



An
Bord
Pleanála

Inspector's Addendum Report ABP-301890-19.

Development	Retention and completion of road widening of the R478, removal of infill and re-establishment of wetlands.
Location	Ballyellery, Liscannor, Co. Clare.
Planning Authority	Clare County Council.
Applicant(s)	Clare County Council.
Type of Application	Substitute Consent.
Observer(s)	Department of Culture, Heritage and the Gaeltacht
Date of Site Inspection	11 th of September 2018.
Inspector	Karen Hamilton.

1.0 Introduction

- 1.1. This report has been prepared on foot of a Board Direction DB-003840-19 requesting the following:

“The Inspector is requested to prepare an addendum report to assess/clarify of the works that are being proposed for retention were likely to have has a significant effect on the European Site and if there were any impacts on the European Site arising from such works, and if so, to what extent do the remedial works proposed address these impacts”

The following report shall be read in conjunction with my original report on file dated 27th June 2019.

2.0 Background

- 2.1. Leave to Apply for Substitute Consent for road widening at the R478 and disposal of water was granted by the Board on the 05th of January 2018.
- 2.2. An application for Substitute Consent for road widening of the R478 and removal of infill from other parts of the lands owned by the land owner was received by the Board on the 01st of June 2018.
- 2.3. Further Information (Section 132 request) was sought from the applicant, Clare County Council, as summarised below:
- Drawings distinguishing work to be retained and works to be completed,
 - Topography drawings detailing the proposed fill/ infill on the site,
 - Confirmation of the size of the site included in the application,
 - Submission of Bird Surveys within and adjoining the site,
 - Proposals for in-combination works and the cumulative impact on any Features of Interest in the Inagh Estuary SAC,
 - Clarification of all works to infilled areas, impact from sedimentation on the qualifying criteria of the Inagh Estuary SAC and inclusion of adjoining drainage ditches within the proposed development,

- Inclusion of a Statement of Significant effects and timescale for proposed works.

2.4. Further Information was submitted on the 27th of March 2019 and included an updated Remedial Natura Impact Assessment (r NIS), Remedial Environmental Impact Assessment Report (rEIAR) and updated plans and particulars.

2.5. Clarification of information on the disposal of the removed infill material and the provision of bird surveys at high tide, where requested on the 02nd of May 2019 and submitted to the Board on 22nd of May.

3.0 Submissions

3.1. The Department of Culture, Heritage and the Gaeltacht made a submission to the original application and the further information as summarised in my previous Inspectors Report dated 27th of June 2019.

4.0 Retention works

1. Retention and Upgrade of R478

- Widening of the R478 by 2m along the northern side (length c. 900m) including the creation of embankments at either side,
- Retention and completion of 3m wide cycle lane along the north,
- Retention of a 1m wall along c. 750m (width c.600m) ,

2. Removal of Infill, Waste Removal and Re-contouring

- Excavation of c. 1,800m³ of topsoil and subsoil.
- Use of the excavated soil to recontour c. 1,200m³ in area A, C and D.

5.0 Appropriate Assessment

5.1. The site is located adjacent to the Inagh River Estuary SAC (side code 00036) and 5.2km to the east of the Cliff of Moher SPA (site code 004005). The subject site does not have any potential links to any other European Sites.

5.2. As per my previous report, having regard to the location of the site, the species listed as Conservation Objectives of the Cliffs of Moher SPA and the bird survey undertaken, I do not consider the proposed development will cause any disturbance to breeding grounds or have any significant impact on this SPA.

5.3. The potential impact from the retention of works on the Inagh River Estuary SAC is further summarised below.

5.4. **Qualifying Interest of Inagh River Estuary SAC**

The following habitats are listed as features of interest for the Inagh River Estuary SAC (side code 00036).

- Salicornia and other annuals colonising mud and sand [1310]
- Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*) [1330]
- Mediterranean salt meadows (*Juncetalia maritimi*) [1410]
- Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes) [2120]
- Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]

5.5. **Potential Impact**

5.5.1. The potential likely significant **direct affect** from the retention works would include an increase in **sedimentation** from soil removal (fill/infill).

Two of the features of interest in the Inagh River Estuary SAC, listed below, are located directly south of the subject site (illustrated in the attached Appendix) and having regard to the rNIS I consider these are the only habitats which may be directly affected by the retention works.

- Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*) [1330]
- Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]

Threats to the both of these habitats include increase in sedimentation which may alter the natural circulation and impact the communities. In the case of the salt meadows salt marsh accretion (such as sea level movement, tides and tidal range, sediment availability, freshwater flows and channel movements) and erosion can be

interrelated¹. As with the salt marsh habitats, those fixed coastal dunes are mostly impacted by erosion². Therefore, having regard to the works which do not cause erosion, any increase in sedimentation would not have a significant negative impact on either of these habitats.

- 5.5.2. The potential likely significant **indirect affect** from the retention works to the water quality of the Inagh River Estuary would include the release of **suspended solids** through ground and surface water, via the movement of unauthorised fill and vehicular traffic movement. Volume 3, Appendix 3 of the EIAR concluded that the impact of the infill on the water quality is negligible, which I consider reasonable.
- 5.5.3. Having regard to scale of the retention works undertaken, the distance from those habitats listed as qualifying criteria for the Inagh River Estuary SAC and the defined threats to these habitats, I do not consider the works submitted for retention have had any significant negative impact on the Conservation Objectives of the European Site.

5.6. Mitigation Measures

- 5.6.1. Mitigation measures proposed to prevent any further significant negative impact on the salt meadows, coastal dunes or any other water dependant habitat in the Inagh River Estuary SAC are summarised below:
- the use of silt curtains buried 0.5m into the ground,
 - the use of impermeable membranes to prevent the release of suspended solids into any surface water.

5.7. Conclusion

- 5.7.1. In conclusion, it is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to assess the retention works, that the retention of development, individually or in combination with other plans or projects would not adversely affect the integrity of those Conservation Objectives of the Inagh

¹ EU Fact Sheet for Atlantic Salt Meadows

https://ec.europa.eu/environment/nature/natura2000/management/habitats/pdf/1330_Atlantic_salt_meadows.pdf

² EU Fact Sheet for Fixed Coastal Dunes

https://ec.europa.eu/environment/nature/natura2000/management/habitats/pdf/2130_Fixed_coastal_dunes.pdf

River Estuary SAC (00036) or any other European Site and I recommend Substitute Consent is granted in compliance with those terms and conditions attached to my Inspectors Report dated 27th of June 2019.

Karen Hamilton
Planning Inspector

17th of September 2019

Appendix 1



