



An
Bord
Pleanála

Inspector's Report ABP-309313-21

Development	N17 Milltown to Gortnagunned Road Realignment Scheme
Location	Gortnagunned to Milltown, Co. Galway
Planning Authority	Galway County Council
Applicant(s)	Galway County Council
Type of Application	Appropriate Assessment Screening Determination
Observer(s)	None
Date of Site Inspection	14 th April 2021
Inspector	Donal Donnelly

Contents

1.0 Introduction	3
2.0 Site Location and Description	3
3.0 Proposed Development	4
4.0 Request for Direction and Submitted Documents	4
5.0 Policy Context.....	5
5.1. Galway County Development Plan 2015-2021.....	5
5.2. Natural Heritage Designations	7
6.0 Planning History.....	7
7.0 Legislation	7
8.0 Appropriate Assessment Screening.....	7
8.5. Appropriate Assessment Screening Report and Associated Documents.....	9
8.6. Geographical Scope and Main Characteristics	10
8.7. Screening the need for Appropriate Assessment	11
8.8. Identification of Likely Effects	17
8.9. In-combination effects	18
8.10. Screening Determination	19
9.0 Recommendation.....	20
10.0 Reasons and Considerations	20

1.0 Introduction

- 1.1. This is a first party application by Galway County Council to the Board for a Natura Impact Statement (NIS) Direction in relation to the N17 Milltown to Gortnagunned Road Realignment Scheme. The application is made under the provisions of Article 250(3) of the Planning and Development Regulations, 2001 (as amended) seeking a determination from the Board as to whether the proposed road realignment scheme would be likely to have a significant effect on a European Site.
- 1.2. A concurrent application (ABP-309314-21) is being made to the Board under the provisions of Section 50(1)(c) of the Roads Act 1993 (as amended) which provides for a road authority to inform the Board in writing where the authority considers that a proposed road development would be likely to have significant effects on the environment, and where the Board concurs, it shall direct the road authority to prepare an EIAR.

2.0 Site Location and Description

- 2.1. The site of the proposed road realignment is along the N17 National Primary Route to the north-west of Milltown village in northern Co. Galway. The proposal will continue for a distance of approximately 3km through the townlands of Milltown, Cartron, Gortnaloura, Cloonnacross, Killerneen, Drum and Gortnagunned. The road is mostly rural in character and is aligned on both sides by agricultural pastures with occasional road-fronting development. A disused railway line (Western Rail Corridor) traverses the site at the townland of Drum.
- 2.2. At its south-eastern end, the proposed realignment commences at the point where the speed limit changes from 50k/hr to 80k/hr outside Milltown village. The 80k/hr speed limit applies for the remainder of the proposed road realignment before the speed limit changes to 100k/hr as the road continues north-west. There are solid double white lines or single solid/ broken white lines in the centre of the road for most of the length of the realignment. The carriageway edge is delineated with broken yellow lines and there are no hardshoulders or pedestrian/ cyclist facilities. Several bends with chevron signage on the approaches occur along the road and there are six "T" junctions with minor roads on both sides.

3.0 Proposed Development

3.1. The screening determination relates to the proposed realignment of a 3km section of the N17 between Milltown and Gortnagunned, Co. Galway. The realignment consists of both online (1,550m) and offline (1,450m) construction of a Type 1 carriageway that will tie at its northern end with an already upgraded section of the N17. The main components of the scheme can be summarised as follows:

- Roadway consisting of two lanes of 3.65m, a hard shoulder for each carriageway of 2.5m and verges of 3m (CH+0 to CH 2 +560).
- Single carriageway urban road with footway and cycleway on both sides of carriageway (Ch 2 + 560 to end of scheme).
- Design speeds as follows:
 - 100k/hr from Ch +0 to Ch 2 + 180
 - 85k/hr from Ch 2+280 to Ch 2+560
 - 60k/hr from Ch 2+560 to Ch 2+945
- 8 no. simple “T” junction improvements.
- 36 no. direct access connections (19 no. agricultural).
- Replacement road drainage system discharging to the local drainage network and eventually connecting to the Clare River approximately 1.5km downstream.
- Protection/ diversion of existing utility services.
- Earthwork operations including 2 no. spoil repository / borrow pits.
- Traffic management plan.

4.0 Request for Direction and Submitted Documents

4.1. A first party application was submitted to the Board from Galway County Council seeking a determination as to whether or not the Board agrees with the Appropriate Assessment Screening Report prepared on behalf of Galway County Council for the proposed N17 Milltown to Gortnagunned Road Realignment Scheme. The following documentation is submitted with the application:

- Chief Executive Order (CE Order No. 1332)
 - Appropriate Assessment Screening Report
 - Ecological Impact Assessment
 - Drawings of proposed works
- 4.2. The application is also accompanied by an Environmental Impact Assessment Screening Document to inform the Board on a concurrent first party application for an EIAR Screening Determination.
- 4.3. Galway County Council Chief Executive Order No. 1332 agrees with the conclusions of the Appropriate Assessment Screening Report prepared on its behalf and has determined that the proposed N17 Milltown to Gortnagun Road Realignment Scheme would give rise to a significant effect on European Sites, i.e. that significant effects on any European Site, individually or in combination with other plans or projects, cannot be excluded on the basis of objective information.
- 4.4. The Appropriate Assessment Screening Report prepared by MKO Planning and Environmental Consultants provides information for the competent authority on the following:
- Statement of Authority,
 - Description of Proposed Development,
 - Characteristics of Proposed Development,
 - Identification of Relevant European Sites,
 - Likely Cumulative Impact of Proposed Works on European Sites, in-combination with other plans and projects,
 - Article 6(3) Appropriate Assessment Screening Statement and Conclusions

5.0 Policy Context

5.1. Galway County Development Plan 2015-2021

- 5.1.1. It is stated in Chapter 5 – Roads & Transportation that future options will be explored to improve priority transport infrastructure, subject to the requirements of the

Habitats Directive. Table 5.1 sets out priority transportation infrastructure objectives to be provided and/ or for improvement during the Development Plan period. This includes the N17 Tuam to Claremorris Scheme. The project status of this scheme is listed by Transport Infrastructure Ireland as being suspended and the N17 Milltown to Gortnagunne re-alignment is listed as being under planning.

- 5.1.2. There is also a priority objective within the Development Plan to examine the possibility of identifying a cycle route linking Ballindine (in Co. Mayo) with Milltown and Tuam and its environs to the National Cycling Network and/or the Tuam/Athenry cycle route.
- 5.1.3. It is a strategic aim to support the opening of the Western Rail Corridor route from Athenry, Tuam Hub Town, Claremorris to Collooney (4 Sections) as an option for passenger and cargo transportation.
- 5.1.4. Policy TI 6 – Protection of Strategic Transportation Infrastructure, seeks “...to protect and safeguard the significant investment made in strategic transportation infrastructure, in particular the network of national roads, the existing rail lines and the Western Rail Corridor.”
- 5.1.5. Under Policy TI 9 – Road Network Improvements and Western Rail Corridor/Greenway, “it shall be the policy of Galway County Council to ensure that any works to be carried out by Galway County Council or other statutory authority to any part of the road network which may affect the delivery of either the Western Rail corridor or any Greenway proposal shall be carried out in such a way so as not to compromise the longer term delivery of such alternative transportation proposals or any interim objectives to use the railway as a greenway.”
- 5.1.6. Objective TI 6 – Protection of National Routes and Strategically Important Regional Road Networks seeks “...to protect the capacity and safety of the National Road Network and Strategically Important Regional Road network (listed in DM Standard 19) in the County and ensure compliance with the Spatial Planning and National Roads Planning Guidelines (2012). Galway County Council will not normally permit development proposals for future development that include direct access or intensification of traffic from existing accesses onto any national primary or secondary road outside of the 50-60 kph speed limit zone of towns and villages.”

5.2. Natural Heritage Designations

- 5.2.1. The Lough Corrib SAC (site code: 000297) is adjacent the site boundary at one point. There are no other European Sites within 5km of the site boundary.
- 5.2.2. Altore Lake is the closest proposed Natural Heritage Area and is located approximately 3.2km to the south-west.

6.0 Planning History

An Bord Pleanála Ref: CH3224

- 6.1. Galway County Council (N17 Carrownurlaur to Ballindine Scheme) Compulsory Purchase Order, No. 4 2014. No objections received.

7.0 Legislation

- 7.1. Article 250 (1) of the Planning and Development Regulations, 2001 (as amended) states that a local authority shall carry out a screening of a proposed development it proposes to carry out to assess, in view of best scientific knowledge, if the development, individually or in combination with other plans or projects, would be likely to have a significant effect on a European site.
- 7.2. Under the provisions of article 250(3)(b) of the Planning and Development Regulations 2001, as amended, where any person considers that a development proposed to be carried out by a local authority would be likely to have a significant effect on a European site, he or she may apply to the Board for a determination as to whether the development would be likely to have such significant effect.
- 7.3. Article 250(3)(d) states that *“where the Board makes a determination that a development would be likely to have a significant effect on a European site, it shall require the local authority to prepare, or cause to be prepared, a Natura Impact Statement.”*

8.0 Appropriate Assessment Screening

- 8.1. The areas addressed in this section are as follows:
 - Compliance with Articles 6(3) of the EU Habitats Directive

- Geographical Scope and Main Characteristics
- Screening the need for Appropriate Assessment
- Identification of Likely Effects
- Screening Determination

8.2. Compliance with Articles 6(3) of the EU Habitats Directive: The Habitats

Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Article 6(3) of this Directive requires that any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. The competent authority must be satisfied that the proposal will not adversely affect the integrity of the European site.

8.3. The proposed development comprises the construction of the N17 Milltown to Gortnagun Road realignment over a distance of approximately 3km to the north-west of Milltown, Co. Galway. The proposal is not directly connected with or necessary to the management of any European site and would therefore be subject to the provisions of Article 6(3).

8.4. Under Article 250 (1) of the Planning and Development Regulations, 2001 (as amended), a local authority shall carry out a screening of a development it proposes to carry out to assess, in view of best scientific knowledge, if the development, individually or in combination with other plans or projects, would be likely to have a significant effect on a European site. Galway County Council has carried out a screening assessment and requests an opinion from the Board as to whether or not it agrees with the Council's Screening Determination. Under Article 250(3)(d), the Board shall require Galway County Council to prepare a Natura Impact Statement if it determines that the proposed development would be likely to have a significant effect on a European site.

8.5. Appropriate Assessment Screening Report and Associated Documents

- 8.5.1. The application for a determination from the Board regarding the proposed local authority development is accompanied by an Appropriate Assessment Screening Report dated 8th December 2020. This report sets out the methodology for Appropriate Assessment screening based on relevant guidance and is informed by the description of the proposed development, an overview of the receiving environment, a desktop data review, baseline surveys and an assessment of the effects on European Sites. An identification of the European Sites within the Likely Zone of Impact and the Qualifying Interests and Special Conservation Interests of the European Sites in the vicinity of the subject site are detailed in the report. Other documents that accompany the application include an Environmental Impact Assessment Screening Document (including Schedule 7A information) and an Ecological Impact Assessment.
- 8.5.2. The AA Screening Report was prepared in line with current best practice guidance and provides a description of the proposed development and identifies any European Sites within a possible zone of influence of the development. It is concluded within the AA Screening Report, following an examination, analysis and evaluation of best available information, and applying the precautionary principle, that the possibility of any significant effects on any European Sites, whether arising from the project alone or in combination with other plans or projects, cannot be excluded. In reaching this conclusion, the authors of the AA Screening Report have fully considered the nature of the project and its potential relationship with all European Sites within the zone of influence, and their conservation objectives.
- 8.5.3. Having reviewed the documents and submission on the application, I am satisfied that the information allows for a complete examination and identification of any likely significant effects of the development, alone or in combination with other plans or projects, on European Sites.
- 8.5.4. The AA Screening Report was informed by the following studies, surveys and consultations:
- Desk based studies including review of the following:
 - NPWS Site Synopsis, Conservation Objectives for the European Sites,

- 2019, 2013 and 2007 EU Habitats Directive (Article 17) Reports,
 - On-line web-mappers (NPWS, EPA & WFD),
 - Specially requested reports from NPWS Rare and Protected Species Database for the hectads that overlap the study area,
 - Inland Fisheries Ireland Reports,
 - OS mapping and aerial photography,
 - Relevant databases including National Biodiversity Ireland Database,
 - Other plans and projects in the area
- Field assessment undertaken on 11th July 2019.

8.6. Geographical Scope and Main Characteristics

- 8.6.1. The site comprises a c. 3km section of the existing N17 National Primary Route to the north-west of the village of Milltown, Co. Galway. Approximately half of realignment works will be off-line and the site boundary includes the existing road and off line sections, together with existing junctions with side roads and proposed waste spoil areas, attenuation ponds and drainage ditches.
- 8.6.2. The area surrounding the proposed development is rural in character with occasional road-fronting development. The road corridor is mostly aligned with improved agricultural grassland with occasional wet grassland and dry meadow and grassy verges. There are buildings and artificial surfaces at the south-eastern end in proximity to the village. The roadway and field boundaries are aligned with hedgerow and treelines.
- 8.6.3. A stream flows south-east on the southern side of the road, entering the Carrownageeha River close to the western side of the commencement of the proposed roadworks at the village. The Carrownageeha River enters the Clare River approximately 1.4km downstream of this point. Part of the stream, the Carrownageeha River and Clare River are within the Lough Corrib SAC.
- 8.6.4. Other features of note in the area include Bellisland Lough, which is approximately 500m north of the N17. There are also areas of marsh and forestry in the wider area.

- 8.6.5. The purpose of the proposed development is to remove a number of bends in this section of road, and in doing so, improve road safety, sight distances, cross sectional width and drainage. The proposed road drainage system will be designed to remove surface water from the road and to minimise the impact of run-off on the receiving environment. The current drainage system discharges directly to the receiving watercourse and groundwater without attenuation or pollution control.
- 8.6.6. Works will be required to protect/ divert utility services including low and medium voltage electricity lines, water supply, telecommunications and Irish Rail. It is expected that the majority of construction materials will be imported. Two spoil repository/ borrow pits are proposed, and ground investigations will be carried out. Construction vehicles will only use authorised site access roads.

8.7. Screening the need for Appropriate Assessment

- 8.7.1. The proposed development site adjoins the Lough Corrib SAC, at the point where a side local road crosses the stream between the townlands of Killerneen and Drum. The stream forms part of the SAC. There are no other European sites within 5km of the site boundary.
- 8.7.2. Having regard to the information available, the nature, size and location of the proposed development and its likely direct, indirect and cumulative effects, the source pathway receptor principle and sensitivities of the ecological receptors, the European Sites set out in Table 1 below are considered relevant to include for the purposes of initial screening for the requirement for Stage 2 appropriate assessment on the basis of likely significant effects. A 15km study area from the proposed development is applied for this purpose, wherein a total of eight European Sites are included (all SACs). The Screening Assessment also considers the Lough Corrib SPA, which has surface water connectivity with the proposed development.
- 8.7.3. European sites considered for Stage 1 screening:

European site (SAC/SPA)	Site code	Distance to subject site	Connections (source, pathway, receptor)	Considered further in Screening (Y/N)
Lough Corrib SAC	000297	0km	Potential connections	Y
Carrowkeel Turlough SAC	000475	8.3km	No potential connections	N
Greaghans Turlough SAC	000503	8.8km	No potential connections	N
Kilglassan/ Caheravoostia Turlough Complex SAC	000504	9.5km	No potential connections	N
Ardkill Turlough SAC	000461	10.5km	No potential connections	N
Skealoghan Turlough SAC	000541	13.1km	No potential connections	N
Shrule Turlough SAC	000525	14.6km	No potential connections	N
Clyard Kettle-Holes SAC	000480	14.9km	No potential connections	N
Lough Corrib SPA	004042	56.3km (via surface water)	Potential connections	Y

Table 1 – Summary Table of European Sites considered in Screening for Appropriate Assessment

8.7.4. Table 2 below provides a screening summary matrix of the outcomes of the screening process explaining whether or not the effects are considered significant using objective information.

European Site	Distance to proposed development/ source, pathway receptor	Possible effect alone	In combination effects	Screening conclusions:
<p>Lough Corrib SAC</p> <p>Qualifying Interests:</p> <p>Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110]</p> <p>Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or Isoeto-Nanojuncetea [3130]</p> <p>Hard oligo-mesotrophic waters with benthic vegetation of Chara spp. [3140]</p> <p>Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260]</p> <p>Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210]</p> <p>Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410]</p> <p>Active raised bogs [7110]</p> <p>Degraded raised bogs still capable of natural regeneration [7120]</p> <p>Depressions on peat substrates of the Rhynchosporion [7150]</p>	<p>0 km - site boundary adjoins SAC at the point where local road crosses the stream between the townlands of Killerneen and Drum.</p>	<p>Network of drainage ditches within works area have surface water connectivity with Lough Corrib SAC – potential to cause deterioration of water quality during construction and operation, affecting downstream aquatic habitats and supporting habitats for aquatic fauna.</p> <p>Potential for disturbance, displacement and collision mortality related impacts to Otter during construction and operational phases.</p>	<p>Uncertain - further assessment required at Appropriate Assessment stage.</p>	<p>Screened in for need for AA</p>

<p>Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davallianae</i> [7210]</p> <p>Petrifying springs with tufa formation (<i>Cratoneurion</i>) [7220]</p> <p>Alkaline fens [7230]</p> <p>Limestone pavements [8240]</p> <p>Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0]</p> <p>Bog woodland [91D0]</p> <p><i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel) [1029]</p> <p><i>Austropotamobius pallipes</i> (White-clawed Crayfish) [1092]</p> <p><i>Petromyzon marinus</i> (Sea Lamprey) [1095]</p> <p><i>Lampetra planeri</i> (Brook Lamprey) [1096]</p> <p><i>Salmo salar</i> (Salmon) [1106]</p> <p><i>Rhinolophus hipposideros</i> (Lesser Horseshoe Bat) [1303]</p> <p><i>Lutra lutra</i> (Otter) [1355]</p> <p><i>Najas flexilis</i> (Slender Naiad) [1833]</p> <p><i>Hamatocaulis vernicosus</i> (Slender Green Feather-moss) [6216]</p>				
<p>Carrowkeel Turlough SAC</p> <p>Qualifying Interests:</p>	c.8.3km north-west of the proposed works area and in	Based on lack of connectivity between the site and SAC, potential for indirect impact	No effect	Screened out for need for AA

Turloughs [3180]	separate hydrological and groundwater catchment.	on European Site can be excluded.		
Greaghans Turlough SAC Qualifying Interests: Turloughs [3180]	c. 8.8km west of the proposed works area and in separate hydrological and groundwater catchment.	Based on lack of connectivity between the site and SAC, potential for indirect impact on European Site can be excluded.	No effect	Screened out for need for AA
Kilglassan/ Caheravoosia Turlough Complex SAC Qualifying Interests: Turloughs [3180]	c. 9.5km west of the proposed works area and in separate hydrological and groundwater catchment.	Based on lack of connectivity between the site and SAC, potential for indirect impact on European Site can be excluded.	No effect	Screened out for need for AA
Ardkill Turlough SAC Qualifying Interests: Turloughs [3180]	c. 10.5km west of the proposed works area and in separate hydrological and groundwater catchment.	Based on lack of connectivity between the site and SAC, potential for indirect impact on European Site can be excluded.	No effect	Screened out for need for AA
Skealaghan Turlough SAC Qualifying Interests: Turloughs [3180]	c. 13.1km west of the proposed works area and in separate hydrological and groundwater catchment.	Based on lack of connectivity between the site and SAC, potential for indirect impact on European Site can be excluded.	No effect	Screened out for need for AA
Shrule Turlough SAC Qualifying Interests: Turloughs [3180]	c. 14.6km south-west of the proposed works area and in separate hydrological and groundwater catchment.	Based on lack of connectivity between the site and SAC, potential for indirect impact on European Site can be excluded.	No effect	Screened out for need for AA
Clyard Kettle-Holes SAC Qualifying Interests:	c. 14.9km west of the proposed works area and in	Based on lack of connectivity between the site and SAC, potential for indirect impact	No effect	Screened out for need for AA

Turloughs [3180] Calcareous fens with Cladium mariscus and species of the Caricion davallianae [7210]	separate hydrological and groundwater catchment.	on European Site can be excluded.		
Lough Corrib SPA Qualifying Interests: Gadwall (Anas strepera) [A051] Shoveler (Anas clypeata) [A056] Pochard (Aythya ferina) [A059] Tufted Duck (Aythya fuligula) [A061] Common Scoter (Melanitta nigra) [A065] Hen Harrier (Circus cyaneus) [A082] Coot (Fulica atra) [A125] Golden Plover (Pluvialis apricaria) [A140] Black-headed Gull (Chroicocephalus ridibundus) [A179] Common Gull (Larus canus) [A182] Common Tern (Sterna hirundo) [A193] Arctic Tern (Sterna paradisaea) [A194] Greenland White-fronted Goose (Anser albifrons flavirostris) [A395] Wetland and Waterbirds [A999]	56.3km via surface water connectivity	Potential for indirect impact on special conservation interest species in terms of disturbance/ displacement can be excluded based on the nature and scale of works and the distance from this SPA. SPA is hydrologically downgradient of proposed works – potential for deterioration in surface water quality during construction potentially affecting Qualifying Interest “Wetland and Waterbirds”.	Uncertain - further assessment required at Appropriate Assessment stage.	Screened in for need for AA

Table 2 Screening summary matrix: European Sites for which there is a possibility of significant effects (or where the possibility of significant effects cannot be excluded without further detailed assessment)

8.8. Identification of Likely Effects

- 8.8.1. The Appropriate Assessment Screening Report prepared on behalf of Galway County Council has identified nine European Sites for screening for Appropriate Assessment. Seven SACs have been screened out on the basis that there is a lack of hydrological connectivity to the proposed development site. I consider this to be a reasonable approach given the separation distance of at least 8.3km to the proposed development site and the fact that there are no surface water and groundwater connections. I therefore consider that is reasonable to conclude, based on objective information, that the proposal is not likely to have a significant effect on the Carrowkeel Turlough SAC (site code: 000475), Greaghans Turlough SAC (000503), Kilglassan/ Caheravoosia Turlough Complex SAC (000504), Ardkill Turlough SAC (000461), Skealaghan Turlough SAC (000541), Shrule Turlough SAC (000525) and Clyard Kettle-Holes SAC (000480).

Lough Corrib SAC

- 8.8.2. A stream continues parallel to the proposed road realignment works that forms part of the Lough Corrib SAC. There is an existing bridge over a local road between the townlands of Drum and Killerneen and the SAC continues downstream of this point and onto the Carrownageeha River, which in turn is a tributary of the Clare River. The local road will be realigned immediately to the north-east of the bridge to form a new junction with the new section of the N17. Drawings would appear to show that no in-stream works will be required and there will be no direct impact on this SAC.
- 8.8.3. It is stated in the Appropriate Assessment Screening Report that indirect impacts on certain qualifying interests of the Lough Corrib SAC can be ruled out due to the terrestrial nature of habitat/ species, the distance from the proposed works area and the absence of a complete source-pathway-receptor chain. The proposed development is also outside the foraging range of the lesser horseshoe bat population that is a qualifying interest for the SAC. In addition, the SAC is designated for the Owenriff Freshwater Pearl Mussel, which is in a separate hydrological catchment. I agree that the proposed development will not therefore have a significant effect on these qualifying interests/ special conservation interest species for which the European Site has been designated.

- 8.8.4. There is potential for deterioration of surface water quality during the construction and operational phases of the proposed development via a network of drainage ditches occurring in the area that have connectivity with the Lough Corrib SAC. The proposed development could therefore have a significant effect on downstream aquatic habitats that are qualifying interests/ special conservation interest species for which the European Site, i.e. White-clawed crayfish, Brook Lamprey, Sea Lamprey, Salmon, Otter, Oligotrophic water containing very few minerals of sandy plains, Oligotrophic to mesotrophic standing waters with vegetation, Hard oligo-mesotrophic waters with benthic vegetation and Watercourses with plain to montane levels. There is also potential for disturbance, displacement and collision mortality related impacts to Otter during the construction and operational impacts of the proposed development.

Lough Corrib SPA

- 8.8.5. The proposed development site is approximately 22km from the Lough Corrib SPA, designated for a number of bird species and for wetlands and waterbirds. Having regard to the distance from the SAC and the nature and scale of the proposed works, there will be no disturbance/ displacement impacts on the species which are qualifying interests/ special conservation interest for which this SPA is designated.
- 8.8.6. Lough Corrib SPA is hydrologically downgradient of the proposed development, albeit over a distance 56km. The proposed development could nonetheless have a significant effect on downstream surface water quality during construction and potentially affect the special conservation interest "Wetlands and Waterbird".
- 8.8.7. It is considered within the Appropriate Assessment Screening report that the proposed development site is within the likely zone of impact and that further assessment is required. Following the precautionary principle, and based on the potential for surface water connectivity, I agree that the Lough Corrib SPA should be brought forward for Appropriate Assessment.

8.9. In-combination effects

- 8.9.1. The Appropriate Assessment Screening Report concludes that the potential for the proposed works to contribute to a cumulative impact on Lough Corrib SAC and Lough Corrib SPA requires further assessment at Appropriate Assessment stage.

- 8.9.2. The Ecological Impact Assessment Report accompanying the application examines any in-combination effects that the proposed development could have with other plans and projects in the area on designated sites. This included an assessment of all planning applications within the townlands through which the proposed development traverses.
- 8.9.3. It is concluded that there is no connection between the proposed road development and any of the plans and projects that were reviewed that could potentially result in additional or in-combination impacts. Notwithstanding this, the impact of the proposed development on the European Site may require further assessment at Appropriate Assessment stage. The potential for adverse effects due to in-combination effects with other projects and activities on European Site is therefore uncertain.

8.10. Screening Determination

- 8.10.1. It is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on Carrowkeel Turlough SAC (site code: 000475), Greaghans Turlough SAC (000503), Kilglassan/ Caheravoosia Turlough Complex SAC (000504), Ardkill Turlough SAC (000461), Skealaghan Turlough SAC (000541), Shrute Turlough SAC (000525) and Clyard Kettle-Holes SAC (000480) in view of the sites' conservation objectives and a Stage 2 Appropriate Assessment for these sites is not therefore required.
- 8.10.2. Based on my examination of the Appropriate Assessment Screening Report, together with other supporting information, the NPWS website, aerial and satellite imagery, the scale of the proposed development and likely effects, separation distances and functional relationships between the proposed works and the European sites, their conservation objectives, and taken in conjunction with my assessment of the subject site and the surrounding area, I conclude that a Stage 2 Appropriate Assessment is required for the following European Sites in view of the conservation objectives of those sites:
- Lough Corrib SAC

- Lough Corrib SPA

8.10.3. I am satisfied that no additional sites need to be brought forward for Appropriate Assessment. I confirm that no mitigation has been taken into account at the screening stage.

9.0 Recommendation

I recommend that Galway County Council be directed to prepare a Natura Impact Statement in respect of the proposed N17 Milltown to Gortnagunned Road Realignment Scheme for the reasons and considerations set out below.

10.0 Reasons and Considerations

Having regard to:

- a) The location of the proposed development and the separation distance with the adjoining a 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 SAC and Lough Corrib SPA,
- 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 January 2021,
- 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, that 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 SAC (site code: 000297) and the Lough Corrib SPA (site code: 004042), in view of the conservation objectives of these sites and that a Stage 2 Appropriate

Assessment and the submission of a Natura Impact Statement for the proposed development is, therefore, required.

Donal Donnelly
Senior Planning Inspector

23rd April 2021