



An
Coimisiún
Pleanála

Inspector's Report

PL-500942-GC-26

Development

Permission to demolish existing building known as the Lantern Bar and permission to construct a mixed use 4 storey building to include 1 no. retail unit on ground floor and student accommodation over the four floors with all associated works.

Location

The Lantern Bar Ballybane, Ballybane Shopping Centre Ballybane Road, Ballybane Galway City

Planning Authority

Galway City Council

Planning Authority Reg. Ref.

2560216

Applicant(s)

Glen & Maureen Ward & McDonagh

Type of Application

Permission

Planning Authority Decision

Grant Permission (16 no. conditions)

Type of Appeal

Third Party Normal Planning Appeal

Appellant(s)

Peter Lyons (on behalf of Monivea Park Residents Association)

Observer(s)

Peter Lyons
Edel Lydon
John O'Connell & Clare Plath

Date of Site Inspection

08/06/2026

Inspector

Conor McGrath

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1.0 Site Location and Description

- 1.1. The appeal site comprises the site of the vacant Lantern Bar located within Ballybane Shopping Centre on the western side of the Ballybane Road, to the east of Galway City. The Ballybane Shopping Centre comprises a low-rise (2-storey) neighbourhood centre and contains a number of commercial uses including a Tesco Supermarket & off licence, take-away, pharmacy, betting shop and Recycling Centre. The Lantern Bar is located at the northern end of the centre, bounded by an internal access road to the east and north, which leads to the centre service yard. The subject site outlined in red includes the bar and a small rear western yard area.
- 1.2. The surrounding area otherwise comprises established suburban housing. Two-storey terraced housing at no.'s 1 - 6 Monivea Park back onto the appeal site, with ground levels somewhat higher than those in the Shopping Centre site. The Ballybane road has footpaths with public lighting on either side of the public road. Galway ATU is located c.750m to the south. The "Ballybane Road and Castlepark Road Cycle Network Scheme" is currently under construction along this road. Bus stops on the road provide a current service frequency of c. 20 min.

2.0 Proposed Development

- 2.1. The proposed mixed-use development was subject to revisions at further information stage and the development as granted permission by Galway City Council comprises the following:
 - (1) Demolition of the existing building known as "The Lantern Bar" (586.8-sq.m.).
 - (2) New mixed use 4-storey building to include 1 no. ground floor retail unit (188-sq.m.) and student accommodation over ground and upper floors. Student accommodation to include
 - Ground floor laundry area / bin storage / bicycle storage / managers office and outdoor recreational amenity area and covered seating area (97-sqm.).
 - 19 en-suite bedrooms at upper floor levels, providing 32 no. bedspaces (13 no. double and 6 no. single rooms).

- Third floor gym area (9-sq.m.) along with roof terrace (47-sq.m) located on the eastern face of the building, facing the Ballybane Road.

(3) All associated site works and services.

The proposed development provides for three-storey with a brick, and partial nap plaster finish, and a fourth-floor set-back, with a zinc finish.

Proposed Development Characteristics	
Area of site = 420 sqm	
Overall Floor Area = 926.7-sqm	Plot Ratio = 2.2
1 No. gr flr Retail Unit (188-sq.m. gfa)	Student accommodation = 738.7 sqm incl. gr floor amenities and facilities
19 student bedrooms - 32 bedspaces	
• First floor: 7 no. bedrooms (1 no accessible bedroom) providing 12 bedspaces, with shared kitchen/living/dining area (44 sqm) • Second floor: 7 no. bedrooms (1 no accessible bedroom) providing 12 bedspaces, with shared kitchen/living/dining area (44 sqm) • Third Floor: 5 no. bedrooms (1 no accessible bedroom) providing 8 bedspaces, with shared kitchen/living/dining area (34.5 sqm) and roof terrace	
Amenity space = Total 144sqm	Gym (9-sq.m.)
Gr flr 97-s.m.	Laundry (10-sq.m.)
Roof terrace 47-sq.m.	Security Office (4.2-sq.m.)
Bicycle Parking: 17 no. Secure spaces as stated)	Car Parking: 0
Existing	
Existing Bar / lounge building on-site to be demolished:	Ground Floor Area = 326sqm gfa Total Floor Area = 586.8sqm fga Existing plot ratio: c.1.4

Documentation accompanying the planning application included, inter alia:

- Planning Statement
- Mobility Management Plan
- Student Accommodation Management Plan (updated at FI)
- Shadow Study

The application confirmed that an application was submitted to Irish Water for Pre-connection enquiry based on the change of use and upgrade to existing connection, notwithstanding fact that same may not be required on the basis that there is no proposed increase in water demand/wastewater discharge to/from the site.

3.0 Planning Authority Decision

3.1. Decision

In considering the planning application the planning authority sought further information in relation to a range of matters including:

- Compliance with the 2025 Design Guide for State Sponsored Student Accommodation and Section 5.2 and SPPR 8 of the Apartment Design Guidelines. In particular, compliance was sought with the cluster typography and related space requirements and arrangements of the Design Guide and SPPR 8.
- Compliance with development plan requirements for accessible bed spaces.
- A revised Student Accommodation Management Plan which outlines proposed uses, operation and management out of term/summer holiday period.
- Clarity on restrictions on timing of use of the external amenity space and roof terrace.
- Details of roof level and any roof top plant proposed, and any associated noise attenuation measures and design features, including baffling and screening.

The planning authority subsequently decided to grant permission subject to 16 no conditions, including the following:

- 2.a)** The proposed development hereby permitted shall only be occupied as student accommodation, in accordance with the definition of student accommodation provided under section 13(d) of the Planning and Development (Housing) and Residential Tenancies Act 2016 and as visitor or tourist accommodation outside academic term times and shall not be used for any other purpose without a prior grant of planning permission for change of use.
- b)** In the event of a change of use of the student accommodation being permitted, the developer shall enter into an agreement with the Planning Authority under Section 96 of the Planning and Development Act 2000 (As amended) in relation to the provision of social and affordable housing or submit a certificate of exemption.
- 3.** The proposed development shall be implemented as follows:
- a) The student accommodation shall be operated and managed in accordance with the measures indicated in the Student Accommodation Management Plan submitted on 22nd of December 2025.
 - b) Student house units/clusters shall not be amalgamated or combined.
 - c) The development shall be maintained by a properly constituted management company.
 - d) The use of the external amenity area and roof terrace by occupants/residents and visitors shall be restricted to between the hours of 8am to 8pm Monday to Sunday, including bank holidays, all year round.
- 8.** Condition for the monitoring or site works and resolution of any archaeological remains identified on the site.
- 15.a)** During the operational phase the noise level arising from the development, as measured at the nearest dwelling, shall not exceed:
- i. An Leq, 1h value of 55 dB(A) during the period 0800 to 2200 hours from Monday to Saturday inclusive.
 - ii. An Leq, 15 min value of 45 dB(A) at any other time. The noise at such time shall not contain a tonal component.

b) All sound measurement shall be carried out in accordance with ISO recommendation 1996:2007: Acoustics – Description and Measurement of Environmental Noise.

16. Financial Contribution.

3.2. Planning Authority Reports

3.2.1. Planning Reports

(01/09/2025) The development was screened out or EIA and AA.

The quantum of residential content permissible in mixed use schemes on CI zoned lands is not defined in the CDP. In this case the scale of residential content is weighted against the need to protect this designated neighbourhood centre and the policies of Chapter 6 to protect and enhance level 5 neighbourhood centres.

The ground floor retail use (188m²) is a welcome element which will ensure continuation of the primary retail function of the neighbourhood centre, animate the ground floor level and reinforce the primary land use objective for CI commercial purposes. The mix of uses enhances critical mass at the Neighbourhood Centre through the co-location of complementary uses.

The 1999 Guidelines have been superseded by the 2025 Design. Specific Planning Policy Requirement 8 of the Apartment Design Guideline is relevant

The 31 bedspaces are arranged as one singular house unit cluster and not in accordance with the parameters outlined in the 2025 Design Guide. A range of communal facilities is proposed which enhance the standard and quality of living accommodation for student occupants. 31 bedspaces would be the equivalent of 7.75 no. dwellings giving a density of approx. 184 no. dwellings per ha, which is in keeping with city urban neighbourhoods category under Table 3.2 of the Compact Settlement Guidelines.

The opportune location and accessibility to ATU Dublin Road campus, existing and planned public transport and cycle routes is recognised. The density is acceptable and in adherence with Compact Settlements Guidelines. The site layout plan complies with SPPR 1 - Separation Distances of the Compact Settlements Guidelines. A Shadow

Study accompanies the application. There will be little to no impact during Spring, Summer and Autumn due to the orientation of the building.

Third party objections raise concerns regarding potential noise. Clarification will be sought regarding the proposed time restrictions on the use of external spaces and plant noise. Outdoor amenity spaces enhance the standard of student accommodation, subject to the anti-social behaviour regime and time restrictions on the use of the external amenity spaces set out in the Student Accommodation Management Plan. Other facilities and amenities are welcomed, contributing to a good level and quality of on-site facilities.

The development will be equipped with 17 no. “long stay” secure bicycle parking spaces which fulfils the CDP requirements (Table 11.3). In addition, visitor bicycle parking spaces are available in the Ballybane Shopping Centre.

The Conservation Officer’s Report emphasises the proximity of the existing Rath/Ringfort National Monument and the need for archaeological monitoring.

The existing building is of little architectural design merit. The design and its location and context at the termination of a parade of units, within a neighbourhood centre, enables a re-evaluation in terms of design, scale and height in the new building. In principle, a 4-storey development is open for consideration at this location under the Galway Urban Density and Building Height Study (2021). While the development displays an increase in scale and height, its design is responsive to its context and surrounding residential amenity.

The development complies with the requirements pertaining to new infill development described under Section 3.6 Sustainable Neighbourhoods: Established Suburbs, and Policy 8.7 Urban Design and Placemaking of the CDP and the Galway City Urban Density and Building Height Study (2021).

There are two other student accommodation schemes to the south on the eastern side of the Ballybane Road. In view of the existing level of student accommodation in the vicinity and the modest number of student places in the proposed development, the proposal does not represent an overconcentration of student accommodation at this location.

The development complies with Policy 3.1 of the CDP to support purpose built student accommodation at appropriate locations. Such accommodation would free up existing private rental housing addressing demand. The site is opportunely located within short walking distance of the ATU campus (approx. 600m /7minutes), existing and planned public transport services and active travel facilities.

There will be a presumption against the requirement for car parking and none is proposed. The arrival and departure of students at the start and end of the academic year will be managed similar to other schemes in the city. All residents will be subject to an occupier agreement.

(04/02/2026) Revisions at further information stage present a new cluster format, which complies with the design standards and space requirements and cluster typology set out in the 2025 Design Guide and SPPR 8. Accessible bedspaces are provided as required by Section 11.30 of the CDP. A revised Student Accommodation Management Plan outlines proposed uses, operation and management of the student accommodation facility during the out of term/summer holiday period.

Parking is available at the adjacent car park that serves the existing pub and shopping centre. An accompanying letter from the applicant's solicitor outlines that there are no designated car parking spaces at the overall site and that the car park can be "best described as open parking for all units". The proposed management of summer let parking is reasonable for this accessible location.

All residents will have to sign an occupier agreement. A condition that restricts the use of the external amenity area and roof terrace to between the hours of 8am to 8pm Monday to Sunday, including bank holidays, all year round would safeguard residential amenities and address third party concerns.

A revised roof plan shows location for future solar panels at third floor level. Air con will require outdoor fan units (6 no.) located to the rear of the building at first floor level, screened with a timber screen. Noise output shall be further governed by condition to safeguard existing residential amenities.

The development complies with CI land use zoning, safeguards the primacy of the neighbourhood centre while contributing to a diversification and concentration of a

complementary residential use contributing to a '15-minute neighbourhood' as sought by Policy 6.12 Retail Hierarchy.

3.2.2. Other Technical Reports

- Transportation / Drainage Section - No objection subject to condition. Surface water drainage design must incorporate SuDS measures
- Conservation Officer – The planning application does not impact a Protected Structure or Architectural Conservation Area. The site is near GA082-010001- : Souterrain. The addition of a condition to include for licenced monitoring of excavation works by a suitably qualified archaeologist is recommended.
- Executive Scientist, Environment Section – observes no Construction Waste Management Plan has been submitted for the proposed development.

3.3. Prescribed Bodies

HSE (National Environmental Health Service): No comments/observations.

3.4. Third Party Observations

The planning authority received a number of third party observations which generally raised the following issues:

- Excessive scale and height of development.
- Overlooking and loss of privacy
- Inadequate car parking and potential overspill effects.
- Effects from operations out of term-time.
- Noise and disturbance effects
- Overshadowing and loss of light.
- Deficiencies in infrastructure to support the development

4.0 Relevant Planning History

- 4.1. Reports on the file identify historic planning permissions granted on the wider neighbourhood centre site, including the original permissions for the overall commercial development (PA ref 80/219, 82/560, 82/326)

PA ref. 23/9: Permission granted for extension of existing Pharmacy in unit 5 into unit 6, reallocation of the existing takeaway in unit 6 into unit 7, and associated works.

5.0 Policy Context

5.1. Relevant National or Regional Policy / Ministerial Guidelines

5.1.1. National Planning Framework (First Revision)

Demand for student accommodation exacerbates pressures on the available supply of rental accommodation. In the years ahead, student accommodation pressures are anticipated to increase. The location of purpose-built student accommodation needs to be as proximate as possible to the centre of education, as well as being connected to accessible infrastructure such as walking, cycling and public transport. Student accommodation also contributes to the financial, cultural and social fabric of regions, cities and towns. The adaptive reuse of existing buildings and brownfield sites can assist with the reduction of vacancy and dereliction, thereby promoting vitality and vibrancy in settlements, in support of Town Centre First principles. The National Student National Student Accommodation Strategy supports these objectives.

5.1.2. Delivering Homes, Building Communities 2025-2030: An Action Plan on Housing

7.7 Building More Purpose-Built Student Accommodation

Government is committed to a long-term student accommodation strategy focused on increasing the supply of student accommodation in line with demand. The strategy aims to create an environment where accommodation cost and availability does not act as a barrier to attending third level education. It also aims to increase the supply of student specific accommodation, reducing reliance on the private rental market and increasing housing availability for private individuals and families.

The Student Accommodation Strategy 2025–2035, will set out Ireland’s national policy to support access to appropriate housing for full-time undergraduate and postgraduate students. The objective is to increase the supply of new student accommodation beds through two pillars - supply and viability measures and to provide targeted affordability supports for priority groups.

5.1.3. National Student Accommodation Strategy 2026–2035

(Note this Strategy was published subsequent to the lodgement of the application)

This Strategy aims to support expansion of PBSA on publicly owned on-campus sites, and off campus.

3.1 Policy Objective and Target

The Strategy aims to increase the supply of new student accommodation beds and promote alternative housing options, to address the 42,000 additional student accommodation requirement emerging between now and 2035 without increasing reliance on the private rental sector.

The Strategy recognises the growth of Technological Universities and the need for PBSA development on or close to TUs. Addressing this housing need is essential to supporting equitable access to education and enhancing the student experience.

Strategic Pillar 1 Viability and Supply, focuses on activating supply of 42,000 student beds, including On and Off Campus PBSA and Rent-a-Room beds over a ten-year period to meet the projected levels of demand.

5.1.4. Climate Action Plan 2025

14.2.3 ‘Avoid’ and ‘Shift’ Measures - Enhanced Spatial and Land Use Planning

The policy pathway for cutting transport emissions centres around the ‘Avoid-Shift-Improve’ approach and specifically, Compact Growth Transport Orientated Development, improved ‘Active Travel’ infrastructure, better public realm and planning consents for alternative fuel, and EV charging infrastructure.

5.1.5. Climate Action Plan, Moving Together – A Collaborative Approach to Systems Change in Transport 2026–2030.

This strategy was developed to fulfil a commitment in the Climate Action Plan 2023.

The education sector has a role to play in reducing unsustainable transport demand through the provision of effective mobility management plans and building programmes that locate or develop existing schools and institutions in a way that restrains, not accelerates transport demand, such as the development of student specific accommodation – thus negating the need for travel. Accommodation through the rent-a room scheme and private student specific accommodation are a sustainable and important element of the student accommodation supply.

Implementation Plan: 21a Increase the supply of student accommodation:

Increasing the supply of purpose-built student accommodation and digs accommodation in the vicinity of HEIs will reduce travel demand. Students, living on or near campus means shorter, more sustainable journeys by walking or cycling, which also supports wellbeing and campus engagement. At a broader level, increasing student accommodation supply can help create a more balanced and efficient use of transport infrastructure.

5.1.6. Planning Design Standards for Apartments Guidelines for Planning Authorities (July 2025).

5.0 Shared Accommodation/Co-living Sectors and Purpose-Built Student Accommodation

The Department of Further and Higher Education is developing “The Design Guide for State Sponsored Student Accommodation 2025”. The Guide can inform the planning and design of off-campus forms of student accommodation that are led by the private sector. The 2025 Guide supersedes the 1999 Department of Education Guidelines.

Adherence to the Design Guide is not a mandatory policy.

Specific Planning Policy Requirement 8

- (A) (i) There shall be no requirement or restriction in relation to the provision of en-suite bathrooms for single study bedrooms within Purpose Built Student Accommodation schemes.
- (ii) The minimum required area for a single study bedroom without en-suite facilities is 8 sq.m and the minimum required area for a single study bedroom with en-suite facilities is 11.5 sq.m; and statutory plans may not set out minimum required areas that exceed the minimum required areas set out within this SPPR. areas set out within this SPPR.
- (iii) The minimum space requirements for kitchen/dining/living areas serving 10 and 12 persons are 3.6 sq.m and 3.3 sq.m per person, respectively; and statutory plans may not set out minimum required areas that exceed the minimum required
- (B) Where any other requirement or restriction is set out within a statutory plan, this Specific Planning Policy Requirement shall apply to any single student accommodation scheme.

5.2. Other Guidance

5.2.1. The Design Guide for State Sponsored Student Accommodation 2025

This Guide reflects guidance on new design standards or typologies for state sponsored on-campus accommodation. It is also intended, where appropriate, to inform the planning and design of private sector off-campus accommodation.

Clear standards are set out to enable the most efficient use of space and enhance viability. The key design standards include:

- allows for the provision of single study bedrooms without en-suite bathroom.
- The minimum required area is 8 m² for a single study bedroom and 11.5 m² for a study bedroom incorporating an en-suite bathroom.
- The Guide provides options of single study bedrooms without ensuites, while also allowing flexibility in the mix of room types, such as single, twin, and double rooms, within a student accommodation development.

The Guide sets out minimum requirements for kitchen/dining/living space which decreases as cluster sizes increase, that is for larger shared clusters serving 8 or more study bedrooms, an occupancy rate of 75% has been applied. With respect to kitchen/dining/living areas serving 10 and 12 persons therefore, the minimum space requirements are 3.6 m² and 3.3 m² per person, respectively.

2.2 Cluster Design

Typical arrangements of clusters of 4, 6, 8, 10 and 12 study-bedrooms are illustrated and the 'Key Benefits' and 'Key Constraints' associated with each are outlined.

5.3. Regional Spatial And Economic Strategy 2020-2032

Galway Metropolitan Area Strategic Plan

Student Accommodation - comprises a significant quantum of the city population and there is a particular demand for student niche accommodation in the city to meet their needs. The objective of the MASP is to support the provision of purpose built student accommodation both on and off campus at appropriate locations. Delivery of this type of accommodation can be met on a variety of mixed zoned sites and is beneficial in freeing up existing private housing stock within existing housing developments. This type of accommodation also has the potential to meet tourism accommodation demands outside term time.

5.4. GALWAY CITY DEVELOPMENT PLAN 2023-2029

The subject lands are zoned “CI- Enterprise, Light Industry and Commercial” which seeks “to provide for light industry and commercial uses other than those reserved for in the CC(City Centre) Zone”.

Section 11.2.6 identifies uses which may contribute to the zoning objective, including: *“Residential content of a scale that would not unduly interfere with the primary use of the land for CI purposes and would accord with the principles of sustainable neighbourhoods outlined in Chapter 3.”*

Surrounding lands are zoned residential, with an area of RA, Recreational and Amenity, zoned lands to the northwest.

Chapter 6 Economy, Enterprise and Retail - Policy 6.1.14: to facilitate the development of the designated District, Neighbourhood and Local centres at a scale appropriate to serve the associated catchment areas while encouraging low carbon trip patterns and contributing to achieving the benefits of the “15-minute neighbourhood concept”.

Policy 6.12.7 – to promote and protect Neighbourhood Centres in their role as providers of a mix of local services including retailing of a basic, predominantly convenient nature that are so located to be easily accessible by the catchment they serve and where they can contribute to the concept of the ‘15 minute neighbourhood’.

Chapter 3 Housing and Sustainable Neighbourhoods - Housing for Specialist Needs -

Policy 3.1.17: to support the development of high quality and high standard purpose-built student accommodation (PBSA) at appropriate locations and of appropriate design to meet the demand for student housing in accordance with the National Student Accommodation Strategy (2017) and any subsequent updates.

Section 3.4 defines Ballybane as an Established Suburb

Policy 3.5 Sustainable Neighbourhoods: Established Suburbs

1. Facilitate consolidation of existing residential development and densification where appropriate while ensuring a balance between the reasonable protection of the residential amenities and the character of the established suburbs and the need to provide for sustainable residential development and deliver population targets.
2. Encourage additional community and local services and residential infill development in the established suburbs at appropriate locations.
3. Prepare a regeneration plan focusing on the open space areas in Ballybaan in consultation with the local community and stakeholders

Residential Densities:- Application of density standards will be balanced with general criteria such as standards of layout and design, architectural quality and provision of open space. In the established neighbourhoods, residential densities will be required to be balanced with protection of existing residential amenity and character of these areas

Sustainable Neighbourhood Concept Policy 3.3.5: Encourage higher residential densities at appropriate locations as guided by the Galway Urban Density and Building Height Study (2021). Such locations include strategic Regeneration and Opportunity Sites, and residential and mixed use zoned sites located close to public transport routes and routes identified in the Galway Transport Strategy as suitable for high frequency, public transport services.

Chapter 4 Context Sustainable Mobility and Transportation: Policy 4.2.4 Promote effective sustainable residential densities in the city particularly along and close to the existing and planned public and sustainable transport route network.

Figure 4.2 identifies Ballybane Roads part of the Primary Cycle Network

8.8 Urban Design and Placemaking

The Galway City Urban Density and Building Heights Study (2021) outlines a strategy to help guide and influence urban density and building height of new development. The study includes densities and building height ranges open for consideration as part of the overall assessment of proposed developments. These suggested ranges of scale and intensity are a guide and are not absolute measures to be pursued or achieved and each site should be considered on its merits. Densities and heights lower or higher than those outlined in the study may be appropriate when assessed against other relevant policy and guidance.

Policy 8.7. Adhere to the Galway City Urban Density and Building Height Study (2021) and promote development which incorporates high quality sustainable and inclusive urban design, urban form and architecture that positively contributes to the city's character, heritage and neighbourhood areas.

Cycle parking for all areas shall be provided as per the requirements in Section 11.3.1(h). Student accommodation is required to provide 1 short stay space per 5 bedrooms and one long-stay space per 2 bedrooms.

11.9 Commercial and Industry

Section 11.9.1 sets out matters to be taken into account when considering the design, layout and use mix of development in CI and I zones in so far as they relate to a particular development proposal.

11.9.2 Site Coverage and Plot Ratios for CI and I Land Use Zones

Table no.11.4 gives maximum site coverage and plot ratios for CI zone lands:

Maximum Site Coverage 0.80 Maximum Plot Ratio 1.25

- In the case of infill development in an existing terrace or street, it may be necessary to have a higher plot ratio in order to maintain a uniform fenestration and parapet alignment or to obtain greater height for important urban design reasons. In such circumstances, the Council may allow an increased plot ratio.
- Where a site has an established plot ratio in excess of the general maximum for its zone, re-development may, in exceptional circumstances, be permitted in line with its existing plot ratio.
- Minor extensions, which infringe plot ratio or site coverage limits may be permitted.
- On CI zoned lands, where it is proposed to provide, above ground level, an amenity open space area in association with residential accommodation, this space may be accepted as open space for site coverage purposes.

Table 11.5 identifies minimum open space requirements, which will apply in CI zone land: 5% of the total site area and 50% of the gfa of residential content where a residential content is proposed.

Section 11.9.3 notes that in situations where effective open space cannot be provided due to the location of existing buildings, inappropriate aspect, small scale or for other reasons, the Council may consider a lesser standard.

11.10 Urban Development and Building Height:- With respect to building height, developments shall specifically have regard to the Galway Urban Density and Building Height Study (2021) which sets out the framework for density and building height in the city.

Section 11.30 Student Accommodation supports the provision of high quality, professionally managed, purpose-built student accommodation on/off campus at appropriate locations in terms of access to sustainable and public transport modes and third level institutes, which respects the residential amenities of the area.

An appropriate management plan should minimise potential negative impacts on surrounding properties and neighbourhoods. Adequate open space of suitable orientation should be provided within developments.

Proposals for student accommodation should comply in general with the design standards promoted in the Guidelines on Residential Development for Third Level Students (DES 1999), the supplementary document (2005) and the Student Accommodation Scheme, and National Student Accommodation Strategy (2017) and Circular PI8/2016 unless superseded.

Section 11.30 identifies matters to be considered when assessing planning applications for student accommodation. It includes a presumption against the requirement for car parking, however each proposal will be assessed on its merits and the intensity of use outside of the academic year.

5.4.1. Galway Urban Density And Building Heights Study 2021

18. Established Suburbs

Generally, the eastern established suburbs of Galway are low density areas of typically two storey housing. Within the established residential areas, there are opportunities for intensification along the principal corridors ..(incl) .. Ballybane Road.

Development Guidance

Prevailing densities: Between 25 and 30 dph within the established suburbs.

Densities open for consideration: Between 30 dph rising to around 50 dph around key community centres and nodes. Densities could be higher again along the Dublin Road corridor and around the Skerritt Roundabout and also along the Sandy Road regeneration area given its proximity to the city centre.

Prevailing heights: Generally 2 storeys within the established suburbs.

Heights open for consideration: Between 2 - 3 storey within the established suburbs, rising to between 2 - 4 storey at key community centres and nodes.

5.5. Natural Heritage Designations

The site is not within or adjacent to any nature conservation sites. The closest sites are approx. 1.4km south of the site comprising.

- Inner Galway Bay SPA
- Galway Bay Complex pNHA / SAC
- Inner Galway Bay SPA

6.0 EIA Screening

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

7.0 The Appeal

7.1. Grounds of Appeal

One third party appeal against the planning authority decision to grant permission has been received from Peter Lyons on behalf of Monivea Park Residents Association, which raises the following grounds:

- Height and proximity of the proposed development will result in overlooking of properties in Monivea Park.

- There will be direct line of sight from upper floors to adjoining properties which enjoy a degree of seclusion.
- The scale development relative to adjoining low rise properties will have an oppressive and intrusive effect, eroding residential amenity.
- Parking provision is deficient and will lead to overspill parking on adjoining roads, reducing parking for local residents, with associated amenity and traffic safety concerns.
- Increased traffic will exacerbate existing traffic issues in the area.
- Overdevelopment of the site, with impacts on existing surrounding residents

7.2. **Applicant Response in the case of a 3rd Party Appeal**

In response to the third party appeal, the first party make the following points:

- The development will be built on the same footprint as the Lantern Bar, with minimum separation of 34.4m from the nearest houses to the north.
- This exceeds the requirements of the Development Plan and Compact Settlement Guidelines.
- The submitted Shadow Study Analysis demonstrates there will be only minor overshadowing of a small part of the rear gardens in March.
- The applicant is willing to provide obscure glazing on upper floor windows on the northern elevation and an obscure glazing screen to the roof terrace (revised plans submitted in this regard).
- These measures will fully address the appellants overlooking concerns.
- Noise levels will be no greater than existing public bar use and conditions on timing of use of the terrace and on noise emissions will protect residential amenities.
- The majority of students will walk or cycle to ATU, and there are adjacent bus services, which provision is to improve with Bus Connects.

- There are also improvements underway to pedestrian and cycle facilities in the area.
- The location is appropriate for zero parking provision in accordance with national policy, supported by the provisions of the submitted Mobility Management Plan.
- The development plan indicates that there is a presumption against parking provision for student accommodation proposals.
- Student accommodation and short-let use outside of term time will generate less parking demand than the existing use at the site (73 no. spaces).
- Parking is available within the overall commercial site, as clarified at further information stage. The development plan sets no parking requirement for short-term lets, whose users are expected to travel by public transport.
- Based on the Compact Settlement Guidelines, the student accommodation equates to 8 dwelling units (32 bedspaces / 4), for which the development plan would have a parking requirement of 14 no. spaces.
- There will therefore be an overall reduction in parking demand.
- It has been demonstrated that the absence of car parking is acceptable and that there will be no impact on adjoining properties.

7.3. Planning Authority Response

No response to the grounds of appeal has been received from the planning authority.

7.4. Observations

Three observations were received on the appeal from Peter Lyons, Edel Lydon and John O'Connell & Clare Plath.

The observations from Peter Lyons and from Edel Lydon reflect the grounds of appeal and are therefore not repeated further below. The observation from John O'Connell and Clare Plath raise the following additional points:

- The development will erode their privacy due to overlooking from upper floor windows of their private open space and to the rear of adjoining houses.

- There will be an impact on the use of their rear garden.
- There will be noise and privacy impacts from use of the upper floor terrace.
- Existing issues with rubbish being thrown over their rear garden wall will be exacerbated by the proposed development.
- There are security concerns regarding the potential for access to the rear of their property (as already occurs).
- The height of the development will impact on light to their property.
- The absence of car parking will result in overspill impacts on the surrounding area.

8.0 Assessment

8.1. 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, and 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:

- Land use and development principle
- Design (including height and scale)
- Residential Amenity
- Compliance with relevant Guidance for Student Accommodation
- Transport and access
- Any Other Matters arising.

8.2. Land Use and Development Principle

8.2.1. The site is located within the existing Ballybane Shopping centre site, which comprises the existing two storey commercial centre and large surface car park to the south. The subject lands are zoned CI- Enterprise, Light Industry and Commercial uses, however, residential use is permissible where it is of a scale which would not unduly interfere

with the primary use of the land for CI purposes and would accord with the principles of sustainable neighbourhoods outlined in Chapter 3.

- 8.3. The overall intensity of use on the CI lands is currently low. The extant use on the site is as a public house, currently vacant, while the proposed development will provide for a ground floor retail unit with student accommodation over. The proposed development comprises a small portion of the overall CI lands and the proposed retail use will contribute to the overall commercial function of the site. The extent of residential use proposed is not significant in the context of the overall site and I do not consider that the proposed development would undermine the CI zoning objective. I would concur with the assessment of the PA that the proposed development would support the overall commercial use of the lands and is in accordance with the land use objectives of the development plan.

8.4. Design (including height and scale)

- 8.4.1. The existing shopping centre development is generally not of a high standard of design and is reflective of its age. The main commercial element was provided with new external cladding in more recent years, however, the development does not contribute positively to the character of the surrounding area. The former Lantern Bar comprises a red-brick two-storey structure, at the northern end of the commercial centre and reads as a separate property. The structures are set-back from the Ballybane road behind the internal access road and surface car parking. Notwithstanding its current vacant state, the design of the former public house has a poor relationship with, and does not contribute to, the adjoining public realm.
- 8.4.2. The proposed development comprises the demolition of the former public house and its replacement with a four-storey block with a mixture of dark zinc cladding, pale brick and plaster finishes. The footprint of the block generally reflects the irregular plan of the existing structure on the site. The proposed ground floor retail unit addresses the Ballybane Road to the east and the northern access road. This retail unit (188-sq.m.) will contribute to the overall commercial use of these CI lands and enliven the public realm to the east and north. This modest scale of residential use will also provide for increased activity within the area, while student residents will be able to avail of the facilities within the centre.

- 8.4.3. Ground levels in the area generally fall north-south and the submitted drawings indicate that the finished floor level of the proposed retail unit (29.45m) will be c.1.8m lower than the floor level of houses in Monivea Park to the north (31.26m).
- 8.4.4. The proposed 4-storey block will be higher than the surrounding pattern of 2-storey development, however, having regard to its location within the commercial centre and its set-back from adjoining roads and residential neighbours, I consider the height can be accommodated within the site. I do not consider that the development would result in significant negative visual impacts in terms of such height. I note that the Galway Urban Density and Building Height Study identified potential for such height at key community centres and nodes, which I consider the Ballybane Shopping Centre to comprise. The proposed development introduces a new typology to this area, however, it will result in an overall improvement to the existing environment and streetscape. In this regard, I do not share the concerns of the third parties in terms of the design of the development.
- 8.4.5. A plot ratio of 2.2 on the subject site would be greater than the standards set out for CI lands in the City Development Plan, however, when considered in the context of the level of development on the overall CI zone at Ballybane, and the provision for increased plot ratio to be accepted under section 11.9.2 of the development plan, it is not considered that the proposed development would constitute overdevelopment of the site, or be contrary to the provisions of the development plan.
- 8.4.6. The Compact Settlement Guidelines, (Table 3.2) indicate that for such urban neighbourhoods in Galway, it is policy that residential densities in the range of 50 – 200 DPH shall be applied. The Guidelines (footnote 3 of section 3. 2.1) further indicate that *'When calculating net densities for shared accommodation, such as student housing, four bed spaces shall be equivalent of one dwelling.'* In this instance, the proposed development would provide for an equivalent of 8 no. dwellings, with a density equivalent of 190 / ha, however, such density should be seen in the context of the overall CI lands of which it forms part. While such density would be greater than that identified in the Galway Urban Density and Building Height Study, the development plan recognises that greater heights and densities may be appropriate when assessed against other policy and guidance.

- 8.4.7. In terms of section 3.4 of the Compact Settlement Guidelines, having regard to the nature of the proposed location, where the Bus Connects network provides for 12-25 min frequency services along Ballybane Road and within 1km of planned Core Bus Corridor (7.5-10min frequency) on the Dublin Road – the development may be regarded as constituting an Intermediate Location. I note also, however, that the proposed development is located in close proximity to a significant likely destination for residents, where ATU is located c.750m from the subject site and that significant cycle infrastructure is being provided along the Ballybane Road. Such characteristics would improve the accessibility characteristics of the site.
- 8.4.8. In terms of the character of the area, and section 3.4.2, the wider Ballybane Shopping Centre site has the capacity to accommodate and support this density of development, without negatively impacting on the visual or residential amenities of the receiving environment. Taking into account the overall use of the CI lands, the accessibility and proximity of the site to ATU and the nature of the use proposed, I consider that the development is acceptable and accords with the provisions of the development plan and Compact Settlement Guidelines.
- 8.4.9. Section 11.9.3 of the Development Plan seeks minimum provision of open space on CI zoned lands of 5% of the total site area and 50% of the gross floor area of any residential content. The plan does provide however, that where effective open space cannot be provided on sites due to the location of existing buildings, inappropriate aspect, small scale or for other reasons, a reduced standard may be acceptable.
- 8.4.10. The proposed development provides 144-sq.m. of open / amenity space, which is considered satisfactory in terms of residential amenity. There is limited scope on this constrained site, within the wider CI lands, to achieve increased levels of provision in accordance with section 11.9.3. I am of the view that this development comprising the redevelopment of the existing public house, which otherwise achieves compliance with the development plan policy context, is a suitable case for the application of flexibility in accordance with the provisions of the plan. I do not consider that the development contravenes these provisions of the plan.

8.5. Residential Amenity

- 8.5.1. Of particular concern to the third parties is the potential impact of the development on their residential amenities, particularly in terms of overlooking / loss of privacy and loss of light / overshadowing. Concerns have also been raised in respect of noise and disturbance, particularly from use of the rooftop amenity space, and security.
- 8.5.2. The proposed development provides residential accommodation at 1-3rd floors. In terms of impacts on adjacent residential amenity, only windows on the northern elevation have the potential to give rise to overlooking / impact on privacy of adjoining properties. In this regard, I note that windows on this elevation range are c. 34m from the rear elevation of no. 1-6 Monivea Park at the closest point. This separation is significantly greater than the requirements of section 11.3 of the development plan (11m from boundaries) and Compact Settlement Guidelines. Notwithstanding, I note the concerns of the appellants and the perception of overlooking which may arise. In this context, as bedrooms served by these windows are served by other windows on the eastern and western elevations respectively, there is scope to require that windows on the northern elevation are fitted with obscure glazing. Similarly, corridor windows could be so modified. The changes suggested in the first party appeal response reflect such revisions. Window to the third-floor kitchen area may be provided as a high level window only. I am satisfied that such modifications would adequately address third party concerns in this regard.
- 8.5.3. The third-floor roof terrace is also located c.34m from the rear of adjoining properties to the north. Overlooking from the terrace could be addressed by the provision of a glazed screen on the northern elevation, as suggested in the first party appeal response. Concerns with regard to noise impacts were considered at further information stage. I consider the proposed temporal restrictions on the use of the terrace to be a reasonable response to concerns in this regard and should be subject to appropriate conditions in the event of a decision to grant permission.
- 8.5.4. Plant noise was also raised during the course of the planning application and the response of the applicant is regard as sufficient to allow this matter to be subject to condition on the level of emissions at operational stage.
- 8.5.5. In terms of impacts on daylight and sunlight, I note that the appeal site is located to the south of houses no. 1-6 Monivea Park, with separation of the block from the rear boundary wall of c.12.5 – 16m. Separation from the rear of the houses in Monivea

Park is c.34.4m at the closest point. Ground levels on the subject site are approx. 1m lower than the adjoining rear gardens and up to c.1.8m lower than ground floor level of the adjoining houses. A Shadow Study Analysis was submitted with the planning application, which indicates that any overshadowing effects arising, if any, will be minor in nature, affecting only the end of these long rear gardens. No significant effects are identified therein. The conclusions of the shadow analyses are regarded as being reasonable. While it is acknowledged there will be a change to the aspect from the rear of these adjoining properties in this urban location, having regard to the scale and separation of development proposed and prevailing ground levels, significant negative effects in this regard are not anticipated.

- 8.5.6. Observers have also raised concerns with regard to anti-social behaviour and potential impact on the security of their property. The observations indicate that issues in this regard exist in the current scenario. The rear boundary of adjoining houses to the north currently comprises a block wall of varying height, bounding the service road and grass verge serving the neighbourhood centre. I note that the proposed development will not alter this boundary or extend any closer to the boundary than the current structure. The existing the Lantern Bar or retail centre does not provide for any overlooking or surveillance of this area, which contributes to potential for anti-social behaviour therein. The proposed development has the potential, however, to increase the level of passive surveillance and general activity in this area in a positive manner. In this regard, I do not consider that the development will give rise to any erosion of the security of the adjoining properties.

8.6. Compliance with relevant Guidance for Student Accommodation

- 8.6.1. The City Development Plan requires that proposals for student accommodation should comply in general with the design standards promoted in the Guidelines on Residential Development for Third Level Students (DES 1999), the subsequent supplementary document (2005) and the Student Accommodation Scheme, (ORC 2007) and National Student Accommodation Strategy (2017) and Circular PI8/2016 unless superseded by new standards. It also provides a set of criteria against which proposals will be considered.

- 8.6.2. The Design Guide for State Sponsored Student Accommodation 2025 was published in May 2025. The Planning Design Standards for Apartments Guidelines for Planning Authorities (July 2025) note that the Design Guide supersedes the 1999 Guidelines.
- 8.6.3. I conclude therefore that the relevant design standards for the purposes of assessing the application are the 2025 Design Guide. During the course of the application the planning authority sought revisions to the development to achieve compliance with the provisions of this design guide, primarily seeking a clustered approach to the student accommodation and ensuring that adequate levels of amenity were achieved. As revised, the development provides 32 no bedspaces in 19 no bedrooms, as follows:
- First floor: A cluster of 7 no. bedrooms, including 1 no wheelchair accessible bedroom (12 persons/bedspaces), with shared kitchen/living/dining area (44 sqm),
 - Second floor: A cluster of 7 no. bedrooms, including 1 no wheelchair accessible bedroom (12 persons/bedspaces), with shared kitchen/living/dining area (44 sqm),
 - Third Floor: A cluster of 5 no. bedrooms, including 1 no accessible bedroom (8 persons/bedspaces), with shared kitchen/living/dining area (34.5 sqm) and roof terrace and gym area
 - Facilities and amenities include ground floor Laundry (10-sq.m.) and an outdoor amenity area of 97-sq.m.. At third floor level, a gym area (9-sq.m.) and roof terrace (47-sq.m.) are proposed.
- 8.6.4. Bedroom floor areas exceed the standards set out in SPPR8 of the Apartment Design Guidelines and within the Design Guide for State Sponsored Student Accommodation 2025. Kitchen /living/dining areas also meet or exceed the recommendation of the 2025 Design Guide. The development plan requirement with regard to accessible bedrooms is complied with. The development provides 144-sq.m. of open / amenity space at ground floor and third floor terrace levels. This equates to 4.5-sq.m. per bedspace. The 2025 Design Guide does not include standards in this regard, however, I note that such provision would generally accord with the standards set out in the Apartment Design Guidelines for studio and one bed units, and is considered acceptable.
- 8.6.5. The proposed development is modest in scale and there is no evident concentration of such uses in the area. The development proposes the short-term letting of the units

outside of term time which would be in accordance with classification of student accommodation under the Planning and Development Act 2024 (as amended). I do not consider that such use would necessarily give rise to any additional or different impacts on adjoining residential amenity and would be subject to the overall management plan for the facility. The proposed development is regarded as acceptable use of this site and would provide satisfactory levels of amenity for future residents.

8.7. Transport and access

- 8.7.1. The site is located within the existing Ballybane Centre, which is provided with access from Ballybane road to the east. The existing public house on the site has an overall stated gross floor area of 586 sqm. Allowing for ancillary and service areas, I estimate the results an approximate net (bar / lounge) floorarea of 450-sq.m. which would generate a requirement for up to approximately 56 no. parking spaces in accordance with Table 11.6 of the Development Plan (1 space per 8 sqm gross floor area for bar and lounge). I note that the first party calculations of current parking demand (73. No. spaces) are based on gross floor space rather than net bar and lounge areas which I consider to be a more correct interpretation of the development plan.
- 8.7.2. The Ballybane shopping centre is provided with extensive surface car parking and a letter from the applicant's solicitor accompanying the FI response, outlines the understanding that there are no designated car parking spaces per unit and that car parking is therefore available for the use of all units within the centre.
- 8.7.3. The development plan sets out a presumption against the provision of car parking for student accommodation, and the development does not propose any specific provision for the use. Proposed ground floor retail use on the site would generate a requirement for 12.5 no spaces (188-sq.m. / 1 space per 15m² gross floor area). In this regard, I conclude that the proposed redevelopment of this site would not give rise to any increase in parking demand on the site, or any additional impacts on the surrounding amenities.
- 8.7.4. I note the accessible location of the subject site relative to existing and proposed public transport services. The bus stop for the 401 & 405 Bus Eireann Routes is located c.15m to the north-east along the Ballybane Road. The frequency of each

route is 20 minutes. In addition, under Bus Connects, there will be improvements to services along Ballybane Road to connections to the city centre. New active travel / cycle infrastructure is under construction along the adjoining Ballybane Road, improving the quality of connections to ATU to the south. In this regard the proposed development is considered to be consistent with the provisions of Climate Action Plan, Moving Together – A Collaborative Approach to Systems Change in Transport 2026–2030 in terms of the siting of PBSA.

8.7.5. Where start / end-of-term demands arise, I consider that there is adequate provision available on the overall commercial site to meet such demand and that this may be subject to the provisions of a final operational management plan. Further, having regard to the number of bedspaces proposed, short-term out-of-term rental is not considered likely to give rise to additional demand / over-spill parking on surrounding roads.

Having regard to the location and current use of the site, to the nature and scale of the proposed development, it is not considered that the proposed development would be likely to negatively impact on the surrounding road network.

8.8. Other Matters arising.

8.8.1. Within the zoned open space to the northwest of the site, is a recorded monument –

- GA082-010001- : Souterrain : BALLYBAAN MORE within a rath.
- GA082-010-: Rath (-).

8.8.2. The development site is located within an existing brownfield site / commercial centre and the development will be contained within the existing footprint of development. The site is separated from the recorded monument by a service access road, service yard and boundary wall. The development will not result in any works on undisturbed ground, however, having regard to proximity to the recorded monument, archaeological supervision of excavations / ground works on the site may be considered appropriate, as recommended by the planning authority conservation officer.

8.8.3. An engineering statement accompanying the application advises that the development will not give rise to any increased water demand / wastewater discharge to/from the

site arising from its redevelopment. Surface water management proposals are not identified in the proposal, however, the development will not give rise to any increase in impermeable surfaces on the site. The applications drawings contain no drainage detail and I note that the PA engineering reports recommend the inclusion of a condition requiring incorporation of SUDS measures to maximise local infiltration potential. I consider that this would be a positive measure and consider that its inclusion would be appropriate in the event of a decision to grant permission.

9.0 AA Screening

9.1. 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 Inner Galway Bay SPA [004031] or Galway Bay Complex SAC [000268] in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

9.2. This determination is based on:

- The brownfield nature of the site and the modest scale and nature of development.
- The separation from the nearest European site and lack of ecological connections thereto.

10.0 Water Framework Directive

10.1. An assessment of the proposed development has been carried out in accordance with Article 4 of the Water Framework Directive and relevant EPA guidance, including best practice in sustainable drainage design.

10.2. There will be no material increase in pollutant loading, no alteration of the receiving waterbody's hydrological regime, and no risk of deterioration in water quality or ecological status. Any residual risks identified during the assessment are capable of

being addressed through standard mitigation measures and best practice construction management, [including the implementation of an appropriate Construction Environmental Management Plan (CEMP) (delete if not applicable)].

- 10.3. The proposed development will not impact on the achievement of environmental objectives for any water body and is therefore considered compliant with the requirements of Article 4.

Conclusion

- 10.4. An assessment of the proposed development has been undertaken in accordance with Article 4 of the EU Water Framework Directive (2000/60/EC), as transposed by the European Communities (Water Policy) Regulations 2003, as amended, and with regard to the Eastern/South Eastern River Basin Management Plan 2022–2027.

- 10.5. The receiving water environment has been identified and assessed, see Table 1 attached. Having regard to the nature, scale, and location of the proposed development, and the mitigation measures [incorporated into the design, proposed or conditioned (delete as appropriate)], it is concluded that the proposed development will not:

- Result in deterioration of the ecological, chemical, or quantitative status of any relevant surface water or groundwater body;
- Increase pollutant loading or alter the hydrological regime of any receiving watercourse;
- Prevent or impede achievement of environmental objectives under the applicable River Basin Management Plan.

Any residual risks are capable of being addressed through implementation of a Construction Environmental Management Plan (CEMP) and application of SUDS measures.

The proposed development is considered to be in compliance with the requirements of Article 4 of the Water Framework Directive.

11.0 Recommendation

- 11.1. The permission be granted for the proposed development subject to the conditions set out below:

12.0 Reasons and Considerations

Having regard to the nature and scale of the proposed development, which includes the replacement of an existing commercial premises on these lands, to the policies and objectives of the Galway City Development Plan 2023-2029, to the relationship with adjoining lands, the proposed development would be consistent with local and national policy for support the provision of student accommodation, and subject to compliance with the conditions below, the proposed development would provide for a satisfactory form of development for this established suburban area and would not negatively impact on the residential amenities of the surrounding area. The proposed development would be acceptable in terms of access and parking having regard to the existing characteristics of the site and the availability of existing and proposed alternative modes of transport. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 22 day of December 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:

- a. Windows serving bedrooms and circulation spaces on first, second and third floors on the northern elevation shall be fitted with permanent obscure glazing.
- b. The window on the northern elevation serving third floor kitchen / living / dining area shall be provided as a high level window, with a minimum cill height of 1.6m over floor level.
- c. An opaque glazed screen, minimum 1.8m high, shall be provided on the northern elevation of the third floor / roof terrace, to prevent overlooking adjoining properties to the north.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In order to protect residential amenity.

3. The proposed development shall be implemented as follows:

- (a) The student accommodation and complex shall be operated and managed in accordance with the measures indicated in the Student Accommodation Management Plan submitted with the application as submitted to the planning authority on 22/12/2025.
- (b) Student House Units shall not be amalgamated or combined.
- (c) The use of the external amenity area and roof terrace by occupants/residents and visitors shall be restricted to between the hours of 8am to 8pm Monday to Sunday, including bank holidays, all year round.

Reason: In the interests of the amenities of occupiers of the units and surrounding properties.

4. The 19 no. student accommodation apartments (32 no. bedspaces) hereby permitted shall only be occupied as student accommodation, in accordance with the definition of student accommodation provided under section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016 (as amended) and shall

not be used for any other purpose without a prior grant of planning permission for change of use.

Reason: In the interests of the amenities of occupiers of the units and surrounding properties.

5. Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

6. No advertisement or advertisement structure (other than those shown on the drawings submitted with the application) shall be erected or displayed on the building (or within the curtilage of the site) in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

7. (a) Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements, in writing where necessary, of the planning authority for such works and services.

(b) Surface water drainage design must incorporate SuDS measures in conjunction with the new construction works and agreed with the Local Authority. This may include, but not limited to, permeable paving, rainwater harvesting, rain gardens, swales that maximises local infiltration potential. The development shall be completed in accordance with agreed SuDs design details.

Reason: In the interests of public health

8. Proposals for a name / numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house/apartment numbers, shall be provided in accordance with the agreed scheme.

Reason: In the interest of urban legibility [and to ensure the use of locally appropriate placenames for new residential areas].

9. All external shopfronts and signage shall be in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to the provision of such shopfronts and signage. Where agreement cannot be reached between the applicant/developer and the local authority the matter shall be referred to An Coimisiún Pleanála for determination. The signage shall be lit by external illumination only.

Reason: In the interest of visual amenity.

10. No additional development, other than the plant indicated on submitted planning application drawings, shall take place above roof parapet level, unless authorised by a further grant of planning permission. No access to the roof areas other than for maintenance shall be permitted.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area

11. The developer shall engage a suitably qualified (licensed eligible) archaeologist to monitor all site clearance works and groundworks. If, during the course of site works any archaeological material is discovered, the Planning Authority shall be notified immediately. The applicant/developer is further advised that in this event that under the National Monuments Act, the National Monuments Service, Dept. of Housing, Heritage and Local Government and the National Museum of Ireland require notification.

Reason: In the interest of preserving or preserving by record archaeological material likely to be damaged or destroyed in the course of development.

12. A Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The CEMP shall include but not be limited to working hours, construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

Reason: In the interest of environmental protection residential amenities, public health and safety and environmental protection

13. Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of reducing waste and encouraging recycling.

14. During the operational phase of the proposed development the noise level arising from the development shall not exceed

- (a) 55 dB(A) rated sound level between the hours of 0700 to 2300, and
- (b) 45 dB(A) 15min and 60 dB LAfmax, 15min at all other times , (corrected for a tonal or impulsive component) as measured at the nearest dwelling.

Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To protect the residential amenities of property in the vicinity of the site

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

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

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

Conor McGrath ADP

09/06/2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	
Proposed Development Summary	Permission to demolish existing building known as lantern bar and permission to construct a mixed use 4 storey building to include 1 no. retail unit on ground floor and student accommodation over the four floors with all associated works.
Development Address	The Lantern Bar Ballybane , Ballybane Shopping Centre Ballybane Road , Ballybane Galway City
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?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ No, No further action required.
(For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	

2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
☒ Yes, the proposed development is of a Class but is sub-threshold.	State the Class and state the relevant threshold Class 10 Infrastructure Urban Development - <10ha in the case of other parts of the built up area

Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: Conor McGrath Date: 09/06/2026

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	
Proposed Development Summary	Permission to demolish existing building known as lantern bar and permission to construct a mixed use 4 storey building to include 1 no. retail unit on ground floor and student accommodation over the four floors with all associated works.
Development Address	The Lantern Bar Ballybane , Ballybane Shopping Centre Ballybane Road , Ballybane Galway City
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).	Briefly comment on the key characteristics of the development, having regard to the criteria listed. I refer to sections 1.0 and 2.0 of the report above. The development has a modest footprint. The proposal comprises the demolition of an existing commercial premises and construction of a new four-storey student accommodation development on the same footprint. There will be no loss of natural ground cover or additional hard standing. Existing service connections will be utilised. The development does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.

Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	Briefly comment on the location of the development, having regard to the criteria listed The site is a brownfield site within an existing commercial centre. There are no protected structures affected by the development and the site is at a remove from the nearest archaeological feature located within an area of open space to the northwest of the site- separated by existing hard standing, service yard and access road and boundary wall. The development is removed from sensitive natural habitats, designated sites and landscapes of identified significance. Impacts on adjoining residential amenities have been assessed as not significant. While there are adjoining residential lands, the scale and separation of the development are such that significant impacts are not likely.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects. Having regard to the modest nature of the proposed development, its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
Conclusion	

Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required. The proposed development has been subject to preliminary examination for environmental impact assessment. Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

Inspector: ___Conor McGrath_____ **Date:** ___09/06/2026_____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)

Appendix 3: Standard AA Screening Determination Template 2

Test for likely significant effects

Screening for Appropriate Assessment Test for likely significant effects	
Case Reference Number: 500942	
Step 1: Description of the project and local site characteristics Permission to demolish existing building known as lantern bar and permission to construct a mixed use 4 storey building to include 1 no. retail unit on ground floor and student accommodation over the four floors with all associated works. The Lantern Bar Ballybane , Ballybane Shopping Centre Ballybane Road , Ballybane Galway City See sections 1.0 and 2.0 of the this report for detailed description. The site comprises part of an existing local shopping centre. There are no European Sites in the vicinity of the site. The closest sites, separated by intervening urban development, are approx. 1.4km south of the site comprising. • Inner Galway Bay SPA • Galway Bay Complex pNHA / SAC	
Brief description of project	See section 2.0 of this report above.
Brief description of development site characteristics and potential impact mechanisms	There is no land take from within any European site and no loss of sensitive or natural habitats. There is no potential for disturbance effects from the construction or operation, or loss of ex-situ habitats of interest.
Screening report	N

Natura Impact Statement	N			
Relevant submissions	There are no submissions on file raising issues of relevance to this screening assessment.			
[Additional information]: NA				
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
European sites within zone of influence .				
• Inner Galway Bay SPA • Galway Bay Complex SAC				
Other sites in the wider area are excluded on the basis of absence of a relevant ecological pathway, including Lough Corrib SAC (000297).				
European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
Inner Galway Bay SPA 004031	• Black-throated Diver • Great Northern Diver • Cormorant • Grey Heron • Light-bellied Brent Goose • Wigeon • Teal • Red-breasted Merganser	c.1.4km	No direct connection. Potential hydrological connection via wastewater	Yes

	• Ringed Plover • Golden Plover • Lapwing • Dunlin • Bar-tailed Godwit • Curlew • Redshank • Turnstone • Black-headed Gull • Common Gull • Sandwich Tern • Common Tern			
Galway Bay Complex SAC 000268	1140 Mudflats and sandflats not covered by seawater at low tide 1150 Coastal lagoons* 1160 Large shallow inlets and bays 1170 Reefs 1220 Perennial vegetation of stony banks 1230 Vegetated sea cliffs of the Atlantic and Baltic coasts			Yes

	1310 Salicornia and other annuals colonising mud and sand 1330 Atlantic salt meadows (Glaucopuccinellietalia maritimae) 1410 Mediterranean salt meadows (Juncetalia maritimi) 3180 Turloughs* 5130 Juniperus communis formations on heaths or calcareous grasslands 6210 Semi-natural dry grasslands and scrubland facies on calcareous substrates (*important orchid sites)* 7210 Calcareous fens with Cladium mariscus and species of the Caricion avallianae* 7230 Alkaline fens		
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	8240 Limestone pavements*			
	1355 Otter			
	1365 Harbour Seal			
	Phoca vitulina			
Step 3. Describe the likely effects of the project (if any, alone <u>or</u> in combination) on European Sites				
Site name	Possibility of significant effects (alone) in view of the conservation objectives of the site*			
Qualifying interests				
	Impacts	Effects		
Site 1: Inner Galway Bay SPA 004031	Direct: No direct effects likely.	No significant effects likely		
Site 2: Galway Bay Complex SAC 000268	Indirect Potential indirect pathway via wastewater. Development replaces an existing commercial development on the site. No significant increase in wastewater loading likely.			
	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?			

	As the dev does not give rise to any material increase in wastewater loading, it is not considered that the effects of the development might be significant when examined in combination with the effects of other proposals.
Step 4: Conclude if the proposed development could result in likely significant effects on a European site	
I conclude that the proposed development (alone) would not result in likely significant effects on Inner Galway Bay SPA 004031 or Galway Bay Complex SAC 000268. The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project. No mitigation measures are required to come to these conclusions.	
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 Inner Galway Bay SPA [004031] Or Galway Bay Complex SAC [000268] in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required. This determination is based on: • The brownfield nature of the site and the modest scale and nature of development. • The separation from the nearest European site and lack of ecological connections thereto.	

WFD IMPACT ASSESSMENT SCOPING TABLE			
Step 1: Nature of the Project, the Site and Locality			
An Coimisiún Pleanála ref. no.	500942	Townland, address	The Lantern Bar Ballybane , Ballybane Shopping Centre Ballybane Road , Ballybane Galway City
Description of project		Permission to demolish existing building known as lantern bar and permission to construct a mixed use 4 storey building to include 1 no. retail unit on ground floor and student accommodation over the four floors with all associated works. See section 2.0 of this report	
Brief site description, relevant to WFD Screening,		Existing two-storey public house, as part of the existing shopping centre. See Section 1.0 of this report. The site is connected to existing water and wastewater services. The brownfield site is currently hard paved.	
Proposed surface water details		To existing drains. Conditions attached by PA in relation to the incorporation of SUDS measures.	
Proposed water supply source & available capacity		Public mains – no increase in demand arising	
Proposed wastewater treatment system & available capacity, other issues		Public mains – no increase in demand arising.	
Others?			

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

Identified water body	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater) (Consider all phases)	Mitigation Measures proposed	Is mitigation sufficient? Will there be any residual impacts?
Corrib Estuary – Transitional Water body	29 Galway Bay South East 30 Corrib 31 Galway Bay North	Good (high confidence)	Not at Risk	None identified Surface water flow points from the agglomeration network	Wastewater connection Stormwater overflow	No increase in water or wastewater demand or loading. No additional surface water run-off. SUDS measures to be incorporated	Yes
Clarinbridge	IE_WE_G_0008 29 Galway Bay South East 30 Corrib	Good	Not at Risk	None identified	Construction discharge to ground. No increase in impermeable areas.	Subject to condition on storm water management during construction	Yes