

To the Members of Galway City Council

Ref. No. LA3/2024



- (a) Section 179 of the Planning and Development Act 2000 (as amended) and Planning and Development Regulations 2001 (as amended) (Part 8)
- (b) Local Government Act 2001 (as amended)

This Part 8 is made in accordance with the requirements of Section 179(3) b of the Planning and Development Act 2000 -2010 and in compliance with the provisions of the Local Government Act 2001 and pursuant to the requirements of the above, notice is hereby given of Galway City Council's intention to carry out the following works:

(a) Nature and Extent of development:

The proposed development is located as follows:

- Erection of 20no. LED floodlight luminaires mounted on 10no. lighting columns (12m height) positioned around the perimeter of the running track.
- Laying of 530m of underground electrical cables, including connection to electrical grid.
- Installation of an above-ground mini-pillar cabinet structure to house lighting controls.

(b) Evaluation of the proposed development

The Galway City Council Development Plan 2023 – 2029:

The overall lands in relating to this development are utilised as a park and contain a number of recreational facilities such as a running track, park, playground and club facilities. The site is zoned RA – for uses for recreational and amenity, where it is the specific zoning objective of these lands to provide for “Uses which are compatible with and contribute to the zoning objective, for example: – Outdoor recreation”, in this case the proposed erection of such floodlighting around the running track would be a use/development which would, in principle, be compatible with the zoning for this area, subject to the further analysis set out below.

Further to the above Chapter 5.2 The Green Network, states:

- The City Council's Recreation and Amenity Needs Study (RANS) 2008 provided a co-ordinated framework for the planning and management of recreation facilities and activities within the city. It developed a hierarchy of open spaces which is set out in Table 5.2. In view of the growth strategy for the city and evolving amenity needs, the RANS is scheduled to be reviewed and updated with a specific focus on a Green Space Strategy. The outcome of the strategy will be reviewed in order to assess if changes are required to the policies and objectives of this plan.

Policy 5.1 Green Network and Biodiversity:

- Ensure sufficient recreation and amenity open space for the future development of the city.
- Achieve a sustainable balance between meeting future recreational needs (both passive and active) and the preservation of the city's biodiversity and ecological and cultural heritage.



- Continue to acquire and develop lands zoned for recreation and amenity use. These lands will be used predominately for public use, but opportunities for public/private partnerships will also be investigated where a high standard of recreation facility will be developed and where opportunities for public access is provided.
- Retain, extend and enhance opportunities for recreation within the green network for all members of the community including people with disabilities
- Promote the multi-use of indoor and outdoor (both private and public) recreation and leisure facilities and amenities to accommodate a diverse range of recreational needs.

Upon evaluation, the proposed development is consistent with the strategic vision, Core Strategy, sustainable mobility and climatic mitigation policies and provisions of the City Development Plan, as outlined under Chapter 1 Introduction, Strategic Contest & Core Strategy, Chapter 2 Climate Action, Chapter 4 Sustainable Mobility and Transportation and Chapter 5 Natural Heritage, Recreation and Amenity, and is consistent with the proper planning and sustainable development of the area.

In addition a lighting study report has been submitted, prepared by 'Electric Skylines', this is a details technical report which does clearly establish that there would be no undue over spillage of lighting onto residential areas as the running track is located within a wider park setting surrounded by roads and streetlighting while the lighting heads are to be orientated to face onto the track thereby reducing any light spillage. Therefore, it is considered that the report establishes that the lighting will not impact upon residential areas or amenities.

***(c) Environmental Assessments/Reports:
Screening for Appropriate Assessment***

Policy 5.2 Protected Spaces: Sites of European, National and Local Ecological Importance of the City Development Plan states that it is the policy of the Council to:

1. 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) and associated national legislation.
2. Ensure that all plans or projects within the Plan area will only be authorised and / or supported after the competent authority has ascertained based on scientific evidence, screening for appropriate assessment and /or a Habitats Directive Assessment that:
 - a. The plan or project will not give rise to an adverse direct, indirect or secondary effect 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 an adverse effect 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 an 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.

Galway City Council has carried out an Appropriate Assessment (AA) Screening Report (stage 1) of the proposed development. The Screening for AA Report has been prepared by competent experts to ensure its completeness and quality and provides the best available scientific knowledge, and objective information. This Report was prepared with reference and due consideration to relevant European and national legislation and guidance.

The report states “This assessment considers whether the proposed installation of floodlights and associated civil works at Westside Running Track Co. Galway, alone or in combination with other projects or plans, will have adverse effects on the integrity of nearby European sites. Following examination of the proposed development, including the nature and location of works, it is concluded that there is no potential to impact on Annex I habitats or Annex II species associated with European Sites, namely Lough Corrib SAC [00297], Galway Bay Complex SAC [000268], Connemara Bog Complex SAC [002034], Ross Lake and Woods SAC (001312), East Burren Complex SAC (001926) Inner Galway Bay SPA [004031], Lough Corrib SPA [004042], and Cregganna Marsh SPA [004142]; all >1km in distance from the project site. As this assessment has not identified any potential significant impacts to nearby European sites, a Stage 2 Appropriate Assessment and subsequent Natura Impact Statement are not deemed necessary. The findings of this screening for Appropriate Assessment are summarised in the Findings of no Significant Effects”.

Following the precautionary principle, the potential for the proposed project to impact on the Galway Bay Complex SAC and Inner Galway Bay SPA is assessed in Screening for AA report, due to their proximity to the proposed project. The AA Screening Report finds that given the nature, scale and location of the proposed development it is considered that the construction and operation of the proposed project will not have a likely significant effect on the qualifying interest habitats and species of Galway Bay Complex SAC and Inner Galway Bay SPA. No proposed projects or plans were identified that would, in-combination with the proposed project, have likely significant effects on the European sites within the zone of influence of the proposed project, or any other European site. The Report concludes that due to the scope and nature of the proposed project, it is considered that the proposed project, either alone or in combination with other plans or projects, will not result in likely significantly effects on the Galway Bay Complex SAC or Inner Galway Bay SPA, or any other European site, in view of their conservation objectives and an Appropriate Assessment (stage 2) is therefore not required in respect of this proposed development.

AA Screening Conclusion and Determination in accordance with Article 6(3) of the EC Habitats Directive and Part XAB of the Planning and Development Act 2000 (as amended): Having regard to the submitted screening for AA and Article 6(3) of the EC Habitats Directive and Part XAB of the Planning and Development Act 2000 (as amended) the Planning Authority as the competent authority, is in agreement with the Screening for AA conclusions. The Planning Authority has completed the Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European Sites, taking into account the nature, scale and location of the proposed development, the Screening for Appropriate Assessment Report submitted with the Part 8 application. In completing the screening exercise, the Planning Authority has determined that, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have a significant effect on any identified European Site and their qualifying interests and special conservation interests, alone and or in-combination with other plans and projects and that a Stage II Appropriate Assessment is not, therefore, required.

Ecological Impact Assessment:

The EclA process is used to present an assessment of the ecological effects of this project which could affect biodiversity value of the proposed site and surrounding environs. EclA requirements derive from EU Directive 85/337/EEC (as amended by Directive 97/11/EC, Directive 2014/52/EU and S.I. 454 of 2011; S.I. 464 of 2011; S.I. 456 of 2011) on the assessment of the effects of certain public and private projects on the environment.

The report states under Section 9 – Residual Impacts that *“The proposed development site is identified as amenity grassland within the urban setting of Galway City. This site does not encompass qualifying international or nationally important species. The construction phase and operation phase of the project incorporates features which effectively avoid the potential for specific negative impacts on sensitive receptors. The importance of the local ecology and biodiversity and the capacity to successfully integrate the proposed development without compromising on its ecology is recognised and has informed the preparation of this project”*

It is considered that having regard to the nature and scale of the development and to the nature of the receiving environment, the report received, prepared by qualified persons, it is considered that the findings of the report are sufficient to progress the assessment of this development.

(d) Summary of submissions:

No submissions were received.

(e) Recommendation

No public submissions were received. It is considered that the scheme does not warrant any significant modification consequent on assessment of these submissions.

The proposed development is fully consistent with the policies, objectives and standards of the Galway City Development Plan 2023 -2029 and the Galway Transport Strategy and would be consistent with the proper planning and sustainable development of the area.

It is recommended that the proposed development should be proceeded with as proposed.

Signed:



John Doody
Executive Planner
22/4/24



Signed: _____

James Russell
Senior Planner
24/04/24