language use within the proposed retail store and recruitment process for the store.

6.5. Further Responses

Further responses were received as follows

- Appellant Michael Cadden relating to other 3rd party appeals received. This submission reiterates grounds of appeal and comments in support of other appeal submissions. It states that the proposed development will add 100% to existing retail space.
- Appellant Foirm Cois Farrage. This submissions relates to points 5.7 and 5.8 of the applicant's response to appeal, and notes contractions ins same in relation to use of Irish language on. It states that the condition of planning requires clarification and to comply with policy objective GA1 and GA6.
- Michael Cadden: Largely re-iterates grounds of appeal. Notes masterplan is congested and unworkable. Notes history cases of refusal of permission on visually sensitive areas.
- Niel Slemon: Largely re-iterates grounds of appeal. Notes Site 2 in the RIS could accommodate appropriately scaled retail development. EclA was submitted as part of the appeal response and members of the public have not had an opportunity to comment. Given the volume of information in the response of the applicant to the appeal, re-advertisement is required.

- Martin O'Donnell: Largely re-iterates grounds of appeal. Revised documents submitted in applicant's response to appeal do not address concerns, in particular impact on Bearna and access arrangements.

7.0 Assessment

7.1. Principal of development and zoning.

- 7.1.1. The site is zoned Village Centre where the objective is to provide for the development and improvement of appropriate village centre uses including retail, commercial, office and civic/community uses and to provide for a "Living over the shop" scheme Residential accommodation, or other ancillary residential accommodation. Shop – Convenience and Shop – Large Scale Convenience Shop are P Permitted in Principle (P).
- 7.1.2. I do not consider that reference in "ensuring a mix of commercial, recreation and civic uses" is intended to be interpreted as every application site being required to propose a mix of uses, but rather refers to the zoned Village Centre area. I note that if the entirety of the masterplan lands are considered together, a significant mix has been proposed and permitted including community facility, hotel and now retail.
- 7.1.3. I note that the access road, parking and ESB substation are ancillary to the main uses rather than uses in themselves and permitted under history application 21/2211 and 24/60146.
- 7.1.4. I therefore consider that the proposed development is in accordance with the zoning objective of the site, subject to compliance with the relevant policy objectives, standards and requirements set out in this plan and the principles of proper planning and sustainable development, which are discussed below. No Material Contravention of the zoning objectives occurs.

7.2. Retail Impact / Retail Planning Guidelines

- 7.2.1. Retail policy for Galway County is set out in Chapter 5 of the GCDP. Policy objective RET 1 is that the Planning Authority will actively promote a hierarchy of retail functions in the County that complements the settlement hierarchy.

- 7.2.2. Table 5.5. sets out the Retail Hierarchy and identifies An Spidéal within Level 5 Small town/village centre/rural area. The village is also located within the Economic Engine of the county, as per Map 5.1.
- 7.2.3. Policy objective RET 2 is to ensure compliance with the RPGs, including the need for a sequential approach for retail development.

The RPGs have five key policy objectives:

- Plan led development
- Primacy of city/town centre and sequential approach to development
- Competitiveness
- Increased access to retail by modes other than the car
- Quality design.

- 7.2.4. There is no retail strategy for Galway County Council setting out estimates of required future retail development in settlements based on the set specific population targets. Section 5.9.1 of the GCDP states that County Council intends to prepare a Retail Strategy in conjunction with Galway City Council to take about of these requirements, which arise from the RPPGS. This is reflected in policy Objective RET3.
- 7.2.5. Submissions raise concerns regarding the capacity for this scale of development in the village, or the suitability of the proposal for a small growth village in terms of policy objectives SS6 (Protect the consolidation of Small Growth Villages). The GCDP states that “Appropriately scaled new retail development in centrally located sites within Small Growth Towns and Small Growth Villages shall also be encouraged”.
- 7.2.6. As stated, there are no estimates of future floor space requirements for settlements within the GCDP. A Retail Impact Assessment was submitted with the application, and updated in response to the appeal. It defines the catchment area based on a 15 minute drive time adjusted for both Galway City and Moycullen. In determining population, it excludes the populations in areas around Moycullen and Bearna to the east where residents are more likely to travel to shop to Moycullen or Galway City for convenience retail. Appeals refence the population of the village as unable to sustain

this retail floor space, however I note in this regard that the population catchment is not intended to be limited to the village.

- 7.2.7. The assessment applies a population growth rate of 1.5 per annum which is considered conservative takes account of seasonal population. A relevant demographic profile from the catchment area was extrapolated. Convenience goods expenditure per capita is then estimated based on CSO's Annual Service Enquiry. The estimated total expenditure per capita is identified for 2022 and estimated for 2028 when the store would be open.
- 7.2.8. Based on the catchment population and per capita expenditure, the total available convenience goods expenditure within the catchment is then calculated for 2022 and 2028. The Turnover of Proposed Development and Turnover of Existing Convenience Floorspace within the Catchment is identified.
- 7.2.9. Ultimately the assessment concludes that It is estimated that there will be an available surplus of €18,039,011 in the year 2028 when existing retail floorspace within the catchment area is taken into consideration. The turnover of the proposed retail development is estimated at €11,835,000 in 2028. Therefore, even when the proposed retail stores are open and operating it is contended there would still be a surplus of expenditure.
- 7.2.10. In this regard, I am satisfied that a satisfactory retail impact assessment has been undertaken, and that the applicant has demonstrated that there is surplus spending capacity in the catchment to sustain this development.
- 7.2.11. In relation to the suitability of An Spidéal for the proposed development, there is no specific policy suggesting preferred settlements (e.g. Bearna) over others for convenience stores of this, medium, scale. I would summarise policy as focussed on ensuring retail development is sufficient in supporting appropriate population growth in settlements, and retaining the primacy of the village centre through securing appropriate locations for retail development.
- 7.2.12. In this regard, I consider that the proposed development will support the local population through additional convenience retail choice, different in nature to that existing. I note Section 4.8 of the RPGs states "It is not the purpose of the planning to prevent competition or trade diversion in itself, but rather the goal is to promote healthy urban centres, in the public interest."

- 7.2.13. In relation to SGV 3 of the GCDP (which is that Village Centres will remain the primary focus for the location of new retail and commercial development and which again references the RPGs and SSGV 1 Sustainable Village Centre – An Spidéal) I did not observe noticeable levels of vacancy in the village centre during my inspection of the site and area. I noted a good mix of convenience and compassion uses including pharmacy, butcher, beauty salon, barber, café, pubs, art shop along with craft village and community and retail office uses (library, schools, bank church, etc). With the public realm assets in the village including the waterfront location and pier the village which promote connectivity, I consider the village centre has obvious strengths in terms of offer and is likely to be capable to integrating the expansion on zoned Village Centre lands outside the core.
- 7.2.14. In terms of ensuring appropriate locations for retail development, as stated, the lands are zoned village Centre. The VC zoning identifies a large scale convenience/comparison as Permitted in Principle. Shop – convenience is also P Permitted in Principle (P). Therefore the proposed development is acceptable under the zoning of the site as set out in the GCDP.
- 7.2.15. I agree that the site is edge of centre. A sequential test has also been carried out for the proposed development. 3 sites were initially considered, and this was increased to 8 in response to the appeal. I have considered all sites detailed and the basis on which the applicant has determined them not to be (a) suitable (b) available and (c) viable and accept the findings.
- 7.2.16. To conclude, I am satisfied that the application has demonstrated that there is adequate expenditure capacity in the catchment to sustain the proposed development, and has demonstrated that the site is appropriate, having regard to the provisions of the RPGs and the GCDP.

7.3. Traffic, Transport and Parking

Traffic Impact Assessment:

- 7.3.1. The appeal states that traffic survey does not reflect increased traffic in summer months. That the proposed development will cause congestion through additional parking refuse collection and HGVs traffic disruption and congestion.

- 7.3.2. I note the TIA accompanying the application has been prepared with regard to the Traffic and Transport Assessment Guidelines' National Roads Authority (September 2014), 'Guidelines for Traffic Impact Assessments' The Institution of Highways and Transportation and The Department of Transport Design Manual for Urban Roads and Streets. The TIA assumes proposed store will be complete by 2027 and takes into account the permitted primary care centre and hotel development. It also applies a worst case scenario in terms of trips, by excluded linked trips.
- 7.3.3. Traffic surveys were carried out from 3rd of December 2024 until the 9th of December 2024. I note the appeal states that this does not take account of summer traffic, however the guidance on TIA specifically requires that local school holidays, which occur in the summer, should be avoided. Peak trip attraction of 87 inbound and 88 outbound movements per hour were recorded. TRICS data was used to model traffic movement and traffic growth projections from 'Project Appraisal Guidelines for National Roads Units 5.3 – Travel Demand Projections' applied. The proposed improved junction of the R336 and Baile Eamon Road is analysed using PICADY software.
- 7.3.4. The TIA concludes that the R336 junction with Baile Eamonn Road can accommodate the traffic growth for 2027 and 100% of the projected trips (as new trips) associated with the proposed Aldi discount food store development and the permitted.
- 7.3.5. Following a request for Further Information from the planning authority, a Traffic report was submitted to address particular items regarding congestion on the Baile Eamonn Road. This re-iterates the findings of the TIA that there is significant reserve capacity and that the need for passing bays does not arise. A dedicated right hand turn lane permitted by Galway County Council under Reg. Ref.: 21/2211 amended by Reg. Ref. 24/60146, is also now shown on the revised site layout plan.
- 7.3.6. I am satisfied that the TIA has been carried out in accordance with the relevant guidance above, uses industry standard modelling and has been presented transparently. I note that the initial application did not accurately reflect permitted access arrangements in terms of a right hand turn lane, which is clarified by Further Information response. I note the appeals, other than the time of surveys, do not

challenge any specific element of the TIA in relation to the claim of congestion. I am satisfied the TIA is robust and that congestion will not arise.

Access/Safety:

- 7.3.7. The appeal considers that the access arrangements are sub-standard and that the proposal would result in dangerous turning manoeuvres, and increased likelihood of accidents. I have outlined the access arrangements above; a new access off the realigned Baile Eamonn Road is proposed via a priority T junction with right hand turn lane. Sightlines of 2.4 metres x 49.0 metres are proposed in compliance with Table 4.2 of DMURS for an area with speeds of 50 kmph. Satisfactory footpath and lighting is proposed to be in place. A toucan pedestrian crossing is proposed at the west of the site. A 6.0 metre internal site access road leads to car parking and service areas within. Pedestrian footpaths and street lighting are also provided on either side of the internal site access.
- 7.3.8. Swept path analysis of HGV, fire tender and ambulances have been submitted and shown that the manoeuvres from such vehicles can be accommodated within the site. I note that the Roads and Transportation section of the Planning Authority has deemed these arrangements acceptable. I note that Stage 1 and 2 Road Safety Audits were undertaken; minor issues were identified and recommended measures accepted. I note the grant of permission required repeat Stage 1 and 2 Road Safety Audit, which will account for any changes, as well as Stage 3 on completion of development.
- 7.3.9. I am satisfied that the applicant has demonstrated safe access to the site and manoeuvrability within the site.

Parking:

- 7.3.10. The appeal raises concerns in relation to the adequacy and accuracy of car and cycle parking, as well as the dual use of car parking which is considered inappropriate. The loss of on-road parking for the adjacent beach by the modification of the R336 is also considered unacceptable. The proposal is considered to be car dependent.

7.3.11. Parking standards are set out in Table 15.5 of the GCDP under DMS 31 which illustrates the car parking standards for different types of development and where it is noted that a flexible approach to these standards may be applied where such a case is substantiated. The car parking standard for large stores >1000sq m gross is 1 car space per 12m² of gross floorspace. This generates a provision of 159 spaces for the proposed store. This is the maximum level of car-parking requirement.

7.3.12. The site layout plan show the following spaces within the red site boundary

- 17 spaces alongside Aldi (shaded yellow)
- 76 spaces (shaded brown)
- 25 spaces (coloured white)
- 5 spaces (parallel parking coloured white).

This totals 123 spaces, 78% of the maximum car parking allowable for the proposed development.

7.3.13. Permission was granted under 21/2211, for a primary care centre, and modified under 24/60146 to a facility with of 29 no. consultant rooms. As modified, the permitted primary care centre includes 64 no. parking spaces. This is largely based on DM Standard 31 of 2 no. car parking spaces per consultant in Clinics and Group Medical Practices. 64 no. parking spaces were permitted (2 no. spaces per consultant room plus an additional 6 no. spaces) This provision includes the 17 no. spaces alongside Aldi and 47 others.

7.3.14. In this regard I note car-parking provision for both permitted developments as follows

Use	DMS 31 requirement (max)	Provided	
		not shared	Shared
Aldi	159	106	17
Primary Care	58	47	17
Total	217	170 (78%)	

This means a provision of c. 80% of maximum car-parking provision for the two developments taken together.

7.3.18. I note DMS31 under Dual Use Parking and Mixed Use Developments is to “encourage the provision of dual use parking areas where peak times of users do not coincide. In mixed use developments it may therefore not be necessary to meet full parking standards where it can be shown that shared parking is viable.”

7.3.19. Having regard to

- the differing peak times of the retail store and Primary Care Centre (I note the trip graph in the TIA which shows arrivals at Aldi peaking between 3 and 5pm. Although there is no trip graph for the Primary Care Centre, I consider it likely that peak times are earlier in the day),
- potential for linked trips between the uses,
- availability and quality of connectivity for pedestrians and cyclists.
- the need to balance parking provision with the efficient use of land and visual impact,

I am satisfied this level of parking provision is appropriate and meets the requirements of the GCDP.

7.3.20. The existing car parking along the beach is informal parking which is not delineated or managed. The objective of a relief road is a written objective of the GCDP. In my view the provision of this road, and access to same, outweighs the loss of informal unmanaged parking.

7.3.21. Bicycle parking: The standard for bicycle parking is as follows: Shops 1 storage space per 100 sq. m - generating a requirement for 19 spaces. 16 no. spaces are proposed. I consider that parking should be provided in accordance with GCDP standards. This matter may be addressed by condition in the event of a grant of planning permission.

7.4. Built form and visual impact

- 7.4.1. I have considered the design and visual impact of the proposed development, the visual and landscape impact assessment and the verified view assessment submitted and the comments within the appeal.
- 7.4.2. I note that the site is c. 100m from the Architectural Conservation Area of An Spidéal, at a location where the urban grain is less fine and building patterns more sporadic and diverse. I do not consider policy objective AH4 is relevant or that an Architectural Heritage Impact Assessment is warranted; and I note DM Standard 59 Architectural Heritage Assessment report of the GDCP in this regard which set out requirements for AHIA.
- 7.4.3. I note that the proposed building is recessed from the road and public realm areas. Being single storey and recessed in the site, I do not consider that it will be visually obtrusive and I consider this to be the case whether or not adjacent masterplan buildings (primary care centre, hotel) are constructed. The proposal is accompanied by a landscaping masterplan which provides limited grass, shrub, planter and street-tree planting. I note that there is limited scope for additional planting without a reduction in car-parking. However, I consider the addition of street-trees along the relief road to the north-east would be possible, and also west of the ESB substation. This would aid with the integration of the development into the landscape from the north and north east. I note the response to appeal also proposed additional planting, inside the blue ownership line, to the east, however the drawing referred to does not appear to be provided. However, even in the absence of such additional planting I do not consider the visual impact at this location to be grounds for refusal in itself.
- 7.4.4. In my opinion, the proposed development is a variation of a universal-type design for this retail store, and in this sense not of 'exceptional' architectural quality. However I do not consider it a low quality design. The design is single storey and incorporates cut limestone, and painted plaster, both of which are prevalent in the area. In this regard I consider that it is respectful of its setting, fit for its function and durable and satisfies policy objectives PM10, PM 11 of the GCDP. I consider the eastern and northern elevational treatment would benefit from horizontal emphasis, with darker banding along the top, as I do not consider that the vertical bands help absorb the

structure into the area, particularly as depicted on views 6-10. I consider this matter may be addressed by condition, in the event of a grant of planning permission. I note Condition 3 of grant of permission requires materials/colours/textures of external finishes to be agreed with the Planning Authority prior to commencement.

7.4.5. As per Appendix 4 of the GCDP, protected view no. 26 in An Spidéal is angled away from the site and unaffected by the proposed development. The Galway Bay Scenic Route, which runs along the R336, is also relevant. The GCDP lists the key features of this route as Coastal views, Bays, Coastal Villages. I consider the visual impact of the proposed development will be minor, and will not negatively impact on the character of the village or therefore the scenic route and in this regard is not contrary to policy objective PVSR 1 of the GCDP.

7.4.6. I note the Planning Report does not raise any concerns in relation to design or visual impact. Overall I consider the design and visual impact of the development acceptable subject to agreement of elevational treatments on the north and eastern elevations.

7.5. Drainage and Flood Risk Assessment

7.5.1. I note the submitted Water Services and Planning Report on page 6 states “The engineering water services infrastructure for the proposed overall development that was approved as part of previous planning applications PL 21/2211 and PL 24/60146 and this infrastructure is sized to provide for the entire masterplan site to include for connections for the Aldi site. Refer to Drawings 5002 & 5003 for details of the proposed water services infrastructure for the overall site”. For clarity, these drawings are Proposed Site Masterplan & Drainage (Drawing No. 5002) Proposed Site Masterplan & Watermain (Drawing No. 5003), and being from the history applications on the site, have a different red site boundary.

7.5.2. I note the excerpt from site layout plan which forms the Proposed Site Plan (Drawing no. 21103 /P/004) showing the upper part of the subject site. The Proposed Aldi Site Layout & Water Services (Drawing 5004) provides details for the same upper area. There is no water services layout for the lower part of the subject site. While the subject site boundary *does* contain the required land area for the provision of water services permitted under PL 21/2211/PL 24/60146 there is no detail of proposed

infrastructure at this location. It is not referenced in the development description within public notices (unlike previously permitted roads infrastructure) nor is it referred to in the Further Information request/response or addressed specifically within the 3 No. conditions relating to wastewater (13, 17, 23) which are largely generic conditions.

- 7.5.3. I therefore conclude that the proposed water services infrastructure required to connect the subject development to the public network will require to be delivered through the implementation of other permission, prior to, or in tandem with, the subject development. While I have some concerns about this in terms of achieving orderly development, if the Commission is minded to grant planning permission, I consider that the matter may be addressed by a phasing condition requiring the development to connect to permitted infrastructure, and tying the duration of the permission to the previous permission. I consider that in this case this would be a reasonable condition, having regard to the ownership of the lands in question, and details within the planning report and correspondence from the owner of the site (submitted within the response to Further Information) which outlines the development intention for the overall lands.

7.6. Irish Language / Signage

I note the content of submissions and appeals in relation to the Irish language. The Official Languages Act requires Planning Authorities in their development plans to include objectives to protect and promote Irish as the community language and consider the linguistic impact of developments. I consider that this is provided for in the CDP in policies GA1 to GA6.

GA 1 Linguistic and Cultural Heritage of An Ghaeltacht

GA 2 Development of Language Plans

GA 3 Support the Statutory Development Agencies

GA 4 Language Enurement Clause

GA 5 Linguistic Impacts Statements

GA 6 Signage within An Ghaeltacht

- 7.6.1. I note that linguistic impact statements are required for certain housing proposals only. Language enurement clauses also apply to residential development. There is no requirement in the GCDP for linguistic impact statements on other types of development.
- 7.6.2. I note the comments in observations in relation to the use of Irish language in the recruitment process and the proposed retail store. However I consider this matter outside the scope of the planning system, but something that may be progressed through Language Plans under the other policy objectives of the GCDP.
- 7.6.3. Policy Objective GA 6 in relation to Signage is as follows:
“All signs in An Ghaeltacht including finger post signs, shop-fronts and roadside signs, business/community signage shall be in Irish. In all insitences where new signage on shopfronts in An Ghaeltacht are proposed, the profession/type of business shall be in Irish.” I note condition 2 of the decision of the planning authority: *All signage displaying opening hours, including that of the proposed totem signage (Sign 6) located at the eastern edge of the site adjoining the L-5397, shall be in Irish.* As detailed in 6.2 above I consider there is a typographical error in the applicant’s response to the appeal. I recommend the condition be amended for clarity, in the event of a grant of planning permission: All signage, including that displaying opening hours and that on the proposed totem, shall be in Irish only.
- 7.6.4. I am satisfied that the proposed development complies with the policy objectives of the GCDP in relation to Irish language and the Gaeltacht.

7.7. Ecology and Appropriate Assessment

- 7.7.1. The appeals raise concerns regarding the lack of NIS, Ecological Assessment including Bat Survey and adequacy of flood risk assessment.
- 7.7.2. I have concluded through Appropriate Assessment screening that the proposed development is highly unlikely to have a likely significant effect on any European Site either alone or in combination with other plans or projects and as such no Natura Impact Statement was submitted. This is further detailed below at Section 8 and at Appendix 2.

- 7.7.3. I note the flood risk at the lower parts of the site and the SSFRA submitted with the application, and comments from third parties in relation to impact on European sites from a sewer within the flood zone. The SSFRA focusses on the portion of the site relating to the proposed discount store, and relies on the permission granted under 21/2211, as amended by 24/60146, and the SSFRA within, for the remainder of the site. This drainage infrastructure is permitted under history applications and, as set out above, not considered to be proposed under the subject application. Mitigation measures proposed under 21/2211 and 24/60146 would require to be implemented as part of that permission, prior to the connection of the proposed development. Again, if the Commission is minded to grant permission, this matter may be addressed by condition, to ensure orderly development.
- 7.7.4. Flood risk is assessed at Section 7.5 above. I note the concerns of third parties that the impact of coastal flooding at operational stage is not assessed in SSFRA. However this matter was subject to SSFRA under the previous application 21/2211, as amended by 24/60146. I do not consider that this has a bearing on European Sites as claimed in the appeal. See Section 8 below.
- 7.7.5. An Ecological Impact Assessment report (EclA) was submitted in response to the appeals. The EclA includes a desk study and field study from September 2025. A habitat classification and map is included. The majority of the site is comprised of exposed sand, gravel or till. The invasive species buddleia was noted. A drainage ditch was recorded flowing in the western part of the site which is concluded to be an ephemeral streams arising in part from exposed sand, gravel and till. The feature discharges into ground. Wet grassland is found in the southern part of the site and weed/pockets of scrub at other locations.
- 7.7.6. The EclA reports no protected species or rare or threatened species, no mammals of conservation importance although it notes that the site be used in part for foraging and as a wildlife corridor. A bat survey was carried out and no trees or structure of bat roosting potential are on site. No bat roosts or foraging activity was recorded. A number of common birds were noted on site.
- 7.7.7. The EclA sets out mitigation measures for each stage in Table 5. The overall conclusion is that construction and operational mitigation satisfactorily address potential effects and that no significant effects on biodiversity are likely. Other than

the perceived need for such surveys the appeal does not comment on particular species or habitats of concern. I accept the findings of the EclA and am satisfied that the proposed development will not result in significant ecological impacts.

7.8. Other matters

- 7.8.1. One of the appeals contends that the application should have been made invalid as the local road L5397 is referred to as the LS397. While I note this error, I consider that the road in question was identifiable by name throughout the application and that this was a minor error and has not had a bearing on the outcome, or prevented the concerned party from making representations.
- 7.8.2. Another appeal contends that the Planning Authority decision was unlawful as it did not have proper regard to the Retail Planning Guidelines and reference them in the reasons and consideration for the decision. Any challenge to the legality of a decision is outside the remit of this appeal assessment. The RPGs have been fully considered in my assessment above.
- 7.8.3. Some appeals contend that the proposed retail store is premature pending construction of permitted neighbouring development of primary care centre and hotel, and should be phased to follow same. I consider it appropriate to phase the operation of the store to commence after the full provision of roads and drainage infrastructure, having regard to the dependence of the retail store on these aspects. I do not consider the phasing of the hotel development in advance of same is necessary, or reasonable.

8.0 AA Screening

I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located at the edge of An Spidéal Co, Galway on serviced lands adjacent the coast and c. 1.6km from Connemara Bog Complex SAC and c. 3.7km from Connemara Bog Complex SPA

The proposed development comprises construction of a discount foodstore (to include off licence), ESB substation, standalone deposit return scheme and

associated site works, including new road junction and pedestrian infrastructure, and proposes to connect to previously permitted wastewater infrastructure.

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site. The reason for this conclusion is as follows

- (i) Nature of works
- (ii) Lack of direct connections to European Sites
- (iii) Distance from European Sites
- (iv) The limited zone of influence of potential impacts.

I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Water Framework Directive Screening

9.1.1. See Appendix 3. I have assessed proposed development have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no likely risk to any surface and/or groundwater water bodies either qualitatively or quantitatively. The reason for this conclusion is as follows:

- The absence of pathways to surface water bodies
- Construction best practice and associated maintenance regime.
- The connection of the proposed development to permitted wastewater infrastructure

9.2. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes,

groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

10.0 Recommendation

I recommend that permission be granted, subject to conditions.

An overview of modifications to LA conditions is provided below for clarity.

LA Cond	Topic	ACP Cond	Comment/Reasoning
1.	Plans and particulars	1	Standard
2.	Signage/ Irish	3	Additional detail/clarification of LA condition.
3.	Materials and conditions	4	Additional Spec. Reasoning Section 7.4.4
4.	Hours of operation	18	No change
5.	Lighting scheme	-	Omitted. Outdoor lighting scheme and layout formed part of application documents.
6.	Sight distance	11	Amalgamated
7.	Transportation requirements DMRS	12	Condensed. No significant change.
8.	Construction drawings, management plan for R-336 junction L- 5397	11	Condensed.
9.	Phasing	-	Repeats 8 (b). Amalgamated into condition 2.
10.	Stage 1/2 Road Safety Audit.	14	Appears to be sought as repeat RSA as swept path analysis did not form part of documentation subject to initial RSA.
11.	Stage 3 Road Safety Audit.	14	Amalgamated with above
12.	EV charge points	13	Unchanged. Only 4spaces on site layout plan. DMS 31 (g) allow requires up to 20%
13.	Surface water	10	Duplicate Condition 23. Amended.
14.	Spillage of clay	15	CEMP covers this matter
15.	DMRS	-	Duplicates condition 7.
16.	Roads details		Covered by condition 13
17.	Uisce Eireann	9	Modified for clarity in relation to drainage connections.
18.	Exempt advertising	-	Omitted. No basis for removal of exemption given.
19.	Exempted development above parapet	5	Slight edit

20.	Security shutters	6	No change. Mixed use area / public realm would benefit from measure to benefit visual amenity.
21.	Services underground.	7	No change. Mixed use area / public realm would benefit from measure to benefit visual amenity.
22.	Litter	-	Omitted. Subject to other controls
23.	Drainage	10	Duplicate of Condition 13. Amended.
24.	Site development works.	17	(b) to (f) covered by CMP
25.	CTMP (traffic)	15	Amalgamated with general CMP
26.	CMP	15	Amalgamated
27.	Waste Management	16	16
28.	Landscaping.	8	8
29.	Signage	2	Amalgamated
30.	Contributions	19	Standard requirement

11.0 Reasons and Considerations

Having regard to the provisions of the Galway County Development Plan 2022-2028 and the Small Growth Village plan for An Spidéal, to the 'Village Centre' land use zoning of the subject site, to the Retail Planning Guidelines for Planning Authorities 2012 (DoECLG) and to the design, scale and layout of the proposed development and to the pattern of existing and permitted development in the surrounding area, it is considered that, subject to compliance with the conditions set out below, the proposed development would provide for an appropriate form of development on this 'edge-of-centre' site and would not adversely impact upon the vitality of the village centre of An Spidéal and therefore would be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 9th day of July 2025, except as may otherwise be required in order to comply with the following conditions.</p> <p>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.</p>
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	<p>REASON: In the interest of clarity</p>
2	<p>(i) Prior to the commencement of development a phasing scheme shall be submitted to the Planning Authority for written agreement and shall provide for the following:</p> <p>(a) The retail store shall not become operational until water services infrastructure and flood mitigation measures proposed and permitted under Register Reference 21/1211, as amended by Register Reference 24/60146, are in place and operational.</p> <p>(b) The retail store shall not be occupied prior to the completion of the footpath and associated public road improvements to the R-336 & L-5397.</p> <p>(ii) The duration of this permission is until the 4th day of August 2029, i.e. the date of expiration of Register Reference 24/60146.</p> <p>REASON: In the interest of orderly development as the proposed development is dependent on the development of drainage and roads infrastructure permitted under other planning applications on the landholding.</p>
3	<p>Signage:</p> <p>(a) All signage relating to the retail store shall be in Irish only</p> <p>(b) Full details of all proposed external signage shall be agreed in writing with the Planning Authority prior to commencement of any business therein. All proposed signage/advertisements/nameplates shall be lit, where required, by static internal illumination only and intermittent illumination shall not be installed. Further signs, symbols, emblems, nameplates or other advertising devices shall not be erected or displayed on or adjacent to the premises save with the prior agreement of the Planning Authority.</p> <p>REASON: In the interest of visual amenity and to comply with policy objective GA 6 of the Galway County Development Plan 2022-2028.</p>
4	<p>(a) The elevational treatment on the proposed east, west and north elevations as shown on drawing 21103/P/008 Revision P2 dated 12/01/2025 shall be modified such that the uppermost three plaster bands are dark grey in colour along the entirety of each elevation to form a dark horizontal band.</p> <p>(b) Any new/recessed boundaries/wall at public roads/footpaths shall be of natural stone.</p> <p>(c) Details (including samples) of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to</p>

	<p>and agreed in writing with the Planning Authority prior to commencement of development.</p> <p>REASON: In the interest of visual amenity.</p>
5	<p>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.</p> <p>REASON: In the interest of visual amenity.</p>
6	<p>Security roller shutters, if installed, shall be recessed behind the perimeter glazing and shall be factory finished in a single colour to match the colour scheme of the building. Such shutters shall be of the 'open lattice' type and shall not be used for any form of advertising, unless authorised by a further grant of planning permission.</p> <p>REASON: In the interest of visual amenity.</p>
7	<p>All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All existing over ground cables shall be relocated underground as part of the site development works.</p> <p>REASON: In the interest of visual amenity and residential amenity.</p>
8	<p>The landscaping scheme shown on drawing number 24362-2-101, as submitted to the planning authority on the 12th day of February 2025 shall be carried out within the first planting season following substantial completion of external construction works.</p> <p>In addition to the proposals in the submitted scheme, the following shall be carried out: Additional street trees (min 10. No.) and hedgerow planting shall be provided along the section of the relief road bounding the Primary Care Centre until to the northern boundary of the subject site.</p> <p>All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p>Reason: In the interest of residential and visual amenity.</p>
9	<p>Water and wastewater</p> <p>(a) Prior to the commencement of development the developer shall enter into Connection Agreement with Uisce Éireann (Irish Water) to provide</p>

	<p>for a service connections to the public water supply and/or wastewater collection network.</p> <p>(b) Unless otherwise agreed in writing with the Planning Authority, the connections shall be in accordance with the drainage layout and details as permitted on Register Reference 21/1211 as amended by Register Reference 24/60146.</p> <p>REASON: In the interest of public health and to ensure adequate water/wastewater facilities and in the interest of clarity.</p>
10	<p>Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the Planning Authority for such works and services. No water shall discharge from the site onto the public road.</p> <p>REASON: In the interest of proper planning and sustainable development.</p>
11	<p>(a) Prior to commencement of development the developer shall submit for the written agreement of the Planning Authority detailed construction drawings and an associated construction management plan in relation to the works proposed to the R-336 junction and works to the L- 5397, including new surface pavement to the full width of L-5397 realigned carriageway to conform to 6.0m road width, road marking and signage, public lighting and surface water drainage.</p> <p>(b) The proposed 1.35m wide roadside pedestrian footpath link along the R-336 shall be upgraded to reflect a footpath width of a minimum effective width of 1.8m.</p> <p>(c) Sight distance triangles shall be maintained and kept free from boundary walling, vegetation, or other obstructions that would reduce the minimum visibility required.</p> <p>REASON: In the interest of traffic safety.</p>
12	<p>Bicycle parking for 20 No. cycles shall be provided in accordance with Standards DMS 31(f) of the Galway County Development Plan 2022-2028. Details shall be agreed with the Planning Authority prior to the commencement of development.</p> <p>REASON: In the interest of sustainable transport.</p>
13	<p>(a) The road network serving the proposed development, including junctions, parking areas, turning bays, footpaths, and kerbs shall comply with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS). Footpaths shall be dished at road junctions in accordance with the requirements of the planning authority.</p>

	<p>(b) Details of all locations and materials to be used shall be submitted to, and agreed in writing with the planning authority prior to the commencement of development.</p> <p>REASON: In the interest of traffic safety.</p>
14	<p>A minimum of 10% of all car parking spaces shall be provided with functioning electric vehicle charging stations/points, and ducting shall be provided for all remaining car parking spaces, to facilitate the installation of electric vehicle charging points/station at a later date.</p> <p>REASON: In the interest of proper planning and sustainable development of the area.</p>
15	<p>Road Safety Audit</p> <p>(a) Prior to commencement of the development, the developer shall commission a road safety audit (stage 2) that will review the detailed design drawings and measures recommended by the earlier audit (stage 1 / stage 2) and accepted by the designer. Recommendations arising from the stage 2 audit, or alternative measures proposed therein by the developer and accepted by the auditor, shall be incorporated into the final design of the development at the expense of the developer. The audit shall be completed by an independent road safety auditor, at the developer's expense, and shall be submitted for the written approval of the Planning Authority.</p> <p>(b) On completion of the development, a stage 3 road safety audit shall be completed by an independent road safety auditor, at the developer's expense, and submitted for the written approval of the Planning Authority. Any safety issues highlighted in the audit shall be reviewed and addressed by the developer at their expense and shall be submitted for the written approval of the Planning Authority.</p> <p>REASON: In the interest of road safety.</p>
16	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:</p> <p>(a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;</p> <p>(b) Location of areas for construction site offices and staff facilities;</p> <p>(c) Details of site security fencing and hoardings;</p> <p>(d) Details of on-site car parking facilities for site workers during the course of construction;</p> <p>(e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage</p> <p>(f) Measures to obviate queuing of construction traffic on the adjoining road</p>

	<p>network;</p> <p>(g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;</p> <p>(h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;</p> <p>(i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;</p> <p>(j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;</p> <p>(k) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers, drains or watercourses.</p> <p>(l) Mitigation measures as set out in the Ecological Impact Assessment report received by An Coimisiún Pleanála on 23/09/2025</p> <p>REASON: In the interest of amenities, public health and safety and environmental protection</p>
17	<p>Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. 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.</p> <p>REASON: In the interest of reducing waste and encouraging recycling.</p>
18	<p>Site development and building works shall be carried out only between the hours of 08.00 and 18.00 from Mondays to Fridays inclusive, and between 09.00 and 14.00 hours on Saturdays and not at all on Sundays, Bank or Public Holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the Planning Authority.</p> <p>REASON: To safeguard the amenity of property in the vicinity.</p>
19	<p>(a) The hours of operation of the discount foodstore shall be between 08.00 hours and 22.00 hours Monday to Saturday and between 10.30 hours and 21.00 hours on Sunday unless otherwise agreed in writing with the Planning Authority.</p> <p>(b) The delivery hours of the discount foodstore shall be between 07.00 hours and 21.00 hours Monday to Saturday and between 08.00 hours to 20.00 hours Sundays or public holidays unless otherwise agreed in writing with the Planning Authority.</p> <p>REASON: In the interest of residential amenity</p>
20	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by</p>

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

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

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.

Bébhinn O'Shea
Senior Planning Inspector

17/02/2026

Appendix 1: EIA Screening

Form 1 - EIA Pre-Screening

Case Reference	323407
Proposed Development Summary	Construction of discount foodstore (to include off licence), ESB substation, standalone deposit return scheme and associated site works
Development Address	An Spidéal Thiar, West of LS397 Baile Eamoinn, Co. 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)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> 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)?	
<input type="checkbox"/> 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
<input checked="" type="checkbox"/> 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?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2,	

<p>Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>Class 10 (B) – Infrastructure Projects:</p> <p>(iii) Construction of a shopping centre with a gross floor space exceeding 10,000 sqm threshold.</p> <p>(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.</p>

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)?	
<p>Yes <input type="checkbox"/></p>	
<p>No <input checked="" type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Inspector: _____ **Date:** _____

Form 2 - EIA Preliminary Examination

Case Reference	323407
Proposed Development Summary	Construction of discount foodstore (to include off licence), ESB substation, standalone deposit return scheme and associated site works
Development Address	An Spidéal Thiar, West of LS397 Baile Eamoinn, Co. Galway
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
<p>Characteristics of proposed development</p> <p>(In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</p>	<p>The site is serviced and at 1.32 ha not exceptional in size. The scale of the proposed development while larger than prevailing adjacent is not exceptional.</p> <p>The development would not require the use of substantial natural resources, or give rise to significant volumes of waste or carry significant risk of pollution or nuisance due to its scale.</p> <p>Given its scale and nature it does not pose a risk of major accident and/or disaster, or significant risks to human health.</p>
<p>Location of development</p> <p>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>The subject site is located at the edge of an Spidéal village along a regional road and not located in or immediately adjacent to ecologically sensitive sites.</p> <p>The site does not contain any built, archaeological or natural heritage features, and is not in proximity to same. It is outside the ACA for An Spidéal. The site appears to have been excavated and contains excavated material/spoil</p> <p>The site is located within a scenic coastal route/area and the lower portions of the site are within a flood zone.</p>
<p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>Construction impacts will be localised and temporary. The proposed development would not give rise to waste, pollution or nuisances beyond what would normally be deemed acceptable.</p> <p>The proposed development will have an impact on the visual landscape in this scenic location however I do not consider this impact will be significant. I address this in the main report above.</p>

	Wastewater infrastructure proposed to serve the development is part located in a flood zone but governed by previous permission. I address this in my report above. I do not consider this issue so significant in itself to warrant EIA.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	
There is a real likelihood of significant effects on the environment.	

Inspector: _____ Date: _____

Appendix 2: AA Screening

Screening for Appropriate Assessment Test for likely significant effects				
Step 1: Description of the project and local site characteristics				
Brief description of project		Discount food store, associated signage, parking, boundaries, landscaping and site development works.		
Brief description of development site characteristics and potential impact mechanisms		<p>Site is at the edge of An Spidéal Village on the coast road and is greenfield however has been excavated/disturbed. There are no watercourses or other ecological features of note on the site that would connect it directly to European Sites however there is indirect connectivity to some less proximate maritime European Sites through Galway Bay as detailed below.</p> <p>The development includes a car park with a surface water treatment system including hydrocarbon separator before discharge to the local drainage network or to existing outfalls at An Spidéal Beach. Water and foul wastewater will be connected to local services.</p> <p>Impact mechanisms through surface water disposal and emissions to air during construction.</p>		
Screening report		Altamar Appropriate Assessment Screening Report		
Natura Impact Statement		No		
Relevant submissions		Third party observations in relation to drain north south through the site which flows towards the sea and is a hydrological link to European sites		
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
Connemara Bog Complex SAC 002034	See www.npws.ie Conservation Objective Series for the SAC dated 25/10/2015 14 habitats and 4 species	c. 1.6km to north	No hydrological connections. Air	Y Given proximity and mobile species

Lough Corrib SAC 000297	See www.npws.ie Conservation Objective Series for the SAC dated 28/04/2017 15 habitats and 9 species	c. 13.5 km to northeast	No hydrological connections. Given lack of connection and distance, significant effects on the Qis of the site are highly unlikely.	No
Galway Bay Complex SAC 000268	See www.npws.ie Conservation Objective Series for the SAC dated 16/04/2013 4 bird species	c. 12 km east/southeast	Indirect weak hydrological connectivity from surface water system proposed to discharge to sea in Galway bay. However given weak hydrological connection and distance/dilution, significant effects on the QIs of the site are highly unlikely.	No
Black Head-Poulsallagh Complex SAC 000020	See www.npws.ie Conservation Objective Series for the SAC dated 21/05/2014 11 habitats and 1 species	c. 10km to south	Indirect weak hydrological connectivity from surface water system proposed to discharge to sea in Galway bay. However given weak hydrological connection and distance/dilution, significant effects on the QIs of the site are highly unlikely.	N

Connemara Bog Complex SPA 004181	See www.npws.ie Conservation Objective Series for the SPA dated 27/01/2023 4 bird species	c. 3.7 km	No hydrological connection. Air.	Yes. Given proximity and mobile species
Lough Corrib SPA 004042	See www.npws.ie Conservation Objective Series for the SPA dated 27/01/2023 13 bird species	c. 14.5 km to north east	None	N
Inner Galway Bay SPA 004031	See www.npws.ie Conservation Objective Series for the SPA dated 01/05/2013 20 bird species	c. 12km	Indirect weak hydrological connectivity from surface water system proposed to discharge to sea in Galway bay. However given weak hydrological connection and distance/dilution, significant effects on the Qis of the site are highly unlikely.	N

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

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
M: Maintain favourable conservation condition R: Restore the favourable conservation condition		
	Impacts	Effects
Site 1: Connemara Bog Complex SAC	Direct: None	

<p>1.6km</p> <p>Site Code: 002034</p> <p>QI list</p> <p>1065 Marsh Fritillary Euphydryas Aurinia (M)</p> <p>1106 Salmon Salmo salar (R)</p> <p>1150 Coastal lagoons (M)</p> <p>1170 Reefs (M)</p> <p>1355 Otter Lutra lutra (M)</p> <p>1833 Slender Naiad Najas flexilis (M)</p> <p>3110 Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) (M)</p> <p>3130 Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or Isoeto- Nanojuncetea (M)</p> <p>3160 Natural dystrophic lakes and ponds (M)</p> <p>3260 Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation (M)</p> <p>4010 Northern Atlantic wet heaths with Erica tetralix (R)</p> <p>4030 European dry heaths (R)</p> <p>6410 Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) (M)</p> <p>7130 Blanket bogs (* if active bog) (R)</p> <p>7140 Transition mires and quaking bogs (R)</p>	<p>Indirect: Noise emission during construction.</p> <p>Development of land.</p>	<p>Disturbance to species/displacement</p> <p>Loss of ex situ breeding/nesting/foraging ground for mobile terrestrial species</p>
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<p>7150 Depressions on peat substrates of the Rhynchosporion (R) 7230 Alkaline fens (R) 91A0 Old sessile oak woods with Ilex and Blechnum in the British Isles (M)</p>		
	<p>Likelihood of significant effects from proposed development (alone): No. Given distance from site to SAC, rising topography and anticipated noise levels, significant effects from noise are highly unlikely.</p> <p>Site does not offer suitable breeding/nesting/foraging for Marsh Fritillary or Otter. Other QIs are water based species or terrestrial habitats with no connection to the site of the proposed development.</p>	
	<p>If No, is there likelihood of significant effects occurring in combination with other plans or projects? No</p>	
	<p>Impacts</p>	<p>Effects</p>
<p>Site 2: Connemara Bog Complex SPA 3.7km Site code: 004181</p> <p>QI list A017 Cormorant Phalacrocorax carbo (R) A098 Merlin Falco columbarius (R) A140 Golden Plover Pluvialis apricaria (R) A182 Common Gull Larus canus (M)</p>	<p>Direct: None</p> <p>Indirect: Noise emission during construction.</p> <p>Development of land.</p>	<p>Disturbance to species/displacement</p> <p>Loss of ex situ breeding/nesting/foraging ground for mobile terrestrial species</p>
	<p>Likelihood of significant effects from proposed development (alone): No</p>	

	<p>Given distance from site to SAC, rising topography and anticipated noise levels, significant effects from noise are highly unlikely.</p> <p>Site which has been excavated and appears to contain builders spoil/topsoil does not offer suitable/preferred breeding/nesting/foraging environment for these bird species, three of which are sea birds, noting their preference for cliff locations, upland areas, heaths and bogs.</p>
	<p>If No, is there likelihood of significant effects occurring in combination with other plans or projects? No</p>
<p>Step 4 Conclude if the proposed development could result in likely significant effects on a European site</p>	
<p>I conclude that the proposed development (alone) would not result in likely significant effects on Connemara Bog SAC Site Code 002034 and Connemara Bog SPA Site Code 004181. The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project. No mitigation measures are required to come to these conclusions.</p>	

Screening Determination - Finding of no likely significant effects

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 would not be likely to give rise to significant effects on any European Site in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required. This determination is based on:

- (i) Nature of works
- (ii) Lack of direct connections to European Sites
- (iii) Distance from European Sites
- (iv) The limited zone of influence of potential impacts.

Appendix 3: Water Framework Directive Screening

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	323407	Townland, address	An Spidéal Thiar, West of LS397 Baile Eamoinn, Co. Galway
Description of project		Construction of discount foodstore (to include off licence), ESB substation, standalone deposit return scheme and associated site works	
Brief site description, relevant to WFD Screening		<p>The site is located on the eastern edge of An Spideal separated from Galway Bay/Atlantic Ocean to the south by the coastal regional road R336.</p> <p>The coastal water body is the Aran Islands, Galway Bay, Connemara (HAs 29;31) (IE_WE_010_0000). There is a sandy beach opposite. There is an Urban Wastewater Treatment discharge point in Galway Bay to the south D0396</p> <p>The site overlies the An Spidéal (IE_WE_G_0004) groundwater body</p> <p>The Sheeaunroe_010 (IE_WE_31S240870) river waterbody is 150m east of the site and the Owenboliska_010 (IE_WE_31O010200) and 540m west of the site</p>	
Proposed surface water details		<p>Drawing 5002 indicates surface water sewer network including attenuation and a hydrocarbon separator, with controlled discharge to an existing culvert located to the east of the site into Galway Bay. Further surface water collection from west to gullies discharging to culvert at west. Proposed culvert at site frontage to provide flood compensatory storage.</p> <p>Uisce Éireann Confirmation of Feasibility notes: IW only consider the acceptance of storm water to its network in exceptional circumstances with no</p>	

	net increase in discharge. It will be required to illustrate at connection application stage that no alternative means of storm water management exists.					
Proposed water supply source & available capacity	Public main. Confirmation of feasibility to connect without infrastructure upgrade					
Proposed wastewater treatment system & available capacity, other issues	<p>Permitted under previous permission.</p> <p>Public main. Confirmation of feasibility to connect without infrastructure upgrade.</p> <p>Note IW rising main west of the site to new WWTP north west of site, discharges to Galway Bay.</p>					
Others?	<p>The network includes hydrocarbon interception and Hydrobrake© flow control devices to limit surface water runoff to the equivalent Greenfield runoff rate.</p> <p>The lower branches of the site which accommodate infrastructure including road connections and wastewater connections/manholes are partially situated within or cross the coastal flood risk 100 year and 1000 year flood zones.</p> <p>The R336 is noted to flood during periods of high tides and strong winds.</p>					
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)

River	c. 150	Sheeaunroe_010 (IE_WE_31S240870)	Good	Not at risk	None	No hydrological path – contours slope towards the sea. Air (dust deposition).
river	c. 540	Owenboliska_010 (IE_WE_31O010200)	Moderate	At risk	None	No hydrological path – contours slope towards the sea. Air (dust deposition).
groundwater	0m - underlying	An Spidéal (IE_WE_G_0004)	Good	Not at risk	None	Yes – infiltration. Mainly well drained granite sandy till for much of the site. Poorer draining to east. Bedrock at or near to surface at northern portion.
coastal	0-20m	Aran Islands, Galway Bay, Connemara (HAs 29;31)	High	Review	None	Yes – pluvial runoff towards sea, discharge of surface water to sea.

		(IE_WE_010_000 0)					Manholes within coastal flooding zone.
Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
CONSTRUCTION PHASE							
No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	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.
1.	Surface - river	Sheeaunroe_0 10 (IE_WE_31S24 0870) and Owenboliska_ 010 (IE_WE_31001 0200)	No direct pathway.	Siltation, pH (Concrete), hydrocarbon spillages, dust/PM by air	Standard construction practice, CEMP.	No	Screened out

2.	Ground	An Spidéal (IE_WE_G_0004)	Infiltration	Contaminated run-off from pH/hydrocarbon spillage entering ground water	'Standard construction practice, CEMP.	No	Screened out
3.	Surface - coastal	Aran Islands, Galway Bay, Connemara (HAs 29;31) (IE_WE_010_000)	Pluvial	Contaminated run-off from pH/hydrocarbon spillage entering watering through run-off	Standard construction practice, CEMP.	No	Screened out
OPERATIONAL PHASE							
1.	Surface - river	Sheeaunroe_010 (IE_WE_31S240870) and Owenboliska_010 (IE_WE_310010200)	No direct pathway.	Siltation, pH (Concrete), hydrocarbon spillages, dust/PM by air	Standard construction practice, CEMP.	No	Screened out
2.	Ground	An Spidéal (IE_WE_G_0004)	Infiltration	Contaminated run-off from pH/hydrocarbon spillage entering ground water	Standard construction practice, CEMP.	No	Screened out
3.	Coastal	Aran Islands, Galway Bay, Connemara (HAs 29;31)	Pluvial	Yes – pluvial run off towards sea, discharge of surface water to sea. Manholes within coastal flooding zone	Previously permitted drainage infrastructure. No mitigation measures	There is risk of localised coastal water pollution from wastewater network components the proposed	Screened out.

		(IE_WE_010_000)		impacted from flooding.	proposed as application does not detail lower part of site or propose the construction of this drainage infrastructure	development intends to connect to. This is part of permitted development, as addressed in the main planning report. However, should flooding occur, given the size of the waterbody and dilution effect I do not consider that it would be of such a scale that would lead to a risk of not achieving the WFD Objectives.	
DECOMMISSIONING PHASE							
NA							