



An  
Coimisiún  
Pleanála

## Inspector's Report

**ABP 323550-25**

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### Development

The development will consist of the installation of a compact modular substation and ancillary development works; to facilitate 3 No shared electric vehicle charging units and 6 No charging bays and ancillary site works and improvement and realigning of parking area.

### Location

Galway Retail Park, Headford Road,  
Galway.

### Planning Authority

Galway City Council.

### Planning Authority Reg. Ref.

25 60178

### Applicant(s)

ESB Innovation ROI Ltd.

### Type of Application

Permission.

### Planning Authority Decision

Grant.

### Type of Appeal

Third Party.

### Appellant(s)

Genistra Limited.

### Observer(s)

None.

**Date of Site Inspection**

14<sup>th</sup> October 2025.

**Inspector**

Aisling Dineen

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## **1.0 Site Location and Description**

**1.1** The site which has a stated area of 0.034 ha is located at Galway Retail Park, an established retail park accessed from the Headford Road in Galway City. The site is within an established car park attendant to the said retail park. Headford Road is positioned to the east of the site and car park use is accommodated on all other surrounding sides of the site. The location of the site is positioned just north of the overall car park access road in the retail park.

## **2.0 Proposed Development**

**2.1** It is proposed to install a compact modular substation and ancillary development works to facilitate 3 no shared electric vehicle charging units and 6 no charging bays and all ancillary site works. It is also proposed to realign the parking area. It is proposed to remove an established charging station, which is positioned on adjunct land, but outside of the delineated site boundary. Therefore, the overall addition of EV charging units would comprise 2 No additional charging units at this specific location in the car park.

## **3.0 Planning Authority Decision**

### **3.1 Decision**

The planning authority made a decision to grant planning permission on the 8<sup>th</sup> August 2025 subject to 9 conditions, which were of a generic nature.

The following conditions are of note:

#### Condition No 2

- (i) The Installation shall comply with stated national standards for signs and lines at Electric Vehicle charging station.
- (ii) The modular unit shall have a sealed access point.

Reason: In the interests of orderly development.

### Condition No 3

Within three months of the final grant of this permission, the developer shall submit and agree in writing with the Planning Authority a landscaping scheme for the site. *inter alia*.

Reason: To provide for an acceptable standard of development and in the interest of visual amenity.

The Chief Executive's decision reflects the planner's report.

#### 3.1.2. Planning Authority Reports

##### Planners Report

The site is zoned Commercial/Industrial CI Land Use Zoning Objective. Zoning Objective CI To provide for enterprise, light industry and commercial uses other than those reserved to the CC zone. Uses, which are compatible with the zoning are listed. These include 'Car parks (including heavy vehicle parks) – Public transportation facility – Public utilities.

The CSO (Central Statistics Office) has shown growth in EV use. The submission with the application states that the proposal will contribute to the national objective to transition to a low carbon economy by 2050. The proposal is compliant with the North and West RSES and with the CDP to provide for facilities for battery operated cars at non-residential developments. The proposal is compliant with ZEVI in terms of being universally accessible. There will be no negative visual, residential or environmental impacts.

The revisions to the existing car par area are considered to be minor in nature and it supports policy set out under Section 4.5 and 4.8 of Chapter 4: Sustainable Mobility and Transportation.

The Planning Authority has determined that flood risk, in this specific case, is not a significant constraint on the proposed development given the minor nature of the development and the site levels which are above the level of the car park on a grassed embankment.

The relocation of birch trees can be addressed by way of a landscaping condition.

### 3.1.3 Other Technical Reports

#### Transport Section

No objection to proposal. It is recommended that the Installation must comply with stated national standards for signs and lines at EV charging stations.

#### Building Control Section

No objections subject to conditions.

All works must be carried out in accordance with the Second Schedule to the Building Regulations, Technical Guidance Documents Parts A-M.

#### Environment Section

The Environment section have noted that the subject site is located in Flood Zone A and is currently protected by the Dyke Road embankment. The proposed development is minor in nature within the existing retail park. A condition can be attached requiring the modular unit to have a sealed access point in the interest of orderly development.

### 3.3. Prescribed Bodies

None

### 3.4. Third Party Observations

#### Genistra Limited

Existing overuse of non-retail activity.

Non-compliance with original parking provision requirements.

Prematurity regarding the proposed Corrib Causeway Development.

Accessibility of many wheelchair users - EV hub appears to feature kerb mounted chargers with no level access.

Congestion and lack of queuing space.

There is an existing ESB operated public charging station within Galway Retail Park. Overdevelopment of ESB infrastructure.

No arboriculture report regarding relocation of trees.

## 4.0 Planning History

4.1 No recent history on appeal site.

### Most recent adjacent planning history

**Planning Reg. Ref. No. 21/205** – Permission granted for development which will consist of: Provision of 73 sq. m (gross) single storey extension to south-eastern façade of existing building. Provision of trolley bay and associated amendments to car parking layout. Provision of pedestrian crossing. Provision of 3 no. internally illuminated 3.02 sq. m gable signs and provision of 1 no. non illuminated 1.78 sq. m. glass entrance sign. External amendments to façade of building and alterations to internal layout.

**Planning Reg. Ref. No. 18/290** – Mc Donalds granted planning permission for works to existing Drive Thru Restaurant.

**Planning Ref. Ref. No. 04/552** - Permission granted for change of use of ground floor of existing Units 7 & 8 of Galway Retail Park, from retail warehouse use to discount food store, with a gross floor area of 1,486 sq. m. (net floor area of 968 sq. m.). The development will be served by a shared car park of 381 spaces in total. The total site area is 4.1026 hectares. It is intended to make use of the ground floor only of the existing building for discount food store purposes. This change of use application also includes alterations to existing shop front and an additional dock leveller and concrete loading ramp and platform to rear of existing building.

## 5.0 Policy Context

### 5.1 Galway City Development Plan 2023 – 2029 (CDP)

#### Zoning

The appeal site is zoned C1 in the CDP, where it is the stated policy to *'to provide for enterprise, light industry and commercial uses other than those reserved to the CC zone'*.

Under Section 11.2.6 the compatible uses for this zoning are described as

*'Uses which may contribute to the zoning objectives, dependent on the CI location and scale of development'.*

Car Parking is listed under this compatible use category.

### Policy

#### *Section 4.5 Transport Demand Management Measures*

The specific approach in the GTS (Galway Transport Strategy) outlines a number of demand management measures aimed at shifting the focus of travel within the city centre to walking, cycling and public transport, which will reduce traffic congestion, Green Gas Emissions (GGE's) and the demand for car parking. These demand management measures align with the Core Strategy in including for emphasis on regeneration and concentrating the focus for future development in brownfield sites in the city centre. They also include for restricting traffic from certain streets, removing a large proportion of on-street parking in the city centre, controlling the availability and cost of parking in the city centre and giving priority to pedestrians, cyclists and public transport.

#### *Section 4.5 Mobility Management & Travel Plans*

Mobility management aims to reduce the demand for the use of cars by increasing the attractiveness and practicality of sustainable transport such as public transport, walking and cycling.

#### *Section 4.5 Car Parking*

Consideration of reduction in requirements will also apply along existing and planned strategic public transport corridors depending on the prevailing level of service at that time.

New regulations require the installation of recharging points for EV for both new buildings and existing buildings undergoing major renovations for more than ten car parking spaces. These regulations also require the installation of a minimum number of recharging points for all existing buildings (other than dwellings) with more than twenty car parking spaces by January 01, 2025. The installation of EV recharging infrastructure will support the Climate Action Plan targets of nearly one million EV to be on the road by 2030 and will help to facilitate this transition.

The city will also require additional EV charging points for public spaces throughout the city with consideration having regard to the sensitivity of the locations. The Council will work in conjunction with ESB networks and other service providers in the provision of charging points in public areas in the city to ensure there are appropriate levels of electric charging infrastructure in place including on regional routes and at public transport interchanges.

## **5.2. Relevant National/Regional Policy**

- National Planning Framework
- Climate and Low Carbon Development Act 2015 as amended.
- Climate Action Plan 2020/2024
- Electric Vehicle Charging Infrastructure Strategy 2022-2025
- Alternative Fuels Infrastructure for Transport in Ireland 2017-2030
- Regional Spatial and Economic Strategy for North and West Region (RSES)

## **5.3. Natural Heritage Designations**

Galway Bay Complex SAC (Site Code: 000268), c. 1.4 km south.

Inner Galway Bay SPA (Site Code: 004031), c. 1.4 km south.

Galway Bay Complex pNHA (Site Code: 000268), c. 1.4 km south

## **6.0 EIA Screening**

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices 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.

## **7.0 The Appeal**

### **7.1 Grounds of Appeal**

- There are a number of planning precedent cases cited under the appeal; references are as follows: ABP-302789-18, ABP-310347-21, ABP313256-22, ABP-303848-19, ABP-307816-20, ABP-311920-21, ABP-311124-21, ABP, ABP JH61-322166.
- The proposed development removes 10 car parking spaces, which is in breach of minimum standards under the Galway City Development Plan 2023 – 2029 (Policy 6.2, Appendix 2). This undermines retail viability as per ABP 302789 – 18.
- The unauthorised use of retail parking by Gray Office Park staff has already intensified pressure on retail customers. The cumulative impact was not considered, contravening Section 34 (2)(b)(ii) of the Act and ABP 310347 - 21.
- There is no demonstrable need for further provision within a 1 km radius. There are 4 rapid chargers at LDA's Sandy Quarter and 2 at Topaz on Newcastle Road. The National EV strategy and ABP 313256 – 22 stresses need based infrastructure.
- The nearby Corrib Causeway development (ABP JH61.322166) will displace 535 public spaces. The decision ignores cumulative pressures and conflicts with Policy 6.3 and Guidelines 6.10.
- The use of shared parking for ESB operated commercial infrastructure is a material change of use and requires assessment under the Zoning Objective Z1 (ABP 307816-20).
- Retail parks require high turn-over and EV charging require long dwell times. This contradicts policy 6.5 and ABP 311920 – 21.
- Regarding disability access there are no accessible bays or Part M compliance. This breaches Building Regs, the Disability Act 2005, Guidelines 6.8 and AB) 311124 -21.
- The planning authority failed to address material issues raised under the observation.

## 7.2. Applicant Response

- The issues raised by the appeal have already been assessed in detail by Galway City Council during the application process and there are no new issues raised which have not been previously addressed.
- It is stated that the appellant is the owner and director of Brite Charging Limited, a direct competitor of ESB Innovation RoI. It is alleged that the appellant may have a significant commercial interest in the outcome of this appeal and the intent of which is alleged to be to obstruct or delay a rival project.
- The proposal involves the removal of 10 parking spaces and the construction of 6 EV parking spaces. This will not undermine the retail viability of Galway Retail Park. The planers report states that it will offer a safe and accessible facility at a well-established shopping centre.
- The relevance of appeal ABP 302789 – 18 is questioned, which refers to a beer garden in Co. Donegal. The reference to Appendix 2 in the Galway City Development Plan is unclear, as it refers to 'Statement of Compliance with Ministerial Guidelines'.
- If there is unauthorised development by the use of the car park by Gray Office staff, it is outside the remit of this planning application. This is an issue for the Planning Authority.
- The relevance of appeal ABP 310347 – 21 is questioned, which relates to a declaration regarding whether the construction of 2 extensions to the rear of a house in Dublin is exempted development.
- Regarding oversupply of EV chargers, there are currently three EV chargers in Galway Retail Park, 1 is operated by the applicant and 2 are stated to be operated by the appellant. Current usage data shows that there is sufficient demand for expansion at the site. The existing 100kW charger is to be removed and replaced by 3 no high-power charging units. There will be an increase of 2 no higher capacity charging units.
- Surveys have shown that Galway City is underserved by EV charging infrastructure. National and local plans support this infrastructure.

- Regarding the appellants point that the proposal would be premature amid strategic parking loss (Dyke Road), it is submitted that ACP 322166-25 refers to a live case proposing 219 social and affordable apartment units and associated parking etc. It is submitted that, if anything, the increased population and apartment dwellers will require more public EV charging bays in the locality.
- The proposal supports the land use zoning CI Commercial/Industrial.
- The relevance of appeal ABP 307816-20 is questioned, which relates to an appeal against conditions of a grant of permission for extension to a single storey dwelling house in Dublin.
- Regarding stated inefficient use of urban land and long dwell charging it is stated that the proposed high power charging units can charge a car up to 80% in as little as 15 minutes and the average dwell time at these chargers is 33 minutes. Therefore, fast chargers provide a customers with a quick charge and discourages long dwell periods of time.
- The relevance of appeal ABP 311920 - 21 is questioned, which relates to the refusal for the construction of a house in County Louth.
- The proposal has been designed in accordance with the latest Zero Emissions Vehicle Infrastructure (ZEVI) Universal Design Guidelines for Electric Vehicle Charging Infrastructure (May 2024), making it universally accessible, therefore it is incorrect to say that the proposal is inaccessible.
- The relevance of appeal ABP 311124- 21 is questioned, which relates to a refusal for the construction of a house in County Mayo.
- The argument that the planning authority has not assessed the material issues/objections raised is incorrect. The planner's reports stated that the planning authority has reviewed the points outlined in the submission/observation, however it considered the revisions to the existing car parking to be minor in nature and a positive step towards delivering high power charging infrastructure in Galway City, etc.

- The appellant has raised a number of ABP cases, which are completely irrelevant to the proposed development and it is contended that the appeal is without substance and the decision by the Council should be upheld.

### **7.3. Planning Authority Response**

None.

### **7.4. Observations**

None.

## **8.0 Assessment**

Having examined all the application and appeal documentation on file and having regard to the relevant local and national policy and guidance, I consider that the main issues in this appeal are those raised in the grounds of appeal and the planning authority's reason and considerations, and I am satisfied that no other substantive issues arise. AA also needs to be considered. The main issues, therefore, are as follows:

- Principle of Development
- Access/Traffic
- Justification
- Parking Supply
- Unauthorised Development
- Planning Precedent & Law
- Other

## 8.1. Principle of Development

- 8.2 The site is situated within the wider established car park attendant to the Galway Retail Park, on the Headford Road in Galway City. Part of the site encompasses the existing parking area and part of the site encompasses a grass embankment, which bounds the established car park and which has a slightly higher FFL than the main car park. The zoning of the site is C1, which aims 'to provide for enterprise, light industry and commercial uses other than those reserved to the CC zone'. The compatible uses for this zoning are stated under Section 11.2.6 of the CDP. Car Parks are described under the Category of '*Uses which may contribute to the zoning objectives, dependent on the CI location and scale of development*'.
- 8.3 Having regard to the nature and extent of established car parking at this location in addition to the existing established EV parking station at/beside this site, it is considered that the proposed EV parking, in terms of its' location and scale, is compatible with the zoning objective above. 10 parking spaces would be removed and 6 parking spaces would be constructed. The existing 100kW charger is to be removed and replaced by 3 no high-power charging units. There would be an increase of 2 no higher capacity charging units. Given the established policy and the nature of the existing development at this area, which is a car park, I am satisfied with the principle of the proposed development.
- 8.4 Furthermore, national, regional and local policy is generally supportive of the development of EV charging infrastructure. The "Climate Action Plan 2024", which outlines the State's policy approach to comply with EU climate objectives, commits that 845,000 electric vehicles will make up the car fleet in Ireland by 2030. And, in order to encourage more people to make the switch to EVs, the appropriate charging infrastructure needs to be in place. The "National Road Network EV Charging Plan 2024/2030" states that Government should encourage private investment in EV charging infrastructure in order to sustain the demand expected in the use of EVs.
- 8.5 Therefore, in the context of location, scale and policy cited above, I am satisfied with the principle of the proposed development of EV infrastructure at this location, subject to an assessment of the relevant planning criteria.

## **8.6 Access/Traffic**

8.7 The existing access and egress onto the Headford Road is already established for the car park at the existing Galway Retail Park. Vehicles that would use the proposed EV charging facility would follow the directional flow of traffic into and through the established car park, in this regard. The Roads Department of Galway City Council has no objection to the proposed development. I would concur with the City Planner, who stated in the Planners Report that the proposal will offer a safe and accessible facility at a well-established shopping centre. Final directional markings should be agreed with the planning authority, which can be conditioned in the event that An Coimisiún is mindful of a favourable decision.

## **8.8 Justification for development**

8.9 The appellant has questioned the justification/need for the proposed EV parking spaces and also questions the removal of general parking spaces at this location, which the proposal would require. The appellant in this vein, also suggests that the planning authority has not assessed all of the material issues relevant to the proposed development and raised the issue of unauthorised use of gray office staff of the primary car park at this location.

8.10 Having assessed the planners report in detail in addition to the reports of the various contributing city council department reports, I am satisfied that the planners report has covered all of the material issues relating to the proposed development. I will consider the issue of unauthorised development under section 8.17 of this report.

8.11 The applicant in its response to the appeal has stated that the appellant is a director at of Brite Charging Limited, which is stated to be a direct competitor of ESB Innovation Rol. Therefore, it is alleged that the appellant has a commercial interest in the appeal with the objective to 'obstruct or delay' a rival project. There is no evidence submitted under the application/appeal in support of this contention. This comment is noted; however, it is considered that there are valid grounds raised under the appeal, which are assessed under this report.

8.12 On the date of site inspection, it was noted that there is a Brite EV Charging Station within the same car park along the east boundary of the overall car park in

front of/proximate to Curry's retail shop. This facility provides 2 charging units and 6 parking bays. The planning status of this facility is not clear as it does not appear to be on the planning register mapping portal. Additionally, it is noted that the planning authority has not referenced this facility in the adjacent planning history section of the planner's report.

8.13 In the event of a grant of planning permission, the subject proposal would remove one existing 100kw charging unit and this would be replaced by 3 high power charging units. This would account for an increase of 2 No higher capacity charging units at this location, over and above what is already extant. Having reviewed all of the available high power charging units available within a 1 km radius of this site, it is not considered that the addition of two more EV high power charging units would be superfluous, in the built environment, in this area of the city, nor is it deemed that such infrastructure is unnecessary, especially in light of various policy in support of such infrastructure, referred to above.

8.14 In relation to justification of the proposed EV parking area, the appellant has also raised with concern, the issue of 'long dwell' parking, which EV charging is associated with. The appellants' concern is specifically with regard to the parking availability of parking for the retail park customers. The applicant's response however submits that the proposed high power charging units can charge a car up to 80% within 15 minutes. It is submitted that this provides customers with quick charge and discourages long dwell. I consider that the purpose of the power charging units, is to facilitate more efficient and convenient charging. Given the policy above relating to EV infrastructure and generally increased use of EV vehicles, I consider that this use would serve EV ownership customers of the retail park also, and I do not consider that the potential of long dwell charging is a reasonable basis to refuse planning permission for such essential infrastructure.

### **8.15 Parking Supply**

8.16 The appellant has argued that the proposal removes 10 car parking spaces from the established car park and contends that this would undermine retail viability in the retail park. The appellant also refers to the housing application/appeal under ACP 322166 -25 on a nearby site and argues that the cumulative impact of the development has not been taken into account.

- 8.17 The applicant in response to this assertion states that the proposal will involve the removal of 10 parking spaces and the construction of 6 EV parking spaces. This amounts to the total reduction of 4 parking spaces in the overall car park. The applicant argues that the proposal would in fact supply additional much needed public EV charging facilities, which would in fact benefit the public and the nearby housing development.
- 8.18 Whilst the removal of 4 no parking spaces is a material reduction in parking availability, I would draw the commissions attention to the Inspectors report under ACP 322166 – 25, which entails a residential development', 'Corrib Causeway', at the near-by Dyke Road, which is now granted planning permission. In referencing the Public Transport Capacity Report, submitted under that application, the inspector states: *Given the proximity of the city centre to the site the report noted that the site has the potential for a significant modal shift towards increased public transport with a number of existing and proposed bus services in close proximity to the site.* This inspector's report also refers to the fact that that site is within a 15-minute walking distance from the city centre and the hospital and the university and that it was served by 9 no. bus routes passing within 1 km of the site and that it was also within 500 meters of the proposed Bus Connects Galway network.
- 8.19 Accordingly, given the location of the site and proximity to the city centre, along with the availability of public transport options, I consider that the loss of 4 parking spaces at this location to allow for EV parking, would not undermine the retail viability of the Galway Retail Park and would not amount to any significant negative cumulative impacts on the area, with reference to the available transport network in Galway City and the opportunities for multi-modal and active travel options. It is also considered that the proposal for additional EV parking infrastructure is in accordance with various polices, as referenced above.
- 8.20 Furthermore, it is noted that the Roads/Transport Section report in Galway City Council has raised no objection to this proposal on grounds of reduced parking availability.
- 8.21 Unauthorised Development**
- 8.22 The appellant has referenced alleged unauthorised use of the car parking facilities at this location. No supporting information or documentation has been submitted to

support this assertion. The applicant in its response to the appeal states that if there is unauthorised development taking place, it is outside of the confines of the subject site and the applicant also states that it is a matter for the city council to appropriately deal with any unauthorised development.

8.23 I am of the viewpoint that the subject of unauthorised development, if it exists, is outside of the remit of An Coimisiún Pleanála. I conclude therefore that the proposed development should not be refused on the basis of any dispute in relation to alleged unauthorised development, outside of the site boundary, the subject of the appeal.

#### **8.24 Planning Precedent & Law**

8.25 The appellant has raised quite a number of planning precedent reference numbers under the appeal submission. However, the appellant has not offered any detailed reasons or detailed rationale for why it is considered that the stated planning precedent references are relevant to the assessment of the subject appeal. The response by the applicant has raised each of the planning precedent reference numbers and has questioned the relevance of each to the appeal.

8.26 I confirm that I have reviewed all of the planning history cases cited in the third-party appeal and I confirm that these are not relevant to the issues arising in this instance. However, ABP JH61 – 322166, is relevant insofar as it is a nearby development and which has recently been decided by the Board. I have discussed this appeal assessment under my report above, see paragraphs 8.18 - 8.19. I can find no robust planning detail in any of the cited precedents, which would support a refusal of planning permission, based on the planning precedent references raised under the appeal submission.

8.27 The appellant has also raised the issue of cumulative impact and has cited Section 34 (2) (b) (ii) of the Act. I have assessed the impacts relating to the permitted residential development at Dyke Road pertaining to parking spaces. Section 34 (2) (b) of the Planning and Development Act 2000 (as amended) relates to the requirement of the planning authority to consult with any other planning authority where it considers that a particular decision by it may have a significant effect on the area of that authority. There is no specific part (ii) associated with this reference. It is not clear how this has relevance to the instant

appeal nor has the appellant provided any detailed explanation for this point of view.

**8.28 Other**

8.29 The appeal submission refers that the proposed development has not been designed with regard to universal access. However, the planners report specifically refers to this issue and states that documentation submitted provides that the proposed development has also been designed having regard to the ZEVI Universal Design Guidelines, making it universally accessible.

8.30 The Transport Section in Galway City Council, has required that this development complies with national standards for EV charging stations, which is reasonable.

8.31 It is noted that Condition No 2 (i) of the Decision to Grant Permission, required that: *The Installation shall comply with stated national standards for signs and lines at Electric Vehicle charging stations.*

8.32 I agree with said condition and I recommend that this condition be applied, should An Coimisiún be mindful of a favourable decision.

8.33 With regard to the issue of flooding, the application form includes a declaration from the applicant, that the site has not been known to flood in the past. The site is within a flood zone area; Flood Zone A. The Environment Section in Dublin City Council notes in its report that the site is currently protected by the Dyke Road Embankment. The planning authority under its assessment refers to section 5.28 (relating to minor proposals), of the following guidelines; The Planning System and Flood Risk Management Guidelines for Planning Authorities. Accordingly, regarding the nature of the proposed development, and the descriptor of 'minor proposals' under said guidelines, the planning authority considers that the proposal is unlikely to raise significant flooding issues.

8.34 I concur with the viewpoint of the planning authority with regard to the minor nature of the proposal and I would consider that generally there would be a minimal increase in impermeable surface area, created by the proposed development. Accordingly, it is reasonably considered that the proposal would not interfere with the established drainage system or intersect flow paths or have any significant

bearing on the drainage system over and above what is already established at the car park.

- 8.35 I note the cautionary approach recommended by the Environment Section, which notes the minor nature of the proposal, but recommends that the modular unit would have a sealed access point. This issue was addressed by the planning authority under Condition No 2 (ii), which states: *The modular unit shall have a sealed access point.* I concur with the application of said condition, in the interest of orderly development, and I recommend that this condition be applied, should An Coimisiún be mindful of a favourable decision.

## **9.0 AA Screening**

- 9.1. Having regard to the minor scale of the proposed development, and to the location of the site in a serviced urban area and the separation distance to the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## **10.0 Water Framework Directive**

- 10.1. The subject site is located in an urban area and consists of the installation of a compact modular substation and ancillary development works; to facilitate 3 No shared electric vehicle charging units and 6 No charging bays and ancillary site works and improvement and realigning of parking area.
- 10.2 No water deterioration concerns were raised in the planning appeal.
- 10.3 I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive, which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration.
- 10.4 Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk

to any surface and/or groundwater water bodies either qualitatively or quantitatively.

10.4 The reason for this conclusion is as follows:

10.5 Minor nature of proposed works and distance from water bodies combined with lack of hydrological connections.

10.6 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.

## **11.0 Recommendation**

11.1. I recommend that planning permission should be granted, subject to conditions as set out below.

## 12.0 Reasons and Considerations

Having regard to the design, layout and scale of the proposed development and the pattern of development in the area, in addition to the relevant provisions of the Galway City Development Plan and the Climate Action Plan, it is considered that, subject to compliance with the conditions set out below, the proposed development would not result in an unacceptable loss of car parking in the area and would, otherwise, be in accordance with the proper planning and sustainable development of the area.

## 13.0 Conditions

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

**Reason:** In the interest of clarity

2. No advertising signage is permitted as part of this grant of permission.

**Reason:** In the interests of clarity.

3. Within three months of the final grant of this permission, the developer shall submit and agree in writing with the Planning Authority a landscaping scheme for the site. Details shall include the following:
- (ii) The scheme shall include details of the materials for all hard and soft areas and the location, numbers and species of all existing and proposed planting and trees (this should be from a range of native species) within the confines of the site.
  - (ii) The scheme when approved shall be carried out within the first planting season following the completion of the proposed development unless otherwise agreed in writing with the Planning Authority.
  - (iii) The transplanting of birch trees on site and as indicated on the proposed site plan shall be carried out to the satisfaction of the Planning Authority. Any trees proposed to be removed shall be replaced and relocated tree species shall be clearly shown on the proposed landscaping scheme.

**Reason:** In the interest of biodiversity and visual amenity.

4. The developer shall comply with all requirements of the planning authority in relation to roads, access, lighting and parking arrangements, including facilities for the recharging of electric vehicles. In particular, the following shall be submitted to the planning authority for their written agreement, prior to the commencement of any works on site:
- (i) Revised site layout plan, at an appropriate scale, which indicates clear directional vehicular, cyclist and pedestrian markings through the site.
  - (ii) Provision of accessible parking bays in line with national standards.
  - (iii) Delineate pedestrian routes for access/egress to the proposed parking areas/electric vehicle units in context with the existing car park.

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

5. The construction of the development shall be managed in accordance with a Final Construction and Environmental Management Plan, which shall be submitted to, and agreed in writing with the planning authority prior to commencement of development. This plan shall provide, inter alia: details and location of proposed construction compounds, details of intended construction practice for the development, including hours of working, noise and dust management measures, details of arrangements for routes for construction traffic, parking during the construction phase, and off-site disposal of construction/demolition waste.

**Reason:** In the interests of public safety.

6. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority. Details shall provide for the following:
  - (i) The attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services.
  - (ii) The modular station shall have a sealed access point.

**Reason:** To prevent flooding and in the interests of sustainable drainage.

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.

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Aisling Dineen  
Planning Inspector

31<sup>st</sup> October 2025

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**Appendix A: Form 1 EIA Pre-Screening**

<b>Case Reference</b>	ACP 323550-25
<b>Proposed Development Summary</b>	The development will consist of the installation of a compact modular substation and ancillary development works; to facilitate 3 No shared electric vehicle charging units and 6 No charging bays and ancillary site works and improvement and realigning of parking area.
<b>Development Address</b>	Galway Retail Park, Headford Road, Galway.
<b>IN ALL CASES CHECK BOX /OR LEAVE BLANK</b>	
<b>1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?</b>	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
(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)	
<b>2. Is the proposed development of a CLASS specified in <u>Part 1</u>, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	<b>State the Class here</b>

<input checked="" type="checkbox"/> <input type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>3. Is the proposed development of a CLASS specified in <u>Part 2</u>, 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?</b>	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.  <b>No Screening required.</b>	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.  <b>EIA is Mandatory. No Screening Required</b>	
<input checked="" type="checkbox"/> <input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.  <b>Preliminary examination required. (Form 2)</b>  <b>OR</b>  <b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b>	<b>State the Class and state the relevant threshold</b>  Class 10 Infrastructure Projects. (b) (ii) Construction of a carpark providing more than 400 spaces, other than a carpark provided as part of, and incidental to the primary purposes of, a development.
<b>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)?</b>	
<b>Yes</b> <input type="checkbox"/>	
<input checked="" type="checkbox"/> <b>No</b> <input type="checkbox"/>	<b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b>

**Inspector:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## Appendix B: Form 2 - EIA Preliminary Examination

<b>Case Reference</b>	ACP-323550-25
<b>Proposed Development Summary</b>	The development will consist of the installation of a compact modular substation and ancillary development works; to facilitate 3 No shared electric vehicle charging units and 6 No charging bays and ancillary site works and improvement and realigning of parking area.
<b>Development Address</b>	Galway Retail Park, Headford Road, Galway.
<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>	
<b>Characteristics of proposed development</b>  (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).	<b>Briefly comment on the key characteristics of the development, having regard to the criteria listed.</b>  The development has a modest footprint, consists of a modular substation to facilitate 3 shared EV charging units on a site area of 0.034 ha., it comes forward as a standalone project, does not require substantial demolition works, does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster. It presents no risks to human health.
<b>Location of development</b>  (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).	<b>Briefly comment on the location of the development, having regard to the criteria listed</b>  The location is within an existing car park serving a retail centre on the Headford Road, Galway City. A surface water management plan will be implemented. The subject site is not located within a designated or protected area. The closest sites are: Galway Bay Complex SAC (Site Code: 000268), c. 1.4 km south. Inner Galway Bay SPA (Site Code: 004031), c. 1.4 km south. Galway Bay Complex pNHA (Site Code: 000268), c. 1.4 km south

<p><b>Types and characteristics of potential impacts</b></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><b>Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects.</b></p> <p>Having regard to the modest nature of the proposed development, its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.</p>
<p><b>Conclusion</b></p>	
<p><b>Likelihood of Significant Effects</b></p>	
<p><b>There is no real likelihood of significant effects on the environment.</b></p>	<p><b>EIA is not required.</b></p>

**Inspector:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**DP/ADP:** \_\_\_\_\_ **Date:** \_\_\_\_\_

(only where Schedule 7A information or EIAR required)