

AA CONCLUSION STATEMENT

FOR

VARIATION No. 3 TO THE **GALWAY CITY DEVELOPMENT PLAN** **2023-2029** (AS VARIED)

for: Galway City Council



Comhairle Cathrach na Gaillimhe
Galway City Council

by: CAAS Ltd.



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Section 1 Introduction and Background

1.1 Introduction

This is the Appropriate Assessment (AA) Conclusion Statement for Variation No. 3 to the Galway City Development Plan 2023-2029 (as varied). The obligation to undertake AA derives from Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC as transposed into Irish legislation by, inter alia, the Planning and Development Acts, as amended. AA is a focused and detailed impact assessment of the implications of a strategic action (such as a plan or programme) or project, alone and in combination with other strategic actions and projects, on the integrity of any European Site in view of its conservation objectives. This AA Conclusion Statement should be read in conjunction with the Variation and associated documents including the final, consolidated AA Natura Impact Report (NIR).

1.2 Legislative Requirements in relation to AA

In carrying out the AA for the Variation the Council must take account of matters including those arrayed in the first column on Table 1.1 below. The second column identifies how these issues have been addressed.

Table 1.1 Matters taken into account by the AA

Matters taken into account by the AA	How addressed by AA
The Natura Impact Report	An AA NIR accompanies this AA Conclusion Statement and the Variation.
Any supplemental information furnished in relation to any such report	This AA Conclusion Statement accompanies the NIR that provides additional detail on European Sites. Submissions made during the Variation preparation/AA process, and updates to the original Proposed Variation arising, were taken into account in the preparation of the final, consolidated AA NIR.
If appropriate, any additional information sought by the authority and furnished by the applicant in relation to a Natura Impact Report	
Any information or advice obtained by the public authority	
If appropriate, any written submissions or observations made to the public authority in relation to the application for consent for proposed plan or project	
Any other relevant information	

In addition to the above, the Council is required to make available for inspection a determination regarding the outcome of the assessment with respect to whether or not the Variation would adversely affect the integrity of a European site (a copy of this determination is provided at Section 4).

1.3 AA Conclusion Statement

Non-Statutory AA guidance (Department of Environment, Heritage and Local Government, 2009) states that (Section 4.14) it *"is recommended that planning authorities include a clear and discrete AA Conclusion Statement as a distinct section in the written statement of the plan separate to the SEA statement."* This guidance recommends that the following issues are addressed by the AA Conclusion Statement:

- Summary of how the findings of the AA were factored into the Variation (see Section 2);
- Reasons for choosing the Variation as adopted, in the light of other reasonable alternatives considered as part of the AA process (see Section 3);
- A declaration that the Variation as adopted will not have an adverse effect on the integrity of European Sites (provided at Section 4); and
- The NIR (the AA NIR is accompanied by this AA Conclusion Statement and has informed the AA Determination – see Section 4).

Furthermore, as stated in the Draft "Development Plans Guidelines for Planning Authorities" (Department of Housing, Local Government and Heritage, 2021):

"....There is a similar requirement to publish a determination relating to the AA that may have been undertaken. Under Article 6.3 of the Habitats Directive the determination (often termed an 'AA Conclusion Statement') must state as to whether or not the Draft Plan would adversely affect the integrity of a European site. However as stated in Section 3.5, this determination must have been made prior to the adoption of the Draft Plan."

This AA Conclusion Statement addresses the above issues, including the signed AA Determination included at Section 4.

Section 2 How the findings of the AA were factored into the Variation

The SEA and AA team worked with the Variation-preparation team at the Council in order to integrate requirements for environmental protection and management into the Variation.

The Variation was prepared in an iterative manner whereby the Variation and AA documents have informed subsequent versions of the other. The findings of the AA were integrated into the Variation through mitigation measures. These mitigation measures ensure that the Variation will not affect the integrity of the European Sites, alone or in combination with other plans or projects.¹

Furthermore, the detailed Variation preparation process undertaken by the Planning Department for the City Development Plan, combined with specialist input from the SEA and AA processes, resulted in the integration of mitigation into that Plan that must be complied with in the Plan area.

The mitigation measures included in the Variation and the City Development Plan that are most relevant to the protection of European sites are identified in Table 2.1.

Table 2.1 Mitigation measures

Source for potential effect arising from the Proposed Variation	Development Objectives / Mitigation Measure(s)
Visitor pressures from leisure and amenity activities	A. 30: Amend Policy 5.2 Protected Spaces: Sites of European, National and Local Ecological Importance 16. Any development within 1km of: - a European site, and/or - an existing or proposed greenway/blueway connecting to any European site, and/or - any sensitive area found to have local importance as breeding, roosting or foraging sites for SCI species, and/or - a highly sensitive coastal habitat vulnerable to visitor pressures, shall have due consideration for the potential impact of any increase in visitor pressure on any European site, alone and cumulatively with other existing and/emerging developments in the area. Issues to be considered include dog walking and waste management.
Climate targets and increased housing	A. 17: Amend Policy 3.1 Housing Strategy 24. Ensure delivery of housing contributes to meeting the objectives for emission targets in line with national legislation, and imminent the National Climate Action Plans and Galway City Council's Climate Action Plan 2024-2029.
Built environment and invasive species	A.40 Amend Policy 10.5 Ardaun 8. Ensure proposed developments incorporate SUDS measures into their design. Hydro-geological studies by a suitably qualified person with hydro-geological expertise will be required to support proposed methods of SUDS and surface water drainage management, where appropriate. A.43 Amend Policy 10.6 Murrough 7. Appropriate treatment, including set-backs and access management, will be required in appropriate areas to safeguard European Sites and areas identified as having particular biodiversity value. Development will support existing historical, ecological and environmental features. In addition, several measures already in place in the existing Galway City Development Plan 2023-2029 (as varied) relating to the requirement for Appropriate Assessment of all relevant projects within the area to which the proposed Variation relates, and the appropriate management and treatment of invasives species across the area to which the proposed variation relates ensure that there will be no adverse effects to European sites as a result of the Proposed Variation. A.55 Murrough It is an objective for these lands that: - Develop the Murrough area in accordance with a Masterplan which addresses land use mix including provision for local retail, community and education facilities, phasing, transport integration, built heritage, biodiversity, flood risk, and coastal resilience. This Masterplan shall be the subject of an agreed stakeholder engagement and public consultation process. - Provision shall be made for the following infrastructure: An over rail bridge connection to lands to the southern portion of the masterplan, this bridge shall be the principal vehicular connection serving the lands south of the railway line. A new linear coastal amenity and flood defence A dual track rail line and commuter rail stop north of the railway line, Active Travel links to Gleann na Rí and Gleann Rua estate to the north and connections west towards Ballyloughane, facilitating options for the proposed Greenway which will traverse east-west through the site.

¹ Except as provided for in Article 6(4) of the Habitats Directive, viz. There must be: (a) no alternative solution available, (b) imperative reasons of overriding public interest for the plan to proceed; and (c) adequate compensatory measures in place.

Source for potential effect arising from the Proposed Variation	Development Objectives / Mitigation Measure(s)
	Access for bus and associated bus infrastructure through the area and associated water/wastewater and surface water. • Development will support compact growth, sustainable mobility, and high-quality placemaking as part of Galway City's long-term growth framework. • Ensure that Murrough House, and its principal elevation, is recognised through design, treatment and layout as a notable asset within the new Coastal Community with provision being made for a sustainable, long-term use for the building. • It is an objective to support the future development on the Murrough Lands in a manner that enables the enhancement and improvement of ATU and its ancillary facilities, providing for a landmark building set towards the Coast. • All proposed development within the Murrough Area must demonstrate how, in layout, density, design and connectivity, it will be consistent with the comprehensive development of a sustainable, transport orientated coastal community. • All proposals to the western end of the Masterplan Area– adjacent to Ballyloughane and Renmore - shall positively respond to the established character of this area, protecting third-party residential amenities as appropriate. • Appropriate treatment, including set-backs and access management, will be required in appropriate areas to safeguard European Sites and areas identified as having particular biodiversity value. Development will support existing historical, ecological and environmental features. • Uses on Murrough lands within Flood Zones A and B shall be limited shall be limited to water compatible uses. This limitation shall take primacy over any other provision relating to land use zoning at these lands. • Future applications for development in this location shall follow a precautionary approach, that seeks to avoid inappropriate locating of development, taking into account coastal change, any Coastal Erosion Risk Management Study undertaken, and any existing/proposed coastal defence infrastructure. • Certain lands in the Murrough are identified by the OPW (refer to floodmaps.ie) as Coastal Areas Potentially Vulnerable to Wave Overtopping (CAPOs). Future applications for development in this location shall demonstrate that this vulnerability has been taken into account. • To safeguard the long-term development (beyond the Plan period 2023-2029) of the Murrough area, land within Corrib go Costa future scenario areas have been reserved for potential future Masterplan expansion. Uses in these areas shall be limited shall be limited to water compatible uses for the Plan period 2023-2029. This limitation shall take primacy over any other provision relating to land use zoning at these parts of the lands. • All appropriate uses will be considered for these lands during future reviews of and/or variations to the City Development Plan and associated Strategic Flood Risk Assessment processes, however these lands will be reserved for the current Plan period in order to enable future expansion where this is deemed appropriate. • Detailed, site specific Flood Risk Assessment will be required for any proposal for development within Flood Zones A or B or within the Corrib go Costa future scenario areas.

Section 3 Consideration of Alternatives

Selected alternatives for the Variation from each of the types of alternatives that emerged from the planning/SEA process are indicated below. These alternatives were selected taking into account:

1. The environmental effects (including those related to ecology and European sites) which were identified by the SEA (informed by the AA) and are summarised below; and
2. Planning – including social and economic – effects that also were considered by the Council.

3.1 Limitations in Available Alternatives

The alternatives available for the Variation are significantly limited by the provisions of higher-level planning objectives, including those of Ministerial Guidelines, the Revised National Planning Framework, the Regional Spatial and Economic Strategy for the Northern and Western Region and the existing City Development Plan which set out various requirements for the content of the Variation. Notwithstanding these higher-level policy constraints and the limited scope of the Variation, alternatives to the land use zoning approach are identified and assessed.

3.2 Alternatives Description and Assessment Summary

Two alternatives (with associated components) for the approach to land use zoning were identified and assessed:

Land Use Zoning Approach Alternative 1: “More Compact Development, More Transport Orientated, More Infrastructure-Led”

Under this Alternative, Galway City would be facilitated in meeting the revised population targets, resulting in balanced, orderly development and implementation of the varied Core Strategy.

The approach under this alternative would allow for capacity/delivery with respect to water/wastewater and transport infrastructure to be integrated into the Plan as varied to the highest degree.

The infrastructure required to be in place to achieve the growth targets is largely already in place or planned under this alternative.

The development of the City would be more compact and sustainable under this scenario and would better support its longer-term viability. A higher number of residential units, in comparison with Alternative 2, would be expected to take place within the existing built-up footprint on brownfield, infill and under-utilised sites at appropriate densities, with a greater focus on use of consolidation and regeneration sites, with potential for wider regeneration benefits to central areas, including housing provision. Regeneration, reuse and redevelopment of more central and brownfield and infill lands and optimising the use of vacant, derelict, and underutilised sites and buildings would be more likely to be achieved. Giving a strong preference to lands that have both greater capacity to satisfy the principles of active travel and a more realistic opportunity of being developed over the lifetime of the Plan, would provide for the proper planning and sustainable development of the City as envisaged by the wider planning framework to a greater degree.

There would be greater potential for transport orientated development, including proximate development patterns linked by active travel infrastructure and public transport. Associated benefits and improvements to the public realm and appearance of the built environment, including liveability and quality of life improvements, would be more likely.

This Alternative would make the greatest contribution towards the protection and management of the environment by facilitating development of lands (including those within the existing built-up footprint of the City and suburbs) that have relatively low levels of environmental sensitivities and are served (or can be more easily served) by infrastructure and services, thereby helping to avoid the need to develop more sensitive, less well-served lands elsewhere in the City and beyond. This Alternative would be considered the most effective out of both alternatives considered in the delivery of a sustainable, low carbon and climate resilient future for the City.

The approach under Alternative 1 would benefit the protection of various environmental components. Although potentially adverse effects associated with land use development would exist, they would be mitigated to a significant degree. Less residual environmental effects would result.

Under this alternative there would be:

- More optimum use of land and resources, with positive role for addressing climate change, such as potential for reduced carbon heavy travel patterns.
- Greater potential for modal shift to sustainable travel such as walking, cycling and public transport, with resultant benefits for climate resilience.
- Use of already serviced lands within the existing built-up footprint of the City and suburbs could lead to potential reduced costs for delivery of new supporting infrastructure.
- Creation of more liveable built environments, with greater accessibility to services and amenities for local communities.

Land Use Zoning Approach Alternative 2: "Less Compact Development, Less Transport Orientated, Less Infrastructure-Led"

Under this Alternative, Galway City would be facilitated in meeting the revised population targets, resulting in balanced, orderly development and implementation of the varied Core Strategy.

The approach under this alternative would not allow for capacity/delivery with respect to water/wastewater and transport infrastructure considerations to be integrated into the Plan as varied to the highest degree.

Additional significant infrastructure would be required to accommodate sporadic/outer fringe development, more than would be required for Alternative 1 'More Compact Development, More Transport Orientated, More Infrastructure-Led'.

The development of the City would be less compact and less sustainable under this scenario and would not optimally support its longer-term viability. A lower number of residential units, in comparison with Alternative 1, would be expected to take place within the existing built-up footprint on brownfield, infill and under-utilised sites at appropriate densities. Under this alternative there would be potential for greater proportion of housing to be delivered outside of the built-up areas, including on urban fringe and outer areas, creating unsustainable travel patterns with a greater reliance on the private car. Giving less of a preference to lands that have both greater capacity to satisfy the principles of active travel and a more realistic opportunity of being developed over the lifetime of the Plan, would provide for the proper planning and sustainable development of the City as envisaged by the wider planning framework to a lesser degree.

There would be greater potential for negative impacts on the vitality and viability of built-up areas, due to under use of infill sites. This alternative would be likely to result in increased outer fringe development, that would be more difficult to serve with active travel infrastructure and public transport.

This Alternative would make less of a contribution towards the protection and management of the environment by facilitating development of lands (including those within the existing built-up footprint of the City and suburbs) that have relatively low levels of environmental sensitivities and are served (or can be more easily served) by infrastructure and services. Development of more sensitive, less well-served lands in the City would be provided for. This Alternative would be considered the least effective out of both Alternatives considered in the delivery of a sustainable, low carbon and climate resilient future for the City.

The approach under Alternative 2 would benefit the protection of various environmental components to a lesser degree. Although potentially adverse effects associated with land use development would exist, they would be mitigated to in many cases; however, more residual environmental effects would result.

Under this alternative there would be:

- An increase in car dependency and associated carbon heavy travel patterns, which would undermine efforts aimed at securing climate resilience.
- Increased peripheral pattern of residential development with potential for self-contained and disconnected built environments.
- Reduced potential for modal shift to sustainable travel options such as walking, cycling and public transport.
- Potential for increased costs associated with the delivery on new supporting infrastructure (roads, footpaths etc.) in more peripheral areas.
- Increased costs for the delivery of necessary supporting infrastructure for a higher level of urban fringe and outer areas.

The selected land use zoning approach for the Variation is Alternative 1. This compact development approach performed more favourably across multiple Strategic Environmental Objectives, including those relating to climate, human health, material assets and landscape. This approach would facilitate Galway City in meeting the revised population targets and would enable the rapid activation of available and housing delivery in the interests of providing housing for people.

Section 4 AA Determination

Appropriate Assessment Determination
pursuant to Article 6(3) of the Habitats Directive
Variation No. 3 to the Galway City Development Plan 2023-2029, as varied

Pursuant to Article 6(3) of the Habitats Directive as to whether or not a plan or project would affect the integrity of any European site(s) and in order to comply with the requirements of Part 6 of the Planning and Development Act 2024 (SI No. 34), as amended, this Appropriate Assessment (AA) determination is being made by Galway City Council relating to the potential for the Variation No. 3 to the Galway City Development Plan 2023-2029 that is being made¹ to have effects on the integrity of European sites. In carrying out this Appropriate Assessment (AA), the Council is taking into account the matters including the following:

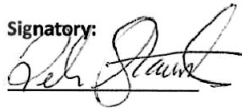
- The Natura Impact Report prepared for the Proposed Variation;
- The Consolidated Natura Impact Report;
- Written submissions made during the Proposed Variation preparation process; and
- Ongoing advice on AA from the Council's agents.

As part of the AA, it was identified that the Proposed Variation may, if unmitigated, have likely significant effects on 9 (no.) European Sites. The elements of the Proposed Variation that present sources with pathways for potential significant effects to European sites as a result of its implementation are:

- Potential increases in visitor pressures (including amenity and leisure activities) on European sites from the proposed increases in population densities and housing targets, including from associated active travel infrastructure such as greenways, blueways and cycleways;
- Increase in built environment across greenfield areas; and
- Increases in greenhouse gas emissions as a result of an increase in development.

The undersigned, having carefully considered the information referred to above agrees with and adopts the reasoning and conclusions presented and determines that having incorporated mitigation measures² into the Variation and taking into account the measures already in force through the existing Plan, it has been demonstrated that the Variation to be made³ is not foreseen to give rise to any significant adverse effects to any designated European site, alone or in combination with other plans or projects⁴. This demonstration has been made in view of the Conservation Objectives of the habitats and/or species, for which these sites have been designated.

Signatory:



Date:

05/06/26

¹ Incorporating the Proposed Variation and any modification/alteration considered by the AA process.

² A. 30: Amend Policy 5.2 Protected Spaces: Sites of European, National and Local Ecological Importance, A. 17: Amend Policy 3.1 Housing Strategy, A.40 Amend Policy 10.5 Ardaun, A.43 Amend Policy 10.6 Murrrough, A.55 Murrrough, and several measures already in place in the existing Galway City Development Plan 2023-2029 (as varied) relating to the requirement for Appropriate Assessment of all relevant projects within the area to which the proposed Variation relates, and the appropriate management and treatment of invasives species across the area to which the proposed variation relates ensure that there will be no adverse effects to European sites as a result of the Variation.

³ Incorporating the Proposed Variation and any modification/alteration considered by the AA process.

⁴ Except as provided for in Article 6(4) of the Habitats Directive, viz. There must be: a) no alternative solution available, b) imperative reasons of overriding public interest for the plan to proceed; and c) Adequate compensatory measures in place.