

**An
Bord
Pleanála**

**Board Direction
BD-012193-23
ABP-312875-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 17/05/2023.

The Board decided to approve the proposed road development generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

In coming to its decision the Board had regard to the following:

1. the relevant provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU (the EIA Directive) on the assessment of the effects of certain public and private projects on the environment,
2. Directive 92/43/EEC (the Habitats Directive) and Directive 79/409/EEC, as amended by 2009/147/EC (the Birds Directive), which set out the requirements for Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union,
3. National Planning Framework Project Ireland 2040,
4. Climate Action Plan 2023,
5. Northern and Western Regional Assembly Regional Spatial and Economic Strategy 2020-2032,
6. Galway County Development Plan 2022-2028,

7. the nature, scale, and design of the proposed works as set out in the application for approval, and the pattern of development in the vicinity,
8. the documentation and submissions of the local authority, including the environmental impact assessment report and associated documentation submitted with the application, and the range of mitigating and monitoring measures proposed,
9. the likely effects and consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely significant effects of the proposed development on European sites,
10. the submissions received in relation to the application, and,
11. the report and recommendation of the inspector.

Appropriate Assessment Stage 1

The Board agreed with the screening assessment and conclusion carried out in the inspector's report that Lough Corrib SAC (site code – 000297) is the only European site for which there is a possibility of significant effects and must therefore be subject to appropriate assessment.

Appropriate Assessment Stage 2

The Board considered the Natura impact statement and all other relevant submissions and carried out an appropriate assessment of the implications of the proposed development for Lough Corrib SAC in view of the site's conservation objectives. The Board considered that the information before it was sufficient to undertake a complete assessment of all aspects of the proposed road development in relation to the site's conservation objectives using the best available scientific knowledge in the field.

In completing the appropriate assessment, the Board considered, in particular, the following:

- (a) the likely direct and indirect impacts arising from the proposed road development both individually or in combination with other plans or projects,
- (b) the mitigation measures which are included as part of the current proposal, and,

- (c) the conservation objectives for the European site.

In completing the appropriate assessment, the Board accepted and adopted the appropriate assessment carried out in the inspector's report in respect of the potential effects of the proposed road development on the aforementioned European site, having regard to the site's conservation objectives.

In overall conclusion, the Board was satisfied that the proposed road development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European site, in view of the site's conservation objectives.

Environmental Impact Assessment

The Board completed an environmental impact assessment of the proposed road development taking account of:

- (a) the nature, scale, location, and extent of the proposed road development,
- (b) the Environmental Impact Assessment Report and associated documentation submitted in support of the application,
- (c) the submissions received from the applicant, prescribed bodies, and observers in the course of the application, and,
- (d) the inspector's report.

The Board considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, adequately considers alternatives to the proposed road development, and identifies and describes adequately the direct, indirect, secondary and cumulative effects of the proposed development on the environment. The Board agreed with the examination, set out in the inspector's report, of the information contained in the Environmental Impact Assessment Report and associated documentation submitted by the applicant and submissions made in the course of the application.

Reasoned Conclusion on the Significant Effects

The Board considered that the main significant direct and indirect effects of the proposed development on the environment are, and would be mitigated where relevant, as follows:

- **Traffic** – The proposed road development would separate regional and local traffic, would improve safety, and would improve the environment for sustainable modes of transport. This would result in an improved environment for both vehicles and vulnerable road users.
- **Biodiversity** – There would be habitat loss due to the construction of the proposed road and ancillary features. The proposed bridge crosses Lough Corrib SAC but no in-stream works are proposed. Measures have been designed to mitigate potential negative effects on the Molinia meadows and petrifying springs habitats as well as QI species such as otter, and other mammals such as badger. Mitigation is set out for the construction and operational phases.
- **Climate** – Though there would be unavoidable greenhouse gas emissions from both construction and operational phases of the proposed development, regional traffic would be removed from the area of the existing N63 where the community facilities are located, it would result in quicker journeys for regional traffic, would result in less traffic congestion around the community facilities and Liss Bridge, and would provide for and encourage an increase in more sustainable modes of transport between the two village cores. The proposed road development would redistribute existing traffic, not encourage more traffic. The proposed development would not be unacceptable in terms of direct, indirect or cumulative impacts on climate.
- **Cultural Heritage** – The prominent landscape feature Knockmoy Abbey would be more visible to users of the proposed realigned road while remaining visible to residents and users of the existing N63. Pre-development archaeological testing would address concerns relating to loss of any archaeological material.

It is considered that, subject to the implementation of the mitigation measures referred to above and as detailed throughout the chapters of the Environmental Impact Assessment Report, including Chapter 19 (Schedule of Mitigation Measures), the effects of the proposed development on the environment in the vicinity would be acceptable in respect of the delivery of the physical infrastructure and any associated impacts.

Overall the Board is satisfied that the proposed development would not have any unacceptable effects on the environment.

Proper Planning and Sustainable Development

The Board considered that the proposed road development would be in accordance with national, regional, and local planning policy, would not have an unacceptable impact on the landscape or on biodiversity, would not seriously injure the visual or residential amenities of the area or of property in the vicinity, would allow for greater community cohesion, would facilitate an increased modal share of sustainable modes of transport, would provide for improved safety for pedestrians, cyclists and other road users and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed road development shall be carried out and completed in accordance with the plans and particulars, including the Environmental Impact Assessment Report and Natura impact statement, lodged with and during the course of the application to An Bord Pleanála.

Reason: In the interest of clarity and the proper planning and sustainable development of the area and to ensure the protection of the environment.

2. The proposals, mitigation measures, and commitments set out in the Environmental Impact Assessment Report and the Natura impact statement shall be implemented in full as part of the proposed road development.

Reason: In the interest of clarity, to mitigate the environmental effects of the proposed road development, and to protect the amenities of the area, and of properties in the vicinity.

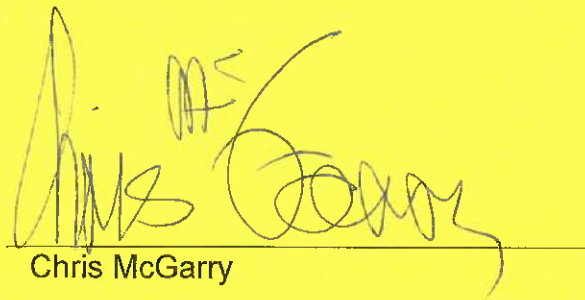
3. The preservation, recording, and protection of archaeological materials or features that may exist within the site shall be facilitated. In this regard, a suitably qualified archaeologist shall be retained to monitor all site investigations and other excavation works and provide arrangements for the recording and for the removal of any archaeological material considered appropriate to remove.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

4. A single dished vehicular access/egress point shall be provided to the existing structure on the Conneely property opposite the handball alley and community centre on the N63.

Reason: In the interests of maintaining access to this structure and the proper planning and sustainable development of the area.

Board Member



Chris McGarry

Date: 17/05/2023

