



Board Direction

Ref: 16.JP0044

At a meeting held on 25th August 2017, the Board considered:

- (a) the submissions made in relation to the proposed development,
- (b) the report of the Inspector, and
- (c) the documents and submissions on file generally.

The Board decided not to approve the proposed development, generally in accordance with the recommendation of the Inspector, and for the reasons, considerations and conditions set out below.

REASONS AND CONSIDERATIONS

The Board agreed with the screening assessment carried out by the inspector and the conclusion set out in the inspector's report that the Newport River SAC (Site Code 002144) is the European site for which there is a likelihood of significant effects.

The Board considered the Natura Impact Statement and all other relevant submissions and carried out an appropriate assessment of the implications of the proposal for the Newport River SAC (Site Code 002144) in view of the site's

conservation objective to maintain or restore the favourable conservation condition of the Freshwater Pearl Mussel and the Atlantic Salmon.

In completing the assessment, the Board considered, in particular, the

- (i) Likely direct and indirect impacts arising from the proposal both individually or in combination with other plans or projects, specifically upon water quality and river habitat,
- (ii) Mitigation measures which are included as part of the current proposed development,
- (iii) conservation objective for this European Site, and
- (iv) view of the Department of Archaeology, Heritage, the Gaeltacht, Regional and Rural Affairs.

In completing the AA, the Board accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the aforementioned European Site, having regard to the site's conservation objectives.

The Board is not satisfied that the Local Authority has demonstrated that the proposed development would not adversely affect the integrity of the European Site in view of the site's conservation objective, as this proposed development would entail a type of bridge which would necessitate the loss of existing river bed and accompanying river banks and that in its place a pre-cast culvert would be installed, which would be incapable of replicating the habitat thus removed and which would alter the hydrology/ hydrodynamics of the river passing through it. It is considered that the consequences for the qualifying interests of the European Site, particularly

the Atlantic Salmon, have not been sufficiently addressed. Furthermore, as the water quality of the Glenisland River, a spawning river, has deteriorated and fish numbers have been low in recent years, additional pressures upon this species may have a disproportional impact upon it.

In overall conclusion, the Board is not satisfied that the proposed development would not adversely affect the integrity of the European Site in view of the site's conservation objective.

Board Member: _____ Date:
Eugene Nixon