



An
Bord
Pleanála

Board Order ABP-309313-21

Planning and Development Acts, 2000 to 2020

Planning Authority: Galway County Council

Application by Galway County Council requesting An Bord Pleanála to exercise its powers under article 250(3)(a) of the Planning and Development Regulations, 2001, as amended, whether Galway County Council should be directed to prepare a Natura impact statement in respect of the proposed N17 Milltown to Gortnagunned Road Realignment Scheme, County Galway.

Decision

Direct the local authority to prepare a Natura impact statement in respect of the proposed development, based on the reasons and considerations set out below.

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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.

Reasons and Considerations

Having regard to:

- (a) the location of the proposed development and the separation distance with the adjoining European Site,
- (b) the nature and scale of the proposed development, including excavation and earthwork operations, importation of construction materials, road construction works and installation of new drainage systems,
- (c) the potential for hydrological connections from the proposed development site to the Lough Corrib Special Area of Conservation (Site Code: 000297),
- (d) the uncertainty with regards to in-combination effects with other plans and projects,
- (e) the submission made on behalf of the local authority, including Appropriate Assessment Screening Report received by the Board on 19th day of January 2021, and
- (f) the report and recommendation of the Inspector,

it is considered reasonable to conclude that on the basis of the information available, which is considered adequate to issue a screening determination, it cannot be ruled out that the proposed development, either individually and in combination with other plans or projects, would not be likely to have a significant effect on Lough Corrib Special Area of Conservation (Site Code: 000297), in view of the site's conservation objectives and that a Stage 2 Appropriate Assessment and the submission of a Natura impact statement for the proposed development is, therefore, required.

In not accepting the Inspector's finding that it could not be concluded that the proposed works would not have a significant effect on the Lough Corrib Special Protection Area (Site Code: 004042), the Board considered that, on the basis of the significant hydrological distance of over 56 kilometres from the proposed road works to the designated area, which would be highly unlikely to have any potential impact on surface water quality at that remove from the construction works, as well as the nature and scale of the proposed works, there will be no significant impacts on downstream water quality or any disturbance/displacement impacts on the species which are qualifying interests/special conservation interest for which this Special Protection Area is designated, and that the Lough Corrib Special Protection Area (Site Code:004042) can be screened out from the requirement to prepare a Natura impact statement.



Dave Walsh

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

Dated this 13th day of May 2021

