

An
Bord
Pleanála

Board Order
ABP-302848-18

Roads Acts, 1993 to 2015

Planning and Development Acts, 2000 to 2020

Planning Authority: Galway County Council

Application by Galway County Council for approval under section 51 of the Roads Act 1993, as amended, in accordance with plans and particulars, including an Environmental Impact Assessment Report and a Natura Impact Statement, lodged with An Bord Pleanála on the 23rd day of October, 2018, as amended by the further information received by An Bord Pleanála on the 30th day of August, 2019.

Proposed Road Development: Proposed road development consisting of:

- A dual carriageway, consisting of two lanes and a hard shoulder in each direction divided by a segregating barrier.
- A single carriageway, consisting of one lane and a hard shoulder in each direction.
- New link roads
- The realignment/improvement of regional, county and local roads crossed by the proposed road development.
- Localised works to the existing electricity transmission and distribution networks (specifically comprising of the diversion of the 110kV and 38kV services).

Together with all ancillary and consequential works associated therewith, all located in the electoral divisions of Barna, Barna (in the Civil Parish of Ragoon), Ragoon,

and passing through the townlands of Newvillage, Forramoyle West, Forramoyle East, Trusky West, Trusky East, Cloghscolita, Ballard East, Ballard West, Aille, Cappagh, Ballynahown East, Keeraun, Ballyburke, Mincloon, Ragoon and Letteragh, County Galway.

Decision

Approve the above proposed road development based on the reasons and considerations under and subject to the conditions set out below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

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

- (a) the European, national and regional transport policies including Trans-European Networks (TEN-T),
- (b) the relevant provisions of EU Directive 2011/92/EU (EIA Directive) and the amending Directive 2014/52/EU on the assessment of the effects of certain public and private projects on the environment, Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as amended by 2009/147/EC (Birds Directives) which set the requirements for Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union,

- (c) the national, regional and local strategic road policies and objectives, inclusive of those set out in Project Ireland 2040 - encompassing the National Planning Framework and the National Development Plan, the Climate Action Plan 2019, Smarter Travel – A Sustainable Transport Future, the Regional Spatial and Economic Strategy for the Northern and Western Region 2020, the Galway County Development Plan 2015-2021, the Galway City Development Plan 2017-2021 (both of which have been subject to Appropriate Assessment) and the Ardaun Local Area Plan,
- (d) the Galway Transport Strategy 2016, an Integrated Transport Management Programme for Galway City and Environs,
- (e) the design, layout and alignment of the proposed road development,
- (f) the range of proposed mitigation measures set out in the submitted Environmental Impact Assessment Report, Natura Impact Statement, and Schedule of Environmental Commitments (and the additional mitigation measures for biodiversity and Appropriate Assessment recommended by the Inspectors),
- (g) the submissions made in relation to the application,
- (h) the Ecological Impact Assessment Report dated February 2021, prepared on behalf of the Board by Thomson Environmental Consultants, the Appropriate Assessment Report dated February 2021, prepared on behalf of the Board by Thomson Environmental Consultants, the Hydrogeology Report dated May 2021, prepared on behalf of the Board by James Dodds, and
- (i) the report and recommendation of the Inspectors.

Appropriate Assessment Stage 1:

The Board noted that the proposed development is not directly connected with or necessary for the management of a European Site.

The Board agreed with the screening assessment and conclusion carried out in the Inspectors' report that the following sites are the European Sites for which there is a likelihood of significant effects, or the proposed development could give rise to significant effects, or effects were considered uncertain: the Lough Corrib Special Area of Conservation (Site Code: 000297); the Galway Bay Complex Special Area of Conservation (Site Code: 000268); the Lough Corrib Special Protection Area (Site Code: 004042); the Inner Galway Bay Special Protection Area (Site Code: 004031); the Cregganna Marsh Special Protection Area (Site Code: 004142); the Connemara Bog Complex Special Area of Conservation (Site Code: 002034); the Connemara Bog Complex Special Protection Area (Site Code: 004181); the Lough Fingall Complex Special Area of Conservation (Site Code: 000606); the Ross Lake and Woods Special Area of Conservation (Site Code: 001312); the Black Head-Poulsallagh Complex Special Area of Conservation (Site Code: 000020); the Rahasane Turlough Special Area of Conservation (Site Code: 000322); the Rahasane Turlough Special Protection Area (Site Code: 004089); the Kiltiernan Turlough Special Area of Conservation (Site Code: 001285); the Castletaylor Complex Special Area of Conservation (Site Code: 000242); the Gortnandarragh Limestone Pavement Special Area of Conservation (Site Code: 001271); the Ardahan Grassland Special Area of Conservation (Site Code: 002244); the Moneen Mountain Special Area of Conservation (Site Code: 000054); the East Burren Complex Special Area of Conservation (Site Code: 001926); the Maumturk Mountains Special Area of Conservation (Site Code: 002008); and the Twelve Bens/Garraun Complex Special Area of Conservation (Site Code: 002031).

Appropriate Assessment Stage 2:

The Board considered the Natura Impact Statement and associated documentation submitted with the application for approval, the mitigation measures contained therein, the submissions and observations on file, including the further information response and submissions made to the oral hearing, and carried out an Appropriate Assessment of the implications of the proposed road development for European Sites in view of the Conservation Objectives for the sites. The Board considered that the information before it was adequate to allow the carrying out of an Appropriate Assessment and to allow it to reach complete, precise and definitive conclusions for Appropriate Assessment.

In completing the assessment, the Board considered, in particular, the likely direct and indirect impacts arising from the proposed road development, both individually or in combination with other plans or projects, the mitigation measures which are included as part of the current proposal, and the additional mitigation measures recommended by the Inspectors and the Conservation Objectives for the European Sites. In completing the Appropriate Assessment, the Board accepted and adopted the Appropriate Assessment carried out in the Inspectors' report of the potential effects of the proposed road development on the aforementioned European Sites, having regard to the sites' Conservation Objectives. In overall conclusion, the Board was satisfied that the proposed road development would not adversely affect the integrity of the European Sites in view of the sites' Conservation Objectives and there is no reasonable scientific doubt as to the absence of such effects.

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,

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- (b) the Environmental Impact Assessment Report and associated documentation submitted in support of the planning application, including the further information response,
- (c) the submissions received during the course of the planning application and at the oral hearing,
- (d) the Ecological Impact Assessment Report dated February 2021, prepared on behalf of the Board by Thomson Environmental Consultants and the Hydrogeology Report dated May 2021, prepared on behalf of the Board by James Dodds, and
- (e) the Inspectors' 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 road development on the environment. The Board agreed with the examination, set out in the Inspectors' 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 planning application.

Reasoned Conclusions on the Significant Effects:

The Board considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant during the course of the planning application, provided information which is reasonable and sufficient to allow the Board to reach a reasoned conclusion on the significant effects of the proposed road development on the environment, taking into account current knowledge and methods of assessment. The Board was satisfied that the information contained in the Environmental Impact Assessment Report is up to date and complies with the provisions of EU Directive 2011/92/EU (EIA Directive) and the amending Directive 2014/52/EU. The Board considered that the main significant direct and indirect

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effects of the proposed road development on the environment are those arising from the impacts listed below, some of which may be avoided, mitigated or otherwise addressed by means of condition.

Population and Human Health:

Loss of dwellings: There are 54 dwellings proposed for acquisition, or acquisition and demolition, to make way for this project. This will result in a significant to profound permanent negative impact on homeowners. This impact will not be avoided, mitigated, or otherwise addressed by means of condition.

Severance of Communities (including the Gaeltacht areas): The proposed loss of 54 dwellings with the loss of clusters of dwellings in areas such as Na Forai Maola/Troscaigh, Castlegar, and Dangan, will result in a severance impact on remaining communities which will be a significant long-term negative impact that will not be avoided, mitigated or otherwise addressed by means of condition.

There will be long-term positive impacts for some communities that are currently severed due to traffic volumes because traffic will reduce in villages, such as Bearna and Castlegar, thereby resulting in easier access for pedestrians and cyclists and improved amenities for more vulnerable persons.

Where minor roads are closed (e.g. Ann Gibbons Road), diverted or re-routed severing communities, there will be a significant medium to long-term negative impact depending on the density of development and extent of re-route. This will not be avoided, mitigated or otherwise addressed by means of condition.

During construction, there will be slight negative and short-term severance issues caused by construction traffic which will be mitigated by measures outlined in the Construction Environmental Management Plan (CEMP).

General Amenities: There will be slight to moderate short-term negative impacts during construction on general amenities in areas such as Rosan Glas, Gort na Br

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and Bushypark Church and school as a result of construction traffic, noise and dust along haul routes. These will be mitigated by measures set out in the Schedule of Environmental Commitments as well as the CEMP. During operation there will be a slight negative impact on amenities.

During construction, there will be significant negative impacts on the population using the **NUIG Sports Campus** as a result of loss of pitches, modification to the sports pavilion as well as noise and visual impacts. These will be mitigated using standard construction practices as detailed in the Schedule of Environmental Commitments and the CEMP. During operation, there will continue to be a long term moderate impact on the general amenities of the sports campus that will be mitigated by the provision of the right of way and access to the lands under the viaduct as well as noise mitigation measures.

During construction, there will be restricted access to the riverside in Dangan and there will be noise and visual impacts on both sides of the River Corrib. These will be mitigated using standard construction practices as detailed in the Schedule of Environmental Commitments and the CEMP. At no time will access to the riverside be completely restricted. Impacts during construction will be moderate negative and short-term. During operation, mitigation measures will include the retention of existing vegetation and noise barriers. Impacts will be long-term moderate to significant negative due to the general loss of amenity.

Construction and operation impacts on **Galway Racecourse** can be avoided by measures including the provision of temporary stables and the cessation of works during festival seasons.

Socio-Economic: During construction, there will be some negative short-term impacts for businesses as a result of noise and dust which will be mitigated by measures outlined in the CEMP. Demolition of some industrial and commercial properties will not be avoided, mitigated, or otherwise addressed by means of condition. During operation, there will be significant positive impacts with respect to journey times, journey reliability and amenities.

Journey Characteristics: During construction there will be some short-term temporary moderate negative impacts on journeys as a result of road closures or diversions which will be mitigated by the Traffic Management Plan. During operation the road will have significant permanent positive impacts in terms of improved journey times, journey reliability and journey amenities. There will be improved connectivity across and beyond the city and with an associated release of road capacity for other modes of transport through the existing city centre and inner suburbs.

Health: During construction, potential impacts on health arising from air, noise and water emissions will be mitigated using construction practices set out in the CEMP and commitments as set out in the Schedule of Environmental Commitments. During operation, impacts will be avoided having regard to the project's compliance with air and noise standards as set out in Transport Infrastructure Ireland's Guidelines.

Biodiversity:

Significant residual effect on habitats as a result of the **loss of priority Annex I habitat** (outside of any European Site) comprising Limestone Pavement [*8240], active Blanket Bog [*7130], and a Petrifying Spring [*7220] which cannot be avoided, mitigated, or otherwise addressed by means of condition.

Significant residual effect on habitats as a result of the **loss of Annex I habitat** (outside of any European Site), including Annex I Wet Heath [4010], and other habitats of international to local value, including within areas designated as Local Biodiversity Areas, which cannot be avoided, fully mitigated, or otherwise addressed by means of condition.

Significant residual effect as a result of the loss of, or damage to, four plant species and one invertebrate species included in the **Irish red data books**, which cannot be avoided, mitigated, or otherwise addressed by means of condition.

Significant residual effect on the **lesser horseshoe bat, red squirrel and pine marten** which cannot be avoided, fully mitigated, or otherwise addressed by means of condition.

Land, Soil, Water, Air and Climate:

Land and Soils: There will be a significant negative impact on geology as a result of the loss of small areas of limestone pavement (Annex I habitat) outside of the Lough Corrib Special Area of Conservation (Site Code: 000297) or any other European Site. This impact will not be avoided, mitigated or otherwise addressed by means of condition. This loss is primarily associated with the construction of footings for a viaduct which will span over a larger area of limestone pavement.

There will be impacts associated with the loss of soil along the route and the use of natural resources, including aggregates, to construct the proposed road development. This will be mitigated by the re-use of excavated materials in the construction process and in the formation of material deposition areas for excess/unsuitable material and habitat creation. Other construction phase impacts, including soil contamination, blasting impacts, tunnelling works, slope stability and earthworks impacts, will be avoided, managed and/or mitigated by the measures which form part of the proposed scheme and the proposed mitigation measures (including the CEMP and the Schedule of Environmental Commitments).

Hydrogeology: There will be impacts on a number of existing wells which will be lost as a result of the proposed road development. This will be mitigated by the provision of replacement wells, alternative water sources or compensation, as appropriate. Impacts on groundwater quality will be mitigated through the implementation of the CEMP, including the associated Karst Protocol and Sediment, Erosion & Pollution Control Plan during the construction phase, and in the operational phase through the design of the drainage system, which includes water attenuation and treatment ponds, wetlands and controlled discharge. Impacts on groundwater levels due to dewatering and recharge will arise but will be mitigated

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through the retention of run-off within the same water catchment area or groundwater body and in areas, such as the Lackagh Tunnel, through the timing of construction works to avoid the need for dewatering. Structural impacts on properties in the vicinity of areas where groundwater levels will be lowered will be mitigated and monitored with property condition surveys. Impacts on groundwater dependent habitats will be avoided through the alignment and design of the proposed road development or mitigated through measures such as flow control and pollution control measures. There will be no groundwater lowering within groundwater bodies that support groundwater dependent habitats within a European Site.

Hydrology: Water quality impacts during the construction phase will be mitigated by the implementation of the CEMP, including the Incident Response Plan and Sediment Erosion and Pollution Control Plan, as well as through obtaining necessary consents and consultation with prescribed bodies. Impacts on the water supply to the Terryland Water Treatment Plant will be avoided and mitigated through implementation of the CEMP, consultation and ongoing liaison with Irish Water and the carrying out of works in accordance with best practice construction methods and guidance.

During the operational phase, water quality impacts arising from road run-off or accidental spillages will be mitigated through the design of the drainage system for the proposed road development which is responsive to the differing geologies in the area and, in particular, the use of attenuation ponds, settlement ponds, reed beds, infiltration basins and flow control mechanisms. Flood risk impacts near the N83 Tuam Road at Twomileditch will be mitigated by flood compensation storage, the provision of storm drainage on the N83 at this location and a pumping station to discharge to the existing storm sewer.

Noise and Vibration: Noise and vibration impacts will arise during the construction phase, including from blasting operations with the potential to impact upon residential and other sensitive receptors. These potential impacts will be avoided, managed and mitigated by the measures which form part of the proposed road

Scheme, the proposed mitigation and monitoring measures, through suitable conditions and the relatively short-term duration of the construction phase and the linear nature of the proposed road development.

During the operational phase, the majority of noise sensitive receptors will be in compliance with the design goal set out in Transport Infrastructure Ireland's Guidelines once noise mitigation measures are incorporated, such as noise barriers and the low noise road surface. There will also be positive impacts on a large number of receptors on the existing road network due to reductions in traffic volumes on existing roads. A limited number of properties will experience a residual noise impact marginally in excess of Transport Infrastructure Ireland's Design Goal. Noting the provisions of Transport Infrastructure Ireland's Guidelines for such a scenario, and the need to balance the provision and scale of noise barriers against other considerations, such as visual impact, the proposed road development would not have any unacceptable direct, indirect or cumulative noise and vibration impacts.

Air Quality and Climate: Potential air quality impacts will be avoided, managed and mitigated by the measures which form part of the proposed scheme, the proposed mitigation measures set out in the CEMP and the commitments set out in the Schedule of Environmental Commitments and through suitable conditions. The proposed road development, individually and cumulatively with other identified projects, is likely to result in a significant negative impact on carbon emissions and climate that will not be fully mitigated.

Material Assets:

Traffic and Transportation: Potential impacts associated with construction traffic will be avoided or mitigated by the CEMP, including the Construction Traffic Management Plan.

During the operational phase, the proposed road development will have positive impacts on traffic congestion, journey times on key routes in the overall network and the ratio of flow to capacity at key junctions. It will also facilitate the implementation

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of various measures contained within the Galway Transport Strategy to increase active travel and public transport provision in the city and will have a positive impact on sustainable transport mode share when considered together with the other Galway Transport Strategy measures that it will support. The proposed road development will assist in enabling the significant population and employment growth forecast for the city by adding additional links to the road network, including a new river crossing and linkages between various radial routes serving the city, thereby improving accessibility and providing a basis for the compact growth of the city.

Landscape and Visual: The construction phase of the proposed road development will result in a range of landscape and visual impacts on certain landscapes and receptors, including significant and profound impacts. The mitigation measures proposed during this phase will have limited effect due to the scale and nature of the proposed road development, and negative landscape and visual impacts will continue during the construction phase.

During the initial operation stage, landscape and visual impacts will continue, but the significance and severity of these impacts will generally abate over time as the proposed landscape mitigation proposals become established and increasingly effective at screening the proposed road development and/or incorporating it into the landscape. However, significant and profound negative residual visual impacts will continue to arise for numerous residential properties located close to or adjoining the boundary of the proposed road development and, particularly, in the vicinity of major engineering structures at post-establishment stage. Significant residual impacts on landscape character will also continue to arise at a number of locations. The proposed mitigation measures and, particularly, the extensive and comprehensive landscaping planting proposals will not fully mitigate these significant or profound impacts; however, they will ameliorate the impacts to a certain extent and this will increase over time as planting matures.

Significant residual visual impacts will also occur in the River Corrib valley at Menlo Castle and the NUIG Sporting Campus, primarily due to the visual intrusion associated with the proposed River Corrib Bridge and associated viaduct.

Archaeological, Architectural and Cultural Heritage: There will be significant negative direct and indirect impacts on a number of archaeological and built heritage sites which will be mitigated by the undertaking of detailed photographic and written records prior to construction and the use of test trenching and monitoring. Potential impacts on unknown archaeological features will be mitigated or avoided through monitoring of construction works by an archaeologist and excavation, where appropriate. There will also be a profound impact on a Protected Structure (thatched cottage; BH12), which is proposed to be demolished, and which will not be fully mitigated by the preparation of a record.

Agricultural Assets: The acquisition of the land required to construct the proposed road development will have a range of negative impacts, including significant and profound impacts on landowners. There will be significant or profound negative impacts on a number of farm enterprises and equine enterprises due to issues such as severance, impacts on farm viability, disruption and impacts on the availability of services. The loss of land will not be avoided, mitigated or otherwise addressed by means of condition. Impacts due to land severance are mitigated to a degree through the proposed provision of alternative access arrangements and services; however, the agricultural enterprises that are significantly or profoundly adversely affected are likely to require major changes to their operations, management and scale and there is no mitigation for this impact within the Environmental Impact Assessment process.

Non-Agricultural Assets:

Loss of dwellings: There are 54 dwellings proposed for acquisition, or acquisition and demolition, to make way for this project. This will result in a significant to profound permanent negative impact on homeowners. This impact will not be avoided, mitigated, or otherwise addressed by means of condition.

Commercial and Industrial buildings: There is no mitigation for the loss of commercial and industrial buildings within the Environmental Impact Assessment process. This will result in a moderate to significant impact. This impact will not be

avoided, mitigated, or otherwise addressed by means of condition. There will be construction impacts on some businesses which will be mitigated using standard construction practices as detailed in the Schedule of Environmental Commitments and the CEMP.

Public and Community buildings: During construction, noise and air emissions can be mitigated using standard construction practices as detailed in the Schedule of Environmental Commitments and the CEMP and by way of condition. During operation, there will be positive impacts on Galway Racecourse by way of a permanent access from Parkmore Link Road.

Utilities: The proposed road development will result in some relocation of utilities. This impact can be mitigated using standard construction practices as detailed in the Schedule of Environmental Commitments and the CEMP and by way of condition.

Notwithstanding the significant negative residual impacts in respect of various environmental matters, as set out above, it is considered that these environmental impacts would not justify a refusal having regard to the overall benefits of the proposed road development, including its identified strategic importance at European, National, Regional and local level, its role in alleviating congestion and thereby underpinning the sustainable transport measures of the Galway Transport Strategy, and facilitating Galway to grow in a more compact manner, as identified in the National Planning Framework.

With regard to the significant adverse impact on carbon emissions and climate, it is noted that this arises due to the sensitivity of the receiving environment. Noting the role of the proposed road development in facilitating the implementation of active travel and public transport measures, as set out in the Galway Transport Strategy, and its role in supporting the compact and more sustainable development of the city, it is not considered that the proposed road development would undermine or be contrary to Ireland's climate obligations given that climate action requires a broad sectoral and economy-wide approach. Ireland has committed to becoming climate neutral/zero emission by 2050 and carbon emissions associated with necessary

Infrastructure projects, such as the proposed road development, which equates to approximately 0.1% of Ireland's 2030 obligations, can be mitigated through reductions in other areas as mechanisms, such as carbon tax and carbon budgets, are developed and will be increasingly mitigated in the operational phase as electric vehicles are adopted.

Proper Planning and Sustainable Development:

It is considered that, subject to compliance with the conditions set out below, the proposed road development would be in accordance with European, National, Regional and local planning policies, that the need, justification and purpose of the proposed road development has been adequately demonstrated, that the proposed road development is acceptable in respect of its likely effects on the environment and that the proposed road development 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 lodged with the application, as amended by the further plans and particulars submitted to An Bord Pleanála on the 30th day of August, 2019 and as further stated and clarified in the Schedule of Environmental Commitments submitted by the Road Authority to the oral hearing on the 4th day of November, 2020, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. The mitigation measures and commitments set out in the Environmental Impact Assessment Report, the response to the further information request received by An Bord Pleanála on the 30th day of August, 2019 and as further stated and clarified in the Schedule of Environmental Commitments submitted by the Road

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Authority to the oral hearing on the 4th day of November, 2020 shall be implemented as part of the proposed road development.

Reason: In the interest of clarity and the proper planning and sustainable development of the area and to mitigate the environmental effects of the proposed road development.

3. The mitigation measures and commitments set out in the Natura Impact Statement, the response to the request received for further information by An Bord Pleanála on the 30th day of August, 2019 and as further stated and clarified in the Schedule of Environmental Commitments submitted by the Road Authority to the oral hearing on the 4th day of November, 2020, and the additional mitigation measures set out at Section 12.6.3 of the Inspectors' report, and appended at Schedule One of this Order, shall be implemented in full. The details of all mitigation measures related to Appropriate Assessment shall be placed on the file and retained as part of the public record.

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

4. The proposed road development shall be amended to incorporate the revised design at the Parkmore Link Road in accordance with the details submitted by the Road Authority to the oral hearing on the 18th day of February, 2020 on drawing *Proposed Road Development Plan City East Junction Sheet 14 of 15, Drawing Number 5.1.14 Issue 12* dated the 17th February 2020.

Reason: In the interest of road safety and the amenity of the area.

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5. The proposed permanent stables to be provided at Galway Racecourse shall be omitted.

Reason: The site upon which the permanent stables are proposed includes, in part, lands in third-party ownership which are subject to temporary acquisition only.

6. The Schedule of Environmental Commitments shall be updated to incorporate:
- (a) The additional mitigation as set out in Table 11.7.2 of the Inspectors' Report (with the exception of the measures clearly rejected therein) and appended at Schedule Two of this Order,
 - (b) the additional mitigation measures related to Appropriate Assessment set out in Section 12.6.3 of the Inspectors' Report and appended at Schedule One of this Order,
 - (c) item 17.19 shall be amended to state that property condition surveys will be offered for all buildings within 50 metres of the proposed road development boundary or the zone of influence of dewatering (whichever is greater) and those within 150 metres of proposed blasting works along the proposed road development,
 - (d) an additional dust monitoring location shall be installed at or adjacent to Castlegar Nursing Home for the duration of the construction phase and shall be included in the dust monitoring regime,
 - (e) a pedestrian access route shall be provided from Access Road AR 13/06 to the proposed pedestrian crossing point on the N83 Tuam Road,
 - (f) item 12.7 shall be amended to omit the final sentence and clarify that early planting be undertaken, where possible,

- (g) all security fencing around the proposed attenuation ponds shall be 2.4 metres high paladin-type fencing, and
- (h) Galway County Council will offer to provide or pay for similar alternative accommodation for the occupants of Plot number 123 for the duration of earthworks in Construction Section S1.

The updated Schedule of Environmental Commitments shall be implemented in full and shall be placed on the file and retained as part of the public record.

Reason: In the interest of clarity and the proper planning and sustainable development of the area and to ensure the protection of the European Sites, in the interest of mitigating ecological damage associated with the proposed road development and in the interests of control of the construction phase, environmental impacts, pedestrian safety, residential and visual amenity.

DECISION QUASHED

38
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SCHEDULE ONE

Habitat loss directly within the European Sites:

Additional mitigation: the area fenced off from construction to include the River Corrib and its fringing vegetation, as this may also be Annex I habitat, with the fringing vegetation maintained.

Habitat degradation within European Sites as a result of chemical pollution, noise, dust, light, shading and spread of invasive species, including from construction traffic and site workers travelling to/from the construction site:

Additional mitigation: The mitigation area 6210 R1 should be restored by management, using the existing seed bank, rather than topsoil stripping or translocation of turves, to reduce the risk of suspended solid pollution of the River Corrib from this location;

Additional mitigation: Install the highest standard of treatment facilities specified in Transport Infrastructure Ireland's Guidelines, suitable for discharge directly into a Special Area of Conservation watercourse, for road run-off during the operation of the road, with regular maintenance of silt traps, including dredging and removal of trapped silt for disposal in sealed landfill;

Additional mitigation: Ensuring mud is not allowed to build up on haul roads and public roads where it could wash into the Lough Corrib Special Area of Conservation (Site Code: 000297), including the River Corrib;

Additional mitigation: Dust control during blasting events and dust monitoring within the Lough Corrib Special Area of Conservation (Site Code: 000297) during construction, especially following blasting events, and with revisions to working methods/frequency of blasting, if required;

Additional mitigation: Reduction of lighting on the western approach to the Lackagh tunnel to the absolute legal minimum to maintain existing light levels within the Lough Corrib Special Area of Conservation (Site Code: 000297);

Additional mitigation: The scope of the Non-native Invasive Species Management Plan must be broadened to include species which are a potential threat to limestone

pavement and other Annex I habitats, including, cotoneaster (all species), buddleia, red valerian and wild clematis;

Additional mitigation: The seed/planting mix not to include negative indicator species for limestone pavement or calcareous grassland within 250 metres of the Lough Corrib Special Area of Conservation (Site Code: 000297), including perennial rye grass, white clover, sycamore, beech and conifers, plus control of other negative indicator species within 100 metres of the Special Area of Conservation, as listed by Wilson and Fernandez (2013), such as creeping thistle and ragwort, while the vegetation is establishing on the soft estate (for two years post-seeding);

Additional mitigation: Monitoring and management of non-native invasive species along the route corridor in proximity to Lough Corrib Special Area of Conservation (Site Code: 000297) between Chainage 9+100 and Chainage 11+400 during the operation of the road, including the additional species listed above;

Additional mitigation: Construction traffic travelling to/from Galway to primarily use recently constructed roads with a modern drainage design (pollution control) or avoiding the R458, N67 and N84 where these pass European Sites;

Mortality, disturbance, displacement and habitat loss for species of flora and fauna which form part of the qualifying interest populations of European Sites, resulting in declines or local extinction.

Additional mitigation: Add a pond within the barn owl/lesser horseshoe bat habitat enhancement area in proximity to Menlo Castle which will be suitable for breeding coot.

Additional mitigation: Ensure that safe passage exists for otters along all watercourses bisected by the proposed road during construction, to include mammal ledges within the culvert or two dry 600-millimetre culverts parallel to the watercourse, one each side.

Loss or decline of supporting populations of flora and fauna (not part of the qualifying interest) within habitats lost or degrading with knock-on effects on the qualifying interest habitats and populations of European Sites.

Additional mitigation: The population of *Rhynchospora fusca* should be identified, mapped and protected during the construction phase.

SCHEDULE TWO

The non-native species Fuchsia Fuchsia sp., winter heliotrope Petasites fragrans, Sitka spruce Picea sitchensis, European larch Larix decidua, Lodgepole pine Pinus contorta and Scots pine Pinus Sylvestris shall be included in the invasive species management plan, as shall the native species bracken Pteridium aquilinum and soft rush Juncus effusus to limit their spread from where they currently occur.

The planting and sowing scheme should not include non-native tree species in proximity to Moycullen Bogs NHA.

Terrestrial Habitats

Scots pine is an invasive non-native species in heathland and, therefore, this species shall not be used for screening planting in the western section beyond the River Corrib.

Submit further details on the grassland seeding which shall be suitable for the soil types avoiding species that are negative indicators of Annex I habitats where these are not already abundant locally, aiming for dry heath/acid grassland in the west and calcareous grassland in the east from natural regeneration rather than seed mixes wherever soil erosion is not a major risk.

Moycullen Bogs and the Appropriate Assessment report for additional species to be included in the invasive species management plan.

A clearer commitment to the management of peatland habitats and other translocated/created habitats within the soft estate, ideally in perpetuity for the lifetime of the project.

Flora

Identify and map the extent of the six red data book plant species, plus measures to both minimise the loss and safeguard the retained areas by use of fencing, signs and ensuring workforce are aware (toolbox talks, etc), including the plants of *Plasteurhynchium striatum* at the Menlough mitigation area.

If the *Plagiomnium cuspidatum* and *Plasteurhynchium striatum* plants directly impacted are growing on moveable substrates (rocks or logs), then these should be repositioned to retained vegetation, with precisely the same environmental conditions as where currently found, with follow-up monitoring to confirm success or failure.

Check the identification and native status of meadow oat-grass *Helictotrichon pratense* and marsh valerian *Valeriana dioica* and implement protection measures, if appropriate.

Invertebrates

The retained part of the marsh at Castlegar to be protected during construction and measures put in place to maintain the existing hydrological regime as suitable for marsh whorl snail.

The infiltration basins at Castlegar to be planted with suitable vegetation for marsh whorl snail with hydrology adjusted to suit whilst maintaining the function of the basins.

Translocation of ant hills impacted by the road to a suitable receptor site within the soft estate.

Provision of suitable habitat for nesting bees (patches of coarse grassland) within the soft estate.

Bats

Two bat boxes to be installed on trees as close to each felled tree with potential for a bat roost, as close as possible but away from the carriageway of the proposed road and before the end of July in the year of felling, bat boxes to be a mixture of hollow (for Liesler's) and crevice types (for pipistrelles) in accordance with the potential roost that is lost.

Clear commitments to safeguarding the new bat roosts including bat boxes, with replacements and repairs carried out as necessary for a period of ten years post development.

Monitoring for ten years post construction.

Mammals other than bats

The provision of safe passage through the construction site during the hours of darkness alongside all watercourses crossed by the proposed road, including during the installation of culverts.

Ledges to be installed in all other hydraulic culverts with a width greater than two metres to account for future range expansion or occasional use by otter as listed in Environmental Impact Assessment Report pages 975 to 976, Table 11.20 which would be an additional eight structures, and to provide safe passage for badger.

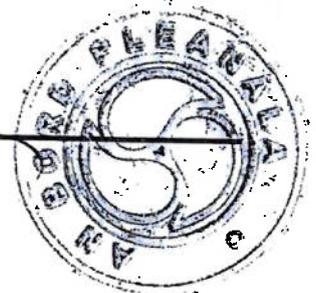
Monitoring "of the effectiveness of environmental commitments" requires further definition, for example, in accordance with Transport Infrastructure Ireland's Guidelines for otter which state quarterly monitoring for at least one year to check on the condition and effectiveness of the ledges installed in culverts; given the scale of the project; the monitoring should continue for at least three years and the maintenance of the ledges should be incorporated into the general road maintenance programme.

Replace the ponds lost to the proposed road elsewhere in the soft estate, including at the barn owl/lesser horseshoe bat mitigation area at Menlo Castle.

Structures which could be earth banks to guide amphibians towards the tunnels and culverts where these occur in proximity to ponds.



Chris McGarry



Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this 6th day of December 2021