

Planning Report & Statement of Consistency

Burkeway BParua Strategic
Housing Development



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1. INTRODUCTION

1.1 Preamble

This Planning Report and Statement of Consistency (hereafter referred to as the “Report”) has been prepared by MKO (McCarthy Keville O’Sullivan Ltd.) on behalf of Burkeway Homes Ltd. in support of an application to An Bord Pleanála (ABP) for a strategic housing scheme on lands located in the townlands of Trusky East, Trusky West, Freeport and Ahaglugger, Bearna, Co. Galway. The application is made under the Strategic Housing Development provisions of the *Planning and Development (Housing) and Residential Tenancies Act, 2016*. This Planning Report and Statement of Consistency has been prepared to specifically address the consistency of the proposed Strategic Housing Development with the relevant planning policies and objective at national, regional and local level. An appendix (Appendix 1) is also included which provides an individual breakdown of each of the relevant planning policies and objectives.

1.2 Brief Overview of Proposed Development

The application site has previously been the subject of 2 no. Strategic Housing Development Applications. The first application (ABP-300009-17) was refused on grounds of insufficient density. The second application (ABP-302216-18), for a 197 no. unit Strategic Housing Development, which satisfactorily addressed the issue of density, was granted by An Bord Pleanála, however the decision of An Bord Pleanála was quashed by Order of the High Court in *Heather Hill Management Company CLG Anor. v An Bord Pleanála* (2019 No.20 J.R.), including on grounds that the propose development materially contravened certain provisions of the Galway County Development Plan 2015 – 2020, as varied by Variation No. 2(a) (“the Bearna Plan”). There was no appeal against the Judgment or Order of the High Court.

The proposed development addresses the density issue upon which the first application was refused and also addresses the issues identified in the High Court in *Heather Hill Management Company CLG Anor. v An Bord Pleanála*¹. Our client’s land holding incorporates lands to the east and west of the Trusky East stream. However, the site of the current proposal incorporates lands to the to the west of the Trusky Stream only. Further information and analysis as to the manner in which the proposed development addressed both the previous reason for refusal (i.e. density) and the reasons for setting-aside the permission previously granted are provided below in Section 3.1.1.2.

1.3 Structure of the Report

Following this Introduction section, the Report is set out as follows:

- | | |
|-----------|---|
| Section 2 | Description of the site’s context within the surrounding area. |
| Section 3 | Relevant planning history of the application site and of the immediate vicinity |
| Section 4 | Description of the proposed development including the Part V proposals. |
| Section 5 | Assessment of the key planning matters relating to the proposed development in the context of the relevant national, regional and local planning policy framework. Key policy documents assessed include: |
| | <ul style="list-style-type: none"> ➤ <i>Project Ireland 2040: National Planning Framework</i> |

¹ [2019] IEHC 450

- *Planning Policy Statement 2015*
- *Design Manual for Urban Roads and Streets 2019*
- *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authority's 2018;*
- *Urban Development and Building Heights Guidelines for Planning Authorities 2018*
- *Sustainable Residential Development in Urban Areas Guidelines 2009 and the associated Urban Design Manual;*
- *Childcare Facilities Guidelines for Planning Authorities 2001*
- *Regional Spatial and Economic Strategy (Northern & Western Regional Assembly)*
- *Galway County Development Plan 2015-2021, including Variation No.2(a)Galway County Development Plan 2015-2021 (Barna Plan) and Variation No.2(b)Galway County Development Plan 2015-2021 (Gaelteacht Plan)*
- *Galway Transportation Strategy*

Appendix 1 also includes a summary of the manner in which the proposed SHD will be consistent with the relevant policies and objectives of national, regional and local plans, in the form of a matrix of planning policies and guidance.

Section 7

Concluding statement on the proposed scheme's contribution to the proper planning and sustainable development of the area.

2. SITE LOCATION & CONTEXT

2.1 Site Location

The application site is located in Bearna, a coastal village, approximately 6 kilometres to the west of Galway City. The application site is situated in the townlands of Trusky East, Trusky West, Freeport and Ahaglugger, in Bearna, Co. Galway. The site is accessed via an existing residential development at Trusky East, called Cnoc Fraoigh. The application site measures approximately 6.19 hectares in area. The location of the proposed site in the context of the available aerial photography is shown in Figure 1.

To the west of the site is the existing development of Cnoc Fraoigh which connects the site to the Moycullen Road linking to the Village of Bearna and the R336 Galway City to Spiddal Road. A series of ribbon development sites to the north of Cnoc Fraoigh bound the site and the remaining lands to the north and east are agricultural lands. To the south of the site are lands zoned 'Open Space/Recreation & Amenity'. The immediate vicinity consists of primarily suburban single family housing developments with the nucleus of the village of Bearna located 0.45km from the proposed development.

The application site is a short walk away from the main street in Bearna with numerous independent shops and restaurants, local amenities such as the nearby Super Valu grocery shop, post office, playground and school among others. The site is also well connected in terms of road and public transport links to Galway City. According to Google Maps, it is approximately a 17 minute drive to Galway City along the existing R336 road. The proposed N6 extension will also service Bearna with a junction proposed less than 1km from the site entrance along the L1321. This road will be upgraded towards Bearna village as part of the scheme through a footpath and some minor widening works.

Bearna is also served three bus routes:

- Bus Eireann Route No. 424 leaves Bearna arriving at Galway Bus via Salthill and Spanish Parade station in 20mins
- City Direct Route No. 414 leave Bearna with journey times of 26mins to Eyre Square via the Western Distributor Road, University Hospital Galway and University Road (NUIG).
- A private route operated by Lally Coaches also connects Bearna to Queen Street, Galway via Salthill.

The application site is located within 'R' – Residential (Phase 1) and 'OS' Open Space/Recreation & Amenity zoned lands. All of the lands zoned 'OS' within the subject site are also identified as being under Constrained Land Use 'CL'. There are also two areas within the lands zoned 'R' where Objective CCF6 applies. The proposed footpath connectivity link along the L-1321 is proposed on lands zoned 'TI – Transport Infrastructure' and partially on lands zoned for the 'Proposed Bearna Inner Relief Road'. An extract from the zoning map with the application site outlined in black is shown below in Figure 3.

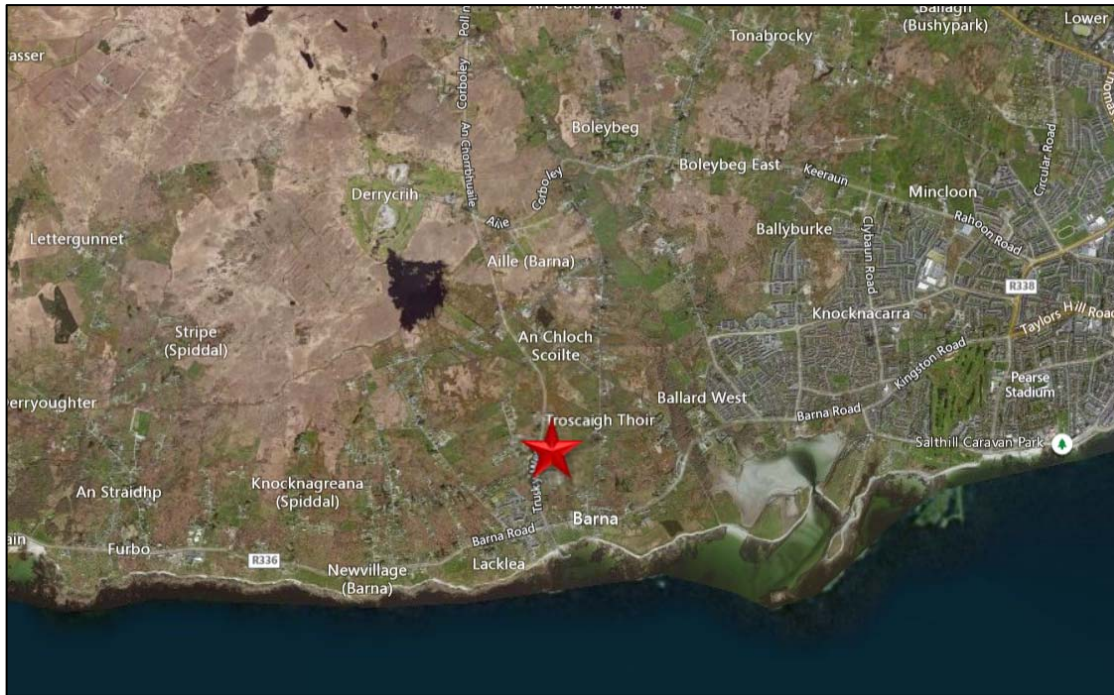


Figure 1: Application Site Location denoted by Red Star

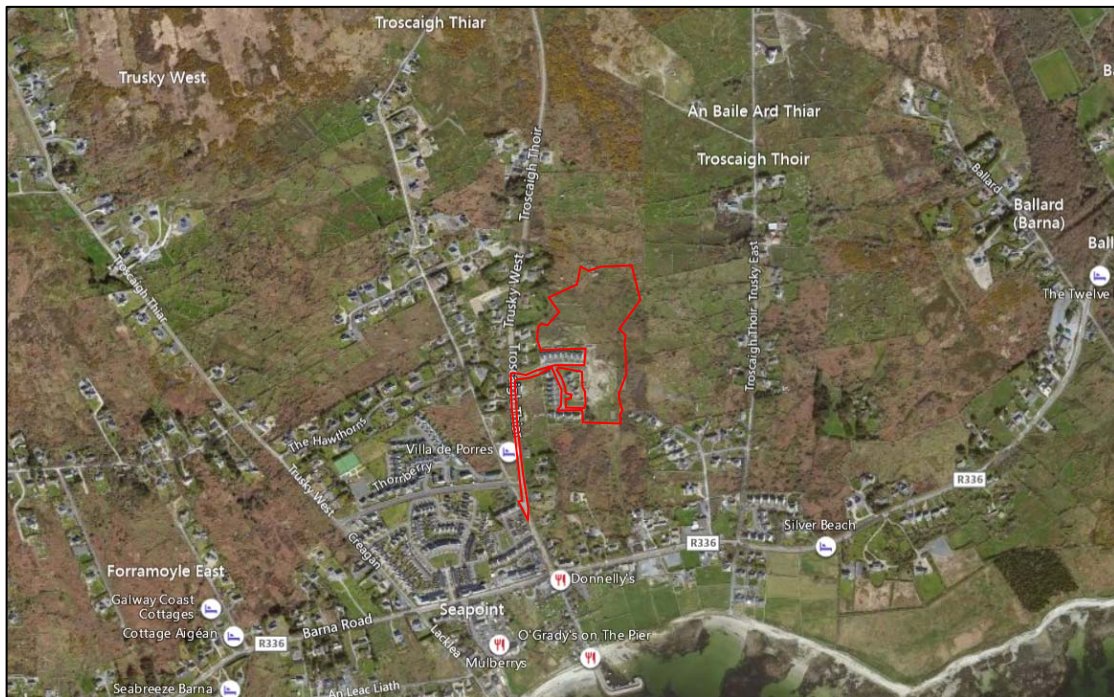


Figure 2: Application Site Location in context of the surrounding built environment – Application Site outlined in Red (Indicative only)

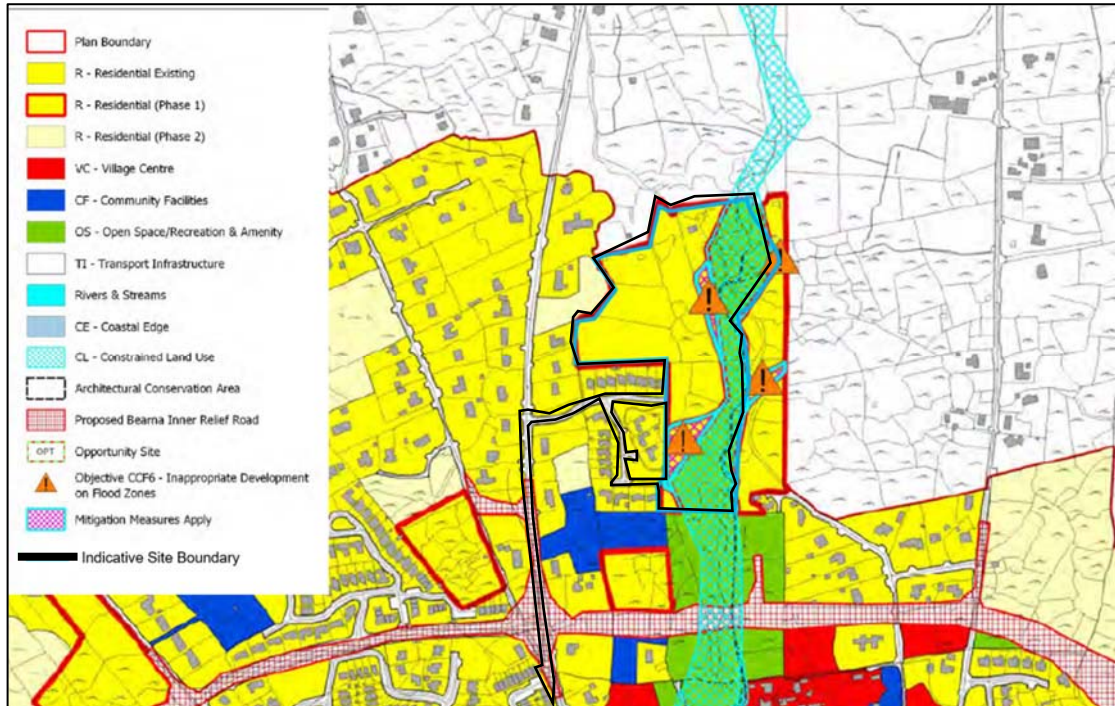


Figure 3: Extract from Zoning Map – Application Site outlined in Black (Indicative Only)

2.2 Site Description

The total application site area is approximately 5.38 Ha with a net site area of 3.47 Ha which refers to the lands zoned for residential development.

The site is currently formed of scrub land and rough agricultural grazing and the lands are generally bounded to the north and south by existing stone walls. The application site incorporates existing features of significance which are being incorporated into the proposed scheme. The western boundary is generally defined by a 2-metre-high block wall to the rear of the existing dwellings at Cnoc Fraoigh and to the north west by native stone walls. The Trusky East Stream runs in a north-south direction to the east of the site.

The site of the proposed development is partially within Indicative Flood Zones A&B and partially within Indicative Flood Zone C, by reference to the Flood Risk Map provided under the Bearna Plan. All proposed buildings will be located within Flood Zone C. There are no protected structures or archaeological monuments located within the application site. The Trusky stream is located within the eastern boundary of the site boundary. The application site is located 1.5km from the nearest European sites, namely, Galway Bay Complex candidate Special Area of Conservation (cSAC) (Site Code: 000268) and 1.5 km from the Inner Galway Bay Special Protection Area (SPA) (Site Code: 004031).

3. PLANNING HISTORY

3.1 Planning History of the Proposed Site

There is an extensive planning history associated with the site as summarised below. An overview of these applications is provided below.

3.1.1 Previous SHD Applications

There have been 2 no. previous SHD applications on lands within the site boundary of the proposed development as outlined below.

3.1.1.1 Planning Reference ABP-300009-17

Burkeway Homes Ltd., applied for planning permission to develop a Strategic Housing Development scheme comprising 113 no. residential units, community room, new vehicular and pedestrian access at Trusky East, Barna, Co. Galway.

On 6th February 2018, An Bord Pleanála refused planning permission for the development. In their direction, the Board considered that the “density of the proposed development was contrary to the provisions of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), which was not considered to be developed at a sufficiently high density to provide for an acceptable efficiency in serviceable land usage given the proximity of the site to the built-up area of Beama and Galway City”. Furthermore, it was considered that the “development as proposed did not have an adequate mix of dwelling types, being predominantly semi-detached and detached housing”.

The full reason for refusal is outlined below:

The Board considers that the density of the proposed development is contrary to the provisions of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), issued to planning authorities under section 28 of the Planning and Development Act. The site of the proposed development is on serviceable lands, within the development boundary of Beama, in an area earmarked for Phase 1 residential development and within the Galway Metropolitan Area as designated in the settlement strategy for the county. Having regard to the proposed density of development, it is considered that the proposed development would not be developed at a sufficiently high density to provide for an acceptable efficiency in serviceable land usage given the proximity of the site to the built-up area of Beama and Galway City and to the established social and community services in the immediate vicinity. In addition, the proposed development does not have an adequate mix of dwelling types, being predominantly semi-detached and detached housing. It is considered that the low density proposed would be contrary to the aforementioned Ministerial Guidelines, which indicate that net densities less than 30 dwellings per hectare should generally be discouraged in the interests of land efficiency. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

The current proposal has been designed to address the concerns of An Bord Pleanála in relation to density and housing mix type.

3.1.1.2 Planning Reference ABP-302216-18

On the 31st July 2018 Burkeway Homes Ltd., submitted an application to develop a Strategic Housing Development scheme comprising an increased dense scheme of 197 no. residential units, community

room, new vehicular and pedestrian access at Trusky East, Barna, Co. Galway. An Bord Pleanála granted permission for the proposed development on the 16th November 2018.

The Board concluded as follows:

“It is considered that, subject to compliance with the conditions set out below, the proposed development would represent an appropriate density of residential development having regard to the location of the site close to the centre of Barna, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would not lead to a risk of flooding and would be acceptable in terms of pedestrian and traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.”

Appropriate Assessment Screening

The Board noted the Statement of Screening for Appropriate Assessment submitted by the applicant and the Appropriate Assessment Screening determination carried out by the Inspector. In completing the screening for Appropriate Assessment, the Board accepted and adopted the screening determination carried out in the Inspector’s report in respect of the identification of the European sites which could potentially be affected, and the identification and assessment of the potential likely significant effects of the proposed development, either individually or in combination with other plans or projects, on those European sites in view of the sites’ conservation objectives.

The Board was satisfied that the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on European sites Galway Bay Complex Special Area of Conservation (site code 000268) and Inner Galway Bay Special Protection Area (site code 004031), or any other European site, in view of the sites’ conservation objectives, and a Stage 2 Appropriate Assessment is not therefore required.

Environmental Impact Assessment Screening

The Board completed an environmental impact assessment in relation to the proposed development, taking into account the nature, scale and extent of the proposed development and concluded that the effects on the environment of the proposed development by itself and in combination with other development in the vicinity would be acceptable.”

However, the decision was subsequently subject to Judicial Review proceedings and by way of Judgment delivered on 21st June 2019, the High Court (Simons J.) held that the decision made by the Board to grant permission would be set aside on, *inter alia*, the following grounds:

1. the (then) proposed development comprised a material contravention of the Galway County Development Plan 2015 – 2021 (as varied) (GCDDP), on the basis that the population allocation in the GCDDP allocated a figure of 420 no. persons/130 no. residential units to Barna but the proposed development was for 197 no. residential units. The Court noted that, notwithstanding the material contravention, the Board could have granted permission by reference to the criteria set out in section 37(2)(b) of the Planning and Development Act 2000 (as amended) (pursuant to section 9(6)(c) of the Planning and Development (Housing) and Residential Tenancies Act 2016, however, the Board did not do so;
2. the (then) proposed development comprised a material contravention of the GCDDP on the basis that Objective CCF6 made the “development management justification test” mandatory in respect of the proposal, in addition to the obligation to comply with the Flood Risk Management Guidelines.;

3. in carrying out a Stage One Screening for Appropriate Assessment in respect of the (then) proposed development, the Board relied on a commitment to comply with “best practice measures” during construction in order to minimise any emissions into the Trusky Stream, which was identified as being a potential pathway to the Special Protection Area (SPA) and candidate Special Area of Conservation (cSAC) in Galway Bay. The Court held that the screening determination was invalid in that it improperly relied on “best practice measures” in reaching a screening determination. .

On the above grounds, the High Court granted an order of *certiorari* quashing the Board's decision to grant permission for the previously proposed development. The current application has been prepared having regard to the above Judgment of the High Court and the current application addresses the grounds on which the previous decision was quashed. In particular, and notwithstanding the compliance of the proposed development with many policies and objectives of the GCDP, a Material Contravention Statement has been submitted with this application in relation to the small number of policies and objectives of the GCDP which are materially contravened by the proposed development and demonstrates the manner in which a number of criteria in section 37(2)(b) of the 2000 Act are met, thereby enabling the Board to validly grant permission pursuant to section 9(6)(c) of the 2016 Act. Secondly, the application is accompanied by an Site Specific Flood Risk Assessment which demonstrates how the criteria of the development management justification test are met in respect of the proposed development. The proposed development complies with the various land-use zoning objectives for the site. Third, no mitigation measures have been relied upon in the Appropriate Assessment Screening Report submitted with this application and a Natura Impact Statement has, in fact, been submitted with this application to enable An Bord Pleanála, as competent authority, to carry out a Stage Two Appropriate Assessment in respect of the proposed development.

3.1.2 Other Relevant Planning History

Table 1 below provides a list of the other relevant planning applications which relate to the subject lands and adjacent residential development, and has been compiled following a review of Galway County Council's Planning Register in respect of the subject lands:

Table 1: Other Relevant Planning History

Planning Reference Number	Area SQM	Development Description	Decision
03/4315	C & T Development Ltd.	Application for the demolition of existing dwelling, construction of 22 no. 2 storey dwellings with treatment plant and associated site works	Granted
04/3846	C & T Developments Ltd	Application for replacing two storey semi- detached dwellings with 5 no. detached two storey dwellings, revised boundaries/driveways to sites 9 to 16 and associated external works (gross floor space 5320sqm)	Granted
04/4249	C & T Developments Ltd	Application for construction of 15 no. two storey dwellings	Refused

		and associated external works at previously granted residential development (03/4315)	
06/903	C & T Developments	Application to relocate a wastewater treatment system (originally granted under planning permission no's 03/4315 and 04/3846)	Refused
09/1278	Liam O'Toole	Application for the demolition of 3 No. sheds/outbuildings, the construction of 94 No. dwellings comprising of; 54 No. two storey semi-detached units, 20 No. two storey terrace units comprising of 5 No. terrace blocks, 16 No. two storey detached units, 4 No. bungalow units, 3 No. two and a half storey buildings comprising of 5 No. commercial/retail units, 10 No. apartments and a creche, the provision of parking and ancillary delivery areas, the construction of 3 No. link bridges, 4 No. ancillary storage area	Granted by Galway County Council but refused by An Bord Pleanála (under reference no Pl. 07. 236240),

As can be seen from the above summary of planning history, there are a total of 7 no. separate relevant planning applications associated with the subject lands and the adjacent residential development. The existing Cnoc Fraoigh houses were developed under the terms of Pl. Ref. Nos. 03/4315 and 04/3846 and, in addition, the waste water treatment arrangements permitted under Pl. Ref. No. 06/903.

Permission was refused for a large proposal for 96 no. dwellings (incl. commercial/ retail development) on part of the current application site including lands to the east under Pl. Ref. 09/1278 and An Bord Pleanála Ref. no: PL 07.236240. A decision to grant permission was initially made by Galway County Council (subject to 31 no. conditions), however, this decision was the subject of a successful third party appeal and the sole reason for refusal given by the Board for refusing permission related to sewerage capacity.

In relation to the proposed SHD, the current design team has engaged in consultations with Irish Water, which has confirmed that there is sufficient capacity currently available in the network to accommodate [waste water from] the proposed development (a copy of the Confirmation of Feasibility letter is included at Appendix D of the **Engineering Services Report**).

4. PROPOSED DEVELOPMENT

4.1 General Description

Burkeway Homes Limited is applying to An Bord Pleanála for permission for a strategic housing development in the townlands of Trusky East, Trusky West, Freeport and Ahaglugger, Bearna, Co. Galway.

The development will consist of:

- 1) Demolition of existing outbuildings
- 2) Construction of 121 no. residential units comprising
 - 52 no. houses (37 no. three-beds, 15 no. four-beds)
 - 4 no. duplex units in Duplex Block D1 (2 no. two-beds (ground floor units) and 2 no. 3 beds (2 storey units))
 - 8 no. duplex units in Duplex Block D2 (4 no. two-beds (ground floor units) and 4 no. 3 beds (2 storey units))
 - 6 no. duplex units in Duplex Block D3 (3 no. two-beds (ground floor units) and 3 no. 3 beds (2 storey units))
 - 14 no. duplex units in Duplex Block D4 (7 no. two-beds (ground floor units) and 7 no. 3 beds (2 storey units))
 - 4 no. duplex units in Terrace Block T5 (2 no. two-beds (ground floor units) and 2 no. 3 beds (2 storey units))
 - 14 no. Apartments in Apartment Block A1 (5 no. one-beds, 9 no. two-beds)
 - 13 no. Apartments in Apartment Block A2 (4 no. one-beds, 9 no. two-beds and a Multipurpose Room)
 - 2 no. Apartments in Apartment Block A3 (2 no. two-beds)
 - 4 no. Apartments in Apartment Block A4 (4 no. two-beds)
- 3) Development of a crèche facility (224.80 sqm) associated outdoor play areas and parking
- 4) Provision of a footpath connectivity link along the L-1321
- 5) Provision of shared communal and private open space, car and bicycle parking, site landscaping and public lighting, services, access from the L-1321 via the Cnoc Fraoigh development and all associated site development works
- 6) Provision of a public linear park along the Trusky Stream

The application contains a statement, in this report, setting out how the proposal will be consistent with the policies and objectives of the relevant national, regional and development plans.

In addition, as set out above, the planning application is also accompanied by a separate statement – the Material Contravention Statement – demonstrating that a small number of policies and objectives of the GCDP are materially contravened by the proposed development and also demonstrating the manner in which a number of criteria in section 37(2)(b) are met, thereby enabling the Board to validly grant permission. Significantly, it should be stated that there is no contravention of any land-use zoning objective of the GCDP.

The following reports have been prepared in respect of the proposed development:

- Planning Report and Statement of Consistency prepared by MKO
- Statement of Response Report prepared by MKO
- Statement of Material Contravention prepared by MKO
- Linguistic Impact Statement prepared by MKO
- Architectural Design Statement prepared by McCauley Daye O'Connell Architects
- Building Life Cycle Report prepared by McCauley Daye O'Connell Architects
- Housing Quality Assessment prepared by McCauley Daye O'Connell Architects
- Traffic and Transport Assessment prepared by Atkins
- Road Safety Audit prepared by Atkins
- Engineering Services Report prepared by O'Connor Sutton Cronin Engineers
- Site Specific Flood Risk Assessment prepared by O'Connor Sutton Cronin Engineers
- Trusky East Stream Flood Study prepared by O'Connor Sutton Cronin Engineers
- DMURS Statement of Compliance prepared by O'Connor Sutton Cronin Engineers
- Technical Note L1321 Footpath Works prepared by O'Connor Sutton Cronin Engineers
- Overshading Analysis Report prepared by Varming Consulting Engineers Ltd.
- Daylighting Report prepared by Varming Consulting Engineers Ltd.
- Energy Statement prepared by Varming Consulting Engineers Ltd.
- Utility Report prepared by Varming Consulting Engineers Ltd.
- Landscape Report prepared by Radharc Landscaping Co Ltd.
- Environmental Impact Assessment Report compiled by MKO
 - Volume 1 Environmental Impact Assessment Report:
 - Volume 2 Photomontage Booklet
 - Volume 3 Technical Appendices
- Natura Impact Statement prepared by MKO

4.2

Key Planning Statistics

An overview of the key planning statistics for the proposed development is set out below in tabular format. A full Housing Quality Assessment has been prepared by MDO Architect and is enclosed with the application documentation.

Table 2: Key Planning Statistics

Planning Statistic	Proposed Development	National Policy Standards	Local Policy Standards
Application Site Area	5.38 ha	N/A	N/A
Net Site Area (refers to 'R' zoned lands)	3.47 ha		
Total Gross Floor Area	13,323.56sqm	N/A	N/A
Plot ratio*	0.24:1 (based on Application Site Area) 0.38 (based on Net Site Area)	N/A	0.10 – 0.50
Density* (units per ha) (Net Density -	35 Units/Hectare	General range of 35-50 units per ha	Core Strategy Table –

<p>refers to 'R' zoned lands)</p>			<p>16 Units / Ha</p> <p>DM Guidelines DM1 –</p> <p>35 - 50 units per hectare for “Village centre or immediately adjacent to public transport hubs”</p> <p>15 - 35 units per hectare for “Neighbourhood centres (typically within 400m walking distance of centre point), inner urban suburbs.”</p> <p>5-15 units per hectare for “Urban periphery, outlying lands, areas with capacity/environmental constraints.”</p>
<p>Public Open Space*</p>	<p>19.3% (6,711 sqm)</p>	<p>Guidance on minimum standards for apartment complexes provided in the 2018 Apartment Guidelines: One Bed: 5 sq m Two Bed: 6-7 sqm Three Bed: 9 sqm</p>	<p>15%</p>
<p>Car Parking</p>	<p>Houses</p> <p>2 no. parking spaces provided per unit</p> <p>Duplex / Apartments</p> <p>1 no.parking space per unit + 1 no. visitor space per 4 no. units</p> <p>Total Residential: 190 no. car parking spaces</p> <p>Total Visitor : 17 no. car parking spaces</p> <p>Total Creche: 8 no. Car parking spaces/set down (see Section 6.3.3 for</p>	<p><i>As a benchmark guideline for apartments in relatively peripheral or less accessible urban locations, one car parking space per unit, together with an element of visitor parking, such as one space for every 3-4 apartments, should generally be required'</i></p>	<ul style="list-style-type: none"> ➤ 2 spaces per unit for dwellings/Apartments (4+ bedrooms) ➤ 1.5 Spaces per dwelling for Dwellings/Apartments (1-3 bedrooms) ➤ 1 car parking space per staff member + 1 car parking space per 4 children (* A setdown area may be appropriate in certain circumstances)

	further details on creche parking)		
	Total: 198 no. car parking spaces		
* Calculations are based on the Net Site Area			

Table 3: Schedule of Residential Accommodation

Type		Description	Areas of Units (m ²)	No of Units	Total Floor Area (m ²)
Apartments					
Block A1	1	1-Bed Apartment	60.81	2	121.62
	2	1-Bed Apartment	56.30	3	168.90
	1	2-Bed Apartment	85.17	3	255.51
	2	2-Bed Apartment	88.22	3	264.66
	3	2-Bed Apartment	94.82	2	189.64
	3a	2-Bed Apartment	88.50	1	88.50
	Block A1 Net Floor Area				
Block A1 Gross Floor Area					1474.40
Block A2					
	1	1-Bed Apartment	60.81	2	121.62
	2	1-Bed Apartment	56.30	2	112.60
	1	2-Bed Apartment	85.17	3	255.51
	2	2-Bed Apartment	88.22	3	264.66
	3	2-Bed Apartment	94.82	2	189.64
	3a	2-Bed Apartment	88.50	1	88.50
			Multipurpose Room	56.30	
Block A2 Net Floor Area					1032.53
Block A2 Gross Floor Area					1474.40
Block A3					
	C1	2-Bed Apartment	98.58	1	98.58
	C3	2-Bed Apartment	106.69	1	106.69
Block A3 Net Floor Area					205.27
Block A3 Gross Floor Area					205.80
Block A4					
	C1	2-Bed Apartment	98.58	1	98.58
	C2	2-Bed Apartment	98.59	1	98.59
	C3	2-Bed Apartment	106.7	2	213.40
Block A4 Net Floor Area					410.57
Block A4 Gross Floor Area					414.20
Duplex					
Duplex 1 - D1	1	2-Bed Ground Floor Unit	89.0	2	178.0
	3	3-Bed 2-Storey Unit	120.0	2	240.0
Duplex 1 - Total Area					418.0
Duplex 2 - D2	1	2-Bed Ground Floor Unit	89.0	3	267.0
	2	2-Bed Ground Floor Unit	89.0	1	89.0
	3	3-Bed 2-Storey Unit	120	4	480.0
Duplex 2 - Total Area					836.0
Terrace 5 - T5	2	2-Bed Ground Floor Unit	89.0	2	178.0
	3	2-Bed Ground Floor Unit	120	2	240.0
Terrace 5 - Total Area					418.0

Type		Description	Areas of Units (m2)	No of Units	Total Floor Area (m2)
Duplex 3 - D3	1	2-Bed Ground Floor Unit	89.0	178.0	168.8
	2	2-Bed Ground Floor Unit	89.0	1	89.0
	3	3-Bed 2-Storey Unit	120.0	3	360.0
Duplex 3 – Total Area					627.0
Duplex 4 - D4	1	2-Bed Ground Floor Unit	89.0	7	623.0
	3	3-Bed 2-Storey Unit	120.0	7	840.0
Duplex 4 – Total Area					1463.0
Houses					
	H1	4-Bed Detached	147.8	3	443.4
	H1A	4-Bed Detached	145.3	1	145.3
	H3	4-Bed Detached	194.3	1	194.3
	H4	4-Bed Detached	147.4	2	294.8
	H5	4-Bed Detached	212.8	1	212.8
	H2A	4-Bed Semi-Detached	130.9	3	392.7
	H2	3-Bed Semi-Detached	119.0	14	1666.0
	H2C	3-Bed Semi-Detached	119.5	3	385.5
	T1/T2/T4	3-Bed Mid Terrace (T9)	115.5	8	924.0
	T4	3-Bed Mid Terrace (T9A)	122.4	2	244.8
	T3/T5	3-Bed Mid Terrace (T9C)	116.0	6	696.0
	T1/T2/T3	3-Bed End of Terrace (T9B)	126.8	4	507.2
	T1/T2/T4	3-Bed End of Terrace (9D)	150.4	4	601.6
Total Area					6681.4

Table 4: Gross Floor Areas of Proposed Scheme

Description of Area/Unit	Quantum of Gross Floor Area (sqm)
Residential GFA (Residential Units Only)	12,967.89
Creche GFA	224.8
Total Gross Floor Area (including residential service buildings areas)	13,323.56sqm

Table 5: Mix of Dwelling Types

Type of Dwelling	No. of Units	Percentage
Apartment	33	27.27%
Duplex	36	29.75%
House	52	42.98%

Table 6: Mix of Units

Type of Unit	No. of Units	Percentage
One Bed Units	9	7.43%

Two Bed Units	42	34.71%
Three Bed Units	55	45.45%
Four Bed Units	15	12.40%

4.3

Compliance with Part V of the Planning and Development Act, 2000 in respect of Social Housing

This section of the report details the compliance by the proposed development with the provisions of Part V Social Housing is contained within the *Planning and Development Act 2000*, as amended, (“the 2000 Act”), the *Planning and Development Regulations, 2001*, as amended, (“the 2001 Regulations”) and the Galway County Housing Strategy 2015–2021 .

Under Section 96 of the 2000 Act the options for compliance with Part V are as follows:

- I. The transfer, to the Planning Authority of the ownership of part(s) of the land (10%) subject of the application, to be reserved for the provision of social housing.
- II. The building and transfer, on completion, to the ownership of the Planning Authority, or to the ownership of persons nominated by the, of houses on the land which is subject to the application for permission of such number and description as may be specified in the agreement.
- III. The transfer to the ownership of the Planning Authority, or to the ownership of persons nominated by the Authority, of houses on any other land within the functional area of the Planning Authority of such number and description as may be specified in the agreement.
- IV. The grant to the Planning Authority of a lease under the Housing Acts of houses on the land which is subject to the application for permission, or on any other land within the functional area of the Planning Authority, of such number and description as may be specified in the agreement.
- V. A combination of a transfer of land and one or more of the options listed above, or a combination of 2 or more of any of the others.

Article 297(2)(g) of the 2001 Regulations outlines the details to be included as part of an application for Strategic Housing Development to which Section 96 of the 2000 Act applies. Article 297(2)(g) states:

(g) in the case of an application for permission for a proposed development to which section 96 of the Planning and Development Act 2000 applies, details as to how the applicant proposes to comply with a condition referred to in subsection (2) of that section to which the permission, if granted, would be subject, including—

(i) details of such part or parts of the land which is subject to the application for permission or is or are specified by the Part V agreement, or houses situated on such aforementioned land or elsewhere in the functional area of the planning authority concerned that is or are proposed to be transferred to that planning authority, or details of houses situated on such aforementioned land or elsewhere in the planning authority’s functional area proposed to be leased to the planning authority, or details of any combination of the foregoing, and

(ii) details of the calculations and methodology for calculating values of land, site costs, normal construction and development costs and profit on those costs and other related costs such as an appropriate share of any common development works as

required to comply with the provisions in Part V of the Planning and Development Act 2000,

The proposed scheme includes 121 no. residential units. The applicant proposes providing 10% of the dwelling units to fulfil the scheme's Part V obligation as detailed below.

Table 7: Part V Proposal

Part V Information Required	Part V Proposal
(i) details of such part or parts of the land for the proposed development or is or are specified by the Part V agreement, or houses situated on such aforementioned land or elsewhere in the planning authority's functional area proposed to be transferred to the planning authority, or details of houses situated on such aforementioned land or elsewhere in the planning authority's functional area proposed to be leased to the planning authority, or details of any combination of the foregoing, and	The applicant proposes to transfer 12 no. completed units within the proposed development to Galway County Council Please refer to drawings in Appendix 2 for details of the location of the proposed units.
(ii) details of the calculations and methodology for calculating values of land, site costs, normal construction and development costs and profit on those costs and other related costs such as an appropriate share of any common development works as required to comply with the provisions in Part V of the Act, and	In accordance with the Planning & Development Regulations, 2001 (as amended), the applicant has provided estimated calculations and the methodology for calculating values for the proposed Part V units in Appendix 2 .
(iii) a layout plan showing the location of proposed Part V units in the development?	Please see Drawing No 924-MDO-XX-XX-DR-A-01501 in Appendix 2 .

5. STATEMENT OF CONSISTENCY

This section of the report provides an overview of the relevant planning policy documents at national, regional and local level. A summary of the manner in which the proposed SHD will be consistent with the relevant policies and objectives of national, regional and local plans, in the form of a matrix of planning policies and guidance is provided in **Appendix 1**.

5.1 National Planning Policy Context

5.1.1 Planning Policy Statement 2015

The Department of Environment, Community and Local Government's (DECLG) *Planning Policy Statement 2015* encourages planning authorities to engage in active land management by leading and managing the development process and ensuring that land zoned for development actually comes into use in accordance with Development Plan policy and in tandem with supporting infrastructure. The policy statement acknowledges that creating a consolidated urban form fosters the development of compact neighbourhoods and a critical mass which contributes to the viability of economic, social, and transport infrastructure. A key priority outlined in Planning Policy Statement is the development of a new national planning framework which will provide the context for national spatial planning for the next decade and beyond.

5.1.2 National Planning Framework

In 2018, the Government of Ireland adopted the National Planning Framework (NPF) entitled *Ireland 2040* to succeed the National Spatial Strategy. The NPF comprises the Government's proposed long-term strategic planning framework to guide national, regional and local planning and investment decisions over the next 25 years. It is intended that the NPF will be a strategic document that will provide the framework for future development and investment in Ireland, providing a long-term and place-based aspect to public policy and investment, and aiming to coordinate sectoral areas such as housing, jobs, transport, education, health, environment, energy and communications, into an overall coherent strategy. The NPF has a number of national policy objectives that articulate delivering on a compact urban growth programme and are relevant to the Board's consideration of the proposed Strategic Housing Development. These include:

- National Policy Objective (NPO) 1 (b) relating to population growth in the region;
- National Policy Objectives (NPO) 2(a) relating to growth in our cities;
- NPO 4 relating to attractive, well-designed liveable neighbourhoods;
- NPO 5 relating to sufficient scale and quality of urban development; and
- NPO 6 relating to increased residential population and employment in urban areas.

National Policy Objective 1b states in the context of population growth to 2040:

'Northern & Western Region – population growth of 180,000 additional people.'

There is a very significant population growth allocated to the Northern & Western Region in which Galway is the main urban centre. In order to facilitate this population growth there will be a requirement to develop large numbers of new houses and apartments, approx. 20,000 units based on a standard household size of 2.7 people. Given that Galway is currently acutely affected by the housing crisis there is a considerable divide to be bridged in order to bring housing provision from its current under-supply to the level required to accommodate the population growth forecasts. However, it is important that more sustainable development patterns are established in order to facilitate targeted services and infrastructure investment. The proposed development will deliver 121 no. residential homes and these homes would be developed in accordance with the aspirations described above.

National Policy Objective 2a states:

‘A target of half (50%) of future population and employment growth will be focused in the existing five cities and their suburbs’

Based on the growth figures set out in NPO 1b above this will result in a population increase of 90,000 people in the city of Galway and its suburbs in the period to 2040. This equates to approximately 20,000 new homes in total or approximately 1,000 homes per annum. The proposed development represents an efficient use of land in the context of residential density and it accords with the requirements to deliver new residential development in a sustainable manner within the existing established settlement of Bearna.

National Policy Objective 3a

“Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.”

National Policy Objective 3b

“Deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints.”

The proposed development will provide 121 no. residential units in the existing settlement of Bearna, which is inextricably linked to and functions as part of the Greater Galway City.

National Policy Objective 4

“Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.”

National Policy Objective 5

“Develop cities and towns of sufficient scale and quality to compete internationally and to be drivers of national and regional growth, investment and prosperity.”

In particular, NPO 13 (text below) identifies building height as an important measure for urban areas to deliver and achieve compact growth as required:

‘In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.’

All relevant guidance as it relates to development management standards including height have been considered carefully in the design of the proposed development. In order to achieve targeted growth, design standards such as height must be considered based on performance criteria. The proposed provision of 3 storey buildings can be justified by the need for compact urban growth as outlined above.

Chapter 6 outlines policy objectives relating to people, homes and communities:

National Policy Objective 27

“Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages.”

National Policy Objective 32

“To target the delivery of 550,000 additional households to 2040.”

National Policy Objective 33

“Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.”

The proposed development will provide 121 no. residential units which will assist in the delivery of additional households. The proposed buildings are located on lands zoned as R – Residential (Phase 1). Phase 1 residential lands have been identified for short to medium term growth in suitable locations that are serviceable and accessible. The proposed development includes for safe and convenient alternatives to the car that encourages walking and cycling. The proposed development includes for 117 no. bicycle stands and also includes for the construction of approximately 330m section of footpath on the eastern side of the L1321 which will improve pedestrian connectivity to the village of Bearna. The proposed footpath width of 1.8m is the minimum allowed under DMURS and is considered appropriate based on the level of pedestrian activity.

National Policy Objective 34

“Support the provision of lifetime adaptable homes that can accommodate the changing needs of a household over time.”

The proposed residential units have been designed to accommodate the changing needs of a household over time. The proposed units in this scheme have been designed to have generous living areas, ample storage and spacious private open spaces. This allows for a variety of methods that can be employed for their adaptation.

There is an option for the houses to be extended to the rear without detracting from the character of their types. The ground floor study spaces in the 4 beds can be used as home offices or converted to downstairs bedrooms for an aging population. An option also exists for further storage in the attic spaces of the houses.

The development acknowledges the changing demographics of the country’s population by providing suitable opportunities to downsize/ trade down into apartment living. The apartments are designed to be fully accessible and compliance with Part M and are provided with an open plan kitchen, living and dining room. The internal walls in the apartments are designed to be predominantly non structural. This allows for easy future adaptations to layouts.

The two and three bed apartments in the scheme are designed to be flexible with the option of conversion into an office space or secondary walk in closet. The duplex buildings are designed to offer own door wheelchair accessible ground floor units. Ample storage is provided within each unit to exceed minimum requirements.

All relevant guidance as it relates to development management standards i.e. density, open space, parking etc. have been considered carefully in the design of the proposed development.

National Policy Objective (NPO) 35 specifically articulates the delivery of higher density residential developments across the county.

National Policy Objective 35 is outlined as follows:

“Increase residential density in settlements through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.”

Taking account of the principles of compact urban development, it is considered that the density of new residential development within the existing Galway Metropolitan Area should be maximised. The proposed development represents an efficient use of land in the context of residential density and it is considered that it accords with the requirements to deliver new residential development in a sustainable manner within the existing urban footprint. An increase in residential density is sought by providing apartments. A total of 69 no. apartment units are proposed which include 36 no. duplex units. Galway City and Suburbs are identified as accommodating up to 90,000 additional people which would equate in excess of 19,500 new dwellings with the GMA up to the year 2040. The proposed development provides for 121 no. residential units and provides a significant response to Galway’s housing needs in accordance with the population targets set out in the NPF.

5.1.3 Design Manual for Urban Roads and Streets (DMURS) (2013)

The *Design Manual for Urban Roads and Streets* (DMURS), 2013, sets out design guidance and standards for constructing new and reconfiguring existing urban roads and streets in Ireland. DMURS aims to end the practice of designing streets as traffic corridors, and instead focus on the needs of pedestrians, cyclists, and public transport users. DMURS notes that permeable layouts provide more frequent junctions which have a traffic calming effect as drivers slow and show greater levels of caution.

The primary objectives of DMURS are as follows:

- i. Prioritise pedestrians and cyclists in urban settings without unduly compromising vehicular movement.
- ii. Provide good pedestrian permeability and connectivity in urban environments in order to encourage walking.
- iii. Implement speed reduction measures to provide safe interaction between pedestrians, cyclists and motorists.
- iv. Create attractive streetscapes through the design of roads and footpaths with careful consideration given to landscaping and selection of surface finishes.

The guidance document notes that four interlinked characteristics influence the sense of place within a street, including:

- **Connectivity:** The creation of vibrant and active places requires pedestrian activity. This in turn requires walkable street networks that can be easily navigated and are well connected.
- **Enclosure:** A sense of enclosure spatially defines streets and creates a more intimate and supervised environment. A sense of enclosure is achieved by orientating buildings toward the street and placing them along its edge. The use of street trees can also enhance the feeling of enclosure.
- **Active Edge:** An active frontage enlivens the edge of the street creating a more interesting and engaging environment. An active frontage is achieved with frequent entrances and openings that ensure the street is overlooked and generate pedestrian activity as people come and go from buildings.
- **Pedestrian Activity/Facilities:** The sense of intimacy, interest and overlooking that is created by a street that is enclosed and lined with active frontages enhances a pedestrian’s feeling of security and well-being. Good pedestrian facilities (such as wide footpaths and well-designed crossings) also make walking a more convenient and pleasurable experience that will further encourage pedestrian activity.

The DMURS guidance emphasises that these four characteristics represent the basic measures that should be established in order to create people friendly streets that facilitate more sustainable neighbourhoods. O'Connor Sutton Cronin Engineers have prepared a Statement Consistency with Ministerial Guidance- Design Manual for Urban Roads and Streets (DMURS) which is included with this application as a standalone document. The statement of consistency confirms that the proposed scheme has been designed in accordance with the principles of the *Design Manual for Urban Roads and Streets* (DMURS).

The proposed development provides for a high level of accessibility and permeability ensuring ease of circulation throughout the scheme and easy access to proposed areas of public open space and crèche facilities. Pedestrian and cycle routes will be provided throughout the scheme with a main arterial pedestrian and cycle route running through the scheme from north to south. The street networks within the development have been designed to maximise connections between local areas and services. Upon completion, there will be a safe pedestrian connectivity to adjoining public road and path network to the village. The proposed Linear Park which incorporates Trusky Stream, delivers a key section of greenway, offering the potential for a future pedestrian link access to the village.

5.1.4

Summary of Compliance with National Planning Policy

Table 8: Summary of Compliance with National Planning Policy

Compliance with National Planning Policy
<p>The <i>National Planning Framework</i> has a number of directly relevant national policy objectives that articulate delivering on a compact urban growth programme. The proposed development is consistent with the Government's <i>Planning Policy Statement 2015</i> and national housing policy generally.</p> <p>The proposed development complies with the following objectives;</p> <ul style="list-style-type: none"> ❑ National Policy Objective 2a: A target of half (50%) of future population and employment growth will be focused in the existing five cities and their suburbs' ❑ National Policy Objective 3a: Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlement. ❑ National Policy Objective 3b: Deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints <p>Galway City and Suburbs are identified as accommodating up to 90,000 additional people which would equate in excess of 19,500 new dwellings with the GMA up to the year 2040. The proposed development provides for 121 no. residential units and provides a significant response to Galway's housing needs in accordance with the population targets set out in the NPF.</p> <p>National Policy Objective (NPO) 35 specifically articulates the delivery of higher density residential developments across the county. The proposed development represents an efficient use of land in the context of residential density and it is considered that it accords with the requirements to deliver new residential development in a sustainable manner within the existing urban footprint.</p> <p>The proposed development has been assessed for compliance with the <i>Design Manual for Urban Roads and Streets</i> published by the Department of Transport, Tourism and Sport & the Department of Environment, Community and Local Government. The proposed development provides for a high level of accessibility and permeability ensuring ease of circulation throughout the scheme</p> <p>Accordingly, this Report demonstrates that the proposed scheme is in accordance with the planning policy objectives set out above.</p>

5.2 Section 28 Ministerial Guidelines

There are various Ministerial Guidelines in respect of residential development, with those most relevant to the proposed development included below.

5.2.1 Urban Development and Building Heights Guidelines for Planning Authorities (December 2018)

The Guidelines states that generic maximum height limits, if inflexibly or unreasonably applied, can undermine wider national policy objectives to provide more compact forms of urban development as outlined in the *National Planning Framework*, and instead continue an unsustainable pattern of development whereby cities and towns continue to grow outwards rather than consolidating and strengthening the existing built up area. Furthermore, the Guidelines provide that blanket limitations can also hinder innovation in urban design and architecture leading to poor planning outcomes.

On this basis the Guidelines set out wider and strategic policy considerations and a more performance criteria driven approach that planning authorities should apply alongside their statutory development plans in securing the strategic outcomes of the *National Planning Framework* and in particular compact growth of urban areas. The Guidelines identify a key objective of the NPF is to *‘see that greatly increased levels of residential development in our urban centres and significant increases in the buildings heights and density of development is not only facilitated but actively sought out and brought forward by our planning processes and particularly so at local authority and An Bord Pleanála levels’*.

Section 3.1 of the Guidelines provides that it is Government policy that building heights must be generally increased in appropriate urban locations and therefore there is a presumption in favour of buildings of increased height in our towns/city cores and other urban locations with good public transport accessibility. As a broad principle, the Guidelines provides that proposal for buildings taller than prevailing building heights will be considered where they positively assist in securing National Planning Framework objectives of focusing development in key urban centres and fulfilling targets relating to, inter alia, infill development supporting the National Strategic Objective to delivery compact growth in urban centres.

5.2.2 Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities 2018

The *Sustainable Urban Housing: Design Standards for New Apartments (2018)* update previous guidance in the context of greater evidence and knowledge of current and likely future housing demand in Ireland taking account of the Housing Agency National Statement on Housing Demand and Supply, the Government’s action programme on housing and homelessness *Rebuilding Ireland* and *Project Ireland 2040* and the *National Planning Framework*, published since the 2015 guidelines. Section 2.4 of the Guidelines identifies the types of location in cities and towns that may be suitable for apartment development. In relation to ‘Peripheral and/or Less Accessible Urban Locations’ the Guidelines state:

‘Such locations are generally suitable for limited, very small-scale (will vary subject to location), higher density development that may wholly comprise apartments, or residential development of any scale that will include a minority of apartments at low-medium densities (will also vary, but broadly <45 dwellings per hectare net), including:

- *Sites in suburban development areas that do not meet proximity or accessibility criteria;*
- *Sites in small towns or villages.*

The range of locations outlined above is not exhaustive and will require local assessment that further considers these and other relevant planning factors.'

The proposed residential scheme provides 121 no. residential units on an area of land zoned for residential development which extends to a net site area of 3.47ha which equates to a residential density of 35 units per hectare. In terms of density, the proposed scheme complies with the national policy objectives set out in Section 2.4 of the Guidelines which promotes low to medium density development on sites in suburban development areas that do not meet proximity or accessibility criteria.

The **Housing Quality Assessment** and the **Design Statement** demonstrates that the proposed residential scheme complies with the Guidelines in terms of the following apartment design standards criteria:

- > Apartment mix
- > Internal space standards for different types of apartments
- > Dual aspect ratios
- > Floor to ceiling height
- > Apartments to stair/lift core ratios;
- > Storage spaces
- > Amenity spaces including balconies/patios
- > Car parking
- > Room dimensions for certain rooms.

Further to the above the Guidelines also list a number of Specific Planning Policy Requirements ('SPPR') which are detailed in Table 9 below:

Table 9: SPPR Detail

SPPR	Wording	
1	Apartment developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms. Statutory development plans may specify a mix for apartment and other housing developments, but only further to an evidence-based Housing Need and Demand Assessment (HNDA), that has been agreed on an area, county, city or metropolitan area basis and incorporated into the relevant development plan(s).	<p>The scheme includes a range of house types and sizes:</p> <ul style="list-style-type: none"> • One Bed Units (9) – 7.44% • Two Bed Units (42) – 34.71% • Three Bed Units (55) – 45.45% • Four Bed Units (15) –12.40% <p>The scheme includes 121 No. Units broken down as follows:</p> <ul style="list-style-type: none"> • 27 No. 1 and 2 Bed Apartments within 2 No. Buildings, • 24 No. 2 Bed, Own Door Apartments within 7 No. Buildings, • 18 No. 3 Bed, Own Door Duplex within 5 No. Buildings, • 8 No. 4 Bed Detached Houses, • 3 No. 4 Bed Semi-Detached Houses, • 4 No. 4 Bed End of Terrace Houses, • 17 No. 3 Bed Semi-Detached Houses, • 16 No. 3 Bed Terraced Houses. • 4 No. 3 Bed End of Terrace Houses
2	For all building refurbishment schemes on sites of any size, or urban infill schemes on sites of up to 0.25ha: <ul style="list-style-type: none"> ▪ Where up to 9 residential units are proposed, notwithstanding SPPR 1, there shall be no restriction on dwelling mix, provided no more 	Not Applicable – The development is not a refurbishment or urban infill scheme.

SPPR	Wording	
	<p>than 50% of the development (i.e. up to 4 units) comprises studio-type units;</p> <ul style="list-style-type: none"> ▪ Where between 10 to 49 residential units are proposed, the flexible dwelling mix provision for the first 9 units may be carried forward and the parameters set out in SPPR 1, shall apply from the 10th residential unit to the 49th; ▪ For schemes of 50 or more units, SPPR 1 shall apply to the entire development. 	
3	<p>Minimum Apartment Floor Areas:</p> <ul style="list-style-type: none"> ▪ Studio apartment (1 person) 37 sq.m ▪ 1-bedroom apartment (2 persons) 45 sq.m ▪ 2-bedroom apartment (4 persons) 73 sq.m ▪ 3-bedroom apartment (5 persons) 90 sq.m 	<p>All apartment units meet the minimum floor areas for apartments, as detailed in the Architectural Drawings and the Housing Quality Assessment prepared by MDO Architects</p>
4	<p>In relation to the minimum number of dual aspect apartments that may be provided in any single apartment scheme, the following shall apply:</p> <ul style="list-style-type: none"> (i) A minimum of 33% of dual aspect units will be required in more central and accessible urban locations, where it is necessary to achieve a quality design in response to the subject site characteristics and ensure good street frontage where appropriate. (ii) In suburban or intermediate locations it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme. (iii) For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, planning authorities may exercise further discretion to consider dual aspect unit provision at a level lower than the 33% minimum outlined above on a case-by-case basis, but subject to the achievement of overall high design quality in other aspects. 	<p>All houses and duplex units are a minimum of through aspect. The majority of apartments also enjoy dual aspect, with apartment blocks achieving a minimum 62% dual aspect ratio. When all duplex units and apartments are combined, just 14.5% of units are single aspect. Where this occurs, units have the benefit of an eastern aspect and generous windows to ensure high levels of daylight.</p>

SPPR	Wording	
5	<p>Ground level apartment floor to ceiling heights shall be a minimum of 2.7m and shall be increased in certain circumstances, particularly where necessary to facilitate a future change of use to a commercial use. For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, planning authorities may exercise discretion on a case-by-case basis, subject to overall design quality.</p>	<p>Ceiling heights provided on ground level apartments are either 2.7m or more for all apartments.</p>
6	<p>A maximum of 12 apartments per floor per core may be provided in apartment schemes. This maximum provision may be increased for building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, subject to overall design quality and compliance with building regulations.</p>	<p>The proposed development includes for less than 12 apartments per floor core. 5 no. apartments are the maximum no. apartments provided per core floor.</p>
7	<p>BTR development must be:</p> <ul style="list-style-type: none"> (a) Described in the public notices associated with a planning application specifically as a 'Build-To-Rent' housing development that unambiguously categorises the project (or part of thereof) as a long-term rental housing scheme, to be accompanied by a proposed covenant or legal agreement further to which appropriate planning conditions may be attached to any grant of permission to ensure that the development remains as such. Such conditions include a requirement that the development remains owned and operated by an institutional entity and that this status will continue to apply for a minimum period of not less than 15 years and that similarly no individual residential units are sold or rented separately for that period; (b) Accompanied by detailed proposals for supporting communal and recreational amenities to be provided as part of the BTR development. These facilities to be categorised as: <ul style="list-style-type: none"> i. Resident Support Facilities - comprising of facilities related to the operation of the development for residents such as laundry facilities, concierge and management facilities, maintenance/repair services, 	<p>N/A – not a 'Build-To-Rent' development</p>

SPPR	Wording	
	<p>waste management facilities, etc.</p> <p>ii. Resident Services and Amenities – comprising of facilities for communal recreational and other activities by residents including sports facilities, shared TV/lounge areas, work/study spaces, function rooms for use as private dining and kitchen facilities, etc.</p>	
8	<p>For proposals that qualify as specific BTR development in accordance with SPPR 7:</p> <p>(i) No restrictions on dwelling mix and all other requirements of these Guidelines shall apply, unless specified otherwise;</p> <p>(ii) Flexibility shall apply in relation to the provision of a proportion of the storage and private amenity space associated with individual units as set out in Appendix 1 and in relation to the provision of all of the communal amenity space as set out in Appendix 1, on the basis of the provision of alternative, compensatory communal support facilities and amenities within the development. This shall be at the discretion of the planning authority. In all cases the obligation will be on the project proposer to demonstrate the overall quality of the facilities provided and that residents will enjoy an enhanced overall standard of amenity;</p> <p>(iii) There shall be a default of minimal or significantly reduced car parking provision on the basis of BTR development being more suitable for central locations and/or proximity to public transport services. The requirement for a BTR scheme to have a strong central management regime is intended to contribute to the</p>	N/A – not a ‘Build-To-Rent’ development

SPPR	Wording	
	<p>capacity to establish and operate shared mobility measures;</p> <p>(iv) The requirement that the majority of all apartments in a proposed scheme exceed the minimum floor area standards by a minimum of 10% shall not apply to BTR schemes;</p> <p>(v) The requirement for a maximum of 12 apartments per floor per core shall not apply to BTR schemes, subject to overall design quality and compliance with building regulations.</p>	
9	<p>Shared Accommodation may be provided and shall be subject to the requirements of SPPRs 7 (as per BTR). In addition,</p> <p>(i) No restrictions on dwelling mix shall apply;</p> <p>(ii) The overall unit, floor area and bedroom floorspace requirements of Appendix 1 of these Guidelines shall not apply and are replaced by Tables 5a and 5b;</p> <p>(iii) Flexibility shall be applied in relation to the provision of all storage and amenity space as set out in Appendix 1, on the basis of the provision of alternative, compensatory communal support facilities and amenities. The obligation will be on the project proposer to demonstrate the overall quality of the facilities provided and that residents will enjoy an enhanced overall standard of amenity;</p> <p>(iv) A default policy of minimal car parking provision shall apply on the basis of shared accommodation development being more suitable for central locations and/or proximity to public transport services. The requirement for shared accommodation to have a strong central management regime is intended to contribute to the capacity to</p>	N/A – not a ‘Shared Accomodation’ development

SPPR	Wording	
	establish and operate shared mobility measures;	

5.2.3

Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas 2009

The role of the ‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, 2009’ is to ensure the sustainable delivery of new development throughout the country. The Guidelines focus on the provision of sustainable residential development, including the promotion of layouts that:

- Prioritise walking, cycling and public transport, and minimise the need to use cars;
- Are easy to access for all users and to find one’s way around;
- Promote the efficient use of land and of energy, and minimise greenhouse gas emissions;
- Provide a mix of land uses to minimise transport demand.

The Guidelines also provide guidance on the core principles of urban design when creating places of high quality and distinct identity. The Guidelines recommend that planning authorities should promote high quality design in their policy documents and in their development management process. In this regard, the Guidelines are accompanied by a Design Manual discussed below which demonstrates how design principles can be applied in the design and layout of new residential developments, at a variety of scales of development and in various settings.

The Guidelines reinforce the need to adopt a sequential approach to the development of land and note in Section 2.3 and *‘the sequential approach as set out in the Departments Development Plan Guidelines (DoEHLG, 2007) specifies that zoning shall extend outwards from the centre of an urban area, with undeveloped lands closest to the core and public transport routes being given preference, encouraging infill opportunities...’*

The proposed buildings are located on lands zoned as R – Residential (Phase 1). Phase 1 residential lands have been identified for short to medium term growth in suitable locations that are serviceable and accessible. The application site is located within 0.45km walking distance of the village of Bearna. Bearna is also served three bus routes: Bus Eireann Route No. 424 leaves Bearna arriving at Galway Bus via Salthill and Spanish Parade station in 20mins. City Direct Route No. 414 leave Bearna with journey times of 26mins to Eyre Square via the Western Distributor Road, University Hospital Galway and University Road (NUIG). A private route operated by Lally Coaches also connects Bearna to Queen Street, Galway via Salthill.

With regard to Community Facilities, the Guidelines recognise that:

“Sustainable neighbourhoods require a range of community facilities, and each district/neighbourhood will need to be considered within its own wider locality, as some facilities may be available in the wider area while others will need to be provided locally.”

The proposal includes for a childcare facility (224.8 sqm. that can cater for 38 no. children. The proposed development also includes appropriate areas of communal open space.

Regarding Density, Section 5.11 of the Guidelines states that net residential densities in the general range of 35-50 dwellings per hectare, involving a variety of housing types where possible, should be encouraged generally at these sites. In addition, the guidelines generally discourage densities of less than 30 dwellings per hectare in the interests of land efficiency, particularly on sites in excess of 0.5 hectares.

The subject site is classified as an ‘Outer Suburban/Greenfield’ site associated with cities and larger towns, with a density in the general range of 35-50 dwellings per hectare as per Section 5.11 of the guidelines. The development has a development density of 35 units per hectare. This density can be justified due to the location of the site within the established settlement of Bearna, and also being within the Galway Metropolitan Area. The subject site is located within 0.45km walking distance of the village of Bearna. It is a short walk away from the main street with numerous independent shops and restaurants, local amenities such as the nearby Super Valu grocery shop, post office, playground and school among others. The development therefore complies with the ‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’ (May 2009).

The **Architectural Design Statement** prepared by MDO Architects included as part of this submission, sets out the design rationale and the key criteria considered in the design process for the proposed development.

This architectural design statement describes the analysis and synthesis that has been undertaken for the subject site and its context. The design methodology chosen is based on the DoEHLG Urban Design Manual. It also demonstrates how the proposed development achieves the policies and objectives set out in national policies such as the National Planning Framework 2018, Regional and Economic and Spatial Strategy (RSES), Sustainable Urban Housing; Design Standards for Apartments (2018) and Local Policies affecting the site, Galway County Development Plan 2015-2021 and the Variation No.2 (a) of the Galway County Development Plan 2015-2021 (“the Bearna Plan”).

See enclosed Appendix 1 – Statement of Consistency Matrix which outlines how the proposed development complies with the Sustainable Residential Development in Urban Areas Guidelines 2009 and the associated Urban Design Manual 2009.

5.2.4 **Childcare Facilities - Guidelines for Planning Authorities (2001)**

In all new housing areas over 75 units, the provision of one childcare facility with a minimum of 20 childcare spaces is required, in line with the *Ministerial Guidelines for Planning Authorities on Childcare Facilities (DECLG 2001)* and to create sustainable residential neighbourhoods. With regard to larger housing developments, Section 2.4 of the guidelines state planning authorities should require the provision of at least one childcare facility for new housing areas unless there are significant reasons to the contrary. Appendix I of the Guidelines sets out general standards and minimum floors areas for proposed childcare facilities.

The proposed scheme includes a childcare facility which extends to 224.8 sqm that can cater for 38 no. children. The childcare facility is designed to comply with the Childcare Facilities – Guidelines for Planning Authorities.

5.2.5 **The Planning System And Flood Risk Management, Guidelines For Planning Authorities (2009)**

The Planning System and Flood Risk Management Guidelines were issued by the Minister of the Environment, Heritage and Local Government under Section 28 of the Planning and Development Act 2000.

A Flood Study of the Trusky Stream and a Site Specific Flood Risk Assessment have been prepared in relation to the proposed development by O’Connor Sutton Cronin & Associates in accordance with the Flood Risk Management Guidelines.

The Trusky East Flood Study provides a hydrological assessment of the stream catchment, and concludes at paragraphs 5.1 to 5.6 as follows:

“...The catchment of the Trusky East Stream has been assessed using the IH124 method in order to estimate river flood flows. Resulting calculated flows for both current climate and future climate scenarios were used for hydraulic analysis.

Design flood events have been selected to comply with best practice, taking cognisance of guidelines on The Planning System and Flood Risk Management Guidelines for Planning Authorities and Circular PL 2/2014.

The geometry of the river channel has been modelled using bathymetric and topographical survey data and site observations.

The current flood extents for the 1.0% AEP and 0.1% AEP flood events have been mapped.

The extent of future floods, i.e. including the effect of climate change, have also been modelled to inform the design of the proposed development.

The proposed scheme will involve no bridges or culverts and no modifications to the channel. Encroachments into the predicted flood extents have been identified and it is proposed to provide “level-for-level” direct compensatory storage to offset loss of floodplain storage..”

A Site Specific Flood Risk Assessment accompanies this application in accordance with the Flood Risk Management Guidelines. The Site Specific Flood Risk Assessment also demonstrates how the criteria of the Development Management Justification Test are met in respect of the proposed development.

The Site Specific Flood Risk Assessment concludes at paragraph 6.1.1.

“6.1.1 This report identifies the flood risks at the proposed development site at Bearna, Co. Galway. Planning permission is currently being sought for residential development, a creche and open space amenity development. The residential development and the creche are classed as “highly vulnerable development” in accordance with Table 3.1 of the Guidelines and the open space amenity development is classified as “water compatible development”. As outlined in section 3, a Development Management Justification Test is required in respect of the proposed development. Adopting a conservative approach in order to ensure the most robust assessment, and regardless of the different land-use zoning applicable to different portions of the proposed development site and the different uses that are proposed, the Development Management Justification Test should be applied in relation to the proposed development as a whole. Section 5 of this report demonstrates how the criteria of the Development Management Justification Test are met in respect of the proposed development.”

The SSFRA concludes at paragraphs 6.1.7 to 6.1.10 that: tidal/coastal flooding risk is not present at the subject site; the provision of a robust drainage network and the design of roads to provide overland flow routes away from existing and proposed buildings, will mitigate the risk of pluvial flooding; the flood risks arising from the proposed drainage infrastructure will be negligible and no further mitigation is required; and the flood risk represented by ground water is negligible and no further mitigation is required.

5.2.6

Summary of Compliance with Section 28 Ministerial Guidelines

Table 10: Summary of Compliance with Section 28 Ministerial Guidelines

Compliance with Ministerial Guidelines
The proposed development has been informed by the foregoing Guidelines and the proposed development incorporates the relevant policies and objectives as contained therein. Accordingly, the

proposed development is consistent with the policies and objectives of the Ministerial Guidelines outlined above.

The *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas* (May 2009) sets out the planning objectives for sustainable neighbourhoods under four main themes, namely, provision of community facilities, efficient use of resources, amenity or quality of life issues and conservation of the built and natural environment.

The guidelines state that net residential densities in the general range of 35-50 dwellings per hectare, involving a variety of housing types where possible, should be encouraged generally at these sites. In addition, the guidelines generally discourage densities of less than 30 dwellings per hectare in the interests of land efficiency, particularly on sites in excess of 0.5 hectares.

The proposed development has a development net density of 35 units per hectare based on a net site area of the 3.47ha of lands zoned for residential development. A variety of dwellings types and unit size types are also proposed as outlined in the tables below. The proposed development therefore complies with the ‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’ (May 2009).

The *Urban Development and Building Heights Guidelines for Planning Authorities* (December 2018) state that generic maximum height limits, if inflexibly or unreasonably applied, can undermine wider national policy objectives to provide more compact forms of urban development as outlined in the National Planning Framework, and instead continue an unsustainable pattern of development whereby cities and towns continue to grow outwards rather than consolidating and strengthening the existing built up area

The proposed development must be viewed in the context of its role in supporting the Galway City and the Galway Metropolitan Area and therefore the design team has sought to ensure that higher densities are achieved through the inclusion of 3-storey Apartment blocks and 3 storey Duplex Blocks.

The 2018 guidelines outline a number of Specific Planning Policy Requirements. Specific Planning Policy Requirement (SPPR) 4 is outlined below:

“SPPR 4 - It is a specific planning policy requirement that in planning the future development of greenfield or edge of city/town locations for housing purposes, planning authorities must secure:

1. *the minimum densities for such locations set out in the Guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended), titled “Residential Development in Urban Areas (2007)” or any amending or replacement Guidelines;*
2. *a greater mix of building heights and typologies in planning for the future development of suburban locations; and*
3. *avoid mono-type building typologies (e.g. two storey or own-door houses only), particularly, but not exclusively so in any one development of 100 units or more”*

The site of the proposed development is a greenfield site and, accordingly, the Board (as a “planning authority” for the purposes of the Guidelines”) must secure the three objectives identified in SPPR4. Firstly, under Section 5.11 of the guidelines on *Sustainable Residential Development in Urban Areas* (2009), the subject site is classified as an ‘Outer Suburban/Greenfield’ site associated with cities and larger towns. The 2009 guidelines encourage densities in the general range of 35-50 dwellings per hectare and discourage densities of less than 30 dwellings per hectare at these sites.

The development has a development density of 35 units per hectare. This density can be justified due to the location of the site within the established settlement of Bearna, and also being within the Galway Metropolitan Area.

The proposed development, secondly, provides a mix of building heights, units and sizes and, thirdly, seeks to avoid mono-type building typologies.

The *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (March 2018)* update previous guidance in the context of greater evidence and knowledge of current and likely future housing demand in Ireland taking account of the Housing Agency National Statement on Housing Demand and Supply, the Government's action programme on housing and homelessness *Rebuilding Ireland* and *Project Ireland 2040* and the *National Planning Framework*, published since the 2015 guidelines.

The proposed residential scheme provides 121 no. residential units on an area of land zoned for residential development which extends to a nett site of 3.47ha which equates to a residential density of 35 units per hectare. In terms of density, the proposed scheme is considered to comply with the national policy objectives set out in Section 2.4 of the Guidelines which promotes low to medium density development on sites in suburban development areas that do not meet proximity or accessibility criteria. The proposed scheme is also considered to comply with Section 2.5 of the Guidelines which promotes the provision of apartments as they allow for greater diversity in the housing scheme, whilst also increasing overall density. The provision of apartments contributes to the mix of housing types proposed.

The proposed scheme includes a childcare facility which extends to 224.8 sqm that can cater for 38 no. children in line with *the Childcare Facilities – Guidelines for Planning Authorities* which requires the provision of one childcare facility with a minimum of 20 childcare spaces in all new housing areas over 75 units. The childcare facility is designed to comply with the *Childcare Facilities – Guidelines for Planning Authorities*.

5.3 Regional Planning Policy Context

5.3.1 Regional Spatial and Economic Strategy (Northern & Western Regional Assembly) 2020-2032

The Regional Spatial & Economic Strategy for the Northern & Western Regional Assembly (RSES NWRA) was adopted on 24th January 2020. The principal purpose of the RSES is to support the implementation of the National Planning Framework and the economic policies and objectives of the Government by providing a long-term strategic planning and economic framework for the development of the regions. Section 3.6 of the RSES sets out the Galway Metropolitan Area Strategic Plan (MASP). The Vision of this MASP is that Galway will be a leading global city, renowned as a successful, sustainable, competitive, compact and accessible city of scale that supports a high quality of life, maintains its distinctive identity and supports its rich heritage, language and cultural experience.

The RSES outlines arrangements for a co-ordinated metropolitan area strategic plan (MASP) for the Galway Metropolitan Area. The MASP has been provided with statutory underpinning to act as 12-year strategic planning and investment framework. The MASP is an opportunity for Galway to address recent growth legacy issues and build on key strengths, including a vibrant arts and cultural scene, year-round tourism and an attractive natural setting.

With regard to growth ambitions for the region, the RSES NWRA notes the importance of compact growth in order to create more compact settlements:

“Compact growth will be pursued to ensure sustainable growth of more compact urban and rural settlements, supported by jobs, houses, services and amenities, rather than continued sprawl and unplanned, uneconomic growth.”

Regional Policy Objective 3.1

‘Develop urban places of regional-scale through:

- a) Delivering on the population targets for the Metropolitan and Regional Growth Centres through compact growth;*
- b) Delivering significant compact growth in Key Towns; and*
- c) Developing derelict and underutilised sites, with an initial focus within town cores.”*

The proposed development will provide 121 no. residential units which will become a key growth settlement to support Bearna and the Galway Metropolitan Area.

Regional Policy Objective 3.2 outlines to:

- a) Deliver at least 50% of all new city homes targeted in the Galway MASP, within the existing built-up footprint of Galway City and suburbs*
- (b) Deliver at least 40% of all new housing targeted in the Regional Growth Centres, within the existing built-up footprint*
- (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;*

The proposed development will provide 121 no. residential units in the existing settlement of Bearna, which is within the existing built-up footprint of Galway City and suburbs.

With regard to Bearna, the NWRA RSES states the following:

“A number of strategic locations have been identified that present the opportunity and capacity to deliver the necessary quantum of housing to facilitate targeted growth, subject to the adequate provision of services.

i. Consolidation of the existing neighbourhoods of Knocknacarra, Rahoon, Castlegar and Roscam.

ii. Development of Regeneration Lands at Ceannt Station Quarter, Inner Harbour and Headford Road

*iii. Ardauniv. Murroughv. Baile Chláir, **Bearna**, Oranmore, Briarhill”*

The proposed development will provide 121 no. residential units in the existing settlement of Bearna, which has been identified as a “strategic location” that “present[s] the opportunity and capacity to deliver the necessary quantum of housing to facilitate targeted growth” and in respect of which there is adequate provision of services.

Policy Objective 3.8 states to:

“Support the design of new/replacement/refurbished dwellings to high energy efficiency standards that fully avail of renewable technologies, maximise solar gain, utilising modern materials and design practices.”

The proposed development will be fully compliant with Part L. The apartment buildings and houses have been carefully sited to exploit solar orientation with the majority of dwellings in the scheme enjoying an East-West dual aspect orientation. This will ensure that residents can benefit from both morning and evening light and reduce the use of artificial lighting. There are only 9 no. single aspect units throughout the entire scheme, all of which enjoy eastern aspect.

Regional Policy Objective 6.30

“Planning at the local level should promote walking, cycling and public transport by maximising the number of people living within walking and cycling distance of their neighbourhood or district centres, public transport services, and other services at the local level such as schools.”

The subject site is located within 0.45km walking distance of the village of Bearna. It is a short walk away from the main street with numerous independent shops and restaurants, local amenities such as the nearby Super Valu grocery shop, post office, playground and school among others.

The proposal also includes for the construction of approximately 330m section of footpath on the eastern side of the L1321 which will improve pedestrian connectivity to the village of Bearna. The proposed footpath width of 1.8m is the minimum allowed under DMURS and is considered appropriate based on the level of pedestrian activity.

The site is also well connected in terms of road and public transport links to Galway City. According to Google Maps, it is approximately a 17-minute drive away from Galway City along the existing R336 road. The proposed N6 extension will also service Bearna with a junction proposed less than 1km from the site entrance along the L1321. This road will be upgraded towards Bearna village as part of the scheme through a footpath and some minor widening works.

Bearna is also served three bus routes: Bus Eireann Route No. 424 leaves Bearna arriving at Galway Bus via Salthill and Spanish Parade station in 20mins. City Direct Route No. 414 leaves Bearna with journey times of 26mins to Eyre Square via the Western Distributor Road, University Hospital Galway

and University Road (NUIG). A private route operated by Lally Coaches also connects Bearna to Queen Street, Galway via Salthill.

Regional Policy Objective 7.19

“The proposed residential units have been designed to accommodate the changing needs of a household over time. The proposed units in this scheme have been designed to have generous living areas, ample storage and spacious private open spaces. This allows for a variety of methods that can be employed for their adaptation.”

There is an option for the houses to be extended to the rear without detracting from the character of their types. The ground floor study spaces in the 4 beds can be used as home offices or converted to downstairs bedrooms for an aging population. An option also exists for further storage in the attic spaces of the houses.

The development acknowledges the changing demographics of the country’s population by providing suitable opportunities to downsize/ trade down into apartment living. The apartments are designed to be fully accessible and compliance with Part M and are provided with an open plan kitchen, living and dining room. The internal walls in the apartments are designed to be predominantly non-structural. This allows for easy future adaptations to layouts.

The two and three bed apartments in the scheme are designed to be flexible with the option of conversion into an office space or secondary walk-in closet. The duplex buildings are designed to offer own door wheelchair accessible ground floor units. Ample storage is provided within each unit to exceed minimum requirements.

Regional Policy Objective 7.20

“Increase population living within settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, in-fill development schemes, area or site-based regeneration, service site provision and increased building heights appropriate to the settlement, together with infrastructure provision.”

The proposed development will provide 121 no. residential units which will become a key growth settlement to support Bearna and the Galway Metropolitan Area.

The proposed development provides for 121 no. residential units and provides a significant response to Galway’s housing needs in accordance with the population targets set out in the RSES NWRA.

As part of this RSES, a co-ordinated Metropolitan Area Strategic Plan (MASP) is prepared for Galway Metropolitan area. The RSES amplifies the provisions of the NPF and the MASP sets out the strategic direction the city will grow to achieve compact growth, as envisaged within the first national strategic outcome in the NPF.

As outlined in the MASP, in Section 3.6 of the RSES, the Galway Metropolitan Area has considerable land capacity that can significantly contribute to meeting the housing demands based on population targets set out in the NPF and RSES. The targets are as follows (*per* section 3.6.3.1 of the RSES):

1. *Population of Galway MASP to grow by 27,500 to 2026 and by a further 14,500 to 2031 with the population of the City and Suburbs accommodating 23,000 to 2026 and a further 12,000 to 2031.*
2. *Deliver at least half (50%) of all new homes that are targeted within the MASP to be within the existing built-up footprint.*

The Galway Metropolitan Area is the primary centre identified for growth in the north west region. Table 11 below outlines the MASP population targets as set out within Table 3 of the RSES:

Table 11: MASP Population targets (extracted from RESES)

Settlement	Population 2016 Census	% Increase to 2040 (min)	Uplift to 2040	Proposed 2026 uplift (min)	Proposed 2031 Uplift (min)	Transitional Target Population ²
Galway City	79,900	50-55	42,000	23,000	12,000	115,000

The following Regional Policy Objectives also relates to the population targets:

“RPO 3.2(a) Deliver at least 50% of all new city homes targeted in the Galway MASP, within the existing built-up footprint of Galway City and suburbs.(b) Deliver at least 40% of all new housing targeted in the Regional Growth Centres, within the existing built-up footprint.(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.³”

A number of strategic locations have been identified that present the opportunity and capacity to deliver the necessary quantum of housing to facilitate targeted growth. These strategic locations are summarised on page 53 of the RSES (and set out below) and it is noted that Bearna is specifically referred to in this context:

*“> Consolidation of the existing neighbourhoods of Knocknacarra, Rahoon, Castlegar and Roscam.
> Development of Regeneration Lands at Ceannt Station Quarter, Inner Harbour and Headford Road
> Ardaun
> Murrough
> Baile Chláir, **Bearna**, Oranmore, Briarhill”* [Emphasis added]

These strategic locations are also shown on Figure 21 on page 53 of the RSES (extracted below) which identifies Bearna as having potential for residential sites.

² 2 Takes into account Transitional Regional and County Population projection to 2031 as set out in the implementation roadmap for the NPF published in 2018

³ 3 built up footprint of settlement is that defined by the CSO

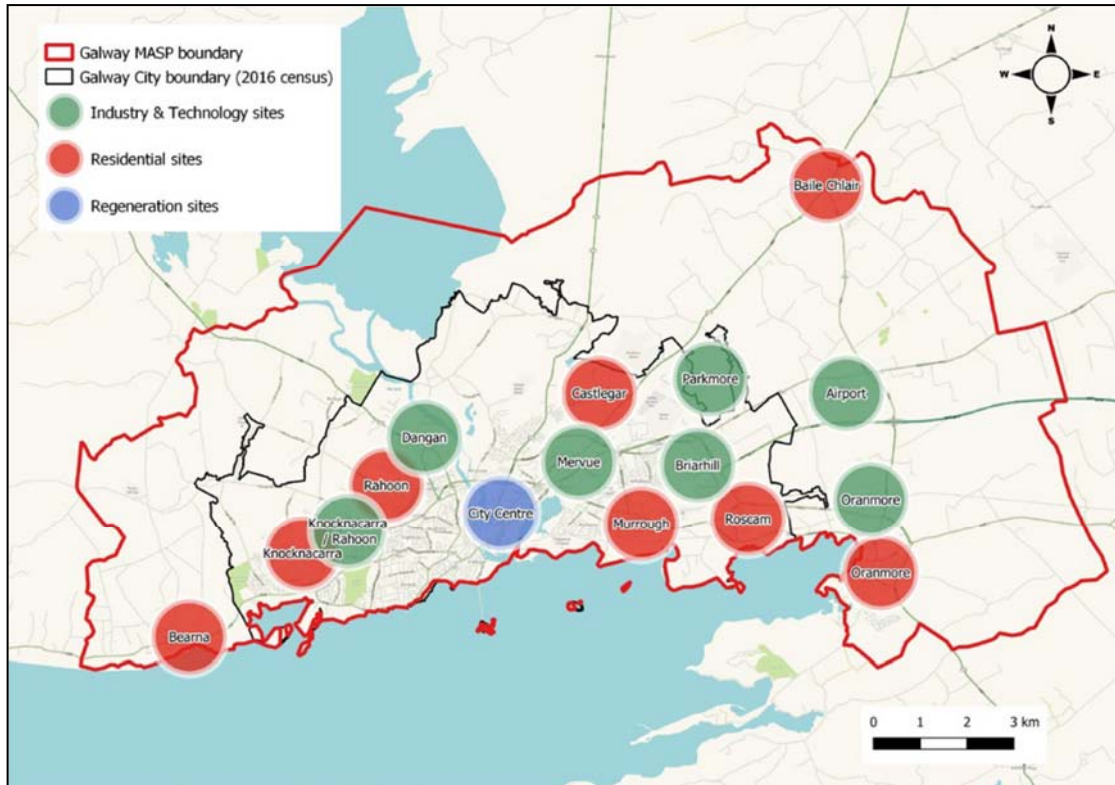


Figure 4: Figure 21 extracted from RSES

The table on page 54 of the RSES identifies that the approximate land area designated for “Land Capacity – Lands Available for Housing” in Beama is 14 Ha.

Moreover, page 55 of the RSES states as follows in relation to Beama:

“Beama is located to the west of the Metropolitan Area, at the gateway to the Gaeltacht na Gaillimhe (County Galway Gaeltacht). It has experienced significant growth in and surrounding the village and is serviced through the Mutton Island Wastewater Treatment Plant. Its location favours future growth that should have a focus that includes the consolidation of built-up areas of the village and the provision of supporting community infrastructure and services that are easily accessible by walking, cycling or public transport. The built, archaeological and cultural heritage of Beama are important assets that should be conserved appropriately, including the Pier Road Architectural Conservation Area. While there is currently circa 14ha of residential phase 1 lands identified in the Beama Local Area Plan that can accommodate growth in the short/medium term, there are additional lands available to facilitate further growth. The identification of such lands shall be a matter for the statutory plan-making process and shall have regard to environmental considerations, including flood risk and climate change.”

The proposed development provides for 121 no. residential units and provides a significant response to Galway’s housing needs in accordance with the population targets set out in the RSES.

5.3.2 Summary of Compliance with Regional Planning Policy

Table 12: Summary of Compliance with Regional Planning Policy

Compliance with Regional Planning Policy
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The proposed development will provide 121 no. residential units, acting as a key compact growth settlement, supporting the role of Bearnna as a strategic location to facilitate targeted growth in the Galway Metropolitan Area. The proposed scheme will provide a significant supply of mixed tenure residential units which will contribute towards the aim to grow the population of the Galway MASP by 38,001 by 2031.

5.4 Local Planning Policy Context

5.4.1 Galway County Development Plan 2015-2021

The overall development context of Bearnna is set within the context of the County Development Plan and the site is governed by the policies and provisions contained in the Galway County Development Plan 2015-2021 (“the GCDP”). The GCDP was adopted by the Members of Galway County Council on 26th January 2015 and the Plan is effective from 23rd February 2015. The Galway County Development Plan 2015-2021, including Chapter 2 thereof, was varied by Variation No.1 adopted on 24 April 2017. In addition, on the 23rd July 2018, Variation No.2(a) to the Galway County Development Plan 2015-2021 was adopted by Galway County Council, which incorporated the Bearnna Plan into the Galway County Development Plan 2015-2021. The Gaeltacht Plan was also adopted as Variation No. 2(b) to the Galway County Development Plan 2015-2021).

The current GCDP sets out an overall strategy for the proper planning and sustainable development of the functional area of Galway County Council. Chapter 2 of the GCDP (as varied by Variation No. 1) sets out the overarching Spatial Strategy of the County, references the development options considered for the growth and details the preferred development option chosen. It details the Core Strategy and sets out the application of regional population targets to the settlement hierarchy determined as part of the Spatial Strategy.

The “*Core Strategy Table: February 2015*” at page 25 of the GCDP (as varied by Variation No. 1) includes a list of all key towns and larger villages and provides a population growth allocation for each for the period 2015 to 2021. The Core Strategy Table also includes an assessment of the quantum of residentially-zoned land available to meet the population growth allocation. The Core Strategy Table indicates that the core strategy population allocation for Bearnna is 420 persons, with a land allocation of 12.12 hectares provided to accommodate new residential development over the plan period and a housing units yield on residential land of 130 units and an indicative density of 16 units.

The Core Strategy is an integral component of the Spatial Strategy. It transposes the population targets for Galway set out in the Regional Planning Guidelines and allocates them throughout the County, which in turn determines the Settlement Hierarchy and provides a rationale for the amount and location of land proposed to be zoned. Bearnna forms part of the Galway Metropolitan Area (GMA), which is on the first tier in the Settlement Hierarchy. The GMA includes Galway City and a number of adjacent electoral divisions that are deemed to be inextricably linked to and function as part of the Greater Galway City.

Objective CS 2 and CS 8 of the GCDP requires development to be consistent with the core strategy:

“Objective CS 2 – Development Consistent with the Core Strategy - Galway County Council shall ensure that developments permitted within the County are consistent with the County population allocations set out in the Regional Planning Guidelines.”

“Objective CS 8 – Core Strategy and Demand for Development - Galway County Council is committed to ensuring that the overall population growth of the County complies with the level of growth set by the Regional Planning Guidelines and settlement hierarchy as outlined within the Core Strategy.”

“Objective SS 1 – Galway Metropolitan Area Galway County Council shall support the important role of Galway City and the Galway Metropolitan Area (which includes the City area and the Electoral Divisions of Oranmore, Bearna, Galway Rural and Ballintemple which are inextricably linked to and function as part of a greater Galway City), as key drivers of social and economic growth in the County and in the wider Western Region and will support the sustainable growth of the strategic settlements, including the future development of Ardaun and Garraun, within the Galway Metropolitan Area.”

A Material Contravention Statement is provided with this application as it is considered that the proposed development materially contravenes the Core Strategy in relation to the population allocation of 420 people, a housing yield of 130 units and an indicative density of 16 units in the Core Strategy Table on page 25 of the GCDP. As outlined in detail in the Material Contravention Statement, in the light of the High Court judgment, it is considered that there are conflicting objectives in the development plan that relate to the proposed development. Specifically, Bearna’s position in the GMA conflicts with the population allocation of 420 people, a housing yield of 130 units and an indicative density of 16 units in the Core Strategy Table and the requirement in Objective CS 2 for development to be consistent with the core strategy is in conflict with other objectives in the GCDP, including Objectives SS 1, UHO 10 and UHO 11.

With regard to the design of new developments within Galway County, the GCDP outlines the following objectives:

Objective UHO 7 – High Quality/Mix and Sensitive Design

“Ensure that new developments are responsive to their site context and in keeping with the character, amenity, heritage, environment and landscape of the area. New development proposals will be required to complement the existing character of the town centre/area in terms of scale, height, massing, building line, housing mix, urban grain and definition and through high quality design and layout proposals for buildings and structures.”

There are several proposed house types, the design of which reflects the Galway vernacular aesthetic through the use of materials, colours and detailing. The development seeks to respond to the topography and features of the site and the existing grain of the built form surrounding the subject site.

Objective UHO 8 – Urban Design

“Promote the use of sustainable urban design principles and approaches that will help to create high quality built and natural environments appropriate to the context and landscape setting of the specific area, having regard to the guidance contained in the Sustainable Residential Development in Urban Areas Guidelines 2009, the accompanying Urban Design Manual 2009 (or any updated version) and the Design Manual for Urban Roads & Streets (2013) (including any superseding document).”

Objective UHO 10 - Sequential Development

“Endeavour to promote the orderly and phased development of residential development in accordance with the principles of the sequential approach and as set out in the Sustainable Residential development in Urban Areas (Cities, Towns & Villages) Guidelines 2009 (or as updated). This shall include a positive presumption in favour of the sequential development of suitably serviced Residential (Phase 1) lands in zoned towns and villages. In un-zoned towns and villages, the presumption shall be in favour of sequential development emanating from the town/village core outwards, subject to compliance with the principles of proper planning and sustainable development and the County Development Plan. This objective will not refer to single house build. Regarding the phasing of undeveloped residential zoned land, development on Residential – Phase 2 lands will normally only be considered where 50% of the lands in Residential Phase 1 are committed to development.”

A Design Statement has been prepared by McCauley Daye O' Connell Architects which details the overall design rationale for the proposed scheme. The development seeks to respond to the topography and features of the site and the existing grain of the built form surrounding the subject site.

Objective UHO 11 – Development Densities

“Galway County Council shall ensure that the density of new development is appropriate to the particular land use zone and/or site context, is in keeping with the existing development pattern of the area, does not unduly impact on the amenities of the area and results in a positive relationship between existing development and any adjoining public spaces. The development of higher density development shall be promoted in appropriate locations, such as suitable sites within the town/village centre and adjacent to public transport facilities, where such development is compatible with heritage and urban design objectives, infrastructure capacity and environmental considerations.”

The development complies with the plot area ratio control within the Bearna Plan. The proposed development has a development density of 35 units per hectare when calculated based upon net development area, which excludes the ‘Open Space / Recreation and Amenity’ Zone which dissects the subject site. The proposed development therefore complies with the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’ (May 2009).

Objective UHO 2 – Social and Specialist Housing

“Implement Part V provisions as per the Planning and Development Act, 2000 (as amended) and any subsequent amendments to the Part V provision to reflect Government policy.”

Discussions have taken place with the Housing Section of Galway County Council in November 2019 with a view towards reaching a Part V agreement for the proposed development. A letter from the Galway County Council Housing section detailing discussions that have taken place, together with the agreed approach to complying with Part V requirements, accompanied the request for pre-planning discussions. The applicant proposes to provide the 12 no. units to fulfil their 10% Part V obligation in accordance with Section 95 of the Planning & Development Act 2000 (as amended). Refer to Section 4.3 of this Report for further detail in relation to the proposed Part units.

In terms of linguistic impact, the GCDP outlines the following objectives:

Objective UHO 12 – Linguistic Impact Statements

“Galway County Council shall require the submission of a Linguistic Impact Statement for housing proposals for two or more houses in the Gaeltacht area in order to protect and strengthen the Irish language and cultural heritage of the Galway Gaeltacht areas. A Language Enurement Clause of 15 years duration shall apply to approved developments, of two or more units.”

Objective UHO 13 – Urban Housing in Gaeltacht Settlements

“Development of multiple residential units (2 or more) in An Ghaeltacht settlements shall be subject to Galway County Council’s linguistic and occupancy requirements in order to protect the linguistic and cultural heritage of An Ghaeltacht including the promotion of Irish as the community language.”

A comprehensive Linguistic Impact Statement (LIS) was commissioned as part of this planning application (see standalone LIS report). Overall, it is not anticipated that the proposed development will have any undue negative impact on the Irish language or the Irish culture in the village of Bearna

Flood

Objective DS 7 – Flood Risk Management and Assessment

“Ensure that proposals for developments located within identified or potential flood risk areas, or which may exacerbate the risk of flooding elsewhere, are assessed in accordance with the provisions of the Flood Risk Management Guidelines 2009 (or any updated/superseding document) the relevant policies, objectives and guidelines within this plan and shall also take account of the National CFRAM Programme Flood Hazard Mapping and Flood Risk Management Plans when they become available.”

Policy FL 4 – Principles of the Flood Risk Management Guidelines

The Council shall implement the key principles of flood risk management set out in the Flood Risk Management Guidelines as follows:

- 1) Avoid development that will be at risk of flooding or that will increase the flooding risk elsewhere, where possible;*
- 2) Substitute less vulnerable uses, where avoidance is not possible; and*
- 3) Mitigate and manage the risk, where avoidance and substitution are not possible.*

Development should only be permitted in areas at risk of flooding when there are no alternative, reasonable sites available in areas at lower risk that also meet the objectives of proper planning and sustainable development.

Development in areas which have the highest flood risk should be avoided and/or only considered in exceptional circumstances (through a prescribed Justification Test) if adequate land or sites are not available in areas which have lower flood risk.

Objective FL 3 – Protection of Waterbodies and Watercourses

“Protect waterbodies and watercourses within the County from inappropriate development, including rivers, streams, associated undeveloped riparian strips, wetlands and natural floodplains. This will include protection buffers in riverine, wetland and coastal areas as appropriate.”

Objective FL 4 – Flood Risk Assessment for Planning Applications and CFRAMS

“Site-specific Flood Risk Assessment (FRA) is required for all planning applications in areas at risk of flooding, even for developments appropriate to the particular flood zone. The detail of these site-specific FRAs will depend on the level of risk and scale of development. A detailed site-specific FRA should quantify the risks, the effects of selected mitigation and the management of any residual risks. The Council shall have regard to the results of any CFRAM Studies in the assessment of planning applications.”

Objective FL 5 – SFRA/FRA and Climate Change

“SFRA and site-specific FRAs shall provide information on the implications of climate change with regard to flood risk in relevant locations. The 2009 OPW Draft Guidance on Assessment of Potential Future Scenarios for Flood Risk Management (or any superseding document) shall be consulted with to this effect.”

Objective NHB 14 – Protection of Riparian Zones

“Protect the riparian zones of watercourse systems throughout the county, recognising the benefits they provide in relation to flood risk management and their protection of the ecological integrity of watercourse systems and ensure they are considered in the land use zoning in Local Area Plans.”

In compliance with the above objectives and Flood Risk Management Guidelines, a Site-Specific Flood Risk Assessment (SSFRA) and Trusky East Stream Flood Study have been prepared by prepared by O’Connor Sutton Cronin Engineers and accompany this application. In particular, this SSFRA report demonstrates (i) the manner in which the “Justification Test” has been applied on behalf of the developer and should be applied by the Board and (ii) the criteria of that test are met in respect of the proposed development. The SSFRA is a detailed Flood Risk Assessment, carried out in accordance with The Planning System and Flood Risk Assessment Guidelines & Circular PL 2/2014, which assesses the risks of flooding associated with the proposed development. The SSFRA also considers the impact of climate change. The SSFRA demonstrates that the proposed development will not have adverse impacts on the stream or floodplains. Measures proposed follow best practice in the management of health and safety in relation to flood risk for users and residents of the development.

Further in compliance, the Trusky East Stream Flood Study report provides a hydrological assessment of the stream catchment, the SSFRA report demonstrate the capacity to withstand potential flood events and the Engineering Services Report includes a hydrological assessment of the subject site and describes the SUDS design.

Objective NB14 also requires the protection of riparian zones of watercourse systems. The Trusky Stream is located within the proposed development site boundary. The stream is separated from the main construction footprint by over 10m at its nearest point. However, the construction works also involve the discharge of surface water from the proposed development, to the Trusky Stream. This involves, the installation of two precast headwalls within the banks of the stream at the location of the two surface water outfalls. There will also be some minor landscaping works including the planting of native species and the construction of a boundary fence along the stream banks to ensure the safety of users undertaking recreational activities on the OS zoned lands. These minor works will not affect the integrity of the riparian zone. A linear park with strong biodiversity focus forms the eastern boundary of the site and separates the stream from proposed buildings and roads.

Ecology

Objective DS 6 – Natura 2000 Network and Habitats Directive Assessment

Protect European sites that form part of the Natura 2000 network (including Special Protection Areas and Special Areas of Conservation) in accordance with the requirements in the EU Habitats Directive (92/43/EEC), EU Birds Directive (2009/147/EC), the Planning and Development (Amendment) Act 2010, the European Communities (Birds and Natural Habitats) Regulations 2011 (SI No.477 of 2011) (and any subsequent amendments or updated legislation) and having due regard to the guidance in the Appropriate Assessment Guidelines 2010 (and any updated or subsequent guidance). A plan or project (e.g. proposed development) within the plan area will only be authorised after the competent authority (Galway County Council) has ascertained, based on scientific evidence, Screening for Appropriate Assessment, and/or a Habitats Directive Assessment where necessary, that:

- a) *The plan or project will not give rise to significant adverse direct, indirect or secondary effects on the integrity of any European site (either individually or in combination with other plans or projects); or*
- b) *The plan or project will have significant adverse effects on the integrity of any European site (that does not host a priority natural habitat type/and or a priority species) but there are no alternative solutions and the plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures necessary to ensure the protection of the overall coherence of Natura 2000; or*
- c) *The plan or project will have a significant adverse effect on the integrity of any European site (that hosts a natural habitat type and/or a priority species) but there are no alternative solutions and the plan or project must nevertheless be carried out for imperative reasons for overriding public interest, restricted to reasons of human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures necessary to ensure the protection of the overall coherence of Natura 2000 sites.*

Objective DS 9 –Projects/Associated Improvement Works/Infrastructure and Appropriate Assessment

“Ensure that proposed projects and any associated improvement works or associated infrastructure relating to renewable energy projects; water supply and abstraction; wastewater and discharges; flood alleviation and prevention; roads, power lines and telecommunications; and amenity and recreation provision are subject to Appropriate Assessment where relevant.”

In compliance with Objective DS 6 and DS 9, ecological reports are submitted with this application, including an Appropriate Assessment Screening Report and Natura Impact Statement to enable the Board to carry out a Stage One Screening for Appropriate Assessment and a Stage Two Appropriate Assessment.

See also Appendix 1 - Statement of Consistency Matrix (Section 9) which outlines compliance with the policies and objectives of the GCDP.

5.4.2 **Variation No.2(a) to the Galway County Development Plan 2015-2021 (Bearna Plan)**

On the 23rd July 2018, Variation No.2(a) to the Galway County Development Plan 2015-2021 was adopted by Galway County Council, which incorporated the “Bearna Plan” into the GCDP. Accordingly, the proposed site is governed by the policies and objectives contained in the Bearna Plan.

The Bearna Plan is underpinned by a common vision to guide the future growth, development and improvement of Bearna in a manner that is sustainable, achieves the overall objectives set for Bearna in the Galway CDP, including the Core Strategy; and reflects the existing landscape, environment, heritage, character and amenity of the village and that improves the quality of life of the local community.

Section 1.2 of the Bearna Plan outlines the following Strategic Vision for Bearna:

“To promote Bearna as a sustainable and vibrant coastal village, which maintains its attractive character, capitalises on its existing and future accessibility strengths, while

offering a pleasant environment for a growing community, for living, shopping, education, business, recreation and tourism, all balanced against the need to safeguard and enhance the environmental sensitivities of the area, for present and future generations to come.”

The proposed scheme will provide a high quality residential development in the village of Bearna thus further promoting Bearna as a sustainable coastal village for its growing community. The site is comprised of lands that are zoned for Residential (Phase 1) Development and ‘OS’ Open Space/Recreation & Amenity zoned lands within the Bearna Plan. All of the lands zoned ‘OS’ within the subject site are also identified as being under Constrained Land Use. There are also two areas within the lands zoned ‘R’ where Objective CCF6 applies. The provisions and specific objectives of these zonings are considered in section 7.2 below.

The Bearna Plan, at section 1.3, expressly references the population allocation in the core strategy:

“1.3 Settlement Hierarchy/Core Strategy

Bearna is located within the Galway Transportation and Planning Study (GTPS) area and is a key settlement in the Galway Metropolitan Area, which is on the first tier in the settlement hierarchy. A key component of the Bearna Plan is to ensure that it aligns with the Core Strategy/Settlement Strategy, as set out in the Galway County Development Plan. The Core Strategy indicates that Bearna has been assigned a population growth target of 420 persons by 2021 with a land allocation of 12.12 hectares provided to accommodate new residential development over the plan period.

As noted above, a Material Contravention Statement is provided with this application as it is considered that the proposed development materially contravenes this population allocation set out in the Core Strategy in respect of Bearna.

Chapter 1.4.3 of the Bearna Plan outlines the following objectives relating to design:

Objective UD1 - Public Spaces and Streets

“Promote the development of high quality public spaces consisting of streets, squares, parks and amenities connected by a network of pedestrian and cycling routes. Public spaces should have a high standard of design and street furniture that will create a coherent character for the area. This would include appropriately designed and located park benches, bus shelters, cycle storage facilities, refuse bins, signage, street sculpture, etc. but avoid the over-proliferation of different elements and/or cluttering of public spaces.”

All public open space is overlooked by surrounding homes so that the amenity is owned by the residents. Children’s play areas are sited where they will be overlooked, safe and contribute to the amenities of the neighbourhood. Roads and parking areas are considered as an integral landscape element in the design of the public realm.

In relation to building height, Objective UD2 of the Bearna Plan states:

Objective UD2 - New Buildings -

“Building heights, widths and material finishes shall be in keeping with the character and scale of existing development in the area and shall be appropriate to the locality, site context and building function. A maximum building height of two and half storeys will generally apply but reduced building heights will be required in visually vulnerable locations e.g. coastal side of the road. Increased building heights may be considered in exceptional circumstances where they contribute positively to the village character and design, subject to a high standard of urban design and have no adverse impacts on amenity.”

The proposed development includes 3-storey Apartment blocks and 3 storey Duplex Blocks, which is marginally higher than the generally accepted maximum height of two and half storeys. However, in line with Objective UD2, it is considered that the increased building height is provided in exceptional circumstances, contributes positively to the village character, is of a high standard urban design and has no adverse impacts on amenity and is therefore compliant. However, based on the fact that elements of the proposed development are in excess of two and half storeys, it is acknowledged that the proposal constitutes a material contravention of Objective UD2 in this regard.

Chapter 1.4.5 of the Bearna Plan outlines the following objectives relating to residential development:

Objective RD1 - Residential Development Phasing

“Support the development of lands designated as Residential (Phase 1) within the lifetime of the Plan, subject to normal planning, access and servicing requirements, and reserve the lands designated as Residential (Phase 2) for the longer-term growth needs of the village.”

The proposed buildings are located on lands zoned as R – Residential (Phase 1). Phase 1 residential lands have been identified for short to medium term growth in suitable locations that are serviceable and accessible.

Objective RD2 – Apartment Development

“Facilitate the development of apartments at appropriate locations, e.g. the village centre, and have regard to the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2015)(or as updated), the Sustainable Residential Developments in Urban Areas: Guidelines for Planning Authorities (2009) and Urban Design Manual: A Best Practice Guide – A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) in the assessment of this type of development.”

It is apparent that the application site is viewed in the context of its role in supporting Galway City and the Galway Metropolitan Area and therefore increased development densities are considered to be acceptable in this location.

As previously noted in Section 5.2.2., the Sustainable Urban Housing: Design Standards for New Apartments (2018) Guidelines state in relation to ‘Peripheral and/or Less Accessible Urban Locations’ that *‘Such locations are generally suitable for limited, very small-scale (will vary subject to location), higher density development that may wholly comprise apartments, or residential development of any scale that will include a minority of apartments at low-medium densities (will also vary, but broadly <45 dwellings per hectare net.*

The design team has sought to ensure that higher densities are achieved, while also ensuring that the open, residential character is maintained. In this regard, the development proposes a limited number of apartment buildings located within the development. This approach ensures that potential issues of overlooking, overshadowing and overbearing impact have been fully mitigated, thereby protecting the residential amenity of neighbouring properties. Accordingly, the proposed location of apartment development is considered to be acceptable.

Objective RD3 - Quality Housing Environments

“Encourage the development of sustainable residential communities through the promotion of innovative, high quality building design and appropriate layouts, that prioritise walking, cycling and public transport options and provide for a high level of permeability, accessibility and connectivity to the existing built environment, services and facilities. In this regard, future residential development proposals will be in accordance with the principles set out in the DoEHLG document Sustainable Residential Development in Urban

Areas 2009 and its companion document Urban Design Manual: A Best Practice Guide for Planning Authorities 2009, or any updated version of these documents published during the lifetime of this plan and shall also have regard to the design principles as set out in the Design Manual for Urban Roads and Streets (2013) (or as updated)."

A Design Statement has been prepared by McCauley Daye O' Connell Architects which details the overall design rationale for the proposed scheme. The layout of the scheme has been designed to respect the existing routes, scale, height and amenity of the Cnoc Fraoigh development reflect the existing lower density of adjoining developments.

The layout of the scheme has been designed to promote permeability and openness with a series of view corridors allowing views through the site and across the proposed new landscape. These view corridors promote passive surveillance of the site and allow visual connections to the variety of outdoor amenities provided through the development. Generous footpaths and routes feature throughout the scheme as well as a number of pedestrian crossings.

Section 1.4.6 of the Bearna Plan relates to residential development and states:

"The Bearna Plan supports the provision of new community facilities in the plan area through appropriate land-use zonings, a flexible land use zoning matrix and the objectives in this plan, in conjunction with the policies and objectives contained in the Galway County Development Plan."

The proposal includes for a childcare facility (224.8 sqm). that can cater for 38 no. children. The proposed development also includes appropriate areas of communal open space.

Objective CF2 - Playground Facilities

"Support the provision of playground facilities for children in appropriate locations that are accessible and have a suitable design and adequate surveillance, in particular, in the Village Centre and Community Facilities zoned lands in the plan."

Objective CF3 - Community, Recreation and Amenity Facilities

"Retain existing facilities and lands zoned for such uses, and prevent their change of use or redevelopment, unless it can be clearly demonstrated that the facility/lands are no longer required and that the new use or development contributes to the overall community needs and recreation and amenity needs of the Bearna area (This includes the existing tennis courts, school, church, handball alley, and local beaches)."

The development also includes the provision of 6711m² shared open space, within a series of landscaped areas throughout the development. This includes the provision of a playground, astro-turf kickabout area, a putting green as well as designated seating areas. A multi-purpose room is proposed for the residents of the scheme and is located on the ground floor of Apartment Block 2.

Section 1.4.7 of the Bearna Plan relates to Built Heritage and Natural Heritage:

Objective BNH2 – Natural Heritage Areas and Proposed Natural Heritage Areas

"Protect Natural Heritage Areas and proposed Natural Heritage Areas in accordance with the requirements of the Wildlife Act 1976, the Wildlife (Amendment) Act 2000 and the Planning and Development Act 2000 (as amended)."

Objective BNH3 – European Environmental Compliance

“All proposed developments shall be in accordance with the Birds and Habitats Directives, Water Framework Directive and all other relevant EU Directives.”

In compliance with Objective BNH2 and BNH3, ecological reports are submitted with this application, including an Appropriate Assessment Screening Report and Natura Impact Statement to enable the Board to carry out a Stage One Screening for Appropriate Assessment and a Stage Two Appropriate Assessment.

Objective BNH4 - Local Streams

“Protect the riparian zones of watercourse systems throughout the plan area, recognising the benefits they provide in relation to flood risk management and in relation to the ecological integrity of watercourse systems. This will include a general 10 metre protection buffer from rivers within the plan area as measured from the near river bank (this distance may be increased and decreased on a site by site basis, as appropriate).”

The Trusky Stream is located within the proposed development site boundary. The stream is separated from the main construction footprint by over 10m at its nearest point. However, the construction works also involve the discharge of surface water from the proposed development, to the Trusky Stream. This involves, the installation of two precast headwalls within the banks of the stream at the location of the two surface water outfalls. There will also be some minor landscaping works including the planting of native species and the construction of a boundary fence along the stream banks to ensure the safety of users undertaking recreational activities on the OS zoned lands. These minor works will not affect the integrity of the riparian zone. A linear park with strong biodiversity focus forms the eastern boundary of the site and separates the stream from proposed buildings and roads. The Bearna Plan notes that *‘it is imperative that the Irish language in Bearna is safeguarded and promoted in the village through appropriate planning conditions, including the naming of estates, signage, and the allocation of a proportion housing units in new housing developments for Irish speakers.’*

In this regard, Objective CH3 of the Bearna Plan states:

Objective CH3 - Language Enurement Clause

“A Language Enurement Clause will be applied on a portion of residential units in development of two or more units in Bearna. The proportion of homes to which a language enurement clause will be a minimum of 20% or to the proportion of persons using Irish Language on a daily basis, in accordance with the latest published Census, whichever is greater.”

This requirement will be secured by way of an appropriate condition attached to any grant of permission. In terms of Zoning, the Bearna Plan includes: a Land Use Zoning Map for Bearna in Section 5; associated Land Used Zoning Objectives; and a Land Use Zoning Matrix, which indicates the land use classes that are (i) permitted in principle, (ii) open for consideration, or (iii) not normally permitted in each of the land use zones, in section 4.

The site of the proposed development is located within the ‘R’ – Residential (Phase 1) and ‘OS’ Open Space/Recreation & Amenity zones. There are two areas within the lands zoned ‘R’ within the subject site where Objective CCF6 applies. All of the lands zoned ‘OS’ within the subject site are also identified as being under Constrained Land Use. The proposed footpath connectivity link along the L-1321 is proposed on lands zoned ‘TI – Transport Infrastructure’ and partially on lands zoned for the ‘Proposed Bearna Inner Relief Road’. The proposed developments compliance with Land Use Zoning Objectives is outlined in Section 6.1 below.

5.4.3

Variation No. 2(b) to the Galway County Development Plan 2015-2021 (Gaeltacht Plan)

The subject lands, and the wider Bearna Village, are located within the Gaeltacht Area.

Section 1.2 of the Gaeltacht Plan outlines the following Strategic Vision of the Gaeltacht Plan Area:

“The Gaeltacht area is a unique and special place, and it is important that it retains that distinctive cultural heritage and natural beauty which is of National significance through the principles of sustainable development, whilst meeting the needs and aspirations of both the residents’ and visitors alike. Achieving the objectives of the Galway County Development Plan in order to sustain and develop the local economy and improve the quality of life for local residents.”

The proposed development will provide 121 no. high-quality residential units within the existing settlement of Bearna, which is inextricably linked to and functions as part of Greater Galway City. The proposed residential development will facilitate in providing additional housing to Bearna, which is within Imeall Na Cathrach, an area described as being *‘the most significant area that is under the greatest pressure from growth of the city’* (Section 1.6.6 District F: Imeall Na Cathrach). A Design Statement prepared by McCauley Daye O’Connell Architects provides details in respect of the design principles behind the proposed development. A comprehensive landscaping plan has been prepared by Radharc Landscape Design which incorporates high-quality designed areas of open space design.

Objectives GL1 – Linguistic and Cultural Heritage of An Gaeltacht

“It shall be an objective of the Council to protect the linguistic and cultural heritage of the Gaeltacht and to promote Irish as a community language.”

In terms of linguistic impact, a comprehensive Linguistic Impact Statement (LIS) was commissioned as part of this planning application (see standalone LIS report). Overall it is not anticipated that the proposed development will have any undue negative impact on the Irish language or the Irish culture in the village of Bearna.

Objective GL8 – Natural Heritage in the Gaeltacht

“Promote the sustainable development of green infrastructure within settlements of the Gaeltacht and seek its integration in development proposals as appropriate. In order to protect light sensitive species such as bats, lighting fixtures should provide only the amount of light necessary for personal safety and should be designed so as to avoid creating glare or emitting light above a horizontal plane.”

Objective GL9 – Infrastructure in the Gaeltacht

- a) *“Promote the sustainable development of infrastructure projects and the improvement of the infrastructure network in the Galway Gaeltacht with close co-operation with the relevant stakeholders;*
- b) *Support the preparation and implementation of public realm plan and other related initiatives for villages in the Galway Gaeltacht as resources permit.”*

The proposed development includes for safe and convenient alternatives to the car that encourages walking and cycling. The proposed development includes for 117 no. bicycle stands and also includes for the construction of approximately 330m section of footpath on the eastern side of the L1321 which will improve pedestrian connectivity to the village of Bearna. The proposed footpath width of 1.8m is the minimum allowed under DMURS and is considered appropriate based on the level of pedestrian activity.

5.4.4 Galway Transportation Strategy

The Galway Transport Strategy (GTS) 2016 represents a partnership approach between Galway City Council, Galway County Council and the National Transport Authority. It includes a series of measures which will address the transport problems experienced across the city particularly during peak hours, over a phased and co-ordinated basis over the next 20 years, based on priority needs. The GTS has established that the reduction in traffic congestion requires both improvements to public transport, cycling and walking networks and the provision of a new orbital route. Bearna is located within the GTS area and is subject to the development policies and controls that apply in this area under the Galway CDP.

The proposed measures in the GTS were arrived at following transport modelling which included defining the existing transport problems, predicting future travel demands, access mode share and assessing their mutual impacts and interdependencies. The strategy includes traffic management, giving priority to walking cycling and bus movements, modifications to the traffic network, management of parking activities and heavy goods vehicles, improvements to the public realm and use of ‘smarter mobility’. These measures are designed to both address the current significant problems and inefficiencies in the movement of people and goods within and around the city and to establish a long-term transport plan that will underpin the future sustainable growth of the city as supported by the Core Strategy.

5.4.5 Summary of Compliance with Local Planning Policy

Table 13: Summary of Compliance with the local planning policy context

Compliance with Local Planning Policy
<p>The proposed development will contribute to the realisation of a number of policies and objectives in the GCDP, <i>inter alia</i>, in meeting commitments to provide for residential development and for associated support development, which will ensure the protection of existing residential amenity and will contribute to sustainable residential neighbourhoods.</p> <p>The proposal provides for a high quality and sensitively designed residential scheme. There are several proposed house types, the design of which reflects the Galway vernacular aesthetic through the use of materials, colours and detailing. The development seeks to respond to the topography and features of the site and the existing grain of the built form surrounding the subject site.</p> <p>In terms of Community, Recreation and Amenity Facilities, the development also includes the provision of 6711m² shared open space, within a series of landscaped areas throughout the development. This includes the provision of a playground, astro-turf kickabout area, a putting green as well as designated seating areas. The proposal includes for a childcare facility (224.8 sqm). that can cater for 38 no. children. A multi-purpose room is proposed for the residents of the scheme and is located on the ground floor of Apartment Block 2.</p> <p>In compliance with Objective UHO 12 of the GCDP and Objective GL1 of the Gaeltacht Plan, a comprehensive Linguistic Impact Statement (LIS) was commissioned as part of this planning application (see standalone LIS report). Overall it is not anticipated that the proposed development will have any undue negative impact on the Irish language or the Irish culture in the village of Bearna.</p> <p>The proposed scheme includes a series of measures to encourage/increase the use of public transport, walking and cycling for residents, staff and visitors and for work-related travel and to facilitate travel by bicycle, and bus.</p>

In summary, it is submitted that the proposed development results in a development which accords fully with the proper planning and development of the area while providing an attractive, high quality, contemporary development which enhances the development of the area.

6. PLANNING ASSESSMENT

6.1 Compliance with Land-Use Zoning Objectives

On 23rd July 2018, Variation No.2(a) to the Galway County Development Plan 2015-2021 was adopted by Galway County Council, which incorporated the Bearna Plan into the GCDP. Accordingly, the proposed site is governed by the policies and provisions contained in the Bearna Plan. The Bearna Plan includes: a Land Use Zoning Map for Bearna in section 5; associated Land Use Zoning Objectives; and a Land Use Zoning Matrix, which indicates the land use classes that are (i) permitted in principle, (ii) open for consideration, or (iii) not normally permitted in each of the land use zones, in section 4.

An extract from the Land Use Zoning Map with the application site outlined in black is shown below in Figure 5. The site of the proposed development is located within the 'R' – Residential (Phase 1) and 'OS' Open Space/Recreation & Amenity zones. There are two areas within the lands zoned 'R' within the subject site where Objective CCF6 applies. All of the lands zoned 'OS' within the subject site are also identified as being under Constrained Land Use. The proposed footpath connectivity link along the L-1321 is proposed on lands zoned 'TI – Transport Infrastructure' and partially on lands zoned for the 'Proposed Bearna Inner Relief Road'.

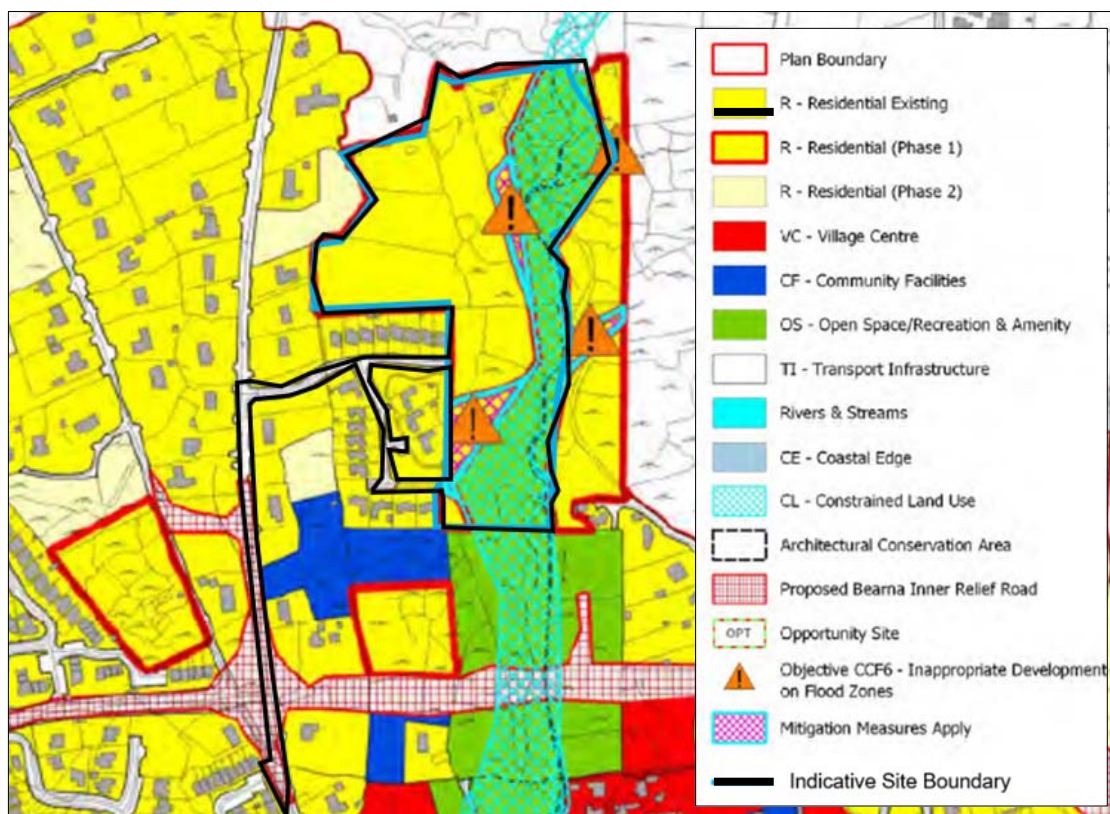


Figure 5: Extract from Zoning Map – Application Site outlined in Black (Indicative Only)

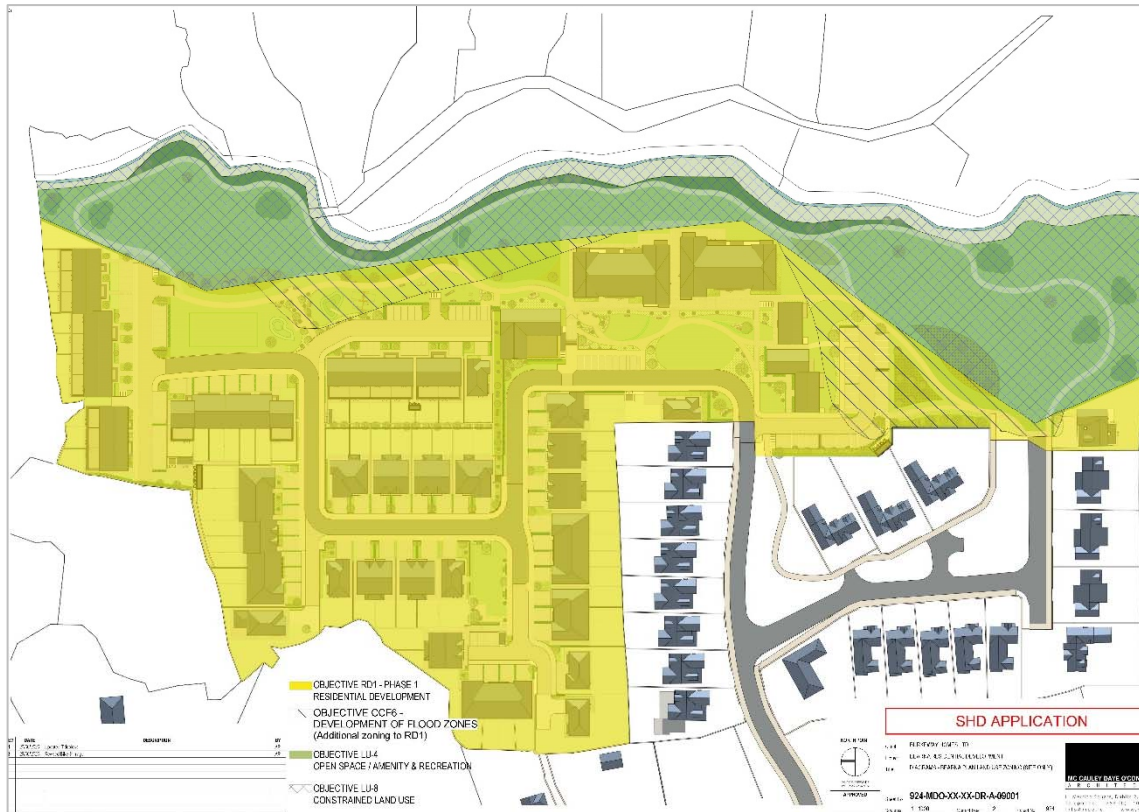


Figure 6: Application Site Zoning (Figure extracted from Design Statement)

This section demonstrates how the proposed development complies with the Land Use Zoning Map, associated Objectives and the Land Use Zoning Matrix.

6.1.1 Lands Zoned ‘R’ – Residential (Phase 1)

‘R’ – Residential (Phase 1) land use zones have the following stated Land Use Management Objective:

Objective LU2 - Residential (R):

“Promote the development of appropriate and serviced lands to provide for high quality, well laid out and well landscaped sustainable residential communities with an appropriate mix of housing types and densities, together with complementary land uses such as community facilities, local services and public transport facilities, to serve the residential population of the area. Protect existing residential amenities and facilitate compatible and appropriately designed new infill development, in accordance with the proper planning and sustainable development of the area.”

The proposed development provides for 121 no. units with a mix of apartments, duplexes and houses. Active and passive recreation spaces are provided for all ages through numerous parks, playgrounds, open play areas and generous amounts of pathway. A childcare facility and a community room located within the apartments are also provided on the ‘R’ zoned lands. Accordingly, the development proposed on lands zoned ‘R’ complies with Objective LU2.

The development proposed on lands zoned ‘R’ also complies with the Land Use Zoning Matrix. Table 14 below details the land use classes that are (i) permitted in principle; (ii) open for consideration; or (iii) not normally permitted on lands zoned Residential under the Land Use Zoning Matrix.

Table 14: Residential Land Use Zoning Matrix

permitted in principle	<p>Residential Uses; Residential (Excluding Apartments)1, Retirement Home, Short term holiday accommodation</p>
open for consideration	<p>Commercial and Industrial Uses; ATM, B&B, (Bed & Breakfast)1, Caf� 2 GP & Medical Related Services ,Guesthouse1, Hair Dressing, Salon/Personal/Grooming, Home-based Economic Activity1, Hostel, Hotel, Media Recording & General Media Assoc. Uses, Office (<100m2), Professional /Other Services, Shop – Convenience, Veterinary Surgery</p> <p>Residential Uses; Apartments1, Halting Site</p> <p>Public, Community and Institutional Uses Buildings for the Health, Safety & Welfare of the Public, Cemetery, Childcare Facilities (Cr�che/Nursery), Club House & Associated Facilities, Community Facility , Crematorium ,Cultural/Recreational Building, Education – Primary/Secondary, Education – Other Education/Training, Funeral Home , Leisure Library Place of Public Worship</p> <p>Recreation and Amenity Uses Recreational/Cultural Activities</p> <p>Agricultural Uses Agricultural Building</p> <p>General/Services and Infrastructure Uses Car Park, Recycling/Bring Bank Facilities, Utilities Infrastructure & Public Service Installations, Small scale, domestic Wind/Renewable Energy</p>
not normally permitted under each of the land use zoning objectives	<p>Commercial and Industrial Uses Amusement Bank/Building Society Bar/Restaurant Betting Office Boarding Kennel Caravan park – Holiday, Cash & Carry Casual Trading Cinema Conference Centre , Data-Centres/Web-Hosting Centres, Drive-through Restaurant, Enterprise Centre ,Extractive Industry ,Garden Centre, Household Fuel Depot, Industrial, Logistic, Storage & Distribution Units, Motor Sales Showroom, Night-club, Office (100m2 to 1000m2), Office Park (>1000m2), Petrol Station, Restaurant, Science & Technology Based Business, Scrap Yard, Service Garage, Shop – Comparison, Shops – Large Scale Convenience/ Comparison Centre, Small Scale Manufacturing, Storage Depot, Take-Away, Transport Depot , ,Warehousing (Incl. Wholesale) ,Warehousing (Retail/Non-Food <700m2)3 , Warehousing (Retail/Non-Food/Bulky Household Goods 700m2 – 5,000m2)3</p> <p>Open Space, Recreation and Amenity Uses Golf Course</p> <p>Agricultural Uses Abattoir, Mart/Co-op</p> <p>General/Services and Infrastructure Uses Advertisements – Freestanding, Refuse Landfill</p>

<p>1. (1) These uses on Residential lands will be considered subject to Objective RD3, or as appropriate.</p> <p>2. Café (2) – This use will be considered where it is ancillary to an overall compatible development to serve the needs of the immediate area</p> <p>3. Warehousing (3) – The development or subdivision of stores into less than 700m² shall not normally be permitted in edge-of-centre and out-of-centre locations, in accordance with the Retail Planning Guidelines 2012 (or any updated/superseding document).</p> <p>4. Data Centre – May be defined as a facility, which has information technology equipment installed and operated, as well as storing and distributing electronic data.</p> <p>5. Zone R: Residential – Phase 1 is phased for residential development within the lifetime of this Plan; -Phase 2 is generally not developable during the lifetime of this Plan, subject to the provisions and exceptions set out under Objective RD3.</p> <p>6. *OS – See also Map 2 – Flood Risk Management, Objective CCF1 and DM Guideline FL 1. Notwithstanding the Open Space/Recreation and Amenity zoning, proposed uses in this zone must demonstrate compliance with The Planning System & Flood Risk Guidelines (2009) (or as updated) in particular Chapter 3. A Justification Test may be required as set out in said guidelines.</p> <p>7. No specific land uses are attributed to the Constrained Land Use zone as this zone reflects existing development located within Flood Zone A/B. For guidance on uses/development appropriate in this zone, please refer to Objectives LU9 and DM Guideline FL1 of this plan, Map 2 and The Planning System & Flood Risk Guidelines including Departmental Circular PL2/2014.</p> <p>8. N*-Not normally permitted, exceptions considered for applications under Objective RHO4 Rural Housing Zone 4(An Gaeltacht), County Development Plan 2015-2021.</p>	

Residential development (Excluding Apartments) is permitted in principle subject to Objective RD3, or as appropriate. Apartments are open to consideration subject to Objective RD3, or as appropriate. Objective RD3 - Quality Housing Environments is outlined below.

Objective RD3 - Quality Housing Environments

“Encourage the development of sustainable residential communities through the promotion of innovative, high quality building design and appropriate layouts, that prioritise walking, cycling and public transport options and provide for a high level of permeability, accessibility and connectivity to the existing built environment, services and facilities. In this regard, future residential development proposals will be in accordance with the principles set out in the DoEHLG document Sustainable Residential Development in Urban Areas 2009 and its companion document Urban Design Manual: A Best Practice Guide for Planning Authorities 2009, or any updated version of these documents published during the lifetime of this plan and shall also have regard to the design principles as set out in the Design Manual for Urban Roads and Streets (2013) (or as updated).”

The proposed design of the residential development and apartments complies fully with Objective RD3. A Design Statement has been prepared by McCauley Daye O’ Connell Architects which details the overall design rationale for the proposed scheme and outlines the proposed developments compliance with DoEHLG document Sustainable Residential Development in Urban Areas 2009 and

its companion document Urban Design Manual: A Best Practice Guide for Planning Authorities 2009. Accordingly, the proposed housing (including apartments) on lands zoned 'R' complies with the Land Use Zoning Matrix.

The development also includes a crèche facility. The Land Use Zoning Matrix provides that "*Childcare Facilities (Creche/Nursery)*" are open for consideration on lands zoned 'R' and accordingly the proposed crèche facility complies with the Land Use Zoning Matrix.

Paragraph 19 of the recent High Court Judgment in *Heather Hill Management Company CLG Anor. v An Bord Pleanála* [2019] I.E.H.C. 450 held that '*The use which is to be made of land is generally determined by reference to the principal use, and uses which are ancillary to the principal use are regarded as being part of, or subsumed within, the principal use*'. It is considered that the proposed community multi-purpose room, car/ bicycle parking, bin stores, substation, roads & paths, public lighting, landscaping, open space, play areas on the Residential zoned lands is ancillary to the proposed residential use. In particular, the open space provided on lands zoned 'R' comprises the "Public Open Space" required by section 3.1 of the Bearna Plan (see further Section 6.2.5 below) and, accordingly, is considered ancillary to the proposed residential use.

There are two areas within the lands zoned 'R' within the subject site where Objective CCF6 applies.

Objective CCF6- Inappropriate Development on Flood Zones

"Where a development/land use is proposed within any area subject to this objective the development proposal will need to be accompanied by a detailed hydrological assessment and robust SUDS design which demonstrates the capacity to withstand potential flood events to maintain water quality and avoid potential effects to ecological features.

- *Any development proposals should be considered with caution and will be required to comply with The Planning System and Flood Risk Management Guidelines for Planning Authorities/Circular PL2/2014 & the associated Development Management Justification Test.*
- *Climate Change should be duly considered in any development proposal.*
- *Protect the riparian zones of watercourse systems throughout the plan area through a general 10 metre protection buffer from rivers within the plan area as measured from the near river bank, (this distance may be increased and decreased on a site by site basis, as appropriate).*
- *Any development proposals submitted for this site will require a detailed ecological report (s), carried out by suitably qualified personnel for the purposes of informing Appropriate Assessment Screening by Galway County Council, the competent authority (in accordance with Objective DS 6 of the Galway CDP 2015-21).*
- *The relevant lands will be outlined and flagged with a symbol on the land use zoning map and on the GIS system of Galway County Council so that staff and the public are aware of the special conditions/constraints attached.*
- *A briefing will be provided to relevant staff within Galway County Council on the special conditions and constraints on relevant lands."*

No buildings are proposed on the two areas within the subject site that are zoned 'R' where Objective CCF6 applies. The first, more northerly, of these two areas will be developed for open space amenity only including items such as trees, park benches and playground equipment. The second, more southerly, of the two areas zoned 'R' where the Object CCF6 applies will be developed for open space amenity and car parking. The development on lands zoned 'R' and subject to Objective CCF6 is considered ancillary to the residential development and therefore a Development Management Justification Test is required in accordance with the decision of the High Court in *Heather Hill Management Company CLG v An Bord Pleanála* [2019] I.E.H.C. 450.

In compliance with the Flood Risk Management Guidelines, Objective CCF6, a Site-Specific Flood Risk Assessment (SSFRA) and Trusky East Stream Flood Study have been prepared by O'Connor Sutton Cronin Engineers and accompany this application. In particular, this SSFRA report demonstrates (i) the manner in which the "Justification Test" has been applied on behalf of the developer and should be applied by the Board and (ii) the criteria of that test are met in respect of the proposed development. The SSFRA is a detailed Flood Risk Assessment, carried out in accordance with The Planning System and Flood Risk Assessment Guidelines & Circular PL 2/2014, which assesses the risks of flooding associated with the proposed development. The SSFRA also considers the impact of climate change in accordance with Objective CCF6. The SSFRA demonstrates that the proposed development will not have adverse impacts or impede access to a watercourse, on floodplains or flood protection and management facilities, or increase the risk of flooding to other locations. Measures proposed follow best practice in the management of health and safety in relation to flood risk for users and residents of the development.

Further, in compliance with Objective CCF6, the Trusky East Stream Flood Study report provides a hydrological assessment of the stream catchment, the SSFRA report demonstrate the capacity to withstand potential flood events and the Engineering Services Report includes a hydrological assessment of the subject site and describes the SUDS design.

Objective CCF6 also requires the protection of "riparian zones of watercourse systems throughout the plan area through a general 10 metre protection buffer from rivers within the plan area as measured from the near river bank (this distance may be increased and decreased on a site by site basis, as appropriate)". The Trusky Stream is located within the proposed development site boundary. The stream is separated from the main construction footprint by over 10m at its nearest point. However, the construction works also involve the discharge of surface water from the proposed development, to the Trusky Stream. This involves, the installation of two precast headwalls within the banks of the stream at the location of the two surface water outfalls. There will also be some minor landscaping works including the planting of native species and the construction of a boundary fence along the stream banks to ensure the safety of users undertaking recreational activities on the OS zoned lands. These minor works will not affect the integrity of the riparian zone. A linear park with strong biodiversity focus forms the eastern boundary of the site and separates the stream from proposed buildings and roads.

In compliance with CCF6, ecological reports are submitted with this application, including an Appropriate Assessment Screening Report and Natura Impact Statement to enable the Board to carry out a Stage One Screening for Appropriate Assessment and a Stage Two Appropriate Assessment.

Accordingly, the development proposed on the lands zoned 'R', including those lands subject to Objective CCF6, complies with the Land Use Zoning Map, associated Objectives and the Land Use Zoning Matrix.

6.1.2 Lands Zoned 'OS' Open Space /Recreation & Amenity

Lands zoned 'OS' Open Space /Recreation & Amenity have the following stated objective:

Objective LU4 - Open Spaces/Recreation and Amenity (OS)

"Promote the development of open spaces and recreational activities in accordance with best practice and on suitable lands with adequate access to the local community and retain existing open space and recreational facilities, unless it can be demonstrated to the satisfaction of Galway County Council that these uses are no longer required by the community. Ensure that any flood risk areas within the OS zone are appropriately managed to avoid, reduce and/or mitigate, as appropriate, the risk and potential impact of flooding."

The proposed public open space/linear park with a 'strong focus on biodiversity' within the OS zoned lands promotes open spaces and recreational activities on suitable lands which are accessible to the

local community. The linear park will be accessible via the proposed development and also offers the potential for a future pedestrian link access to the village in accordance with Objective LU4. As noted above, all of the lands zoned ‘OS’ within the subject site are also identified as being under Constrained Land Use. The issue of flood risk in Objective LU4 and the Constrained Land Use is considered below.

Table 15 below details the land use classes that are (i) permitted in principle; (ii) open for consideration; or (iii) not normally permitted on lands zoned Open Spaces/Recreation and Amenity under the Land Use Zoning Matrix.

Table 15: Open Spaces/Recreation and Amenity Land Use Zoning Matrix

permitted in principle	N/A
open for consideration	<p>Commercial and Industrial Uses Garden Centre*</p> <p>Public, Community and Institutional Uses Cemetery*, Club House & Associated Facilities*, Community Facility*, Crematorium , Cultural/Recreational Building*, Education – Primary/Secondary*, Education – Other Education/Training, Leisure*</p> <p>Open Space, Recreation and Amenity Uses Golf Course*, Recreational/Cultural Activities*</p> <p>Agricultural Uses Agricultural Building*</p> <p>General/Services and Infrastructure Uses Utilities Infrastructure & Public Service Installations*, Small scale, domestic Wind/Renewable Energy*</p>
not normally permitted under each of the land use zoning objectives	<p>Commercial and Industrial Uses; Amusement ATM Bank/Building Society Bar/Restaurant B&B (Bed & Breakfast) Betting Office Boarding Kennel Café² Caravan park - HolidayCash & Carry Casual Trading Cinema Conference Centre , Data-Centres/Web-Hosting Centres, Drive-through Restaurant, Enterprise Centre ,Extractive Industry , ,GP & Medical Related Services ,Guesthouse¹ ,Hair Dressing, Salon/Personal/Grooming, Home-based Economic Activity¹, Hostel, Hotel, Household Fuel Depot , Industrial, Logistic, Storage & Distribution Units, Media Recording & General Media Assoc. Uses, Motor Sales Showroom Night-club Office (<100m²), Office (100m² to 1000m²) Office Park (>1000m²) Petrol Station Professional /Other Services Restaurant Science & Technology Based Business Scrap Yard, Service Garage, Shop – Comparison Shop – Convenience Shops – Large Scale Convenience/ Comparison Centre Small Scale Manufacturing, Storage Depot, Take-Away, Transport Depot , Veterinary Surgery ,Warehousing (Incl. Wholesale) ,Warehousing (Retail/Non-Food <700m²)³ , Warehousing (Retail/Non-Food/Bulky Household Goods 700m² – 5,000m²)³</p> <p>Residential Uses; Apartments¹, Halting Site Residential (Excluding Apartments)¹ Retirement Home, Short term holiday accommodation</p> <p>Public, Community and Institutional Uses</p>

	<p>Buildings for the Health, Safety & Welfare of the Public, Childcare Facilities (Crèche/Nursery), Funeral Home , Library Place of Public Worship</p> <p>Agricultural Uses Abattoir, Agricultural Building, Mart/Co-op</p> <p>General/Services and Infrastructure Uses Advertisements – Freestanding, Car Park, Recycling/Bring Bank Facilities, Refuse Landfill</p>
<p>1. (1) <i>These uses on Residential lands will be considered subject to Objective RD3, or as appropriate.</i></p> <p>2. <i>Cafe (2) – This use will be considered where it is ancillary to an overall compatible development to serve the needs of the immediate area</i></p> <p>3. <i>Warehousing (3) – The development or subdivision of stores into less than 700m² shall not normally be permitted in edge-of-centre and out-of-centre locations, in accordance with the Retail Planning Guidelines 2012 (or any updated/superseding document).</i></p> <p>4. <i>Data Centre – May be defined as a facility, which has information technology equipment installed and operated, as well as storing and distributing electronic data.</i></p> <p>5. <i>Zone R: Residential – Phase 1 is phased for residential development within the lifetime of this Plan; -Phase 2 is generally not developable during the lifetime of this Plan, subject to the provisions and exceptions set out under Objective RD3.</i></p> <p>6. <i>*OS – See also Map 2 – Flood Risk Management, Objective CCF1 and DM Guideline FL 1. Notwithstanding the Open Space/Recreation and Amenity zoning, proposed uses in this zone must demonstrate compliance with The Planning System & Flood Risk Guidelines (2009) (or as updated) in particular Chapter 3. A Justification Test may be required as set out in said guidelines.</i></p> <p>7. <i>No specific land uses are attributed to the Constrained Land Use zone as this zone reflects existing development located within Flood Zone A/B. For guidance on uses/development appropriate in this zone, please refer to Objectives LU9 and DM Guideline FL1 of this plan, Map 2 and The Planning System & Flood Risk Guidelines including Departmental Circular PL2/2014.</i></p> <p>8. <i>N*-Not normally permitted, exceptions considered for applications under Objective RHO4 Rural Housing Zone 4(An Gaeltacht), County Development Plan 2015-2021.</i></p>	

As detailed above in Table 15, recreational and cultural activities are open for consideration on ‘OS’ zoned land provided that the proposed uses in this zone demonstrate compliance with The Planning System & Flood Risk Guidelines (2009) (or as updated) in particular Chapter 3. A Justification Test may be required as set out in said guidelines.

The proposed public open space/linear park with a ‘strong focus on biodiversity’ within the OS zoned lands facilitates recreational activities which is open for consideration in the zoning matrix. The proposed public open space/linear park has been detailed on the landscaping plan prepared by Radharc Landscape Design. The linear park incorporates Trusky Stream and delivers a key section of greenway, offering the potential for a future pedestrian link access to the village. In the meantime, the proposed linear park will be accessible via the proposed development. The proposed linear park will comprise a meadow and naturalised planting area to provide opportunity to explore and enjoy indigenous landscape. In addition,

a mown grass pathway through the wild-flower meadow provides a route to access the significant biodiversity gain and to allow for walking, jogging etc for all members of the public. A fence is also proposed, to ensure the safety of users undertaking recreational activities on the OS zoned lands, which use is open for consideration in the zoning matrix. The proposed fence will comprise a 0.9m high, chainlink/3 strand wire with treated timber stakes at 2m centres and bracing at 10m centres. The proposed public open space/linear park on the 'OS' zoned lands and the elements therein are proposed solely for the functionality and enjoyment of the OS zoned lands for recreational activities, which is open for consideration in the Land Used Zoning Matrix provided that the proposed uses demonstrate compliance with The Planning System & Flood Risk Guidelines (2009) (or as updated) in particular Chapter 3.

In addition to the above public open space/linear park, 2 no. surface water drainage pipes cross through the 'OS' zoned lands and discharge to the Trusky Stream at two locations. It is considered that this drainage infrastructure can be classified as Utilities Infrastructure which is open for consideration in the Land Used Zoning Matrix provided that the proposed uses demonstrate compliance with The Planning System & Flood Risk Guidelines (2009) (or as updated) in particular Chapter 3.

With regard to utilities infrastructure, High Court Judgment in *Heather Hill Management Company CLG Anor. v An Bord Pleanála* [2019] I.E.H.C. 450 held: *"This term is not defined under the land use matrix. Applying the standard of the reasonably intelligent person, this term would be understood as referring to public utilities such as electricity, gas or waste water"*. It is therefore acceptable to consider the proposed drainage infrastructure as utilities infrastructure.

The accompanying Site Specific Flood Risk Assessment demonstrates how the proposed development complies with the Flood Risk Management Guidelines and the associated Justification Test, accordingly, it is considered that proposed development complies with the Land Use Zoning Matrix in relation to the OS zoned land.

As outlined above Objective LU4 states: *"Ensure that any flood risk areas within the OS zone are appropriately managed to avoid, reduce and/or mitigate, as appropriate, the risk and potential impact of flooding."*

Further, all of the lands zoned 'OS' within the subject site are also identified as being under Constrained Land Use:

Objective LU8 - Constrained Land Use Zone (CL)

"To facilitate the appropriate management and sustainable use of flood risk areas.

This zoning limits new development, while recognising that existing development uses within these zones may require small scale development, as outlined below, over the life of the Bearna Plan, which would contribute towards the compact and sustainable urban development of the village.

The underlying zoning or the existing permitted uses are deemed to be acceptable in principle for minor developments to existing buildings (such as small extensions to houses, most changes of use of existing buildings), which are unlikely to raise significant flooding issues, provided they do not obstruct important flow paths, introduce a significant additional number of people into flood risk areas or entail the storage of hazardous substances.

Development proposals within this zone shall be accompanied by a detailed Flood Risk Assessment, carried out in accordance with The Planning System and Flood Risk Assessment Guidelines & Circular PL 2/2014 (or as updated), which shall assess the risks of flooding associated with the proposed development.

Proposals shall only be considered where it is demonstrated to the satisfaction of the Planning Authority that they would not have adverse impacts or impede access to a watercourse,

floodplain or flood protection and management facilities, or increase the risk of flooding to other locations. The nature and design of structural and non-structural flood risk management measures required for development in such areas will also be required to be demonstrated, so as to ensure that flood hazard and risk will not be increased. Measures proposed shall follow best practice in the management of health and safety for users and residents of the development.

Specifications for developments in flood vulnerable areas set out in this plan shall be complied with, as appropriate (Please also refer to DM Guidelines FL 1 of this plan)."

In this regard DM Guideline FL1 – Flood Zones and Appropriate Land Uses is outlined below.

DM Guideline FL1 – Flood Zones and Appropriate Land Uses

"The table below indicates the types of land uses that are appropriate in each of the Flood Zones identified within the plan area, in accordance with The Planning System and Flood Risk Management Guidelines 2009 (and as updated). Where developments/land uses are proposed that are considered inappropriate to the Flood Zone, then a Development Management Justification Test and Site-Specific Flood Risk Assessment will be required in accordance with The Planning System and Flood Risk Management Guidelines 2009 (and as updated).

<i>Land Uses</i>	<i>Flood Zone A</i>	<i>Flood Zone B</i>	<i>Flood Zone C</i>
<i>HVD – Highly Vulnerable Development</i>	<i>Inappropriate (if proposed then Justification Test & detailed FRA required)</i>	<i>Inappropriate (if proposed then Justification Test & detailed FRA required)</i>	<i>Appropriate (screen for flood risk)</i>
<i>LVD – Less Vulnerable Development</i>	<i>Inappropriate (if proposed then Justification Test & detailed FRA required)</i>	<i>Inappropriate due to climate change (if proposed then Justification Test & detailed FRA required)</i>	<i>Appropriate (screen for flood risk)</i>
<i>WCD – Water-Compatible Development</i>	<i>Appropriate (detailed FRA may be required)</i>	<i>Appropriate (detailed FRA may be required)</i>	<i>Appropriate (screen for flood risk)</i>

Notes (refer to Flood Risk Management Guidelines 2009 for additional detail):

- 1. HVD – Houses, schools, hospitals, residential institutions, emergency services, essential infrastructure, etc.*
- 2. LVD – Economic uses (retail, leisure, warehousing, commercial, industrial, non-residential institutions, etc.), land and buildings used for agriculture or forestry, local transport infrastructure, etc.*
- 3. WCD – Docks, marinas, wharves, water-based recreation and tourism (excluding sleeping accommodation), amenity open space, sports and recreation, flood control infrastructure, etc.*

Please refer to separate supporting document ‘Stage 2 Strategic Flood Risk Assessment for the Bearna Plan’,

In addition, the note to the OS zoning in the Land Use Zoning Matrix refers to Map 2 – Flood Risk Management, Objective CCF1 and DM Guideline FL 1. As detailed in the accompanying SSFRA, the site of the proposed development is partially within Indicative Flood Zones A&B and partially within Indicative Flood Zone C, by reference to the Flood Risk Management Map in the Bearna Plan. All of the lands Zoned OS are within Indicative Flood Zones A&B. Objective CCF1 provides as follows:

Objective CCF1 - Flood Zones and Appropriate Land Uses

“Protect Flood Zone A and Flood Zone B from inappropriate development and direct developments/land uses into the appropriate Flood Zone in accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities 2009 (or any superseding document) and the guidance contained in the Flood Risk Management Guidelines (DM Guidelines DM 2). Where a development/land use is proposed that is inappropriate within the Flood Zone, then the development proposal will need to be accompanied by a Development Management Justification Test and Site- Specific Flood Risk Assessment, in accordance with the criteria set out under with The Planning System and Flood Risk Management Guidelines for Planning Authorities 2009 & Circular PL2/2014 (as Bearna Plan updated/superseded). In Flood Zone C, where the probability of flooding is low (less than 0.1%, Flood Zone C), the developer should satisfy him or herself that the probability of flooding is appropriate to the development being proposed.”

In compliance with the Flood Risk Management Guidelines, Objectives CCF1, LU4 and LU8 and DM Guideline FL1 (and also Objective CCF6 referred to above) a Site-Specific Flood Risk Assessment (SSFRA) and Trusky East Stream Flood Study have been prepared by prepared by O’Connor Sutton Cronin Engineers and accompany this application. In particular, the SSFRA report demonstrates the manner in which the proposed development complies with the Flood Risk Management Guidelines and demonstrates (i) the manner in which the “Justification Test” has been applied on behalf of the developer and should be applied by the Board and (ii) the criteria of that test are met in respect of the proposed development. This report also considers the impact of climate change in accordance with Objective CCF6.

In accordance with Objective LU8, the SSFRA is a detailed Flood Risk Assessment, carried out in accordance with the Planning System and Flood Risk Assessment Guidelines & Circular PL 2/2014, which assesses the risks of flooding associated with the proposed development. The report demonstrates that the proposed development will not have adverse impacts or impede access to a watercourse, floodplains or flood protection and management facilities, or increase the risk of flooding to other locations. Measures proposed follow best practice in the management of health and safety in relation to flood risk for users and residents of the development. The Flood Study report provides a hydrological assessment of the stream catchment. The SSFRA report demonstrate the capacity to withstand potential flood events. The Engineering Services Report includes a hydrological assessment of the subject site and describes the SUDS design.

Accordingly, the public open space/linear park and 2 no. surface water drainage pipes on land zoned ‘OS’ and subject to Constrained Land Use ‘CL’ complies with the Land Use Zoning Map, associated Objectives and the Land Use Zoning Matrix.

6.1.3 **Lands Zoned ‘TI – Transport Infrastructure’**

As illustrated in Figure 5, the proposed pedestrian connectivity link along the L-1321 is proposed on lands zoned ‘TI – Transport Infrastructure’ and which also partially fall within the corridor for the lands zoned “Proposed Bearna Inner Relief Road”. Accordingly, the following Objectives apply:

Objective LU6 - Transport Infrastructure (TI)

“Facilitate the provision and maintenance of essential transportation infrastructure, including public roads, footpaths, cycle ways, bus stops and landscaping, together with any necessary associated works, as appropriate. New roads shall be subject to needs assessment and detailed corridor and route selection processes taking into account, inter alia, environmental constraints and opportunities.”

Objective RT2 - New Village Street

“Support the completion of the proposed new Village Street (Inner Relief Road) north of the existing R336 and prohibit any development that would affect the future construction of the approved route.”

The Land Use Zoning Matrix provides that infrastructure is open for consideration of TI zoned lands.

The proposed pedestrian link along the L1321 provides a public footpath in accordance with Objective LU6 and comprises infrastructure which is open for consideration under the Land Use Zoning Matrix. The proposed pedestrian link along the L1321 road will not prohibit the future construction of the approved Inner Relief Road. Accordingly, this aspect of the development is acceptable and in compliance with the Land Use Zoning Map, associated Objectives and the Land Use Zoning Matrix.

6.1.4 Summary of Compliance with Land Use Zoning Objectives

In summary, the proposed development comprises development of a greenfield site zoned ‘R’ and ‘OS’. The residential development proposed on lands zoned R accords with the Phase 1 residential zoning and ‘Objective RD1 – Residential Development Phasing’, which requires that development be directed into lands which are zoned and serviced. The proposed residential development on lands zone R complies with the Land Use Zoning Matrix and Objective RD3. All proposed buildings will be located on lands zoned Residential (Phase 1) that are not subject to ‘Objective CCF6 – Inappropriate Development on Flood Zones’. The proposed development complies with Objective CCF6 as outlined above. In particular, a Site Specific Flood Risk Assessment (SSFRA), which demonstrates how the criteria of the Development Management Justification Test are met in relation to the proposed development and accompanying flood study of the Trusky East Stream are submitted with this application. The proposed development also includes public open space/linear park and 2 no. surface water drainage pipes on land zoned ‘OS’, which lands are also subject to Constrained Land Use ‘CL’. These proposed land uses, namely recreational and utilities infrastructure, are open for consideration on the Land Use Zoning Matrix and the proposals comply with Objectives LU4, LU8 and DM Guideline FL1 as outlined above. Finally, the proposed pedestrian link along the L1321 complies with the Land Use Zoning Matrix and Objectives LU6 and RT2.

Therefore, the proposed development is in accordance with the Land Use Zoning Objectives in the Bearna Plan including the Land Use Zoning Map, associated Objectives and the Land Use Zoning Matrix. Accordingly, this report considers that the proposed development is acceptable in principle.

6.2 Design Standards

6.2.1 Density and Plot Ratio

Section 3.1 of the operative Bearna Plan indicates that a plot ratio within the range of 0.10 to 0.50 is generally considered appropriate on land zoned for Residential Development. The proposed scheme includes 14,213.2 sqm of gross floor space on a net site area which extends to 3.47ha (34,705 sqm) which refers to the ‘R’ zoned lands, which equates to a plot ratio of 0.381:1.

It is considered that the proposal also complies with ‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’. The subject site is classified as an ‘Outer Suburban/Greenfield’ site associated with cities and larger towns, with a density in the general range of 35-50 dwellings per hectare as per Section 5.11 of the guidelines. The revised development has a development net density of 35 units per hectare. The proposed development therefore complies with the ‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’ (May 2009). 35 units per hectare is an appropriate density for this location.

Section 2.4 of the *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, (March 2018)* states identification of the types of location in cities and towns/villages that may be suitable for apartment development, will be subject to local determination by the planning authority, having regard to broad descriptions of proximity and accessibility considerations set out in Table 16. Based on the criteria set out in the 2018 Apartment Guidelines, the proposed site location is categorised as a ‘*Peripheral and/or Less Accessible Urban Location*’; where residential development is generally suitable for limited, very small scale (will vary subject to location), higher density development that may wholly comprise apartments, or residential development of any scale that will include a minority of apartments at low-medium densities.

Table 16: Types of location in cities and towns that may be suitable for apartment development

Area Type	Description
1. Central and/or Accessible Urban Locations	<p>Such locations are generally suitable for small- to large-scale (will vary subject to location) and higher density development (will also vary), that may wholly comprise apartments, including:</p> <ul style="list-style-type: none"> ➤ Sites within walking distance (i.e. up to 15 minutes or 1,000-1,500m), of principal city centres, or significant employment locations, that may include hospitals and third-level institutions; ➤ Sites within reasonable walking distance (i.e. up to 10 minutes or 800- 1,000m) to/from high capacity urban public transport stops (such as DART or Luas); and Sites within easy walking distance (i.e. up to 5 minutes or 400-500m) to/ from high frequency (i.e. min 10-minute peak hour frequency) urban bus services.
2. Intermediate Urban Locations	<p>Such locations are generally suitable for smaller-scale (will vary subject to location), higher density development that may wholly comprise apartments, or alternatively, medium-high density residential development of any scale that includes apartments to some extent (will also vary, but broadly >45 dwellings per hectare net) including:</p> <ul style="list-style-type: none"> ➤ Sites within or close to i.e. within reasonable walking distance (i.e. up to 10 minutes or 800-1,000m), of principal town or suburban centres or employment locations, that may include hospitals and third level institutions; ➤ Sites within walking distance (i.e. between 10-15 minutes or 1,000-1,500m) of high capacity urban public transport stops (such as DART, commuter rail or Luas) or within reasonable walking distance (i.e. between 5-10 minutes or up to 1,000m) of high frequency (i.e. min 10-minute peak hour frequency) urban bus services or where such services can be provided; ➤ Sites within easy walking distance (i.e. up to 5 minutes or 400-500m) of reasonably frequent (min 15-minute peak hour frequency) urban bus services.
3. Peripheral and/or Less Accessible Urban Locations	<p>Such locations are generally suitable for limited, very small scale (will vary subject to location), higher density development that may wholly comprise apartments, or residential development of any scale that will include a minority of apartments at low-medium densities (will also vary, but broadly <45 dwellings per hectare net), including:</p> <ul style="list-style-type: none"> ➤ Sites in suburban development areas that do not meet proximity or accessibility criteria; ➤ Sites in small towns or villages.
<p><i>Extracted from Section 2.4 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities.</i></p>	

The application site location is categorised as a ‘Peripheral and/or Less Accessible Urban Location’; where residential development of any scale will include a minority of apartments at low-medium densities (will also vary, but broadly <45 dwellings per hectare net), Table 17 outlines how the proposed development compiles with this category.

Table 17: Compliance with ‘Peripheral and/or Less Accessible Urban Location’

Compliance with ‘Peripheral and/or Less Accessible Urban Location’ Category	
Such locations are generally suitable for limited, very small scale (will vary subject to location), higher density development that may wholly comprise apartments, or residential development of any scale that will include a minority of apartments at low-medium densities (will also vary, but broadly <45 dwellings per hectare net), including:	The proposed development incorporates 33 no. apartments, 36 no. duplex apartments and 52 no. houses. The apartments proposed can be described as medium density and the entire scheme includes for 35 units per hectare.
Sites in suburban development areas that do not meet proximity or accessibility criteria;	The application site does not meet the proximity or accessibility criteria as outlined in the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities in terms of ‘Central and/or Accessible Urban Locations’ or ‘Intermediate Urban Locations’.
Sites in small towns or villages.	The application site is located in Bearna – a suburb of Galway City.
Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, (March 2018)	

In conclusion, this report contends that the proposed density is acceptable as it aligns with the guidelines set out in the ‘Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, (March 2018), the Sustainable Residential Development in Urban Areas Guidelines 2009’.

However, it is considered that the proposed development contravenes the Core Strategy Table in relation to the population allocation of 420 people, housing yield of 130 units, indicative density of 16 units, and a Material Contravention Statement is submitted with this application. The Material Contravention Statement outlines the objectives in the development plan that that conflict with the Core Strategy Table in relation to the proposed development.

Notwithstanding the material contravention of the Core Strategy, it is considered that the proposed development complies with the following objectives in the development plan:

“Objective SS 1 – Galway Metropolitan Area - Galway County Council shall support the important role of Galway City and the Galway Metropolitan Area (which includes the City area and the Electoral Divisions of Oranmore, Bearna, Galway Rural and Ballintemple which are inextricably linked to and function as part of a greater Galway City), as key drivers of social and economic growth in the County and in the wider Western Region and will support the sustainable growth of the strategic settlements, including the future development of Ardaun and Garraun, within the Galway Metropolitan Area.”

“Objective UHO 10 – Sequential Development - Endeavour to promote the orderly and phased development of residential development in accordance with the principles of the sequential approach and as set out in the Sustainable Residential development in Urban Areas (Cities, Towns & Villages) Guidelines 2009 (or as updated). This shall include a positive presumption in favour of the sequential development of suitably serviced Residential (Phase 1) lands in zoned towns and villages. In un-zoned towns and villages, the presumption shall be in favour of sequential development emanating from the town/village core outwards, subject to

compliance with the principles of proper planning and sustainable development and the County Development Plan. This objective will not refer to single house build. Regarding the phasing of undeveloped residential zoned land, development on Residential – Phase 2 lands will normally only be considered where 50% of the lands in Residential Phase 1 are committed to development.”

“Objective UHO 11 – Development Densities Galway County Council shall ensure that the density of new development is appropriate to the particular land use zone and/or site context, is in keeping with the existing development pattern of the area, does not unduly impact on the amenities of the area and results in a positive relationship between existing development and any adjoining public spaces. The development of higher density development shall be promoted in appropriate locations, such as suitable sites within the town/village centre and adjacent to public transport facilities, where such development is compatible with heritage and urban design objectives, infrastructure capacity and environmental considerations. New development shall also have regard to the ‘Sustainable Residential Development in Urban Areas’ Guidelines (or any updated/superseding document).”

To support the function of the GMA, sustainable growth must be achieved. Objective UHO 10 and UHO 11 specify respectively that the development should be located on Residential (Phase 1 lands) and higher density development in appropriate locations should be promoted. UHO 11 also requires new development to have regard to the ‘Sustainable Residential Development in Urban Areas’ Guidelines. Section 5.11 of the guidelines state that densities in the general range of 35-50 dwellings per hectare should be encouraged on ‘Outer Suburban/Greenfield’ sites associated with cities and larger towns.

Objective RD3 and DM Guidelines DM1 in the Bearna Plan are outlined below:

“Objective RD3 - Quality Housing Environments - Encourage the development of sustainable residential communities through the promotion of innovative, high quality building design and appropriate layouts, that prioritise walking, cycling and public transport options and provide for a high level of permeability, accessibility and connectivity to the existing built environment, services and facilities. In this regard, future residential development proposals will be in accordance with the principles set out in the DoEHLG document Sustainable Residential Development in Urban Areas 2009 and its companion document Urban Design Manual: A Best Practice Guide for Planning Authorities 2009, or any updated version of these documents published during the lifetime of this plan and shall also have regard to the design principles as set out in the Design Manual for Urban Roads and Streets (2013) (or as updated).”

“DM Guideline DM1 – Development Densities The development of higher densities will need to be appropriate to the context and will be assessed based on the merits of the proposal and subject to good quality design, compliance with both qualitative and quantitative standards, location, capacity of the site and infrastructure to absorb development, existing character of the area, established densities on adjoining sites, protection of residential amenities, proximity to public transport, etc. The Planning Authority may use its discretion in varying these density standards. The development density guidance in the tables below indicate the range of densities generally considered appropriate in the various land use zones and in different residential locations within the plan area.’

<i>Land Use Zone</i>	<i>Plot Area Ratio</i>	<i>Maximum Site Coverage</i>	<i>Minimum Public Open Space</i>
<i>Zone VC</i>	<i>1.00 to 1.25 PAR</i>	<i>80%</i>	<i>Site Specific</i>
<i>Zone R</i>	<i>0.10 to 0.50 PAR</i>	<i>50%</i>	<i>15%</i>
<i>Zone CF</i>	<i>Site Specific</i>	<i>Site Specific</i>	<i>15%</i>
<i>Zone OS</i>	<i>Site Specific</i>	<i>Site Specific</i>	<i>Site Specific</i>

Zone CE	Site Specific	Site Specific	Site Specific
Zone PU	Site Specific	Site Specific	Site Specific
Zone TI	N/A	N/A	N/A

Land Use Zone	Dwelling Units/Ha	Dwelling Units/Acre	Possible Appropriate Locations
Medium to High	35-50	14-20	Village centre or immediately adjacent to public transport hubs.
Low to Medium	15-35	6-14	Neighbourhood centres (typically within 400m walking distance of centre point), inner urban suburbs
Low	5-15	2-6	Urban periphery, outlying lands, areas with capacity/environmental constraints.

Objective RD3 requires that future residential development proposals will be in accordance with the principles set out in the DoEHLG document Sustainable Residential Development in Urban Areas 2009. Section 5.11 of the guidelines state that density in the general range of 35-50 dwellings per hectare should be encouraged on ‘Outer Suburban/Greenfield’ sites associated with cities and larger towns. DM Guideline DM1 Development Densities indicates that possible appropriate locations for densities of 35 - 50 units per hectare are “Village centre or immediately adjacent to public transport hubs” and possible appropriate locations for densities of 15 - 35 units per hectare are “Neighbourhood centres (typically within 400m walking distance of centre point), inner urban suburbs.”

While it is considered that the proposed development materially contravenes the Core Strategy as outlined in the Material Contravention Statement, the proposed development is consistent with the objectives outlined above. The proposed residential development is located on lands zoned for Residential (Phase 1) development in accordance with Objective UHO 10, which provides for a positive presumption in favour of the sequential development of suitably serviced Residential (Phase 1) lands in zoned towns and villages. The proposal is also considered to comply with Objective UHO 11 and Objective RD3 which requires new development shall also have regard to the ‘Sustainable Residential Development in Urban Areas’ Guidelines. Therefore, the proposed development complies with the policies and objectives identified above.

6.2.2 Site Coverage

Site Coverage is determined by dividing the total area of ground covered by buildings by the total site area. DM Guideline DM1 – Development Densities of the Bearna Plan outlines a maximum site coverage percentage of 50% as for ‘R’ zoned lands. The proposed development has a site coverage of 21.3% based on the nett site area and a building footprint of 7,383.2sqm.

6.2.3 Building Height

The *National Planning Framework* has a number of directly relevant national policy objectives that articulate delivering on a compact urban growth programme. In particular, NPO 13 (text below) identifies building height as an important measure for urban areas to deliver and achieve compact growth as required:

‘In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.’

The proposed development must be viewed in the context of its role in supporting the Galway City and the Galway Metropolitan Area and therefore the design team has sought to ensure that higher densities are achieved, while also ensuring that the open, residential character is maintained. In this regard, the development proposes a limited number of taller buildings located within the development. This approach ensures that potential issues of overlooking, overshadowing and overbearing impact have been fully mitigated, thereby protecting the residential amenity of neighbouring properties.

Objective UD2 of the Bearna Plan, adopted as Variation 2(a) to the GCDP, outlines the general maximum height for new Buildings in Bearna;

UD2 – New Buildings of the Galway County Development Plan states the following -

'Building heights, widths and material finishes shall be in keeping with the character and scale of existing development in the area and shall be appropriate to the locality, site context and building function. A maximum building height of two-storeys will generally apply but reduced building heights will be required in visually vulnerable locations e.g. coastal side of the road. Increased building heights may be considered in exceptional circumstances where they contribute positively to the village character and design, subject to a high standard of urban design and have no adverse impacts on amenity.'

The proposed development includes 3-storey Apartment blocks and 3 storey Duplex Blocks, which is marginally higher than the generally accepted maximum height of two and half storeys. However, in line with Objective UD2, it is considered that the increased building height is provided in exceptional circumstances, contributes positively to the village character, is of a high standard urban design and has no adverse impacts on amenity.

The proposal will provide 121 no. units and constitutes a significant delivery of new residential development in line with the principles of the Rebuilding Ireland to accelerate housing supply. Given that Galway is currently acutely affected by the housing crisis there is a considerable divide to be bridged in order to bring housing provision from its current under-supply to the level required to accommodate the population growth forecasts. However, it is important that more sustainable urban development patterns are established in order to facilitate targeted services and infrastructure investment. The purpose of this type of approach would be to achieve more compact urban growth. The proposed development of 121 no. residential homes is in accordance with the aspirations described above.

Overall, the proposed development contributes to the village character, is of a high standard and complies with the Department of Environment, Housing and Local Government ("DoEHLG") 'Urban Design Manual: A Best Practice Guide (2009)'. The proposed design vision is set out in the enclosed Architectural Design Statement prepared by MDO Architects. In terms of design, the apartment buildings within the scheme are at a scale respectful to the local context. The two storey blocks reflect simple vernacular forms while the three story buildings are provided with a mix of stone, render and panel system to create a vertical emphasis, dividing the building into sections, reducing the legible scale to that of the context. The impacts on amenity have also been central to the design methodology. The provisions of two-story houses at the West and Southwest of the site was the only design response considered at this location. This would allow houses to back on to the existing houses with back gardens to back gardens in a traditional manner. This approach has remained consistent from an early stage in order to ensure a respectful approach to the existing context.

In light of the above considerations, it is considered that the proposed development is compliant with Objective UD2. However, A Material Contravention Statement is provided with this application as it is considered that An Bord Pleanála may consider that the proposed development materially contravenes Objective UD2.

6.2.4 Housing Quality Assessment

The *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities 2018* promote the provision of a satisfactory standard of residential accommodation for a variety of household types and sizes. In order to achieve this, the guidelines set out a number of apartment design standards criteria, including minimum floor areas, room dimensions, dual aspect ratio and storage spaces. The proposed development is compliant with the various provisions of the guidelines, as demonstrated in the enclosed Housing Quality Assessment prepared by MDO Architects.

Table 9 above in Section 5.2.2 of this report outlines the proposed developments compliance with the Specific Planning Policy Requirements (SPPRs) outlined in the *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities 2018*

6.2.5 Public Realm and Open space

Section 3.1 of the Bearna plan states that a minimum of 15% public open space should be provided on lands zoned 'R' Residential and that the public open space on lands zoned 'OS' Open Space/Recreation & Amenity is site specific. The proposed scheme includes 6,711 sqm (19.3%) of public open space on lands zoned Residential which exceeds the 15% requirement for lands zoned 'R' and the entirety of the lands zoned 'OS' will be public open space thus satisfying plan provisions.

Radharc Landscape Design have prepared a comprehensive suite of landscape drawings which deal with both the lands zoned for 'R' – Residential (Phase 1) and 'OS' Open Space/Recreation & Amenity and specifications for the proposed scheme which are included with this application. The design strategy is to create people friendly spaces that best address the requirements of the development, to enhance biodiversity and to address its context and location, all through thorough analysis and well thought out landscape treatment.

On the lands zoned 'R' – Residential (Phase 1), active and passive recreation spaces are provided for all ages through numerous parks, playgrounds, open play areas and generous amounts of pathway. In addition, a public Linear Park is proposed on the lands zoned 'OS' Open Space/Recreation & Amenity to facilitate recreational activities. The linear park incorporates Trusky Stream, delivers a key section of greenway, offering the potential for a future pedestrian link access to the village. The proposed linear park will comprise a meadow and naturalised planting area to provide opportunity to explore and enjoy indigenous landscape. In addition, a mown grass pathway through the wild-flower meadow provides a route to access the significant biodiversity gain and to allow for walking, jogging etc for all members of the public. A fence is also proposed, to ensure the safety of users undertaking recreational activities on the lands. The proposed fence will comprise a 0.9m high, chainlink/3 strand wire with treated timber stakes at 2m centres and bracing at 10m centres. In addition, as outlined above, 2 no. of surface water drainage pipes cross through the 'OS' zoned lands and discharges to the Trusky Stream at two locations. There is a significant biodiversity gain in the scheme through the provision of a native species wild-flower meadow, planting of native hedgerow and tree species and their cultivars and by a maintenance and management regime that employs traditional methods, and will minimise use of herbicide.

The layout allows for ease of movement throughout the scheme and to provide good linkage to the neighbourhood for pedestrians and cyclists alike. Pathways provide strong connectivity and ease of circulation throughout the landscape and to the neighbourhood beyond. Careful attention has been given to the satisfaction of desire lines between different areas. The landscape architectural style is influenced by place, biodiversity and function, aesthetic and building design. Tree and plant selection will be based on suitability and survival, and use of native and naturalised species and their cultivars is emphasised.

Drawing No. 924_Rad_1973_Land_01 Landscape Masterplan illustrates the design strategy for the development. High quality open space will be provided. The broader Bearna landscape will be

reflected through use of local stone (boulders and in stone wall construction), undulating forms in the earth shaping, and through sculpture which evokes some of the history of agricultural activity in the area (most notably widespread use of seaweed as a natural fertiliser and soil conditioner).

Radharc Drawing No. 924_Rad_1973_Land_02 Usable Active and Passive Space illustrates areas of active and passive recreation within the lands zoned for residential development. Active recreation is provided for children, teenagers and adults. There is a playground for 0-6 year old children (adjacent to the apartment blocks) which extends into a larger playground for 6-12 year olds. There is an active outdoor play area for older children, teenagers and adults. There is a significant pathway provision which provides loops and circuits for cycling, jogging etc.

The area of zoned open space is identified as a separate public open space/park with a ‘*strong focus on biodiversity*’.

Radharc Drawing No. 924_Rad_1973_Land_04 Boundary Treatment illustrates the proposed boundary treatment, while **Radharc Drawing No. 924_Rad_1973_Land_05 Soft Landscaping Plan** illustrates the planted element of the scheme, including trees, hedging, shrub and herbaceous planting, lawns and grass areas.

A comprehensive Landscape Report has also been prepared by Radharc Landscape Design and is enclosed with this application.

6.2.5.1 Private Open Space

Each housing unit in the development proposal has an allocated area or private open space in accordance with the requirements set out in the ‘Quality Housing for Sustainable Communities’, the Sustainable Urban Housing: Design standards for New Apartments (DECLG, 2015), and the Galway County Development Plan 2015-2021.

Refer to the Housing Quality Assessment prepared by MDO Architects for more detail in respect of the allocated private open space within the development.

6.3 Access, Traffic and Transport

6.3.1 Vehicular and Pedestrian Access

The proposed development will utilise the existing access to Cnoc Fraoigh off the L1321. The internal street layout has been designed in accordance with DMURS and generally consists of a 4.8-5.5m wide carriageway with footpaths provided either on one side of the road or both.

The site is also well connected in terms of road and public transport links to Galway City. According to Google Maps, it is approximately a 17-minute drive away from Galway City along the R336 road. Both the No. 424 Bus Eireann Bus and No. 524 Lally Coach Bus connect Bearna to Galway City Centre.

As part of this application the construction of the footpath has been included as part of the development works and incorporated within the red line boundary. This application is accompanied by a letter from GCC confirming that the L1321 has been taken in charge and confirming that GCC consent to the inclusion of the L1321 in the planning application.

The construction of approximately 330m section of footpath on the eastern side of the L1321 will improve pedestrian connectivity to the village. The proposed footpath width of 1.8m is the minimum allowed under DMURS and is considered appropriate based on the level of pedestrian activity. The works required to provide the path and the proposals compliance with DMURS is discussed in further detail in the **Engineering Services Report** and associated **Technical Note on L1321 Footpath Works**.

6.3.2 Bicycle and Cycling Facilities

The proposed development represents an efficient use of land in the context of residential density and it is considered that it accords with the requirements to deliver new residential development in a sustainable manner within the existing settlement of Bearna. Cycle parking facilities are proposed as part of the development to encourage non-motorised transport to and from the site. Cycling uses minimal fossil fuels and is a pollution-free mode of transport. The National Cycle Manual, the Galway County Development Plan, and the Design Standards for Apartments have been considered to ascertain the appropriate number of cycle spaces for the scheme. The cycle facilities have been designed to create a legible environment in accordance with the National Cycle Manual (NCM).

Bicycle parking areas will be provided in 8 no. locations dispersed throughout the development. Communal bike stores, external visitor parking and crèche parking are provided along with internal bike stores in Apartment Block A1 and A2. Most bicycle parking locations have been provided near the apartment blocks & the creche facility to help promote cycling. Secure, residential bicycle parking has been provided within apartment buildings at a ratio of 1.5 bicycle parking spaces allocated per apartment. Bicycle storage is also available to the rear of individual houses.

A total of 117 no. secure bicycle parking spaces (111 no. residential cycle spaces + 6 no. creche cycle spaces) are proposed in the scheme. A schedule of bicycle parking is provided in Section 1.10 of the Architectural Design Statement. All bicycle stores are abutting footpaths or roads for accessibility. Refer to MDO Architect's Drawings 924-MDO-BK2-ZZ-DR-A-02001& 924-MDO-BK1-ZZ-DR-A-02001 for the specification/ design of the bicycle parking areas.

6.3.3 Car Parking

Details of the proposed car parking arrangements are set out in Section 3.3 of the Traffic and Transportation Assessment Report and Section 4.5 of the Architectural Design Statement. The parking provision outlined in the Galway County Development Plans (Table 13.5) is as follows:

- 2 spaces per unit for dwellings/Apartments (4+ bedrooms)
- 1.5 Spaces per dwelling for Dwellings/Apartments (1-3 bedrooms)
- 1 car parking space per staff member + 1 car parking space per 4 children (* A setdown area may be appropriate in certain circumstances)

In relation to car parking in 'Peripheral and/or Less Accessible Urban Location', the *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities* states:

'As a benchmark guideline for apartments in relatively peripheral or less accessible urban locations, one car parking space per unit, together with an element of visitor parking, such as one space for every 3-4 apartments, should generally be required.'

The parking calculations for the proposed residential development are outlined in **Table13** below

Table 18: Car Parking Provision for residential units

Unit Type	Spaces Required by the GCDP/ Apartment Guidelines	No. of Units	No. of Spaces Required	No. of Spaces Provided
1 Bed Apt	1	9 no.	9	9

2 Bed Apt/ Duplex	1	42 no.	42	42
3 Bed Duplex	1	18 no.	18	18
3 & 4 Bed Houses	2	52 no.	104	104
Visitor Spaces (for apartments and duplex units)	0.25	69 no.	17	17
Total		121 no.	190	190

It is considered that 14 no. spaces would be required for the childcare facility having regard to the standard set out in table 13.5 of the GCDP; 8 for children (1 parking space per every 4 children) and 6 for staff having regard to Schedule 6 and 7 of the Child Care Act 1991 (Early Year Services) Regulations 2016 (S.I No 221 of 2016). The proposed development provides for 8 no. spaces (4 for staff and 4 drop-off spaces). However, it is noted that the DM Standard 22 states that a set down area may be appropriate in certain circumstances for childcare facilities. It is also stated that “a flexible approach to these standards may be applied where such a case is substantiated, there is no traffic safety issue, and it is clearly demonstrated to the Planning Authority in the interest of proper planning and development, that the standard should be adjusted to facilitate the site specific context”. Part C of DM Standard 22 also notes that ‘residential layouts should not be dominated by car parking along access roads.’ It is contended that 8 no. parking spaces will adequately serve the childcare facility. There are no traffic safety issues associated with the proposal, and the reduced number of car spaces will avoid a car dominated environment and encourage sustainable transport. However, based on the fact that a set down area is provided as opposed to the required number of spaces, it is acknowledged that the proposal may constitute a material contravention of DM Standard 22 in this regard.

In light of the above, it is considered that the proposed development is compliant with DM Standard 22. However, A Material Contravention Statement is provided with this application as An Bord Pleanála may consider that the proposed development materially contravenes the parking requirements for the childcare facility.

6.3.4 Traffic Assessment

Chapter 14 of the Environmental Impact Assessment Report (EIAR) reviews the current receiving environment in terms of existing road traffic characteristics and quantifies the associated baseline scenario whilst undertaking an assessment of the proposed development to identify its likely effects on the local traffic environment. The Chapter is based on and summarises the findings of the Traffic and Transport Assessment (TTA), prepared by Atkins contained under separate cover as part of the overall planning application.

The traffic impact assessment indicates that in terms of base year traffic, all key junctions assessed operate well within capacity. The assessment of all future scenarios also demonstrates that with the introduction of traffic generation associated with the proposed development on the adjacent local road network, all junctions are expected to operate within capacity with no adverse impacts in terms of traffic queuing, delay or capacity. In this context it is concluded that in terms of traffic, the proposed developed is both sustainable and appropriate for the area.

Please see the enclosed Traffic and Transport Assessment for further details. A Stage 1 & 2 Road Safety Audit prepared by Atkins is also being submitted as part of this planning application pack.

6.4 Landscape and Visual Impact

A Landscape and Visual Impact Assessment (LVIA) prepared by MKO is included in Chapter 11 of the Environmental Impact Assessment Report (EIAR) submitted with this application. The LVIA was informed by a desktop study and a survey of the site and receiving environment in July 2020. The assessment has been prepared in accordance with the Environmental Protection Agency (EPA) Draft guidance document ‘*Guidelines on the Information to be contained in Environmental Impact Assessment Reports*’, 2017, EPA guidance documents. Best practice guidance, such as the “*Guidelines for Landscape and Visual Impact Assessment, 3rd Edition, 2013, Landscape Institute (UK) & IEMA*” provide specific guidelines for landscape and visual impact assessments. Therefore, a combination of the draft EPA guidelines, the Landscape Institute guidelines and professional experience has informed the methodology for the assessment

This chapter identifies and assesses the potential effects of the proposed residential development in Bearna, Co. Galway on the landscape and visual resource of the study area. It identifies the mitigation and compensation measures that will be implemented to prevent, reduce or offset potential adverse landscape and visual effects or enhance potential beneficial effects, where possible.

This chapter considers how:

- Landscape effects associated with a development relate to changes to the fabric, character and quality of the landscape resource and how it is experienced; and
- Visual effects relate closely to landscape effects, but also concern changes in views as visual assessment is also concerned with people’s perception and response to changes in visual amenity.

This report covers the Landscape and Visual assessment methodology, a description of the subject development and the existing landscape as well as landscape policy and guidance relating to the subject site. The Landscape and Visual Impact Assessment is also supported by a booklet containing 9 photomontages (produced by G-Net 3D), which is included with the planning application as Volume 2 of the EIAR.

There are no designated focal points or views pertaining directly to the proposed site. However, two focal points and views (Designated View 72- view of sea from north of Bearna and View 44- view of North Clare Coast) are located within the 1-kilometre LVIA study area, but neither will be affected by the proposed development due to the presence of intervening topography and mature vegetation within the wider landscape.

6.5 Site Services

It is proposed to separate the surface water and wastewater drainage networks, which will serve the proposed development, and provide independent connections to the adjacent watercourse and local wastewater sewer network respectively

The overall surface water drainage system, serving the proposed development, is to consist of a gravity sewer network that will convey runoff from the roofs and paved areas to the outfall manholes, which will discharge controlled flow rates to the Trusky East Stream, to the east of the proposed development. In accordance with Objective CCF6- Inappropriate Development on Flood Zones, the proposed development contain a number of measures of ‘*robust SUDS design*’, including limited discharge, attenuation storage, pervious paving and improved water quality, which are described in further detail in Section 3.4 of the Engineering Services Report.

All proposed wastewater sewer design has been carried out in accordance with Irish Water’s Code of Practice for Wastewater Infrastructure. The existing site is currently a green field, with no existing wastewater discharge to the public wastewater infrastructure. Following the connection of the development’s wastewater drainage network to the public infrastructure on the L1321, as described, it is proposed to decommission the existing public wastewater treatment plant that is currently serving Cnoc

Fraoigh residential development, by directing the existing wastewater network to a new wastewater pumping system.

A Pre-Connection Enquiry Form (IW Ref Nr. CDS19008110) was submitted to Irish Water for the proposed development, with confirmation of feasibility confirmed by return of letter. Refer to Appendix D of the **Engineering Services Report** for a copy of the Confirmation of Feasibility letter, as issued on 9th June 2020.

Please see the enclosed **Engineering Services Report** for further details on the proposed drainage and site services infrastructure.

6.6 Site Lighting

Varming Consulting Engineers have prepared a Public Lighting Layout and accompanying Utility Report to support the application.

6.7 Flood Risk

The site of the proposed development is partially within Flood Zones A&B and partially within Flood Zone C, by reference to the Flood Risk Map provided under the Bearna Plan. All proposed buildings will be located within Flood Zone C.

Sections 5.2 and 6.1 of this report and the Flood Study of the Trusky Stream and the Site Specific Flood Risk Assessment prepared by O'Connor Sutton Cronin & Associates, demonstrate how the proposed development complies with the Flood Risk Management Guidelines (2009) and the relevant provisions of the GCDP.

The Trusky East Flood Study provides a hydrological assessment of the stream catchment, and concludes at paragraphs 5.1 to 5.6 as follows:

“...The catchment of the Trusky East Stream has been assessed using the IH124 method in order to estimate river flood flows. Resulting calculated flows for both current climate and future climate scenarios were used for hydraulic analysis.

Design flood events have been selected to comply with best practice, taking cognisance of guidelines on The Planning System and Flood Risk Management Guidelines for Planning Authorities and Circular PL 2/2014.

The geometry of the river channel has been modelled using bathymetric and topographical survey data and site observations.

The current flood extents for the 1.0% AEP and 0.1% AEP flood events have been mapped.

The extent of future floods, i.e. including the effect of climate change, have also been modelled to inform the design of the proposed development.

The proposed scheme will involve no bridges or culverts and no modifications to the channel. Encroachments into the predicted flood extents have been identified and it is proposed to provide “level-for-level” direct compensatory storage to offset loss of floodplain storage..”

The Site Specific Flood Risk Assessment concludes at paragraph 6.1.1.

“6.1.1 This report identifies the flood risks at the proposed development site at Bearna, Co. Galway. Planning permission is currently being sought for residential development, a creche and open space amenity development. The residential development and the creche are classed

as “highly vulnerable development” in accordance with Table 3.1 of the Guidelines and the open space amenity development is classified as “water compatible development”. As outlined in section 3, a Development Management Justification Test is required in respect of the proposed development. Adopting a conservative approach in order to ensure the most robust assessment, and regardless of the different land-use zoning applicable to different portions of the proposed development site and the different uses that are proposed, the Development Management Justification Test should be applied in relation to the proposed development as a whole. Section 5 of this report demonstrates how the criteria of the Development Management Justification Test are met in respect of the proposed development.”

The SSFRA concludes at paragraphs 6.1.7 to 6.1.10 that: tidal/coastal flooding risk is not present at the subject site; the provision of a robust drainage network and the design of roads to provide overland flow routes away from existing and proposed buildings, will mitigate the risk of pluvial flooding; the flood risks arising from the proposed drainage infrastructure will be negligible and no further mitigation is required; and the flood risk represented by ground water is negligible and no further mitigation is required.

6.8 Childcare Facility

In accordance with the ‘*Guidelines for Planning Authorities on Childcare Facilities*’ (DEHLG, 2001), the proposed scheme includes the provision of a childcare facility (224.80 sqm). The child care facility, which shares the common architectural language of the housing units, is in an easily accessible location in order to aid drop off and pick up. This building provides designated rooms for babies, 1-2 years, 2-3 years and 3-6 year olds as well as a designated outdoor play area belonging to the creche. In accordance with the document ‘*Childcare Facilities; Guidelines for Planning Authorities*’, 2001, Appendix 1: General Standards these rooms have the potential to provide for a combined 38 children. This provision is greater than the requirement which recommends ratio of 20 child places per 75 units (32 places per 121 units).

The proposed childcare facility comprises a one storey structure with a ridge height of 7.05 metres. The external finishes are to be a mix of sand cement render and natural stone. The proposed facility extends to 224.80 sqm. Dedicated drop off car parking and bicycle parking are provided adjacent to the facility.

Please refer to **Dwg 924-MDO-CR-ZZ-DR-A-02001– Creche - Plans, Elevations & Section** for further details.



Figure 7: Proposed Childcare Facility

6.9

Environmental Impact Assessment

MKO was appointed as environmental consultant on the proposed project and commissioned to prepare this EIAR in accordance with the requirements of the EIA Directive as amended by Directive 2014/52/EU.

The relevant classes/scales of development that require Environmental Impact Assessment (EIA) are set out in Parts 1 and 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended.

Section 172 of the Planning & Development Act 2000, as amended, provides the legislative basis for EIA. It states the following:

“An environmental impact assessment shall be carried out by a planning authority or the Board, as the case may be, in respect of an application for consent for proposed development where either:

- (a) *the proposed development would be of a class specified in –*
 - (i) *Part 1 of Schedule 5 of the Planning and Development Regulations 2001, and either –*
 - I. *such development would exceed any relevant quantity, area or other limit specified in that Part, or*
 - II. *no quantity, area or other limit is specified in that Part in respect of the development concerned,*
 - or
 - (ii) *Part 2 of Schedule 5 of the Planning and Development Regulations 2001 and either –*
 - I. *such development would exceed any relevant quantity, area or other limit specified in that Part, or*
 - II. *no quantity, area or other limit is specified in that Part in respect of the development concerned,*

Accordingly, Schedule 5 of the Planning & Development Regulations 2001, as amended sets out a number of classes and scales of development that require EIA.

With regards to the proposed strategic housing development, the provisions of Part 2 of Schedule 5 require an EIA to be undertaken where it is proposed to carry out the following - “*Construction of more than 500 dwelling units*”, as per paragraph 10 (b)(i) of Part 2 of the Schedule and urban development which would involve an area greater than either 2ha (*business district*), 10 ha (built up area) or 20ha (elsewhere) as per paragraph 10(b)(iv).

The proposed residential development does not exceed the 500 unit threshold in paragraph 10(b)(i). In respect of paragraph 10(b)(iv), the site is not located in a business district and does not propose urban development of an area greater than 10 hectares. Therefore the proposed development does not equal or exceed the relevant quantity, area or other limit specified in Part 2 of Schedule 5 and is not subject to mandatory EIA.

However, section 172 of the Planning & Development Act 2000, as amended, also sets out the basis for EIA for developments which do not equal or exceed, the relevant quantity, area or other limit specified in Part 2 of Schedule 5, i.e., “sub-threshold development”. Thus, an EIA is required where sub-threshold development is likely to have significant effects on the environment and therefore should be subject to EIA. In this context, the consideration of ‘significant effect’ is not determined by reference to relevant quantity, area or other limit thresholds but also considering factors such as the nature and location of a project must also be taken into account. On this basis, it was decided to compile an EIAR in respect of the proposed strategic housing development.

Article 299A of the Planning and Development Regulations 2001, as amended, provides that, where a planning application for a “sub-threshold” strategic housing development is accompanied by an EIAR and a request for a EIA screening determination under section 7(1)(a)(i)(I) of the 2016 Act was not made – as is the position in relation to this application – then the application shall be dealt with as if the EIAR had been submitted in accordance with subsection 172(1).

The EIAR provides information on the receiving environment and assesses the likely significant effects of the project and proposes mitigation measures to avoid or reduce these effects. The function of the EIAR is to provide information to allow the competent authority to conduct the Environmental Impact Assessment (EIA) of the proposed development.

6.9.1 **Appropriate Assessment**

Under Article 6(3) of the EU Habitats Directive and Part XAB of the Planning and Development Act 2000, as amended, any plan or project which has the potential to significantly impact on the integrity of a European site (i.e. Special Area of Conservation or Special Protection Area) must be subject to an Appropriate Assessment.

In relation to a previous SHD application on this site, the High Court Judgment in *Heather Hill Management Company CLG Anor. v An Bord Pleanála* [2019] I.E.H.C. 450 held that An Bord Pleanála failed to carry out a valid screening for proper Appropriate Assessment. The court held that , in carrying out a screening for Appropriate Assessment, the Board had relied on a commitment to comply with 'best practice measures' during construction in order to minimise any emissions into the Trusky Stream, which was identified as being a potential pathway to the Special Protection Area (SPA) and Special Area of Conservation (SAC) in Galway Bay. The Court held that the screening determination was invalid in that it improperly relied on 'best practice measures' in reaching a screening determination. The Court held that it should have proceeded to a Stage Two Appropriate Assessment and requested a Natura Impact Statement from the developer.

In this regard, both an **Appropriate Assessment Screening Report** and **Natura Impact Statement** has been prepared by MKO in respect of the proposed development.

The NIS concludes as follows:

‘...’

This NIS has provided an assessment of all potential direct or indirect adverse effects which have the potential to have likely significant effects European Sites.

Where the potential for any likely significant effects on any European Site has been identified then, as is apposite when conducting a Stage Two Appropriate Assessment, consideration has been given to the measures which have been identified and which will be implemented in order to avoid potential water pollution events, in particular The measures ensure that the construction and operation phases of the proposed development will not adversely affect the integrity of any European sites. In conclusion, in circumstances where the mitigation measures identified in this NIS are implemented, there is no reasonable scientific doubt remaining as to the absence of adverse effects on the constitutive characteristics of the Galway Bay Complex cSAC, and Inner Galway Bay SPA.

Therefore, it can be objectively concluded that the Proposed Development, individually or in combination with other plans or projects, will not adversely affect the integrity of any European Site.’

6.10 Impact on the Gaeltacht

The subject lands are located within the Gaeltacht Area. Objective CH3 - Language Enurement Clause of the Bearná Plan requires a reserve of 20% of all permitted dwellings for native Irish speakers in developments of two or more units in Bearná. Further to the Development Plan requirements, 20% of any residential development on the subject lands (i.e. 24 no. dwellings) will be required to be reserved for Irish speakers and this requirement will be secured by way of an appropriate condition in the event of a favourable decision attached to any planning permission.

A Linguistic Impact Statement (LIS) is included as part of this application (see standalone LIS report) in accordance with Objective UHO 12 of the GCDP. Overall it is not anticipated that the proposed development will have any undue negative impact on the Irish language or the Irish culture in the village of Bearná. The proposed development involves the construction of 121 no. dwelling houses within the designated development envelope of Bearná which is clearly in line with the Policies and Objectives, contained in the National Planning Framework, Regional Spatial and Economic Strategy, Galway County Development Plan 2015-2021 which incorporates the Bearná Plan (Variation 2(a)) and the Gaeltacht Plan (Variation 2(b)). Therefore, the proposed scheme is considered to be in accordance with the principles of sustainable planning and development of the area. The proposed development will provide additional residential units within Bearná which will augment and support the existing population centre. The provision of an additional 121 no. units at this location will not have an adverse impact on the linguistic integrity of the area due to the population levels and numbers of Irish speakers in the vicinity.

Furthermore, in compliance with Objective CH3 of the Bearná Plan, 24 no. residential units will be reserved for Irish speaking members of the community for a 15-year period. The reservation of 24 no. houses for Irish speakers will help strengthen the language in the village and this is in addition to any further Irish speakers that may occupy the 97 no. remaining units. This will have a positive impact on the Irish language and culture in Bearná. While many of the benefits of the proposed development from a linguistic impact viewpoint will be indirect and difficult to measure, the provision of additional residential development must be accommodated within the village of Bearná in order to comply with the objectives contained in the current Galway County Development Plan 2015-2021 and most importantly in relation to the Settlement Strategy and Core Strategy targets. Overall, it is not anticipated that the proposed development will have any undue negative impact on the Irish language or the Irish culture in Bearná. It is submitted that the residential development in the manner proposed will cater for

local housing requirements in line with the relevant national, regional and local planning policy context and will strengthen the identity of the community and the Irish language in Bearnna.

6.11 Phasing

MDO Architects in collaboration with the applicant have prepared a phasing plan for the proposed scheme, as detailed in Figure 8 below. Please refer to **Dwg 924-MDO-XX-XX-DR-A-01202 Proposed Site Layout Development Phasing**, for further details. It is envisaged that the scheme will be developed in 4 no. stages, with proportionate amounts of communal open space provided in each phase. The proposed childcare facility will be provided in Phase 3, with a total of 52 units being delivered in Phase 1 (31 units) and Phase 2 (21 units).

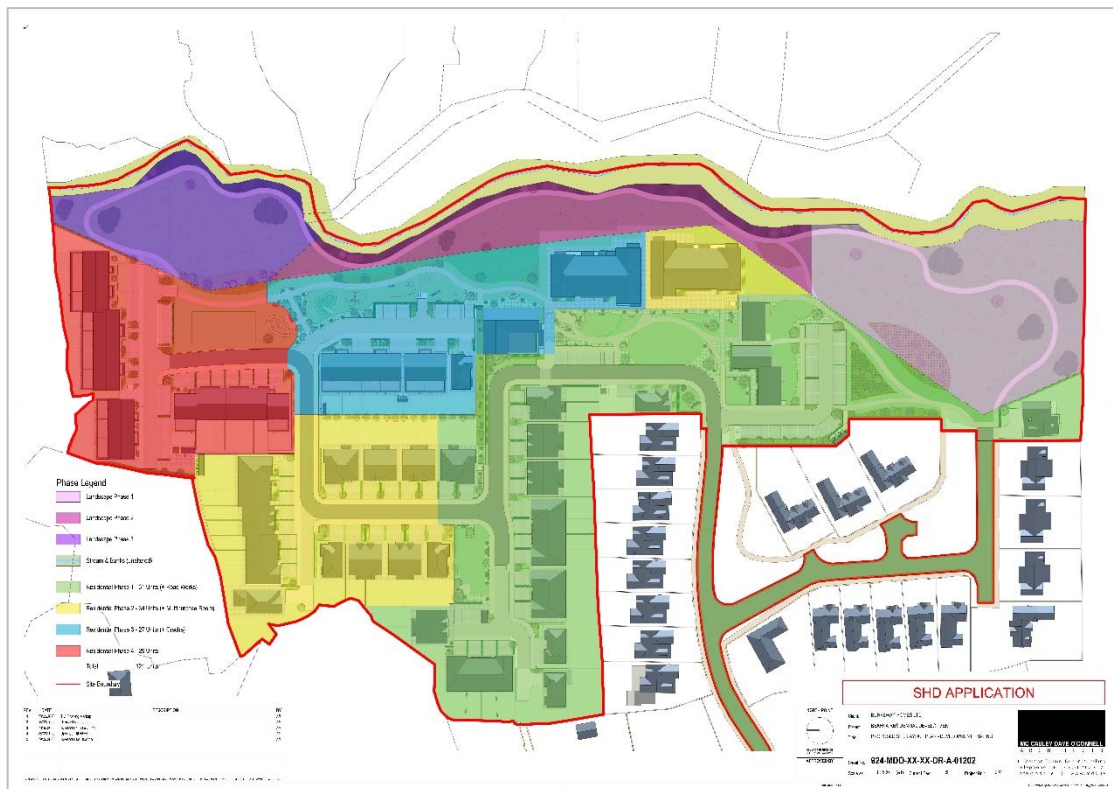


Figure 8: Phasing Proposal

6.12 Management Proposals

Proposals for the taking-in-charge of common areas, services and facilities in the development are illustrated on **Dwg 924-MDO-XX-XX-DR-A-01201 Proposed Site Layout Taking in Charge**, which illustrates the internal roads, footpaths/cycle links and drainage infrastructure that are proposed to be taken in charge by Galway County Council.

The applicant proposes to appoint an Owners Management Company to manage and maintain the common areas, services and facilities associated with apartment and non-residential units and the areas of public open space in the proposed development.

In accordance with Section 6.13 of the 2018 Apartment Guidelines, MDO have prepared a Building Life Cycle Report for the proposed scheme which is included with this application.

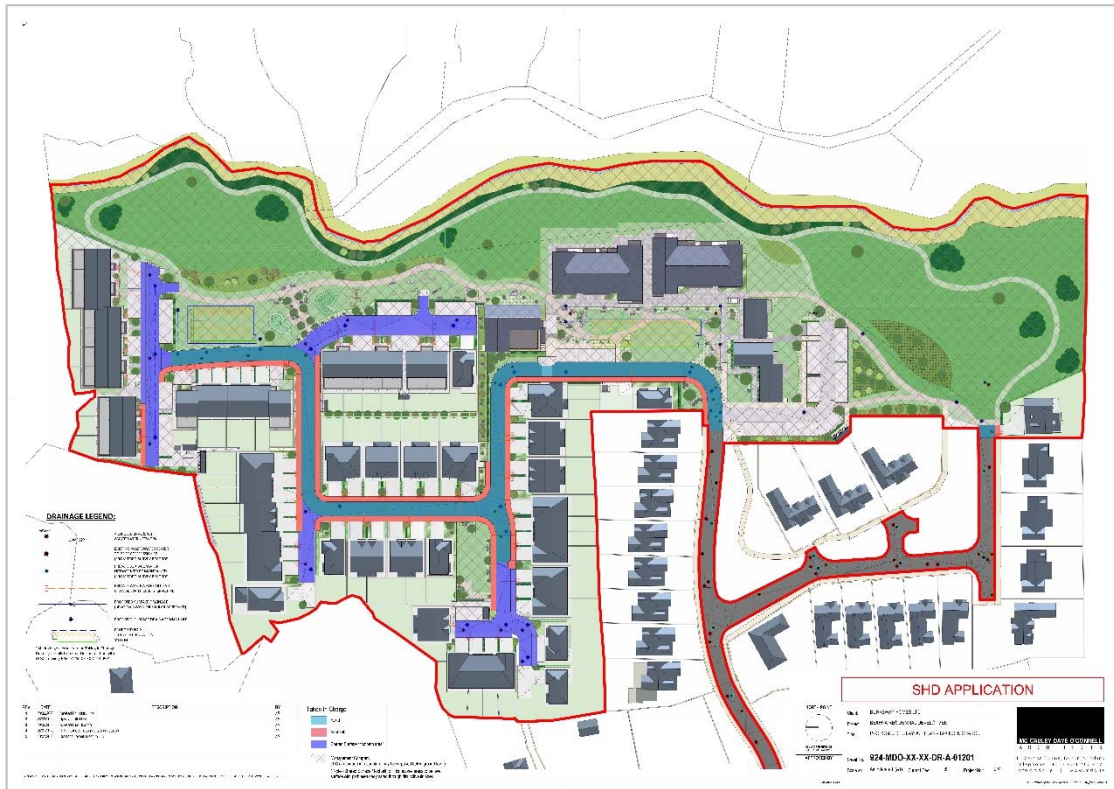


Figure 9: Taken in Charge Proposals

7.

CONCLUSION

This Statement of Consistency, which has been prepared by MKO (McCarthy Keville O’Sullivan), supports an application to An Bord Pleanála (ABP) for permission for the proposed Strategic Housing Development. It is submitted that, for the assessment outlined in this statement, that the proposed development is consistent with the national, regional and local policy context. A Material Contravention Statement is submitted with this application which sets out that An Bord Pleanála may grant permission for the proposed development notwithstanding the material contravention of the Core Strategy in the Galway County Development Plan 2015-2021 and, should the Board find the proposed development to be a material contravention of Objective UD2 of the Bearna Plan adopted as Variation 2(a) to the Galway County Development Plan 2015-2021, notwithstanding such material contravention.

As detailed above, the proposed site is zoned for development under the Bearna Plan (i.e., Variation No. 2(a) to the Galway County Development Plan 2015–2021) and would provide 121 no. new high quality residential dwellings, which is compatible with policy objectives of the relevant plan.

Having regard to the relevant policies pertaining to the subject site, the nature and scale of the proposed development and the nature of development in the immediate vicinity of the site, it is considered that the proposed scheme would contribute to the sustainable planning and development of both Bearna Village and the wider Galway Metropolitan Area. The proposed scheme involves the construction of a high-quality development that would be in keeping with the character and scale of the surrounding properties and it is considered that the development will be respectful to its setting.

It is submitted that the proposed scheme represents significant planning gain for the area for the following reasons:

- The proposed development provides for 121 no. residential units and provides a significant response to Galway Metropolitan Area housing need in accordance with the Regional Spatial and Economic Strategy for the Northern and Western Region 2019-2031.
- The proposed scheme has the potential to create a new distinctive residential development on a greenfield site.
- The proposed development recognises the need to ensure appropriate densities and a mix of typologies
- The proposed scheme will encourage a diversity of uses as well as promoting sustainable transportation options.
- Important pedestrian and cyclist connections are also incorporated into the design by creating links, including the delivery of path along the L1321 to Bearna village.
- The proposed scheme includes 19.3% communal public open space within the ‘R’ zoned lands and is designed to incorporate both formal and informal play areas.
- The proposed scheme also includes a public linear park on lands zoned ‘OS’ providing open space for recreational activities for the community and a potential for a future pedestrian link access to Bearna village
- The landscape style is strongly influenced by the requirement to support and enhance biodiversity.
- The proposed scheme includes a childcare facility with capacity for 38 no. children.
- The applicant proposes to provide the 12 no. units to fulfil their 10% Part V obligation in accordance with Section 95 of the Planning & Development Act 2000 (as amended).



Appendix 1

Statement of Consistency Matrix

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1.

COMPLIANCE WITH THE NATIONAL PLANNING FRAMEWORK

Chapter	Policy Objective	Guidance / Requirement	Statement of Consistency
Chapter 2: A New Way Forward	National Policy Objective 1(b)	<p>Eastern and Midland Region: 490,000 - 540,000 additional people, i.e. a population of around 2.85 million;</p> <p>Northern and Western Region: 160,000 - 180,000 additional people, i.e. a population of just over 1 million;</p> <p>Southern Region: 340,000 - 380,000 additional people, i.e. a population of almost 2 million</p>	<p>There is a very significant population growth allocated to the Northern & Western Region in which Galway is the main urban centre. In order to facilitate this population growth there will be a requirement to develop large numbers of new houses and apartments, approx. 20,000 units based on a standard household size of 2.7 people. Given that Galway is currently acutely affected by the housing crisis there is a considerable divide to be bridged in order to bring housing provision from its current under-supply to the level required to accommodate the population growth forecasts. However, it is important that more sustainable development patterns are established in order to facilitate targeted services and infrastructure investment. The proposed development will deliver 121 no. residential homes and these homes would be developed in accordance with the aspirations outlined in National Policy Objective 1(b).</p>
Chapter 2: A New Way Forward	National Policy Objective 2(a)	<p>A target of half (50%) of future population and employment growth will be focused in the existing five Cities and their suburbs.</p>	<p>Based on the growth figures set out in NPO 1b above this will result in a population increase of 90,000 people in the city of Galway and its suburbs in the period to 2040. This equates to approximately 20,000 new homes in total or approximately 1,000 homes per annum. The proposed development represents an efficient use of land in the context of residential density and it accords with the requirements to deliver new residential development in a</p>

Chapter	Policy Objective	Guidance / Requirement	Statement of Consistency
			sustainable manner within the existing established settlement of Bearna.
Chapter 2: A New Way Forward	National Policy Objective 3a	Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.	The proposed development will provide 121 no. residential units in the existing settlement of Bearna, which is inextricably linked to and functions as part of the Greater Galway City.
Chapter 2: A New Way Forward	National Policy Objective 3b	Deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints.	The proposed development will provide 121 no. residential units in the existing settlement of Bearna, which is inextricably linked to and functions as part of the Greater Galway City.
Chapter 4: Making Stronger Urban Places	National Policy Objective 4	Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.	The proposed development will provide 121 no. high-quality, well-designed residential units in the existing settlement of Bearna.
Chapter 4: Making Stronger Urban Places	National Policy Objective 5	Develop cities and towns of sufficient scale and quality to compete internationally and to be drivers of national and regional growth, investment and prosperity	The proposed development will provide 121 no. residential units in the existing settlement of Bearna, which is inextricably linked to and functions as part of the Greater Galway City.
Chapter 4: Making Stronger Urban Places	National Policy Objective 13	In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek	All relevant guidance as it relates to development management standards including height have been considered carefully in the design of the proposed development. In order to achieve targeted growth, design

Chapter	Policy Objective	Guidance / Requirement	Statement of Consistency
		to achieve well-designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.	standards such as height must be considered based on performance criteria. The proposed provision of 3 storey buildings can be justified by the need for compact urban growth as outlined above.
Chapter 6 - People, Homes and Communities	National Policy Objective 27	Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages	The proposed development includes for safe and convenient alternatives to the car that encourages walking and cycling. The proposed development includes for 117 no. bicycle stands and also includes for the construction of a 330m section of footpath on the eastern side of the L1321 which will improve pedestrian connectivity to the village of Bearna. The proposed footpath width of 1.8m is the minimum allowed under DMURS and is considered appropriate based on the level of pedestrian activity.
Chapter 6 - People, Homes and Communities	National Policy Objective 32	To target the delivery of 550,000 additional households to 2040.	The proposed development will provide 121 no. residential units which will assist in the delivery of additional households.
Chapter 6 - People, Homes and Communities	National Policy Objective 33	Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.	The proposed buildings are located on lands zoned as R – Residential (Phase 1). Phase 1 residential lands have been identified for short to medium term growth in suitable locations that are serviceable and accessible.

Chapter	Policy Objective	Guidance / Requirement	Statement of Consistency
Chapter 6 – People, Homes and Communities	National Policy Objective 34	Support the provision of lifetime adaptable homes that can accommodate the changing needs of a household over time.	<p>The proposed residential units have been designed to accommodate the changing needs of a household over time. The proposed units in this scheme have been designed to have generous living areas, ample storage and spacious private open spaces. This allows for a variety of methods that can be employed for their adaptation.</p> <p>There is an option for the houses to be extended to the rear without detracting from the character of their types. The ground floor study spaces in the 4 beds can be used as home offices or converted to downstairs bedrooms for an aging population. An option also exists for further storage in the attic spaces of the houses.</p> <p>The development acknowledges the changing demographics of the country’s population by providing suitable opportunities to downsize/ trade down into apartment living. The apartments are designed to be fully accessible and compliance with Part M and are provided with an open plan kitchen, living and dining room. The internal walls in the apartments are designed to be predominantly non structural. This allows for easy future adaptations to layouts.</p> <p>The two and three bed apartments in the scheme are designed to be flexible with the option of conversion into an office space or secondary walk in closet. The duplex buildings are designed to offer own door wheelchair accessible ground floor units. Ample storage is provided within each unit to exceed minimum requirements.</p>

Chapter	Policy Objective	Guidance / Requirement	Statement of Consistency
Chapter 6 – People, Homes and Communities	National Policy Objective 35	Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights	An increase in residential density is sought by providing apartments. A total of 69 no. apartment units are proposed which include 36 no. duplex units.

2.

COMPLIANCE WITH SUSTAINABLE RESIDENTIAL DEVELOPMENT IN URBAN AREAS (CITIES, TOWNS & VILLAGES), 2009

Apartment Design Standards	Guidance / Requirement	Statement of Consistency
Sequential Approach to the Development	The Guidelines reinforce the need to adopt a sequential approach to the development of land and note in Section 2.3 and <i>'the sequential approach as set out in the Departments Development Plan Guidelines (DoEHLG, 2007) specifies that zoning shall extend outwards from the centre of an urban area, with undeveloped lands closest to the core and public transport routes being given preference, encouraging infill opportunities...'</i>	The proposed buildings are located on lands zoned as R – Residential (Phase 1). Phase 1 residential lands have been identified for short to medium term growth in suitable locations that are serviceable and accessible. The application site is located within 0.45km walking distance of the village of Bearna. Bearna is also served three bus routes: Bus Eireann Route No. 424 leaves Bearna arriving at Galway Bus via Salthill and Spanish Parade station in 20mins. City Direct Route No. 414 leave Bearna with journey times of 26mins to Eyre Square via the Western Distributor Road, University Hospital Galway and University Road (NUIG). A private route operated by Lally Coaches also connects Bearna to Queen Street, Galway via Salthill.
Community Facilities	Sustainable neighbourhoods require a range of community facilities, and each district/neighbourhood will need to be considered within its own wider locality, as some facilities may be available in the wider area while others will need to be provided locally	The proposal includes for a childcare facility (224.8 sqm. that can cater for 38 no. children. The proposed development also includes appropriate areas of communal open space.
Density	Section 5.11 of the Guidelines provides for range of 35-50 dwelling units/hectare on 'Outer Suburban/Greenfield' sites associated with cities and larger towns.	The subject site is classified as an 'Outer Suburban/Greenfield' site associated with cities and larger towns, with a density in the general range of 35-50 dwellings per hectare as per Section 5.11 of the guidelines. The development has a development density of 55 units per hectare. This density can be justified due to the location of the site within the established settlement of Bearna, and also being within the Galway Metropolitan Area. The subject site is located within 0.45km walking distance

Apartment Design Standards	Guidance / Requirement	Statement of Consistency
		<p>of the village of Bearna. It is a short walk away from the main street with numerous independent shops and restaurants, local amenities such as the nearby Super Valu grocery shop, post office, playground and school among others. The development therefore complies with the ‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’ (May 2009).</p>

3.

COMPLAINT WITH THE URBAN DESIGN MANUAL: A BEST PRACTICE GUIDE 2009

Criteria	Guidance / Requirement	Statement of Consistency
Context	How does the development respond to its surroundings?	<p>The proposed development is responsive to the site context and is in keeping with the existing character, amenity, heritage, environment and landscape of the surrounding area. The scheme as proposed conforms with the surrounding area in terms of its scale, height, massing, building line and housing mix.</p> <p>The total site area is approximately 5.38 Hectares and lies to the west of Truskey stream. To the west of the site is the existing development of Cnoc Fraoigh which connects the site to the Moycullen Road linking to the Village of Bearna and the R336 Galway City to Spiddal Road. A series of ribbon development sites to the north of Cnoc Fraoigh bound the site and the remaining lands to the north and east are agricultural lands and farm house development along the link road to the east. To the south are lands zoned 'Open Space/ Recreation & Amenity' and 'Community Facilities'. An Environmental Management Zone / Area runs along the Truskey Stream running north-south through the site.</p> <p>The central design challenge and opportunity for this site is to create a high-quality housing development, which protects and benefits from the existing stream running adjacent the site. The design of the development incorporates the zoning criteria, locating all proposed units on lands zoned for residential amenity. No buildings are placed on CCF6 or OS zoned land.</p> <p>The immediate vicinity consists of primarily suburban single family housing developments with the nucleus of the village of Bearna is located within 0.5km from the proposed development.</p> <p>An existing waste treatment unit for Cnoc Fraoigh is located on the proposed site to the south and it is proposed to remove this structure and connect the existing dwellings in Cnoc Fraoigh along with the dwellings proposed in this scheme to the public foul waste.</p>

Criteria	Guidance / Requirement	Statement of Consistency
		<p>The site is a greenfield site with a few existing features of significance which are being incorporated into the proposed scheme, such as the Truskey stream, the existing stone bridge and path to it and the dry stone walls found on site which will be de-constructed and re-used in the proposed landscape works. The top soil excavated during the proposed works will be stored and used in providing back gardens and landscaping for the development.</p>
Connections	How well connected is the new neighbourhood?	<p>The site is situated on the banks of the Truskey Stream and adjoins the Cnoc Fraoigh housing development which was constructed c. 10 years ago and consists of 16 detached two-storey dwellings.</p> <p>Access to the site is provided via the road through the existing development of Cnoc Fraoigh - Heather Hill, to the West of the site.</p> <p>The subject site is located within 0.45km walking distance of the village of Bearna. It is a short walk away from the main street with numerous independent shops and restaurants, local amenities such as the nearby Super Valu grocery shop, post office, playground and school among others. The proposed green route along the Truskey Stream would further reduce the journey time for pedestrians and cyclists when complete.</p> <p>The proposal also includes for the construction of a 330m section of footpath on the eastern side of the L1321 which will improve pedestrian connectivity to the village of Bearna. The proposed footpath width of 1.8m is the minimum allowed under DMURS and is considered appropriate based on the level of pedestrian activity.</p> <p>The site is also well connected in terms of road and public transport links to Galway City. According to Google Maps, it is approximately a 17 minute drive away from Galway City along the existing R336 road.</p> <p>The proposed N6 extension will also service Bearna with a junction proposed less than 1km from the site entrance along the L1321. This road will be upgraded towards Bearna village as part of the scheme through a footpath and some minor widening works.</p> <p>Bearna is also served three bus routes: Bus Eireann Route No. 424 leaves Bearna arriving at Galway Bus via Salthill and Spanish Parade station in 20mins. City Direct Route No. 414 leave Bearna with journey</p>

Criteria	Guidance / Requirement	Statement of Consistency
		times of 26mins to Eyre Square via the Western Distributor Road, University Hospital Galway and University Road (NUIG).A private route operated by Lally Coaches also connects Bearna to Queen Street, Galway via Salthill.
Inclusivity	How easily can people use and access the development?	<p>The scheme has been developed to create a new inclusive neighbourhood development. The proposal seeks to develop a series of accessible, safe play and amenity spaces, across the site.</p> <p>Where the site deals with the largest change in level, the park area to the west of Apartment blocks A1, A2, a mix of ramped and stepped routes are provided to access the higher site area, north of the crèche. This ensures that all abilities are catered for in the accessibility of the site.</p> <p>4 No. Accessible Parking spaces are provided, dispersed throughout the scheme providing facilities near the apartment buildings, crèche, duplex buildings and linear park/playgrounds.</p> <p>In addition to this, pedestrian routes have been created which follow desire lines. These routes provide the shortest possible route for wheelchair users to the apartment buildings and playgrounds in the northern section of the site from the site entrance and from the southern point of the site. This ensures all buildings and the linear park can be accessible to all users.</p>
Variety	How does the development promote a good mix of activities?	<p>The proposed development is located on a greenfield site, accessed through an existing residential development. The proposed scheme promotes social integration by providing a diverse range of dwelling typologies for a variety of tenures.</p> <p>A variety of public spaces have been designed into the scheme. The linear park provides a space for contemplation, while the public paths meander providing areas where neighbours can meet. Pocket parks and picnic areas provide spaces for gathering, the centrally located and well overlooked children's playground provides a space for families to meet and kids to be active. The proposed Kickabout area to allow for sports activity whilst the multipurpose room located in the apartment building provides an indoor space for community gatherings, talks or yoga workshops.</p>
Efficiency	How does the development make appropriate use of resources, including land?	The proposal looks at the potential of higher density, considering appropriate accessibility by public transport and the objectives of good design. The proposed development layout achieves 35 units/hectare. The proposed density makes efficient use of Residential zoned lands within the established settlement of Bearna.

Criteria	Guidance / Requirement	Statement of Consistency
		<p>A variety of public spaces have been designed into the scheme from linear footpaths to large green spaces. The interface of these public spaces with the private amenity of each home has been carefully considered. Open space areas are overlooked by a variety of home types to help to integrate visually and physically the entire spectrum of the community.</p> <p>The scheme brings an unused residential zoned site into productive use.</p>
Distinctiveness	How do the proposals create a sense of place?	<p>The development seeks to integrate with the existing topography in creation of its urban and landscape design, creating a naturally evolved distinctive design.</p> <ul style="list-style-type: none"> • The place has recognizable features so that people can describe where they live and form an emotional attachment to the place. • The scheme is a positive addition to the identity of the locality, • The layout makes the most of the opportunities presented by existing buildings, land form and ecological features to create a memorable layout • The proposal successfully exploits views into and out of the site • There is a discernible focal point to the scheme, or the proposals reinforce the role of an existing centre. <p>The proposed site consists of a well proportioned plot, accessed through an existing housing development. A key feature of the site is the Trusky Stream and the open space surrounding it which offers an opportunity to create a unique sense of place. The scheme's community park along the proposed biodiverse linear park is carefully landscaped to make a feature of the existing topography for the new community. Providing amenity for residents yet merging seamlessly with the larger park area.</p> <p>A series of indoor and outdoor amenities have been provided through the development located along this linear park allowing opportunities for residents and the greater community of Bearna to meet, gather, take part in activities or spend some quiet time in a beautiful landscape, planted with indigenous flora.</p> <p>The linear park provides a space for contemplation, the public paths meander providing areas where neighbours can meet. Pocket parks, secluded seating and picnic areas provide spaces for gathering. The centrally located and well overlooked children's playground provides a space for families to meet and kids to be active. A proposed Kickabout area allows for sports activity in addition to the younger and</p>

Criteria	Guidance / Requirement	Statement of Consistency
		<p>older playground areas whilst the multi-purpose room located in the apartment building provides an indoor space for community gatherings, talks or yoga workshops.</p> <p>The scheme has been laid out to maximise the number of units that address and enjoy the shared open space. As the Bearna Plan's proposed Open Space along Trusky Stream is expanded upon, it may create a possible future green link through the site and a route to the village in a stimulating and well monitored space. The development providing variety in design through the undulating topography, biodiverse landscape and architecture providing an edge to the park.</p>
Layout	How does the proposal create people friendly streets and spaces?	<p>On entering this scheme, two corner landscaped green areas combine with a large green park to provide a lush and green entry to the scheme.</p> <p>The apartment buildings, two storeys to the south, three storeys to the east and the elevated single story crèche to the north of the park provide some containment to the green space but allow pedestrians and residents to circulate easily between these spaces and the wider public open spaces surrounding the scheme.</p> <p>These apartment buildings are designed at a scale respectful to the local context. The two story blocks reflect simple vernacular forms while the three story buildings are provided with a mix of stone and render. Building form and windows are used to create a vertical emphasis, dividing the building into sections and reducing the legible scale to that of the context.</p> <p>As one moves further into the scheme, a graded, planted bank caters for the transition in levels before arriving at a pocket park and the next focal point. Two story houses in this area back onto the existing residential setting. The layout around the park taking a 'home zone' approach, ensuring low traffic speeds in the area. Special corner units have been developed and located in prominent areas to ensure dual aspect and surveillance at all junctions. This layout also ensures no gardens back onto the road.</p> <p>Around this pocket park and to the north of the scheme, stepped terraces ensure a high density level is contained in the housing areas and create an increase in typologies available.</p>

Criteria	Guidance / Requirement	Statement of Consistency
		<p>Progressing towards the linear park, duplex units are introduced, increasing the density from the housing but providing a balance over the scheme with the apartments. The own door units of this area allow it to maintain a small scale feel, yet provide an urban edge to the linear park, optimising the passive supervision to the area.</p> <p>The variation in unit type proposed ensures a wide mix of typology throughout the scheme. Both large and smaller affordable style houses are provided in conjunction with own door duplex and apartment units. The layout also maximises the number of dwellings and own door units while actively addressing the extensive amenity area.</p> <p>The relationship between the public open space on residential land and the lands zoned public open space area, was carefully considered in order to create a balanced relationship between the two entities. The layout is designed to provide a natural and seamless transition between the park areas but varied to create biodiverse parklands that coexist along side amenity areas. This fulfils residents needs and will allow the natural flora and fauna of Bearna to regenerate and thrive.</p>
Public Realm	How safe, secure and enjoyable are the public areas?	<p>The scheme is laid out to ensure all public open space are overlooked by homes to ensure that the roads and amenities are safe to use. The public realm is considered as a usable, integrated element in the design of the development with children's' play spaces central to this.</p> <p>Due to site conditions, surface car parking is proposed. These parking areas are considered as landscaped elements in the design of the public realm and dispersed around the apartment blocks, ensuring greater activity and minimal visual impact in any one area.</p> <p>Dwellings have been designed to address and face the public parks and streets and also "bookend" the proposed new streets. Typically corner units are double fronted with aspect to the front and a side approach, providing access and animation to the public areas and encouraging presence, use and passive surveillance of the public areas. All houses adhere to the topography of the site with the proposed design generating predominantly a East, West or South facing private open space for each dwelling. Private gardens are clearly delineated through the use of concrete block fences. Apartment terraces are surrounded by a low wall and hedge to create privacy and apartment and duplex balconies are surrounded by glass balustrades.</p>

Criteria	Guidance / Requirement	Statement of Consistency
		<p>Furthermore, the scheme allows for the realisation of the potential of the Truskey Stream as a community amenity for Bearna, connecting to surrounding lands adjacent to the site and stream. The scheme also allows for the provision of ample shared bin stores and bicycle parking for the proposed apartments and duplexes.</p>
Adaptability	How will the buildings cope with change?	<p>The proposed residential units have been designed to accommodate the changing needs of a household over time. The proposed units in this scheme have been designed to have generous living areas, ample storage and spacious private open spaces. This allows for a variety of methods that can be employed for their adaptation.</p> <p>There is an option for the houses to be extended to the rear without detracting from the character of their types. The ground floor study spaces in the 4 beds can be used as home offices or converted to downstairs bedrooms for an aging population. An option also exists for further storage in the attic spaces of the houses.</p> <p>The development acknowledges the changing demographics of the country's population by providing suitable opportunities to downsize/trade down into apartment living. The apartments are designed to be fully accessible and compliance with Part M and are provided with an open plan kitchen, living and dining room. The internal walls in the apartments are designed to be predominantly non-structural. This allows for easy future adaptations to layouts.</p> <p>The two and three bed apartments in the scheme are designed to be flexible with the option of conversion into an office space or secondary walk in closet. The duplex buildings are designed to offer own door wheelchair accessible ground floor units. Ample storage is provided within each unit to exceed minimum requirements.</p> <p>The proposed development will be fully compliant with Part L.</p>
Privacy and Amenity	How does the scheme provide a decent standard of amenity?	<p>All units in the scheme are provided with generous outdoor Private Amenity Spaces that meet and exceed minimum standards.</p> <p>All houses are provided with a target minimum 60sq.m for a 3bed unit and 75 sq.m for a 4 bed unit. This is in excess of Table 4.1.5A Private Open Space Guidelines of the Bearna LAP 2007-2017 (no reference made in current 'Bearna Plan') which states: "3/4/5 Bed houses should provide 60-70sq.m behind the building line."</p>

Criteria	Guidance / Requirement	Statement of Consistency
		<p>All duplexes and apartments are provided with ample private outdoor space. Duplex units are provided with garden areas for ground floor units and large terraces directly accessible from the living areas to upper 3 bedroom units. Apartments are provided with balcony and terrace spaces that overlook the public open spaces, with a minimum width of 1.5m the spaces are usable and exceed the requirements set out in the “Design Standards for Apartments 2018”</p> <p>Private Amenity Areas by unit are set out in the Housing Quality Audit.</p> <p>Overlooking & Separation All units are set out to ensure minimum overlooking distances are achieved. A minimum of 22m overlooking distance is ensured between first floor windows for all units in the development which back onto each other. Where a transition in levels exist, this set back is measured from the ground floor of the upper unit. An longer garden is proposed to the lower unit in these locations, containing a raised area to the rear boundary which contains additional defensive planting. This will further aid screening in these locations in addition to the standard 2m boundary walls which are proposed to enclose rear gardens and ensure privacy (see Radharc’s landscaping report for further details).</p> <p>All buildings are set a minimum of 2.5m apart to ensure adequate side passages service rear gardens. For terrace houses, an alley way is proposed to service the rear gardens. This 1.2m wide passage will allow for the movement of wheelie bins and garden tools such as lawnmowers. 5 No. mid terrace houses are not serviced by a passageway, these units are serviced by a communal bin store.</p>
Parking	How will the parking be secure and attractive?	<p>Car Parking Car Parking for dwelling houses is provided following or in excess of Table 13.5 of the Galway County Development Plan which requires 1.5 spaces per 1-3 bedroom dwelling/apartment and 2 spaces per 4 bedroom dwelling/apartment. As shown in the table above both 3 and 4 Bedroom dwellings are provided with 2 spaces per unit. This is within curtilage for all bar 2 No. 3 Bed units where it is provided in close proximity within a ‘homezone’ area and designated solely for the use of the respective houses.</p> <p>Car Parking for apartments/duplex is provided in accordance with the Design Standards for Apartments 2018, Section 4.22 ‘Peripheral and/or Less Accessible Urban Locations’ which requires one space per unit</p>

Criteria	Guidance / Requirement	Statement of Consistency
		<p>together with one visitor space per 3/4 apartments. All car parking is provided at grade across the development.</p> <p>A total of 17 visitor car parking spaces have been located convenient to the apartment and duplex buildings. The crèche is provided with 8 no spaces facilitating staff parking and drop off.</p> <p>Spaces are also sized to provide for accessibility in accordance with Part M. 4 No. Spaces are dispersed throughout the development with 1 located in each of the following locations: Main southern car park for apartments, creche, parking area north of creche serving duplex and main apartments buildings, northern homezone area serving duplex.</p> <p>Bicycle Parking Cycling is positively encouraged within the proposed development and provided with in compliance with the Design Standards for New Apartments 2018. Secure, residential bicycle parking has been provided within the core of apartment buildings A1 & A2 and communal stores provided for blocks A3,4 and Duplex units without a garden area at a ratio of 1 bicycle parking space per bedroom. Further visitor bike parking is provided through the development to facilitate visitor parking to the apartments, open space and crèche. These spaces are located in visible locations in close proximity to the entrances.</p> <p>The majority of the houses have gardens that can be accessed by side or rear passage allowing for bicycle parking and bins to be facilitated within their private gardens.</p>
Detailed Design	How well thought through is the building and landscape design?	A Design Statement prepared by McCauley Daye O'Connell Architects provides details in respect of the design principles behind the proposed development. A comprehensive landscaping plan has been prepared by Radharc Landscape Design which incorporates high-quality designed areas of open space design.

4.

COMPLIANCE WITH THE SUSTAINABLE URBAN HOUSING: DESIGN STANDARDS FOR NEW APARTMENTS GUIDELINES FOR PLANNING AUTHORITIES 2018

Apartment Design Standards	Guidance / Requirement	Statement of Consistency
Specific Planning Policy Requirement 1	Apartment developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms. Statutory development plans may specify a mix for apartment and other housing developments, but only further to an evidence based Housing Need and Demand Assessment (HNDA), that has been agreed on an area, county, city or metropolitan area basis and incorporated into the relevant development plan(s).	<p>The scheme includes a range of house types and sizes:</p> <ul style="list-style-type: none"> • One Bed Units (9) – 7.44% • Two Bed Units (42) – 34.71% • Three Bed Units (55) – 45.45% • Four Bed Units (15) – 12.40% <p>The scheme includes 121 No. Units broken down as follows:</p> <ul style="list-style-type: none"> • 27 No. 1 and 2 Bed Apartments within 2 No. Buildings, • 24 No. 2 Bed, Own Door Apartments within 7 No. Buildings, • 18 No. 3 Bed, Own Door Duplex within 5 No. Buildings, • 8 No. 4 Bed Detached Houses, • 3 No. 4 Bed Semi-Detached Houses, • 4 No. 4 Bed End of Terrace Houses, • 17 No. 3 Bed Semi-Detached Houses, • 16 No. 3 Bed Terraced Houses. • 4 No. 3 Bed End of Terrace Houses
Specific Planning Policy Requirement 2	For all building refurbishment schemes on sites of any size, or urban infill schemes on sites of up to 0.25ha:	Not Applicable – The development is not a refurbishment or urban infill scheme.

Apartment Design Standards	Guidance / Requirement	Statement of Consistency
	<ul style="list-style-type: none"> • Where up to 9 residential units are proposed, notwithstanding SPPR 1, there shall be no restriction on dwelling mix, provided no more than 50% of the development (i.e. up to 4 units) comprises studio-type units; • Where between 10 to 49 residential units are proposed, the flexible dwelling mix provision for the first 9 units may be carried forward and the parameters set out in SPPR 1, shall apply from the 10th residential 6 unit to the 49th; • For schemes of 50 or more units, SPPR 1 shall apply to the entire development. 	
Specific Planning Policy Requirement 3	<p>Minimum Apartment Floor Areas:</p> <ul style="list-style-type: none"> • Studio apartment (1 person) 37 sq.m • 1-bedroom apartment (2 persons) 45 sq.m • 2-bedroom apartment (4 persons) 73 sq.m • 3-bedroom apartment (5 persons) 90 sq.m 	All apartment units meet the minimum floor areas for apartments, as detailed in the Architectural Drawings and the Housing Quality Assessment prepared by MDO Architects
Specific Planning Policy Requirement 4	<p>In relation to the minimum number of dual aspect apartments that may be provided in any single apartment scheme, the following shall apply:</p> <ol style="list-style-type: none"> i. A minimum of 33% of dual aspect units will be required in more central and accessible urban locations, where it is necessary to achieve a quality design in response to the subject site characteristics and ensure good street frontage where appropriate. ii. In suburban or intermediate locations it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme. iii. For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha , planning authorities may exercise further discretion to consider dual aspect unit provision at a level lower than the 33% minimum outlined above on a case- 	All houses and duplex units are a minimum of through aspect. The majority of apartments also enjoy dual aspect, with apartment blocks achieving a minimum 62% dual aspect ratio. When all duplex units and apartments are combined, just 14.5% of units are single aspect. Where this occurs, units have the benefit of a eastern aspect and generous windows to ensure high levels of daylight.

Apartment Design Standards	Guidance / Requirement	Statement of Consistency
	by-case basis, but subject to the achievement of overall high design quality in other aspects.	
Specific Planning Policy Requirement 5	Ground level apartment floor to ceiling heights shall be a minimum of 2.7m and shall be increased in certain circumstances, particularly where necessary to facilitate a future change of use to a commercial use. For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha , planning authorities may exercise discretion on a case-by-case basis, subject to overall design quality.	Ceiling heights provided on ground level apartments are either 2.7m or more for all apartments.
Specific Planning Policy Requirement 6	A maximum of 12 apartments per floor per core may be provided in apartment schemes. This maximum provision may be increased for building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha , subject to overall design quality and compliance with building regulations.	The proposed development includes for less than 12 apartments per floor core. 5 no. apartments are the maximum no. apartments provided per core floor.
Specific Planning Policy Requirements 7 to 9	Specific Planning Policy Requirements 7 to 9 relate to Build to Rent (BTR) and Shared Accommodation are not relevant to the current proposal.	N/A
Other Design Criteria		
Internal Storage	Section 3.30 states that provision should be made for storage and utility (additional to kitchen/bedroom furniture), specifically for household utility functions such as clothes washing and the storage of bulky personal or household items. Section 3.32 and 3.33 states that secure storage can be provided outside individual units, and this may be used to satisfy up to half of the minimum storage requirement for individual apartment units.	Standard levels of storage have been provided within the apartments.
Private Amenity Space	Section 3.35 requires that private amenity space shall be provided in the form of gardens or patios/terraces for ground floor apartments and balconies at upper levels.	All units in the scheme are provided with generous outdoor Private Amenity Spaces that meet and exceed minimum standards.
Security Considerations	Section 3.40 states that apartment developments should provide residents and visitors with a sense of safety, by maximising natural surveillance of	All public open space is overlooked by surrounding homes so that the amenity is owned by the residents.

Apartment Design Standards	Guidance / Requirement	Statement of Consistency
	<p>streets, open spaces, play areas and any surface bicycle or car parking. Accordingly, blocks and buildings should overlook the public realm. Entrance points should be clearly indicated, well lit, and overlooked by adjoining dwellings.</p> <p>Particular attention should be given to the security of ground floor apartments and access to internal and external communal areas.</p>	<p>Children’s play areas are sited where they will be overlooked, safe and contribute to the amenities of the neighbourhood.</p>
<p>Communal Facilities in Apartments: Access and Services</p>	<p>Section 4.1 requires apartment schemes to be capable of meeting the changing needs of occupants through compliance with Part M of the building regulations</p>	<p>Easy and safe accessibility provided through all floor levels and entire site. Please see enclosed Design Statement</p>
<p>Refuse Storage</p>	<p>Section 4.8 requires that provision shall be made for the appropriate storage and collection of waste materials in apartment schemes. Within apartments, there should be adequate provision for the temporary storage of segregated materials prior to deposition in communal waste storage.</p>	<p>Communal bin stores are sized to accommodate at least three standard 1100 litre bins measuring 1300mm High x 1370mm Wide x 1120mm Deep. This ensures a high level of capacity for all units and allow adjustment of provision in co-ordination with collection companies for the provision of glass collection and other recyclables.</p> <p>Bins are conveniently located for each user. For Apartment blocks A1 & A2, bins are located to the rear door which allows for high levels of ventilation. Own door duplex and apartment units are provided with conveniently located communal bin stores.</p>
<p>Communal Amenity Facilities</p>	<p>Section 4.10 requires the provision and proper future maintenance of well-designed communal amenity space is critical in meeting the amenity needs of residents. The design must ensure that the heights and orientation of adjoining blocks permit adequate levels of sunlight.</p>	<p>The primary concept for the scheme is the design of a development that overlooks, compliments and benefits from a proposed, landscaped central linear public park and existing stream feature. The development also includes the provision of 6711m² of shared open space,</p>

Apartment Design Standards	Guidance / Requirement	Statement of Consistency
		within a series of landscaped areas throughout the residential development.
Children's Play	Section 4.13 requires that the recreational needs of children must be considered as part of communal amenity space within apartment schemes.	The development also includes the provision of 6711 m ² of shared open space, within a series of landscaped areas throughout the development. This includes the provision of a playground, kickabout area.
Bicycle Parking	Section 4.17 states that <i>'a general minimum standard of 1 cycle storage space per bedroom shall be applied'</i> . However, it also states that <i>'any deviation from these standards shall be at the discretion of the planning authority.'</i>	Secure, residential bicycle parking has been provided within the core of apartment buildings A1 & A2 and within communal stores provided for blocks A3,4 and Duplex units without a garden area, at a ratio of 1 bicycle parking space per bedroom. Further visitor bike parking is provided through the development to facilitate visitor parking to the apartments, open space and crèche. These spaces are located in visible locations in close proximity to the entrances.
Car Parking	Section 4.18 states that the quantum of car parking provision for residential developments generally is a matter for individual planning authorities having regard to local circumstances (notably location and access to public transport).	Car parking provided is in accordance with the Galway County Plan. A provision of 2 no. car parking spaces is provided per house. Car Parking for apartments/duplex is provided in accordance with the Design Standards for Apartments 2018, Section 4.22 'Peripheral and/or Less Accessible

Apartment Design Standards	Guidance / Requirement	Statement of Consistency
		Urban Locations' which requires one space per unit together with one visitor space per 3/4 apartments.

5.

COMPLIANCE WITH THE URBAN DEVELOPMENT AND BUILDING HEIGHT GUIDELINES FOR PLANNIBF AUTHORITIES 2018

Policy/Section	Guidance / Requirement	Statement of Consistency
Section 1.9	<p>These guidelines require that the scope to consider general building heights of at least three to four storeys, coupled with appropriate density, in locations outside what would be defined as city and town centre areas, and which would include suburban areas, must be supported in principle at development plan and development management levels.</p>	<p>It is apparent that the application site is viewed in the context of its role in supporting the Galway City and the Galway Metropolitan Area and therefore increased development densities are considered to be acceptable in this location.</p> <p>The design team has sought to ensure that higher densities are achieved, while also ensuring that the open, residential character is maintained. In this regard, the development proposes a limited number of taller buildings located within the development. This approach ensures that potential issues of overlooking, overshadowing and overbearing impact have been fully mitigated, thereby protecting the residential amenity of neighbouring properties. The proposed height and scale of this development is sensitive to the existing Cnoc Fraoigh development, through which the proposed scheme is accessed. The scheme meets the density guidelines providing 35 units per hectare whilst avoiding construction of any buildings in the CCF6 zoned areas.</p> <p>The proposed development is responsive to the site context and is in keeping with the existing character, amenity, environment and landscape of the surrounding area. The scheme as proposed conforms with the</p>

Policy/Section	Guidance / Requirement	Statement of Consistency
		<p>surrounding area in terms of its scale, height, massing, and housing mix.</p> <p>The subject site is classified as an ‘Outer Suburban/Greenfield’ site associated with cities and larger towns, with a density in the general range of 35-50 dwellings per hectare as per Section 5.11 of the guidelines. The development has a development density of 35 units per hectare. This density can be justified due to the location of the site within the established settlement of Bearna, and also being within the Galway Metropolitan Area. The subject site is located within 0.45km walking distance of the village of Bearna. It is a short walk away from the main street with numerous independent shops and restaurants, local amenities such as the nearby Super Valu grocery shop, post office, playground and school among others. The development therefore complies with the ‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’ (May 2009). Accordingly, the proposed height of the development is considered to be acceptable.</p>
SPPR 4	<p>It is a specific planning policy requirement that in planning the future development of greenfield or edge of city/town locations for housing purposes, planning authorities must secure:</p> <ol style="list-style-type: none"> 1. the minimum densities for such locations set out in the Guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended), titled “Sustainable Residential Development in Urban Areas (2007)” or any amending or replacement Guidelines; 2. a greater mix of building heights and typologies in planning for the future development of suburban locations; and 	<p>The subject site is classified as an ‘Outer Suburban/Greenfield’ site associated with cities and larger towns, with a density in the general range of 35-50 dwellings per hectare as per Section 5.11 of the guidelines. The development has a development density of 35 units per hectare. This density can be justified due to the location of the site within the established settlement of Bearna, and also being within the Galway Metropolitan Area. The subject site is located within 0.45km walking distance of the village of Bearna.</p>

Policy/Section	Guidance / Requirement	Statement of Consistency
	<p>3. avoid mono-type building typologies (e.g. two storey or own-door houses only), particularly, but not exclusively so in any one development of 100 units or more</p>	<p>It is a short walk away from the main street with numerous independent shops and restaurants, local amenities such as the nearby Super Valu grocery shop, post office, playground and school among others. The development therefore complies with the ‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’ (May 2009).</p> <p>The scheme includes a range of house types and sizes:</p> <ul style="list-style-type: none"> ▪ One Bed Units (9) – 7.43% ▪ Two Bed Units (42) – 34.71% ▪ Three Bed Units (55) – 45.45% ▪ Four Bed Units (15) – 12.40% <p>The scheme includes 121 No. Units broken down as follows:</p> <ul style="list-style-type: none"> ▪ 27 No. 1 and 2 Bed Apartments within 2 No. Buildings, ▪ 24 No. 2 Bed, Own Door Apartments within 7 No. Buildings, ▪ 18 No. 3 Bed, Own Door Duplex within 5 No. Buildings, ▪ 8 No. 4 Bed Detached Houses, ▪ 3 No. 4 Bed Semi-Detached Houses, ▪ 4 No. 4 Bed End of Terrace Houses, ▪ 17 No. 3 Bed Semi-Detached Houses, ▪ 16 No. 3 Bed Terraced Houses. ▪ 4 No. 3 Bed End of Terrace Houses

6. THE PLANNING SYSTEM AND FLOOD RISK MANAGEMENT, GUIDELINES FOR PLANNING AUTHORITIES 2009

Chapter	Section	Guidance / Requirement	Statement of Consistency
Chapter 2 – Flooding – Key Concepts	Flood Risk Assessment 2.20	Risks to people, property and the environment should be assessed over the full range of probabilities, including extreme events. The flood risk assessment should cover all sources of flooding, including the effects of run-off from a development on flood risk both locally and beyond the development site.	A comprehensive Flood Risk Assessment has been prepared that assesses the full range of flood probabilities, including extreme events.
Chapter 2 – Flooding – Key Concepts	Flood Risk Assessment 2.21	<p>A staged approach should be adopted, carrying out only such appraisal and or assessment as is needed for the purposes of decision-making at the regional, development and local area plan levels, and also at the site-specific level. The stages of appraisal and assessment are:</p> <p>Stage 1 Flood risk identification – to identify whether there may be any flooding or surface water management issues related to either the area of regional planning guidelines, development plans and LAP’s or a proposed development site that may warrant further investigation at the appropriate lower level plan or planning application levels;</p> <p>Stage 2 Initial flood risk assessment – to confirm sources of flooding that may affect a plan area or proposed development site, to appraise the adequacy of existing information and to scope the extent of the risk of flooding which may involve preparing indicative flood zone maps. Where hydraulic models exist the potential impact of a development on flooding elsewhere and of the scope of possible mitigation</p>	A detailed Flood Risk Assessment has been prepared in relation to the proposed development by O’Connor Sutton Cronin & Associates in accordance with the Flood Risk Management Guidelines 2009.

Chapter	Section	Guidance / Requirement	Statement of Consistency
		<p>measures can be assessed. In addition, the requirements of the detailed assessment should be scoped; and</p> <p>Stage 3 Detailed flood risk assessment – to assess flood risk issues in sufficient detail and to provide a quantitative appraisal of potential flood risk to a proposed or existing development or land to be zoned, of its potential impact on flood risk elsewhere and of the effectiveness of any proposed mitigation measures.</p>	
Chapter 2 – Flooding – Key Concepts	Sustainable Drainage Systems (SUDS) 2.35	<p>Development of previously ‘green’, or permeable, land within an urban area (such as gardens) increases the impermeable area. Rain falling on impervious surfaces is usually directed into a receiving watercourse through surface water drainage systems. Although such drainage systems are effective at transferring surface water quickly, they provide only limited attenuation causing the volume of water in the receiving watercourse to increase more rapidly and increasing flood risk. Sustainable Drainage Systems (SuDS) can play a role in reducing and managing run-off to surface water drainage systems as well as improving water quality and contributing to local amenity. SuDS comprise a wide range of techniques, including swales, basins, ponds and infiltration systems. In this context the Department is currently reviewing its document “Recommendations for Site development Works for Housing Areas” which traditionally was used to provide guidance on design standards for smaller drainage systems. The aim of this review is to set out best practice in regard to the use of Sustainable Drainage Systems in respect of surface water drainage</p>	<p>The proposed development contain a number of measures of ‘robust SUDS design’, including limited discharge, attenuation storage, pervious paving and improved water quality, which are described in further detail in Section 3.4 of the Engineering Services Report.</p>

Chapter	Section	Guidance / Requirement	Statement of Consistency
Chapter 2 – Flooding – Key Concepts	Sustainable Drainage Systems (SUDS) 2.36	A small-scale yet practical example of a sustainable drainage system (SuDS) is the use of permeable pavements which can help to reduce run-off rates and flow volumes from parking areas as well as access roads. Permeable pavements allow rain-water to infiltrate through the paved surface and into underlying layers and sometimes storage containers allowing gradual release of water after periods of heavy rainfall. Permeable pavement techniques include the use of porous tarmac or solid block pavers with gaps to provide through flow of water	The proposed development contain a number of measures of ‘robust SUDS design’, including limited discharge, attenuation storage, pervious paving and improved water quality, which are described in further detail in Section 3.4 of the Engineering Services Report.
Chapter 3 – Principles and Key Mechanisms	Key Messages	<p>The key principles of a risk-based sequential approach to managing flood risk in the planning system are set out in this chapter (Chapter 3). They are:</p> <ul style="list-style-type: none"> • Avoid development in areas at risk of flooding; If this is not possible, consider substituting a land use that is less vulnerable to flooding. Only when both avoidance and substitution cannot take place should consideration be given to mitigation and management of risks. • Inappropriate types of development that would create unacceptable risks from flooding should not be planned for or permitted. • Exceptions to the restriction of development due to potential flood risks are provided for through the use of a Justification Test, where the planning need and the sustainable management of flood risk to an acceptable level must be demonstrated. 	<p>The site of the proposed development is partially within Flood Zones A&B and partially within Flood Zone C, by reference to the Flood Risk Map provided under the Bearna Plan. All proposed buildings will be located within Flood Zone C.</p> <p>The application is accompanied by an Site Specific Flood Risk Assessment which demonstrates how the criteria of the development management justification test are met in respect of the proposed development.</p>

Chapter	Section	Guidance / Requirement	Statement of Consistency
Chapter 5 – Flooding and Development Management	Key Messages	<ul style="list-style-type: none"> • Planning authorities should apply the sequential approach in aiming to avoid development in areas at risk of flooding, through the development management process. • Planning applications will, where appropriate, need to be accompanied by a detailed flood risk assessment to be considered by planning authorities in determining applications. • Development within flood risk areas, that would be defined as inappropriate as set out in chapter 3, but which are considered to be necessary to meet the objectives of proper planning and sustainable development, will be subject to the Justification Test. • Most flood risk issues should be raised within strategic assessments undertaken by local authorities at the plan-making stage. Therefore, as more plans are reviewed and zoning reconsidered, there should be less need for development management processes to require detailed flood risk assessment. 	<p>A Site-Specific Flood Risk Assessment (SSFRA) and Trusky East Stream Flood Study have been prepared by prepared by O'Connor Sutton Cronin Engineers and accompany this application. In particular, this SSFRA report demonstrates (i) the manner in which the “Justification Test” has been applied on behalf of the developer and should be applied by the Board and (ii) the criteria of that test are met in respect of the proposed development. The SSFRA is a detailed Flood Risk Assessment, carried out in accordance with The Planning System and Flood Risk Assessment Guidelines & Circular PL 2/2014, which assesses the risks of flooding associated with the proposed development. The SSFRA also considers the impact of climate change. The SSFRA demonstrates that the proposed development will not have adverse impacts on the stream or floodplains. Measures proposed follow best practice in the management of health and safety in relation to flood risk for users and residents of the development.</p> <p>Further in compliance, the Trusky East Stream Flood Study report provides a hydrological assessment of the stream catchment, the SSFRA report demonstrate the capacity to withstand potential flood events and the Engineering Services Report includes a hydrological assessment of the subject site and describes the SUDS design.</p>

Chapter	Section	Guidance / Requirement	Statement of Consistency
Chapter 5 – Flooding and Development Management	The role of good development management – 5.2	Where flood risk may be an issue for any proposed development, a more detailed flood risk assessment should be carried out appropriate to the scale and nature of the development and the risks arising. The detailed Site Specific Flood Risk Assessment should quantify the risks and the effects of any necessary mitigation, together with the measures needed or proposed to manage residual risks. Information on site-specific flood risk assessments and potential sources of information are contained in Appendix A	A Site-Specific Flood Risk Assessment (SSFRA) and Trusky East Stream Flood Study have been prepared by prepared by O'Connor Sutton Cronin Engineers and accompany this application.
Chapter 5 – Flooding and Development Management	Lodgement – 5.11	The flood risk assessment should be incorporated into any EIA process where one is required. The flood risk assessment should be approved/certified by a competent person, qualified and experienced in flood risk assessments (see Appendix A).	A detailed Flood Risk Assessment has been prepared in relation to the proposed development by O'Connor Sutton Cronin & Associates in accordance with the Flood Risk Management Guidelines 2009, the results of which has been summarised in Chapter 8 of the EIAR.
Chapter 5 – Flooding and Development Management	Processing and Assessment – 5.13	In terms of flooding, it will be important to notify prescribed bodies of the application, e.g. the fisheries board, if mitigation measures to river banks are proposed and to assess the application, based on the full range of planning considerations of any submissions made.	Inland Fisheries are listed as a prescribed body in relation to the application and will be notified and sent the application details.
Chapter 5 – Flooding and Development Management	Justification Test for development management (to be submitted by the applicant) – Box 5.1	When considering proposals for development, which may be vulnerable to flooding, and that would generally be inappropriate as set out in Table 3.2, the following criteria must be satisfied: 1. The subject lands have been zoned or otherwise designated for the particular use or form of development in an operative development plan, which has been adopted or varied taking account of these Guidelines. 2. The proposal has been subject to an appropriate flood risk assessment that demonstrates:	A Site-Specific Flood Risk Assessment (SSFRA) and Trusky East Stream Flood Study have been prepared by prepared by O'Connor Sutton Cronin Engineers and accompany this application. In particular, this SSFRA report demonstrates (i) the manner in which the “Justification Test” has been applied on behalf of the developer and should be applied by the Board and (ii) the criteria of that test are met in respect of the proposed development. The

Chapter	Section	Guidance / Requirement	Statement of Consistency
		<p>(i) The development proposed will not increase flood risk elsewhere and, if practicable, will reduce overall flood risk;</p> <p>(ii) The development proposal includes measures to minimise flood risk to people, property, the economy and the environment as far as reasonably possible;</p> <p>(iii) The development proposed includes measures to ensure that residual risks to the area and/or development can be managed to an acceptable level as regards the adequacy of existing flood protection measures or the design, implementation and funding of any future flood risk management measures and provisions for emergency services access; and</p> <p>(iv) The development proposed addresses the above in a manner that is also compatible with the achievement of wider planning objectives in relation to development of good urban design and vibrant and active streetscapes.</p> <p>The acceptability or otherwise of levels of residual risk should be made with consideration of the type and foreseen use of the development and the local development context.</p>	<p>SSFRA is a detailed Flood Risk Assessment, carried out in accordance with The Planning System and Flood Risk Assessment Guidelines & Circular PL 2/2014, which assesses the risks of flooding associated with the proposed development. The SSFRA also considers the impact of climate change. The SSFRA demonstrates that the proposed development will not have adverse impacts on the stream or floodplains. Measures proposed follow best practice in the management of health and safety in relation to flood risk for users and residents of the development.</p> <p>Further in compliance, the Trusky East Stream Flood Study report provides a hydrological assessment of the stream catchment, the SSFRA report demonstrate the capacity to withstand potential flood events and the Engineering Services Report includes a hydrological assessment of the subject site and describes the SUDS design.</p>

7.

COMPLIANCE WITH THE REGIONAL SPATIAL & ECONOMIC STRATEGY (NORTHERN & WESTERN REGIONAL ASSEMBLY) 2020-2032

Regional Policy	Guidance/Requirement	Statement of Consistency
Regional Policy Objective 3.1	Develop urban places of regional-scale through: <ul style="list-style-type: none"> a) Delivering on the population targets for the Metropolitan and Regional Growth Centres through compact growth; b) Delivering significant compact growth in Key Towns; and c) Developing derelict and underutilised sites, with an initial focus within town cores. 	The proposed development will provide 121 no. residential units which will become a key growth settlement to support Bearna and the Galway Metropolitan Area.
Regional Policy Objective 3.2	(a) Deliver at least 50% of all new city homes targeted in the Galway MASP, within the existing built-up footprint of Galway City and suburbs (b) Deliver at least 40% of all new housing targeted in the Regional Growth Centres, within the existing built-up footprint (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;	The proposed development will provide 121 no. residential units in the existing settlement of Bearna, which is inextricably linked to and functions as part of the Greater Galway City.
Regional Policy Objective 3.8	Support the design of new/replacement/ refurbished dwellings to high energy efficiency standards that fully avail of renewable technologies, maximise solar gain, utilising modern materials and design practices	The proposed development will be fully compliant with Part L. The apartment buildings and houses have been carefully sited to exploit solar orientation with the majority of dwellings in the scheme enjoying an East-West dual aspect orientation. This will ensure that residents can benefit from both morning and evening light and reduce the use of artificial lighting. There are only 9 single aspect units throughout the entire scheme, all of which enjoy eastern aspect.

<p>Regional Policy Objective 6.30</p>	<p>Planning at the local level should promote walking, cycling and public transport by maximising the number of people living within walking and cycling distance of their neighbourhood or district centres, public transport services, and other services at the local level such as schools.</p>	<p>Access to the site is provided via the road through the existing development of Cnoc Fraoigh - Heather Hill, to the West of the site.</p> <p>The subject site is located within 0.45km walking distance of the village of Bearna. It is a short walk away from the main street with numerous independent shops and restaurants, local amenities such as the nearby Super Valu grocery shop, post office, playground and school among others. The proposed green route along the Truskey Stream would further reduce the journey time for pedestrians and cyclists when complete.</p> <p>The proposal also includes for the construction of a 330m section of footpath on the eastern side of the L1321 which will improve pedestrian connectivity to the village of Bearna. The proposed footpath width of 1.8m is the minimum allowed under DMURS and is considered appropriate based on the level of pedestrian activity.</p> <p>The site is also well connected in terms of road and public transport links to Galway City. According to Google Maps, it is approximately a 17 minute drive away from Galway City along the existing R336 road.</p> <p>The proposed N6 extension will also service Bearna with a junction proposed less than 1km from the site entrance along the L1321. This road will be upgraded towards Bearna village as part of the scheme through a footpath and some minor widening works.</p> <p>Bearna is also served three bus routes: Bus Eireann Route No. 424 leaves Bearna arriving at Galway Bus via Salthill and Spanish Parade station in 20mins. City Direct Route No. 414 leave Bearna with journey times of 26mins to Eyre Square via the Western Distributor Road, University Hospital Galway and University Road (NUIG). A private route operated by Lally Coaches also connects Bearna to Queen Street, Galway via Salthill.</p>
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<p>Regional Policy Objective 7.19</p>	<p>Support the provision of lifetime adaptable homes that can accommodate the changing needs of a household over time.</p>	<p>The proposed residential units have been designed to accommodate the changing needs of a household over time. The proposed units in this scheme have been designed to have generous living areas, ample storage and spacious private open spaces. This allows for a variety of methods that can be employed for their adaptation.</p> <p>There is an option for the houses to be extended to the rear without detracting from the character of their types. The ground floor study spaces in the 4 beds can be used as home offices or converted to downstairs bedrooms for an aging population. An option also exists for further storage in the attic spaces of the houses.</p> <p>The development acknowledges the changing demographics of the country's population by providing suitable opportunities to downsize/ trade down into apartment living. The apartments are designed to be fully accessible and compliance with Part M and are provided with an open plan kitchen, living and dining room. The internal walls in the apartments are designed to be predominantly non-structural. This allows for easy future adaptations to layouts.</p> <p>The two and three bed apartments in the scheme are designed to be flexible with the option of conversion into an office space or secondary walk in closet. The duplex buildings are designed to offer own door wheelchair accessible ground floor units. Ample storage is provided within each unit to exceed minimum requirements.</p>
<p>Regional Policy Objective 7.20</p>	<p>Increase population living within settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, in-fill development schemes, area or site-based regeneration, service site provision and increased building heights appropriate to the settlement, together with infrastructure provision.</p>	<p>The proposed development will provide 121 no. residential units which will become a key growth settlement to support Bearna and the Galway Metropolitan Area.</p>

8. **COMPLIANCE WITH CHILDCARE FACILITIES – GUIDELINES FOR PLANNING AUTHORITIES 2001**

Criteria	Guidance / Requirement	Statement of Consistency
Section 2.4 Appropriate Locations for Childcare Facilities	Planning authorities should require the provision of at least one childcare facility for new housing areas unless there are significant reasons to the contrary for example, development consisting of single bed apartments or where there are adequate childcare facilities in adjoining developments. For new housing areas, an average of one childcare facility for each 75 dwellings would be appropriate.	The proposal includes for a childcare facility (224.8 sqm. that can cater for 38 no. children. The proposed development also includes appropriate areas of communal open space.

9.

COMPLIANCE WITH THE GALWAY COUNTY DEVELOPMENT PLAN 2015-2021

Chapter	Policy Objective	Development Plan Criteria	Statement of Compliance
Chapter 2 - Spatial Strategy, Core & Settlement Strategy	Objective SS 1 – Galway Metropolitan Area	Galway County Council shall support the important role of Galway City and the Galway Metropolitan Area (which includes the City area and the Electoral Divisions of Oranmore, Bearna, Galway Rural and Ballintemple which are inextricably linked to and function as part of a greater Galway City), as key drivers of social and economic growth in the County and in the wider Western Region and will support the sustainable growth of the strategic settlements, including the future development of Ardaun and Garraun, within the Galway Metropolitan Area.	<p>Bearna is identified in the Galway County Development Plan (GCDP) as being located within Tier 1 - Galway Metropolitan Area (GMA). The GMA include Galway City and a number of adjacent electoral divisions that are deemed to be inextricably linked to and function as part of the Greater Galway City and includes the thriving satellite settlements of Oranmore and Bearna.</p> <p>The proposed development will provide 121 no. residential units which will become a key growth settlement to support Bearna and the Galway Metropolitan Area.</p>
Chapter 2 - Spatial Strategy, Core & Settlement Strategy	Objective DS 6 – Natura 2000 Network and Habitats Directive Assessment	Protect European sites that form part of the Natura 2000 network (including Special Protection Areas and Special Areas of Conservation) in accordance with the requirements in the EU Habitats Directive (92/43/EEC), EU Birds Directive (2009/147/EC), the Planning and Development (Amendment) Act 2010, the European Communities (Birds and Natural Habitats) Regulations 2011 (SI No.477 of 2011) (and any subsequent amendments or updated legislation) and having due regard to the guidance in the Appropriate Assessment Guidelines 2010 (and any updated or subsequent guidance). A plan or project (e.g. proposed	In compliance with Objective DS 6, ecological reports are submitted with this application, including an Appropriate Assessment Screening Report and Natura Impact Statement to enable the Board to carry out a Stage One Screening for Appropriate Assessment and a Stage Two Appropriate Assessment.

Chapter	Policy Objective	Development Plan Criteria	Statement of Compliance
		<p>development) within the plan area will only be authorised after the competent authority (Galway County Council) has ascertained, based on scientific evidence, Screening for Appropriate Assessment, and/or a Habitats Directive Assessment where necessary, that:</p> <p>a) The plan or project will not give rise to significant adverse direct, indirect or secondary effects on the integrity of any European site (either individually or in combination with other plans or projects); or</p> <p>b) The plan or project will have significant adverse effects on the integrity of any European site (that does not host a priority natural habitat type/and or a priority species) but there are no alternative solutions and the plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures necessary to ensure the protection of the overall coherence of Natura 2000; or</p> <p>c) The plan or project will have a significant adverse effect on the integrity of any European site (that hosts a natural habitat type and/or a priority species) but there are no alternative solutions and the plan or project must nevertheless be carried out for imperative reasons for overriding public interest, restricted to reasons of</p>	

Chapter	Policy Objective	Development Plan Criteria	Statement of Compliance
		human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures necessary to ensure the protection of the overall coherence of Natura 2000 sites.	
Chapter 2 - Spatial Strategy, Core & Settlement Strategy	Objective DS 7 – Flood Risk Management and Assessment	Ensure that proposals for developments located within identified or potential flood risk areas, or which may exacerbate the risk of flooding elsewhere, are assessed in accordance with the provisions of the Flood Risk Management Guidelines 2009 (or any updated/superseding document) the relevant policies, objectives and guidelines within this plan and shall also take account of the National CFRAM Programme Flood Hazard Mapping and Flood Risk Management Plans when they become available.	A detailed Site Specific Flood Risk Assessment has been prepared in relation to the proposed development by O'Connor Sutton Cronin & Associates in accordance with the Flood Risk Management Guidelines 2009.
Chapter 2 - Spatial Strategy, Core & Settlement Strategy	Objective DS 9 – Projects/Associated Improvement Works/Infrastructure and Appropriate Assessment	Ensure that proposed projects and any associated improvement works or associated infrastructure relating to renewable energy projects; water supply and abstraction; wastewater and discharges; flood alleviation and prevention; roads, power lines and telecommunications; and amenity and recreation provision are subject to Appropriate Assessment where relevant.	In compliance with Objective DS 9, ecological reports are submitted with this application, including an Appropriate Assessment Screening Report and Natura Impact Statement to enable the Board to carry out a Stage One Screening for Appropriate Assessment and a Stage Two Appropriate Assessment.

Chapter	Policy Objective	Development Plan Criteria	Statement of Compliance
Chapter 3 – Urban & Rural Housing	Objective UHO 2 – Social and Specialist Housing	Implement Part V provisions as per the Planning and Development Act, 2000 (as amended) and any subsequent amendments to the Part V provision to reflect Government policy.	Discussions have taken place with the Housing Section of Galway County Council in November 2019 with a view towards reaching a Part V agreement for the proposed development. A letter from the Galway County Council Housing section detailing discussions that have taken place, together with the agreed approach to complying with Part V requirements, accompanied the request for pre-planning discussions. Refer to Section 4.3 of the Planning Report and Statement of Consistency for further detail in relation to the proposed Part units.
Chapter 3 – Urban & Rural Housing	Objective UHO 7 – High Quality/Mix and Sensitive DesignP	Ensure that new developments are responsive to their site context and in keeping with the character, amenity, heritage, environment and landscape of the area. New development proposals will be required to complement the existing character of the town centre/area in terms of scale, height, massing, building line, housing mix, urban grain and definition and through high quality design and layout proposals for buildings and structures.	The are several proposed house types, the design of which reflects the Galway vernacular aesthetic through the use of materials, colours and detailing. The development seeks to respond to the topography and features of the site and the existing grain of the built form surrounding the subject site.
Chapter 3 – Urban & Rural Housing	Objective UHO 8 – Urban Design	Promote the use of sustainable urban design principles and approaches that will help to create high quality built and natural environments appropriate to the context and landscape setting of the specific area, having regard to the guidance contained in the Sustainable Residential Development in Urban Areas Guidelines 2009, the accompanying Urban Design Manual 2009 (or any updated version) and the Design Manual for Urban Roads & Streets (2013) (including any superseding document).	A Design Statement has been prepared by McCauley Daye O’ Connell Architects which details the overall design rationale for the proposed scheme. The development seeks to respond to the topography and features of the site and the existing grain of the built form surrounding the subject site.

Chapter	Policy Objective	Development Plan Criteria	Statement of Compliance
Chapter 3 – Urban & Rural Housing	Objective UHO 11 – Development Densities	Galway County Council shall ensure that the density of new development is appropriate to the particular land use zone and/or site context, is in keeping with the existing development pattern of the area, does not unduly impact on the amenities of the area and results in a positive relationship between existing development and any adjoining public spaces. The development of higher density development shall be promoted in appropriate locations, such as suitable sites within the town/village centre and adjacent to public transport facilities, where such development is compatible with heritage and urban design objectives, infrastructure capacity and environmental considerations.	The development complied with the plot area ratio control within the Bearna Plan. The proposed development has a development density of 35 units per hectare when calculated based upon net development area, which excludes the Open Space Recreation and Amenity and Zone which dissects the subject site. The proposed development therefore complies with the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’ (May 2009).
Chapter 3 – Urban & Rural Housing	Objective UHO 12 – Linguistic Impact Statements	Galway County Council shall require the submission of a Linguistic Impact Statement for housing proposals for two or more houses in the Gaeltacht area in order to protect and strengthen the Irish language and cultural heritage of the Galway Gaeltacht areas. A Language Enurement Clause of 15 years duration shall apply to approved developments, of two or more units.	In terms of linguistic impact, a comprehensive Linguistic Impact Statement (LIS) was commissioned as part of this planning application (see standalone LIS report). Overall it is not anticipated that the proposed development will have any undue negative impact on the Irish language or the Irish culture in the village of Bearna
Chapter 3 – Urban & Rural Housing	Objective UHO 13 – Urban Housing in Gaeltacht Settlements	Development of multiple residential units (2 or more) in An Ghaeltacht settlements shall be subject to Galway County Council’s linguistic and occupancy requirements in order to protect the linguistic and cultural heritage of An Ghaeltacht including the promotion of Irish as the community language.	In terms of linguistic impact, a comprehensive Linguistic Impact Statement (LIS) was commissioned as part of this planning application (see standalone LIS report). Overall it is not anticipated that the proposed development will have any undue negative impact on the Irish language or the Irish culture in the village of Bearna

Chapter	Policy Objective	Development Plan Criteria	Statement of Compliance
Chapter 8 – Climate Change & Flooding	Policy FL 4 – Principles of the Flood Risk Management Guidelines	<p>The Council shall implement the key principles of flood risk management set out in the Flood Risk Management Guidelines as follow:</p> <ol style="list-style-type: none"> 1) Avoid development that will be at risk of flooding or that will increase the flooding risk elsewhere, where possible; 2) Substitute less vulnerable uses, where avoidance is not possible; and 3) Mitigate and manage the risk, where avoidance and substitution are not possible. <p>Development should only be permitted in areas at risk of flooding when there are no alternative, reasonable sites available in areas at lower risk that also meet the objectives of proper planning and sustainable development.</p> <p>Development in areas which have the highest flood risk should be avoided and/or only considered in exceptional circumstances (through a prescribed Justification Test) if adequate land or sites are not available in areas which have lower flood risk.</p>	<p>In compliance with the above objective FL4, FL2, FL3, FL4, FL5 and the Flood Risk Management Guidelines, a Site-Specific Flood Risk Assessment (SSFRA) and Trusky East Stream Flood Study have been prepared by prepared by O'Connor Sutton Cronin Engineers and accompany this application. In particular, this SSFRA report demonstrates (i) the manner in which the “Justification Test” has been applied on behalf of the developer and should be applied by the Board and (ii) the criteria of that test are met in respect of the proposed development. The SSFRA is a detailed Flood Risk Assessment, carried out in accordance with The Planning System and Flood Risk Assessment Guidelines & Circular PL 2/2014, which assesses the risks of flooding associated with the proposed development. The SSFRA also considers the impact of climate change. The SSFRA demonstrates that the proposed development will not have adverse impacts on the stream or floodplains. Measures proposed follow best practice in the management of health and safety in relation to flood risk for users and residents of the development.</p> <p>Further in compliance, the Trusky East Stream Flood Study report provides a hydrological</p>

Chapter	Policy Objective	Development Plan Criteria	Statement of Compliance
Chapter 8 – Climate Change & Flooding	Objective FL 2 - Surface Water Drainage and Sustainable Drainage Systems (SuDs)	Maintain and enhance, as appropriate, the existing surface water drainage system in the County. Ensure that new developments are adequately serviced with surface water drainage infrastructure and promote the use of Sustainable Drainage Systems in all new developments. Surface water run-off from development sites will be limited to pre-development levels and planning applications for new developments will be required to provide details of surface water drainage and sustainable drainage systems proposals.	assessment of the stream catchment, the SSFRA report demonstrate the capacity to withstand potential flood events and the Engineering Services Report includes a hydrological assessment of the subject site and describes the SUDS design. Objective NB14 also requires the protection of riparian zones of watercourse systems. The Trusky Stream is located within the proposed development site boundary. The stream is separated from the main construction footprint by over 10m at its nearest point. However, the construction works also involve the discharge of surface water from the proposed development, to the Trusky Stream. This involves, the installation of two precast headwalls within the banks of the stream at the location of the two surface water outfalls. There will also be some minor landscaping works including the planting of native species and the construction of a boundary fence along the stream banks to ensure the safety of users undertaking recreational activities on the OS zoned lands. These minor works will not affect the integrity of the riparian zone. A linear park with strong biodiversity focus forms the eastern boundary of the site and separates the stream from proposed buildings and roads.
Chapter 8 – Climate Change & Flooding	Objective FL 3 – Protection of Waterbodies and Watercourses	Protect waterbodies and watercourses within the County from inappropriate development, including rivers, streams, associated undeveloped riparian strips, wetlands and natural floodplains. This will include protection buffers in riverine, wetland and coastal areas as appropriate.	
Chapter 8 – Climate Change & Flooding	Objective FL 4 – Flood Risk Assessment for Planning Applications and CFRAMS	Site-specific Flood Risk Assessment (FRA) is required for all planning applications in areas at risk of flooding, even for developments appropriate to the particular flood zone. The detail of these site-specific FRAs will depend on the level of risk and scale of development. A detailed site-specific FRA should quantify the risks, the effects of selected mitigation and the management of any residual risks. The Council shall have regard to the results of any CFRAM Studies in the assessment of planning applications.	

Chapter	Policy Objective	Development Plan Criteria	Statement of Compliance
Chapter 8 – Climate Change & Flooding	Objective FL 5 – SFRA/FRA and Climate Change	SFRAs and site-specific FRAs shall provide information on the implications of climate change with regard to flood risk in relevant locations. The 2009 OPW Draft Guidance on Assessment of Potential Future Scenarios for Flood Risk Management (or any superseding document) shall be consulted with to this effect.	
Chapter 9 – Heritage, Landscape & Environmental Management	Objective NHB 14 – Protection of Riparian Zones	Protect the riparian zones of watercourse systems throughout the county, recognising the benefits they provide in relation to flood risk management and their protection of the ecological integrity of watercourse systems and ensure they are considered in the land use zoning in Local Area Plans.	
Chapter 10 – Cultural, Social & Community Development	Policy CF 3 – Education and Childcare Facilities	Promote the provision of education opportunities for all groups in the County and the provision of day care and childcare facilities by both the public and private sectors in settlements and communities throughout the County.	The proposed scheme includes a childcare facility which extends to 224.8 sqm that can cater for 38 no. children. The childcare facility is designed to comply with the Childcare Facilities – Guidelines for Planning Authorities.

Chapter	Policy Objective	Development Plan Criteria	Statement of Compliance
Chapter 10 – Cultural, Social & Community Development	Objective CF 3 – Crèche Facilities	Require the provision of crèche facilities in mixed use/residential developments in accordance with the ministerial guidelines for Planning Authorities on Childcare Facilities published in 2001. The Planning Authority shall encourage the development of a broad range of childcare facilities, i.e. parttime, full day-care, after-school care, etc., including those based in residential areas, in employment areas and in areas close to where users of such facilities live. In general, childcare facilities outside of established settlements shall only be permitted adjacent to or in close proximity to existing educational or social facilities (national schools, rural shops/post offices, etc).	The proposed scheme includes a childcare facility which extends to 224.8 sqm that can cater for 38 no. children. The childcare facility is designed to comply with the Childcare Facilities – Guidelines for Planning Authorities.

10.

VARIATION NO.2(A) TO THE GALWAY COUNTY DEVELOPMENT PLAN 2015-2021

Chapter	Policy / Objective	Development Plan Criteria	Statement of Compliance
Chapter 1.4.3 - Urban Design	Objective UD1 - Public Spaces and Streets	Promote the development of high quality public spaces consisting of streets, squares, parks and amenities connected by a network of pedestrian and cycling routes. Public spaces should have a high standard of design and street furniture that will create a coherent character for the area. This would include appropriately designed and located park benches, bus shelters, cycle storage facilities, refuse bins, signage, street sculpture, etc. but avoid the over-proliferation of different elements and/or cluttering of public spaces	All public open space is overlooked by surrounding homes so that the amenity is owned by the residents. Children's play areas are sited where they will be overlooked, safe and contribute to the amenities of the neighbourhood. Roads are parking areas are considered as an integral landscape element in the design of the public realm
Chapter 1.4.3 - Urban Design	Objective UD2 - New Buildings	Building heights, widths and material finishes shall be in keeping with the character and scale of existing development in the area and shall be appropriate to the locality, site context and building function. A maximum building height of two-storeys will generally apply but reduced building heights will be required in visually vulnerable locations e.g. coastal side of the road. Increased building heights may be considered in exceptional circumstances where they contribute positively to the village character and design, subject to a high standard of urban design and have no adverse impacts on amenity.	<p>The proposed development includes 3-storey Apartment blocks and 3 storey Duplex Blocks, which is marginally higher than the generally accepted maximum height of two and half storeys. However, in line with Objective UD2, it is considered that the increased building height is provided in exceptional circumstances, contributes positively to the village character, is of a high standard urban design and has no adverse impacts on amenity.</p> <p>However, a Material Contravention Statement is provided with this application in the event An Bord Pleanála considered that the proposed development materially contravenes Objective UD2.</p>

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Chapter 1.4.5 - Residential Development	Objective RD1 - Residential Development Phasing	Support the development of lands designated as Residential (Phase 1) within the lifetime of the Plan, subject to normal planning, access and servicing requirements, and reserve the lands designated as Residential (Phase 2) for the longer-term growth needs of the village.	The proposed buildings are located on lands zoned as R – Residential (Phase 1). Phase 1 residential lands have been identified for short to medium term growth in suitable locations that are serviceable and accessible.
Chapter 1.4.5 - Residential Development	Objective RD2 – Apartment Development	Facilitate the development of apartments at appropriate locations, e.g. the village centre, and have regard to the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2015)(or as updated), the Sustainable Residential Developments in Urban Areas: Guidelines for Planning Authorities (2009) and Urban Design Manual: A Best Practice Guide – A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) in the assessment of this type of development.	<p>It is apparent that the application site is viewed in the context of its role in supporting the Galway City and the Galway Metropolitan Area and therefore increased development densities are considered to be acceptable in this location.</p> <p>The design team has sought to ensure that higher densities are achieved, while also ensuring that the open, residential character is maintained. In this regard, the development proposes a limited number of taller buildings located within the development. This approach ensures that potential issues of overlooking, overshadowing and overbearing impact have been fully mitigated, thereby protecting the residential amenity of neighbouring properties. Accordingly, the proposed height of the development is considered to be acceptable.</p> <p>the Sustainable Urban Housing: Design Standards for New Apartments (2018) Guidelines state in relation to ‘Peripheral</p>

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			<p>and/or Less Accessible Urban Locations’ that ‘Such locations are generally suitable for limited, very small-scale (will vary subject to location), higher density development that may wholly comprise apartments, or residential development of any scale that will include a minority of apartments at low-medium densities (will also vary, but broadly <45 dwellings per hectare net.</p>
<p>Chapter 1.4.5 - Residential Development</p>	<p>Objective RD3 - Quality Housing Environments</p>	<p>Encourage the development of sustainable residential communities through the promotion of innovative, high quality building design and appropriate layouts, that prioritise walking, cycling and public transport options and provide for a high level of permeability, accessibility and connectivity to the existing built environment, services and facilities. In this regard, future residential development proposals will be in accordance with the principles set out in the DoEHLG document Sustainable Residential Development in Urban Areas 2009 and its companion document Urban Design Manual: A Best Practice Guide for Planning Authorities 2009, or any updated version of these documents published during the lifetime of this plan and shall also have regard to the design principles as set out in the Design Manual for Urban Roads and Streets (2013) (or as updated).</p>	<p>A Design Statement has been prepared by McCauley Daye O’ Connell Architects which details the overall design rationale for the proposed scheme. The layout of the scheme has been designed to respect the existing routes, scale, height and amenity of the Cnoc Fraoigh development reflect the existing lower density of adjoining developments.</p> <p>The layout of the scheme has been designed to promote permeability and openness with a series of view corridors allowing views through the site and across the proposed new landscape. These view corridors promote passive surveillance of the site and allow visual connections to the variety of outdoor amenities provided through the development. Generous footpaths and routes feature throughout the scheme as well as a number of pedestrian crossings.</p>

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Chapter 1.4.6 - Community Facilities	Objective CF2 - Playground Facilities	Support the provision of playground facilities for children in appropriate locations that are accessible and have a suitable design and adequate surveillance, in particular, in the Village Centre and Community Facilities zoned lands in the plan.	The development also includes the provision of 6711m ² shared open space, within a series of landscaped areas throughout the development. This includes the provision of a playground, kickabout area, pocket parks as well as designated seating areas
Chapter 1.4.6 - Community Facilities	Objective CF3 - Community, Recreation and Amenity Facilities	Retain existing facilities and lands zoned for such uses, and prevent their change of use or redevelopment, unless it can be clearly demonstrated that the facility/lands are no longer required and that the new use or development contributes to the overall community needs and recreation and amenity needs of the Bearna area (This includes the existing tennis courts, school, church, handball alley, and local beaches).	<p>The development includes the provision of 6711m² of shared open space, within a series of landscaped areas throughout the development. This includes the provision of a playground, kickabout area, as well as designated seating areas.</p> <p>A multi-purpose room is proposed for the residents of the scheme and is located on the ground floor of Apartment Block 2.</p>
Chapter 1.4.7 - Built and Natural Heritage	Objective BNH2 – Natural Heritage Areas and Proposed Natural Heritage Areas	Protect Natural Heritage Areas and proposed Natural Heritage Areas in accordance with the requirements of the Wildlife Act 1976, the Wildlife (Amendment) Act 2000 and the Planning and Development Act 2000 (as amended).	In compliance with Objective BNH2 and BNH3, ecological reports are submitted with this application, including an Appropriate Assessment Screening Report and Natura Impact Statement to enable the Board to carry out a Stage One Screening for Appropriate Assessment and a Stage Two Appropriate Assessment.
Chapter 1.4.7 - Built and Natural Heritage	Objective BNH3 – European Environmental Compliance	All proposed developments shall be in accordance with the Birds and Habitats Directives, Water Framework Directive and all other relevant EU Directives	

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Chapter 1.4.7 - Built and Natural Heritage	Objective BNH4 - Local Streams	Protect the riparian zones of watercourse systems throughout the plan area, recognising the benefits they provide in relation to flood risk management and in relation to the ecological integrity of watercourse systems. This will include a general 10 metre protection buffer from rivers within the plan area as measured from the near river bank (this distance may be increased and decreased on a site by site basis, as appropriate).	The Trusky Stream is located within the proposed development site boundary. The stream is separated from the main construction footprint by over 10m at its nearest point. However, the construction works also involve the discharge of surface water from the proposed development, to the Trusky Stream. This involves, the installation of two precast headwalls within the banks of the stream at the location of the two surface water outfalls. There will also be some minor landscaping works including the planting of native species and the construction of a boundary fence along the stream banks to ensure the safety of users undertaking recreational activities on the OS zoned lands. These minor works will not affect the integrity of the riparian zone. A linear park with strong biodiversity focus forms the eastern boundary of the site and separates the stream from proposed buildings and roads.
Chapter 1.4.8 - Cultural Heritage	Objective CH2 - Irish Language	Protect and promote the Irish language as the first community language of the Bearna area, including: <ul style="list-style-type: none"> • Ensuring that the naming of developments are in Irish only and reflect the character of the area. • Encouraging the development of educational, recreational, tourism and business facilities that operate through the medium of the Irish language. • Signage shall be principally through the medium of Irish with internationally recognised symbols. 	In terms of linguistic impact, a comprehensive Linguistic Impact Statement (LIS) was commissioned as part of this planning application (see standalone LIS report). Overall it is not anticipated that the proposed development will have any undue negative impact on the Irish language or the Irish culture in the village of Bearna

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Chapter 1.4.8 - Cultural Heritage	Objective CH3 – Language Enurement Clause	A Language Enurement Clause will be applied on a portion of residential units in development of two or more units in Bearna. The proportion of homes to which a language enurement clause will be a minimum of 20% or to the proportion of persons using Irish Language on a daily basis, in accordance with the latest published Census, whichever is greater.	A proportion of housing units from the proposed development will be allocated for Irish speaking families. This requirement will be secured by way of an appropriate condition attached to any grant of permission.
Chapter 1.4.9 – Transportation and Movement	Objective RT1 – Transport Network	Facilitate improvements to the existing transportation network in Bearna village to promote the principles of National Smarter Travel, including the following road-related measures: <ul style="list-style-type: none"> • Preparation and implementation of a traffic management plan for Bearna • Provision of radar control speed signs along the R336 within the plan area, in particular in advance of the national school. • Provision of tactile paving and dished kerbs at all crossing points to facilitate ease of access for the mobility impaired. • Providing raised pavement areas at various junctions along the existing R336, in order to ensure slow traffic speeds. • Providing advance radar speed analyses to activate traffic lights, where excessive speeds noted. 	The proposal includes for the construction of a 330m section of footpath on the eastern side of the L1321 which will improve pedestrian connectivity to the village of Bearna. The proposed footpath width of 1.8m is the minimum allowed under DMURS and is considered appropriate based on the level of pedestrian activity.
Chapter 1.4.9 – Transportation and Movement	Objective RT3 – Public Footpath & Lighting Network	<ol style="list-style-type: none"> a) Support improvements to the existing public footpaths network within the plan area. b) New development shall be required to connect to the footpath and public lighting network that currently serves the village centre. c) Support the provision of footpaths and-public lighting from the existing residential development to the village centre. In order to protect light sensitive species such as bats, lighting fixtures 	The proposal includes for the construction of a 330m section of footpath on the eastern side of the L1321 which will improve pedestrian connectivity to the village of Bearna. The proposed footpath width of 1.8m is the minimum allowed under DMURS and is considered appropriate based on the level of pedestrian activity.

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		<p>should provide only the amount of light necessary for personal safety and should be designed so as to avoid creating glare or emitting light above a horizontal plane.</p> <p>d) Facilitate the provision of pedestrian crossings adjacent to the national school, residential areas and at other appropriate locations within the plan area, as required.</p>	<p>LED street lighting is proposed throughout the development typically mounted on 6m steel columns. The design criteria applied to the proposed street lighting installation shall be in accordance with BS 5489-1:2013 “Code of practice for the design of road lighting - Lighting of roads and public amenity areas” & NSAI EN I.S. 13201-2:2015 “Road Lighting Performance Requirements”</p>
Chapter 1.4.10 - Climate Change and Flooding	Objective CCF1 - Flood Zones and Appropriate Land Uses	<p>Protect Flood Zone A and Flood Zone B from inappropriate development and direct developments/land uses into the appropriate Flood Zone in accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities 2009 (or any superseding document) and the guidance contained in the Flood Risk Management Guidelines (DM Guidelines DM 2). Where a development/land use is proposed that is inappropriate within the Flood Zone, then the development proposal will need to be accompanied by a Development Management Justification Test and Site-Specific Flood Risk Assessment, in accordance with the criteria set out under with The Planning System and Flood Risk Management Guidelines for Planning Authorities 2009 & Circular PL2/2014 (as updated/superseded). In Flood Zone C, where the probability of flooding is low (less than 0.1%, Flood Zone C), the developer should satisfy him or herself that the probability of flooding is appropriate to the development being proposed.</p>	<p>The Flood Study of the Trusky Steam and the Site Specific Flood Risk Assessment prepared by O’Connor Sutton Cronin & Associates, demonstrate how the proposed development complies with the Flood Risk Management Guidelines (2009) and the relevant provisions of the GCDP.</p>

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Chapter 1.4.10 - Climate Change and Flooding	Objective CCF2 - Specific Flood Risk Locations	Planning applications on lands in Bearna identified within pluvial PFRA areas outside of Indicative Flood Zone A on Flood Maps for Bearna shall be accompanied by a Site-Specific Flood Risk Assessment that corresponds with that outlined under Chapter 5 'Flooding and Development Management' of The Planning System and Flood Risk Management Guidelines for Planning Authorities 2009). Such assessments shall be prepared by suitably qualified experts with hydrological experience and shall quantify the risks and effects of any necessary mitigation, together with the measures needed or proposed to manage residual risks.	The Flood Study of the Trusky Steam and the Site Specific Flood Risk Assessment prepared by O'Connor Sutton Cronin & Associates, demonstrate how the proposed development complies with the Flood Risk Management Guidelines (2009) and the relevant provisions of the GCDP.
Chapter 1.4.10 - Climate Change and Flooding	Objective CCF3 – Structural and Non-Structural Risk Management Measures in Flood Vulnerable Zones	Ensure that applications to existing developments in flood vulnerable zones shall provide details of structural and non-structural risk management measures to include, but not be limited to specifications of the following - floor levels, internal layout, flood resilient construction, flood resistant construction, emergency response planning, access and egress during flood events.	<p>All proposed buildings will be located exclusively within (a) lands zoned 'R' (and not subject to Objective CCF6) and (b) Indicative Flood Zone C (as identified in Variation No.2(a) Galway County Development Plan 2015-2021 Bearna Plan); and outside (c) the predicted flood extent for the 0.1% AEP flood event (refer to Report B861-OCSC-XX-XX-RP-C-0003).</p> <p>The architectural drawings for the proposed development (refer to Drawing 924-MDO-ZZ-ZZ-DR-A-011001), show the proposed ground floor Finished Floor Levels. These floor levels have been selected to provide at least 500mm freeboard over the adjacent 1.0%AEP flood water levels, in accordance with GSDSDS recommendations.</p>

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			Please refer to The Flood Study of the Trusky Steam and the Site Specific Flood Risk Assessment prepared by O'Connor Sutton Cronin & Associates.
Chapter 1.4.10 - Climate Change and Flooding	Objective CCF6 – Inappropriate Development on Flood Zones	<p>Where a development/land use is proposed within any area subject to this objective the development proposal will need to be accompanied by a detailed hydrological assessment and robust SUDS design which demonstrates the capacity to withstand potential flood events to maintain water quality and avoid potential effects to ecological features.</p> <ul style="list-style-type: none"> • Any development proposals should be considered with caution and will be required to comply with The Planning System and Flood Risk Management Guidelines for Planning Authorities/Circular PL2/2014 & the associated Development Management Justification Test. • Climate Change should be duly considered in any development proposal. • Protect the riparian zones of watercourse systems throughout the plan area through a general 10 metre protection buffer from rivers within the plan area as measured from the near river bank, (this distance may be increased and decreased on a site by site basis, as appropriate). 	In compliance with the Flood Risk Management Guidelines, Objectives CCF1, LU4 and LU8 and DM Guideline FL1 (and also Objective CCF6 referred to above) a Site-Specific Flood Risk Assessment (SSFRA) and Trusky East Stream Flood Study have been prepared by prepared by O'Connor Sutton Cronin Engineers and accompany this application. In particular, the SSFRA report demonstrates the manner in which the proposed development complies with the Flood Risk Management Guidelines and demonstrates (i) the manner in which the "Justification Test" has been applied on behalf of the developer and should be applied by the Board and (ii) the criteria of that test are met in respect of the proposed development. This report also considers the impact of climate change in accordance with Objective CCF6.

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		<ul style="list-style-type: none"> • Any development proposals submitted for this site will require a detailed ecological report (s), carried out by suitably qualified personnel for the purposes of informing Appropriate Assessment Screening by Galway County Council, the competent authority (in accordance with Objective DS 6 of the Galway CDP 2015-21). • The relevant lands will be outlined and flagged with a symbol on the land use zoning map and on the GIS system of Galway County Council so that staff and the public are aware of the special conditions/constraints attached. • A briefing will be provided to relevant staff within Galway County Council on the special conditions and constraints on relevant lands. 	
Chapter 2.1 - Land Use Management Objectives	Objective LU2 - Residential (R)	Promote the development of appropriate and serviced lands to provide for high quality, well laid out and well landscaped sustainable residential communities with an appropriate mix of housing types and densities, together with complementary land uses such as community facilities, local services and public transport facilities, to serve the residential population of the area. Protect existing residential amenities and facilitate compatible and appropriately designed new infill development, in accordance with the proper planning and sustainable development of the area.	The proposed development provides for 121 no. units with a mix of apartments, duplexes and houses. Active and passive recreation spaces are provided for all ages through numerous parks, playgrounds, open play areas and generous amounts of pathway. A childcare facility and a community room located within the apartments are also provided on the 'R' zoned lands. Accordingly, the development proposed on lands zoned 'R' complies with Objective LU2.
Chapter 2.1 - Land Use Management Objectives	Objective LU4 - Open Spaces/Recreation and Amenity (OS)	Promote the development of open spaces and recreational activities in accordance with best practice and on suitable lands with adequate access to the local community and retain existing open space and recreational facilities, unless it can be demonstrated to the satisfaction of Galway County Council that these uses are no longer required by the	The proposed public open space/linear park with a 'strong focus on biodiversity' within the OS zoned lands promotes open spaces and recreational activities on suitable lands which are accessible to the local community. The

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		<p>community. Ensure that any flood risk areas within the OS zone are appropriately managed to avoid, reduce and/or mitigate, as appropriate, the risk and potential impact of flooding.</p>	<p>linear park will be accessible via the proposed development and also offers the potential for a future pedestrian link access to the village. in accordance with Objective LU4. As noted above, all of the lands zoned ‘OS’ within the subject site are also identified as being under Constrained Land Use. The issue of flood risk in Objective LU4 and the Constrained Land Use is considered further in Section 6.1.2 of the Planning Report/Statement of Consistency.</p>
<p>Chapter 2.1 - Land Use Management Objectives</p>	<p>Objective LU8 - Constrained Land Use Zone</p>	<p>To facilitate the appropriate management and sustainable use of flood risk areas.</p> <p>This zoning limits new development, while recognising that existing development uses within these zones may require small scale development, as outlined below, over the life of the Bearna Plan, which would contribute towards the compact and sustainable urban development of the village.</p> <p>The underlying zoning or the existing permitted uses are deemed to be acceptable in principle for minor developments to existing buildings (such as small extensions to houses, most changes of use of existing buildings), which are unlikely to raise significant flooding issues, provided they do not obstruct important flow paths, introduce a significant additional number of people into flood risk areas or entail the storage of hazardous substances.</p> <p>Development proposals within this zone shall be accompanied by a detailed Flood Risk Assessment, carried out in accordance with The Planning System and Flood Risk Assessment Guidelines & Circular PL 2/2014 (or as updated), which shall assess the risks of flooding associated with the proposed development.</p>	<p>In compliance with the Flood Risk Management Guidelines, Objectives CCF1, LU4 and LU8 and DM Guideline FL1 (and also Objective CCF6 referred to above) a Site-Specific Flood Risk Assessment (SSFRA) and Trusky East Stream Flood Study have been prepared by prepared by O’Connor Sutton Cronin Engineers and accompany this application. In particular, the SSFRA report demonstrates the manner in which the proposed development complies with the Flood Risk Management Guidelines and demonstrates (i) the manner in which the “Justification Test” has been applied on behalf of the developer and should be applied by the Board and (ii) the criteria of that test are met in respect of the proposed development. This report also considers the impact of climate change in accordance with Objective CCF6.</p>

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		<p>Proposals shall only be considered where it is demonstrated to the satisfaction of the Planning Authority that they would not have adverse impacts or impede access to a watercourse, floodplain or flood protection and management facilities, or increase the risk of flooding to other locations. The nature and design of structural and non-structural flood risk management measures required for development in such areas will also be required to be demonstrated, so as to ensure that flood hazard and risk will not be increased. Measures proposed shall follow best practice in the management of health and safety for users and residents of the development.</p> <p>Specifications for developments in flood vulnerable areas set out in this plan shall be complied with, as appropriate (Please also refer to DM Guidelines FL 1 of this plan).</p>	<p>In accordance with Objective LU8, the SSFRA is a detailed Flood Risk Assessment, carried out in accordance with the Planning System and Flood Risk Assessment Guidelines & Circular PL 2/2014, which assesses the risks of flooding associated with the proposed development. The report demonstrates that the proposed development will not have adverse impacts or impede access to a watercourse, on floodplains or flood protection and management facilities, or increase the risk of flooding to other locations. Measures proposed follow best practice in the management of health and safety in relation to flood risk for users and residents of the development. The Flood Study report provides a hydrological assessment of the stream catchment. The SSFRA report demonstrate the capacity to withstand potential flood events. The Engineering Services Report includes a hydrological assessment of the subject site and describes the SUDS design.</p>
Chapter 3.1 - Development Densities Guidelines	DM Guideline – Development Densities	<p>The development of higher densities will need to be appropriate to the context and will be assessed based on the merits of the proposal and subject to good quality design, compliance with both qualitative and quantitative standards, location, capacity of the site and infrastructure to absorb development, existing character of the area, established densities on adjoining sites, protection of residential amenities, proximity to public transport, etc. The Planning Authority may use its discretion in varying these density standards. <i>The development density</i></p>	<p>DM Guideline DM1 Development Densities indicates that possible appropriate locations for densities of 35 - 50 units per hectare are “Village centre or immediately adjacent to public transport hubs” and possible appropriate locations for densities of 15 - 35 units per hectare are “Neighbourhood centres</p>

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		<p><i>guidance in the tables below indicate the range of densities generally considered appropriate in the various land use zones and in different residential locations within the plan area.'</i></p> <table border="1"> <thead> <tr> <th><i>Land Use Zone</i></th> <th><i>Plot Area Ratio</i></th> <th><i>Maximum Site Coverage</i></th> <th><i>Minimum Public Open Space</i></th> </tr> </thead> <tbody> <tr> <td><i>Zone VC</i></td> <td><i>1.00 to 1.25 PAR</i></td> <td><i>80%</i></td> <td><i>Site Specific</i></td> </tr> <tr> <td><i>Zone R</i></td> <td><i>0.10 to 0.50 PAR</i></td> <td><i>50%</i></td> <td><i>15%</i></td> </tr> <tr> <td><i>Zone CF</i></td> <td><i>Site Specific</i></td> <td><i>Site Specific</i></td> <td><i>15%</i></td> </tr> <tr> <td><i>Zone OS</i></td> <td><i>Site Specific</i></td> <td><i>Site Specific</i></td> <td><i>Site Specific</i></td> </tr> <tr> <td><i>Zone CE</i></td> <td><i>Site Specific</i></td> <td><i>Site Specific</i></td> <td><i>Site Specific</i></td> </tr> <tr> <td><i>Zone PU</i></td> <td><i>Site Specific</i></td> <td><i>Site Specific</i></td> <td><i>Site Specific</i></td> </tr> <tr> <td><i>Zone TI</i></td> <td><i>N/A</i></td> <td><i>N/A</i></td> <td><i>N/A</i></td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th><i>Land Use Zone</i></th> <th><i>Dwelling Units/Ha</i></th> <th><i>Dwelling Units/Acre</i></th> <th><i>Possible Appropriate Locations</i></th> </tr> </thead> <tbody> <tr> <td><i>Medium to High</i></td> <td><i>35-50</i></td> <td><i>14-20</i></td> <td><i>Village centre or immediately adjacent to public transport hubs.</i></td> </tr> <tr> <td><i>Low to Medium</i></td> <td><i>15-35</i></td> <td><i>6-14</i></td> <td><i>Neighbourhood centres (typically</i></td> </tr> </tbody> </table>	<i>Land Use Zone</i>	<i>Plot Area Ratio</i>	<i>Maximum Site Coverage</i>	<i>Minimum Public Open Space</i>	<i>Zone VC</i>	<i>1.00 to 1.25 PAR</i>	<i>80%</i>	<i>Site Specific</i>	<i>Zone R</i>	<i>0.10 to 0.50 PAR</i>	<i>50%</i>	<i>15%</i>	<i>Zone CF</i>	<i>Site Specific</i>	<i>Site Specific</i>	<i>15%</i>	<i>Zone OS</i>	<i>Site Specific</i>	<i>Site Specific</i>	<i>Site Specific</i>	<i>Zone CE</i>	<i>Site Specific</i>	<i>Site Specific</i>	<i>Site Specific</i>	<i>Zone PU</i>	<i>Site Specific</i>	<i>Site Specific</i>	<i>Site Specific</i>	<i>Zone TI</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	<i>Land Use Zone</i>	<i>Dwelling Units/Ha</i>	<i>Dwelling Units/Acre</i>	<i>Possible Appropriate Locations</i>	<i>Medium to High</i>	<i>35-50</i>	<i>14-20</i>	<i>Village centre or immediately adjacent to public transport hubs.</i>	<i>Low to Medium</i>	<i>15-35</i>	<i>6-14</i>	<i>Neighbourhood centres (typically</i>	<p>(typically within 400m walking distance of centre point), inner urban suburbs.”</p> <p>The proposed residential scheme provides 121 no. residential units on an area of land zoned for residential development which extends to a net site area of 3.47ha which equates to a residential density of 35 units per hectare</p>
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					<i>within 400m walking distance of centre point), inner urban suburbs</i>									
		<i>Low</i>	5-15	2-6	<i>Urban periphery, outlying lands, areas with capacity/environmental constraints.</i>									
Chapter 3.2 – Flood Risk Guidelines	DM Guideline FL1 – Flood Zones and Appropriate Land Uses	<p>The table below indicates the types of land uses that are appropriate in each of the Flood Zones identified within the plan area, in accordance with The Planning System and Flood Risk Management Guidelines 2009 (and as updated). Where developments/land uses are proposed that are considered inappropriate to the Flood Zone, then a Development Management Justification Test and Site-Specific Flood Risk Assessment will be required in accordance with The Planning System and Flood Risk Management Guidelines 2009 (and as updated). <i>The Planning System and Flood Risk Management Guidelines 2009 (and as updated).</i></p> <table border="1" data-bbox="779 1018 1516 1318"> <thead> <tr> <th data-bbox="779 1018 1010 1086"><i>Land Uses</i></th> <th data-bbox="1010 1018 1182 1086"><i>Flood Zone A</i></th> <th data-bbox="1182 1018 1355 1086"><i>Flood Zone B</i></th> <th data-bbox="1355 1018 1516 1086"><i>Flood Zone C</i></th> </tr> </thead> <tbody> <tr> <td data-bbox="779 1086 1010 1318"><i>HVD – Highly Vulnerable Development</i></td> <td data-bbox="1010 1086 1182 1318"><i>Inappropriate (if proposed then Justification Test & detailed FRA required)</i></td> <td data-bbox="1182 1086 1355 1318"><i>Inappropriate (if proposed then Justification Test & detailed FRA required)</i></td> <td data-bbox="1355 1086 1516 1318"><i>Appropriate (screen for flood risk)</i></td> </tr> </tbody> </table>				<i>Land Uses</i>	<i>Flood Zone A</i>	<i>Flood Zone B</i>	<i>Flood Zone C</i>	<i>HVD – Highly Vulnerable Development</i>	<i>Inappropriate (if proposed then Justification Test & detailed FRA required)</i>	<i>Inappropriate (if proposed then Justification Test & detailed FRA required)</i>	<i>Appropriate (screen for flood risk)</i>	<p>In compliance with the Flood Risk Management Guidelines, Objectives CCF1, LU4 and LU8 and DM Guideline FL1 (and also Objective CCF6 referred to above) a Site-Specific Flood Risk Assessment (SSFRA) and Trusky East Stream Flood Study have been prepared by prepared by O’Connor Sutton Cronin Engineers and accompany this application. In particular, the SSFRA report demonstrates the manner in which the proposed development complies with the Flood Risk Management Guidelines and demonstrates (i) the manner in which the “Justification Test” has been applied on behalf of the developer and should be applied by the Board and (ii) the criteria of that test are met in respect of the proposed development. This report also considers the impact of climate change in accordance with Objective CCF6.</p>
<i>Land Uses</i>	<i>Flood Zone A</i>	<i>Flood Zone B</i>	<i>Flood Zone C</i>											
<i>HVD – Highly Vulnerable Development</i>	<i>Inappropriate (if proposed then Justification Test & detailed FRA required)</i>	<i>Inappropriate (if proposed then Justification Test & detailed FRA required)</i>	<i>Appropriate (screen for flood risk)</i>											

Chapter	Policy / Objective	Development Plan Criteria				Statement of Compliance
		<i>LVD – Less Vulnerable Development</i>	<i>Inappropriate (if proposed then Justification Test & detailed FRA required)</i>	<i>Inappropriate due to climate change (if proposed then Justification Test & detailed FRA required)</i>	<i>Appropriate (screen for flood risk)</i>	
		<i>WCD – Water-Compatible Development</i>	<i>Appropriate (detailed FRA may be required)</i>	<i>Appropriate (detailed FRA may be required)</i>	<i>Appropriate (screen for flood risk)</i>	
<p><i>Notes (refer to Flood Risk Management Guidelines 2009 for additional detail):</i></p> <ol style="list-style-type: none"> <i>1. HVD – Houses, schools, hospitals, residential institutions, emergency services, essential infrastructure, etc.</i> <i>2. LVD – Economic uses (retail, leisure, warehousing, commercial, industrial, non-residential institutions, etc.), land and buildings used for agriculture or forestry, local transport infrastructure, etc.</i> <i>3. WCD – Docks, marinas, wharves, water-based recreation and tourism (excluding sleeping accommodation), amenity open space, sports and recreation, flood control infrastructure, etc.</i> <p><i>Please refer to separate supporting document ‘Stage 2 Strategic Flood Risk Assessment for the Bearna Plan’,</i></p>						

11.

VARIATION NO. 2(B) TO THE GALWAY COUNTY DEVELOPMENT PLAN 2015-2021

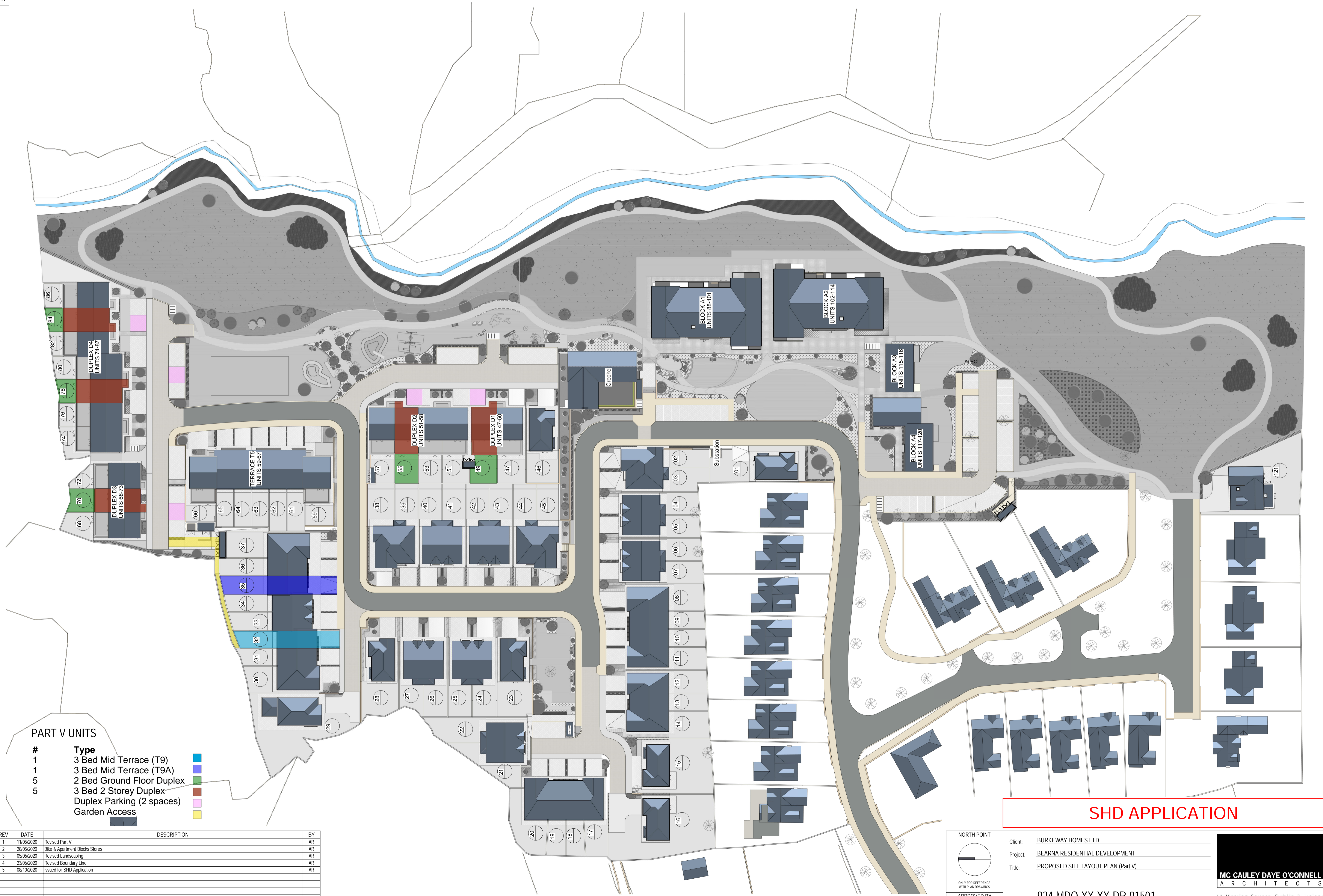
Chapter	Policy Objective	Development Plan Criteria	Statement of Compliance
Section 1.8 – Gaeltacht Plan	Objectives GL1 – Linguistic and Cultural Heritage of An Gaeltacht	It shall be an objective of the Council to protect the linguistic and cultural heritage of the Gaeltacht and to promote Irish as a community language.	In terms of linguistic impact, a comprehensive Linguistic Impact Statement (LIS) was commissioned as part of this planning application (see standalone LIS report). Overall it is not anticipated that the proposed development will have any undue negative impact on the Irish language or the Irish culture in the village of Bearna
Section 1.8 – Gaeltacht Plan	Objective GL8 – Natural Heritage in the Gaeltacht	Promote the sustainable development of green infrastructure within settlements of the Gaeltacht and seek its integration in development proposals as appropriate. In order to protect light sensitive species such as bats, lighting fixtures should provide only the amount of light necessary for personal safety and should be designed so as to avoid creating glare or emitting light above a horizontal plane.	<p>The proposed public open space/linear park with a ‘strong focus on biodiversity’ within the OS zoned lands promotes open spaces and recreational activities on suitable lands which are accessible to the local community.</p> <p>The proposed development includes for 117 no. bicycle stands and also includes for the construction of a 330m section of footpath on the eastern side of the L1321 which will improve pedestrian connectivity to the village of Bearna.</p> <p>LED street lighting is proposed throughout the development typically mounted on 6m steel columns. The design criteria applied to the proposed street lighting installation shall be in accordance with BS 5489-1:2013 “Code of practice for the design of road lighting - Lighting of roads and public amenity areas” & NSAI EN I.S. 13201-2:2015 “Road Lighting Performance Requirements”</p>

Chapter	Policy Objective	Development Plan Criteria	Statement of Compliance
			<p>Photo-electric cells will be integrated into each street light fitting for automatic switching on at dusk and off at dawn. The street luminaires can also be supplied with a pre-set dimming function applied to each driver, with a dimming regime to 75% of the light output between the hours 12.00 midnight and 6am.</p> <p>Lighting column positions will be coordinated with the landscape layout taking account for proposed driveways, tree locations, etc. while positioning each one to ensure the optimal uniformity and reduce glare. Any resultant lighting pollution to adjacent properties will be minimised.</p>
Section 1.8 – Gaeltacht Plan	Objective GL9 – Infrastructure in the Gaeltacht	(a) Promote the sustainable development of infrastructure projects and the improvement of the infrastructure network in the Galway Gaeltacht with close co-operation with the relevant stakeholders; (b) Support the preparation and implementation of public realm plan and other related initiatives for villages in the Galway Gaeltacht as resources permit.	The proposed development includes for safe and convenient alternatives to the car that encourages walking and cycling. The proposed development includes for 117 no. bicycle stands and also includes for the construction of a 330m section of footpath on the eastern side of the L1321 which will improve pedestrian connectivity to the village of Bearna. The proposed footpath width of 1.8m is the minimum allowed under DMURS and is considered appropriate based on the level of pedestrian activity.



Appendix 2

Part V Proposals



PART V UNITS

#	Type
1	3 Bed Mid Terrace (T9)
1	3 Bed Mid Terrace (T9A)
5	2 Bed Ground Floor Duplex
5	3 Bed 2 Storey Duplex
	Duplex Parking (2 spaces)
	Garden Access

REV	DATE	DESCRIPTION	BY
1	11/05/2020	Revised Part V	AR
2	28/05/2020	Bike & Apartment Blocks Stores	AR
3	05/06/2020	Revised Landscaping	AR
4	23/06/2020	Revised Boundary Line	AR
5	08/10/2020	Issued for SHD Application	AR

SHD APPLICATION

NORTH POINT

ONLY FOR REFERENCE WITH PLANS/DRAWINGS

APPROVED BY: *[Signature]*

Client: BURKEWAY HOMES LTD
 Project: BEARNA RESIDENTIAL DEVELOPMENT
 Title: PROPOSED SITE LAYOUT PLAN (Part V)

Sheet No.: 924-MDO-XX-XX-DR-01501
 Scale as: 1:500 (A1) Current Rev.: 5 Project No.: 924

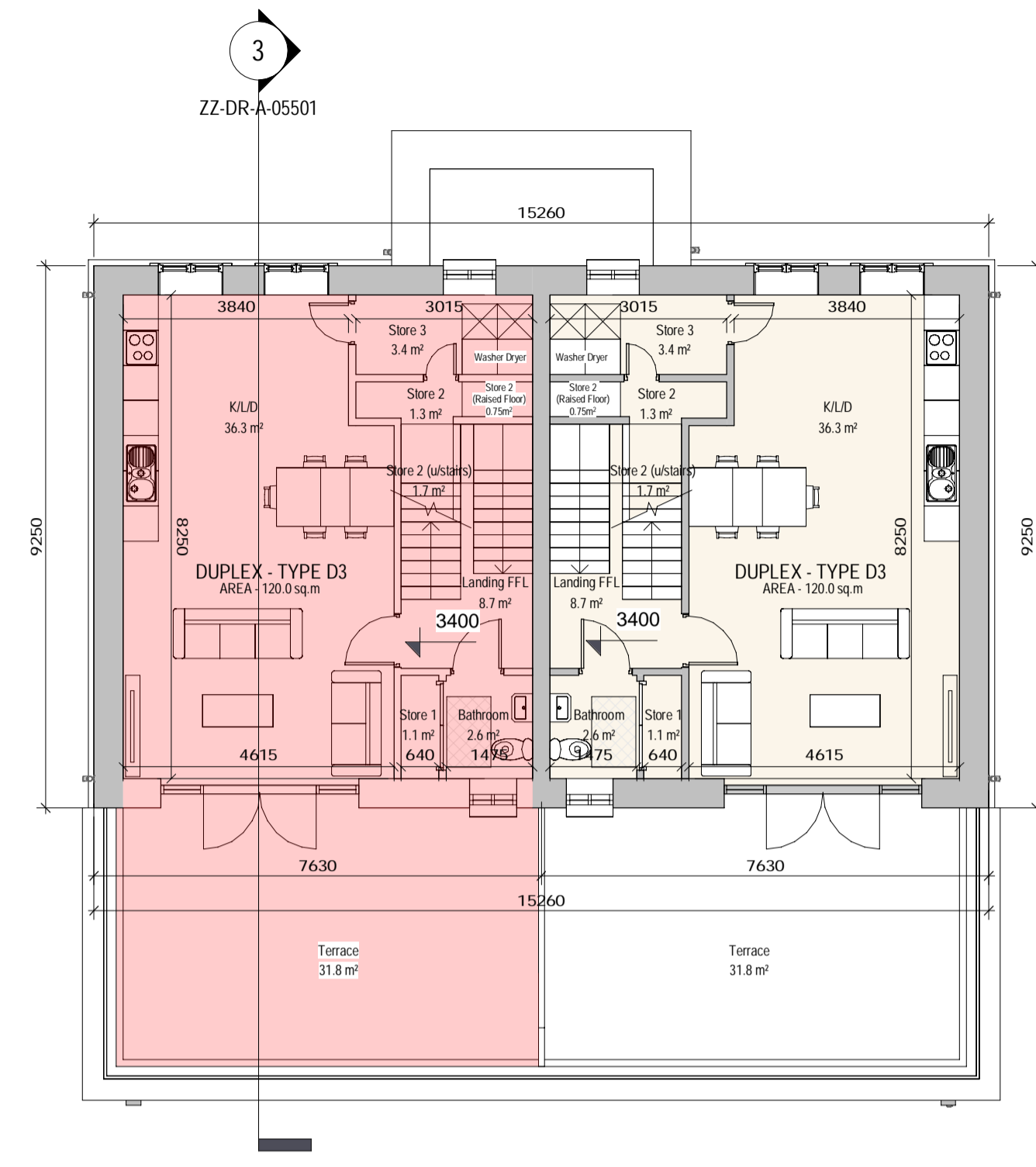
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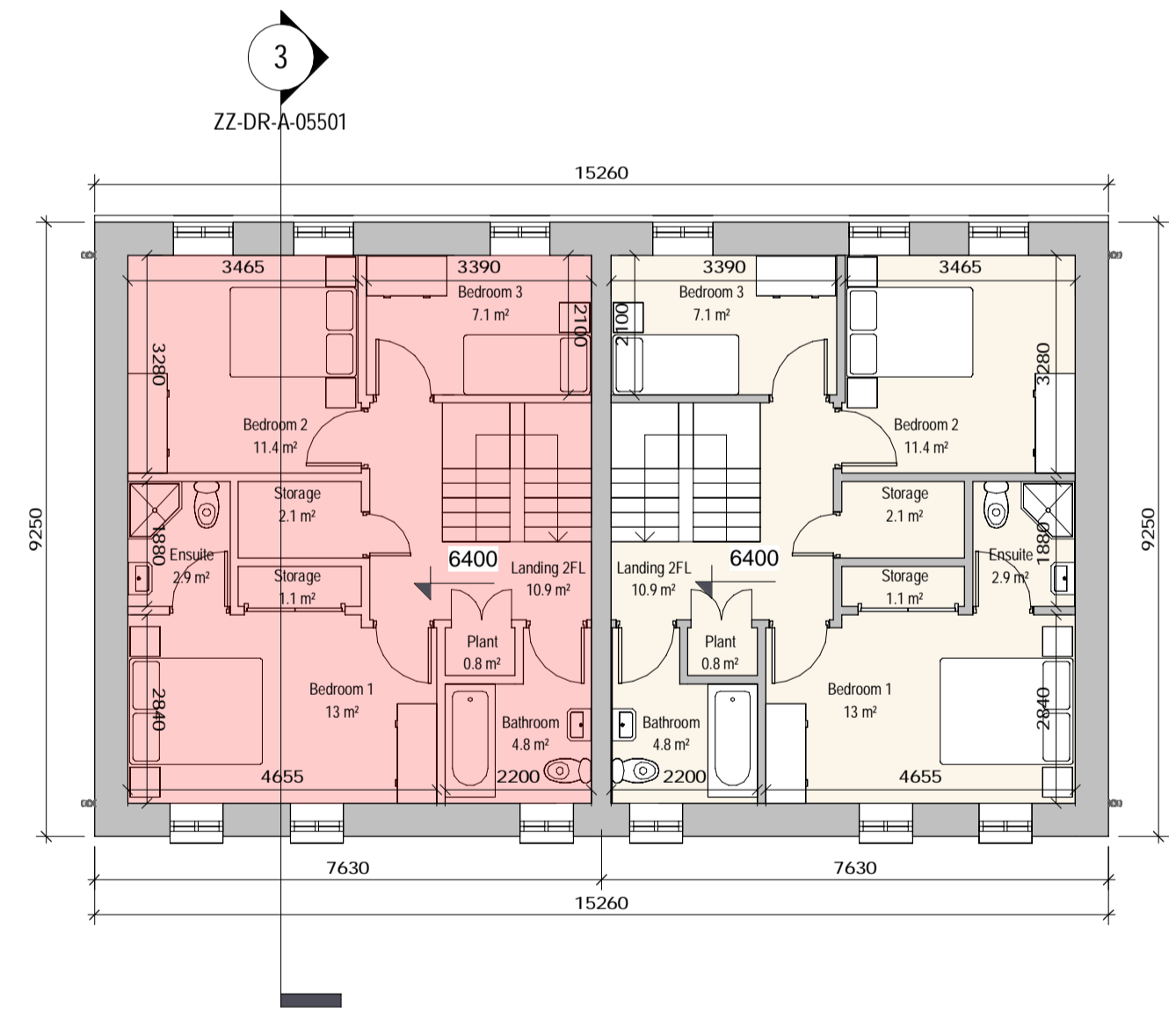
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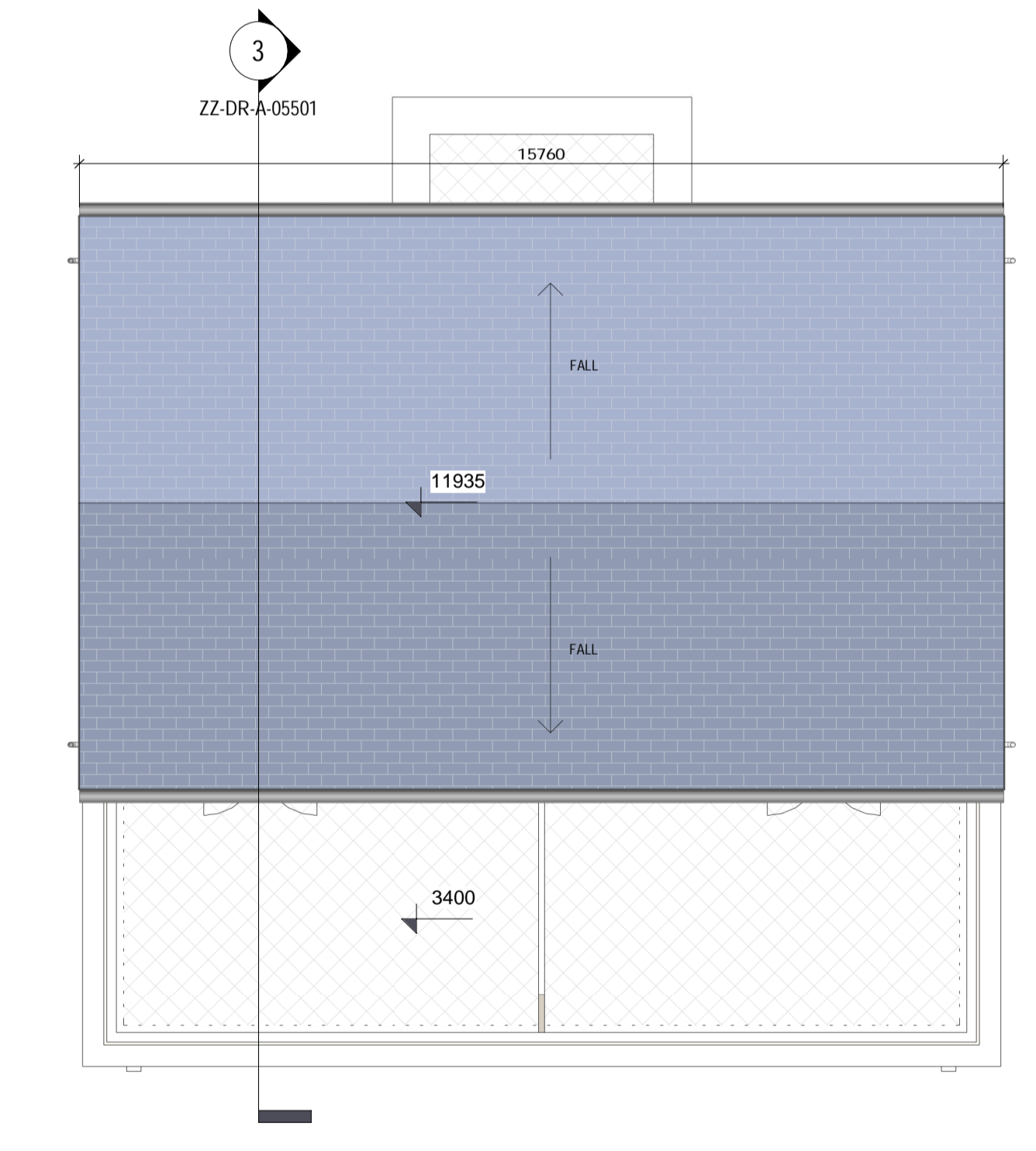
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3 First Floor Plan 1 : 100



2 Second Floor Plan 1 : 100



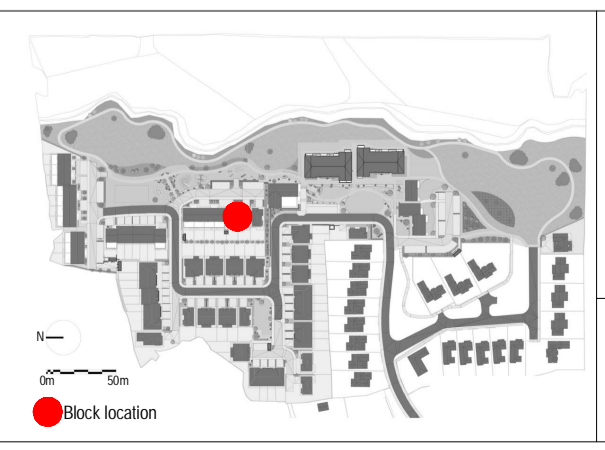
4 Roof Plan 1 : 100

REV	DATE	DESCRIPTION	BY	LEGEND
1	27/05/2020	Updated Keyplan & Annotation	AR	1. Selected roof tiles to pitched roof.
2	23/06/2020	Revised Tileblock, Storage layout	AR	2. Sand-cement render finish with painted render plinth.
3	29/06/2020	Window Alteration	AR	3. Selected natural stone or reconstituted stone door / window surround.
4	25/08/2020	Front window adjustment, Ambulant D3 toilet, Store under stair, Graphics	AR	4. Selected natural stone or reconstituted stone string detail
5	07/10/2020	Issued for SHD Application	AR	5. Black UPVC composite front door.
				6. Selected grey colour finish to UPVC windows and patio doors.
				7. Screen divider.
				8. Metal railing.
				9. Boundary treatment - in accordance with Radharc layout.
				10. Side Gate - Treated and painted timber gate and fence to side passages of dwellings.
				11. Material Variations are provided to dwellings on a location basis, refer to key plan, elevation options and accommodation schedule.

Note:
 *Please refer to Site Plan for Ground Floor Levels and North Point Location
 *Levels on this sheet taken from temporary benchmark at 0.0

Spot Levels

Part V Units:
 ■ 2 Bed Ground Floor Unit - Type D1
 ■ 2 Storey 3 Bed Unit - Type D3



NORTH POINT
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 APPROVED BY
 [Signature]

SHD APPLICATION

Client: BURKEWAY HOMES LTD
 Project: BEARNA RESIDENTIAL DEVELOPMENT
 Title: DUPLEX TYPE D1 - PLANS (PART V)

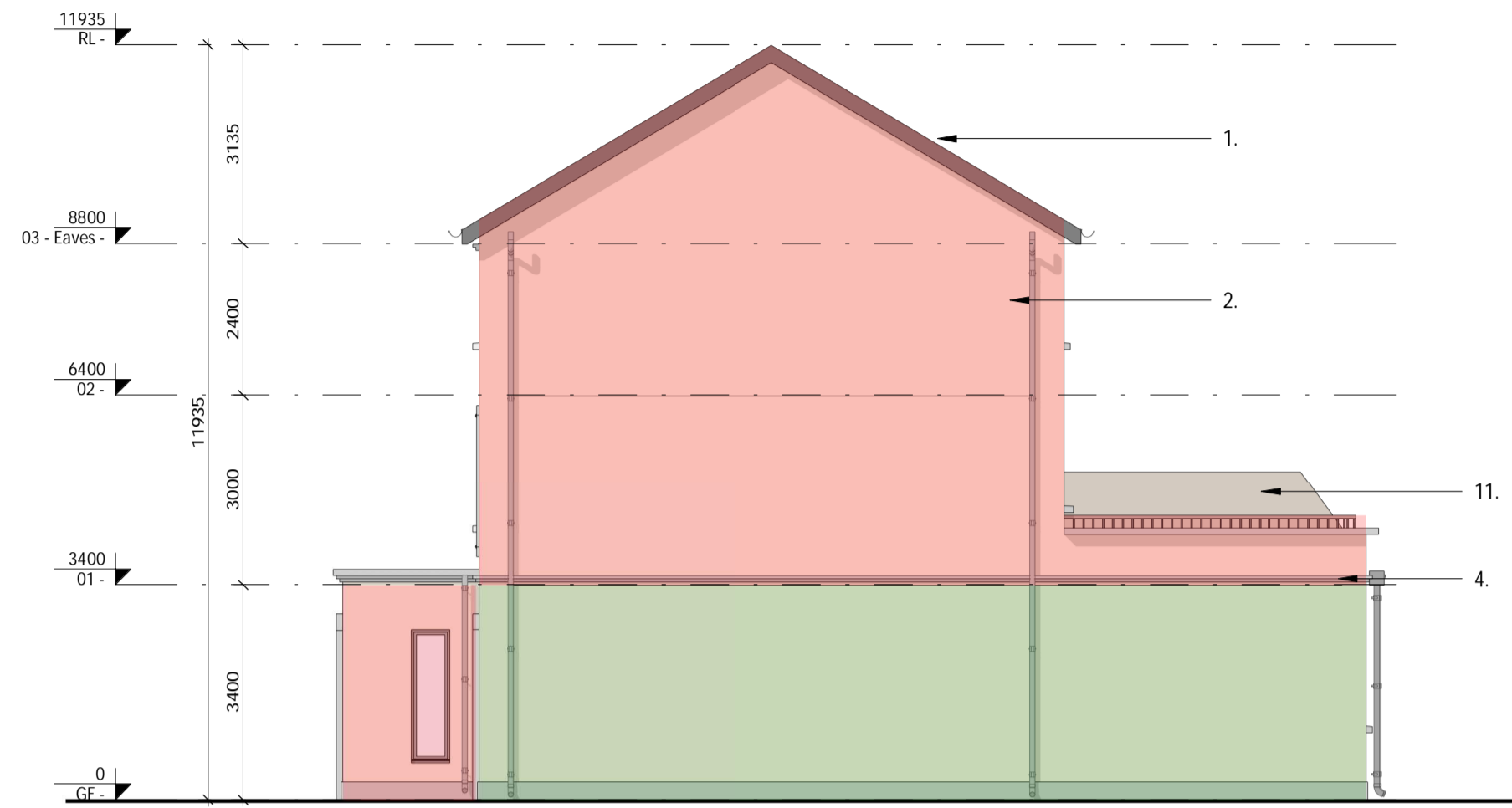
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 Scale as: 1:100 (A1) Current Rev.: 5 Project No.: 924

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07/10/2020 10:06:58



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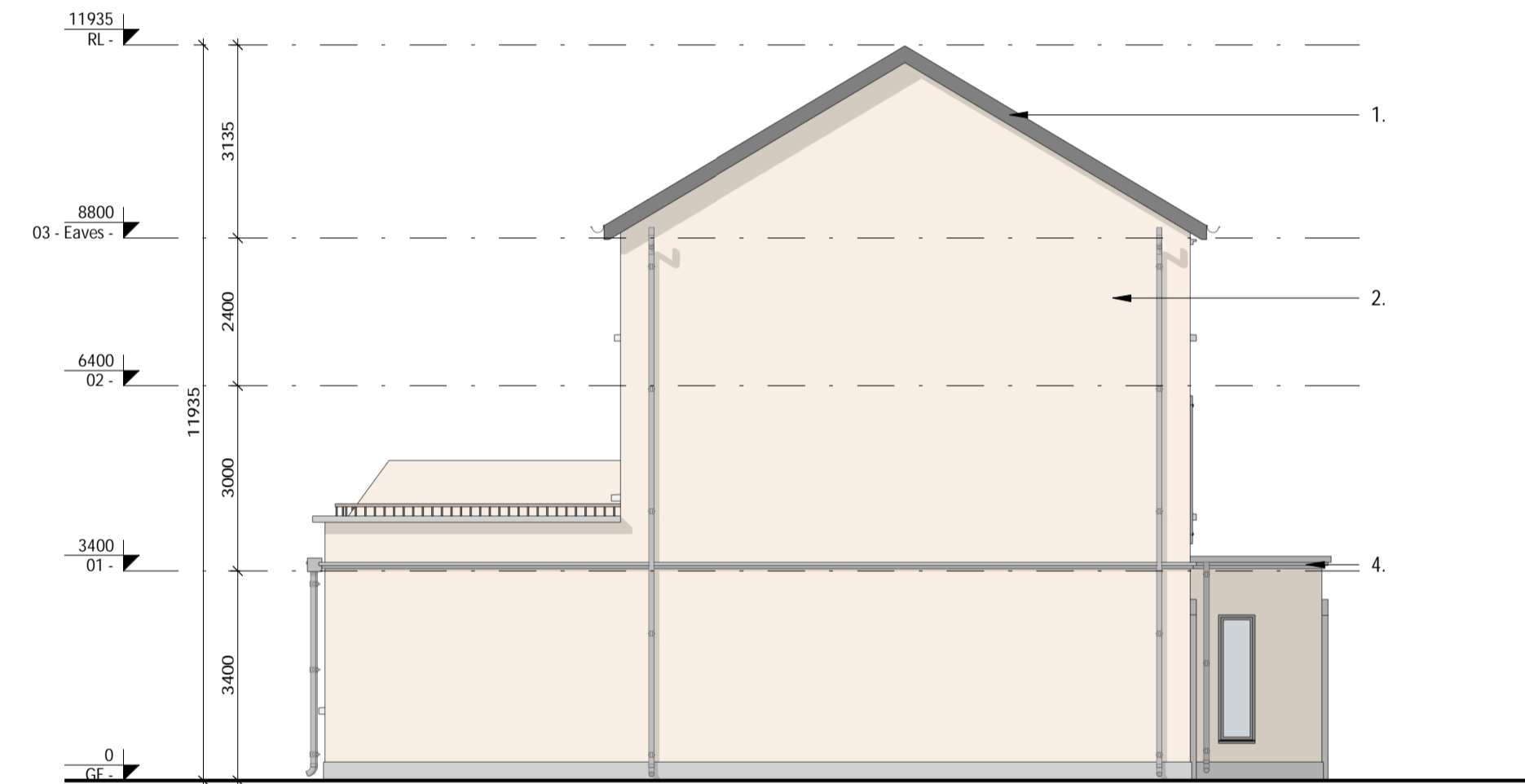
2 Side Elevation 01 1:100



3 Section AA 1:100



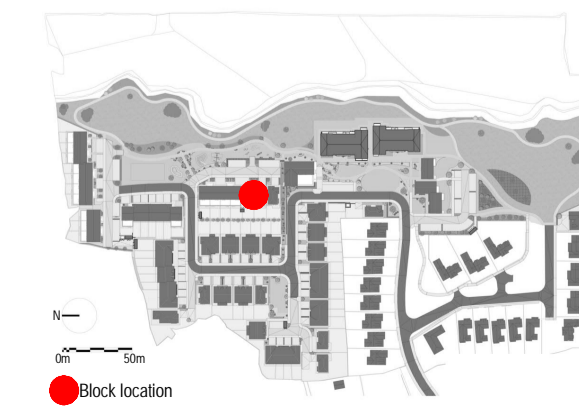
4 Rear Elevation 1:100



5 Side Elevation 02 1:100

REV	DATE	DESCRIPTION	BY	LEGEND
1	27/05/2020	Updated Keyplan & Annotation	AR	1. Selected roof tiles to pitched roof.
2	23/06/2020	Revised Tileblock, Storage layout	AR	2. Sand-cement render finish with painted render plinth.
3	29/06/2020	Window Alteration	AR	3. Selected natural stone or reconstituted stone door / window surround.
4	25/08/2020	Front window adjustment, Ambulant D3 toilet, Store under stair, Graphics	AR	4. Selected natural stone or reconstituted stone string detail
5	07/10/2020	Issued for SHD Application	AR	5. Black UPVC composite front door.
				6. Selected grey colour finish to UPVC windows and patio doors.
				7. Screen divider.
				8. Metal railing.
				9. Boundary treatment - in accordance with Radharic layout.
				10. Side Gate - Treated and painted timber gate and fence to side passages of dwellings.
				11. Material Variations are provided to dwellings on a location basis, refer to key plan, elevation options and accommodation schedule.

Part V Units:
■ 2 Bed Ground Floor Unit - Type D1
■ 2 Storey 3 Bed Unit - Type D3



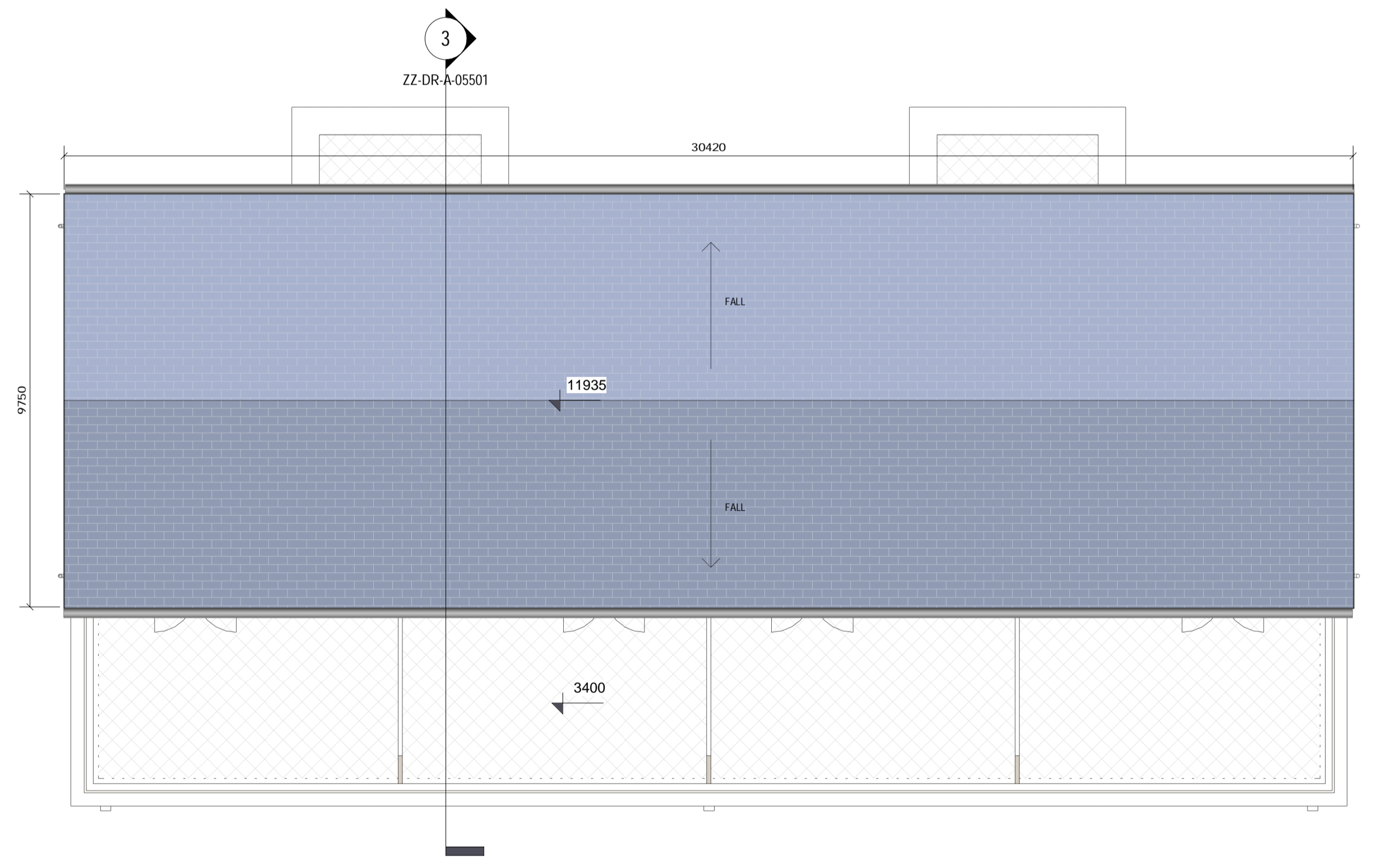
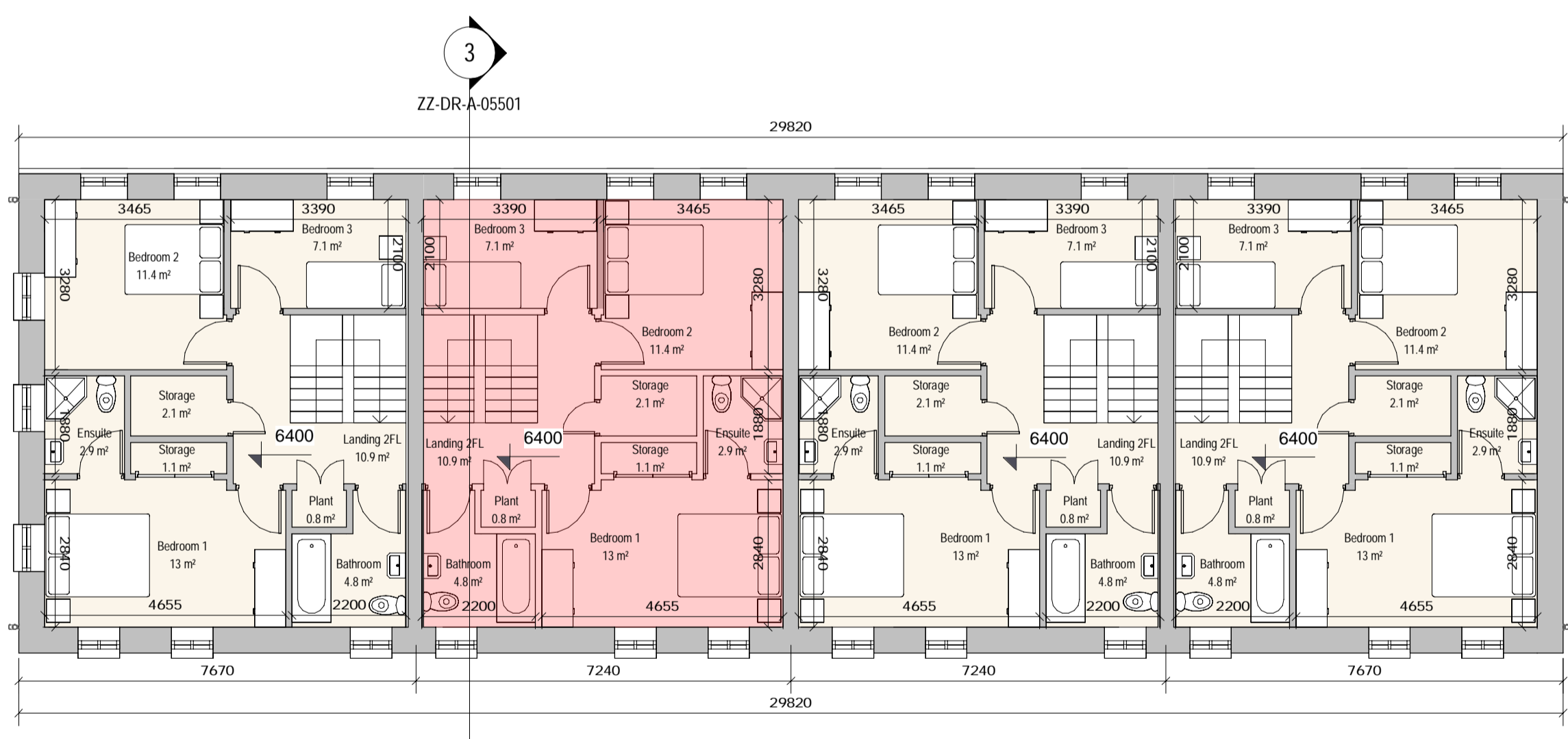
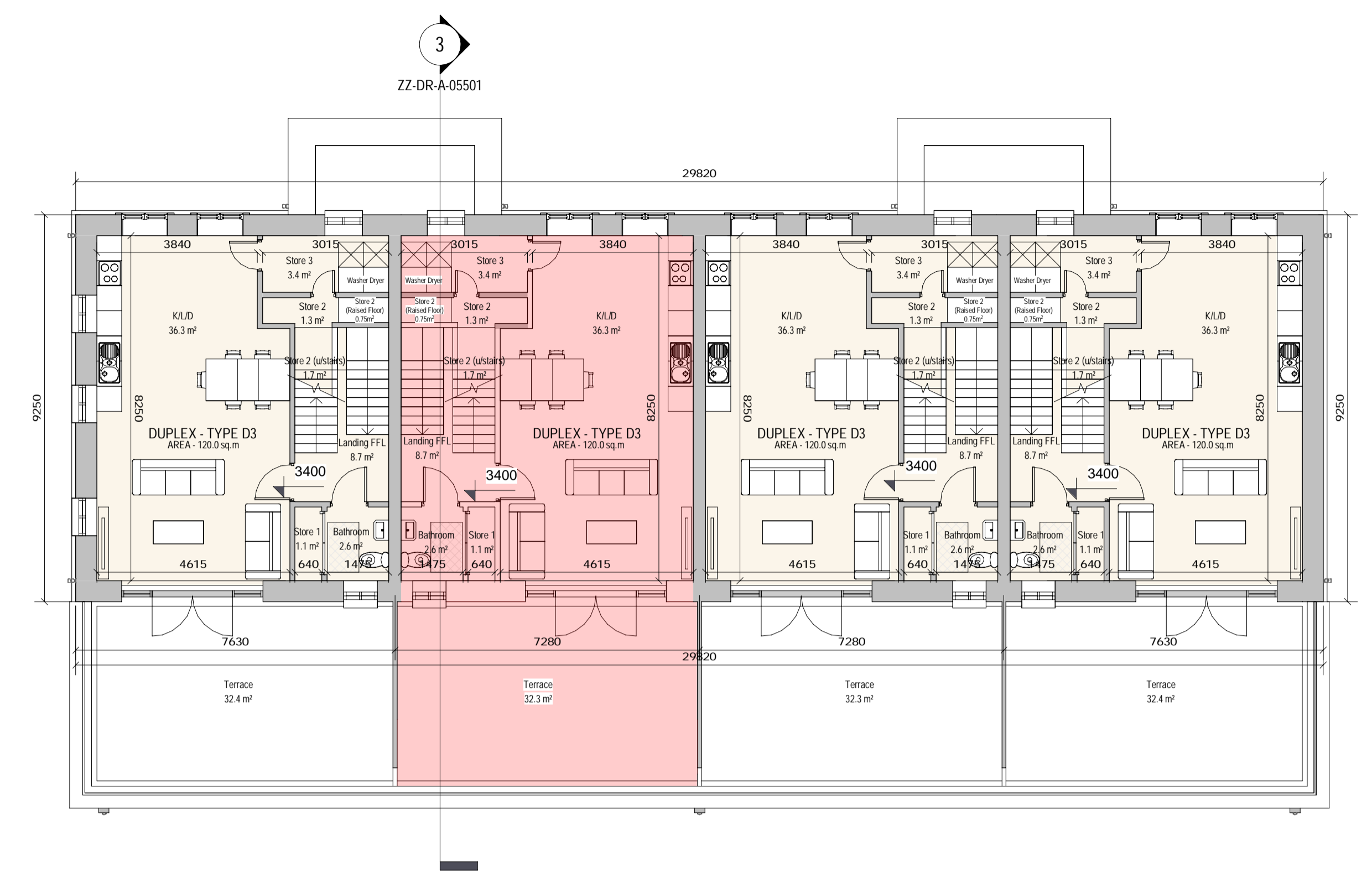
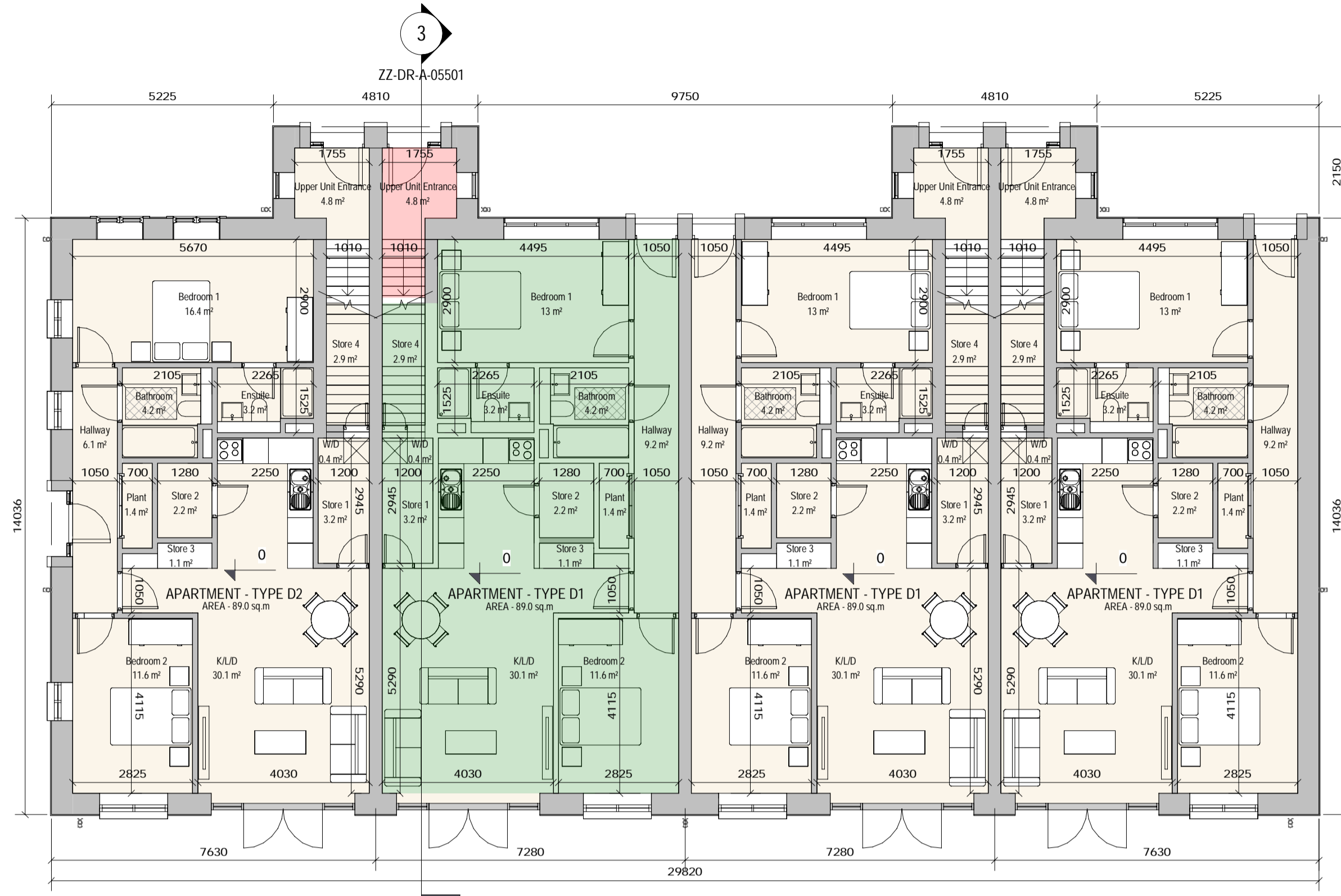
APPROVED BY
[Signature]

SHD APPLICATION

Client: BURKEWAY HOMES LTD
 Project: BEARNA RESIDENTIAL DEVELOPMENT
 Title: DUPLEX TYPE D1 - ELEVATIONS & SECTION (PART V)
 Sheet No.: 924-MDO-D1-ZZ-DR-A-05501
 Scale as: 1:100 (A1) Current Rev.: 5 Project No.: 924

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REV	DATE	DESCRIPTION	BY
1	29/05/2020	Updated Layouts	AR
2	23/06/2020	Revised Tileblock, storage layout	AR
3	29/06/2020	Altered Window	AR
4	25/08/2020	Front window adjustment, Ambulant D3 toilet, Store under stair, Graphics	AR
5	07/10/2020	Issued for SHD Application	AR

- LEGEND**
1. Selected roof tiles to pitched roof.
 2. Sand-cement render finish with painted render plinth.
 3. Selected natural stone or reconstituted stone door / window surround.
 4. Selected natural stone or reconstituted stone string detail
 5. Black UPVC composite front door.
 6. Selected grey colour finish to UPVC windows and patio doors.
 7. Screen divider.
 8. Metal railing.
 9. Boundary treatment - in accordance with Radharc layout.
 10. Side Gate - Treated and painted timber gate and fence to side passages of dwellings.
 11. Material Variations are provided to dwellings on a location basis, refer to key plan, elevation options and accommodation schedule.

Note:
*Please refer to Site Plan for Ground Floor Levels and North Point Location
*Levels on this sheet taken from temporary benchmark at 0.0

Spot Levels

Part V Units:

- 2 Bed Ground Floor Unit - Type D1
- 2 Storey 3 Bed Unit - Type D3

NORTH POINT

APPROVED BY
Stennell

SHD APPLICATION

Client: BURKEWAY HOMES LTD
Project: BEARNA RESIDENTIAL DEVELOPMENT
Title: DUPLEX TYPE D2 - PLANS (PART V)

Sheet No.: 924-MDO-D2-ZZ-DR-A-02501
Scale as: 1:100 (A1) Current Rev.: 5 Project No.: 924

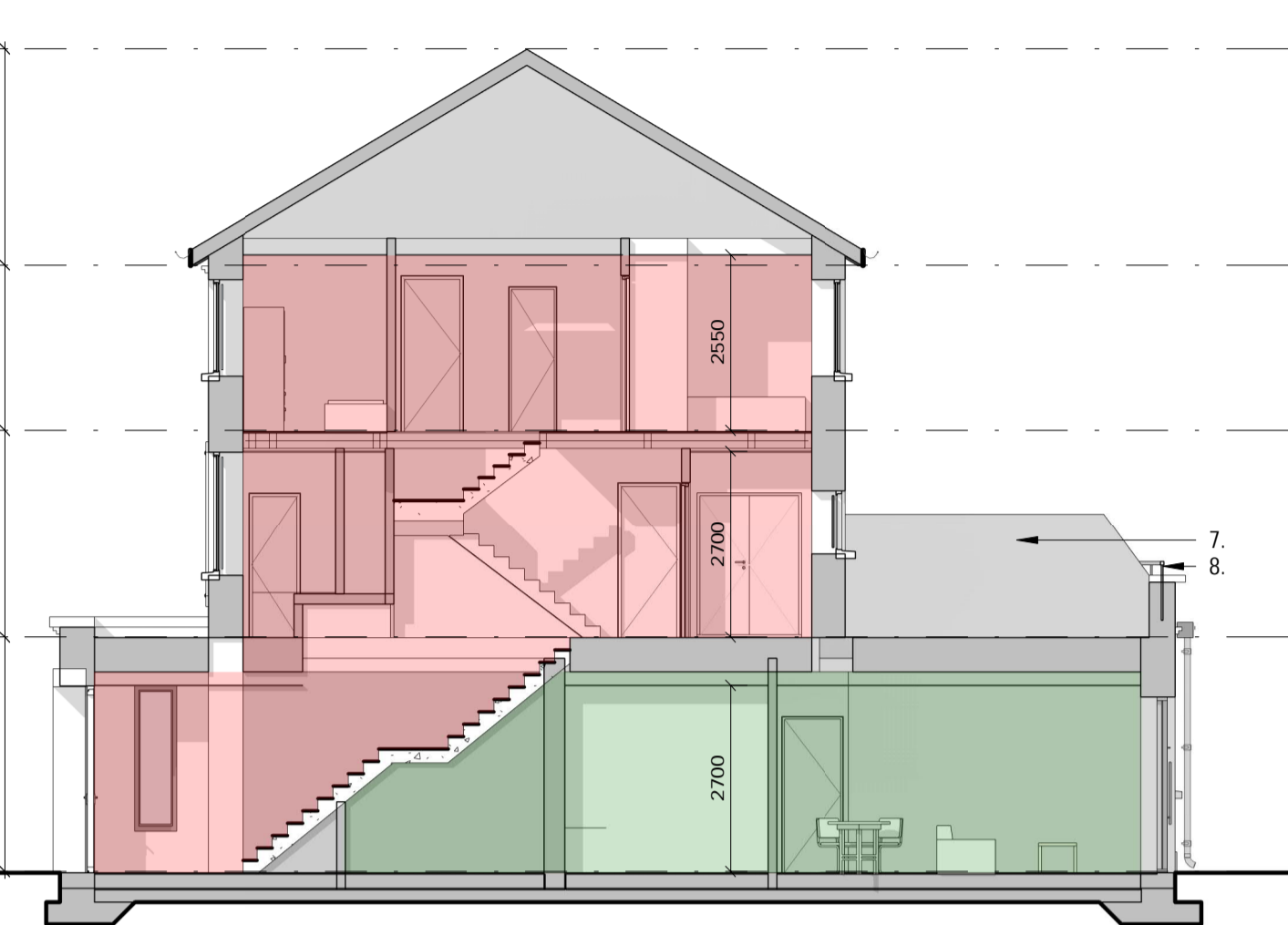
MC CAULEY DAYE O'CONNELL
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11 Merrion Square, Dublin 2, Ireland
Telephone: +353 (0)1 400 4171
info@mdo.ie | www.mdo.ie



1 Front Elevation 1:100



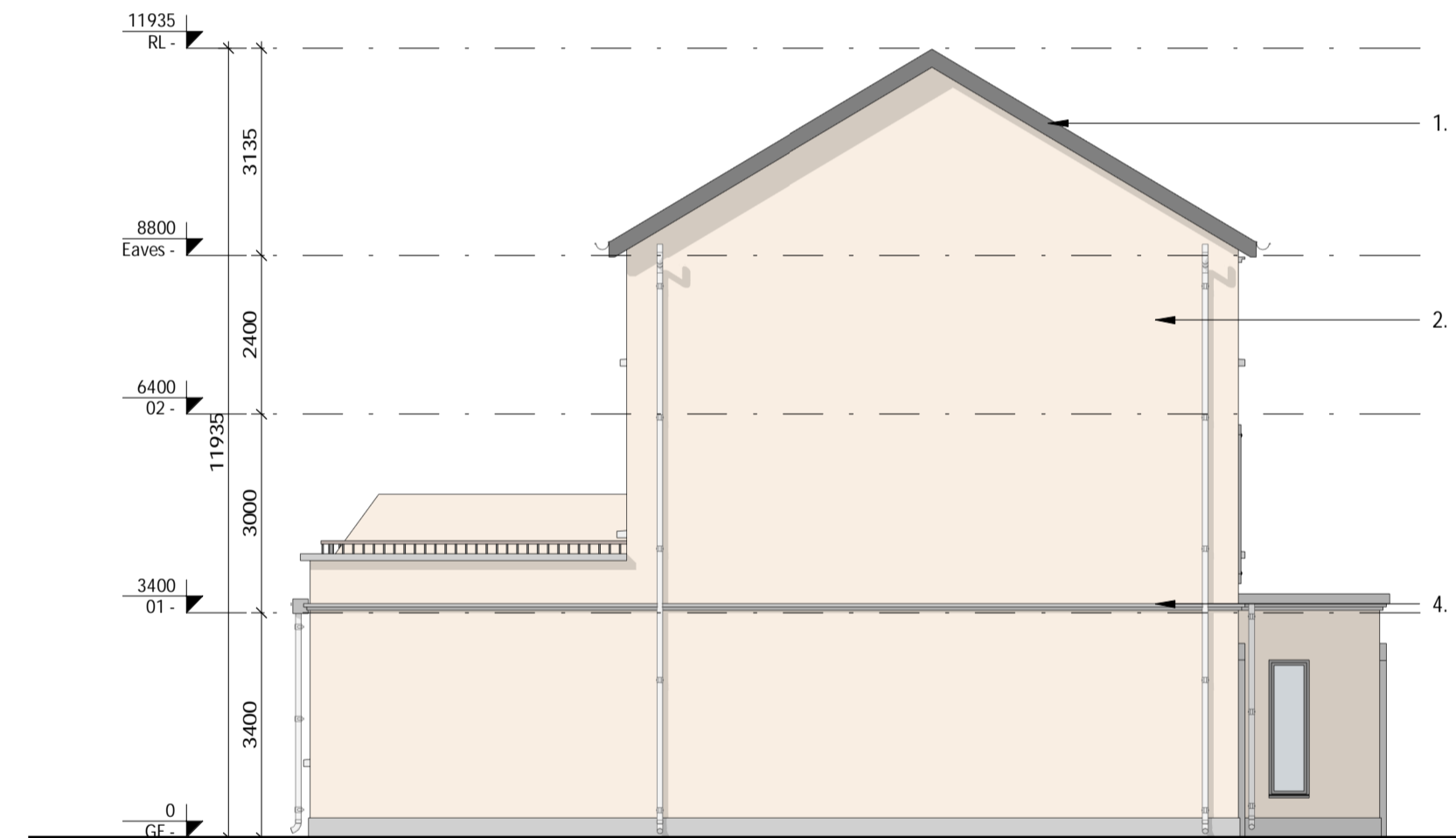
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3 Section AA 1:100



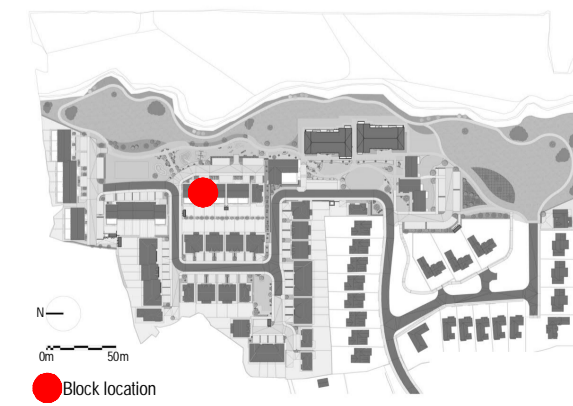
4 Rear Elevation 1:100



5 Side Elevation 02 1:100

REV	DATE	DESCRIPTION	BY	LEGEND
1	29/05/2020	Updated Layouts	AR	1. Selected roof tiles to pitched roof.
2	23/06/2020	Revised Tileblock, storage layout	AR	2. Sand-cement render finish with painted render plinth.
3	29/06/2020	Altered Window	AR	3. Selected natural stone or reconstituted stone door / window surround.
4	25/08/2020	Front window adjustment, Ambulant D3 toilet, Store under stair, Graphics	AR	4. Selected natural stone or reconstituted stone string detail
5	07/10/2020	Issued for SHD Application	AR	5. Black UPVC composite front door.
				6. Selected grey colour finish to UPVC windows and patio doors.
				7. Screen divider.
				8. Metal railing.
				9. Boundary treatment - in accordance with Radharic layout.
				10. Side Gate - Treated and painted timber gate and fence to side passages of dwellings.
				11. Material Variations are provided to dwellings on a location basis, refer to key plan, elevation options and accommodation schedule.

Part V Units:
■ 2 Bed Ground Floor Unit - Type D1
■ 2 Storey 3 Bed Unit - Type D3



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SHD APPLICATION

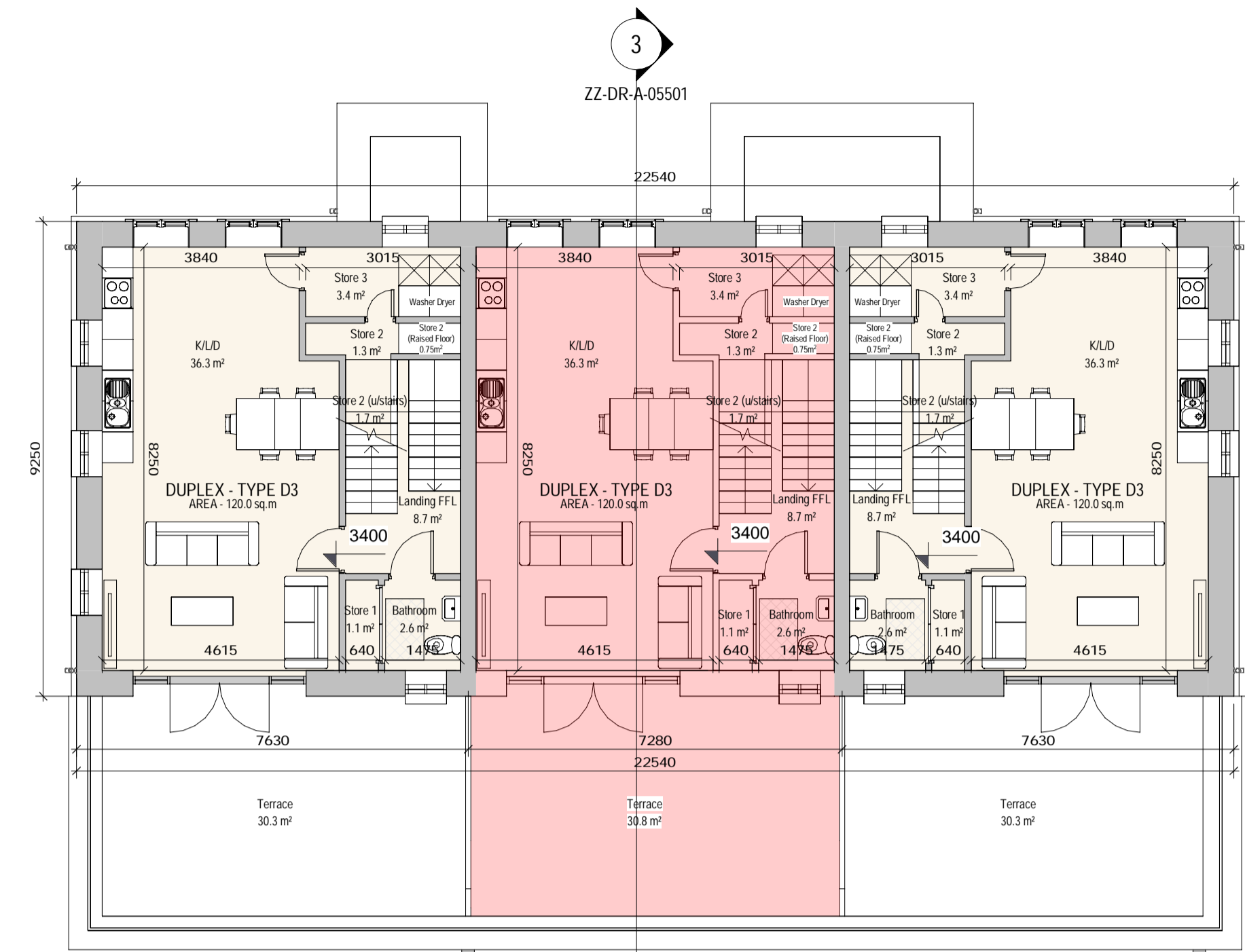
Client: BURKEWAY HOMES LTD
 Project: BEARNA RESIDENTIAL DEVELOPMENT
 Title: DUPLEX TYPE D2 - ELEVATIONS & SECTION (PART V)

Sheet No.: 924-MDO-D2-ZZ-DR-A-05501
 Scale as: 1:100 (A1) Current Rev.: 5 Project No.: 924

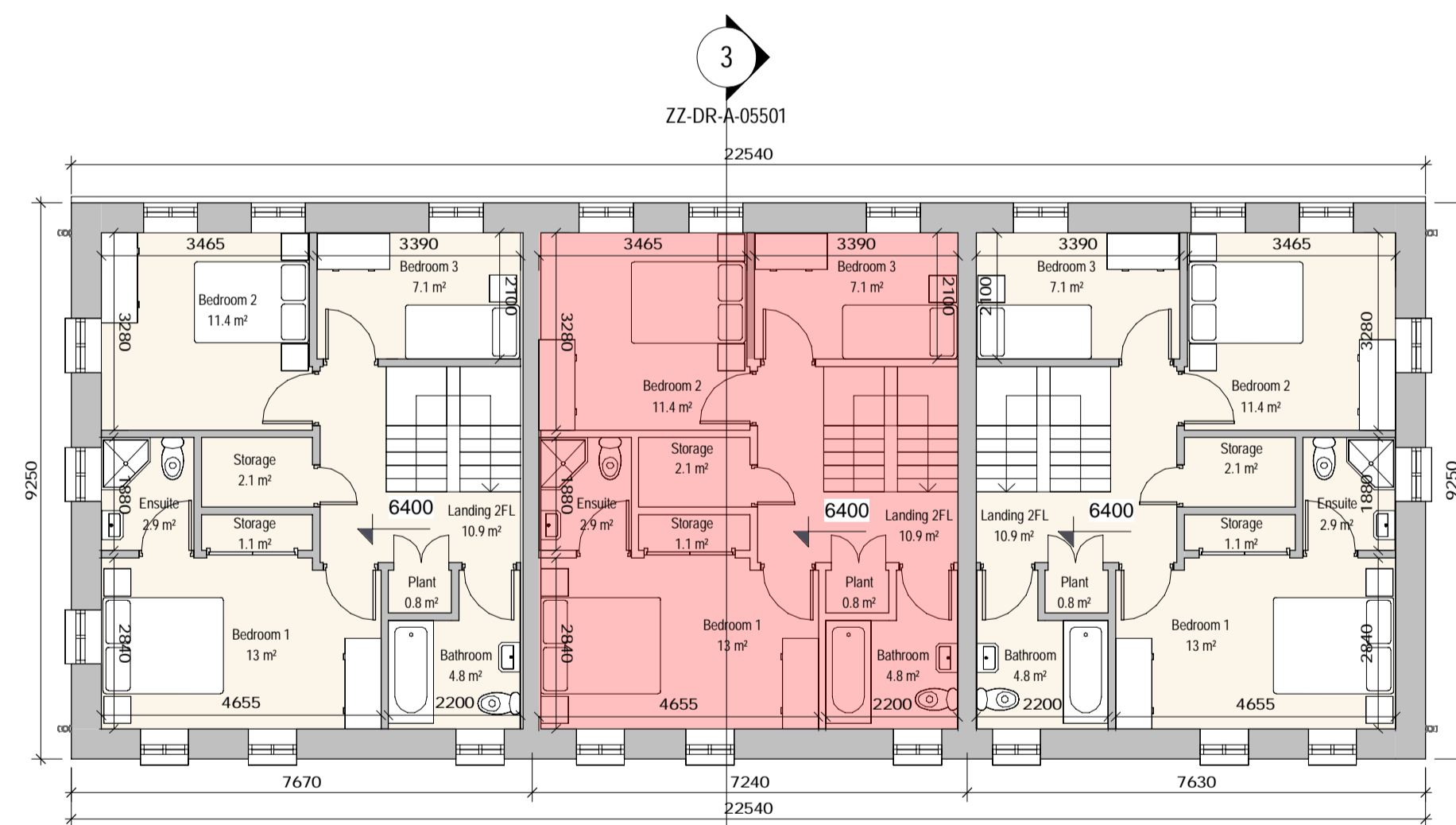
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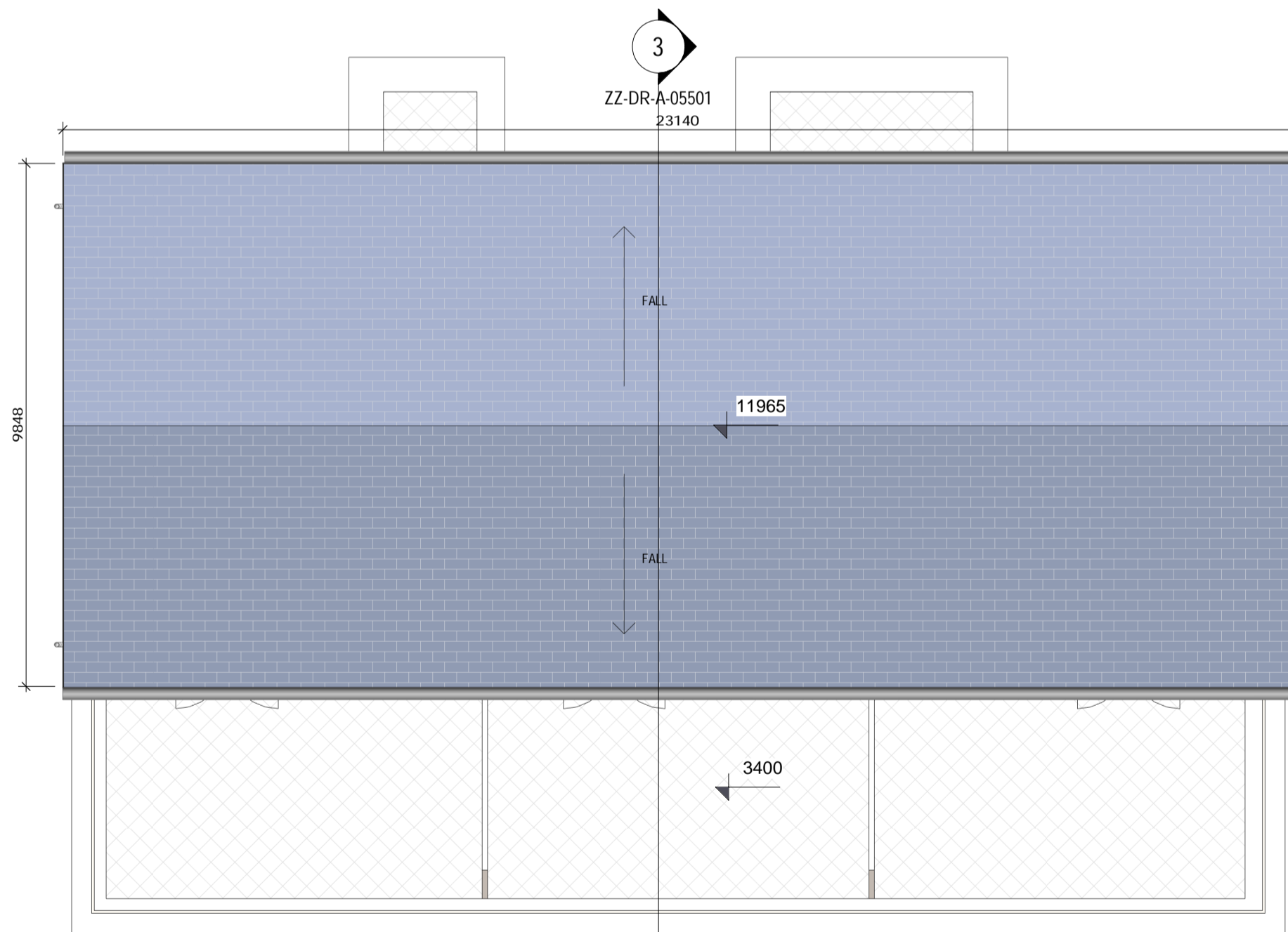
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3 First Floor Plan 1:100



2 Second Floor Plan 1:100



4 Roof Plan 1:100

REV	DATE	DESCRIPTION	BY	LEGEND
1	29/05/2020	Revised Layout	AR	1. Selected roof tiles to pitched roof.
2	23/06/2020	Revised Storage Layout	AR	2. Sand-cement render finish with painted render plinth.
3	25/08/2020	Front window adjustment, Ambulant D3 toilet, Store under stair, Graphics	AR	3. Selected natural stone or reconstituted stone door / window surround.
4	07/10/2020	Issued for SHD Application	AR	4. Selected natural stone or reconstituted stone string detail
				5. Black UPVC composite front door.
				6. Selected grey colour finish to UPVC windows and patio doors.
				7. Screen divider.
				8. Metal railing.
				9. Boundary treatment - in accordance with Radharic byplot.
				10. Side Gate - Treated and painted timber gate and fence to side passages of dwellings.
				11. Material Variations are provided to dwellings on a location basis, refer to key plan, elevation options and accommodation schedule.

Note:
 *Please refer to Site Plan for Ground Floor Levels and North Point Location.
 *Levels on this sheet taken from temporary benchmark at 0.0

Spot Levels

Part V Units:
 ■ 2 Bed Ground Floor Unit - Type D1
 ■ 2 Storey 3 Bed Unit - Type D3

NORTH POINT

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07/10/2020 10:01:45

SHD APPLICATION

Client: BURKEWAY HOMES LTD
 Project: BEARNA RESIDENTIAL DEVELOPMENT
 Title: DUPLEX TYPE D3 - PLANS (PART V)

Sheet No.: 924-MDO-D3-ZZ-DR-A-02501
 Scale as: 1:100 (A1) Current Rev.: 4 Project No.: 924

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1 Front Elevation 1:100



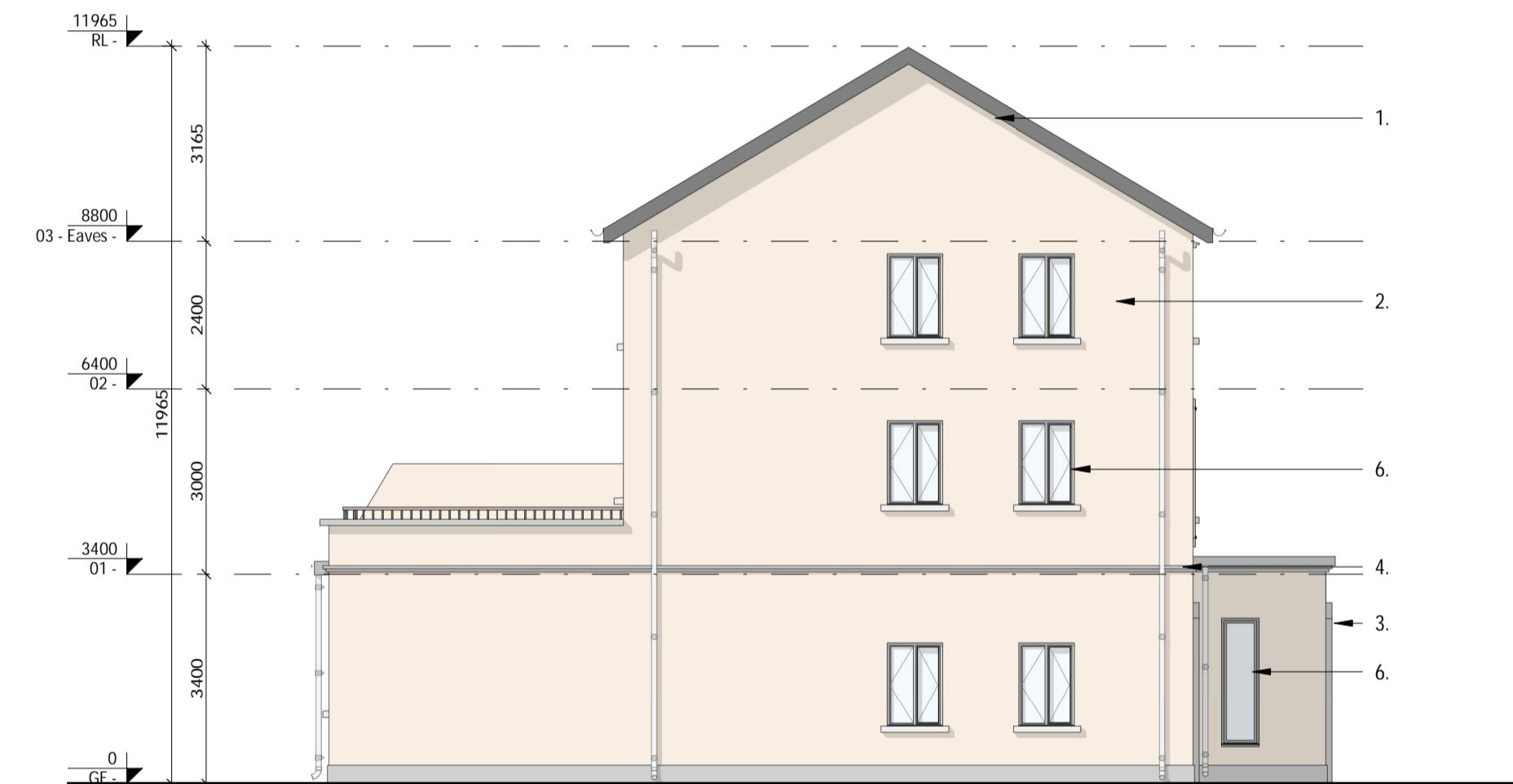
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3 Section AA 1:100



4 Rear Elevation 1:100

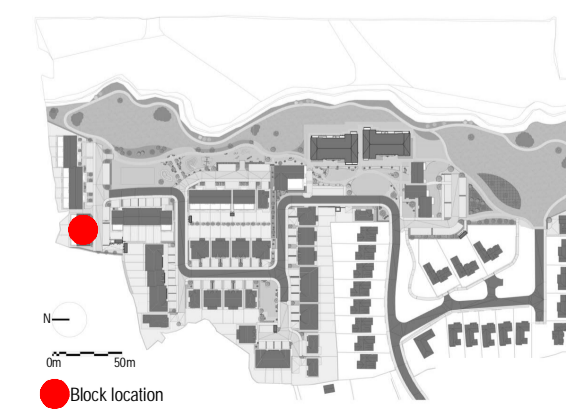


5 Side Elevation 02 1:100

REV	DATE	DESCRIPTION	BY	LEGEND
1	29/05/2020	Revised Layout	AR	1. Selected roof tiles to pitched roof.
2	23/06/2020	Revised Storage Layout	AR	2. Sand-cement render finish with painted render plinth.
3	25/08/2020	Front window adjustment, Ambulant D3 toilet, Store under stair, Graphics	AR	3. Selected natural stone or reconstituted stone door / window surround.
4	07/10/2020	Issued for SHD Application	AR	4. Selected natural stone or reconstituted stone string detail
				5. Black UPVC composite front door.
				6. Selected grey colour finish to UPVC windows and patio doors.
				7. Screen divider.
				8. Metal railing.
				9. Boundary treatment - in accordance with Radharic layout.
				10. Side Gate - Treated and painted timber gate and fence to side passages of dwellings.
				11. Material Variations are provided to dwellings on a location basis, refer to key plan, elevation options and accommodation schedule.

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Part V Units:
■ 2 Bed Ground Floor Unit - Type D1
■ 2 Storey 3 Bed Unit - Type D3



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[Signature]

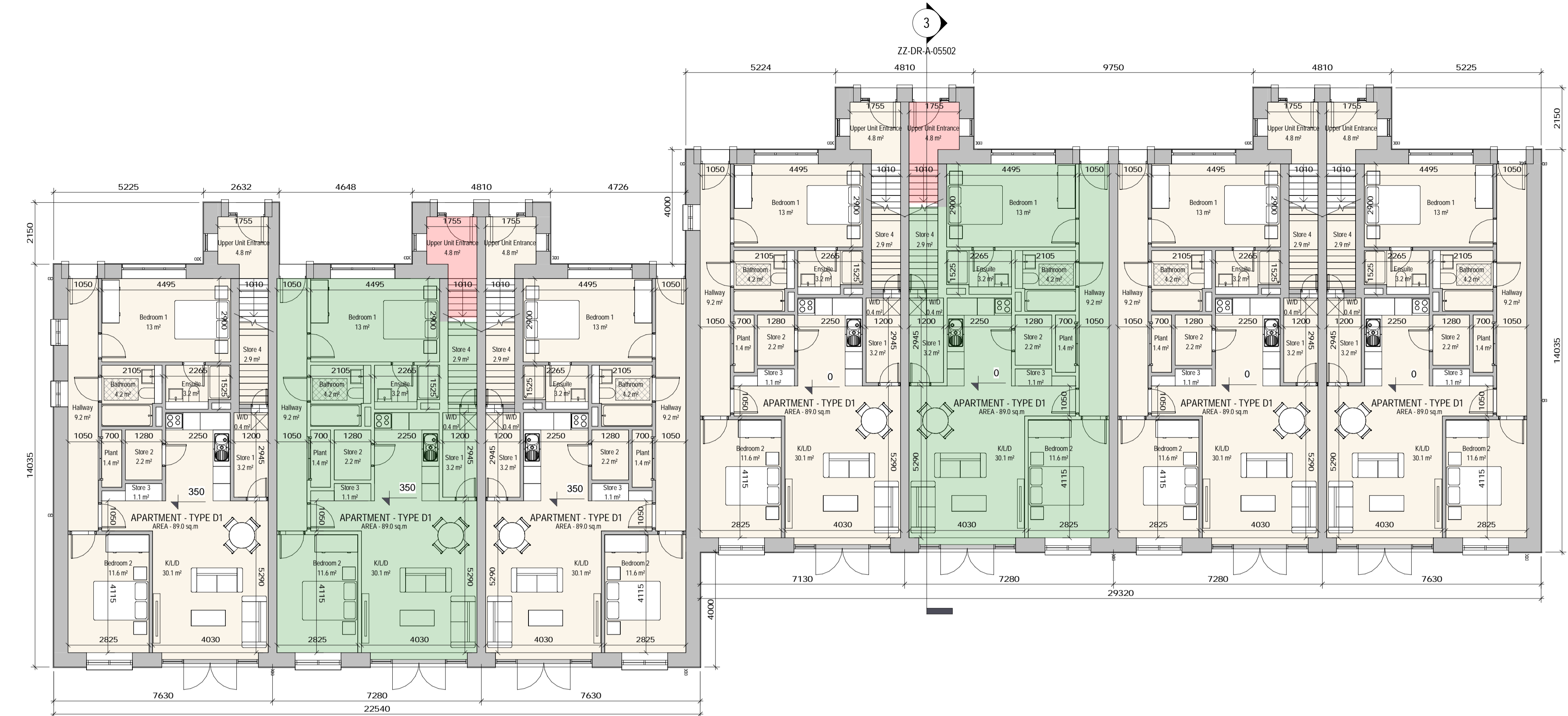
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SHD APPLICATION

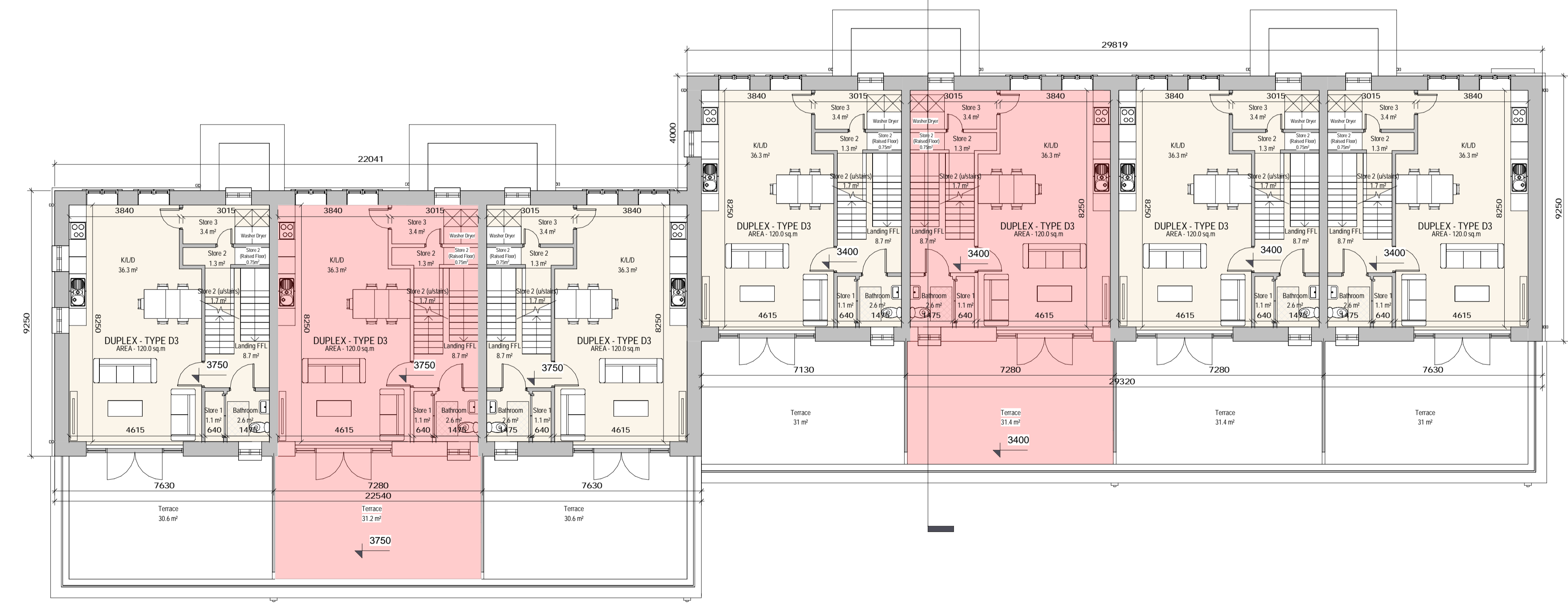
Client: BURKEWAY HOMES LTD
 Project: BEARNA RESIDENTIAL DEVELOPMENT
 Title: DUPLEX TYPE D3 - ELEVATIONS & SECTION (PART V)
 Sheet No.: 924-MDO-D3-ZZ-DR-A-05501
 Scale as: 1:100 (A1) Current Rev.: 4 Project No.: 924

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1 Ground Floor Plan 1:100



2 First Floor Plan 1:100

REV	DATE	DESCRIPTION	BY	LEGEND
1	29/05/2020	Revised Unit Layouts	AR	1. Selected roof tiles to pitched roof.
2	23/06/2020	Revised Storage Layout	AR	2. Sand-cement render finish with painted render plinth.
3	26/08/2020	Front window adjustment, Ambulant D3 toilet, Store under stair, Graphics	AR	3. Selected natural stone or reconstituted stone door / window surround.
4	06/10/2020	Issued for SHD Application	AR	4. Selected natural stone or reconstituted stone string detail.
				5. Black UPVC composite front door.
				6. Selected grey colour finish to UPVC windows and patio doors.
				7. Screen divider.
				8. Metal railing.
				9. Boundary treatment - in accordance with Rdtraffic bylaw.
				10. Side Gate - Treated and painted timber gate and fence to side passages of dwellings.
				11. Material Variations are provided to dwellings on a location basis, refer to key plan, elevation options and accommodation schedule.

Note:
 *Levels on this sheet taken from temporary benchmark at 0.0
 *Please refer to Site Plan for unit Ground Floor Levels and North Point Location

Spot Levels

Part V Units:
■ 2 Bed Ground Floor Unit - Type D1 & D2
■ 2 Storey 3 Bed Unit - Type D3

NORTH POINT

APPROVED BY

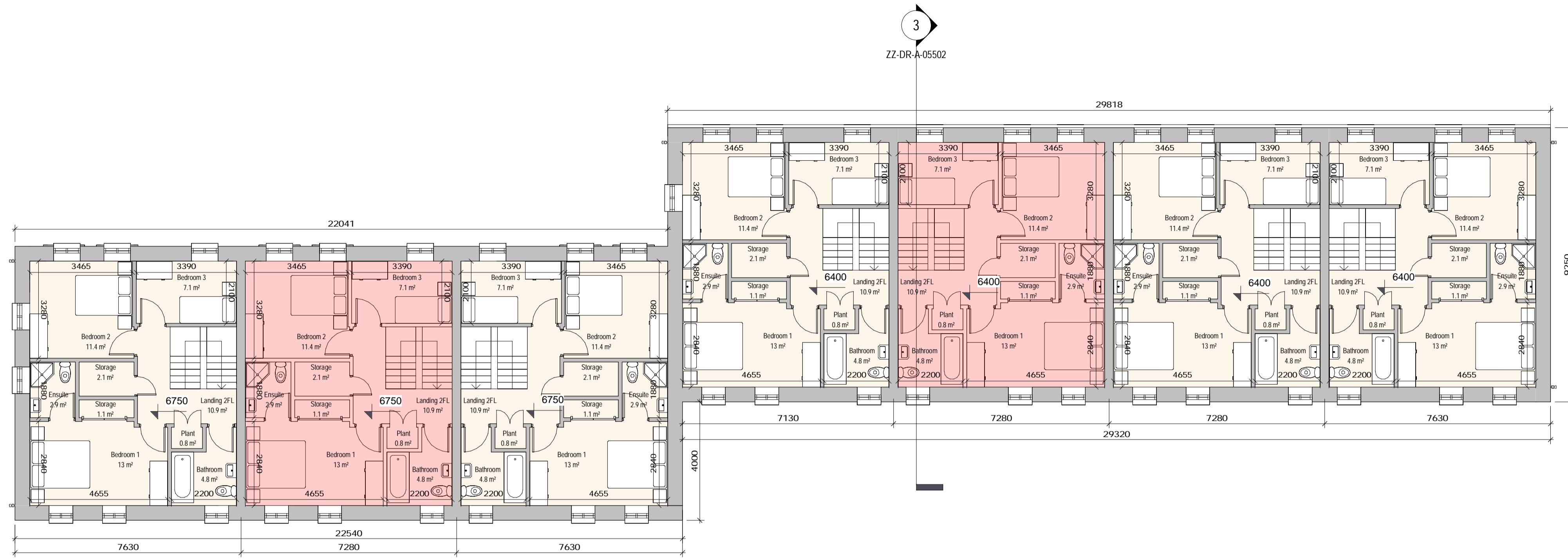
01/10/2020 09:50:52

SHD APPLICATION

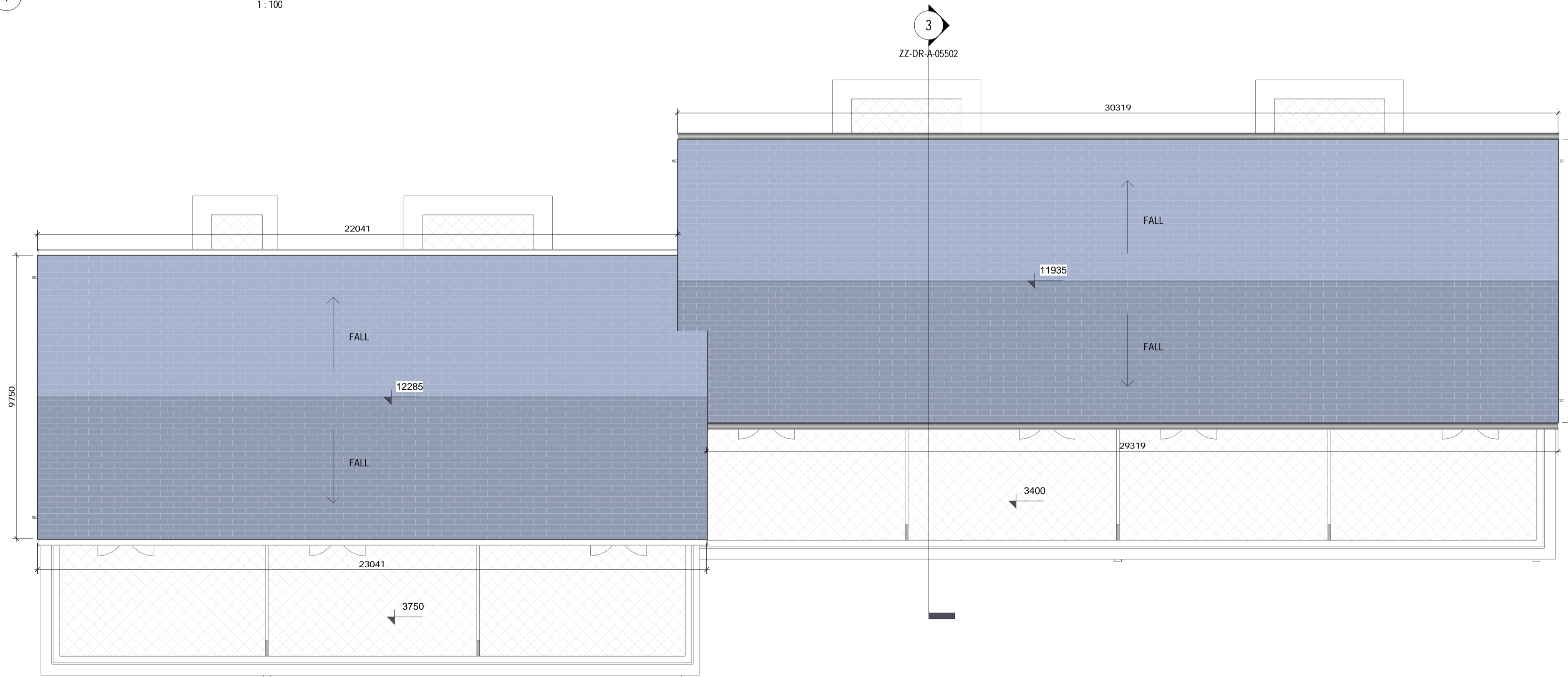
Client: BURKEWAY HOMES LTD
 Project: BEARNA RESIDENTIAL DEVELOPMENT
 Title: DUPLEX TYPE D4 - GROUND AND FIRST FLOOR PLANS (PART V)

Sheet No.: 924-MDO-D4-ZZ-DR-A-02501
 Scale as: 1:100 (A1) Current Rev.: 4 Project No.: 924

MC CAULEY DAYE O'CONNELL
 ARCHITECTS
 11 Merrion Square, Dublin 2, Ireland
 Telephone: +353 (0)1 400 4171
 info@mdo.ie | www.mdo.ie



1 Second Floor Plan 1:100



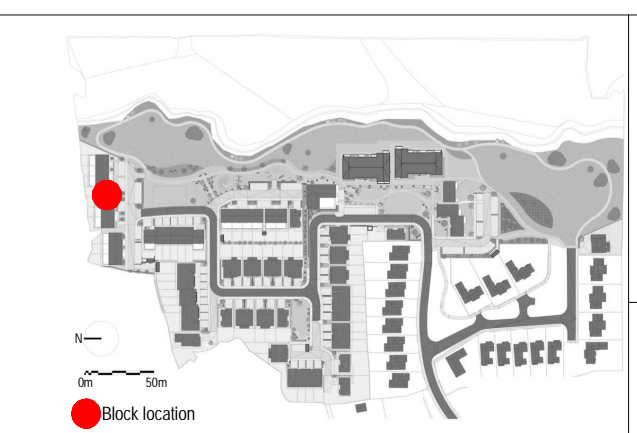
2 Roof Plan 1:100

REV	DATE	DESCRIPTION	BY	LEGEND
1	29/05/2020	Revised Unit Layouts	AR	1. Selected roof tiles to pitched roof.
2	23/06/2020	Revised Storage Layout	AR	2. Sand-cement render finish with painted render plinth.
3	26/08/2020	Front window adjustment, Ambulant D3 toilet, Store under stair, Graphics	AR	3. Selected natural stone or reconstituted stone door / window surround.
4	06/10/2020	Issued for SHD Application	AR	4. Selected natural stone or reconstituted stone string detail
				5. Black UPVC composite front door.
				6. Selected grey colour finish to UPVC windows and patio doors.
				7. Screen divider.
				8. Metal railing.
				9. Boundary treatment - in accordance with Radharc layout.
				10. Side Gate - Treated and painted timber gate and fence to side passages of dwellings.
				11. Material Variations are provided to dwellings on a location basis, refer to key plan, elevation options and accommodation schedule.

Note:
 *Levels on this sheet taken from temporary benchmark at 0.0
 *Please refer to Site Plan for Unit Ground Floor Levels and North Point Location

Spot Levels

Part V Units:
 ■ 2 Bed Ground Floor Unit - Type D1 & D2
 ■ 2 Storey 3 Bed Unit - Type D3



NORTH POINT

APPROVED BY

07/10/2020 09:51:28

SHD APPLICATION

Client: BURKEWAY HOMES LTD
 Project: BEARNA RESIDENTIAL DEVELOPMENT
 Title: DUPLEX TYPE D4 - SECOND FLOOR AND ROOF PLANS (PART V)

Sheet No.: 924-MDO-D4-ZZ-DR-A-02502
 Scale as: 1:100 (A1) Current Rev.: 4 Project No.: 924

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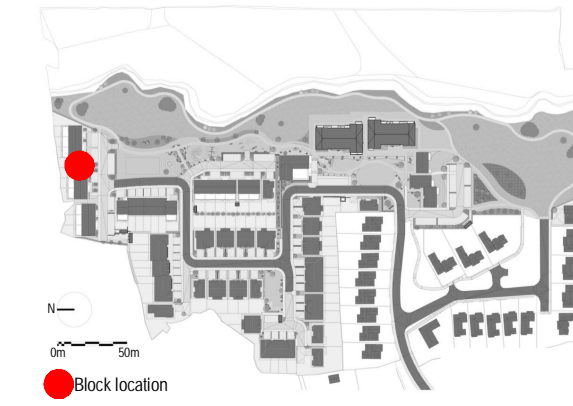
1 Front Elevation 1 : 100



2 Rear Elevation 1 : 100

REV	DATE	DESCRIPTION	BY	LEGEND
1	15/05/2020	Revised for Comments	RT	1. Selected roof tiles to pitched roof.
2	29/05/2020	Revised Unit Layouts	AR	2. Sand-cement render finish with painted render plinth.
3	23/06/2020	Revised Storage Layout	AR	3. Selected natural stone or reconstituted stone door / window surround.
4	26/08/2020	Front window adjustment, Ambulant D3 toilet, Store under stair, Graphics	AR	4. Selected natural stone or reconstituted stone string detail
5	06/10/2020	Issued for SHD Application	AR	5. Black UPVC composite front door.
				6. Selected grey colour finish to UPVC windows and patio doors.
				7. Screen divider.
				8. Metal railing.
				9. Boundary treatment - in accordance with Radharic layout.
				10. Side Gate - Treated and painted timber gate and fence to side passages of dwellings.
				11. Material Variations are provided to dwellings on a location basis, refer to key plan, elevation options and accommodation schedule.

Part V Units:
■ 2 Bed Ground Floor Unit - Type D1 & D2
■ 2 Storey 3 Bed Unit - Type D3



APPROVED BY
[Signature]

SHD APPLICATION

Client: BURKEWAY HOMES LTD
 Project: BEARNA RESIDENTIAL DEVELOPMENT
 Title: DUPLEX TYPE D4 - FRONT & REAR ELEVATIONS (PART V)

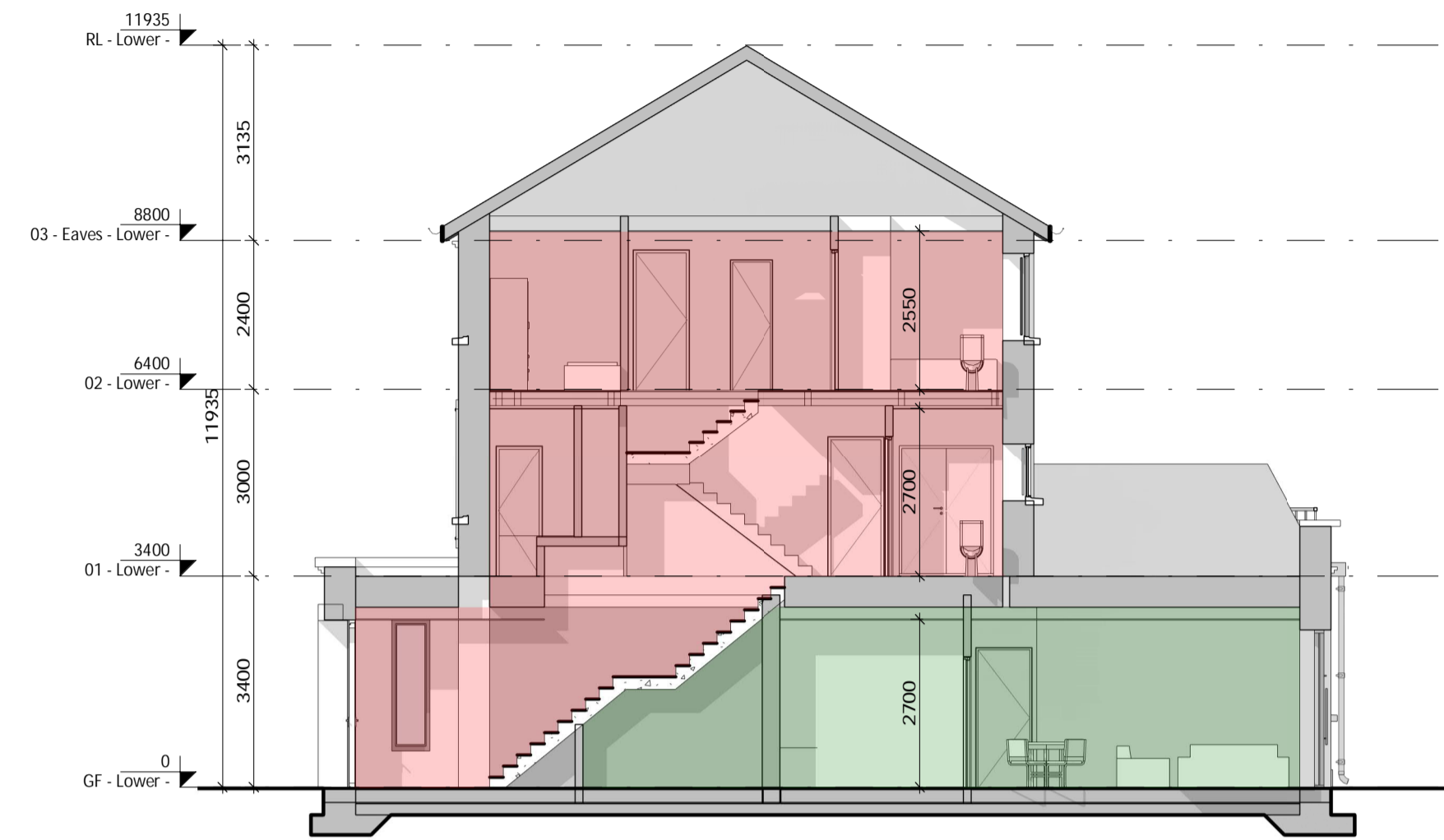
Sheet No.: 924-MDO-D4-ZZ-DR-A-05501
 Scale as: 1 : 100 (A1) Current Rev.: 5 Project No.: 924

MC CAULEY DAYE O'CONNELL
ARCHITECTS

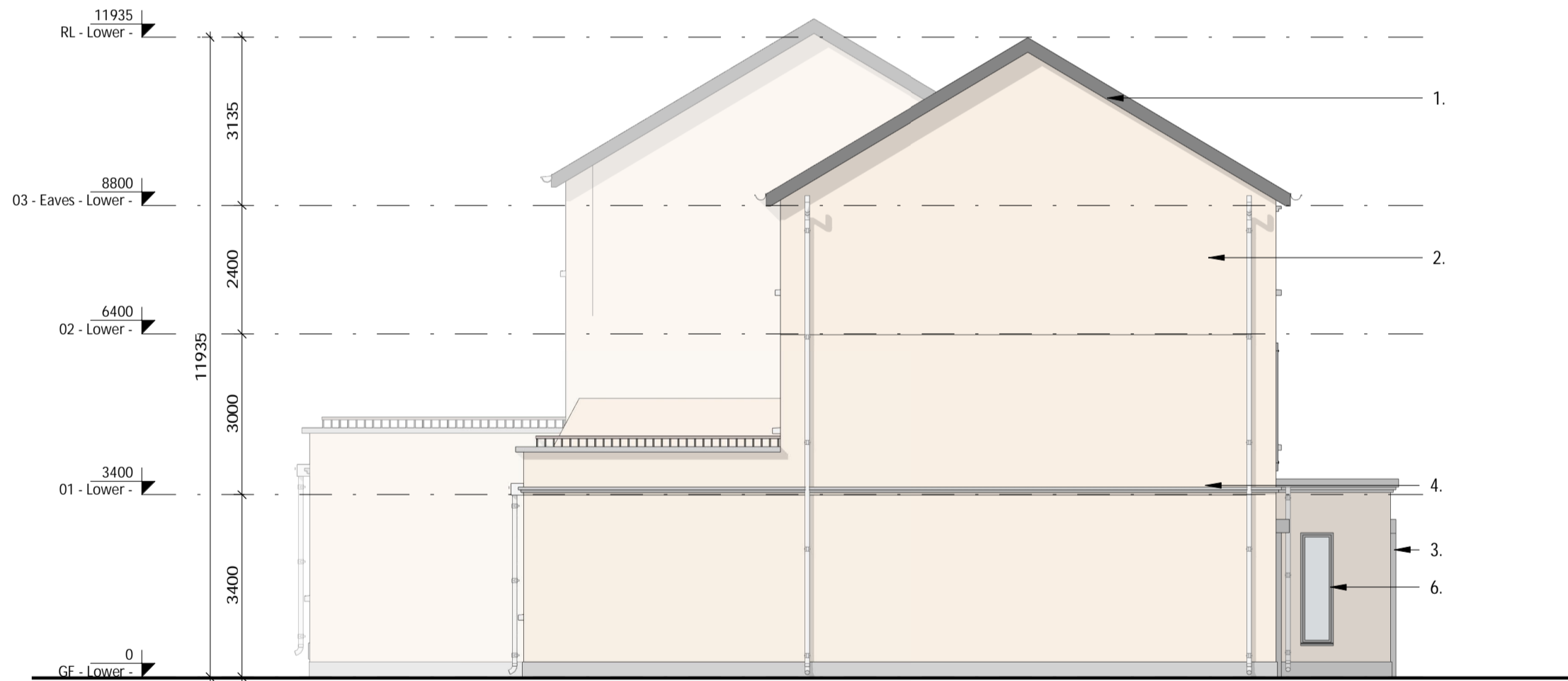
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1 Side Elevation 01 1:100



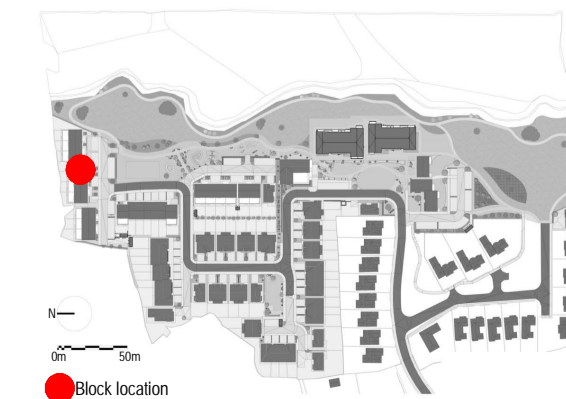
3 Section AA 1:100



2 Side Elevation 02 1:100

REV	DATE	DESCRIPTION	BY	LEGEND
1	29/05/2020	Revised Unit Layouts	AR	1. Selected roof tiles to pitched roof.
2	23/06/2020	Revised Storage Layout	AR	2. Sand-cement render finish with painted render plinth.
3	26/08/2020	Front window adjustment, Ambulant D3 toilet, Store under stair, Graphics	AR	3. Selected natural stone or reconstituted stone door / window surround.
4	06/10/2020	Issued for SHD Application	AR	4. Selected natural stone or reconstituted stone string detail
				5. Black UPVC composite front door.
				6. Selected grey colour finish to UPVC windows and patio doors.
				7. Screen divider.
				8. Metal railing.
				9. Boundary treatment - in accordance with Radharc layout.
				10. Side Gate - Treated and painted timber gate and fence to side passages of dwellings.
				11. Material Variations are provided to dwellings on a location basis, refer to key plan, elevation options and accommodation schedule.

Part V Units:
■ 2 Bed Ground Floor Unit - Type D1 & D2
■ 2 Storey 3 Bed Unit - Type D3



APPROVED BY

SHD APPLICATION

Client: BURKEWAY HOMES LTD
 Project: BEARNA RESIDENTIAL DEVELOPMENT
 Title: DUPLEX TYPE D4 - SIDE ELEVATIONS & SECTION (PART V)
 Sheet No.: 924-MDO-D4-ZZ-DR-A-05502
 Scale as: 1:100 (A1) Current Rev.: 4 Project No.: 924

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15th January 2020
Ref: AW/CD/1000

6 Hartstonge Street
Limerick, Ireland

T +353 61 493 515
linesight.com

For the attention of Mr Fred Fullard

Brukeway Homes Ltd
3rd Floor Queensgate,
Dock Road,
Galway

Dear Fred,

Re: Proposed Bearna Housing Project, Galway

In relation to the above project, we wish to confirm that we have completed our initial desk-top study of the estimates of construction costs associated with this proposed development.

As part of our assessment we have carried out a review of the proposed units, type of construction and level of finishes to same, the house type/site development drawings utilised for this purpose were the planning drawings as prepared. The desk-top costings for the proposed units were then bench marked against housing developments we are involved with in the Galway Region (housing projects on which we are acting as funding Monitors).

Following the above study, we would estimate the construction cost value of the proposed works to be in the region of €1,625 - €1,680/m² (€150 - €156/Sq.ft) exc V.A.T, which would give an over-all construction value in the region of €22,800,000.00 - €23,650,000.00 exc V.A.T.

The above estimated construction value costs are subject to the following;

1. Final Site Investigation Report in the respect to rock levels and type of rock to be broken out.
2. Final Agreement in respect to both Surface and Foul Water disposal.
3. Availability of incoming services (ESB, Irish Water, Telecom), which the above costs assume are available on the site boundary.
4. Conditions of Planning Permission which may affect material choice/number of units/ location of units etc.

We would further note that the above is a desk top study of construction costs only and excludes the following:

1. All associated Professional Fees.
2. Planning Charges
3. Development Levies.
4. Service Provider Contributions
5. Homebond/ Premier House Insurance Costs.
6. Finance Charges.

If the above non-direct costs (based on past/present housing developments in the Galway region) were to be added to the above noted construction costs, we would estimate the "all in" development costs for the units types to be in the region of €2,575 to €2,630/m² Inc. V.A.T., but excluding site

Directors: T.B. O'Mara FSCSI FRICS, J.D. Scully FSCSI FRICS, G.M. Campbell FSCSI FRICS, P.F. McHale FSCSI FRICS, R.T. Joyce MSCSI MRICS, P.J. Boylan FSCSI FRICS, W.T.C. Buckley MSCSI MRICS, S.J. O'Byrne MSCSI MRICS, D.S. O'Broin MSCSI MRICS, S.H. Ashe FSCSI FRICS, J.T. Cooke MSCSI MRICS, P. M. Butler Assoc. SCSi, A.G. Walsh MSCSI MRICS, W.P. Aherne FCA MSCSI MRICS, N.J. Greene FSCSI FRICS, B.J. McCay MSCSI MRICS, G.A. Comerford LLB MSCSI MRICS, N.O. Cox MSCSI MRICS, E.T. Dunphy BSc.

Associate Directors: K.A. Madden MSCSI MRICS, K.J. Hegarty MSCSI MRICS, N.L. Doyle MSCSI MRICS, W. Jesson MSCSI MRICS, P.V. Brady MSCSI MRICS, C.T. Matthews MSCSI MRICS, M.E. McCabe MSCSI MRICS, E.M. Tangney MSCSI MRICS.

Associates: J. P. McDonagh BSc. Assoc. SCSi, J. Clonan BTEch MSc, A. O'Brien MSCSI MRICS, C. Phelan MSCSI MRICS, M. Smyth MSCSI MRICS. **Finance**

Director: P.E. Kehoe FCA BComm

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costs, with an over-all Development Cost in the region of €36,300,000.00 - €37,100,000.00 Inc. V.A.T, excl Site Costs.

We hope the above is to your satisfaction; should you have any further queries, please do not hesitate to contact us

Yours faithfully

A handwritten signature in black ink, appearing to read 'Aidan Walsh', written over a light grey rectangular background.

Aidan Walsh
Director
Linesight

Áras an Chontae,
Cnoc na Radharc, Gaillimh.
H91 H6KX.

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Prospect Hill, Galway.
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Comhairle Chontae na Gaillimhe Galway County Council

Our Ref: HS 683

Burkeway Homes Ltd,
C/O MKO Consultancy Services,
Tuam Road,
Galway

27th of May 2020

*Subject to contract / contract denied - Without Prejudice
This is not a Formal Agreement and should not be used for conveyancing.*

**Re: Pre-Planning: Part V Letter of Understanding
Strategic Housing Development of 121 No. units at Trusky
East, Berna, Co. Galway.**

Applicant: Burkeway Homes Ltd.

A Chara,

Further to our correspondence in relation to the above development, it is envisaged, Galway County Council will seek compliance with Article 22(2)(e)(i) of the Planning Development Regulations 2001 under Option 2: building transfer of units that are subject of the planning application.

We wish to advise that your proposal of 12 No. units (No. 32, 35, 49, 50, 55, 56, 70, 71, 78, 79, 84 and 85) as per the attached drawing PROPOSED SITE LAYOUT PLAN - (PART V) 924-MDO-XX-XX-DR-A-01501 dated 11 May 2020, will fulfil the Part V requirement for this development under Part V of the Planning and Development Act 2000, as amended by the Urban Regeneration and Housing Act 2015.

Final agreement will be negotiated should planning permission be granted and may differ from your proposal as above.

Should you require and further information please do not hesitate in contacting me.

Mise, le meas,



**Daithi Flood,
A/Senior Executive Engineer,
Housing Capital & Inspectorate**

cc. Jason Lavelle, Assistant Engineer, Housing Directorate