



An
Coimisiún
Pleanála

Inspector's Report PL-500422-GY-25

Development

Permission to construct modern training facilities for both associations and all associated site works. The works entail; a) the widening, realigning, and upgrading of the existing agricultural entrance onto the R347. b) demolition of the existing agricultural shed on site. c) construction of new internal roads, paths, street lighting, parking areas, shelters, fencing, landscaping, signage, proprietary effluent treatment system and percolation area. d) construction of a single storey Galway United Football Club facilities building. e) the creation of one full size grass-based soccer pitch plus associated dugouts, perimeter fencing, ball stop netting and floodlighting. f) the creation of one full size artificial surface soccer pitch plus associated dugouts, perimeter fencing, ball stop netting and floodlighting. g) construction of single storey Connacht Hockey facilities building. h) the creation of one full size

hockey pitch plus associated dugouts, perimeter fencing, storage facilities and floodlighting. A Natura Impact Statement (NIS) was submitted with the application.

Location Mountain South, Athenry, Co. Galway.

Planning Authority Galway County Council

Planning Authority Reg. Ref. 25/61337

Applicant Galway United Football Club

Type of Application Permission

Planning Authority Decision Refuse Permission

Type of Appeal First Party

Appellant Galway United Football Club

Observer Mountain South Residents

Date of Site Inspection 10th February 2026

Inspector Ian Campbell

1.0 Site Location and Description

- 1.1. The appeal site, with a stated area of 6.297 ha., is located at the eastern side of the R347 (Athenry to Craughwell Road). The site, which is located within a rural area outside of a settlement, comprises a number of fields, and is c. 0.4 km south of the M6 Motorway, c. 2.4 metres south of Athenry (centre of the village) and c. 20 km from Galway City.
- 1.2. The Eiscir River¹, tributary of the Clarin River, flows in an east-west direction across the site, before flowing beneath the R347. There is an agricultural shed in the centre of the site. Topographical levels on the appeal site are indicated as c. 32.5 metres (OD) to the north, 30.5 metres (OD) in the centre of the appeal site, and c. 34 metres (OD) along the southern site boundary.
- 1.3. The roadside boundary of the appeal site comprises hedgerow with a field gate providing access. There are a number of detached dwellings in the vicinity, the closest of which is to the immediate north of the site access. The posted speed limit along the R347 at the location of the site is 80 kmph. There is a continuous white line along the R347 at this location.
- 1.4. The lands to the south are indicated as being within the ownership/control of the applicant, as denoted by the blue line boundary.

2.0 Proposed Development

- 2.1. The proposed development, as described in the development description contained in the public notices, comprises;
 - demolition of the existing agricultural shed (stated floor area 42 sqm).
 - widening, realigning, and upgrading of the existing agricultural entrance onto the R347.

¹ Referred to in the NIS as 'The Mulpit Stream', and described as a winterbourne/intermittent stream. EPA mapping refers to this watercourse as the 'Mulpit Stream' whereas OSI mapping refers to it as the 'Eiscir River'.

- construction of new internal roads, paths, street lighting, parking areas, shelters, fencing, landscaping, signage, proprietary effluent treatment system and percolation area.
- construction of a single storey Galway United Football Club facilities building (c. 2,086 sqm).
- one full size grass-based soccer pitch, dugouts, perimeter fencing, ball stop netting and floodlighting.
- one full size artificial surface soccer pitch, dugouts, perimeter fencing, ball stop netting and floodlighting.
- construction of single storey Connacht Hockey facilities building (c. 258 sqm).
- one full size hockey pitch, dugouts, perimeter fencing, storage facilities and floodlighting.

The proposal includes 31 no. car parking spaces; 3 no. bus parking spaces; pick-up/drop-off set down area for 6 no. cars and 34 no. bicycle parking spaces. Ducting is indicated for 20% of all car parking spaces to allow for future EV parking compatibility.

2.2. The planning application was accompanied by the following;

- Planning Report
- Design Statement
- Preliminary Construction and Environmental Management Plan (pCEMP), includes Construction and Demolition Waste Management Plan (CDWMP)
- Engineering Planning Report
- Site Characterisation Report (SCR)
- Road Safety Audit (RSA)
- Traffic Report²
- Flood Risk Assessment (FRA)

² The Traffic Report notes that the proposed development does not meet TII's Traffic and Transport Assessment Guidelines for a full Traffic and Transport Assessment, as the trip generation figure is 7.7% of the projected AADT of the R347, below the 10% threshold.

- Appropriate Assessment Screening Report (AASR)
- Natura Impact Statement (NIS)
- Ecological Impact Assessment (EclA)
- Flood Lighting Report

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority issued a Notification of Decision to **REFUSE** permission on the 11th day of November 2025 for 4 no. reasons, summarised as follows.

1. Having regard to the greenfield, rural, remote and un-serviced location of the subject site; the nature, scale and extent of the proposed development; and the inability of the local road network to accommodate a development of the proposed scale and nature, the proposed development would constitute a disorderly and haphazard development which fails to integrate sensitively into the existing environment and fails to reflect and reinforce the existing landscape of the surrounding rural environs. The development would contravene Policy Objective SRA1 and DM Standard 53 of the Galway County Development Plan 2022-2028, and would seriously injure the amenities in the vicinity and would set an undesirable precedent for future development in the un-serviced rural area.
2. The PA is not satisfied that the sightlines demonstrated comply with DM Standard 28 of the Galway County Development Plan 2022-2028. Required sight distances are not achievable due to the sub-optimum vertical and horizontal alignment of the road in both directions. The applicant has not demonstrated sufficient legal interest to maintain lands within the sight distance triangles. The proposed development would contravene Policy objectives NNR 2 and ILUTP1 and DM Standard 28 of the Galway County Development Plan 2022-2028 and would endanger public safety by reason of traffic hazard, obstruction of road users or otherwise.
3. Having regard to the scale, extent and location of the site, and absence of an archaeological impact assessment being carried out to fully assess the impact

of the proposed development on the archaeology in the area, namely Recorded Monument GA-096-169, it is considered that the development would **materially contravene** Policy Objectives ARC 5 and ARC 10 of the Galway County Development Plan 2022-2028.

4. In the absence of satisfactory details submitted regarding Confirmation of Feasibility from Uisce Éireann to connect to the public water mains, the development would pose a serious risk to the public health and would be contrary to Policy Objective WS4 and Development Management Standard 36 of the Galway County Development Plan, 2022-2028.

I draw the Commission's attention to refusal reason no. 3 which refers to material contravention of the Galway County Development Plan 2022-2028.

3.2. Planning Authority Reports

3.2.1. Planning Report

- 3.2.2. The report of the Planning Officer generally reflects the refusal reasons. The report also notes;

- The overall scale, nature/use and siting of the proposed development is considered excessive and not reflective/in keeping with the character of the rural area.
- The provision of such a facility is suited to an accessible, connected, serviced and urban/edge of urban location.
- The recently adopted Athenry Local Area Plan 2024-2030 provides lands zoned and appropriately serviced/accessed for community/sporting facilities and the development of same appropriately reflects the principles of compact growth and sustainable development.

The report of the Planning Officer recommends a refusal of permission consistent with the Notification of Decision which issued.

3.2.3. Other Technical Reports

Roads Department – report recommends refusal on basis of sightlines/visibility and traffic generation.

Prescribed Bodies/Government Departments

Transport Infrastructure Ireland (TII) – observation requests that the PA has regard to Spatial Planning and National Roads Guidelines for Planning Authorities. Reference is also made to TII's Code of engineering practice for works on, near, or adjacent the Luas light rail system.

Department of Housing, Local Government and Heritage (DoHLGH) – submission notes the following;

- Re. Archaeology: noting the size of the site an Archaeological Impact Assessment (AIA), to include Archaeological Geophysical Survey and Test Excavation, should be requested as Further Information. A Construction Environment Management Plan (CEMP) should incorporate any significant findings from the AIA.
- Re. Nature Conservation: several incorrect references to designated sites located in Counties other than Galway have been included in the Ecological Impact Assessment Report (see Chapter 4.1 – Designated Conservation Areas). The PA may wish to seek a revised EcIA that correctly addresses the designated sites within the zone of influence of this development. Should permission be granted, a condition requiring the implementation of the mitigation measures contained in the NIS and EcIA should be included.

3.3. Third Party Observations

The report of the Planning Officer refers to 5 no. observations having been received in relation to the planning application. The issues raised in the observations may be summarised as follows;

- Impacts on adjacent residential development in vicinity.
- Concerns re. access, traffic safety and car parking.
- Concerns re. noise and light pollution.
- Absence of policy to support such a proposal.
- Support for proposal.

4.0 Planning History

Appeal Site

There are no relevant, recent planning applications on the appeal site.

Adjoining Area (further south)

PA. Ref. 22/566 – Permission REFUSED for centre of excellence, including pitches, soccer dome.

Refusal reasons (9 no.) concerned, that the proposal, at an un-serviced rural location, is not intended to serve a local sporting body, is haphazard and would harm the amenities of the area and would be contrary to Objectives SRA1 and DM Objective 53 of the CDP; traffic safety, noting absence of a Road Safety Audit; absence of sightlines, noting trafficked speed on road; potential impact on European Sites; potential pluvial flood risk; effluent disposal/public health; visual impact; surface water disposal; and absence of pre Connection Enquiry to Irish Water (now Uisce Éireann).

PA. Ref. 08/603 – Permission GRANTED for centre of excellence, including pitches and sports hall.

5.0 Policy Context

5.1. Ministerial Guidelines

5.1.1. Having regard to the nature of the proposed development and to the location of the appeal site, I consider the following Guidelines to be pertinent to the assessment of the proposal.

- Appropriate Assessment of Plans and Projects in Ireland, Guidelines for Planning Authorities (2010).
- The Planning System and Flood Risk Management (including the associated Technical Appendices) (2009).

5.1.2. Other Relevant Guidance

- Wastewater Treatment Manuals - Treatment Systems for Small Communities, Business, Leisure Centres and Hotels (1999) EPA.

5.2. Development Plan

- 5.2.1. The Galway County Development Plan 2022-2028 is the relevant development plan. The site is not subject to any specific land-use zoning under the Galway County Development Plan 2022-2028. The appeal site is located within the Galway County Transportation and Planning Study Area (GCTPS).
- 5.2.2. There are a number of Recorded Monuments in the vicinity of the appeal site, including, GA096-169 (Ritual Site - Holy Well) to the east; GA096-134 (Enclosure to the south-east; and GA096-060001 (Souterrain) to the south-west.
- 5.2.3. The provisions of the Galway County Development Plan 2022 - 2028 relevant to this assessment are as follows:

Chapter 6 (Transport & Movement)

- Objective GCTPS 2 (Integrated approach to land use and transportation)
- Objective NR3 (Traffic and Transport Assessment (TTA) and Road Safety Audit (RSA))
- Objective ILUTP 1 (Sustainable Transportation)
- Objective PT 1 (Sustainable Modes of Transport)

Chapter 7 (Infrastructure, Utilities and Environmental Protection)

- Objective WW6 (Private Wastewater Treatment Plants)
- Objective WS4 (Requirement to Liaise with Irish Water – Water Supply)

Chapter 15 (Development Management Standards)

- DM Standard 28 (Sight Distances Required for Access onto National, Regional, Local and Private Roads)
- DM Standard 31 (Parking Standards)
- DM Standard 33 (Traffic Impact Assessment, Traffic & Transport Assessment, Road Safety Audit & Noise Assessment)
- DM Standard 38 (Effluent Treatment Plants)
- DM Standard 53 (Community Facilities)
- DM Standard 68 (Flooding)

5.2.4. The site is located within the 'Central Galway Complex Landscape' (see Map 1 of Landscape Character Assessment, Appendix 4 of Galway County Development Plan 2022-2028). The 'Central Galway Complex Landscape' (see Map 6) is described as having a 'Low' sensitivity and a value rating of 1. There are no scenic routes or protected views in the vicinity of the site.

5.3. Natural Heritage Designations

- Galway Bay Complex SAC (Site Code 000268) – c. 11km south-west.
- Inner Galway Bay SPA (Site Code 004031) – c. 11km south-west.

5.4. EIA Screening

(See Form 1 and Form 2 attached to this report) Having regard to the limited nature and scale of the development and the absence of any significant environmental sensitivity in the vicinity of the site, as well as the criteria set out in Schedule 7 of the Planning and Development Regulations, 2001, as amended, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

I consider that any issues arising from the proximity/connectivity to European Sites can be adequately dealt with under the Habitats Directive (Appropriate Assessment).

6.0 The Appeal

6.1. Grounds of Appeal

This is a first-party appeal against the decision to refuse permission. The grounds for appeal can be summarised under the following headings;

Nature of the Proposal:

- The PA have misinterpreted the proposal, and applicable policy. The proposal is not a community amenity but rather a regionally significant sports enterprise, designed for a multi-county catchment. Any assessment must be based on the

regional function of the proposal, rather than on criteria used for local community infrastructure.

- The proposal complies with relevant requirements of DM Standard 53, albeit this objective is not directly applicable, as the proposal is a regional facility and not a community facility, open to the public.
- The proposal complies with MU1 (Multi-Use Community Facilities) and SRA4 (Passive & Active Open Space).
- Changes to UK soccer have resulted in a requirement for academy infrastructure in Ireland. The proposal caters for over 150 players across a number of neighbouring counties, with an intention to expand the catchment.

Locational Considerations:

- Similar facilities (examples cited) have been permitted nationally. The appellant notes that these facilities have been permitted on regional roads c. 2km from the nearest settlements. In an international context, locating such facilities outside settlements is common practice.
- ABP. Ref. 305015-19 facilitated the amalgamation of 3 no. GAA clubs. ABP. Ref. 311630-21 is also relevant. The appellant draws attention to the Inspector's position regarding the siting of such facilities in rural areas in the context of the difficulty facilitating such proposals in an urban context.
- The CDP does not preclude such development within rural areas. The CDP supports rural recreation, rural development and the expansion of the regional sports capacity (see Objective SRA 1 – Sports, Amenity and Recreation, the criteria of which is met by the proposal). The proposal is also supported by NPO3 and 26.
- The proposal requires privacy buffers and substantial land, facilitated by a rural location.
- The site is not remote when viewed within a strategic context, rather it is an accessible location within a regional context, adjacent to the M6 and connected to the hinterland via Athenry Railway Station and associated bus services.

Traffic Considerations:

- The Mobility Management Plan provides details of a shuttle services and measures to minimise car dependency.
- Locating in an urban area would add to traffic congestion.
- The programming of training will reduce traffic impacts.
- 60% of people using the facility will travel by private car. The appellant's traffic calculations is based on 100% of patrons arriving by car, to represent a 'worst case scenario'.
- The maximum number of people arriving at the facility (at peak time) will be 7.8 cars per minute (3.6 of these cars will use the car park with the remaining 4.2 availing of drop-off facilities). Estimates are based on one car per attendee, car sharing would decrease the number of cars arriving at the facility (potentially by 50%).
- Peak periods at the facility do not coincide with peak hour traffic on the local road network.
- The proposal results in a 4% exacerbation of average traffic between 5pm – 6pm, and no additional traffic during the AM peak (8am – 10am). The current capacity of the road will not be affected.
- Should the drop-off facility become blocked, the volume of traffic arriving can be facilitated without causing queuing.
- Any expansion into adjoining lands would be subject to a planning application.
- The proposal facilitates Galway United Youth Academy and Connacht Hockey Academy, with direct association with Athenry Swans and Tuam Falcons.
- Facilitation of schools would be dependent on consideration of traffic impact and is now not being proposed.
- The proposal is a training based facility and is characterised by low-usage and an absence of spectators.

Design:

- The design of the proposal reflects traditional forms, has been reduced in scale compared to the development which was refused under PA. Ref. 22/566 and integrates with the receiving landscape.

- The appellant is open to submitting a landscaping plan to further mitigate any impacts from the proposal.

Water Supply/Wastewater:

- A Pre-Connection Enquiry was lodged with UÉ. The proposal is viable in terms of water supply and wastewater treatment.

Amenity Considerations:

- Use of the facility will be staggered to address potential impacts on the amenity of neighbouring dwellings.
- An operational plan will address light and noise impacts.

Archaeology:

- The site is outside the SMR Zone associated with GA096-169.
- No excavation is proposed within 100 metres of any Recorded Monument, rather it is proposed to raise the lands at this location.
- An Archaeological Impact Assessment (AIA) could have been sought as Further Information by the PA.
- An AIA could be submitted if deemed necessary.

The appeal is accompanied by a document (An Coimisiún Pleanála – Appeal Document) which addresses refusal reason no. 2 and 4, an OS map and 3 no. drawings detailing sightlines.

Re. Refusal Reason 2:

- The proposal leaves considerable residual capacity in the local road network.
- The proposed junction will operate well within capacity during peak network hours.
- The ‘crest and sag’ issue raised by the PA is addressed by raising the levels adjacent to the site entrance.
- Sightlines of 160 metres (north) and 215 metres (south) are achieved. To achieve sightlines to the south a section of boundary wall in the ownership of the applicant/appellant is to be set back. Sightlines are clear of existing boundary walls and the applicant proposes to maintain existing hedge lines.

- With the exception of Problem 2.4 (car parking) the recommendations of the RSA (relating to visibility and pedestrian crossing) have been accepted by the applicant/appellant. Car parking is deemed adequate given the nature of the proposal.
- A Confirmation of Feasibility (CoF) was received from UÉ on the 13th May 2025(attached).

6.2. Planning Authority

None received.

6.3. Observations

An observation was received from Mountain South Residents, the observation notes the following;

- The proposal is car dependent. There is no public transport on the R347. Athenry is 4 km from the site and Athenry train station is 5km from the site. There is no footpath provision along the R347. The applicant's proposal to use a shuttle bus and collective travel measures are not credible.
- There have been two fatalities on the R347 in the vicinity of the site. An assessment of speed on the R347 should have been undertaken. The sightlines at the proposed entrance are based on an 80 kmph speed limit however this may not be relevant given the absence of a speed survey.
- Car parking provision is inadequate. The applicant's rejection of the recommendation/problem identified in the RSA regarding the level of car parking is not credible. In reality the site is too small to cater for the level of car parking required. Management of car parking between two sporting bodies, as proposed, is not practical.

7.0 Assessment

- 7.1. Having examined the application details and all other documentation on file, including the appeal, the observation and having inspected the site, and having regard to the

relevant national and local policy and guidance, I consider the main issues in relation to this appeal are as follows:

- Refusal Reason No.1 (location/nature of development)
- Refusal Reason No.2 (sightlines)
- Refusal Reason No. 3 (archaeology)
- Refusal Reason No. 4 (water supply)
- Flood Risk (New Issue)
- Issues Arising
- Appropriate Assessment (New Issue)

7.2. Refusal Reason No. 1 (location/nature of development)

- 7.2.1. The first refusal reason cited by the PA concerns the nature and scale of the proposed development in the context of its location, which the PA refer to as rural, remote and un-serviced. The PA also note the inability of the local road network to cater for the proposal, and the failure of the proposal to integrate into the landscape. The PA consider the proposal contrary to Policy Objective SRA1³ and DM Standard 53⁴ of the CDP.

³ Support local sports groups and community groups in the development, improvement and expansion of authorised facilities for sporting and recreational needs of all sectors and ages through the reservation of suitable land where available and appropriate.

⁴ In assessing planning applications for example leisure facilities, sports grounds, playing fields, play areas, community halls, organisational meeting facilities, medical facilities, childcare facilities and other community orientated developments, regard will be taken of considerations such as:

- Overall need in terms of existing infrastructural deficit and opportunity for community gain;
- Practicalities of site location in terms of relating to uses, impact on local amenities, desirability and accessibility;
- The potential multifunctional use of community facilities;
- Conformity with the requirements of appropriate legislative guidelines e.g. childcare facilities;
- The Planning Authority supports the retention of existing school sites for community use once the existing school has been relocated to an appropriate site. The existing site could be redeveloped as a multi-purpose community centre providing a range of facilities for the local community, including community meeting rooms, youth facilities, games rooms, senior citizens facilities, sports and cultural facilities. The facility should have safe access for vehicles, pedestrians and cyclists. Safe public parking/bus stop should be provided in close proximity as appropriate.

- 7.2.2. The crux of the appellant's case, in relation to refusal reason no. 1, is that the proposal is a strategically important regional facility with a multi-county catchment; that the site is not remote, but rather accessible when considered in a regional context; that the proposal is supported by Objective MU1⁵, SRA1 and SRA4⁶ of the CDP; that precedent exists for similar facilities at comparable locations nationally; that rural locations are more appropriate for such facilities having regard to the constraints of urban areas, e.g. availability of large sites etc.; that the CDP does not preclude such developments in rural areas; and that the local road network has capacity for the proposal, in particular with reference to the number of vehicle trips associated with the proposal and relationship between local peak traffic and peak times at the facility. The appeal submission notes that the initial proposal to open the facility to schools 'does not now form part of the model', but will be assessed at a future point in time depending of the traffic considerations.
- 7.2.3. The proposal entails a provincial, private sports training facility for Galway United Football Club and Connacht Hockey Association. The proposal will include a high-performance hub with gym, physiotherapy and human performance suite. The proposal has a stated area of c. 2,344 sqm on a c. 6.3 Ha. site. The particulars submitted with the planning application/appeal note that the facility will draw players for a wide, regional catchment, and that as such players will not cycle or walk to the facility. The applicant states that the facility will be served by a shuttle bus from Athenry Train Station, with access to the wider catchment also being via the M6, M17 and M18. Given the age profile of some of the users of the facility parents will drop and collect players. The applicant anticipates that players will avail of carpooling arrangements. The facility will operate 7 days a week between 10 am and 9pm, with a peak trip generation of 274 no. two way flows (peak day), with peak periods being late afternoon and early evening.
- 7.2.4. In my view, a key consideration in this appeal is the appropriateness the proposal, which is significant, noting its regional/provincial nature, and its scale (c. 2,344 sqm

⁵ Encourage and support the provision and extension of Multi-Use Community Facilities, where feasible, which encourage sharing and integration of community facilities designed for multi-use activities by community groups.

⁶ Seek to develop multifunctional open spaces throughout the County which will support a range of recreational and amenity activities that provides for active and passive needs.

on a c. 6.3 Ha. site), at the location proposed, which is rural, un-serviced (with reference to foul sewer, the absence of public transport, pedestrian/cycle infrastructure and public lighting) and remote relative to the closest settlement, Athenry. I note that there are a number of policy objectives in the CDP (e.g. SRA 1 - Sport, Amenity and Recreation; and SRA4 - Passive and Active Open Space) which generally support the development of sports facilities, however I note that the CDP also seeks to promote an integrated approach to land-use and transportation, promoting compact forms of development at accessible locations, (see GCTPS 2⁷ - Integrated approach to land use and transportation; and ILUTP 1⁸ - Sustainable Transportation; PT 1⁹ - Sustainable Modes of Transport). I also note DM Standard 53 (Community Facilities), which provides that in assessing proposals that regard will had to accessibility. Whilst the applicant contends that DM Standard 53 is not directly applicable as the proposal is not a community facility, given that it may potentially, subject to a future assessment of traffic, be available to schools, and that the facility is to be availed of by local hockey clubs (i.e. Athenry Swans and Tuam Falcons) I consider that DM Standard 53, and its requirements are relevant.

- 7.2.5. Having inspected the site and the adjoining area I note that the site is not served by any pedestrian or cycle infrastructure and there is no lighting along the R347 at this location. Based on the information on the file the site does not appear to be served by public transport. I note that the applicant acknowledges that players would not cycle or walk to the facility, with an estimated 60% of users of the facility travelling by car to the site. The applicant refers to a shuttle bus service which would operate between Athenry Train Station and the facility however given that 60% of patrons will arrive by private car (see traffic report) I note that a shuttle bus service would only cater for 40% of players, and in this regard the proposal would be predominately car dependent. I do not concur with the applicant's assertion that a rural area, devoid of public transport and sustainable travel options, would be a preferential location for such a proposal

⁷ Galway County Council will pursue a fully integrated approach to land use and transportation, actively supporting measures which facilitate and attract developments to locations with high levels of sustainable transport provision (or which can achieve such provision as a result of the development in question).

⁸ Encourage transition towards sustainable and low carbon transport modes, through the promotion of alternative modes of transport, and 'walkable communities' and Active Travel, together with promotion of compact urban forms close to public transport corridors to encourage more sustainable patterns of movement.

⁹ To encourage a modal shift from use of the private car towards more sustainable modes of transport.

when compared to a location within/contiguous with an existing settlement, where such services would exist. Whilst I note that such facilities require a large area of land I do not agree that a suitable site would not exist within serviced settlements in the region. Additionally, I note that the applicant has not provided any evidence to support this position. Regarding precedent, I note that individual proposals are determined on a case-by-case basis and on their merits. Having considered the information submitted by the applicant, I am not satisfied that the proposal would represent a sustainable form of development in rural, un-serviced area which is remote from a settlement. I consider that the proposal, at this location, would be contrary to Objective GCTPS 2 - Integrated approach to land use and transportation, Objective ILUTP 1 - Sustainable Transportation and Objective PT 1¹⁰ - Sustainable Modes of Transport. I recommend that refusal reason 1 is upheld.

7.3. Refusal Reason No. 2 (sightlines)

- 7.3.1. The second reason for refusal concerns sightlines. The PA state that the proposal would not comply with DM Standard 28 of the CDP as the required sight distances are not achievable due to the vertical and horizontal alignment of the road, and as the applicant has not demonstrated sufficient legal interest to maintain lands within the sight distance triangles. The PA consider that the proposal would contravene Policy Objectives NNR 2¹¹, ILUTP1 and DM Standard 28 and would be a traffic hazard.
- 7.3.2. The proposal entails a vehicular entrance onto the R347. The posted speed limit at this location is 80 kmph. There is a continuous white line on the R347 at this location. In accordance with Table 15.3 (Sight Distances required for Access onto National, Regional and Local Roads) of DM Standard 28 of the CDP, sightlines of 160 metres are required. The applicant has submitted sightline drawings with the planning application (*Drawing No. 11644-2021. Rev P0*) and with the appeal (*Drawing No. 11644-2021. Rev P1*) indicating forward visibility, measured to the nearside edge of the R347, of 160 to the north and 215 metres to south. In order to facilitate the southerly sightline it is proposed set back a wall. This wall is located within the redline

¹⁰ To encourage a modal shift from use of the private car towards more sustainable modes of transport.

¹¹ To safeguard the carrying capacity and safety of the County's regional and local road network.

boundary of the site. The applicant also proposes to raise the level of the road at the proposed entrance to facilitate visibility, addressing the vertical alignment of the road.

- 7.3.3. The observer notes that a speed survey should have been carried out on the R347 to establish the required sightline requirements. I note that the applicant is not proposing to reduce the sightline standard in this case and I am satisfied that sightlines set out in DM Standard 28 (i.e. 160 metres) is an appropriate basis for assessment.
- 7.3.4. From examining the sightline drawings submitted by the applicant/appellant indicating forward visibility at the site I note that the required sightlines are indicated as being achieved. However from comparing the OS Map submitted with the application and the sightline drawings I note that extents of the visibility splays are located outside the red and blue line boundary of the site and as such the applicant has no ability to maintain the sightline, trim hedgerow etc. as has been indicated on the drawings. In such circumstances I note that adjoining landowners could construct boundaries, allow hedges to grow etc. thereby encroaching into the areas required to provide visibility from the site entrance. I therefore agree with the PA that the applicant has not demonstrated that the maintenance of sightlines is achievable, and that the proposal would not comply with DM Standard 28 of the CDP. I recommend that refusal reason no. 2 is upheld.

7.4. Reason No. 3 (archaeology)

- 7.4.1. Refusal reason no. 3 relates to archaeology. The PA consider that in the absence of an archaeological impact assessment, and given proximity to Recorded Monument GA-096-169, the proposal would materially contravene Policy Objectives ARC 5 and ARC 10 of the CDP. In response, the applicant/appellant notes that the site is outside the SMR Zone associated with GA096-169 and that no excavation is proposed within 100 metres of any Recorded Monument. I note that the DoEHLG made an observation to the PA in respect of the planning application noting that an Archaeological Impact Assessment (AIA), to include Archaeological Geophysical Survey and Test Excavation, should be requested as Further Information. The PA did not request FI and issued a Notification to Refuse Permission. I note that the applicant has indicated that they are willing to undertake an Archaeological Impact Assessment (AIA) if deemed necessary.

7.4.2. Objective Arc 5 requires that all planning applications for new development within areas of archaeological potential, or within close proximity to Recorded Monuments, take account of the archaeological heritage of the area and the need for archaeological mitigation. Objective Arc 10 seeks to protect the Zones of Archaeological Potential and around archaeological monuments generally. The PA's report does not specify what aspect of Objective Arc 5 and Arc 10 the proposal would materially contravene. Having reviewed the wording of Arc 5 and 10 I do not agree that the proposal, specifically the absence of a AIA would result in a material contravention of either objective, and should the Commission decide to grant permission for the proposal it is not, in my opinion, constrained by the provisions of Section 37 (2) (b) of the Planning and Development Act, 2000, as amended. Objective Arc 5 requires account to be given to archaeological heritage and mitigation. The applicant appears to have considered archaeology through the siting of the proposal outside the SMR Zone associated with GA096-169 and through there being no excavation proposed within 100 metres of a Recorded Monument, which could in itself be considered mitigation. Objective Arc 10 requires the protection of Zones of Archaeological Potential/archaeological monuments generally. Similarly, the siting of the proposal outside the zone of influence of GA096-169 would in my view comply with the requirements this objective.

7.4.3. The proposal is significant in terms of land area, footprint and is located adjacent to number of Recorded Monuments. In my view, there is potential for the proposal to disturb undiscovered archaeological features. Should the Commission consider that a grant of permission is warranted I recommend that a suitably worded condition is attached requiring the carrying out of a AIA and geophysical testing in advance of groundworks/soil stripping. Having regard to the forgoing I do not recommend that refusal reason no. 3 is upheld.

7.5. Refusal Reason No. 4 (water supply)

7.5.1. The fourth refusal reason concerns the absence of a Confirmation of Feasibility (CoF) from Uisce Éireann to connect to the public water network. The PA contend that in the absence of a CoF that the proposed development would pose a serious risk to the

public health and would be contrary to Policy Objective WS4¹² and Development Management Standard 36¹³ of the Galway County Development Plan, 2022-2028.

- 7.5.2. The applicant/appellant has submitted a Confirmation of Feasibility (CoF) dated 13th May 2025 in the appeal submission, which in relation to water, states that the proposal is acceptable subject to upgrades, specifically the upgrade of existing pipe and extension of a line. The CoF recommends the provision of a storage tank on the site to cater for fire demand. Based on the CoF submitted I am satisfied that a water supply can be provided to the proposed development. The proposed development is acceptable in this regard and I recommend that refusal reason no. 4 is not upheld.

7.6. Flood Risk

- 7.6.1. The applicant submitted a Flood Risk Assessment (FRA) with the planning application. The hydraulic feature of interest is the Mulpit Stream which flows through the site. 2 no. historical flood events are identified in the vicinity of the site however they are not hydraulically linked to the site. Fluvial flooding associated with the Mulpit Stream was recorded on the OPW Preliminary Flood Risk Assessment (PFRA) Study, and then later in the National Indicative Fluvial Mapping (NIFM), with the latter mapping indicating a slight increase in the area of the site which is liable to fluvial flooding. I note that the site is not subject to any other sources of flooding (i.e. pluvial, ground or coastal). A hydraulic modelling exercise was undertaken against a Mid-Range-Future-Scenario (MRFS), which includes a 20% increase in flow. The modelling results indicate;

¹² Ensure that new developments are adequately serviced with a suitable quantity and quality of drinking water supply and require that all new developments intending to connect to a public water supply liaise with Irish Water with regard to the water (and wastewater) infrastructure required.

¹³ All new developments will be required to utilise and connect to the public water and wastewater network, where practicable. Applicants who need to get a new or modified connection to public water supply or wastewater collection infrastructure must liaise with Irish Water.

In the first instance, the applicant should make a pre-connection enquiry to Irish Water in order to establish the feasibility of a connection in advance of seeking planning permission. Irish Water is not responsible for the management or disposal of storm water or ground waters.

- c. 25% of the site is liable to fluvial flooding in a 1 in 100-year (1% AEP) current event.
- c. 30% of the site liable to fluvial flooding in a 1 in 1000-year (0.1% AEP) current event.
- flood extents inundate the area of the site where the proposed building is to be located.
- a small area along the south-east of the proposed building is liable to fluvial flooding in a 1 in 100-year (1% AEP) current event, with approximately 25% of the building liable to flooding in a 1 in 1000-year (0.1% AEP) current event.
- flood depths will increase slightly in the proposed scenario to accommodate for the loss in flood plain due to the introduction of the proposed building.

1 in 100-year (1% AEP) and 1 in 1000-year (0.1% AEP) MRFS water levels upstream of the proposed building are 31.567mOD and 31.704mOD. The FRA recommends finished floor levels (FFL) are a minimum 32mOD, allowing for a 300mm freeboard above the 1 in 1000-year (0.1% AEP) MRFS flood extents.

7.6.2. As the proposal includes buildings used for leisure (i.e. 'less vulnerable development') within Flood Zone A the applicant has undertaken the Justification Test (as per the requirements of Table 3.2 of the Flood Risk Management Guidelines). Section 5.15 of the Flood Risk Management Guidelines states that *'where a planning authority is considering proposals for new development in areas at a high or moderate risk of flooding that include types of development that are vulnerable to flooding and that would generally be inappropriate as set out in Table 3.2, the planning authority must be satisfied that the development satisfies all of the criteria¹⁴ of the Justification Test.* I note that the site is not zoned, and is not designated for the particular use or form of development in the CDP. I therefore do not consider that the proposed development complies with the requirements of the Flood Risk Management Guidelines, specifically the Justification Test. I recommend that permission be refused on this basis. This is a

¹⁴ My emphasis.

new issue, however having regard to the other reasons for refusal the Commission may wish to seek the views of the parties. However, having regard to the other substantive reasons for refusal set out below, it may not be considered necessary to pursue the matter.

7.7. Issues Arising

- 7.7.1. Design/Visual Integration – the site is located within the ‘Central Galway Complex Landscape’ which has a ‘Low’ sensitivity and a value rating of 1. I note that there are no scenic routes or protected views in the vicinity of the site. Both building complexes are predominantly single storey, are arranged in a courtyard formation and are of a rural design idiom in terms of materials and proportions. In my opinion the design of the proposal is sensitive and responsive to the rural landscape and would not adversely affect the character or visual amenities of the area. Should the Commission be minded to grant permission for the proposed development I recommend that a comprehensive landscape plan, using native planting species, be submitted in order to assist with the visual integration of the proposal.
- 7.7.2. Impact on Residential Amenity - the closest residence is located to the immediate north of the site, c. 20 metres from the proposed site entrance. Potential impacts arise from the proposed development as a result of the operation of floodlighting and the use of the pitches (noise). The applicant has submitted design details of the proposed floodlights, including LUX drawings. I note the level of light spill outside the boundaries of the pitches, including the closest dwelling, which in my view would not result in adverse impacts on this dwelling, or on other properties in the area. Given the separation distance between the pitches and the neighbouring dwelling (in excess of 60 metres) I do not anticipate that the proposal would result in significant adverse effects on the residential amenity of the neighbouring dwelling, or dwellings in the vicinity as a result of noise. If a grant of permission was under consideration I recommend that a condition stipulating the hours of operation of the facility be attached, and specially that no floodlighting shall operate after 9pm.
- 7.7.3. Wastewater Treatment Plant – a wastewater treatment plant (wwtp) with a soil polishing filter is proposed to serve the facility. Details, including the location of the wwtp and polishing filter, are indicated on the drainage drawings submitted with the

planning application. A Site Characterisation Report also accompanies the planning application. The Wastewater Treatment Manuals - Treatment Systems for Small Communities, Business, Leisure Centres and Hotels (1999), EPA, is the relevant design manual given the sizing of the wwtp. The suitability of the site is also addressed with reference to the EPA CoP 2021, Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10), as is provided for under the 1999 EPA Manual.

7.7.4. The Site Characterisation Report submitted with the application identifies that the site is located in an area with a 'Regionally Important Aquifer' where the bedrock vulnerability is 'Extreme'. A ground protection response of R2(2)¹⁵ is noted in the applicant's Site Characterisation Report. The applicant's Site Characterisation Report notes that there is no Groundwater Protection Scheme in the area. The Site Characterisation Report states that there are no watercourses within 250 metres, I note however that the Mulpit Stream traverses site and is c. 80 metres from the proposed wwtp.

7.7.5. The trial hole depth referenced in the Site Characterisation Report is 2.0 metres. I note that the EPA CoP 2021 requires a minimum trial hole depth of 3 metres for sites underlain by Regionally Important Aquifers. The EPA CoP 2021 notes that where this depth cannot be achieved the groundwater vulnerability classification should be considered to be 'Extreme'¹⁶. I note that the applicant has classified the groundwater vulnerability as 'Extreme'. The water table was encountered in the trial hole at a depth of 1.2 metres (bgl). Bedrock was not recorded in the trial hole. The soil conditions found in the trial hole are described as comprising gravelly, silt/clay. Percolation test holes were dug and pre-soaked. A sub-surface value of 13.67 was recorded. A surface value test was also carried out and a value of 9.33 recorded. Based on the EPA CoP

¹⁵ Acceptable subject to normal good practice and the following additional condition: 1. There is a minimum thickness of 2 m unsaturated soil/subsoil beneath the invert of the percolation trench of a septic tank system OR 2. A secondary treatment system as described in Chapters 8 and 9 is installed, with a minimum thickness of 0.3 m unsaturated soil/subsoil with percolation values from 3 to 75 (in addition to the polishing filter, which should be a minimum depth of 0.9 m), beneath the invert of the polishing filter (i.e. 1.2 m in total for a soil polishing filter).

¹⁶ In all cases where regionally important aquifers underlie the site, or for GWPRs of R22, R23, R24, R31 or R32, the trial hole depth should be at least 3 m (if possible) in order to prove that the existing vulnerability classification, as determined during the desk study, is correct. If the bedrock is met within 3 m of the surface in such cases, when the existing vulnerability classification is 'high', 'moderate' or 'low', this vulnerability classification must be considered at a site level to be 'extreme' and this new local GWPR relating to 'extreme' groundwater vulnerability adhered to for the site.

2021 (Table 6.4) the site is suitable for a secondary treatment system and soil polishing filter, or a tertiary system with an infiltration area. The applicant indicates that a depth of 1.2 metres of unsaturated sub-soil (see *Drawing 11644-2012 Rev 0*) in accordance with Table 6.3 will be provided beneath the invert of gravel (a raised bed). I was unable to inspect the trial hole during my site inspection. I am satisfied that the proposal complies with the required separation distances set out (see Table 4.0) in the Wastewater Treatment Manuals - Treatment Systems for Small Communities, Business, Leisure Centres and Hotels (1999) EPA. The wwtp is c. 50 metres from closest dwelling (to west). Having regard to the forging, I am satisfied that the treatment of effluent on the site can be catered for without a risk to groundwater.

7.7.6. Bats – a bat detection survey was carried out within the main season for bat activity and details of the bat survey undertaken by the applicant are indicated in the EclA. The number of bat calls was deemed to be low. No calls were recorded from the shed on the site, which is to be demolished. The applicant also carried out a survey of trees which are to be removed to facilitate the proposal for potential bat roost features. The trees on the site were considered to have ‘low to no’ potential for roosting. The EclA concludes that the site is of low value to commuting bats, that the proposal will result in no loss of bat roosting potential, and that the proposal will have no significant effects on roosting or commuting bats. The applicant notes that floodlighting will incorporate best practice design measures. Based on the information submitted, specifically the EclA and results of bat surveys of the site I am satisfied that the proposal would not adversely affect bats.

7.7.7. Water Framework Directive - I have assessed the proposed 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 and ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively. The reason for this conclusion is as follows:

- The nature and extent of the proposed development.
- The provision of measures during the construction phase of the proposed development to prevent the release of contaminated run-off from the site, and the provision of SuDS measures for the completed development.

I conclude that on the basis of objective information, that the proposed development would not have resulted 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.

I draw the Commission's attention to the shortcomings in the applicant's NIS, specifically the extent of the development addressed in the AASR and the NIS and the absence of consideration of flooding (see below). The issues concerning Appropriate Assessment relate to specific water sensitive habitats in downstream European Sites. However, in the context of WFD, a pollution incident which may arise as a result of a flood event would not impede the achievement of good status in the Mulpit Stream given the duration of such an event.

7.8. Stage 1 - Appropriate Assessment Screening

- 7.8.1. In accordance with Section 177U of the Planning and Development Act, 2000, as amended, and on the basis of objective information provided by the applicant, I conclude that the proposed development could result in significant effects Galway Bay Complex SAC (Site Code: 000268) and Inner Galway Bay SPA (Site Code: 004031) in view of the conservation objectives of a number of qualifying features of these sites. It is therefore determined that Appropriate Assessment (Stage 2) [under Section 177V of the Planning and Development Act, 2000] of the proposed development is required.

7.9. Stage 2 – Appropriate Assessment (New Issue)

- 7.9.1. Following screening for the need for Appropriate Assessment it was determined that the proposed development could result in significant effects on Galway Bay Complex SAC (Site Code: 000268) and Inner Galway Bay SPA (Site Code: 004031) in view of the conservation objectives of these sites, and Appropriate Assessment was deemed

to be required. All aspects of the project which could result in significant effects are assessed and mitigation measures designed to avoid or reduce any adverse effects on site integrity are examined and evaluated for effectiveness. Possible in-combination effects are also considered. A full description of the proposed development is provided at pages 4-5 of the AASR and pages 8-9 of the NIS submitted by the applicant and the potential impacts from the construction and operational phases are set out on pages 34 – 35 of the NIS.

7.9.2. Following an examination, analysis and evaluation of the NIS, as set out within Appendix 3 of this report, and all associated material submitted, I consider that adverse effects on the integrity of Galway Bay Complex SAC (Site Code: 000268) and Inner Galway Bay SPA (Site Code: 004031) cannot be excluded in view of the conservation objectives of the sites, and that reasonable scientific doubt remains as to the absence of such effects. My conclusion is based on the following:

- The absence of any assessment in the NIS of the proposed construction of a bridge/crossing the Eiscir River/Mulpit Stream, and any specific mitigation measures in relation to this aspect of the proposal.
- The absence of any assessment in the NIS of the proposed construction/construction methodology for 2 no. precast headwalls¹⁷ at the Eiscir River/Mulpit Stream, and any specific mitigation measures in relation to this aspect of the proposal.
- The NIS submitted only considers Otter and Harbour Seal, QI of Galway Bay Complex SAC, and does not provide any explanation for discounting the other QI associated with the Galway Bay Complex SAC.
- The absence of consideration of flood risk on the site in the NIS, and the potential impact on flooding on the efficacy of proposed mitigation measures in the NIS, including on silt-fencing.

¹⁷ See Drawing entitled 'Proposed Storm Drainage Drawing Layout Sheet 1'.

This is a new issue, however having regard to the other reasons for refusal the Commission may wish to seek the views of the parties. However, having regard to the other substantive reasons for refusal set out below, it may not be considered necessary to pursue the matter.

8.0 Recommendation

Having regard to the above it is recommended that permission should be refused for the reasons set out below.

9.0. Reasons and Considerations

1. Having regard to the location of the proposed development, in a rural, un-serviced area, which is remote from a settlement, it is considered that the proposed development represents an un-sustainable and haphazard form of development, and would contravene Objective GCTPS 2 (Integrated approach to land use and transportation); Objective ILUTP 1 (Sustainable Transportation) and Objective PT 1 (Sustainable Modes of Transport), of the Galway County Development Plan 2022 – 2028. The proposed development would set a precedent for further haphazard development, would seriously injure the amenities of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Part of the visibility splays are located outside the red and blue line boundary of the site and as such the applicant has no ability to ensure the maintenance of sightlines required to provide visibility at the site entrance. The applicant has, therefore, not satisfactorily demonstrated that the proposed site entrance on the public road has sufficient sightline visibility in accordance with the requirements of DM Standard 28 of the Galway County Development Plan 2022 - 2028. In the absence of the applicant's ability to ensure the maintenance of sightlines at the proposed site entrance in perpetuity, it is considered that turning movements generated by the proposed development from the site would endanger public safety by reason of a traffic hazard, or obstruction of

road users. Therefore, the proposed development would be contrary to the proper planning and sustainable development of the area.

3. The NIS submitted with the planning application/appeal is considered deficient as it does not contain reference to/consideration of the proposed bridge crossing of the Eiscir River/Mulpit Stream; the proposal to construct 2 no. headwalls at the Eiscir River/Mulpit Stream; does not address flood risk on the site, and the potential impact of flooding on the efficacy of proposed mitigation measures contained in the NIS; and considers specific Qualifying Interests of Galway Bay Complex SAC, specifically Otter and Harbour Seal, without justification for discounting other Qualifying Interests associated with Galway Bay Complex SAC. On the basis of the information submitted with the planning application/appeal documentation and the Natura Impact Statement, the Commission cannot therefore be satisfied that the proposed development individually, or in combination with other plans or projects would not be likely to have a significant effect on Galway Bay Complex SAC (Site Code: 000268) or Inner Galway Bay SPA (Site Code: 004031), in view of the sites' conservation objectives.
4. The proposed development is located within an area which is identified as being at risk of flooding and comprises development for which the application of the Justification Test is required under the Planning System and Flood Risk Management Guidelines (2009). As the site is not zoned or otherwise designated for the proposed use, the proposed development does not satisfy the first criterion of the Development Management Justification Test set out in Box 5.1 of the Guidelines. The proposed development would therefore constitute inappropriate development in an area at risk of flooding and would be contrary to the proper planning and sustainable development of the area.

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.

Ian Campbell
Senior Planning Inspector

30th September 2026

Appendix 1 - Form 1

EIA Pre-Screening

An Bord Pleanála	ACP-PL-500422-25		
Case Reference			
Proposed Development Summary	See Section 2.1 of report (above)		
Development Address	Mountain South, Athenry, Co Galway		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	X	Part 2, Sch. 5, Class 10, (b), (iv)	Proceed to Q3.
No			
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			
No	X		Proceed to Q4

4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	X	Class 10, (b), (iv) (threshold is 20 Ha.) – site area is 6.297 ha.	Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No	X	Preliminary Examination required
Yes		Screening Determination required

Inspector: Ian Campbell

Date: 30th September 2026

Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	ACP-PL-500422-25
Proposed Development Summary	See Section 2.1 of report (above)
Development Address	Mountain South, Athenry, Co. Galway
The Commission carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations. This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (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).	The proposed development comprises the demolition of an existing agricultural shed; widening, alterations of an existing agricultural entrance; construction of new internal roads, paths, lighting, parking areas, shelters, fencing, landscaping, signage, proprietary effluent treatment system and percolation area; construction of a single storey buildings; dug-outs; fences; pitches; and floodlighting. The site is located within a rural area, on agricultural land, adjacent to a number of one-off dwellings.

	The proposed development will not give rise to the production of significant waste, emissions or pollutants.
Location of development (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).	The site is c. 11 km from two European Sites. Following an Appropriate Assessment, it has been ascertained that the proposed development could adversely affect the integrity of Galway Bay Complex SAC (Site Code: 000268) or Inner Galway Bay SPA (Site Code: 004031), in view of the Conservation Objectives of these sites, however, the impact of the proposed development would be limited to specific species and habitat within a defined area and would not result in impacts of a magnitude which would be significant at a wider geographic scale. There are no Recorded Monuments within the site but there are a number in the vicinity. A FRA has been submitted with the application. The proposed development includes buildings to be used for leisure within Flood

	Zone A and in accordance with the requirements of Table 3.2 of the Planning System and Flood Risk Management, Guidelines for Planning Authorities, 2009, the Justification Test is required. As the site is not zoned the proposed development would not comply with the requirements of the Planning System and Flood Risk Management, Guidelines for Planning Authorities, 2009. However, the impact of the proposed development in the context of flood risk would not result in impacts of a magnitude which would be significant at a wider geographic scale. The proposed wastewater treatment system is designed in accordance with the applicable EPA CoP. Given the scale and nature of development there will be no significant environmental effects arising.
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Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).		During the construction phase noise, dust and vibration emissions are likely. However, any impacts would be local and temporary in nature and the implementation of standard construction practice measures would satisfactorily mitigate potential impacts.
Conclusion		
Likelihood of Significant Effects	Conclusion in respect of EIA	Yes or No
There is no real likelihood of significant effects on the environment.	EIA is not required.	Yes
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.	No
There is a real likelihood of significant effects on the environment.	EIAR required.	No

Inspector: _____

Date: _____

DP/ADP: _____

Date: _____

(only where Schedule 7A information or EIAR required)

Appendix 2 - Appropriate Assessment Screening Determination

Screening for Appropriate Assessment Test for likely significant effects

Step 1: Description of the project and local site characteristics

Case file: ACP-PL-500422-25

Brief description of project	Detail set out in section 2.0 of the Inspector's report. See also pages 4-5 of the AASR and pages 8-9 of the NIS for details of the proposed development.
Brief description of development site characteristics and potential impact mechanisms	A detailed description of the development site is provided in Section 1.0 of the Inspector's report and detailed specifications of the proposal are provided in the Appropriate Assessment Screening Report, the NIS and other planning documents provided by the applicant. The site is located c. 11 km north-east of Galway Bay Complex SAC (Site Code 000268) and Inner Galway Bay SPA (Site Code 004031). The Eiscir River, a tributary of the Clarin River, flows in an east-west direction across the site. This river, which is described as seasonal, connects to Galway Bay Complex SAC and Inner Galway Bay SPA.

	Impact mechanisms include the release of polluted run-off (inc. silt, concrete, hydrocarbons etc.) to surface during the construction and operational phase of the proposed development. An on-site wastewater treatment system (including tertiary treatment) will serve the proposal. Stormwater will discharge to Eiscir River at 2 no. locations via a restricted discharge. SuDS measures are proposed throughout the site. An oil/petrol interceptor is proposed upstream of the discharge to the river. The proposal includes the construction of a bridge/crossing over the Eiscir River and also the construction of 2 no. headwalls along the Eiscir River. The proposal will have a construction phase of 15 months (elsewhere referred to as 12 months).	
Screening report	Yes (prepared by Moore Group – Environmental Services)	
Natura Impact Statement	Yes (prepared by Moore Group – Environmental Services)	
Relevant submissions	<u>Department of Housing, Local Government and Heritage (DoHLGH)</u> – observation notes several incorrect references to designated sites in the Ecological Impact Assessment Report; that the PA may wish to seek a revised EclA to address same; and that should permission be granted, a condition requiring the implementation of the mitigation measures contained in the NIS and EclA should be included.	

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

2 no. European sites were identified as being within a potential zone of influence of the proposed development as detailed in Table 1 below.

European Site (code)	Qualifying interests (summary) Link to conservation objectives (NPWS, date)	Distance from proposed development	Ecological connections	Consider further in screening Y/N
Galway Bay Complex SAC (Site Code: 000268)	- Mudflats and sandflats not covered by seawater at low tide [1140] - Coastal lagoons [1150] - Large shallow inlets and bays [1160] - Reefs [1170] - Perennial vegetation of stony banks [1220] - Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] - Salicornia and other annuals colonising mud and sand [1310] - Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330]	c. 11 km south-west of site.	A hydrological pathway exists between the site and the SAC via the Eiscir River which traverses the site.	Y

	- Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410] - Turloughs [3180] - <i>Juniperus communis</i> formations on heaths or calcareous grasslands [5130] - Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>) (* important orchid sites) [6210] - Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davallianae</i> [7210] - Alkaline fens [7230] - Limestone pavements [8240] - <i>Lutra lutra</i> (Otter) [1355] - <i>Phoca vitulina</i> (Harbour Seal) [1365] https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000268.pdf - 19th June 2026.			
Inner Galway Bay SPA (Site	- Black-throated Diver (<i>Gavia arctica</i>) [A002] - Great Northern Diver (<i>Gavia immer</i>) [A003] - Cormorant (<i>Phalacrocorax carbo</i>) [A017] - Grey Heron (<i>Ardea cinerea</i>) [A028]	c. 11 km south-west of site.	A hydrological pathway exists between the site and the SPA via	Y

Code: 004031)	- Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] - Teal (<i>Anas crecca</i>) [A052] - Red-breasted Merganser (<i>Mergus serrator</i>) [A069] - Ringed Plover (<i>Charadrius hiaticula</i>) [A137] - Golden Plover (<i>Pluvialis apricaria</i>) [A140] - Lapwing (<i>Vanellus vanellus</i>) [A142] - Dunlin (<i>Calidris alpina</i>) [A149] - Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] - Curlew (<i>Numenius arquata</i>) [A160] - Redshank (<i>Tringa totanus</i>) [A162] - Turnstone (<i>Arenaria interpres</i>) [A169] - Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] - Common Gull (<i>Larus canus</i>) [A182] - Common Tern (<i>Sterna hirundo</i>) [A193] - Wigeon (<i>Mareca penelope</i>) [A855] - Sandwich Tern (<i>Thalasseus sandvicensis</i>) [A863] - Wetland and Waterbirds [A999]		the Eiscir River which traverses the site.	
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	https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004031.pdf - 1st May 2013			
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Ecological walkover surveys of the site were carried out on the 10th and 31st of July 2024. Habitats were classified in accordance with The Heritage Council's 'A Guide to Habitats in Ireland' (Fossitt, 2000). Habitats on the site are described at page 3.2 of the NIS. The main habitat type on the site are described as comprising, agricultural grassland (GA1); hedgerow (WL1); and winterbourne/intermittent stream (FW). The EclA provides a further description of habitats within the site which also includes, Improved grassland (GA1); Wet Grassland (GS4); Dry Meadows and Grassy Verges (GS2); Buildings and Artificial Surfaces (BL3); and Scrub (WS1). There are no rare or protected habitats recorded within the site boundary. The site is considered of ‘Low’ to ‘Moderate’ Ecological Value at a Local level.

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

The proposed development could result in direct and indirect effects on the above SAC and SPA. Sources of impact and likely significant effects are detailed in the Table below.

Screening matrix

Site name	Possibility of significant effects (alone) in view of the conservation objectives of the site	
	Impacts	Effects

Galway Bay Complex SAC (Site Code: 000268)	The site is c. 11 km north-east of the SAC. Water pollution arising from the uncontrolled release of pollutants to surface water (e.g. run-off, silt, concrete, fuel, oils, sediment etc.) during construction and operational stage, including from the construction of a bridge over the Eiscir River and the construction of 2 no. headwalls at the Eiscir River.	Subsequent impacts on water quality sensitive species/habitats.
Inner Galway Bay SPA (Site Code: 004031)	The site is c. 11 km north-east of the SPA.	Any effects to invertebrate communities could have effects on wading shore birds that feed on them, including SCI of Inner Galway Bay SPA.

	Water pollution arising from the uncontrolled release of pollutants to surface water (e.g. run-off, silt, concrete, fuel, oils, sediment etc.) during construction and operational stage, including from the construction of a bridge over the Eiscir River and the construction of 2 no. headwalls at the Eiscir River.	
	Likelihood of significant effects from proposed development (alone): Yes	

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

Based on the information provided in the screening report, site visit, review of the conservation objectives and supporting documents, I consider that in the absence of mitigation measures beyond best practice construction methods, the proposed development has the potential to result significant effects on the following European Sites;

- Galway Bay Complex SAC (Site Code: 000268)

- Inner Galway Bay SPA (Site Code: 004031)

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

The site does not represent favorable habitat for feeding, breeding, foraging etc. for SCI species associated with Inner Galway Bay SPA or any other SPA.

Screening Determination

Finding of likely significant effects

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

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

I note that the applicant's Appropriate Assessment Screening is based on an outdated version of Conservation Objectives for Galway Bay Complex SAC. The AASR is based on CO's dated 2013 and is not complete as it omits Limestone Pavements, a QI of the SAC. The applicant's AASR does include any assessment of this QI in the context of screening for Appropriate Assessment.

Appendix 3 - Appropriate Assessment – AA Determination

Appropriate Assessment

The requirements of Article 6(3) as related to appropriate assessment of a project under part XAB, sections 177V [or S 177AE] of the Planning and Development Act, 2000, (as amended) are considered fully in this section.

Taking account of the preceding screening determination at Appendix 2 of the Inspector's report (above), the following is an Appropriate Assessment of the implications of the proposed development in view of the relevant conservation objectives of Galway Bay Complex SAC (Site Code: 000268) and Inner Galway Bay SPA (Site Code: 004031) based on the scientific information provided by the applicant.

The information relied upon includes the following:

- Planning Report
- Preliminary Construction and Environmental Management Plan (pCEMP), includes Construction and Demolition Waste Management Plan (CDWMP)
- Engineering Planning Report
- Site Characterisation Report (SCR)

- Flood Risk Assessment (FRA)
- Appropriate Assessment Screening Report (AASR)
- Natura Impact Statement (NIS)
- Ecological Impact Assessment (EclA)
- Flood Lighting Report
- Drawings
- Documentation submitted with appeal

Submissions/observations

Department of Housing, Local Government and Heritage (DoHLGH) – notes several incorrect references to designated sites in the Ecological Impact Assessment Report; that the PA may wish to seek to address same; and that should permission be granted, a condition requiring the implementation of the mitigation measures contained in the NIS and EclA should be included.

Galway Bay Complex SAC (Site Code: 000268)

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

(i) Water Quality Degradation (construction and operational phase)

Qualifying Interest features likely to be affected	Conservation Objectives	Potential adverse effects	Mitigation measures (summary)	
			NIS Section 3.6 (see summary below)	

- <i>Lutra lutra</i> (Otter) [1355]	To restore the favourable conservation condition of Otter in Galway Bay Complex SAC.	Release of sediment laden waters, concrete, wastes, or other pollutants during construction and operational phase of the proposed development impacting surface water quality, resulting in water quality degradation and/or alteration of habitat quality would undermine conservation objectives.		
- <i>Phoca vitulina</i> (Harbour Seal) [1365]	To maintain the favourable conservation	As above		
			As above	

	condition of Harbour Seal in Galway Bay Complex SAC.			
The above table is based on the documentation and information provided on the file, and publicly available at https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000268.pdf. The AASR did not refer to Limestone Pavement, a QI of Galway Bay Complex SAC. This QI is referred to in the context of Site Synopsis. The NIS submitted only considers Otter and Harbour Seal within Galway Bay Complex SAC and does not provide any explanation for discounting the other QI associated with the SAC. I am not therefore satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests. This is represents a significant lacuna in the NIS and the NIS is deficit as a result in my view. The NIS does not contain reference to/consideration of the proposed bridge crossing of the Eiscir River or the proposed construction of 2 no. headwalls at the Eiscir River. I am not therefore satisfied that all aspects of the project which could result in significant effects are considered and assessed in the NIS, or that mitigation measures proposed are adequate/effective to avoid or reduce any adverse effects on site integrity.				

The site is susceptible to fluvial flooding. The NIS does not address flood risk on the site, and the potential impact of flooding on the efficacy of proposed mitigation measures.	
Assessment of issues that could give rise to adverse effects view of conservation objectives Regarding Loss of Habitat, there are no Annex I habitats within or adjacent to the proposed works boundary. (i) Water quality degradation Deterioration of water quality and substrates in the designated site, resulting in adverse impacts to qualifying interests that the SAC has been designated for. Mitigation measures and conditions • Standard and Best Practice Construction Procedures and specific mitigation measures set-out at Section 3.6 of NIS. The NIS submitted only considers Otter and Harbour Seal within Galway Bay Complex SAC. The NIS does not provide any explanation for discounting the other QI associated with the SAC. As the NIS has not addressed why certain QI are considered and others not, I am not therefore satisfied that the preventative measures are adequate to reduce possible adverse effects on QI's.	
In-combination effects I am satisfied that in-combination effects have been assessed adequately in the NIS. The proposed development was considered in-combination with other plans and projects in the area that could result in cumulative impacts on designated sites. No other plans and projects could combine to generate significant effects when mitigation measures are considered.	
Findings and conclusions	

Whilst the applicant determined that following the implementation of mitigation measures the construction and operation of the proposed development alone, or in combination with other plans and projects, will not adversely affect the integrity of this European Site, given that the NIS only considers Otter and Harbour Seal and does not provide any explanation for discounting the other QI associated with the SAC, I am not satisfied that adverse effects arising from the proposed development can be excluded for Galway Bay Complex SAC (Site Code: 000268). In addition, the NIS does not contain reference to/consideration of the proposed bridge crossing of the Eiscir River or the proposed construction of 2 no. headwalls at the Eiscir River, or consideration of flooding at the site, and the implications of flooding on the efficacy of proposed mitigation measures. In my view these represent significant deficits in the NIS.

Reasonable scientific doubt

I consider that reasonable scientific doubt remains as to the absence of adverse effects.

Site Integrity

The proposed development could affect the attainment Conservation objectives of Galway Bay Complex SAC (Site Code: 000268). Adverse effects on site integrity cannot be excluded and reasonable scientific doubt remains as to the absence of such effects.

Inner Galway Bay SPA (Site Code: 004031)

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

(ii) Water Quality Degradation (construction and operational phase)

Qualifying Interest features likely to be affected	Conservation Objectives	Potential adverse effects	Mitigation measures (summary) NIS Section 3.6 (see summary below)
Black-throated Diver (Gavia arctica) [A002]	No Conservation Objective set. It is considered reasonable to adopt the same Conservation Objective and attributes and targets as Great-northern diver as they are related species and have similar ecology – i.e. to maintain the favourable conservation condition of Black-throated Diver in Inner Galway Bay SPA.	Release of sediment laden waters, concrete, wastes, or other pollutants during construction and operational phase of the proposed development impacting surface water quality, resulting in water quality degradation and/or alteration of habitat quality within Galway Bay. Any effects to	See mitigation measure detailed above.

		invertebrate communities could have effects on wading shore birds that feed on them, including SCI of Inner Galway Bay SPA.	
Great Northern Diver (Gavia immer) [A003]	To maintain the favourable conservation condition of Great Northern Diver in Inner Galway Bay SPA.	As above	As above
Cormorant (Phalacrocorax carbo) [A017]	To maintain the favourable conservation condition of Cormorant in Inner Galway Bay SPA.	As above	As above
Grey Heron (Ardea cinerea) [A028]	To maintain the favourable conservation condition of Grey Heron in Inner Galway Bay SPA.	As above	As above

Light-bellied Brent Goose (Branta bernicla hrota) [A046]	To maintain the favourable conservation condition of Light-bellied Brent Goose in Inner Galway Bay SPA.	As above	As above
Teal (Anas crecca) [A052]	To maintain the favourable conservation condition of Teal in Inner Galway Bay SPA.	As above	As above
Red-breasted Merganser (Mergus serrator) [A069]	To maintain the favourable conservation condition of Red-breasted Merganser in Inner Galway Bay SPA.	As above	As above
Ringed Plover (Charadrius hiaticula) [A137]	To maintain the favourable conservation condition of Ringed Plover in Inner Galway Bay SPA.	As above	As above
Golden Plover (Pluvialis apricaria) [A140]	To maintain the favourable conservation	As above	As above

	condition of Golden Plover in Inner Galway Bay SPA.		
Lapwing (<i>Vanellus vanellus</i>) [A142]	To maintain the favourable conservation condition of Lapwing in Inner Galway Bay SPA.	As above	As above
Dunlin (<i>Calidris alpina</i>) [A149]	To maintain the favourable conservation condition of Dunlin in Inner Galway Bay SPA.	As above	As above
Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]	To maintain the favourable conservation condition of Bar-tailed Godwit in Inner Galway Bay SPA.	As above	As above
Curlew (<i>Numenius arquata</i>) [A160]	To maintain the favourable conservation condition of Curlew in Inner Galway Bay SPA.	As above	As above

Redshank (<i>Tringa totanus</i>) [A162]	To maintain the favourable conservation condition of Redshank in Inner Galway Bay SPA.	As above	As above
Turnstone (<i>Arenaria interpres</i>) [A169]	To maintain the favourable conservation condition of Turnstone in Inner Galway Bay SPA.	As above	As above
Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]	To maintain the favourable conservation condition of Black-headed Gull in Inner Galway Bay SPA.	As above	As above
Common Gull (<i>Larus canus</i>) [A182]	To maintain the favourable conservation condition of Common Gull in Inner Galway Bay SPA.	As above	As above
Common Tern (<i>Sterna hirundo</i>) [A193]	To maintain the favourable conservation condition of Common	As above	As above

	Tern in Inner Galway Bay SPA.		
Wigeon (Mareca penelope) [A855]	To maintain the favourable conservation condition of Wigeon in Inner Galway Bay SPA.	As above	As above
Sandwich Tern (Thalasseus sandvicensis) [A863]	To maintain the favourable conservation condition of Sandwich Tern in Inner Galway Bay SPA.	As above	As above
Wetland and Waterbirds [A999]	To maintain the favourable conservation condition of wetland habitat in Inner Galway Bay SPA as a resource for the regularly occurring migratory waterbirds that utilise it.	As above	As above

The above table is based on the documentation and information provided on the file, and publicly available at https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004031.pdf.

The NIS does not include 1 no. SCI of Inner Galway Bay SPA i.e. Black-throated Diver (*Gavia arctica*) [A002]. I note that this SCI was added in 2019, and currently there is no Conservation Objective set for this SCI. Black-throated Diver (*Gavia arctica*) [A002] are a related species of Great-northern diver with similar ecology and therefore can be considered in the context of the same Conservation Objective. Similar to other marine birds in the SPA the key issue in terms of impacts is water quality and ensuring that sufficient mitigation measures are put in place to prevent emissions to Galway Bay. With the exception of Black-throated Diver (*Gavia arctica*) [A002], which is possible assess impacts on in the same manner as Great-northern diver, I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests.

The NIS does not contain reference to/consideration of the proposed bridge crossing of the Eiscir River or the proposed construction of 2 no. headwalls at the Eiscir River. I am not therefore satisfied that all aspects of the project which could result in significant effects are considered and assessed in the NIS, or that mitigation measures proposed are adequate/effective to avoid or reduce any adverse effects on site integrity.

The site is susceptible to fluvial flooding. The NIS does not address flood risk on the site, and the potential impact of flooding on the efficacy of proposed mitigation measures.

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

(i) Water quality degradation

The release of pollutants resulting in water quality degradation and/or alteration of habitat quality within Galway Bay could effect invertebrate communities which could in turn have effects on wading shore birds that feed on them, including SCI of Inner Galway Bay SPA.

Mitigation measures and conditions

- Standard and Best Practice Construction Procedures and specific mitigation measures set-out at Section 3.6 of NIS.

In-combination effects

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

Findings and conclusions

Whilst the applicant determined that following the implementation of mitigation measures the construction and operation of the proposed development alone, or in combination with other plans and projects, will not adversely affect the integrity of this European Site, given that the NIS does not contain reference to/consideration of the proposed bridge crossing of the Eiscir River or the proposed construction of 2 no. headwalls at the Eiscir River, or consideration of flooding at the site, and the implications of flooding on the efficacy of proposed mitigation measures, I am not satisfied that adverse effects arising from the proposed development can be excluded for Inner Galway Bay SPA (Site Code: 004031).

Reasonable scientific doubt

I consider that reasonable scientific doubt remains as to the absence of adverse effects.

Site Integrity

The proposed development could affect the attainment Conservation objectives of Inner Galway Bay SPA (Site Code: 004031)).

Adverse effects on site integrity cannot be excluded and reasonable scientific doubt remains as to the absence of such effects.