



Development	Mixed use development consisting of 2 no. offices, 1 no. cafe and 3 no. duplex residential units and all associated works.
Location	Cosmona, Athenry Road, Loughrea
Planning Authority	Galway County Council
Planning Authority Reg. Ref.	2561616
Applicant(s)	Leanne O' Rourke
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	Leanne O' Rourke
Observer(s)	Brian Geraghty The Maltings Residents Association
Date of Site Inspection	30 th March 2026
Inspector	Emma Gosnell

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Appendix 1 – Form 1: EIA Pre-Screening and Form 2 - EIA Preliminary Examination

Appendix 2 – Screening for Appropriate Assessment

Appendix 3 – Screening for Water Framework Directive Assessment Determination

1.0 Site Location and Description

- 1.1. The appeal site is located in the townland of Cosmona c. 600m to the northwest of Loughrea town centre in Co. Galway.
- 1.2. The site is adjoined to the west by the surface car park serving Loughrea Shopping Centre and to the north-west by a single storey office structure which fronts onto and is accessed from this car park. To the east it is bordered by a blockwork boundary wall to the extensive rear garden of a dwelling fronting Donnellan Drive. A small undeveloped area of land and No. 31 the Maltings are located to the south-east, whilst the site is adjoined to the north and south by partially developed lands which were the subject of 3 no. other appeals discussed in Section 4.0 below. In this respect, I draw the Commission's specific attention to 4 no. semi-detached houses that are currently under construction to the immediate north of the site (north-east of proposed block).
- 1.3. The irregular shaped appeal site is 0.130ha in area and is in use as a construction compound and for the storage of plant and machinery. The site is currently accessed on its west side via a gate in its construction hoarding to the shopping centre car park, with its intended (future residential) site access from the south, via the Maltings residential estate which leads off the R446 (Athenry Road), being blocked off by a concrete wall.
- 1.4. The appeal site is not in the ownership of the applicant and a letter of consent to lodge the application from the legal owner (Stephen O'Rourke dated 30/10/2025) is provided. A letter of consent from the owners of Loughrea Shopping Centre (dated 30/10/2025) confirming that they give consent for the appellant to use the existing shopping centre access, road network, parking and hardstanding areas for the purpose of constructing and operating their proposed development is also provided.

2.0 Proposed Development

- 2.1. The proposed mixed use development comprises of a 3-storey building with 2 no. offices (c. 44sq.m and 48sq.m) and 1 no. cafe (c. 49.5sq.m with 29.5sq.m public dining area) at ground floor level and 3 no. 2-bed duplex residential units at its first and second floor levels, together with roof terraces at 3rd floor level, car and bicycle parking, a new home zone/ shared surface area on its east side and an extension to an existing

internal access road leading from the adjoining the Maltings residential estate, together with new footpaths, boundary treatments and all associated siteworks.

- 2.2. The proposed ground floor commercial units are to be accessed and serviced from the car park of Loughrea shopping centre to the west, with the residential units being accessed and serviced via the existing access road leading from the Maltings estate to the south.
- 2.3. The proposal would in effect constitute the northward extension of the built form, layout and access arrangements recently permitted by the Commission under ACP-322933-25 (on the site to the immediate south of the site subject of this appeal) and the continuation of a new urban edge and mixed-use frontage to the east side of the Loughrea Shopping Centre car park.

3.0 Planning Authority Decision

3.1. Decision

Permission refused on 7th January 2026 for 4 no. reasons:

*1. The Planning Authority has serious concerns that the development as proposed is an overdevelopment of the site by reason of height, bulk and overall massing which would negatively impact the visual and residential amenities of the local area. The proposed development does not satisfactorily relate to either its adjoining context or the surrounding development. Accordingly, to grant the proposed development would be detrimental to the character of the area and would **contravene materially** policy objectives PM 1, PM 8, PM 10, and UL2, as well as development management standards DM1 and DM2 contained in the Galway County Development Plan 2022-2028, it would detract from the visual and residential amenity of the area, as well as setting an undesirable precedent for similar future development, and therefore would be contrary to the proper planning and sustainable development of the area.*

2. It is considered that the proposed development would be contrary to the proper planning and sustainable development of the area. Insofar, the potential exists for conflicting and additional traffic movements to occur due to insufficient parking provision, set down areas, turning bays and appropriate associated circulation area to cumulatively serve the existing development(s) (Residential) and proposed

development (commercial use) thus increasing road safety hazards particularly for vulnerable road users. These matters, in conjunction with the lack of appropriate supporting information would have an unacceptable impact on the sustainable movement and transportation of the area contrary to policy objectives ILUTP1, WC1, NNR2, NNR3, DM Standard 67, DM Standard 28, DM standard 31 (D)-(g) inclusive of DM standard 33a of the Galway County Development Plan 2022-2028. Accordingly, to grant the development as proposed, would endanger public safety by reason of traffic hazard, obstruction of road users or otherwise.

3. In the absence of any Transportation Assessments such as informed Traffic and Transportation Assessment, Road Safety Audit Stage 1 / 2 and specific car parking compliance statements to reflect the entire scheme and entire site layout plan, including access onto the LT81935, shopping centre access via the R380 per TII Road Safety Audit guidelines GE-STY-01024. Therefore, having regard to the nature of the proposed development; given the position and uncertainty regarding the status of network infrastructure and whereby increased (HGV and LGV) traffic movements will be generated into a restricted & congested area that will inadvertently lead to traffic safety concerns given the pattern of proposed sprawled development, resulting in the creation of a poor quality street layout which would not be conducive to creating a safe pedestrian/cyclist first approach in accordance with Galway County Development Plan 2022 – 2028 and National policy Transportation policy objectives. Therefore, the development layout which lacks sufficient quality, functional and amenity space linkages in conjunction with the current means of access and the lack of provision of services would constitute a haphazard piecemeal development which would be contrary to the proper planning and sustainable development of the area.

4. In the absence of any details submitted on file from Irish Water relating to consent to connect to the public waste and water infrastructure to serve the proposed development, it is considered that the development if permitted as proposed, would be contrary to Policy Objective WS4 and DM Standard 36 of the Galway County Development Plan, 2022-2028, and would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

1 no. PA report (02/12/2025) formed the basis of the decision to refuse.

- *Zoning* – proposal acceptable having regard to site's C2 zoning.
- *Design* – 3-storey height with roof terraces would give rise to visual obtrusion.
Refusal Recommended.
- *Servicing* – no confirmation of feasibility from UE provided for proposed connections to public sewer and watermain. Network capacity is unknown.
Refusal Recommended
- *Drainage* – proposed connections to existing third party stormwater infrastructure are not supported by evidence of consent. **Refusal Recommended**
- *Access* – concerns raised regarding cumulative car parking provision on and traffic generation from lands and impact on local road network/ existing accesses; uncertain if adequate turning facilities provided for deliveries, fire & refuse tender; inadequate/ unsafe pedestrian and cyclist infrastructure provided for. **Refusal Recommended**
- *Other* – inadequate information provided on scheme lighting.
- *AA Screening* – Stage 2 assessment is not required.
- *EIA Screening* – due to nature & scale, EIA screening determination not required.
- *Flooding* – site is not at fluvial, pluvial, coastal or groundwater flood risk.

3.2.2. Other Technical Reports

Roads and Transportation Department (19/12/2025) – recommends refusal on basis of drainage infrastructure & servicing concerns; lack of cumulative assessment of parking & traffic proposals; inadequate proposals for parking, pedestrians and cyclists; lack of autotrack analysis & adequate facilities for commercial deliveries, fire and refuse tender; and, inadequate information on traffic route lighting – all giving rise to a poor quality, haphazard layout and to traffic/ road safety and congestion concerns.

3.3. Prescribed Bodies

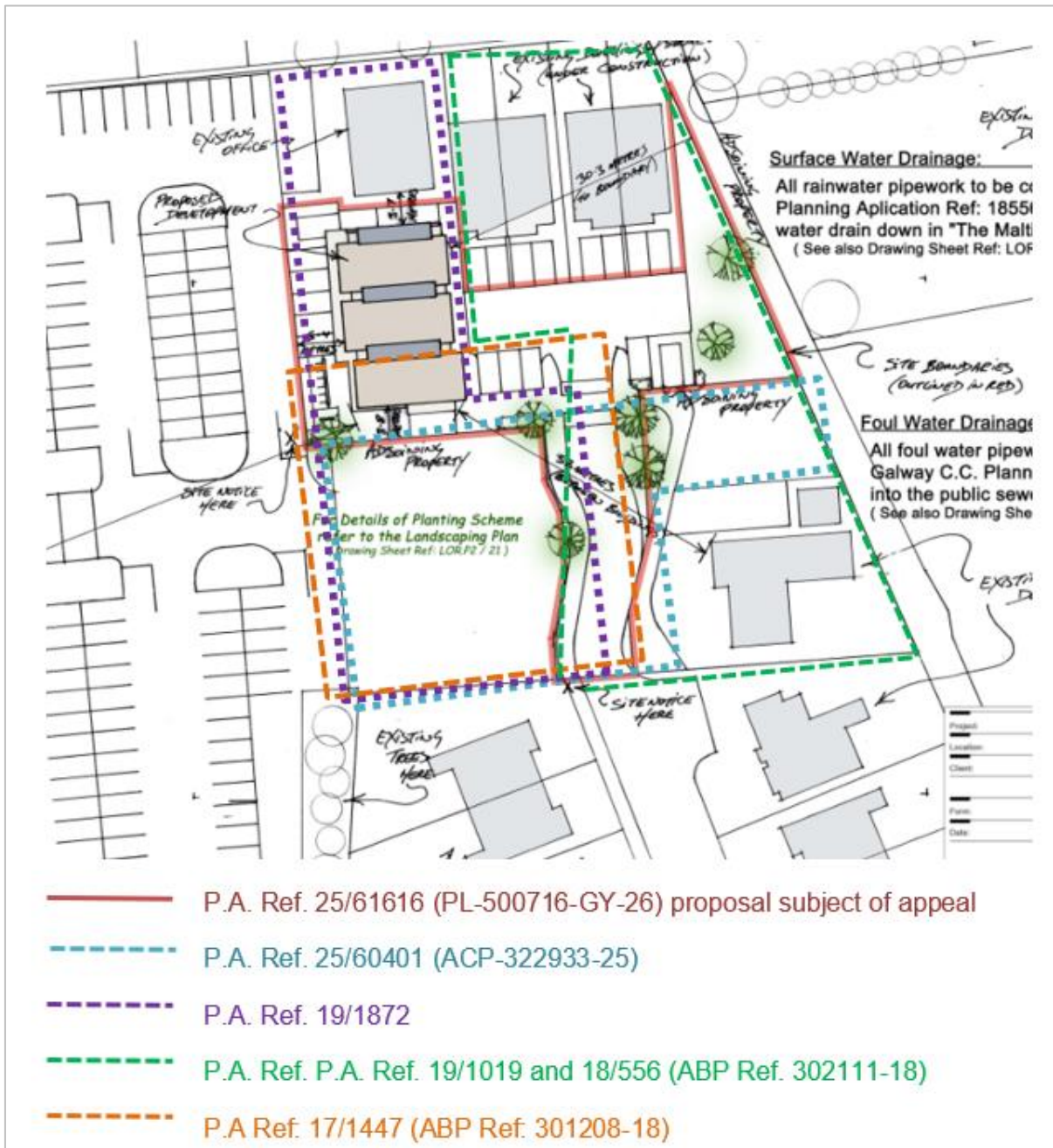
None received.

3.4. Third Party Observations

7 no. third party submissions were received from the Maltings Residents Association and from neighbouring residents Claire Dillon, Artur & Agata Kaluza, Kevin Duffy, Anne-Marie Ward, Kate & Kenneth Colleran and Brian Geraghty. These raised the following issues:

- Piecemeal development
- Overdevelopment of site/ lands
- Cumulative impact with ACP-322933-25
- Zoning non-compliance
- Visual Impact
- Servicing Issues
- Inadequate Parking/ Turning Bays
- Pedestrian and Traffic Hazard
- Opening up of the Maltings Cul-de-Sac
- Safety/ Security Issues
- Disruption/Noise Pollution
- Overshadowing
- Overlooking

4.0 Planning History



P.A. Ref. 25/60401 (ACP-322933-25) – application by Stephen O’ Rourke for the construction of a 3-4 storey building, comprising of 3 no. offices and 1 no. cafe (224.8 sqm) at ground level with 4 no. residential units, comprising 1 no. duplex unit and 3 no. triplex units (630 sq.m) at the upper levels, together with ancillary signage, site works, boundary treatment, drainage systems and landscaping **on lands to the south of the appeal scheme**, granted permission on appeal on 09/03/2026 subject to 17 no. conditions.

P.A Ref: 19/1872 – application by Aiden McGuinness for 2 no. single storey buildings: one comprising of 4 no. office units and 1 no. coffee shop (421.17 sqm) and another of a gym (261.15 sqm), together with ancillary signage, siteworks, boundary treatments, drainage systems and landscaping with vehicular access proposed from the car park of Loughrea shopping centre **on lands including the north-western portion of the site subject of this appeal in addition to lands to its immediate north and south**, permission granted on 04/02/2020 subject to 15 no. conditions. [This development was not implemented in full, but part of the site (to the north) is currently occupied by a single storey builder's office arising from same].

P.A. Ref. 19/1019 – application by Aiden McGuinness for revision to the previously granted site entrance and site boundaries attached to the previously permission P.A. Ref. 18/556 **on lands including the eastern portion of the site subject of this appeal in addition to lands to its immediate north, north-east and south-east**, granted on 30/09/2019 subject to 15 no. conditions.

P.A. Ref. 18/556 (ABP Ref. 302111-18) – application by Aiden McGuinness for 5 no. residential units with vehicular access via the Maltings estate **on lands including the eastern portion of the site subject of this appeal in addition to lands to its immediate north, north-east and south-east**, granted on appeal on 15/01/2019 subject to 14 no. conditions [houses appeared from my site inspection to be under construction, with the grounds of appeal confirming this].

P.A Ref: 17/1447 (ABP Ref: 301208-18) – application by Aidan McGuinness for the development of 2 no. 'drive thru' restaurant/takeaway units (gross floor area 746sq.m) and a 2-lane drive thru takeaway facility with order and collection points, together with ancillary signage, site works, outdoor seating, boundary treatments, drainage systems and landscaping **on lands including the south/ south-west portion of the site subject of this appeal in addition to lands to its immediate south-west**, refused permission on appeal on 18/01/2019 for 3 no. reasons relating to 1. Non-compliance with site zoning, 2. Concerns regarding capacity of the existing public sewerage network, 3. Inadequate car parking provision and related impact on operation of the Loughrea shopping centre.

5.0 Policy Context

5.1. National Policy

Project Ireland 2040 – National Planning Framework (First Revision, 2025)

- NPO 7 (deliver 40% new housing in existing built-up footprint of settlements).
- NPO 14 (regenerate cities, towns and villages).
- NPO20 (development encouraging more people & job generation).
- NPO45 (increase residential density through infill development, increased height and more compact forms of development).

Planning Design Standards for Apartments – Guidelines for Planning Authorities (DoHLGH, 2025)

These apply to applications submitted after 9th July 2025 (application submitted on 06th November 2025).

Section 3.0 (Apartment Design Standards) –

- SPPR 1: No restriction on unit mix.
- SPPR 2: Minimum apartment floor areas (2-bed 3-person apartment: 63sq.m and 2-bed 4-person apartment 73sq.m) and 25% of all apartments shall exceed the minimum floor area by minimum 10%*.
- SPPR3: Min. 25% of units within a development required to be dual aspect*.
- SPPR4: ground level floor to ceiling heights to be a minimum of 2.7m*.
- Section 3.3 (Apartment Floor Areas): Duplex accommodation shall provide the additional floor area required to provide for stairways and landings.
- Section 3.8 (Private Amenity Space): Private amenity space shall be provided in the form of gardens or patios/terraces for ground floor apartments and balconies or terraces at upper levels.

Section 4.0 (Communal Facilities in Apartments) –

- Section 4.2 (Waste Management) – provision for accessible storage and collection.
- Section 4.3 (Communal Amenity Space) – for urban infill schemes on sites of up to 0.25ha, communal amenity space may be relaxed in part or whole, on a case-by-case basis, subject to overall design quality.

- Section 4.5 (Bike Parking and Storage) & 4.6 (Car Parking) “*Having regard to the types of location in cities and towns that may be suitable for apartment development, car parking ratios should be minimised, substantially reduced or wholly eliminated at locations that have good access to urban services and to public transport. Maximum car parking rates are set out in Section 5.25 (SPPR 3) of the SRDCSGs. These rates are graduated based on proximity to centres and accessibility to public transport services (refer also to Table 3.8: Accessibility of the SRDCSGs). For all types of location, where it is sought to eliminate or reduce car parking provision, it is necessary to ensure, where possible, the provision of an appropriate number of drop off, service, visitor parking spaces and parking for the mobility impaired*”.

Appendix 1 – sets out the minimum requirements for a 2-bed apartment for aggregate floor areas (73sq.m), living/dining room and bedroom widths (3.6m), storage space* (6sq.m), private* (7sq.m) and communal amenity space* (7sq.m) (*urban infill schemes on sites of up to 0.25ha, the requirement may be relaxed in part, on a case-by-case basis, subject to overall design quality).

The Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (DoHLGH, 2024)

Table 1 (Core Strategy) of the Loughrea LAP states that the town had a population of 5,556 no. persons in 2016. It therefore falls within the definition of a ‘large town’ (5,000+ population) within the 2024 guidelines.

Table 3.5 (Areas and Density Ranges Key Towns and Large Towns (5,000+ population) sets out the area and density ranges for suburban/ urban extensions in large towns, with urban extension referring to lands at the edge of the existing built-up area that are zoned for residential or mixed-use (including residential) development. It provides that “*residential densities in the range 30 dph to 50 dph (net) shall generally be applied at suburban and urban extension locations of Key Towns and Large Towns, and that densities of up to 80 dph (net) shall be open for consideration at ‘accessible’ suburban/ urban extension locations (as defined in Table 3.8)*”.

Table 3.8 (Accessibility) of the Guidelines defines an ‘accessible location’ as lands within 500m (i.e. up to 5-6 minute walk) of existing or planned high frequency (i.e. 10 minute peak hour frequency) urban bus services. The subject site is approximately 1km from the Main Street of Loughrea and c. 150m from the Athenry Road (R446),

which is considered a high frequency bus route in the Transport Plan for Loughrea. I note that the R446 to the south features 2 no. bus stops to proximate to the site which serve the Galway 920 and 439 bus routes with neither service having a 10 minute peak hour frequency. On this basis, I do not consider the subject site is in a highly accessible location.

Section 5.3.7 (Daylight): The provision of acceptable levels of daylight in new residential developments is an important planning consideration, in the interests of ensuring a high quality living environment for future residents. It is also important to safeguard against a detrimental impact on the amenity of other sensitive occupiers of adjacent properties.

(a) The potential for poor daylight performance in a proposed development or for a material impact on neighbouring properties will generally arise in cases where the buildings are close together, where higher buildings are involved, or where there are other obstructions to daylight. Planning authorities do not need to undertake a detailed technical assessment in relation to daylight performance in all cases. It should be clear from the assessment of architectural drawings (including sections) in the case of low-rise housing with good separation from existing and proposed buildings that undue impact would not arise, and planning authorities may apply a level of discretion in this regard.

(b) In cases where a technical assessment of daylight performance is considered by the planning authority to be necessary regard should be had to quantitative performance approaches to daylight provision outlined in guides like A New European Standard for Daylighting in Buildings IS EN17037:2018, UK National Annex BS EN17037:2019 and the associated BRE Guide 209 2022 Edition (June 2022), or any relevant future standards or guidance specific to the Irish context.

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

comprehensive urban regeneration and or an effective urban design and streetscape solution.

- SPPR 1 (Separation Distances): A separation distance of at least 16m between opposing windows serving habitable rooms above ground level.
- SPPR 2 (Minimum Private Open Space Standards for Houses): Duplex units required to meet the private & semi-private open space requirements of applicable Apartments Guidelines.
- SPPR 3 (Car Parking): In intermediate and peripheral locations, the maximum rate of car parking provision for residential development, where such provision justified to satisfaction of planning authority, shall be 2 no. spaces per dwelling.
- SPPR 4 (Cycle Parking and Storage): Mixed-use schemes that include housing required to include safe and secure cycle storage for residents and visitors (min. of 1 no. cycle storage space per bedroom plus visitor cycle parking).
- Policy and Objective 3.1 - Recommended residential density ranges be applied.
- Policy and Objective 4.1 – Implementation of DMURS.
- Policy and Objective 4.2 - Key indicators of quality urban design and placemaking (sustainable & efficient movement; mix & distribution of uses; green and blue infrastructure; and, responsive built form) be applied in considering applications.
- Policy and Objective 5.1 - Public Open Space.10-15% of net site area.

Sustainable Residential Development in Urban Areas Guidelines (DoEHLG, 2009)

Section 5.9 (i) Infill residential development and 5.11 (f) Outer Suburban / 'Greenfield' sites - densities to a range of 20-35 dwellings per hectare. Whilst these guidelines have been revoked and replaced by the 2024 Compact Settlement Guidelines, they are relevant on the basis that they are specifically referred to in Table 15.1 of the GCDP.

National Biodiversity Action Plan (NBPA) 2023-2030

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

5.2. Other National/ Technical Guidance

Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (BRE, 2022).
Design Manual for Urban Roads and Streets (2019).
TII Road Safety Audit Guidelines GE-STY-01024.

5.3. Regional Policy

Northern & Western Regional Assembly Regional Spatial and Economic Strategy 2020-2032:

- *RPO 3.1* - Supports delivering compact growth and underutilised sites with an initial focus within town cores.
- *RPO 3.13* - To support the role of smaller and medium-sized towns, which demonstrate an important role in terms of service provision and employment for their catchments within the economic function of the county.
- *RPO 3.2 (c)* - Deliver at least 30% of all new homes that are targeted in settlements with a population of at least 1,500 (other than the Galway MASP and the Regional Growth Centres), within the existing built-up footprints.

5.4. Development Plan

The Galway County Development Plan 2023 – 2029 (GCDP) applies.

Loughrea

Loughrea is identified as a 'Self-Sustaining Town' (Level 4) within the settlement hierarchy. Its growth strategy is to consolidate this designation and continue to support the expansion of its employment base, with residential development being facilitated.

SS4: Self-Sustaining Towns (Level 4) - Support the development of Loughrea as a Self-Sustaining Town as outlined in the Core Strategy and Settlement Hierarchy in order to improve local employment, services and sustainable transport options in order to become a more self-sustaining settlement.

242 no. of Loughrea's GCDP housing allocation (of 806 no. units for 1,400 persons) are to be delivered on infill/ brownfield sites.

Compact Growth and Placemaking

The GCDP Core Strategy seeks to “contribute to urban regeneration lands and the development of brownfield sites for the revitalisation of settlements”.

CS 2 and CGR1: Compact Growth, CS 3: Population Growth and CGR: Density.

UL1 – Infill Sites: To encourage and promote the development of infill, corner and backland sites in existing towns and villages in accordance with proper planning and sustainable development.

Table 15.1: specifies density ranges for Self-Sustaining towns:

- 25 u/p/h on town centre/ infill /brownfield sites &*
- 15-25 at edge of centre/greenfield sites edge of centre.*
- However, all proposals shall be in accordance with the Sustainable Residential in Urban Areas 2009 and Circular 02/2021. Density is only one variable used in the assessment of development proposals.*

Relevant Development Management Standards

Sections 3.7.2 Layout and Design, 3.7.3 Housing Types/Design Mix and 3.7.4 Public and Private Open Space.

PM 1 – Placemaking: To promote and facilitate the sustainable development of a high-quality built environment where there is a distinctive sense of place in attractive streets, spaces, and neighbourhoods that are accessible and safe places for all members of the community to meet and socialise.

PM 4 - Sustainable Movement within Towns: It is a policy objective of the Planning Authority to encourage modal shift in our towns to more sustainable transport alternatives through mixed use development that enables local living and working which is well connected to sustainable transport infrastructure such as walking, cycling, public bus and rail transport.

PM 8 - Character and Identity: Ensure the best quality of design is achieved for all new development and that design respects and enhances the specific characteristics unique features of the towns and villages throughout the County.

PM 9 – Vitality in Towns and Villages: (a) To provide an appropriate mix of uses and densities in settlements that are responsive to the needs of people and market demand to support delivery of sustainable, viable and thriving walking neighbourhoods; (b) To encourage a greater usage of backland areas and to promote the redevelopment of

sites in the town or village centre where development will positively contribute to the commercial and residential vitality of the town or village settlement.

PM 10 – Design Quality: To require that new buildings are of exceptional architectural quality, and are fit for their intended use or function, durable in terms of design and construction, respectful of setting and the environment and to require that the overall development is of high quality, with a well-considered public realm.

UL2 – Layout & Design: To comply with the principles of good placemaking in delivering residential developments within the towns and villages of the county.

UL3 – Housing Mix: To promote a mix of house types and sizes that appeal to all sectors of the community and contribute to a healthy neighbourhood.

UL5 - Open Space: To provide well planned and considered open space that is of sufficient size and in locations that respond to the identified needs of people in accordance with best practice and the scale and function of the surrounding area.

PM 11 – Details of Materials.

DM 1: Qualitative Assessment-Design Quality, Guidelines and Statements.

DM 2: Multiple Housing Schemes (Urban Areas) - This standard is an all encompassing standard for new development and includes guidance on density, building height, private & public open space, design innovation, landscaping, safety & security, traffic safety and management, housing layout and mix.

DM 3: Apartment Developments (Urban Areas) - The design of apartment type development should be guided by the Design Standards for New Apartments - Guidelines for Planning Authorities (2018) (or as updated/superseded) in relation to all issues in relation to apartment development.

DM Standard 19: Industrial/Commercial

WC1 – Pedestrian and Cycle Infrastructure

DM Standard 31: Parking Standards (d) – (g) - Table 15.4 specifies parking space dimensions and encourages dual use parking and relaxation of parking standards for mixed use developments. Table 15.5 sets out car parking standards for developments. All developments should provide facilities for the charging of battery-operated cars at a rate of up to 20% of the total car parking spaces.

Transport/ Servicing

PM4: Sustainable Movement within Towns.

DM Standard 28: Sight Distances Required for Access onto National, Regional, Local and Private Roads.

DM Standard 33: Traffic Impact Assessment, Traffic & Transport Assessment, Road Safety Audit & Noise Assessment - In summary all new road layouts should be designed in accordance with the Design Manual for Urban Roads and Streets (DMURS) and the associated TII publications. All significant development proposals, or those that the Planning Authority consider would pose a safety risk or traffic impact shall be accompanied by road safety audits, road safety impact assessments and transport and traffic assessments.

DM Standard 33a: Sight Traffic and Transport Assessment (TTA), Road Safety Audit (RSA) & Road Safety Impact Assessments (RSIA).

DM Standard 34: Mobility Management

DM Standard 67: Sustainable Drainage Systems' (SuDS)

NNR 2 – Safeguard Regional and Local Road Network

NNR 3 - Design Manual for Urban Roads and Streets

ILUTP 1 – Sustainable Transportation.

WS4: Requirement to Liaise with Irish Water: Water Supply - 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.

DM 36: Public Water Supply and Wastewater Collection - 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.

5.5. Loughrea Local Area Plan 2024-2030

5.5.1. This LAP, which was the subject of a Ministerial direction (dated 9th December 2024) which does not impact on the subject site, reinforces the objectives outlined in the GCDP and includes a Local Transport Plan for the town.

5.5.2. The subject site forms part of a larger area (incl. Loughrea Shopping Centre) which is zoned 'C2 - commercial/ mixed use'. The objective for the zone is to *"Provide for the development of commercial and complementary mixed uses on suitable lands that can provide focal points for the provision of services to surrounding neighbourhoods/areas and opportunities for commercial enterprises, retail developments and employment creation and which do not undermine the vitality and viability of the town centre"*.

5.5.3. Within C2 zoned lands office space with a floor area of 100sq.m - 1000sq.m and a café ancillary to an overall compatible development to serve the needs of the immediate area are 'permitted in principle' whilst apartments are an 'open for consideration' use which may be permitted where the suggested form of development is compatible with the policy objectives for the zone, will not conflict with permitted uses and conforms to the proper planning and sustainable development of the area, including the policy objectives set out in LAP.

5.5.4. Policy objectives with this LAP relevant to the appeal are as follows:

LSST 2 – Service Led Development: Development under the plan shall be preceded by sufficient capacity in the public wastewater infrastructure and potable water infrastructure. Potential developers shall make a Pre-Connection Enquiry to Uisce Éireann in order to establish the feasibility of a connection to the public network.

LSST 6 – Residential Infill Development: Within the Settlement Boundary, small scale limited infill housing development will be considered in appropriate sites. These infill sites shall have regard to the existing character of the street, respecting the existing building line, scale, proportions, layout, heights and materials of surrounding developments. A proposed site must have a safe means of access and egress and comply with development management standards for new dwellings.

LSST 8 – Compact Growth: It is a Policy Objective of the Council to support the delivery of new homes in Loughrea urban area within the existing built up footprint of the settlement, by developing infill, brownfield, opportunity, and regeneration sites and prioritizing underutilized land in preference to greenfield sites.

LSST 21 - Business and Enterprise: To facilitate the expansion of Business and Enterprise uses in the plan area of Loughrea at suitable locations with adequate services and facilities and a high level of access to the major road network and to public transport facilities. This would facilitate the provision of further employment opportunities in accordance with proper planning and sustainable development.

LSST 36 - High Quality, Contextually Sensitive Design: ensure that new developments are responsive to their site context and in keeping with the character, heritage, amenities, environment and landscape of the area. New development proposals will be required to complement the existing character of the area in terms of scale, height, massing, building line, urban grain and definition and through high quality design proposals for buildings/structures/shop fronts, the use of high quality, appropriate materials and the provision of appropriate signage, lighting, landscaping proposals and other such details.

LSST 59 – Require all significant development proposals to be accompanied by a Road Safety Audit and Traffic & Transport Assessment carried out by suitably competent consultants, which are assessed in association with their cumulative impact with neighbouring developments on the road network, in accordance with the requirements contained within the TII’s Traffic & Transport Assessment Guidelines (PE-PDV-02045) 2014 (including any updated/superseding document) and ‘Road Safety Audit’ (GE-STY-01024) December 2017.

5.5.5. Relevant LAP Figures are 1 – Land Use and Zoning and 2 – Movement and Transport Strategy.

6.0 Natural Heritage Designations

The site is not located within or adjoining a European Site.

The following European sites are located within proximity to the site:

European Site	Site Code	Distance
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Lough Rea SPA	004134	c. 550m
Lough Rea SAC	000304	c. 600m
Slieve Aughty Mountains SPA	004168	c. 4.5km
Sonnagh Bog SAC	001913	c. 8.5km
Rahasane Turlough SAC	000322	c. 11km
Rahasane Turlough SPA	004089	c. 11.5km
Peterswell Turlough SAC	000318	c. 11.5km

The following proposed Natural Heritage Area is also located in proximity to site:

- Lough Rea pNHA (Site Code 000304).

7.0 EIA Screening

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

8.0 Water Framework Directive Screening

I have concluded, 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 (refer to form in Appendix 3 for details).

9.0 The Appeal

9.1. Grounds of Appeal

A first party appeal submission was received (03/02/2026) and seeks to address the PA's reasons for refusal. The grounds of appeal can be summarised as follows:

Design – Refusal Reason No. 1

- Mixed-use proposal fully complies with relevant planning policies and quantitative and qualitative design standards (specifically PM1/8/10, UL2 and DM 1/2)
- Proposal provides buffer/ transition between 7-storey Loughrea hotel and shopping centre and 2-storey housing to east and south.
- Height and architectural composition (articulated facades & recessed stairwells) minimise bulk, visual depth and massing.
- Design, materiality, landscaping and boundary treatments visually integrate with context and adjoining permitted development.
- Stacking of uses creates active frontage at ground floor level and safeguards residential privacy.
- Orientation of residential units optimises daylight, privacy and amenity space.

Access/ Traffic/ Road Safety – Refusal Reasons No's 2 & 3

- Design physically segregates proposal's commercial and residential traffic (with public commercial unit access on west side and private residential unit access on east side being clearly legible) ensuring no conflict created between uses.
- Commercial element (public domain) will use shopping centre's existing access and parking.
- Traffic calmed home zone/ shared surface street (private domain) connecting to the Maltings which will serve residential element is DMURS/ GCDP compliant.
- Footpaths leading from the Maltings continue into the residential home zone, with designated pedestrian crossing points being provided for.
- Residential car parking is delineated/ does not encroach on shared surface area.
- Design provides for emergency & service vehicle access via Type 1 turning head (in the shared surface home zone).
- Proposal is fully compliant with TII RSA Guidelines (GE-STY-01024) and poses to material risk to public safety.
- Traffic generation will be well below TII thresholds for requiring TTA or RSA.

- Shopping centre car park has 368 no. parking spaces and surplus capacity at grade & underground as per Traffic and Parking Assessment submitted with grounds of appeal. Can readily accommodate proposal without giving rise to displacement/ overspill.

Servicing – Refusal Reason No. 4

- UE confirm site can be serviced without requiring infrastructure upgrade.
- Formal connection agreements can be completed post permission.

Other

- Site landscaping proposals provide for microclimate benefits.
- Built form will provide for physical enclosure and visual screening.
- Shared surface will foster safe play and social interaction.
- 350sq.m area of open space will be safe and useable.

The appeal is accompanied by an architectural addendum which responds to the PA's refusal reason no. 1; a letter from the owners of Loughrea Shopping Centre (dated 30/10/2025) confirming that they give consent for the appellant to use the existing shopping centre access, road network, parking and hardstanding areas for the purpose of constructing and operating their proposed development; a Confirmation of Feasibility letter from Uisce Eireann (dated 20/11/2025); and, the Traffic and Parking Assessment (dated February 2022) prepared in respect of P.A. Ref. 21/17888.

9.2. Planning Authority Response

No response received.

9.3. Observations

Two observations on the appeal were received from the Maltings Residents Association (02/03/2026) and Brian Geraghty (23/02/2026). These raised the following issues:

- Proposal constitutes overdevelopment of site due to its height/ scale/ bulk/ massing.

- Scale and design would give rise to negative visual impact on character of Maltings Estate.
- Proposal would be detrimental to existing residential amenity.
- Introduction of commercial activity (office & café) to estate is not appropriate re: additional traffic, servicing requirements, noise and disturbance.
- Concerns regarding new pedestrian connection between estate & shopping centre.
- Traffic generation, road/ pedestrian safety and lack of Traffic and Transport Assessment/ Road Safety Audit.
- No confirmation that public water/ wastewater infrastructure can support proposal.
- Intensification of development on lands and cumulative impact with that proposed by same developer under ACP-322933-25.
- Piecemeal development and lack of coherent overall design strategy.

10.0 **Assessment**

Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, having inspected the site and, having regard to the relevant local/ regional/ national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development
- Character and Pattern of Development
- Design and Layout
- Residential Amenity – New Issue
- Access, Parking and Traffic
- Drainage/ Water Services
- Other

10.1. **Principle of Development**

- 10.1.1. Permission is sought for a mixed-use development comprising of 2 no. offices (totalling c. 92sq.m), a café with outside seating and 3 no. duplex apartments on lands to the immediate east of Loughrea Shopping Centre.
- 10.1.2. The lands are zoned 'C2 - commercial/ mixed use' under the Loughrea Land Use Zoning Map with the objective for the zone being to *"Provide for the development of commercial and complementary mixed uses on suitable lands that can provide focal points for the provision of services to surrounding neighbourhoods/areas and opportunities for commercial enterprises, retail developments and employment creation and which do not undermine the vitality and viability of the town centre"*.
- 10.1.3. The PA did not raise any concerns regarding the proposal's compliance with the site's C2 zoning and I note that the Commission recently granted permission (under ACP-322933-25) for a similar mixed-use proposal on lands located to the immediate south of the appeal site which share the same zoning.
- 10.1.4. The Loughrea LAP provides that, within C2 zoned lands, office space with a floor area of 100sq.m - 1000sq.m is permitted in principle with offices below 100sq.m being open for consideration. Whilst c. 92sq.m office space is proposed it is unclear from the plans whether this refers to net or gross GFA. Notwithstanding, I am satisfied that this element of the proposal is compliant with the site zoning objective and with the nature of the other uses proposed.
- 10.1.5. The proposed café (c. 49.5sq.m with c. 29.5sq.m outdoor public dining area) is ancillary to and compatible the overall mixed-use development proposed and would also serve the local needs of the surrounding area without undermining the primary retail, commercial and mixed-use centre of Loughrea town, and for this reason I am satisfied that it is compliant with the site's C2 zoning.
- 10.1.6. In light of the foregoing, I am satisfied that the office and café development as proposed is entirely in line with the mixed-use zoning of the lands. However, I note that the observers argue that the proposal effectively introduces non-compatible commercial activity to the Maltings residential estate, which they consider is inappropriate on account of the potential activity, noise and traffic etc. In this regard I draw the Commission's attention to the proposed functional segregation of the scheme's commercial and residential points of access – with the latter being entirely directed through the car park of Loughrea shopping centre and not through the

existing residential estate. I consider the observers' concerns to be without basis on the grounds of the proposal to serve the residential element via the existing residential estate and to serve the commercial element separately via the shopping centre lands.

10.1.7. Policy DM 3 of the GCDP states that "*In general apartments are only considered appropriate in town centres*". Notwithstanding, apartments are listed as being an open for consideration use on C2 zoned lands which the LAP states may be permitted where the suggested form of development is compatible with the policy objectives for the zone, will not conflict with permitted uses and conforms to the proper planning and sustainable development of the area. The PA did not raise any concerns regarding the apartments' compliance with the site's C2 zoning, and I note that 4 no. duplex apartments were recently permitted on appeal as part of a similar mixed-use scheme on the site to the south. In light of the foregoing, I consider the proposal for 3 no. apartments to be in-keeping with the existing and permitted residential character of surrounding lands and acceptable in principle under the terms of the LAP subject to the detailed considerations below.

10.1.8. I consider matters of residential quality and amenity further in Sections 10.4 and 10.7 of this report.

10.2. **Character and Pattern of Development**

10.2.1. The Commission recently granted permission for a new urban character and typology of built form in this area under ACP-322933-25 when it granted permission for a 3-4 storey mixed-use block (on the site to immediate south of the appeal site) with dual frontages – commercial units fronting the shopping centre car park to the west and residential (apartment) units fronting the existing residential home zone to the east.

10.2.2. In refusal reason No.1, it is stated that the proposed development does not satisfactorily relate to either its adjoining context or to surrounding development, giving rise to a detrimental impact on the character of the area.

10.2.3. The PA's view is disputed by the appellant who considers that their proposal reflects the existing transition in height between the 7-storey Loughrea hotel (c. 280m to the west), the Loughrea shopping centre (2-storeys which reads as 3-storeys from the south) and the established 2-storey housing to the east and south.

- 10.2.4. The observers seek to draw the Commission's attention to the piecemeal pattern of development in and around the site and to the lack of a coherent, overall design strategy for the C2 zoned lands at this location. In this regard, I note the following statement made in the Inspector's report on ACP 322933-25, "*the lands immediately to the north of the subject site are in the Applicant's ownership and it is intended to develop this site as Phase 2 of the overall lands and provide an additional office and complete the residential units in line with the previously permitted planning application (P.A Ref: 18556)*". I also note that the grounds of appeal submitted in respect of that appeal stated that the C2 zoned lands to the north of the site (i.e. the site subject of this current appeal, the single storey office and the 4 no. residential units granted under PL07.302111) are all under the ownership of Stephen O'Rourke.
- 10.2.5. LAP Policy LSST 8 (Compact Growth) supports the delivery of new homes on infill and brownfield sites within the existing built up footprint of the settlement of Loughrea, with Policy LSST 6 (Residential Infill Development) providing that small scale infill housing development will be considered having regard to, inter alia, the existing character of the street and where the proposal respects the existing building line, scale, proportions, layout, heights and materials of surrounding developments. Policy LSST 36 (High Quality, Contextually Sensitive Design) similarly states that new development proposals will be required to complement the existing character of the area in terms of scale, height, massing, building line, urban grain and definition and through high quality design proposals for buildings/ structures/ shop fronts, the use of high quality, appropriate materials and the provision of appropriate signage, lighting, landscaping proposals and other such details.
- 10.2.6. I note that under ACP-322933-25 (which relates to a grant of permission for 3 no. offices, 1 no. cafe and 4 no. residential units on lands to the immediate south), the Commission formed the view that that proposal did not constitute ad-hoc development on the basis that the submitted masterplan satisfactorily demonstrated how the proposed development would integrate with existing and (possible) future development in the area. No contextual or contiguous plans or elevations are submitted showing the proposal in the context of the development permitted to the south. Notwithstanding, having considered the proposed layout against that permitted under ACP-322933-25, it is apparent that the design and siting of the proposed 3-storey block generally reflects that of the permitted 3-4 storey mixed-use block to the

south and reads as a northward extension of this building line, with both schemes having a functional relationship with the Loughrea Shopping Centre complex, the same orientations and utilising the same access and servicing arrangements. I also consider that the proposal complements the design character of the 4 no. semi-detached 2-storey houses with dormer accommodation (permitted under PL07.302111 as amended by P.A. Ref. 19/1019) which are under construction to the immediate north, in addition to providing for physical enclosure to the proposed shared home zone created.

10.2.7. Therefore, whilst I acknowledge that development on the C2 zoned lands has been piecemeal due in part to its existing and historic landownership make-up, I am of the view that the current proposal before the Commission provides for the sequential development and infilling of the heretofore undeveloped portion of the lands and does not constitute ad-hoc or haphazard development for this reason. I am also therefore satisfied that it is in-keeping with the pattern and grain of existing and permitted development at this location, providing for the completion of same.

10.2.8. Notwithstanding the foregoing, I do acknowledge that the proposed siting and layout gives rise to some issues with respect to existing residential amenity. I discuss these matters in further detail in Section 10.4 of this report.

10.3. **Design and Layout**

10.3.1. Refusal reason No. 1 refers to the PA's serious concerns arising from the overdevelopment of the site by reason of the proposal's height, bulk and overall massing which they consider would negatively impact the visual and residential amenities of the local area. In this regard, the PA cite material contravention of the following high level policy objectives: PM 1 (Placemaking), PM 8 (Character and Identity), PM 10 (Design Quality) and UL2 (Layout & Design), in addition to development management standards DM1 (Qualitative Assessment-Design Quality, Guidelines and Statements) and DM2 (Multiple Housing Schemes (Urban Areas)).

10.3.2. The issue of overdevelopment of the site and cumulative overdevelopment of the C2 zoned lands was also raised by third parties at application stage with the concerns in this regard being reiterated in the observations received on the appeal.

10.3.3. The first party has submitted an architectural addendum in response to the PA's refusal reason no. 1 and argues that the design, materiality, landscaping and

boundary treatments proposed successfully visually integrate their scheme within its context and with adjoining permitted development.

Density and Site Coverage

- 10.3.4. A site coverage of c. 46% is proposed for the scheme which is compliant with GCDP DM Standard 19: Industrial/Commercial, which provides that site coverage for a three-storey commercial development shall not normally exceed 50%.
- 10.3.5. A residential density of 23uph is proposed which is in line with the average density (of 25uph) provided for Loughrea in Table 1 (Core Strategy) of the LAP and compliant with the density range of 15-25uph given for edge of centre/greenfield sites within Self-Sustaining towns set out under GCDP Table 15.1, which also states that all proposals shall be in accordance with the Sustainable Residential in Urban Areas Guidelines (2009) and Circular 02/2021. I note that Section 5.9(i) of these guidelines states that the LAP should set out the PA's views with regard to the range of densities acceptable with regard to infill sites in large towns, with a recommended density range of 20-35uph being recommended under Section 5.11(f) in the case of outer suburban sites. Therefore, whilst the proposed development is demonstrably on the lower end of the density range for a site of this nature, it is acceptable.

Height

- 10.3.6. In respect to height, I note that on the adjoining site under ACP-322933-25, the Commission determined that heights of 3-4 storeys (shoulder height of c. 10m (and max. height of c. 13.14m)) were contextually acceptable on the basis of the proposed step down to 3-storeys adjoining 2-storey housing in the Maltings and the recessing of the top (4th floor). By comparison, the proposal subject of this appeal is for a 3-storey building (with roof level 'lanterns' or core pop-ups) which would extend to a height of c. 11.4m above ground level on its south side, where it would adjoin the aforementioned 3-4 storey mixed-use building, and to a max. height of c. 12.4m above ground level on its north side adjoining a single storey builder's office and 2-storey housing (with a ridge height of c. 10.4m). Having considered the proposed height against this built context, I am satisfied that it is generally in line with that of permitted and existing development in the immediate vicinity and that it is acceptable on this basis.

Architectural Character

- 10.3.7. It is argued in the grounds of appeal that the design and architectural composition of the proposed mixed-use block serve to minimise its overall bulk, visual depth and massing. The plans illustrate that a fully glazed front façade with fascia signage is proposed to the ground floor café and office units with fins/ louvered metal cladding proposed to their rear (east side). The front, side and rear facades at first and second floor levels (housing the duplex apartments) would be finished with brown/ yellow brick. The building's horizontal form would be interspersed with recessed upstanding feature elements of linear 'lantern' elements comprising of glazing and cladding, giving it a 3-bay arrangement, with an offset pattern of glazing on the front (west) elevation providing visual interest.
- 10.3.8. Having considered the form and scale of the proposed double-fronted mixed-use block in the context of the larger mixed-use block permitted to the immediate south and the adjoining residential development to the northeast, I do not agree with the view of the PA that its bulk and massing is out of character with existing/ permitted development in the area.
- 10.3.9. The PA raise a specific issue with regard to the visual obtrusion arising from the proposed roof terraces and, from a visual amenity perspective, I would have some concerns about the design character of the 3 no. glazed lantern-type structures proposed at roof level and the glazed privacy screening spanning between same which would be highly visible on the west facing elevation overlooking Loughrea Shopping Centre and the east facing elevation overlooking the interior home zone. However, I note that these structures provide for privacy and residential access to individual resident amenity spaces at roof level and that the overall design approach and materials & finishes proposed (brickwork walls, vertical louvres, zinc cladding etc.) are largely in-keeping with the nature and character of those recently permitted on the adjoining site by the Commission under ACP-322933-25. Therefore, on balance, whilst no streetscape elevations are provided which show the proposal in the context of the aforementioned permitted development, I consider the design approach to be generally acceptable in this instance and in line with LSST 36 of the LAP, and I recognise that it will visually integrate with the aforementioned permitted development and will provide for visual continuity and a strong urban edge to the Loughrea shopping centre lands.

10.4. **Residential Amenity – New Issue**

- 10.4.1. The PA's first reason for refusal cites general concerns regarding the impact of the development on the visual and residential amenity of the local area. The potential for the proposal to give rise to a negative visual impact and to overlooking and overshadowing of adjoining properties in the Maltings estate was raised by third parties at application stage, with the appeal observers seeking to draw the Commission's attention to the potential for the proposal to detrimentally impact on existing residential amenity.
- 10.4.2. GCDP DM Standard 2 (Multiple Housing Schemes (Urban Areas)) states that infill proposals should consider site circumstances relating to, inter alia, the impact on residential amenity, daylight, loss of privacy, overlooking and also that daylight and shadow projection diagrams are required to be submitted where new buildings are located very close to adjoining buildings.

Overlooking and Overbearance

- 10.4.3. DM Standard 2 specifically states that a separation distance of 22m should be provided between opposing first floor windows, with this separation being increased for developments over 2 storeys in height. However, SPPR 1 (Separation Distances) of the 2024 Compact Settlement Guidelines states that development plans shall not include an objective in respect of minimum separation distances that exceed 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units or apartment units above ground floor level.
- 10.4.4. Whilst small opes (to a kitchen/living/ dining space and an ensuite) are proposed at first and second floor levels on the southern elevation of the mixed-use block, I note that these are obscured and that there are no opes on the corresponding (north) elevation permitted under ACP-322933-25. The south elevation of the proposed block is to be setback c. 3.8m from the site boundary, with the main north elevation of the permitted block being setback c. 3.8m from this boundary – with a proposed 2-storey plant room occupying part of the intermediate area between the blocks. I consider that these arrangements will ensure no overlooking or overbearance between the schemes.
- 10.4.5. The proposed block would be setback c. 3.7m from the south elevation of the single storey office located to its immediate north. Having inspected the site and the existing

office block (which appears to feature glazing only on its west elevation) and having considered the design of and lack glazing arrangements proposed on the north elevation of the proposed block, I consider that there is no potential for the proposal to give rise to either overlooking or overbearance on the existing office. I am also satisfied that there is no potential for the proposal to overlook existing residential properties within the Maltings estate to the south, on account of the intervening permitted mixed-use block, or along Donnellan Drive to the east, due to the significant separation distance (c. 80m+) involved. For these same reasons, I consider that the proposal will not give rise to undue visual intrusion or appear visually overbearing on these neighbouring dwellings.

- 10.4.6. The proposed block is to be sited to the immediate south-west of house no. 2 permitted under ABP Ref. 302111-18 (which the plans submitted in respect of the subject scheme state is under construction). Whilst there are 2 no. first floor level opes to a landing and an ensuite on the west side elevation of this neighbouring house, I note that these do not serve habitable rooms and also that the side elevation of this house is offset from and does not directly oppose the front or side elevation of the block – with no potential for overlooking therefore arising. However, the proposed site layout plan shows that the east elevation of the mixed-use block and the front elevation of the house are positioned at right angles to one another, with a separation of just c. 1.5m provided between same. The nature of this proximity is best illustrated by the submitted north elevation and site section X-X. I consider this proximity to be inappropriate and unacceptable and, having considered the glazing arrangements to the north-east side of the block against those of the house at first and attic levels, I consider that it would be likely to have an unacceptable, detrimental impact on the residential amenity of the dwelling by reason of overbearance, visual intrusion and indirect overlooking of the house's front bedrooms. To a lesser extent the proximity of the northernmost roof terrace may also give rise to disturbance to this same property. I draw the Commission's attention to the fact that this is a 'new issue' in the context of this appeal.
- 10.4.7. In order to address this issue, the northern/ eastern building line would need to be stepped further back/ reduced in its extent and potentially reduced in height with implications for its form and internal arrangement - design changes which I consider

would materially change the overall development and could not therefore, in my view, be addressed by way of amending condition.

Overshadowing

10.4.8. The BRE 209 Guidelines (2022 edition) recommend that at least half of a garden or amenity area should receive at least two hours of sunlight on March 21st (the equinox) to appear adequately sunlit throughout the year. Having considered the siting of the proposed mixed-use block to the immediate west of 4 no. of the houses permitted under ABP Ref. 302111-18, I note that whilst it has potential to impact sunlighting to the front of these properties (which is used for parking) it would not impact sun lighting to the private amenity spaces to the rear of these properties due to the pre-existing built arrangements. However, in light of the issues outlined in paragraph 10.4.6 above, having considered the policy guidance set out in Section 5.3.7 (Daylight) subsection (a) of the 2024 Compact Settlement Guidelines and in the absence of any information on file regarding the proposal's daylight/ overshadowing impact as required by DM Standard 2, I would have concerns that the proximity between house no. 2 (which is permitted and under construction) and the block would have the potential to materially and negatively affect the internal daylighting to that property. I draw the Commission's attention to the fact that this is a 'new issue' in the context of this appeal.

10.4.9. It is my opinion that there is no potential for the proposal to negatively impact on the daylighting or sunlighting to the permitted block to the south (on account of its siting to the south of that proposed) nor for it affect the housing in the Maltings estate or along Donnellan Road due to the intervening built form and separation distances involved.

Security/ Permeability

10.4.10. The proposed scheme will be accessible to pedestrians from the shopping centre car park via 2 no. new access points provided adjacent to the southern boundary and northern boundary (proposed 2m high fence and blockwork boundary wall respectively), with these routes connecting into the home zone and footpath along the internal access road. Pedestrian connections were also permitted to the north and south of the block permitted under ACP 322933-25. I consider that this connectivity, which is in line with the objectives of ILUTP 1 (Sustainable Transportation), will

improve the integration between the C2 zoned lands and the permeability between the Maltings estate, the permitted and proposed housing, the shopping centre and the north-west environs of the town (negating the need for a c. 250m circuitous walk down through the estate and up the Athenry Road).

- 10.4.11. The observers raise security and disturbance concerns regarding the likely impact of the proposed new pedestrian connection on the Maltings estate, with similar issues having been raised by third parties at application stage.
- 10.4.12. I note from the proposed ground floor plan that the southern pedestrian route would be actively overlooked by ground floor glazing on the west and south facades of the block's proposed café unit (which will also provide for street-level animation and activity at this location during its hours of operation), with passive surveillance being provided by the apartments in the permitted block to the south and by the existing housing within the Maltings. I consider these arrangements are likely to disincentivise anti-social behaviour. I further note that the Maltings will continue to function as a vehicular cul-de-sac with no through access to Loughrea shopping centre or significant material alteration to the accessibility character of the estate.
- 10.4.13. In respect to the northern pedestrian access, I note that this would appear to lead to the side gable of permitted house no. 2, with no real detail provided in respect to this interface. Having consulted the plans permitted under ABP Ref. 302111-18 as amended by P.A. Ref. 19/1019, I note that a 2.1m stone boundary wall is to be constructed c. 1.2m from the west of house no. 2 and along the boundary with the appeal site. The siting of this wall would appear to conflict with the proposed northern access route.
- 10.4.14. In light of the foregoing considerations, it is unlikely the new pedestrian accesses would negatively impact on existing residential amenities however, notwithstanding, it may be appropriate that they be secured by gates which can be closed when the shopping centre car park is closed (10pm). This could be achieved by condition where the Commission are minded to grant permission.

10.5. **Access, Parking and Traffic**

- 10.5.1. Refusal reason no. 2 refers to the potential for conflicting and additional traffic movements to occur due to insufficient parking provision, set down areas, turning bays and associated circulation area to cumulatively serve the existing permitted and

proposed developments and thus giving rise to pedestrian and road safety hazard. Building on same, refusal reason no. 3 cites traffic safety concerns and the absence of supporting traffic assessments (TIA, RSA etc.) which provide an assessment of the proposal in the context of development on the wider C2 zoned lands and traffic environment/ network infrastructure in the locality.

- 10.5.2. Servicing, pedestrian/traffic hazard and inadequate parking and vehicular turning facilities were also raised as issues by third parties at application stage.

Access

- 10.5.3. The ground of appeal set out how the proposed design physically segregates commercial and residential traffic in order to ensure that no conflict is created between uses. I note that the Commission considered this segregation design strategy to be acceptable under ACP-322933-25 and concluded that it successfully addresses the challenges presented by the C2 zoning adjacent to residentially zoned lands and also successfully responds to the design challenges of the established built environment. I would agree with this view.

- 10.5.4. The site layout plan illustrates how this proposed access segregation will work in practice. I note from same that the ground floor commercial units are oriented westwards overlooking the surface car park of the Loughrea shopping centre with 6 no. car parking spaces and 16 no. bike parking spaces being provided to the front of these units adjoining the internal road network of the car park. The proposed duplex apartments will only be accessible (by vehicle) via the Maltings estate to the south with 4 no. delineated car parking spaces being proposed within a homezone arrangement between the block and the 4 no. houses permitted under ABP Ref. 302111-18. Having reviewed same, I am satisfied that the differentiation between the public commercial unit access on the west side of the scheme and the private residential access on its east side will be clearly legible.

Parking

- 10.5.5. The appellant seeks to draw the Commission's attention to the car parking capacity of the Loughrea shopping centre which the Traffic and Parking Assessment submitted with the grounds of appeal states has 368 no. parking spaces with significant surplus capacity at grade and underground

- 10.5.6. SPPR 3 (Car Parking) of the 2024 Compact Settlement Guidelines provides that in intermediate and peripheral locations the maximum rate of car parking provision for residential development shall be 2 no. spaces per dwelling, with Section 4.6 (Car Parking) of the 2025 Apartment Guidelines stating that for all types of location, where it is sought to reduce car parking provision, it is necessary to ensure, where possible, the provision of an appropriate number of drop off, service, visitor parking spaces and parking for the mobility impaired.
- 10.5.7. GCDP PM 4 (Sustainable Movement within Towns) and DM Standard 31: Parking Standards promotes a modal shift away from the private car to more sustainable modes of transport and states that, in relation to infill sites, a flexible application of standards will be considered. Table 15.4 (Parking Space Dimensions) encourages dual use car parking and the relaxation of car parking standards for mixed use developments with Table 15.5 (Car Parking Standards) setting out a maximum standard of 1.5 spaces per dwelling in the case of 1-3 bed apartments, 1 car space per 20sq.m of GFA in the case of offices and 1 no. car space per 1 space per 10sq.m dining area+ for cafes.
- 10.5.8. DM Standard 31 also states that, in addition to car parking, sufficient space will be required within a development site for all service vehicles necessary for the operation of the business or building, including drop-off areas, loading/unloading areas etc.
- 10.5.9. In respect to bicycle parking, DM Standard 31 (f) provides that secure cycle parking facilities shall be provided in new office, residential, retail and employment generating development with 1 no. space per bedspace required in respect of housing developments (with min. 2. visitor bike parking spaces), with a min of 1 no. space per car space for café and office development. SPPR 4 of the 2024 Compact Settlement Guidelines provides that for mixed-use schemes that include housing, safe and secure cycle storage for residents and visitors (min. of 1 no. cycle storage space per bedroom plus visitor cycle parking) should be provided for.
- 10.5.10. 16 no. bike parking spaces are proposed which I am satisfied meets the quantum required in respect of the mixed use proposal in accordance with DM Standard 31 (f) and SPPR 4.
- 10.5.11. 4 no. car parking spaces (1 no. being accessible) are proposed within the homezone on the east side of the block and will serve the residential units (with this area also

functioning as a turning head and a drop-off area). This rate of provision is acceptable on the basis that it complies with GCDP policy and the 2024 guidelines.

- 10.5.12. As detailed above, 6 no. car parking spaces (including 1 no. accessible space) located on the west side of the proposed block are proposed to serve the café and office units and would have direct access onto the Loughrea shopping centre car park. I consider that this provision is compliant with aforementioned GCDP maximum parking standards and I note that any unmet demand is capable of being accommodated in the shopping centre car park in line with the GCDP dual utilisation policy. Having regard to the grounds of appeal letter from the owners of Loughrea Shopping Centre confirming that they give consent for the appellant to use the existing shopping centre for the purpose of operating their proposed development, the parking capacity study submitted with the grounds of appeal, in addition to the levels of surface parking space utilisation observed during my site inspection, I am also satisfied that the adjoining car park has sufficient space to facilitate access/ set down by service vehicles/ deliveries etc. linked to the operation of these commercial units without giving rise to material parking displacement within that facility.
- 10.5.13. DM Standard 31 (g) relates to electric charge point spaces and requires that all developments should provide facilities for the charging of battery operated cars at a rate of up to 20% of the total car parking spaces with remainder of the parking spaces being constructed so as to be capable of accommodating future charging points, as required. Whilst the submitted plans do not appear to provide for EV car charging, I am satisfied that the site layout is capable of accommodation same and that this is a minor matter that is capable of being addressed by condition where the Commission are minded to grant permission.
- 10.5.14. In light of the foregoing considerations, I am satisfied that the proposal provides for car and bicycle parking levels which comply with applicable policy standards set out in the GCDP and the 2024 Compact Settlement Guidelines and that the accessibility of the site and its enhanced permeability and proximity to the Loughrea shopping centre should reduce the need for the use of private cars.

Road Safety/ Traffic

- 10.5.15. 10 no. new parking spaces are proposed in connection with the proposed scheme, with the traffic movements generated by same being split (60/40) between the

shopping centre car park (and its two existing points of access/ egress onto the Athenry Road to the west and south) and the Maltings estate and its junction with the Athenry Road to the south.

- 10.5.16. I do not consider that the trip generation from the 6 no. car parking spaces serving the small scale commercial units are likely to give rise to a material change in the traffic movements within the shopping centre car park (which provides for 368 no. parking spaces) even when combined with the 6 no. spaces serving the commercial element recently permitted under ACP-322933-25. For this reason, I am of the view that their relative impact on the capacity (and safety) of the centre's junctions with the Athenry Road (which feature adequate visibility splays) and the adjoining regional road network is not likely to be significant. The 4 no. car spaces for the duplex apartments will be served via a proposed home zone and an existing access road with footpaths and a pedestrian crossing leading from the existing residential development of c. 30 no. houses (the Maltings). I am similarly satisfied that the vehicular movements that these will generate (even when combined with the 6 no. spaces permitted under ACP-322933-25 and the and the 8-10 no. car parking spaces serving the 4 no. semi-detached houses and 1 no. detached unit permitted under ABP Ref. 302111-18) would not materially impact the estate's junction with the R446 (which also has adequate visibility splays). Neither would they pose an unacceptable risk to traffic or pedestrian safety or bring the proposal into conflict with DM Standard 28: Sight Distances Required for Access onto National, Regional, Local and Private Roads.
- 10.5.17. The PA refused permission on the basis of the absence of a Traffic and Transportation Assessment, Road Safety Audit Stage 1/ 2 and specific car parking compliance statement in respect of the proposal (and adjoining lands) and cited concerns that the proposal would give rise to increased HGV and LGV traffic movements in a restricted and congested area, as per reason no. 3. The appellant argues that the proposed traffic generation will be well below TII thresholds requiring TTA or RSA.
- 10.5.18. Given the nature and scale of the commercial element of the proposal, I do not consider it has the potential to generate significant LGV or HGV traffic movements

and I am satisfied that all such servicing will take place from the shopping centre car park to the west with no potential for congestion or traffic safety impacts.

- 10.5.19. In respect to the requirement for the aforementioned supporting transportation assessments, I note that DM Standard 33 (inclusive of (a)) states that all significant development proposals, or those that the PA consider would pose a safety risk or traffic impact shall be accompanied by road safety audits, road safety impact assessments and transport and traffic assessments (with this requirement being reiterated by LAP LSST 59). Appendix C of the 2024 Compact Settlement Guidelines which contains advice on supplementary information for planning applications, includes the provision of Road Safety Audits (RSA) in addition to Quality Audits for proposed developments but does not specify a threshold with regards to the size of a development that would require an RSA.
- 10.5.20. Given the nature and scale of the mixed-use proposal which comprises of a small scale infill scheme, together with the fact that I consider the proposal would not pose a pedestrian or road safety risk or give rise to unacceptable traffic impact, I am satisfied that a TTA, RSA or related assessments are not required in this specific instance.
- 10.5.21. In light of the foregoing considerations, I consider that a refusal on traffic or road safety grounds to be unwarranted and I note that this was also the view of the Commission under ACP-322933-25 I response to similar refusal reasoning put forward by the PA.

Servicing/ Circulation Space

- 10.5.22. The PA raises concerns regarding the provision of insufficient set-down, turning and circulation areas and scheme lighting etc. giving rise to pedestrian and traffic safety concerns, with these issues contributing to their refusal reason no. 2.
- 10.5.23. The appellant considers that they have provided for a DMURS compliant, traffic calmed shared surface street which will act as a private cul-de-sac/ domain connected to the Maltings. They also argue that the T-shaped home zone will provide for emergency and service vehicle access by means of a 'Type-1' turning head.
- 10.5.24. I note that a home zone arrangement was also proposed on the east side of the mixed use block to the immediate south, with a turning bay to serve the residential

development being proposed in part of the open space area at appeal stage (and proposed to be removed as part of the Phase 2 layout subject to planning permission and in the event the lands to the north are developed), with these proposals being considered acceptable under ACP-322933-25 subject to a prior to commencement condition (no. 10) requiring the internal road layout serving the apartments to comply with the PA's detailed construction standards and also with the design standards outlined in DMURS.

10.5.25. I note that no auto-track analysis has been submitted in support of the proposal which states that the proposed 'home zone' to the east of the proposed block will be laid out in accordance with the guidance provided in the Best Practice Urban Design Manual: Part 1 (DoEHLG, 2009). Notwithstanding, having considered the fact that the subject area is likely to have low levels of motorised traffic on account of its residential character and cul-de-sac nature, I consider the proposal for a low speed shared surface area, with appropriate traffic calming measures (such as the pedestrianised crossing and clear definition between private parking spaces and the public/ shared realm), which also functions as a turning head is appropriate in this instance and is likely to provide for a safe environment for cyclists and pedestrians. This is notwithstanding the lack of information provided on external scheme lighting which I consider can be addressed by condition.

10.5.26. In respect to refuse collection, I note that commercial and domestic waste storage is integrated into the block's north and south elevations with this design allowing it to be collected via the shopping centre lands or via the Maltings as required.

10.5.27. With regard to the matter of emergency access, whilst I note that this is subject of separate statutory code (Building Control Regulations), I am satisfied that the access road which is c. 5.5 wide (kerb-to-kerb) and the overall layout of the proposed home zone will provide for adequate access to the cul-de-sac for fire tender/ pump appliances as required.

10.6. **Drainage/ Water Services**

10.6.1. GCDP Policies WS4 and DM 36 require all new developments to utilise and connect to the public water and wastewater network and to liaise with Uisce Eireann in this regard. Similarly, Policy LSST 2 of the LAP requires that sufficient capacity is available in public wastewater and potable water infrastructure with developers

required to make a Pre-Connection Enquiry to Uisce Éireann in order to establish the feasibility of a connection to the public network.

- 10.6.2. Refusal reason no. 4 concerned the lack of information on file illustrating that the proposal was capable of connecting to and being serviced by to existing public waste and water infrastructure, with this issue also being raised by the appeal observers who noted that there was no confirmation that public water or wastewater infrastructure can support the proposal.
- 10.6.3. I am satisfied that this refusal reason has now been addressed by the submission with the grounds of appeal of a Confirmation of Feasibility (CoF) letter from Uisce Eireann (dated 20/11/2025) which confirms that the site can be serviced by public potable and wastewater connections without requiring any infrastructure upgrades.
- 10.6.4. However, I do note the CoF letter also states that the Maltings estate is not taken in charge. In this regard, the site layout plan illustrates that the proposed foul water and rainwater pipework will connect to existing drains which were constructed as part of the implementation of the development permitted under P.A. Ref. 18/556 which in turn discharges to the public sewer and surface water drain further south in the Maltings estate. It is stated on the application form that the scheme's water supply will be via an existing connection. On the basis of the proposed servicing arrangements, which are in line with to those recently permitted by the Commission under ACP-322933-25, I consider this approach to be acceptable.
- 10.6.5. In light of the foregoing, in addition to the recent planning history of development permitted in the vicinity of site, I consider that there is sufficient evidence before me to demonstrate the availability of adequate water supply and wastewater system capacity and I am satisfied that the matter of connecting to the UE network is capable of being addressed by condition where the Commission are minded to grant permission.

10.7. Other

Residential Standards

- 10.7.1. The 3 no. apartments proposed comprise of 2-bed dual aspect duplex units (c. 138sq.m internal unit area) split over two floors. Their private amenity space is predominantly provided as terraces located at roof level which have a favourable

east-west aspect (incidental balconies proposed at first and second floor off open plan kitchen/living/ dining rooms and access stairs). Each unit is accessed via an individual residential entrance integrated into the façade of the east elevation.

10.7.2. GCDP Policy DM 3, which relates to apartment developments, states that the development of same should be guided by the Design Standards for New Apartments - Guidelines for Planning Authorities (2018) (or as updated/superseded) in relation to all issues in relation to apartment development.

10.7.3. No housing quality assessment or detailed schedule of accommodation is submitted with the proposal. Notwithstanding, having considered the submitted proposals against the relevant quantitative standards on minimum overall and aggregate floor areas; minimum bedroom floor areas and widths; minimum aggregate bedroom floor areas; and minimum storage, private amenity and communal amenity space as set out under the GCDP and the relevant SPPRs & Appendix 1 of the Planning Design Standards for Apartments – Guidelines for Planning Authorities (DoHLGH, 2025), I am satisfied that they are compliant with same and will provide for a good standard of future residential amenity without relying on relaxations available to them on account of the nature and scale of the site.

Public Open Space

10.7.4. I note that GCDP DM Standard 2: Multiple Housing Schemes (Urban Areas) which deals with the policy requirements around public open space does not specify a required standard of provision, with Policy and Objective 5.1 of the 2024 Compact Settlement Guidelines requiring 10-15% of net site area be given over to public open space.

10.7.5. The appellant draws the Commission's attention to the provision of c. 350sq.m area of open space on the east side of the scheme which they argue will be safe and useable. Whilst I note that not all of this amenity area is likely to be useable on account of its triangular configuration, on the basis of it accounting for over 26% of the site area, I consider that it satisfies the aforementioned policy requirements. I also draw the Commission's attention to its siting adjoining the pocket park recently permitted under ACP-322933-25.

Landscaping/ Boundaries

10.7.6. The appellant argues that the scheme landscaping and boundary treatments will assist its visual integration into the locality. I note from my review of the drawings that the annotations on the plans refer to a landscaping plan that is not submitted with the proposal. Notwithstanding, I consider that what is proposed will harmonise with permitted and existing development on adjoining sites and I am satisfied that the requirement for a more detailed landscape plan (which fully considers and integrates with the other permitted development in the site vicinity and addresses the boundary issue identified in paragraph 10.4.13) can be addressed by condition where the Commission are minded to grant permission.

11.0 Recommendation

I recommend that permission be REFUSED for the following reasons:

12.0 Reasons and Considerations

1. It is considered that the proposed infill development, by reason of its proximity, design and siting, would give rise to unacceptable visual intrusion, overbearance and overlooking on house no. 2 permitted under ABP Ref. 302111-18 (as amended by P.A. Ref. 19/1019) which is under construction, and would negatively affect the internal daylighting to that property contrary to DM Standard 2: Multiple Housing Schemes (Urban Areas) of the Galway County Development Plan 2022-2028 and to Section 5.3.7 (Daylight) of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024) and therefore would seriously injure the residential and visual amenities of the area and be contrary to the proper planning and sustainable development.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Emma Gosnell
Planning Inspector
8th May 2026

Appendix 1

Form 1 - EIA Pre-Screening

Case Reference	PL-500716-GY-26
Proposed Development Summary	Mixed use development consisting of 2 no. offices, 1 no. cafe and 3 no. duplex residential units and all associated works.
Development Address	Cosmona, Athenry Road, Loughrea
In all cases check box /or leave blank	
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	

<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Part 2, Class 10(b)(i) Infrastructure – dwelling units – 500 units. Proposal is to provide 3 no. dwelling units. Part 2, Class 10(b)(iv) - Urban development – 10 hectares (built-up area). Site is c. 0.130ha

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	PL-500716-GY-26
Proposed Development Summary	Mixed use 3-storey development consisting of 2 no. offices, 1 no. café, 3 no. duplex residential units and all associated works.
Development Address	Cosmona, Athenry Road, Loughrea
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 area of the site is given as 0.130ha, there are no significant demolition works involved, and there is no identified risk of accidents or disasters, nor is there any obvious risks to human health that result from the proposed development. Given the size of the overall development and site area the proposed development will not give rise to the production of significant waste, emissions or pollutants.
Location of development	The development site constitutes an infill site located

<p>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>within a mixed-use zoning in the suburbs of Loughrea town. The prevailing context of the area is commercial to the west and residential to the south, east and north.</p> <p>Tributaries of the Kilcolgan River are located c. 800m to south-west and 1km to the north of the appeal site, with neither of same connecting into the Lough Rea SPA Site Code 004134) or the Lough Rea SAC (Site Code 000304) which are both located within c. 600m of the site on account of the direction of the river's flow.</p> <p>The development is generally removed from sensitive natural habitats and designated sites identified significance in the County Development Plan. The site is not located within a Flood Zone and there is no evidence of archaeology or sites of historic or cultural significance within or close to the site.</p> <p>Whilst material concerns are raised regarding the impact of the proposal on existing residential amenity, having regard to the above and the nature and limited scale of the proposed development, I am satisfied that impacts on environmental sensitivities can be adequately assessed in this case without the need for EIA.</p>
<p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>Due to the nature and scale of the development, the construction stage will not be significant in terms of duration or complexity.</p> <p>Having regard to the location of the subject site, noise, dust and vibration emissions are likely during the construction phase with any impacts being local and temporary in nature. The implementation of standard construction practice measures would satisfactorily mitigate potential impacts.</p> <p>The main operational impacts would be limited to residential amenity, traffic and the wastewater and surface water emissions arising from the site. These elements would be subject to standard assessment/design and I am satisfied that these matters can be assessed without potential for significant environmental effects that would require EIA.</p> <p>There would be no significant cumulative impacts with other projects.</p> <p>Having regard to the 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>Conclusion</p>	

Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required).

Appendix 2 – AA Screening Determination

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics Case file: PL-500716-GY-26	
Brief description of project	Normal planning appeal. Proposal to construct a 3-storey mixed-use building comprising of 2 no. offices, 1 no. cafe and 3 no. duplex residential units and all associated works on an infill site at Cosmona, Athenry Road, Loughrea, Co. Galway – see Section 2.0 of Inspector’s Report for further details.
Brief description of development site characteristics and potential impact mechanisms	<p>The site is located c.1km to the northwest of Loughrea town centre on lands zoned commercial/ mixed use. The surrounding area is characterised by a mix of retail, commercial and residential uses as detailed in Section 1.0 of the Inspector’s report.</p> <p>The development involves the construction of a 3-storey mixed-use building and all ancillary works etc.</p> <p>There are no watercourses or other ecological features of note on the appeal site that would connect it directly to European Sites in the wider area. Tributaries of the Kilcolgan River (EPA Code: IE_WE_29K010400) are located c. 800m to south-west and 1km to the north of the appeal site, with this river flowing in a north-westerly direction and away from Lough Rea SPA Site Code 004134) and Lough Rea SAC (Site Code 000304) and generally towards Rahasane Turlough SAC (Site Code 000322) and Rahasane Turlough SPA (Site Code 004089) before discharging into Galway Bay.</p> <p>All surface and foul water is to connect to the existing surface water drain and foul water drain at the Maltings estate – full details in Section 10 of Inspector’s Report – connecting to a Loughrea WWTP (Reg. No. D0194) c. 1.5km north of Loughrea town centre and would flow into St. Cleran’s River which forms part of the Kilcolgan river catchment.</p>
Screening report	No
Natura Impact Statement	No
Relevant Submissions	No
Planning Authority	No objections raised on AA grounds – determined that Stage 2 assessment not required.
Step 2. Identification of relevant European sites using the Source-pathway-receptor model Having regard to the source-pathway receptor-model, I consider that there are 2 no. European sites which have the potential to be affected by the proposal. I have excluded all other European sites on the basis of their substantial physical separation from the appeal site and due to the absence of realistic pathways connecting the appeal site to same.	

European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development	Ecological Connections ²	Consider further in screening ³
Lough Rea SAC (000304)	Hard oligo-mesotrophic waters with benthic vegetation of Chara spp. [3140] Source: NPWS website accessed 08/05/2026.	c. 600m to south	No From a review of relevant EPA mapping, there appears to be no surface water connection between the site and Loughrea SAC. The lake is also c. 2km upstream of the WWTP discharge point.	No
Lough Rea SPA (004134)	Coot (Fulica atra) [A125] Shoveler (Spatula clypeata) [A857] Wetland and Waterbirds [A999] Source: NPWS website accessed 08/05/2026.	c. 550m to south	As Above	No
Rahasane Turlough SAC (000322)	Turloughs [3180] Source: NPWS website accessed 08/05/2026.	c. 11km to west	Potential indirect hydrological connection via the WWTP which discharges into the St. Cleran's River which flows into the Kilcogan River and into Rahasane SAC.	Yes
Rahasane Turlough SPA (004089)	Whooper Swan (Cygnus cygnus) [A038] Golden Plover (Pluvialis apricaria) [A140]	c. 11.5km to west	As above	Yes

	Black-tailed Godwit (Limosa limosa) [A156] Greenland White-fronted Goose (Anser albifrons flavirostris) [A395] Wigeon (Mareca penelope) [A855] Wetland and Waterbirds [A999] Source: NPWS website accessed 08/05/2026.			
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The Kilcolgan river flows into the Rahasane Turlough SAC & SPA c.11.5km to the west of the subject site. Having considered the source-pathway receptor model and the nature and scale of the proposed development I consider that, with the exception of the Rahasane Turlough SAC & SPA, there are no other sites to be within the zone of influence of the project due to lack of connectivity and/or significant distance/dilution factor involved.

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

AA Screening matrix

Having regard to the comparable impacts and effects arising, I deal with the aforementioned SPA and SAC together below.

Site Name	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Rahasane Turlough SAC (000322) Rahasane Turlough SPA (004089)	<u>Direct:</u> None <u>Indirect:</u> potential weak, indirect hydrological connection via discharge from Loughrea WWTP into the Kilcolgan River. This may lead to a potential impact on water quality in terms of increased nutrients. Loughrea WWTP is already the subject of exceedances to its emission limit values.	There is a c. 14km separation between the WWTP discharge point and its downstream connection into the SAC and SPA meaning the effect of any potential indirect impact is highly unlikely to be of any significance due to dilution and dispersal along the course of the Kilcolgan River.
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	

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

I conclude that the proposed development (alone or in combination with other plans and projects) would not result in likely significant effects on a European Site. No further assessment

is required for the project. No measures specifically intended to avoid or reduce harmful impacts of the proposed development on European sites were taken into account in reaching this conclusion.

Screening Determination

Finding of no likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on European Sites, namely Rahasane Turlough SAC (Site Code 000322) and Rahasane Turlough SPA (Site Code 004089), in view of these sites' Conservation Objectives, and Appropriate Assessment (and submission of a NIS) is not therefore required.

This determination is based on:

- The separation distance between the European sites and the discharge location from Loughrea WWTP.
- The significant dilution of waters from the Kilcolgan River and other tributaries to The European Sites.
- The location of the site within an urban area removed from any waterbodies and lack of any hydrological connectivity to any European site.
- No potential for ex situ impacts.

Appendix 3

WFD IMPACT ASSESSMENT STAGE 1: SCREENING

Step 1: Nature of the Project, the Site and Locality

An Bord Pleanála ref. no.	PL-500716-GY-26	Townland, address	Lands located at Cosmoma, Athenry Road, Loughrea Co. Galway.
Description of project	The proposal comprises of the construction of a mixed-use block all associated site works – see Section 2.0 of Inspector’s Report for further details.		
Brief site description, relevant to WFD Screening,	<p>The site is located on lands currently in use as a builder’s storage yard on zoned lands within the settlement boundary of Loughrea, Co. Galway.</p> <p>Located in Flood Risk Zone C.</p> <p>No watercourses on site.</p> <p>The nearest watercourse is the Kilcolgan River (EPA Code: IE_WE_29K010400) with its tributaries being located c. 800m to south-west and 1km to the north of the appeal site. This river flows in a north-west direction past the site appeal towards Galway Bay.</p> <p>The appeal site is also underlain by the GWDTE-Rahasane Turlough (SAC000322) (EPA Code: IE_WE_G_0100) groundwater body.</p>		
Proposed surface water details	Surface water to be connected to and discharged into the public surface water system via an existing drain in The Maltings residential estate. No SuDS measures indicated. See Section 10.6 of Inspector’s report for further details.		

Proposed water supply source & available capacity	Public mains - capacity available without requiring upgrade. See Section 10.6 of Inspector's report for further details.
Proposed wastewater treatment system & available capacity, other issues	Public wastewater network – capacity available without requiring upgrade. See Section 10.6 of Inspector's report for further details.
Others?	n/a

Step 2: Identification of relevant water bodies and Step 3: S-P-R connection

Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface runoff, drainage, groundwater)
Kilcolgan River (transitional)	800m to south-west and 1km to the north	(030) IE_WE_29K010400	Good	At Risk	Urban Waste Water, Agriculture, Industry etc.	No direct pathways. Potential indirect hydrological pathway via WWTP
GWDTE-Rahasane Turlough (SAC000322) (groundwater)	Below site	IE_WE_G_0100	Good	At Risk	Urban Waste Water Agriculture, Industry etc.	No - all surface water to connect to public drain.

Lough Rea (Lake)	c. 550m to south	IE_WE_29_19 4	Moderate	Not At Risk	No pressures	No – river flow is towards WWTP and away from lake.
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Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.

CONSTRUCTION PHASE

No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Surface	Kilcolgan River IE_WE_29K 0104 00	Pathway exists via WWTP	Water pollution	Capacity in WWTP as per CoF on file	No	Screened Out
2.	Ground	GWDTE Rahasane Turlough IE_WE_G_ 010 0	Yes – existing	Water pollution via hydrocarbon spillages/ siltation etc	Best Practice Construction/ Site Management and CEMP – the implementation of the standard measures outlined in same would satisfactorily	No	Screened Out

					address potential impacts.		
3	Lake	Lough Rea IE_WE_29_ 194	No	N/A	N/A	No	Screened Out
OPERATIONAL PHASE							
4.	Surface	Kilcolgan River IE_WE_29K 0104 00	Yes - via wastewater discharge	Water pollution	Capacity in WWTP as per CoF on file	No	Screened Out
DECOMMISSIONING PHASE							
N/A							