An Bord Pleanála

Inspector's Report

ABP-312875-22 & ABP-312877-22

Development	N63 Liss to Abbey Realignment Scheme
Location	Culliagh South, Culliagh North, Liss, Chapelfield, Abbey, Clashard, Moyne and Newtown, Co. Galway.
Applicant(s)	Galway County Council
Type of Application	Approval under section 51(2) of the Roads Act 1993 (as amended), and associated CPO
Submissions on Road Project	1. Transport Infrastructure Ireland (TII) 2. Department of Housing, Local Government and Heritage 3. Lucy Woods
Submissions on CPO	1. Lucy Woods 2. Padraic Conneely
Date of Oral Hearing	24th November 2022

Date of Site Inspection	17th November 2022
Inspector	Anthony Kelly

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1.0 Introduction

1.1. Galway County Council is seeking confirmation of a compulsory purchase order (CPO) authorising compulsory acquisition of lands, and also authorising the local authority to extinguish a public right of way, entitled Galway County Council Compulsory Purchase Order (No. 1) 2021 (Infrastructure & Operations) N63 Liss to Abbey Realignment Scheme. The Order was made pursuant to the relevant legislative powers conferred on the local authority.

1.2. In addition, Galway County Council is seeking approval for the same proposed road development under s51 of the Roads Act, 1993 (as amended), in accordance with plans and particulars, including an Environmental Impact Assessment Report (EIAR) and Natura impact statement (NIS), received by An Bord Pleanála on 4th March 2022.

1.3. Prior to the preparation of the application for approval Galway County Council sought a direction from the Board as to whether an EIAR would be required (ABP Reg. Ref. ABP-309050-20). In June 2021 the Board determined that an EIAR would be required.

1.4. An oral hearing was held on 24th November 2022.

2.0 Site Location and Description

2.1. The proposed road development is located adjacent to the north/north east of Abbeyknockmoy village. The village is located relatively centrally in Co. Galway, approx. 5.5km east of the M17 motorway, and approx. 10km south east of Tuam.

2.2. Abbeyknockmoy is a long village along the N63. The main residential/commercial core is separated from the community core (church, national school, community centre, GAA club, and handball alley) which is approx. 1.1km to the east. There is sporadic one-off housing along the N63 between the two village cores, where an 80kph speed limit applies.

2.3. Knockmoy Abbey ruins, a national monument, is located on the north side of the River Abbert, approx. 350 metres north east of the residential/commercial core of the village. There are a number of protected structures in the general vicinity e.g. Liss Bridge and Rose Villa (a house).

3.0 **Proposed Development**

3.1. **Overview**

3.1.1. Approval is sought for the construction of approx. 2.3km of national secondary road on 15.494 hectares of land. The proposed road development would comprise a rural all-purpose type 2 single carriageway road, including a new bridge crossing of the Abbert River, and pedestrian and cycling facilities predominantly along the existing N63. The proposed development would deviate offline north of the N63 adjacent to the eastern edge of the residential/commercial core of the village and be connected to the existing network through the southern arm of a proposed three-armed roundabout. The proposed road would continue north easterly across agricultural land, crossing the Abbert at an approx. 35° angle. Continuing in an easterly direction it would cross the L6159, and tie into the existing N63 at its junction with the L6234. The following major elements are provided for:

- approx. 2.3km of type 2 single carriageway road (predominantly off-line),
- new roundabout at the western end to provide connection with the existing N63,
- two new priority junctions to connect to the L6159 and L6234, including minor realignments,
- a clear span steel girder bridge,
- seven new piped culverts and two new boxed culverts over existing field ditches, and three new flood alleviation box culverts,
- pedestrian and cycle facilities, predominantly along the existing N63,
- associated earthworks,
- accommodation works including the provision of access roads and accesses,
- drainage works including attenuation ponds,
- treatment of surface water runoff prior to outfall discharge, spill containment measures, and attenuation treatment facilities,
- utilities and services diversion works,
- safety barriers, public lighting, and fencing,

- viewing area for Knockmoy Abbey with parking,
- landscaping, signage, and lighting,
- environmental measures and other ancillary works.

3.1.2. The design and extent of the proposed works is assessed in the planning assessment in section 9.3 of this inspector's report.

3.1.3. Detailed geometric designs and other design aspects are set out in sections 4.4 and 4.5 of the EIAR. It is anticipated the construction works would be progressed as a single construction contract with a construction phase lasting approx. 15-18 months.

3.1.4. The application is accompanied by, inter alia:

- an 'Environmental Impact Assessment Report Volume 1 & 2: EIAR' document, prepared by AECOM and Roughan & O'Donovan Ltd. (AECOM-ROD), and dated February 2022. Volume 1 contains the non-technical summary, and volume 2 contains the EIAR itself.
- an 'Environmental Impact Assessment Report Volume 3: Figures' document, prepared by AECOM-ROD and dated February 2022.
- an 'Environmental Impact Assessment Report Volume 4: Appendices' document, prepared by AECOM-ROD and dated February 2022.
- a 'Natura Impact Statement' (NIS) document prepared by AECOM-ROD and dated February 2022.
- a 'Phase 3 – Design Report' document prepared by AECOM-ROD and dated February 2022.

3.2. Need for the Scheme

3.2.1. Chapter 2 (Need for the Scheme and Planning Policy Context) of the EIAR outlines the need for the proposed road development. This is assessed in section 9.1 of the planning assessment in this inspector's report. The EIAR states that the existing N63 is generally narrow with no hard shoulders, it has poor vertical and horizontal alignment, there is no off-carriageway provisions for pedestrians or cyclists, Liss Bridge is narrow and restricts traffic flow, and there have been a number of bridge strikes. Agricultural vehicles regularly conflict with traffic on the bridge. The existing

road does not provide for any active travel modes between the two village cores, and the mixing of local and regional traffic impacts journey times and safety e.g. at school drop-off. There are 19 no. direct accesses onto the N63 in the study area, several of which have inadequate sightlines. Traffic issues are described in Chapter 5 of the EIAR.

3.2.2. The N63 is a regional connector route. The proposed upgrade would help with connectivity, would improve the route consistency of the national road network, would increase overtaking opportunities, and would improve journey times and reliability. The proposed upgrade would aim to use the same cross section as the recently upgraded section of the N63 connecting the west of the village to the M17. It would also separate local and regional traffic. In addition, access to the community facilities (school, church, GAA club, community centre, handball alley) to the east of the residential and commercial core of the village 'via provision of a high-quality pedestrian and cycling link was identified as a key need during the early scheme preparation'.

4.0 Policy Context

This section should be read in conjunction with section 9.2 in the planning assessment section of this inspector's report which expands upon this issue.

4.1. National Planning Framework Project Ireland 2040 (NPF)

4.1.1. The NPF is a high level strategic plan to shape the future growth and development of the country to 2040. It will be focused on delivering 10 National Strategic Outcomes (NSOs). NSOs 2, 3, 4, and 7 are relevant to the proposed development and are considered in section 9.2 of this inspector's report.

4.1.2. The NPF sets the overarching spatial strategy for the next twenty years. The National Development Plan 2021-2030 sets out the ten year investment strategy.

4.2. Spatial Planning and National Roads Guidelines for Planning Authorities (2012)

4.2.1. The guidelines set out planning policy considerations relating to development affecting national roads (including national secondary roads) outside the 50/60kph speed limit zones.

4.3. Climate Action Plan 2021

4.3.1. The Climate Action Plan 2021 provides a detailed plan for taking action to achieve a 51% reduction in overall greenhouse gas emissions by 2030 and setting Ireland on a path to reach net-zero emissions by no later than 2050, as committed to in the Programme for Government and set out in the Climate Act 2021.

4.3.2. The Plan lists the actions needed to deliver on Ireland's climate targets and sets indicative ranges of emissions reductions for each sector of the economy. It will be updated annually, to ensure alignment with Ireland's legally binding economy-wide carbon budgets and sectoral ceilings.

4.4. Northern and Western Regional Assembly Regional Spatial & Economic Strategy 2020-2032 (RSES)

4.4.1. The RSES provides a high-level development framework for the Northern and Western Region that supports the implementation of the NPF and the relevant economic policies and objectives of Government. It provides a 12-year strategy to deliver the change necessary to achieve the objectives and vision of the Assembly.

4.4.2. Regional policy objectives (RPOs) 6.5, 6.8, and 6.26(b) are relevant to the proposed development and are referenced in section 9.2 of this inspector's report.

4.5. Galway County Development Plan 2022-2028

4.5.1. Chapter 6 of the Plan relates to transport and relevant sections of it are outlined in section 9.2. of this inspector's report.

4.5.2. The EIAR submitted with the application referenced the Galway County Development Plan 2015-2021. This inspector's report is based on the subsequently adopted Galway County Development Plan 2022-2028. It should be noted that one of the documents submitted by the applicant in advance of the oral hearing was an 'EIAR and NIS Errata'

document, prepared by AECOM, and dated November 2022. This updates the submitted EIAR with the adopted plan.

4.6. Natural Heritage Designations

4.6.1. Part of Lough Corrib SAC (site code – 000297) is immediately adjacent to the proposed development site and the River Abbert, which it is proposed to cross by way of a new bridge, forms part of the SAC.

5.0 Planning History

5.1. ABP Reg. Ref. ABP-309050-20 – In June 2021 the Board, on foot of a request from Galway County Council as to whether an EIAR would be required for the proposed development, determined that an EIAR would be required. The Order noted that the Board had particular regard to the likely significant effects on environment, landscape, visual amenities, archaeological, architectural, and cultural heritage.

5.2. The EIA Portal ID is 202216.

5.3. There is no notable recent planning history for any area affected by the proposed development.

6.0 Project Submissions/Observations

6.1. Prescribed Bodies

1. Transport Infrastructure Ireland (TII)

6.1.1. TII has no specific observations to make.

2. Department of Housing, Local Government and Heritage

6.1.2. The main issues raised by the department can be summarised as follows, using the same headings as in the submission.

Nature Conservation

6.1.3. The Board should ensure that the proposed development, individually or in combination with other plans and projects, does not have a significant effect on Lough Corrib SAC, through water quality or hydrological issues. There is potential for construction activity to result in run-off into drains and watercourses. Water quality must not be negatively impacted. Attention should also be paid to ensuring the adequacy, design, and mitigation regarding the avoidance of negative impact through hydrological effects on the adjacent qualifying interest (QI) habitat petrifying springs.

6.1.4. The NIS states piling for bridge abutment construction should be programmed from July to September inclusive so as to avoid sensitive lifecycle periods for QI species Atlantic salmon and brook lamprey. Sea lampreys are known to spawn into July and should be surveyed for as they would not be mitigated for in the proposed timing.

6.1.5. The NIS does not assess potential impact on lamprey ammocoetes and no survey for their potential presence or potential supporting habitat appears to have been carried out.

6.1.6. It is proposed to lose 0.36 hectares of Molinia meadows. The NIS states the receptor site for translocation is the field adjacent to the south west but is subject to further review. As this receptor site is part of the proposed mitigation/compensation in the NIS/EIAR it should only be replaced as the receptor site for ecological reasons. Monitoring is proposed for three years but this is possibly too short a duration to confirm establishment or failure. If translocation is not successful alternative remedial mitigation should be undertaken in consultation with the National Parks & Wildlife Service (NPWS).

6.1.7. The Board must ensure the future petrifying springs and Molinia meadows method statements, translocation plan, monitoring and habitat enhancement and maintenance plan are adequate to ensure no adverse impacts on the petrifying springs and successful mitigation for the Molinia meadows.

6.1.8. There are concerns regarding the location of site compound no. 2 within 13 metres of the SAC boundary. It is an area of wet grassland with water filled ditches. It is near the petrifying spring and there may also be other petrifying spring habitat. The Board should be satisfied that mitigation measures are adequate to accommodate this compound having regard to the SAC.

6.1.9. It is proposed to include areas of wildflower meadows from seed. Restoring the current improved/wet grassland to a semi-natural state through a grazing management regime may be more appropriate. Planting native trees and shrubs along the river may be more suitable than reseeding the current grassland to the SAC boundary. It would be a beneficial nature conservation measure to plant native tree species which may aid bank stability.

Other Biodiversity Issues

6.1.10. The EIAR is contradictory as to whether there will be a net loss or gain of scrub and hedgerow habitat. This needs to be clarified.

6.1.11. Clarification is also required in terms of proposed bridge lighting. The proposed bridge provides an opportunity to enhance suitable resting and maternity roosts for bats. Bat boxes should be installed.

6.1.12. There appears to be an error in the EIAR relating to the timing of site/vegetation clearance works. There should only be limited exception to site vegetation clearance between March to August where it relates to the proposed bridge abutments.

6.1.13. A condition should be included that landscaping will comply with TII (2021) barn owl standards.

6.1.14. Under the precautionary principle specific designed underpasses should be incorporated for mammals, notably otters as they are an SAC QI species. There should be a construction phase condition that there should be no light spill to the river during the hours of darkness.

6.1.15. Strict adherence to NIS, EIAR etc. measures should be included as a planning condition.

6.2. Third Party Observers

1. Lucy Woods, Rose Villa, Liss, Abbeyknockmoy, Tuam, Co. Galway H54 FW71

6.2.1. The submission was prepared on the observer's behalf by Sheridan Woods Architects + Urban Planners, 14 Baggot St. Lwr., Dublin 2 D02 HH68. The main points made can be summarised as follows:

6.2.2. The submission is dual purpose i.e. it relates to both the road development application and the CPO. The submitter owns Rose Villa (protected structure) and agricultural land to both sides of the existing N63. An area to the front of the house and adjacent agricultural land is subject to CPO for a proposed new footpath and a section of the agricultural land north of the existing N63 is subject to CPO for the proposed new road. The submitter is in favour of the overall development and has no objection in principle but has some concerns. These can be summarised as follows:

CPO and Recognition of Historic and Habitual Use of Lands

6.2.3. There has been limited engagement with the landowner by the applicant. Two plots are referred to as part of the public road but are in the registered ownership of the landowner. The plot shown as a temporary take is shown on figure A4.13 2/7 as being earthworks (fill) with a lined drainage ditch to the rear of the earthworks. This must be clarified.

6.2.4. The area in front of the boundary wall is used for car parking. The proposed works will remove this. The observer requests three car parking spaces are incorporated into the design on the opposite side of the road to the east of the house with a crossing point and footpath provided. It is also requested traffic speed on the existing road be reduced to 30kph.

6.2.5. Clarification is requested in relation to how it is proposed to use the land during the temporary land take. Detail in relation to the nature and extent of the proposed footpath and new boundaries in close proximity to the curtilage of the house are also requested.

Boundary Treatment

6.2.6. <u>Rose Villa –</u> There are no details in relation to the footpath or assessment of its impact on the protected structure. Design, levels, finish, and drainage issues are referenced. A dilapidation survey of the front boundary wall and gates, and method statement ensuring works do not negatively impact the integrity of the wall, are required.

6.2.7. <u>Agricultural Lands to South of Existing Road –</u> The relevant drainage detail is unclear. No engagement as to the nature of the proposed wall. Query as to whether the proposed footpath would require removal of the existing hedgerow/planting and whether compensatory planting behind the wall would be provided. Also a query whether the proposed wall foundation would extend beyond the temporary CPO line.

Impact on Protected Structures

6.2.8. There are only three photomontage views illustrating the impact of the proposed development on protected structures. This is inadequate and they do not provide an adequate assessment. In addition, the submitted planting schedule has no accompanying landscape plan.

6.2.9. A comprehensive visual assessment is required illustrating existing and proposed views to and from each impacted protected structure. A comprehensive landscape plan should be provided. The road scheme should combine engineering, architectural, and urban design quality.

6.2.10. An oral hearing is requested.

6.3. Planning Authority Response to Submissions/Observations

6.3.1. The planning authority submitted a response to these issues in advance of the oral hearing and were referred to during the oral hearing.

7.0 Compulsory Purchase Order – Original Submission

7.1. Documentation Submitted

7.1.1. The local authority is seeking confirmation of Galway County Council Compulsory Purchase Order (No. 1) 2021 (Infrastructure & Operations) N63 Liss to Abbey Realignment Scheme, which was signed and sealed on 16th February 2022. The following documentation was submitted to the Board:

- newspaper advertisement in the Tuam Herald dated 23rd February 2022
- Chief Executive's Order No. E3872
- Form of Notice of the Making of a CPO
- confirmation of posting the CPO notices
- Senior Executive Engineer's memorandum to the Acting Director of Services
- Senior Planner's memorandum to the Director of Services

- N63 Liss to Abbey Realignment Scheme Schedule
- 3 no. Deposit Maps at 1:2500 scale (A1 sheets)
- 50 no. Deposit Maps at 1:2500 scale (A3 sheets)

7.1.2. The first part of the schedule to the CPO lists 107 no. plots of land permanently affected by the CPO. These are parts of the public road (58 no.), parts of agricultural land (40 no.), and parts of residential land (9 no). The second part of the schedule lists 26 no. plots of land that will be temporarily affected. These are parts of agricultural land (15 no.) and parts of residential land (11 no.). The deposit maps illustrate lands to be permanently and temporarily acquired. They also show the public right of way that it is proposed to extinguish (part of the L6159 road).

7.1.3. The lands described in the schedule are lands other than land consisting of a house or houses unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense.

7.2. Submissions on CPO

7.2.1. Four submissions were received by the Board in relation to the CPO, two of which were subsequently withdrawn. The main points made in the two remaining submissions can be summarised as follows:

1. Lucy Woods, Rose Villa, Liss, Abbeyknockmoy, Tuam, Co. Galway H54 FW71

7.2.2. Plot reference number 116 refers. The submission was prepared on the observer's behalf by Sheridan Woods Architects + Urban Planners, 14 Baggot St. Lwr., Dublin 2 D02 HH68. The same submission was also made in relation to the proposed road development itself and the main points are as set out in sections 6.2.1 – 6.2.10 of this inspector's report.

2. Padraic Conneely, Oakwood, Abbeyknockmoy, Tuam, Co. Galway

7.2.3. Plot reference number 146 refers. The observer objects to the proposed CPO. The observer states the stone wall, ditch, and blackthorn hedge on the eastern boundary cannot be removed. The observer also has plans for a commercial building and living accommodation on the property.

7.3. Planning Authority Response to CPO Submissions

7.3.1. The planning authority submitted a response to these issues in advance of the oral hearing and were referred to during the oral hearing.

8.0 Oral Hearing

8.1. The online oral hearing took place on Thursday 24th November 2022. The hearing dealt with both the proposed road development and the CPO. Notwithstanding, the issues raised primarily related to landowners' CPO concerns.

8.2. Copies of the submissions from both the Local Authority and Sheridan Woods Architects + Urban Planners Ltd. on behalf of Lucy Woods, were received by the Board on Monday 21st November 2022, as requested in the agenda previously circulated.

8.3. The applicant (Galway County Council) was represented by Esmonde Keane SC. The others who spoke on behalf of the Council were Eoin Greene (Technical Director, AECOM), Valerie Loughnane-Moran (Senior Planner, Galway Co. Co.), and Usna Keating (Flynn Furney Environmental Consultants).

8.4. Lucy Woods was represented by Kevin Woods, and Padraic Conneely spoke on his own behalf.

Note – The proceedings of the oral hearing were recorded. What follows below is a brief outline of the proceedings. This outline is proposed to function as an aid in following the recording.

Brief Summary of Oral Hearing Proceedings

8.5. I provided an opening statement and then the applicant was invited to present its case.

8.6. *Galway Co. Co.* – The applicant provided a brief overview of the proposed road development and CPO, outlined the justification for land acquisition with reference to alternatives considered, and set out its response to the written submissions made by objectors/observers.

8.7. Upon return from a brief break the objectors presented their cases.

8.8. *Kevin Woods* – Support for the overall project was expressed. The concern relates to the loss of car parking between the front boundary wall and the road. The existing vehicular access gate is narrow and there is an inability to turn within the curtilage, so the existing parking area is essential to the functioning of Rose Villa, a protected structure. The existing access is only used for maintenance. Some on-street solutions were proposed/considered but discounted. The observer suggested a solution was a new vehicular access and car parking area adjacent to the east, which would likely require a planning application. The applicant requested a costing of this, but subsequently considered that there is no need. The observer is seeking a written direction from the Board to the applicant that the loss of the front car parking area is acknowledged by the applicant as part of the CPO accommodation and compensation process.

8.9. *Local Authority* – In response the applicant stated the subject parking area is not a private parking area and it is part of the public road. The proposed road will reduce traffic on the existing road, and accessibility of the property would be greatly facilitated by the proposed footpath and cycleway. The Board's role does not amount to the giving of direction such as is being sought.

8.10. *Padraic Conneely* – Several issues were brought up in this section. The main issues cited related to difficulties accessing the shop and car park as a result of the proposed footpath (inspector's note – the shop and car park referred to are the seemingly disused structure and hardstanding area immediately south west of the junction of the L7138/Chapel Rd. and existing N63, opposite the community hall/handball alley. Mr. Conneely refers to this being used as a farm-shop type premises). Mr. Conneely stated that he will not allow this footpath. Mr. Conneely will also not allow his wall along the L7138 be moved. The proposed footpath would also stop buses pulling in at this location (inspector's note – this appears to be used as an unofficial Bus Éireann stop).

8.11. *Local Authority* – The Council considers the shop has been closed since c.1998. It is now the Council's intention to retain the existing wall along the L7138. From a road and pedestrian safety perspective maintaining vehicular access to the car park/hardstanding would need to be controlled and it would be appropriate to limit access and egress at this location to specific points which match accesses to the field.

8.12. At this point the proceedings moved on to the questioning between parties.

8.13. *Kevin Woods* – The Council requested a costing on the development of adjacent parking, and it was understood that they accepted the concern about the parking issue. However now there is an unexplained recent change of attitude after a long process. The observer would like an explanation for this.

8.14. *Local Authority* – The applicant did not agree to any parking proposal. They did ask for a costing if he wished to, which has not been provided. There is parking availability within the curtilage of Rose Villa. The vehicular entrance is 2.6 metres wide. There is no private car parking being removed.

8.15. *Kevin Woods* – It is a very restricted access and there is no ability to turn a vehicle. The observer was directly asked for a costing. The costing is available. The area to the front is private parking.

8.16. *Inspector* – Ownership of the parking area is not a matter for this forum and the costing issue is between the two parties. The Board is asked by the observer to specifically mention this parking issue in its determination. I stated it would be mentioned in the inspector's report and brought to the Board's attention, but it would be unlikely to be mentioned in the Board's determination.

8.17. *Local Authority* – Any acceptance of the suggested car parking area would undermine the validity of the planning process and could be appealed to the Board in any event. A claim can be made for compensation in due course. Possibly the landowner does own the area to the front of the wall, but this does not convert to private land. The existing entrance is operational. The speed limit would be reduced, traffic levels would be reduced, and visibility would be improved.

8.18. *Padraic Conneely* – The business property would be wiped away by the footpath across the front of the shop area. The observer declined to answer the question as to when the structure was last used as a shop. The use of the area as a bus stop location and the impact the proposed development would have on it was referenced again. It appears that this is an unsigned unofficial stop. This was supported by Mr. Woods. The loss of this bus stop because of the bypass would be an inconvenience to the community and the observer will not lose it. The local authority suggested a footpath and cycle path would be preferred by the community, rather than the current situation. The observer referenced a trip hazard as a result of the footpath across the front of the shop area. The location of the pedestrian crossing was queried by the observer

but this location was chosen because it would require crossing one road rather than crossing two roads if positioned further to the east.

8.19. *Local Authority* – In response to a query Kevin Woods stated Rose Villa is generally currently used as a holiday home. Using the front garden area to reverse would damage the stone surrounds and it has never been done. Mr. Woods outlined concern about safely egressing in reverse onto a cycle path. The local authority considers the proposed works would improve this. There was some discussion between both parties on this general topic, and again on the issue of the car parking and costing.

8.20. Closing comments were sought at this stage. Mr. Conneely did not make any closing comment.

8.21. *Local Authority* – The need for the scheme has been accepted by the vast majority of the community. Environmental, technical, and safety issues were referenced as well as the policy context. There was significant engagement with the parties. No individual can have a veto on matters of community benefit.

8.22. *Kevin Woods* – Reiterated disappointment with the treatment by the local authority. Notwithstanding, the scheme is supported in principle. What the observer really wants is an acknowledgement of the need to be accommodated whether it's written in the inspector's report or by way of the Board members.

8.23. The oral hearing was then closed following the reading of a closing statement.

9.0 Planning Assessment

The environmental impact assessment (EIA) and the appropriate assessment (AA) of the proposed development are considered in sections 10 and 11 of this inspector's report and these sections should be read in conjunction with this planning assessment. General planning issues such as traffic analysis, biodiversity, land and soils, climate, landscape and visual impact, cultural heritage, and general residential amenity issues are addressed under the relevant headings of section 10. Impact on Lough Corrib SAC is addressed in section 11. Notwithstanding the overlap with section 12 (Compulsory Purchase Order) of this inspector's report, I consider the following issues warrant consideration as part of the planning assessment:

- Need for the Proposed Development
- Policy Context
- Design and Extent of Works

9.1. Need for the Proposed Development

9.1.1. The need for the proposed development is set out in chapter 2 of the applicant's EIAR and is briefly summarised in section 2.2 of this inspector's report. The key issues outlined in the chapter can be summarised as follows:

Existing road conditions

9.1.2. The existing N63 is generally narrow with no hard shoulders. Alignment is poor in both the horizontal and vertical planes. There is no off-carriageway provision for pedestrians or cyclists. Liss Bridge is narrow, significantly restricts traffic flow, and there have been a number of bridge strikes. Safety is also compromised by the number of at-grade junctions and private accesses, several of which do not have the required sightlines.

Existing traffic issues

9.1.3. A number of issues were noted e.g. the 85th percentile speed along the existing N63 is high; the community building and school are in close proximity to the road; there are a significant number of road junctions and direct accesses; there are relatively high traffic volumes for such a rural link road and are largely dominated by through flows; tidal flows travel west in the morning and east in the evening peaks; and journey time reliability is negatively affected at Liss Bridge. The TII National Roads Network Indicators 2018 report indicates the N63 is operating at a volume/capacity ratio of <80% in most areas, including this area, though it is operating at a ratio of 100-120% at a number of pinch points elsewhere on the N63, with one section close to Moylough operating at >120%.

Existing road safety issues

9.1.4. Eleven road collisions (none fatal) have been recorded on the road network surrounding the proposed development between 2005 and 2016. The accident data to the west of Liss Bridge is twice that expected.

Providing improved regional connectivity

9.1.5. The N63 connects Longford and Roscommon towns to the M17. The proposed upgrade will improve route consistency (a section of the N63 west of Abbeyknockmoy was recently upgraded to a type 2 single-carriageway) and increase overtaking opportunities. It will help with connectivity and improve journey times and reliability.

Providing improved local connectivity at a community level

9.1.6. The existing N63 provides the link between the two distinct areas of the village as well as catering for regional traffic. It does not provide for active travel modes. Mixing of local and regional traffic impacts safety and journey times for both and raises safety concerns particularly in the vicinity of school drop-off areas. The proposed new road will separate regional and local traffic.

Enabling modal shift to active travel modes at a community level

9.1.7. The existing arrangement is deemed to be supressing an active travel modal shift at local level.

Project objectives

9.1.8. Objectives are set out under the headings of:

- Environment – e.g. avoid adverse impacts on the SAC, visual amenity of abbey.
- Safety – e.g. reduce the collision rate, provide improved section of N63, reduce the number of direct accesses onto N63, improve security of vulnerable users.
- Physical activity – e.g. dedicated route for pedestrians and cyclists, improve connectivity to encourage active travel.
- Economy – e.g. reduce journey times and improve reliability, assist in supporting the economic performance of counties Galway, Roscommon, and Longford.
- Accessibility and social inclusion – e.g. improve accessibility to key facilities, reduce severance within the community.
- Integration – e.g. upgrading the N63, support initiatives to bring investment to the west region.

9.1.9. On foot of a site inspection I acknowledge the deficiencies in the existing N63 in terms of width, alignment, and the absence of both adequate hard shoulders and pedestrian and cyclist facilities. Abbeyknockmoy is an unusual settlement in that the commercial and residential core has evolved geographically separate to that of the community facilities core. The connection between both is by way of the N63 which has an 80kph speed limit and which is subject of relatively heavy volumes of traffic. In my opinion the proposed road development, which would separate regional and local traffic from the community facilities core area, would improve the journey for regional traffic, would significantly improve the safety of the existing N63 for both vehicles and vulnerable road users, would substantially reduce congestion around the community facilities and in particular the school, would significantly improve connectivity between the separate village cores, and would encourage pedestrian and cyclist activity by way of the proposed footpath and cycling path.

9.1.10. I consider a need for the proposed development has been established, in principle.

9.2. Policy Context

9.2.1. Relevant policy has been briefly outlined in section 4 of this inspector's report. This section examines the policy environment and assesses whether or not the proposed road development would be consistent with it.

National Policy

9.2.2. I consider that there are several national strategic outcomes (NSOs) in the NPF which would support the proposed road development.

- NSO 2 (Enhanced Regional Accessibility) – The NPF states better accessibility between cities, including Galway, to the northern and western region 'will enable unrealised potential to be activated as well as better preparing for potential impacts from Brexit'. The N63 connects Longford town to the M17 motorway approx. 5.5km south west of Abbeyknockmoy via Roscommon town and some smaller urban areas. Page 140 of the NPS, under 'inter-urban roads', refers to 'Maintaining the strategic capacity and safety of the national roads network including planning for future capacity enhancements', and 'Improving average journey times targeting an average inter-urban speed of 90kph'. While not strictly an inter-urban route, the proposed development would maintain the

strategic capacity and improve the safety of this national secondary road, provides for capacity enhancement, and would improve regional journey times.

- NSO 3 (Strengthened Rural Economies and Communities) – Under 'rural development', page 141 of the NPF refers to strategic road improvement projects in rural areas to ensure access to critical services such as education, healthcare, and employment. The proposed development would enable easier access to education and community facilities for residents of the area. Regional traffic would be separated from local traffic and pedestrian and cyclist facilities would be provided to connect the commercial/residential area of the village with the area where critical community facilities are located.
- NSO 4 (Sustainable Mobility) – Under 'public transport', page 142 of the NPF refers to developing a comprehensive network of safe cycling routes in metropolitan areas, towns, and villages where appropriate. Currently many of Abbeyknockmoy's community facilities are located over a kilometre east of the residential/commercial village core and can only be accessed by the N63 where an 80kph speed limit applies and where there is no footpath. The provision of a footpath and cycle path linking both areas of the village, where regional traffic is removed, and where the speed limit along the existing N63 would be reduced to 50kph, would encourage walking and cycling.
- NSO 7 (Enhanced Amenities and Heritage) – This NSO states 'We will conserve, manage and present our heritage for its intrinsic value …' and 'Open up our heritage estates to public access, where possible'. Knockmoy Abbey ruins are a prominent feature. The proposed road development would bring motorists closer to it, while retaining views for residents and users of the section of the road to be bypassed.

9.2.3. Also in terms of national policy, one of the measures set out in section 15 of the Climate Action Plan 2021 to deliver targets to meet the required level of emissions reduction in relation to transportation is 'Expanding sustainable mobility options to provide meaningful alternatives to everyday private car journeys …' and references, inter alia, continued and enhanced investment in walking and cycling infrastructure across the country. A key ambition is 'to provide citizens with reliable and realistic sustainable mobility options to enable better mobility choices'. The proposed

development includes construction of a footpath and cycle path between the two village cores. The N63 is currently an extremely unattractive road for pedestrians and cyclists. It is likely that many more people would choose to walk or cycle to the church, school, community centre, or GAA club in the proposed environment than would currently do so.

Regional Policy

9.2.4. Section 6.2 of the RSES acknowledges the high dependency of the region on the private car reflecting the low level of alternative transport modes available within the region. Page 219 states 'The national road network is a critical enabler in facilitating an island-wide sustainable national transport system'. It also states 'Improving and maintaining the assets of all national roads is critical and the efficiency, capacity and safety of the existing national road network within the region must be maintained'.

9.2.5. RPO 6.5 states 'The capacity and safety of the region's land transport networks will be managed and enhanced to ensure their optimal use, thus giving effect to National Strategic Outcome No.2 and maintaining the strategic capacity and safety of the national roads network including planning for future capacity enhancements'. The capacity and safety of the N63 would be enhanced by the proposed road development. RPO 6.8 includes 'N63 Longford to M17 at Annagh (Junction 18)' as one of the 14 no. projects that 'shall be pursued, in consultation with and subject to the agreement of TII, through pre-appraisal, early planning and to construction as priority projects to be delivered to an appropriate level of service in the medium-term'.

9.2.6. In relation to walking and cycling, RPO 6.26(b) states 'Safe walking and cycle infrastructure shall be provided in urban and rural areas …' The proposed scheme would result in the achievement of this objective in the project area.

County/Local Policy

9.2.7. The Galway County Development Plan 2022-2028 is the document which sets out the local planning policies and objectives relevant to the area subject of the application and the CPO.

9.2.8. The Galway County Transport and Planning Study (GCTPS) provides an overview and examination of existing transport networks and services within the county. It seeks, inter alia, to actively promote and support improvements to the transport networks

which will encourage greater use of sustainable transport by existing populations and reduce car dependency. Relevant policy objectives contained within the plan in this regard are:

- GCTPS 3 (Sustainable Transport) – The County will seek to support a variety of measures which will reduce car dependency for residents and will specifically seek to improve access to sustainable transport choices (including responsive and "flexible" modes) for those residents in rural areas of the County.
- GCTPS 4 (Walking and Cycling) – Support for, and enhancement of, existing and new walking and cycling networks as the "first choice" for shorter local journeys and to link settlements within the County and to Galway City.
- GCTPS 7 (Improvements to Road Network) – The County will manage and maintain the efficient and safe operation of the road network under its control and will work with TII and NTA to identify locations on the national network where targeted improvements may be required to address specific issues.
- GCTPS 8 (Enhancement of National Networks) – The County will co-operate with TII and the NTA with regard to the maintenance and enhancement of national networks for longer-distance and cross-country travel and movement of through-traffic including freight.

9.2.9. Section 6.5.3 (Roads) states, 'The Council recognises the importance of the public road network in the county and the importance of the continued safeguarding and development of this infrastructure to ensure the safety of road users, the transport of goods and services and connectivity between the settlements and the wider region'. It also notes 'Whilst the plan supports the promotion of sustainable transport and a low carbon county the Council recognises that due to the significant number of rural communities within the county and the importance of maintaining movement of goods that roads infrastructure will retain an integral part of the overall transportation network for the county'.

9.2.10. Policy Objective Priority Roads Projects (PRP) 1 states, inter alia, 'Galway County Council will facilitate the progression of the necessary infrastructure improvements including new roads/projects listed in Table 6.1: Priority Transportation Infrastructure Projects for County Galway 2022-2028 … subject to relevant Irish planning and European environmental legislation including Article 6 of the Habitats Directive and/or

other environmental assessment, where appropriate'. Table 6.1 includes 'N63 Annagh Cross to Ballygar'. Annagh Cross is located adjacent to the M17 approx. 5.5km to the south west of the proposed development site, while Ballygar is located in north east Co. Galway approx. 28km north east of the proposed development site. The N63 connects both locations

9.2.11. Having regard to the foregoing I consider that it is clear that the proposed road development would be consistent with the national, regional, and local policy context.

9.3. Design and Extent of Works

9.3.1. The extent of the proposed works is set out in chapter 4 of the applicant's EIAR and is briefly summarised in section 3.1.1 of this inspector's report.

9.3.2. The applicant is proposing to develop an approx. 2.3km long national secondary road on 15.494 hectares of land, the majority of which is on agricultural land to the north east of the residential and commercial village core. It would comprise a rural all-purpose type 2 single carriageway road including a bridge crossing over the Abbert River which would have a span of 60.5 metres. Pedestrian and cyclist facilities are included, predominantly along the existing N63. Immediately east of the residential/commercial area of the village the proposed road would deviate offline through a three-armed roundabout, with the proposed road continuing across agricultural land and over the Abbert at an approx. 35° angle. The proposed alignment continues east, across the local road L6159 and then ties into the existing N63 at the junction with the local road L6234. The L6159 would be realigned to create a north/south staggered junction with the proposed road, and the L6234 would be realigned to tie in to the proposed road. The southern arm off the proposed roundabout would connect to the existing N63.

9.3.3. The major elements of the proposed road development comprise road, junctions, bridge, culverts, pedestrian and cyclist facilities, earthworks, accommodation works, drainage, utilities and services diversions, barriers, lighting, viewing area, landscaping, construction of access tracks, and environmental measures.

9.3.4. According to the EIAR, the proposed road development has been designed in accordance with TII Road Design Standards, Environmental Assessment and

Construction Guidelines and other best practice guidelines. Geometric design standards are identified.

9.3.5. The proposed mainline single carriageway has been designed as a rural all-purpose type 2 single carriageway road in accordance with TII's Cross Sections and Headroom publication (DN-GEO-03036). A type 2 single carriageway is needed to achieve the desired traffic safety and performance. This type of road has a capacity of 8,600 annual average daily traffic (AADT). In general, the proposed cross-sections of intersected side roads have been designed to closely follow the existing road.

9.3.6. The proposed N63 would have a 7 metres wide carriageway. Without pedestrian/cycle facilities there would be a 3 metres wide verge including 0.5 metres hard strip and 2.5 metres grassed. With these facilities there would be a 5.5 metres wide verge including a 0.5 metres hard strip, 1.5 metres grass, 3 metres shared pedestrian/cyclist facility and 0.5 metres grass. Along the existing N63 (which would be reclassified to a local road) the carriageway would be 6 metres wide with a 3 metres wide pedestrian/cyclist pavement. These are illustrated on figures A4.7 and A4.8 in EIAR volume 3. The pedestrian/cyclist facilities on the proposed N63 are located at the western end accessing the proposed viewing area, and more extensively, along the southern side of the road at the eastern end for approx. 530 metres. This would connect to both areas of the village by way of the existing N63 and the proposed pedestrian and cyclist facilities along that.

9.3.7. Section 4.4.3 of EIAR chapter 4 expands on the alignment of the mainline. Junctions, side roads, and pedestrian and cycle facilities are illustrated on figures A4.11 to A4.18 and are addressed in sections 4.4.4 (Side Roads), 4.4.5 (Junctions), and 4.4.6 (Pedestrian and Cycle Facilities). It is stated that 'The accessibility and permeability of the pedestrian/cycle facilities has been at the fore in the design'. Along the length of the existing N63 between chainage 10+080 and 11+450 a 3 metres wide shared use facility will be incorporated on the south side of the carriageway. There would be uncontrolled crossings at two local road junctions, with one new controlled pedestrian crossing connecting to the community centre and school. The L3110 local road would become the dominant road with the Liss Bridge section of the existing N63 having a priority junction and an uncontrolled crossing in proximity. Pedestrian and cycle facilities would continue on the east side of Liss Bridge/former N63. There are bus

stops at either end of the proposed road development which would not be bypassed by the proposed road.

9.3.8. The speed limit on the proposed road would be 100kph. There would be a 50kph limit west of the proposed roundabout and along the existing N63.

9.3.9. The proposed steel bridge would have a single 60.5 metres span to minimise the impact on the SAC and the river itself. It would have a width of 15.65 metres. The bridge abutments are outside the river channel and will be finished in stone cladding.

9.3.10. Drainage is set out in detail in section 4.5.2 of the EIAR. General principles, cut-off drains or ditches, proposed road drainage networks, surface and sub-surface water drainage, structure drainage, flow attenuation systems, pollution control, culverts, watercourse diversions, and flood risk are matters considered. The proposed drainage design incorporates systems for the collection and conveyance of overland water and surface water run-off, measures to treat and attenuate the surface water run-off from the new paved surfaces, and treatment of existing watercourses crossed or affected. Preliminary design of road drainage is in accordance with the principles of relevant TII publications, according to the EIAR.

9.3.11. Where boundaries at residential properties are removed as part of the works they will generally be replaced on a like-for-like basis subject to final agreement on accommodation works with the property owner. Fence types will vary across the proposed road development depending on requirements. In general, hazards have been eliminated but safety barriers will be required on the bridge approach. Directional and regulatory signs will be provided in accordance with the Traffic Signs Manual. Road lighting shall be confined to the proposed roundabout and immediate approaches, existing road lighting in proximity to the national school and community centre, and along the existing N63 for the proposed pedestrian and cycle facility.

9.3.12. Having regard to the foregoing, I consider that the design, type, and extent of the works proposed are generally acceptable and would result in a road development that would successfully separate regional and local traffic, would result in a calmer traffic environment for both types of traffic, and would likely significantly increase the number of people walking or cycling to the community facilities. I consider the proposed road type to be appropriate for the volume of traffic to be catered for and I note that ‘To the west of Abbeyknockmoy there is a recently upgraded section of the N63 connecting

to the M17 which consists of a Type 2 single carriageway cross-section' (page 2-3 of the EIAR). Therefore there is a consistency in the type of upgraded road facility being provided. I consider that the proposed bridge design is appropriate to its setting. Areas of proposed lighting such as at the proposed roundabout and along the proposed footpath and cycle way are appropriate in that it lights certain areas in the interests of safety and public amenity yet does not unduly encroach into the rural area and result in unnecessary light pollution, such as at the proposed bridge.

9.3.13. I consider that the route option that emerged from the site selection process is reasonable in terms of achieving the aims of the scheme and would not result in undue adverse impact on, for example, Knockmoy Abbey, Lough Corrib SAC, or protected structures, as set out in more detail in sections 10 and 11 of this inspector's report. Drainage issues are set out in detail in the EIAR, and I have no concern in this regard. Similarly, I have no concerns with the tie-ins of the proposed development with the existing road network and I consider the method of connecting the proposed and existing N63 by way of the proposed three-arm roundabout to be appropriate. The proposal to provide a combined footpath and cycle way connecting the two separate village areas is a positive design feature in terms of encouraging local residents to use more sustainable modes of transport. Site-specific issues raised in the submissions received and during the oral hearing are considered in section 12 of this inspector's report.

9.3.14. Having regard to the foregoing, I consider the design and extent of the proposed works are generally acceptable in principle.

10.0 Environmental Impact Assessment (EIA)

Introduction

10.1. This section of the inspector's report comprises an EIA of the proposed development. Some of the matters set out have already been addressed in detail in the planning assessment above. This section of the report should be read, where necessary, in conjunction with the relevant sections of the Planning Assessment and the Appropriate Assessment section below.

10.2. An EIAR, prepared by AECOM-ROD, was submitted to the Board by Galway County Council. The Non-Technical Summary (Volume 1) and the EIAR itself (Volume 2) are set out in a single folder. Volume 3 (Figures) and Volume 4 (Appendices) are contained in separate folders.

10.3. This EIA takes into consideration the documentation provided to the Board in advance of the oral hearing which updated and clarified the EIAR. I am satisfied that the submitted documentation does not materially alter the proposed development from that originally proposed.

10.4. As set out previously, the Board, on foot of a request from Galway County Council as to whether an EIAR would be required for the proposed development, determined that an EIAR would be required. The application falls within the scope of the 2014 EIA Directive (2014/52/EU). As required under article 3(1) the EIAR identifies, describes, and assesses the direct and indirect significant effects of the project on the following factors: (a) population and human health, (b) biodiversity, with particular attention to species and habitats protected under Directive 92/43/EEC and Directive 2009/147/EC, (c) land, soil, water, air and climate, (d) material assets, cultural heritage and the landscape, and (e) the interaction between the foregoing. Article 3(2) requires that the effects referred to in paragraph 1 on the factors set out shall include the expected effects deriving from the vulnerability of the project to risks of major accidents and/or disasters that are relevant to the project concerned.

10.5. I have carried out an examination of the information presented by the applicant and the submissions made. I am satisfied that the EIAR has been prepared by competent experts to ensure its completeness and quality, and that the information contained in the EIAR (including the pre-oral hearing submission) is up to date, adequately identifies and describes the direct and indirect and cumulative effects of the proposed development on the environment, and complies with article 94 of the Planning & Development Regulations 2001, (as amended).

10.6. Chapters 1 to 4, and chapter 19, of the EIAR are summarised in sections 10.7 – 10.14 of this inspector's report. The subsequent sections address each of the environmental factors. The four environmental factor groups (a) to (d) set out in section 10.4, above, are addressed within this EIA. Both population and human health (a) and biodiversity (b) have their own individual chapter in the EIAR. The factors outlined in (c) are

addressed individually/in combination in chapters 8, 9, 10, 11, and 12 and the factors outlined in (d) are addressed in chapters 5, 13, 14, 16, and 17. The interactions of the foregoing are considered in chapter 18 (sections 10.145-10.146).

10.7. The headings in the chapter assessments are those used in the EIAR. The content of each EIAR chapter is summarised with relevant headings as per the chapter. Not every heading is necessarily summarised. The 'Assessment & Conclusion' section at the end of each chapter summary is my assessment and conclusion of that particular factor, taking into consideration issues that I consider to be of particular relevance to the proposed development.

10.8. Chapter 1 (Introduction) of the EIAR outlines, inter alia, an overview of the proposed development, EIA legislation and guidance, the methodology used, the structure of the report, and the names and qualifications of the lead contributors to the EIAR.

10.9. Chapter 2 (Need for the Scheme and Planning Policy Context) outlines, inter alia, the need for the proposed road development and the policy context in which the development is proposed. I have assessed both of these issues in some detail in sections 9.1 and 9.2 of my planning assessment, and in section 12 (Compulsory Purchase Order) in this inspector's report as there is a significant overlap. I accept the need for the scheme as set out by the applicant and consider that it is consistent with the current planning policy context.

10.10. Chapter 3 (Consideration of Alternatives) outlines the reasonable alternatives studied. Appendix A3-1 comprises a detailed 'Options Selection Report' document. Natural (e.g. biodiversity, water) and artificial project constraints (e.g. cultural heritage, population) are identified and the constraints are expanded upon in Chapter 5 of A3-1. The 'do-nothing' and 'do-minimum' alternatives are described but it was concluded they 'would not alleviate the existing safety concerns along the N63 or minimise journey times'.

10.11. Six preliminary route options were identified with all having the same western and eastern tie-in points to the existing N63. These points were developed as a result of constraints to either end i.e. the village to the western end and the end of the portion of the road that experiences safety issues to the eastern end. All six routes underwent a Stage 1 Preliminary Options Assessment to reduce the number of options to progress through a more detailed assessment. Public consultation was held at this

stage. Three options were brought forward to Stage 2. These were compared under criteria of economy, safety, environment, integration, accessibility and social inclusion, and physical activity. Option B emerged as the preferred route as it had an overall ranking of 'minor or slightly positive'. Another public consultation took place relating to this emerging preferred option and the other two considered. 'A general preference for the Emerging Preferred Route was indicated during the consultation and in the subsequent submissions'. Some alignment changes were made in review, but it was taken forward to preliminary design stage. The junction strategy and bridge options (River Abbert Bridge Structures Options Reports – appendix A3-2) are outlined. In relation to the bridge, a steel girder bridge emerged as the most favourable option ahead of a precast portal frame or a precast beam structure. I consider that reasonable alternative options were suitably examined and discounted.

10.12. Chapter 4 (Description of the Proposed Road Development) includes details of the engineering features, land requirements, and construction and operation requirements. All detail informing the EIAR is based on the design of the project as described in the chapter. I have summarised the description of the proposed road development in sections 3.1.1 and 9.3 of this inspector's report.

10.13. Drainage details are outlined. It is noted that some watercourse diversions are necessary to avoid excessively long culvert crossings. All proposed diversions 'have been submitted to the OPW for approval under Section 9 of the Arterial Drainage (Amendment) Act 1995 and have been approved'. The proposed development would pass through a flood plain. A 'Phase 3 – Flood Risk Assessment' is submitted as appendix A9-1. Construction phase information is set out in section 4.6 of the EIAR for a project expected to last approx. 15-18 no. months. As set out in section 9.3 and section 12 of this inspector's report I consider that the design and extent of the proposed works is appropriate to achieve the scheme objectives.

10.14. Chapter 19 (Schedule of Mitigation Measures) 'details all of the mitigation and monitoring measures to be implemented during the construction and operation' of the proposed development and 'are an integral element of the planning application'. It is noted, throughout the EIAR, that embedded control measures have been incorporated into the proposed development design, and it is also noted that this chapter should be read in conjunction with the individual chapters as the information in chapter 19 is only

a summary. All mitigation and monitoring detailed are also contained in the outline CEMP.

10.15. Notwithstanding the content of the foregoing paragraphs, chapters 5 to 17 address the specific environmental elements relevant to the proposed development, and chapter 18 examines the interaction of the individual environmental elements.

Chapter 5 – Traffic Analysis

10.16. Methodology – A simple model (link-based projections) approach has been used for the traffic assessment of the proposed development as per TII guidelines for minor projects where significant re-routing does not take place. In order to calculate the number of vehicles that will use the proposed route (regional traffic), the number of vehicles that would remain on the existing route (local traffic) is determined first. The study area is shown in figure 5.1 and includes a number of local roads. Traffic surveys were undertaken in 2019 to develop and validate the base year traffic model. Traffic growth forecasts were based on TII guidelines. Estimates for use of the active mode facilities are considered. Limitations and assumptions are outlined in section 5.4 e.g. assumed construction phase trip rates (50 no. light vehicle (LV) trips per day (25 arrivals/25 departures) and 78 no. HGV trips per day).

10.17. Baseline Environment – The existing N63 is narrow with no hard shoulders or footpaths, has poor alignment, and a narrow bridge. Annual average daily traffic (AADT) figures are provided. The maximum number on the different links is less than 4,900 AADT.

10.18. Assessment of Impacts – Construction phase traffic impact would comprise an additional 128 no. trips per day in excess of the 'do minimum' approach i.e. maintenance of the existing road network. Operational phase traffic impact is also considered. Tables 5.6 and 5.7 show forecast traffic flows in the do-something and do-minimum scenarios for base year (2019) and both opening year (2023) and design year (2038), respectively. Results for both 2023 and 2038 show 'a substantial decrease in AADT' on the existing N63 in a do-something scenario. A reduction of 63%-88% in AADT on the various links is anticipated. 5,405 no. vehicles are anticipated to use the N63 between the proposed roundabout and the western end of the village in 2023, and 7,142 no. vehicles in 2038. The highest AADT number on the

proposed main new road carriageway i.e. east of the proposed roundabout, in 2038 is stated as 5,157 no. Statistics illustrate there will be a reduction in overall total distance travelled, a reduction in travel time, and an increase in average speed throughout the modelled road network. It is forecast that there will be a reduction in collisions, including one fewer fatality and two fewer serious injuries over the thirty-year design life. Dedicated walking and cycling facilities 'will enable a significant increase in the use of active modes'.

10.19. Significance of Effects – There would likely be a negative, short-term effect during the construction phase but a positive, long-term effect during operation. In a do-minimum scenario negative environmental impacts and high traffic volumes around the community facilities will increase.

10.20. Mitigation and Monitoring Measures – A Construction Traffic Management Plan will be in place for the construction phase with no monitoring required during operation.

10.21. Residual Impacts and Effects – With implementation of mitigation, there will be no major effects during construction. Post-construction there will be positive traffic, pedestrian, and cycling benefits.

10.22. Cumulative Impacts and Effects – A relevant Part 8 (LA1014) for improvement of the N63 approx. 1km to the south west, was consented in 2014 and is operational. It was considered as part of the baseline traffic flow data.

10.23. Assessment & Conclusion – The EIAR chapter has been summarised above. I have considered the submissions on file, this chapter of the EIAR, and all relevant documentation. I note TII has no specific observations to make.

10.24. Table 5-1 (Link-Based Growth Rates (Galway)) in the EIAR is taken from TII Project Appraisal Guidelines (PAG) Unit 5.3 – Travel Demand Projections (May 2019). This was updated in October 2021 to include a new alternative demand scenario relating to Covid/increased home working, though the scenarios outlined in the EIAR for the original three growth sensitivity scenarios remain the same. In the new scenario, only one of the six values goes slightly outside the original range considered (the low value in the low sensitivity growth scenario 2016-2030). The applicant does not appear to have provided separate figures for the three/four scenarios and it is unclear which specific growth sensitivity scenario the forecast AADT figures in tables 5.6 and 5.7 are based on.

10.25. The TII PAGs Unit 5.1 – Construction of Transport Models (October 2016) states that, irrespective of model type, the transport model needs to include, as a minimum, the base year, opening year, design year (opening year plus 15 years), and forecast year (opening year plus 30 years). In this regard the assumed opening year used in the chapter i.e. 2023, will not be realised and was not feasible given the February 2022 submission of the application to the Board. The design year used is 2038. No forecast year AADT figures have been provided, though I note that the PAG Unit 5.3 does not provide any growth rate beyond 2050. The EIAR does not contain data for the 2040-2050 growth rates and no justification for its omission has been referenced.

10.26. The AADT figure forecast for the 2038 design year is 7,142 no. vehicles on the proposed short stretch of new road between the proposed roundabout and the western part of the village. The maximum AADT figure on the proposed main road carriageway is 5,157 no. Using the highest value of the high sensitivity growth rate figure for 2040-2050 (1.0336) provided in the updated Unit 5.3 PAG, I calculate that the 2038 design year figures of 7,142 no. and 5,157 no. would further increase to 7,382 no. and 5,331 no. respectively. Therefore, the type 2 single carriageway proposed, with an AADT capacity of 8,600 no. vehicles, would comfortably accommodate this number. Anticipated growth rates in the 2040-2050 decade for the higher values in all four scenarios are significantly lower than the highest growth rate values anticipated, which are all in the 2016-2030 year range.

10.27. In my opinion the proposed road development, and improvements in pedestrian and cycling facilities along the existing N63, would result in an improved traffic environment for both regional and local traffic. Regional traffic would have a reduced journey time and an improved road in terms of width and alignment. Local traffic would experience a significant reduction in overall volume on the existing N63 with improved safety levels around the community facilities. Pedestrian and cycling facilities would support increased levels of sustainable transport. Section 5.3.7 (Selection of Preferred Cross Section) of the EIAR states the proposed type 2 single carriageway 'will have sufficient capacity to comfortably cater for the projected traffic demand in the Design Year (2038)' and I consider the carriageway would also comfortably accommodate the anticipated 2040-2050 growth rate.

Chapter 6 – Population and Human Health

10.28. Introduction – The chapter provides an assessment of land-use and accessibility, community severance, employment, and human health. The human health impact assessment relies on other chapters e.g. traffic analysis, air quality, and climate.

10.29. Limitations and Assumptions – The chapter is based on professional judgement and provides a broad indication of effects. Information relates to the 2016 census.

10.30. Baseline Environment – A comprehensive socio-economic profile of the area is established. Abbeyknockmoy had a population of 262 in the 2016 census with a housing stock of 109 no. Baseline details of population, age profile, community facilities, commercial properties, educational qualifications, occupational profile, income, travel patterns, and general health are among the areas outlined.

10.31. Assessment of Impacts and Effects –The most significant effect of the construction phase on a wide range of human health related issues is a negative effect on air quality, noise, and neighbourhood amenity, and on climate change. There will be positive impact on access to employment/work and training opportunities.

10.32. During the operational phase, the development will have a slight positive effect on community severance. The effect on human health related issues will be positive, though the effect on climate change is deemed negative.

10.33. Mitigation and Monitoring Measures – Relevant construction phase potential impacts and mitigation measures are addressed in detail in other chapters. No operational phase mitigation or monitoring is required.

10.34. Residual Impacts and Effects – A summary of same is set out in table 6.14.

10.35. Assessment and Conclusion – The EIAR chapter has been summarised above. I have considered the submissions on file, this chapter of the EIAR, and all relevant documentation. Many of the factors of this chapter, particularly health, are interlinked with other factors assessed in more detail elsewhere. I am satisfied that the potential for impacts on population and human health can be avoided, managed and/or mitigated by measures that form part of the proposed scheme, where relevant. Accessibility to community facilities would be improved as regional traffic would be redirected, and there would be temporary employment opportunities as a result of the proposed development. The new road would reduce journey times and remove

regional traffic along the existing N63. The separation of this traffic would result in a more pleasant living environment for local residents than currently exists and would improve connectivity for pedestrians and cyclists between the residential/commercial area of the village and the community facilities. I am satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative impacts on population and human health, and there would be positive benefits of the proposed development.

Chapter 7 – Biodiversity

10.36. Methodology – The methodologies employed during the preparation of the chapter are described. Those described include zones of influence, desk studies, consultations undertaken, field studies undertaken (ranging between 18th December 2019 and 1st February 2021 over a wide range of bird, habitat and flora, bat, fish, mammal, amphibian, freshwater macroinvertebrates, common lizard, crayfish, and marsh fritillary surveys), and impact assessment methods.

10.37. Baseline Environment – Designated nature conservation sites are set out, as is the desktop review findings of protected and rare flora and fauna. The habitats within the 419.8 hectares study area are outlined. Improved grasslands comprise 246.2 hectares, wet grasslands comprise 52.3 hectares, improved grasslands/wet grasslands 27.6 hectares, buildings and artificial surfaces 27.0 hectares, and mixed broadleaf woodland 23.1 hectares. 15.7 hectares is within the CPO line and approx. 10.3 hectares of habitat will be lost to the works footprint. Freshwater, grassland, and woodland and scrub habitats are referenced in some detail. A petrifying spring is located within the study area (and within the SAC), as is a Molinia meadow (outside the SAC), both Annex I habitats. Three invasive flora species were recorded. A summary of the river habitat survey is set out. Both reaches surveyed were 'obviously modified' and their habitats are described as 'fair'. The river had a Q-value of 3-4, indicating a moderate Water Framework Directive (WFD) status, slight pollution, and an unsatisfactory condition.

10.38. Bat activity during surveys was considered to be within the normal parameters of what would be expected. Signs of badger activity were rare within the study area with no

setts recorded. Much evidence of otters was found in the wider zone of influence. Hare was recorded twice during surveys.

10.39. Kingfisher (breeding) and little egret (foraging) were Annex I bird species noted during surveys. Meadow pipit, grey wagtail, kestrel, swift, snipe, and lapwing, all red-list species, were recorded during surveys. 16 no. amber-list species were recorded.

10.40. The Abbert is a tributary of the Clare River which has been modified on an ongoing basis since the 1950s. The entire main channel is within Lough Corrib SAC with qualifying interest (QI) species of sea lamprey, brook lamprey, and Atlantic salmon. The Abbert possesses highly significant fisheries potential which any proposed development should be cognisant of. Amphibians (suitable spawning sites were found at a number of locations), lepidoptera (several non-protected butterfly species were noted), and white-clawed crayfish (none found) were also referenced. Significant key ecological receptors (KERs) scoped into the EIAR are set out in table 7-20.

10.41. Assessment of Impacts – There are a number of construction phase issues that could impact on relevant habitats and species. These include surface water pollution, groundwater pollution and changes, air and dust pollution, habitat damage or deterioration to the SAC and land-take outside the SAC, spread of invasive flora, temporary lighting and tree felling for bats, impact on badgers should setts be established prior to development, and impacts and effects on otter and other protected mammals. The potential construction phase impacts on breeding, wintering, and wetlands birds are considered as are impacts and effects on fish, amphibians, lepidoptera, white-clawed crayfish, and lizard. The particular effects are described in detailed in section 7.6.3 of the EIAR.

10.42. Operational phase issues are described in section 7.6.4. As with the construction phase issues the impacts described are in the absence of mitigation measures. Potential impacts during the operational phase include pollution to water or air, collision risk, artificial lighting, habitat loss, hydrological and hydrogeological change, presence of barriers to migration and movement, increased disturbance, and impact on Lough Corrib SAC. These issues are considered in the context of bats, mammals, birds, fish, amphibians, lepidoptera, and white-clawed crayfish.

10.43. Mitigation and Monitoring Measures – There are a number of embedded control measures incorporated into the project design e.g. a clear span bridge structure that

eliminates the requirement for in-stream works and no lighting at the bridge location and approach, among others. There are a significant number of mitigation measures set out in the EIAR, taking up a total of 21 no. pages. Key themes are ecological surveying to be undertaken during pre-construction and construction, appropriate timing of works, monitoring by an ecological clerk of works (ECoW), and precedence of mitigation protecting European site(s) over other features should an unforeseen conflict arise.

10.44. General construction phase mitigation measures are set out under the headings of the role of the ecological specialist and ECoW, pollution control mitigation (water quality and earthworks), emergency response and environmental training, Construction Environmental Management Plan (CEMP) (Construction and Demolition Waste Management Plan (C&DWMP), Construction Erosion and Sediment Control Plan (CESCP), phasing of earthworks, phasing of piling, and artificial lighting), and air quality and dust. General operational phase mitigation measures are set out under the headings of artificial lighting, hydrology, and noise. Lighting locations are identified, there are unlikely to be any significant adverse effects on the local hydrological environment, and no significant long-term effects from operational noise is envisaged.

10.45. Specific mitigation for biodiversity conservation interests is set out. Pre-construction (where required), construction, and operational phase mitigation measures for habitats (including Lough Corrib SAC and the two associated Annex I habitats), invasive species, bats, badgers, otters, other mammal species, birds (including barn owls), fish, amphibians, lepidoptera, white-clawed crayfish, and lizard.

10.46. Construction and operational phase monitoring is detailed in section 7.7.2.

10.47. Residual Impacts and Effects – Tables 7-21 and 7-22 set out residual effects. The most significant residual effects on designated sites, habitat, and flora is a 'local' effect on drainage ditches, wet grassland, scrub, hedgerows, and improved agricultural grassland, all through habitat loss. For fauna, the most significant residual effects is a 'local/long term' effect on a number of mammal species and wintering birds through habitat loss and degradation, range restriction, disturbance, noise, pollution, and mortality. A 'local/long term (positive)' effect is cited for common frog and smooth newt through net habitat creation i.e. wetland (pond) habitat.

10.48. Cumulative Impacts and Effects – Tables 7-21 and 7-22 also refer. The findings were informed by reference to threats to the SAC, planning applications, ground water, surface waters, and relevant plans and programmes. The cumulative residual effective significance for designated sites, habitats, flora, and fauna are as described in paragraph 10.47, above.

10.49. Assessment and Conclusion – The EIAR chapter has been summarised above. I have considered this chapter of the EIAR, and all relevant documentation, including the submission from the Department of Housing, Local Government and Heritage, and the documentation received from the applicant in advance of the oral hearing.

10.50. The Department made a number of comments in its submission relating to impact on Lough Corrib SAC and other biodiversity issues. I note initially that issues in the submission under the heading 'Nature Conservation' are specific to or linked to the SAC. These issues are addressed in section 11 of this inspector's report. The section of the department's submission headed 'Other Biodiversity Issues' are relevant to this chapter of the EIAR. The submission refers to, inter alia, a contradiction about scrub and hedgerow, bridge lighting, vegetation clearance, barn owls, mammal passage, and lighting of the river.

10.51. Two of the documents submitted by the applicant in advance of the oral hearing, which the department did not participate in, were titled 'Brief of Evidence – Biodiversity', and 'Response to DAU Submission'. These set out responses to the department's concerns.

10.52. In relation to net biodiversity gain/loss the response acknowledges that approx. 8.02 hectares of habitat would be lost with approx. 7.55 hectares of habitat areas to be planted post-construction i.e. a net loss of approx. 0.47 hectares. The greatest loss of habitat would be improved agricultural grassland (approx. 3.9 hectares), a species poor habitat. 3.5 hectares of proposed mixed native hedgerow and woodland cluster tree planting and 0.04 hectares of shrub planting would establish a far more valuable habitat, and over time would be a more diverse area. Table 3-1 in the 'Response to DAU Submission' sets out the habitat areas, estimated loss in the works footprint, and estimated planting areas. Also related to planting and the department's concern in relation to reseeding, the detailed planting design 'will include native trees and shrubs to include Alder and Willow. Within the SAC and surrounding areas, only native seeds

will be used and these shall be collected from local sources (supplemented by other suitable native seed)'.

10.53. It is confirmed that there would be no lighting on the bridge structure during the construction or operational phases, and the bridge would be one of the locations that bat boxes would be added. The vegetation clearance times in the EIAR was an error. Vegetation clearance will not be permitted during the March to August inclusive nesting season with the exception of facilitating earthworks at the proposed bridge abutments, or stone walls suitable for lizards though this would be a case by case basis and supervised by the ecologist. Barn owl issues have and will be taken into consideration. It is stated that a mammal underpass has been incorporated and mitigation measures for otters are based on TII best practice guidance. There would be no lighting of the river during the construction phase.

10.54. Given the location of the proposed road development, and the greenfield nature of much of the proposed new road line, potential impacts on biodiversity is an area of concern. I consider that this issue has been adequately addressed in the EIAR chapter. I am satisfied that the potential for impacts on biodiversity can be avoided, managed and/or mitigated by measures that form part of the proposed scheme. I consider that the applicant's response has adequately addressed the issues raised in the department's submission, without any material alteration from the development as originally proposed. Issues specifically related to European site(s) are addressed in section 11 of this inspector's report. Given the scale of the proposed development, it is inevitable that there would be an impact on biodiversity in the area. However, I am satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative impacts on biodiversity.

Chapter 8 – Land and Soils

10.55. Methodology – The baseline environment has been determined from desktop review and a site walkover survey. Table 8-1 considers that hydrogeology associated with the SAC is the most important geological or hydrogeological attribute. Table 8-2 sets out the criteria and examples for describing potential effects on the land and soils environment. Criteria for the significance of effects is outlined.

10.56. Baseline Environment – The study area comprises pasture with drainage ditches, including a Molinia meadow, and the proposed road is adjacent to a petrifying spring and a calcareous spring. The topography is generally flat. The quaternary geology predominantly comprises till derived from limestone with areas of alluvium associated with the river. The underlying bedrock is pale grey clean skeletal limestone of the Burren Formation with no mapped faults. The bedrock aquifer consists of a 'regionally important aquifer – karstified (conduit)'. Groundwater was encountered at depths between 0.9 metres and 6.0 metres as well as during rotary coring in the bedrock. Groundwater was observed at the surface following drilling. Groundwater vulnerability in the study area consists of a mix of extreme, high, and moderate vulnerability. A geophysical survey and a site investigation were undertaken in 2020. A summary of baseline conditions is set out in table 8-6 of the EIAR. The soil environment can be considered of low sensitivity while the groundwater environment can be considered high sensitivity.

10.57. Assessment of Impacts – This assumes the implementation of embedded control measures e.g. sealed surface water drainage and attenuation system, planting of attenuation ponds, adequately sized culverts etc. A number of potential impacts arise during the construction phase: excavation and infilling (additional fill material required to be imported), accidental spills and leaks, use of natural resources (approx. 93,000m^3 of general fill, capping and pavement material required), use of concrete and lime, disturbance of soil containing aspergillus (a common mold), compaction of substrata (at embankments only), loss of agricultural land, and changes in groundwater level. The most significant effect is expected to be slight to the soil environment (excavation and infilling) and moderate/slight to the groundwater environment (excavation and infilling, accidental spills and leaks, and use of concrete and lime).

10.58. During the operational phase the impacts are from accidental spills and leaks, and water balance changes. Imperceptible effects are anticipated.

10.59. Mitigation and Monitoring Measures – A number of mitigation measures have been set out for the construction phase under the headings of soil excavation and filling, accidental spills and leaks, use of concrete and lime, monitoring and protection of Molinia meadows and petrifying springs, and use of natural resources. A CEMP will

be prepared based on the Outline CEMP submitted. No additional mitigation is proposed during the operational phase.

10.60. Residual Impacts and Effects – These are set out in table 8-11 of the EIAR. The residual effect of all impacts is considered imperceptible or not significant (use of natural resources).

10.61. Cumulative Impacts and Effects – Proposed and consented project cumulative effects will be imperceptible.

10.62. Assessment and Conclusion – The EIAR chapter has been summarised above. I have considered the submissions on file, this chapter of the EIAR, and all relevant documentation. I consider that the methodology outlined, construction and operation phase impacts cited, mitigation and monitoring measures proposed, and residual and cumulative impacts and effects anticipated are based on objective information and I agree with the conclusions reached. I am satisfied that the potential for impacts on land and soils can be avoided, managed and/or mitigated by measures that form part of the proposed scheme, where relevant. I am satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative impacts on land and soils.

Chapter 9 – Water

10.63. Methodology – The study area encompasses the proposed road development site and water features within a 1km radius. A desktop review, site walkover, and site studies/investigations were undertaken, and a Flood Risk Assessment (FRA) was prepared. Table 9-1 considers that hydrology associated with the SAC is the most important hydrological attribute. Table 9-2 sets out the criteria and examples for describing potential effects on the water environment. Criteria for the significance of effects is outlined.

10.64. Baseline Environment – The site is within the Corrib catchment area and the Clare (Galway) sub-catchment area. The Abbert River is considered by the EPA as being 'at risk' of achieving and maintaining good ecological status under the WFD. The WFD river waterbody status within the study area ranges from good to moderate. The Abbert is noted for fishery potential with respect to salmon and brown trout. Land immediately adjacent to the river is likely to be prone to flooding.

10.65. Assessment of Impacts – Embedded control measures within the design are noted. Construction phase impacts are cited as polluted drainage and discharges, changes to the existing drainage network, increased runoff from cleared and capped areas, construction of watercourse crossings, works within water, and outfall points. Pollution from mobilised suspended solids will generally be the prime concern. Sedimentation, accidental spillage and leakage, and use of concrete and lime (all with significant effects), and foul sewerage (temporary sanitary and possible canteen facilities) are outlined.

10.66. Operational phase adverse impacts cited are accidental spillage and leaks, drainage, and flooding. A preliminary risk assessment has indicated the spillage risk associated with the scheme as being 1 in at least 15,336 years. The road development has been designed such that surface water drainage and sub-surface drainage will be provided for the mainline carriageway, junctions, link roads and all new sections of local roads. The sealed drainage system will outfall at four locations into existing ditches (via attenuation ponds at three locations), all eventually outfalling to the river. Attenuation has been designed for a 1-in-100 year event plus 20% for climate change. In relation to flood risk it would only affect agricultural land.

10.67. Mitigation and Monitoring Measures – A CEMP will be prepared for the construction phase. A CESCP will form part of this. A number of mitigation measures are outlined. Other construction phase mitigation measures set out address issues of accidental spills and leaks, and use of concrete and lime. No specific operational phase mitigation is proposed.

10.68. Residual Impacts and Effects – These are summarised in table 9-5. The only non-imperceptible residual effect post-mitigation is flooding of the surrounding land which is considered to be a moderate/slight effect, but significant/moderate in the climate change scenario. However, 'this will only locally occur at the abutments on adjacent fields'.

10.69. Cumulative Impacts and Effects – There were no cumulative effects on the hydrology as a result of the Part 8 road project identified.

10.70. Assessment and Conclusion – The EIAR chapter has been summarised above. I have considered the submissions on file, this chapter of the EIAR, and all relevant documentation. I concur with the applicant that issues such as pollution of the

watercourses, changes to the drainage environment, and the potential for flooding are significant concerns. I consider the construction phase mitigation measures, which includes for a CEMP, are sufficient to mitigate against pollution of the river. Specific impact to the river, which is part of Lough Corrib SAC, is also considered in the AA section of this inspector's report. Drainage works form a significant element of the proposed development works and are set out in detail in the chapter. Flood impact would not be unduly significant. I am satisfied that the potential for impacts on water can be avoided, managed and/or mitigated by measures that form part of the proposed scheme, where relevant. I am satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative impacts on water.

Chapter 10 – Air Quality

10.71. Legislation, Policy and Guidance – Nitrogen dioxide (NO_2) and particulate matters in the fractions of <10µm (PM_{10}) and <2.5µm ($PM_{2.5}$) are the three pollutants requiring further assessment after other pollutants were discounted from requiring such assessment for stated reasons. Their limit values are set out in table 10-1.

10.72. Methodology – The study area for the construction dust assessment is the area up to 100 metres from dust-generating activities. The study area for the air quality assessment for the operational phase differs for each type of assessment. There are two types of receptors in the air quality assessments: public exposure receptors e.g. residences, schools etc., and designated ecological sites e.g. European sites. The traffic data used in the air quality assessment is set out in table 10-3 of the EIAR. Data indicates the proposed development will result in a redistribution of traffic with no notable additional traffic being drawn to the area. The section further outlines the methodology used for modelling.

10.73. Baseline Environment – The study area is in Zone D (rural Ireland) of the EPA's four Air Quality Zones. No Zone D monitoring site exceeded EU legislative limit values for annual mean NO_2 in 2019, annual mean PM_{10}, and annual mean $PM_{2.5}$. Background air pollution concentrations were determined from EPA monitoring data.

10.74. Assessment of Impacts – There will be 19 no. receptors sensitive to the human health effects of PM_{10} within 15 metres of construction activity. Any negative PM_{10} effects will be not significant and of short-term duration. There is potential for effects from the

generation of dust at the SAC (within 15 metres) and 48 no. residences and businesses (within 50 metres). The effects associated with HGV emissions is not significant.

10.75. For the operational phase a calculation of the Index of Overall Change in Exposure was undertaken to provide a quantification of the change in exposure in 2023 at sensitive receptor locations. These are set out in tables 10-7 (NO_x) and 10-8 (PM_{10}). A larger number of properties will experience a decrease in exposure to both than will experience an increase. There will be an overall reduction in exposure to both. Notwithstanding, the changes will be not significant overall at a local scale. Table 10-14 sets out the modelled annual mean NO_x concentrations at four positions across Lough Corrib SAC within the study area. Three positions will experience a deterioration in air quality and one will experience an improvement (at Liss Bridge because the traffic will have significantly reduced). The effects of the NO_x concentration are negligible and not significant. Table 10-15 sets out the modelled nitrogen deposition rates at the same four positions across the SAC within the study area. The significance of the effect has been found to be negligible and not significant.

10.76. Mitigation and Monitoring Measures – During the construction phase standard industry good practice mitigation measures should be applied. These are set out e.g. dust mitigation, wind breaks, and cleaning and watering of the site. No operational phase mitigation is recommended.

10.77. Residual Impacts and Effects – The residual effect will be not significant during construction. It is predicted that there would be reductions in exposure to NO_2, PM_{10}, and $PM_{2.5}$ at properties along the existing N63 with slight increases at a single property located closer to the proposed road. Overall impact will be not significant.

10.78. Cumulative Impacts and Effects – There will be no significant cumulative dust effects during construction and no cumulative effect during operation.

10.79. Assessment and Conclusion – The EIAR chapter has been summarised above. I have considered the submissions on file, this chapter of the EIAR, and all relevant documentation. I do not consider that there would be any undue adverse impact on air quality during the construction phase, which would be of temporary duration, or the operational phase in terms of air quality. Many properties along the existing N63 would likely experience improved environmental quality as a result of the removal of a

significant amount of traffic from the road. I am satisfied that the potential for impacts on air quality can be avoided, managed and/or mitigated by measures that form part of the proposed scheme, where relevant. I am satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative impacts on air quality.

Chapter 11 – Climate

10.80. Baseline Environment – For the lifecycle greenhouse gas (GHG) impact assessment existing vegetation on the site currently acts as a carbon sink. There is minor GHG emissions from the agricultural use. The baseline for the climate change resilience assessment is the current climate in the site location. The future baseline will be used to determine the resilience of the proposed road development to climate change.

10.81. Assessment of Impacts – Some climate change resilience measures were included in the design e.g. SuDS, bridge design developed following flooding assessment, and reduction in steel quantity on the bridge. Construction phase GHG emissions are estimated at 9,495 tCO_2e (tonnes of carbon dioxide equivalent) with 37% being the embodied carbon within construction products. In an operational do-something scenario GHG emissions would be 22 tCO_2 less in 2023 in a do-something rather than do-nothing scenario, and 28 tCO_2 less in 2039. In 2030, emissions from the proposed road would result in 0.0001% of the national 2030 GHG emissions target. The impact is considered to be negligible in the context of Ireland's entire road network. The impact of GHG emissions from the proposed road development are considered to be of minor significance.

10.82. In terms of the climate change resilience review, during construction receptors may be vulnerable to climate risks such as weather. During operation the proposed road may be vulnerable to increased frequency of extreme weather events.

10.83. Mitigation and Monitoring Measures – A number of GHG mitigation measures will be implemented during construction e.g. landscaping, CEMP. None is required during operation. Some climate change resilience measures will be considered.

10.84. Residual Effects and Impacts – Table 11-10 outlines a summary of potential effects. During both construction and operational phases the residual effect will be 'minor (low significance)'.

10.85. Cumulative Impacts – Most development results in GHG emissions and effects are not geographically restrained. It is not possible to define a study area. The wider perspective is already covered by default. Cumulative effects have been scoped out.

10.86. Assessment and Conclusion – The EIAR chapter has been summarised above. I have considered the submissions on file, this chapter of the EIAR, and all relevant documentation. I note section 11.10 of the EIAR which states 'There will be unavoidable GHG emissions resulting from both the construction phase and the operational phase of the Proposed Road Development as materials, energy use, fuel use, and transport will be required'. Notwithstanding, the proposed development would result in quicker journeys for regional traffic, would result in less traffic congestion around the community facilities and Liss Bridge, and would encourage local walking or cycling instead of car journeys where feasible, all helping, in a small way, the wider climate change effort. I am satisfied that the potential for impacts on climate can be adequately avoided, managed and/or mitigated by measures that form part of the proposed scheme, where relevant. I am satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative impacts on climate.

Chapter 12 – Noise and Vibrations

10.87. Legislation, Policy and Guidance – There are no statutory standards in Ireland relating to noise and vibration limits values for road construction. Non-statutory guidelines are referred to.

10.88. Methodology – A baseline noise study was undertaken within the study area. Eight survey locations were chosen. The methodology behind the noise modelling process is described.

10.89. Baseline Environment – Tables 12-10 and 12-11 summarise the results of the baseline noise survey. The existing noise environment at the two closest houses to the proposed road development was measured at 48 and 55 dB L_{den} (the 24-hour noise rating level determined by the averaging of the L_{day}, $L_{evening}$ (plus 5dB penalty), and L_{night} (plus 10dB penalty)). Noise levels at locations along the existing N63 were measured in the range of 60-71 L_{den}. Road traffic, local activity, and general suburban ambient sources all contributed, typical of such an environment.

10.90. Assessment of Impacts – During the construction phase a variety of plant will be used as well as vehicular movements. Tables outlining indicative plant noise levels and construction noise calculations during various works are outlined. At distances beyond 50 metres the construction daytime noise limit of 70 dB L_{Aeq} (the A-weighted equivalent steady sound level) can typically be complied with. At distances up to 25 metres there is potential for noise criterion to be exceeded in the absence of mitigation beyond the use of site hoarding. There are a small number of properties at each end of the proposed scheme that would be within 25 metres. The likely effects will be negative, moderate, local, and short-term. There is potential for a significant effect within 25 metres. Additional construction traffic onto the road network is imperceptible in terms of noise impact. No significant vibration impact is expected.

10.91. During operation, traffic noise has been predicted at 37 no. locations; generally houses, school, and the community centre. The results are set out in table 12-17. The EIAR states 'with just three locations requiring noise mitigation measures (and) the majority of locations assessed … predicted to have road traffic noise levels reduced', the overall significance effect is slight. In relation to vibration, perceptible traffic vibration can be largely avoided by maintenance of the road surface.

10.92. Mitigation and Monitoring Measures – Construction phase mitigation measures outlined include noise limits, noise controls, screening, and working hours (07.00-19.00 Monday to Friday and 08.00-13.00 Saturday). Operational noise levels will be reduced through use of a low-noise road surface.

10.93. Residual Impacts – The likely residual effects during the construction phase will be negative, moderate, local, and short term for the majority of locations, but within 25 metres of a noise-sensitive location have the potential to be significant and short-term. The residual operational phase impacts will result in a negligible to minor magnitude of increase in noise levels at a significant minority of noise sensitive receptors, with the vast majority experiencing a reduction in predicted noise impacts. The likely effects on the noise environment are cited as negative, of slight significance, local, and long term.

10.94. Cumulative Impact – There are no other planning applications of scale that have cumulative construction or operational implications in terms of noise impact.

10.95. Assessment and Conclusion – The EIAR chapter has been summarised above. I have considered the submissions on file, this chapter of the EIAR, and all relevant documentation. Though the anticipated noise impact would increase at some noise-sensitive locations in 2023 (three (H22, H34, and H35) according to table 12-18) and 2038 (the same three as 2023), overall, the vast majority of noise sensitive locations would experience a reduction in noise levels as a result of the proposed road development. Noise during the construction period would be temporary in duration and I do not consider it would have an undue adverse impact on the amenity of properties in the vicinity. I do not consider vibration impact to be a concern. I am satisfied that the potential for impacts as a result of noise and vibrations can be adequately avoided, managed and/or mitigated by measures that form part of the proposed scheme, where relevant. I am satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative impacts as a result of noise and vibrations.

Chapter 13 – Landscape and Visual

10.96. Methodology – The type and duration of the landscape and visual effects fall within two main stages: construction and operational. A study area radius of 1.5km has been selected to identify potential significant landscape and visual effects. A landscape effect is an effect on the landscape as a resource in its own right, whereas a visual effect is an effect on specific views and on the general visual amenity experienced by people. The significance of an effect is determined by comparing the description/nature of the effect against the existing landscape and visual environment. Figure 13-1 of the EIAR refers. A change to the landscape or visual resource is not considered to be adverse simply because it constitutes an alteration. It is also important to consider potential cumulative effects. In terms of key viewpoints, seven were chosen. Three photomontages are produced.

10.97. Baseline Environment – The majority of the study area is in Landscape Character Area (LCA) 1 ‘Northeast Galway (Ballinasloe to Ballymaloe)’ in the Galway County Development Plan 2015-2021. A small area of the southern portion of the study area is in LCA 3 ‘East Central Galway (Athenry, Ballinasloe to Portumna)’. Neither area is of particular scenic value. It is flat land and considered to be visually open. There are several cultural heritage aspects to the landscape including record of monuments and places sites, a national monument (Knockmoy Abbey), and protected structures. The

landscape sensitivity of both areas is considered, by the Plan, to be 'Class 1 – Low with pockets of Class 2 – Moderate'. The river and setting of the abbey create some localised scenic views. The core of the village will have little or no visibility of the proposed road development, while the housing in the rural fringe zone will be more directly affected. The majority of the northern section of the study area is located within a designated focal point/view (No. 26) as identified in the Plan, associated with the abbey (inspector's note – the detail in this baseline environment description has been superseded in terms of LCA, landscape sensitivity, and the focal point/view by the subsequently adopted Galway County Development Plan 2022-2028, as referenced in the assessment and conclusion of this chapter).

10.98. Assessment of Impacts – Construction phase landscape and visual effect impacts will be short-term. Vegetation removal, machinery and materials, earthworks, and construction of the bridge are considered to be the most significant effects at construction stage.

10.99. For the operational stage, a general description of potential for change to the landscape is set out for the various chainages of the proposed development. Reference is made, inter alia, to the abbey with the provision of a viewing point, the proposed roundabout will mark the entrance to the village and will be lit at night, and the visibility of the proposed bridge. Key areas of vegetation removal are set out. A summary of landscape effects is outlined in table 13-4. Descriptions of the seven viewpoints identified are also outlined i.e. from Knockmoy Abbey (prior to establishment of mitigation there will be a significant adverse visual effect), from Abbeyknockmoy village (moderate adverse visual effect), from the existing N63 (significant adverse visual effect generally, with a very significant effect for residents of the house on the north side of the existing N63), from the community centre (moderate adverse visual effect), from the existing N63 Abbert River/Liss bridge (slight adverse visual effect), from the L6159 (moderate adverse visual effects for motorists, with a very significant effect for residents of the south facing house on the west side of the road close to the proposed new road), and from the eastern extent of the proposed road development (moderate adverse visual effect). A summary is outlined in table 13-5.

10.100. Mitigation and Monitoring Measures – They take into account considerations and recommendations in the biodiversity chapter. Construction stage reduction

measures includes minimal disturbance of vegetation and rounding of slopes to tie into the adjacent landform. Remediation measures include a field boundary strategy and a number of key principles for landscape mitigation is set out e.g. new viewing area, mainly native screen planting, informal pockets of woodland, and naturalised attenuation ponds. The operational stage landscape mitigation plan shows an approach which screens where necessary and allows for the road and bridge crossing to be integrated within the landscape over time. Various chainages are also described in more detail.

10.101. Residual Effects – The proposed development will change the landscape character locally though the significance of the changes rapidly diminishes. 'In general, the highest landscape effects will arise from changes to landform on the approaches to the river crossing. There are also positive landscape effects arising from the proposed planting'. The residual visual effects on the seven viewpoints are evaluated from the perspective of approx. ten years following mitigation. The greatest impact is considered to be significant adverse impacts to the two houses previously noted on the north side of the N63 and west side of the L6159.

10.102. Cumulative Impacts and Effects – These are expected at the convergence of the proposed and existing roads where there will be a substantial area of road surface, footpaths, and private accesses. No other projects of similar character and scale have been identified which would lead to cumulative landscape and visual effects.

10.103. Conclusion and Assessment – The EIAR chapter has been summarised above. I have considered the submissions on file, this chapter of the EIAR, and all relevant documentation.

10.104. I note the submission of three photomontages. It is unclear why a full suite of photomontages was not provided given seven viewpoints were identified and described in the EIAR chapter. Notwithstanding, having regard to the nature of the proposed road development, which is generally low-lying in form, I do not consider the absence of additional photomontages, while they would be beneficial, is a very serious omission in this landscape sensitivity area.

10.105. This EIAR chapter refers to the Galway County Development Plan 2015-2021, which has been superseded by the Galway County Development Plan 2022-2028. In the current plan's Landscape Character Assessment the site appears to largely be

within the Central Galway Complex Landscape area (Map 01) Southern River Clare Basin Unit (Map 05), though it appears to straddle the North Galway Complex Landscape area North River Clare Basin Unit (Map 04) at the eastern end. The overall proposed site area is in 'Area 1 – Low' of Map 06 (Landscape Sensitivity). There are 52 no. viewpoints set out in Map 08 (View Points), but none is the abbey ruins or any other view in the wider area. There is no scenic route (Map 09). Therefore, I do not consider there would be any significant landscape or visual impact other than those localised impacts outlined in the EIAR chapter.

10.106. Having regard to the wider benefits of the proposed development, I am satisfied that the potential for significant impacts on landscape and visual effects as a result of the proposed development can be adequately avoided, managed and/or mitigated by measures that form part of the proposed scheme, where relevant. I am satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative landscape or visual effect impacts.

Chapter 14 – Cultural Heritage

10.107. Methodology – A study area of 500 metres from the proposed road development boundaries has been used to identify all known and potential cultural heritage assets. A geophysical survey was carried out. A methodology for describing the significance of effects is set out.

10.108. Baseline Environment – One national monument within state care is located within the study area (Knockmoy Abbey, National Monument No. 166). It is recorded on the Record of Monuments and Places (RMP) as GA058-004 and has six associated elements. Twelve assets were recorded on the RMP within the study area, including the six associated with the abbey. There are five protected structures, including Liss Bridge and Rose Villa. There are seven buildings and structures listed on the National Inventory of Architectural Heritage (NIAH). Many structures appear on more than one list e.g. Rose Villa is both a protected structure and included on the NIAH. There is one NIAH designated landscape, Newtown, at the eastern extent of the proposed development. The geophysical survey identified a number of potential archaeological features. A detailed description of 1838 and 1927 historic maps is outlined. Detail of a site walkover on 6th October 2020 is set out.

10.109. Assessment of Impacts – Table 14-4 of the EIAR sets out the potential effects on various assets during the construction phase. There would be 'significant' effects on Knockmoy Abbey through a temporary adverse effect to its setting during construction, and to (i) former islands in the Abbert, (ii) former buildings immediately north of the proposed road, and (iii) the former mill pond at the eastern end of the proposed road development, through a permanent physical adverse effect on potential unrecorded archaeological assets, should any be present. Rose Villa is included in table 14-4. There will be a slight effect during construction by way of a temporary adverse effect to its setting.

10.110. Table 14-5 sets out the potential effects during the operational phase. The most significant impact will be a significant long-term adverse impact on the setting of Knockmoy Abbey. In relation to Rose Villa, the table states that there will be a slight long-term beneficial impact because of the reduction in traffic (noise, pollution, and vibration) along the existing N63.

10.111. Mitigation and Monitoring Measures – Construction phase mitigation measures set out comprise archaeological testing. No operational phase mitigation is proposed.

10.112. Residual Impacts and Effects – These are set out in table 14-6. There will be a significant long-term adverse impact on Knockmoy Abbey. This is the most significant impact. The residual effect to Newtown and the three other assets referenced in paragraph 10.109 of this inspector's report is a moderate long-term impact. Rose Villa (and Liss Bridge and St. Bernard's Church) 'have been identified as experiencing a low effect to their settings … while the removal of traffic during operation will enhance their settings … the overall residual significance of effect will not change from slight. The residual significance of effect will be slight, long-term and beneficial'.

10.113. Cumulative Impacts and Effects – No significant cumulative impacts or subsequent effects to cumulative heritage resources were determined.

10.114. Assessment and Conclusion – The EIAR chapter has been summarised above. I have considered the submissions on file, this chapter of the EIAR, and all relevant documentation. I note that the residual effects on a number of cultural heritage assets, and in particular Knockmoy Abbey, are cited as being adverse. The proposed road development would be constructed 284 metres south east of the abbey. It is a prominent feature of the landscape to the north of the village. The proposed road would

make it more visible for users of the proposed realigned road as well as generally retaining its visibility to residents and users of the existing N63. While its setting would change, appropriate pre-construction archaeological testing of the proposed route would ensure that no archaeological material of value is lost. Notwithstanding the proposed mitigation set out in section 14.7.1.1 of the EIAR, I consider that a standard Board archaeological condition should be included in any approval of this proposed road development application.

10.115. A submission has been received from the owner of Rose Villa to the proposed development. I have included relevant EIAR cultural heritage references in relation to Rose Villa and I agree with the residual effect conclusion that there would not be an adverse impact on this protected structure as a result of the proposed development for the reasons set out. I do not consider there would be any significant cultural heritage impact such that permission for the proposed development should be refused or that the proposed development should be altered.

10.116. Having regard to the foregoing, I am satisfied that the potential for significant impacts on cultural heritage as a result of the proposed development can be adequately avoided, managed and/or mitigated by measures that form part of the proposed scheme, where relevant. I am satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative cultural heritage impacts.

Chapter 15 – Major Accidents and Disasters

10.117. Introduction – The two key considerations are (i) the potential of the project to cause major accidents and disasters, and (ii) the vulnerability of the project to potential major accidents and disasters. These are typically rare or low likelihood events.

10.118. Methodology – The assessment of major accidents and disasters was carried out in two stages; hazard identification and baseline establishment (hazards were screened such that only credible, low likelihood, but potentially high consequence events remain) and hazard classification: likelihood and consequence. Table 15-1 describes five risk classifications in terms of likelihood of occurrence, table 15-2 describes five risk classifications in terms of the consequence of severity, and table 15-3 is a risk matrix of both.

10.119. Baseline Environment – This section sets out weather conditions (rainfall, temperature, sunshine, wind etc.), demographics, environment (water/flood risk, land and soils, nationally and internationally designated sites, cultural heritage assets), and infrastructure (existing traffic and road conditions, essential utilities, Seveso sites).

10.120. Assessment of Impacts – Tables 15-9 (construction phase) and 15-10 (operational phase) outline the hazards that could cause a major accident or disaster and associated risks to which the proposed road development is particularly vulnerable or has a particular capacity to exacerbate. Hazards cited are poor driving conditions, bridge failure, and release of pollutants (included in both phases), construction phase hazards and impact to heritage assets (construction phase), and damage to road surface conditions (operational phase).

10.121. Mitigation and Monitoring Measures – The design includes inherent features to improve safety and reduce risks such as surface water. Mitigation includes adherence to a CEMP during construction. The proposed road development will not be particularly vulnerable to major accidents and disasters or have a particular capacity to exacerbate potential risks. No secondary mitigation or specific monitoring is required.

10.122. Residual Impacts and Effects – No significant residual effects have been identified.

10.123. Cumulative Impacts and Effects – No significant cumulative effects are anticipated.

10.124. Assessment and Conclusion – The EIAR chapter has been summarised above. I have considered the submissions on file, this chapter of the EIAR, and all relevant documentation. I am satisfied that the potential for impacts of major accidents and disasters can be adequately avoided, managed and/or mitigated by measures that form part of the proposed scheme, where relevant. I am satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative major accident and disaster impacts.

Chapter 16 – Material Assets

10.125. Introduction – This chapter addresses non-agricultural material assets. For each asset assessed the study area and the methodology used for developing the baseline and impact assessment are defined, the baseline environment is described,

and the findings of the impact assessment are presented. Material assets are taken to mean built services, waste management, and infrastructure, though there is an overlap with aspects of other chapters of the EIAR e.g. chapters 5, 7, 8, and 17.

10.126. Methodology – Two study areas were defined. The first study area, for utilities, land use, and property impact assessment (material assets study area) was based on the construction footprint/project boundary as well as utilities networks outside this boundary which could be impacted. The second study area (waste study area) included the site footprint and infrastructure that was suitable to accept arisings and waste generated. The determination of the sensitivity of receptors for utilities, land use and property, and waste is outlined. Specific assessment criteria for describing potential effects on utilities, land use and property, and waste, is also outlined.

10.127. Baseline Environment – This sets out utilities (electricity, water, telecommunications), infrastructure (land use and property), and waste. Waste is addressed is the context of construction and demolition national waste arisings, regional landfills, and other waste management infrastructure.

10.128. Assessment of Impacts – There will be no requirement for the demolition of properties or full acquisition of land, though partial acquisition is required entailing the setting back of some boundary walls along the existing N63. During the construction phase the significance of effects on the various material assets are as follows: electricity network (as a result of various works the significance of effect will be no greater than not significant), water supply network (to the Irish Water and Cuillagh Group Water Scheme services, as a result of various works, the significance of effect will be no greater than not significant), and telecommunications (not significant). Table 16-10 of the EIAR outlines the collision type and proposed works for the relevant utilities.

10.129. The extent of necessary permanent partial land acquisition (parts of public road (2.94 hectares) and residential land (0.035 hectares)) is set out in table 16-11. This excludes the acquisition of 12.2 hectares of agricultural land for the proposed road development which is set out in chapter 17. The significance of effect on residential land is considered not significant. The significance of effect on the public road is considered imperceptible. Approximately 0.169 hectares of agricultural land is to be temporarily acquired to facilitate the proposed works, and 0.074 hectares of residential

land. The significance of effect on the residential land will likely be slight. In relation to waste, 'The significance of effect from the generation and management of solid waste streams arising from the Proposed Road Development is … considered imperceptible as no significant reduction or alteration in the capacity of waste infrastructure at a national scale is anticipated'.

10.130. The only operational phase impact is on the electricity network where there will be an imperceptible impact.

10.131. Mitigation and Monitoring Measures – During the construction phase, best practice measures will be implemented for the utilities. It is noted that compensation for land acquisition is outside the EIA process. Best practice measures will also be adopted for the waste aspect e.g. production of a CEMP and a C&DWMP. No operational stage mitigation will be required.

10.132. Residual Impacts and Effects – The only non-imperceptible impact is cited as the acquisition of residential land which is considered to have a slight negative impact.

10.133. Cumulative Impacts and Effects – The cumulative effects on utilities, infrastructure (land use and property), and waste management infrastructure, with other surrounding permitted, planned, and existing developments, will not be significant.

10.134. Assessment and Conclusion – The EIAR chapter has been summarised above. I have considered the submissions on file, this chapter of the EIAR, all relevant documentation, and the comments provided at the oral hearing by Kevin Woods (on behalf of Lucy Woods) and Padraic Conneely which relate to material assets. The relevant issues raised by the observers are addressed in section 12 of this inspector's report, under the heading of 'Site Specific CPO Issues' (paragraph 12.20).

10.135. Having regard to the foregoing, and to the relevant commentary in section 12 of this inspector's report, I am satisfied that the potential for significant impacts on material assets as a result of the proposed development can be adequately avoided, managed, and/or mitigated by measures that form part of the proposed scheme, or appropriately conditioned, where relevant. I am satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative material asset impacts.

Chapter 17 – Material Assets – Agriculture

10.136. Methodology – This agricultural assessment 'considers the changes that would occur to the agricultural environment and assumes that, because landowners are compensated for attributable financial losses, their financial status would not change'. The study area comprises 32 no. land parcels, comprising a total of approx. 140 hectares. Criteria for the categorisation of sensitivity of farms, indicative criteria for the assessment of magnitude of effects, and the significance of effects as used in the chapter, are set out. The assessment is subject to variation by professional judgement.

10.137. Baseline Environment – This is established by consideration of soil types and agricultural enterprise types (overwhelmingly beef/sheep/grass cropping).

10.138. Assessment of Impacts – Construction phase impacts include land-take (approx. 12.3 hectares permanently on 29 no. parcels and approx. 0.17 hectares temporarily during construction to facilitate works) [inspector's note – there is a slight discrepancy between chapters 16 and 17 in this regard as chapter 16 cites an area of approx. 12.2 hectares of agricultural land to be permanently acquired and 0.169 hectares to be temporarily acquired (from three land parcels)], land separation/severance (11 no. parcels would be severed), construction disturbance (noise, dust, drainage, interrupted access, interruption to services etc.), and injurious affection to the retained holding. Operational phase impacts are similar i.e. land-take, land separation/severance, permanent disturbance (e.g. maintenance works, changed accesses, noise and light disturbance from traffic, drainage), and injurious affection. Of the 32 no. land parcels affected, it is considered there would be a not significant adverse impact on 13 no., and a significant impact on another 13 no. (with a slight or moderate impact to the other seven). Severance would range from a moderate adverse to a significant adverse effect. Construction disturbance ranges from not significant to moderate adverse (drainage). During operation the significance of effects range from not significant to moderate adverse (drainage). 'Before mitigation the potential effect on the study area would be moderate adverse …'

10.139. Mitigation and Monitoring Measures – 15 no. mitigation measures are set out. Eight relate to the construction phase (e.g. key contact person, alternative water or electricity supply, suitable fencing, advance notification of certain works, and

maintenance of adequate drainage) and seven to the operational phase (e.g. compensation, access to separated land parcels, and landscaping).

10.140. Residual Impacts and Effects – Post mitigation the number of land parcels which would have a not significant impact is 13 no., slight – 5 no., moderate – 11 no., and significant – 3 no. (32 no. overall). The summary of the chapter states, 'Taking into account the low-medium sensitivity of the study area, the overall effect on agriculture within the study area would be slight adverse where approximately 9% of the study area is taken and 13% is severed (with mitigation)'.

10.141. Cumulative Impacts and Effects – Within the study area, small local developments would not have a significant cumulative impact when considered in combination with the proposed road development. When considered along with upward agricultural productivity trends, and agricultural land taken for housing, the cumulative effect on agriculture in Co. Galway with recently developed and planned road developments is not significant.

10.142. Assessment and Conclusion – The EIAR chapter has been summarised above. I have considered the submissions on file, this chapter of the EIAR, and all relevant documentation. I note that the residual effects of the proposed development on agricultural assets are cited as being a slight adverse effect overall, while noting the range of effects within the overall effect. As described elsewhere in this inspector's report I consider that the proposed road development would have a beneficial impact overall to the area, primarily in the separation of regional and local traffic. I note that none of the submissions received in relation to either the proposed road development itself, or the CPO, referenced the loss of agricultural land.

10.143. Having regard to the foregoing, I am satisfied that the potential for significant impacts on 'material assets – agriculture' as a result of the proposed development can be adequately avoided, managed and/or mitigated by measures that form part of the proposed scheme, where relevant. I am satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative 'material assets – agriculture' impacts.

Chapter 18 – Interactions of the Foregoing

10.144. Each topic as set out in chapter titles is assessed in terms of the other topics (chapter titles) that it will interact with. These interactions are tabulated in table 18-1. It is indicated whether each topic will have weak/some/strong interaction, or no interaction, with every other topic during both the construction and operational phases. It is stated that 'All potential impacts and associated effects arising from the interactions were identified early in the design process and in preparation of the EIAR and were therefore addressed in the design of the Proposed Road development, in addition to the individual impact assessment studies. As a result, many of these potential impacts were either avoided through design measures or have been addressed through specific mitigation measures where possible within respective chapters within this EIAR'. The chapter summary states 'The interactions between the individual environmental disciplines have been considered and assessed. It is concluded that once relevant mitigation measures are implemented, the majority of effects related to the construction and operational phase of the Proposed Road Development are mitigated to reduce residual effects as much as is possible'.

10.145. I am satisfied those effects as a result of interactions can be adequately avoided, managed and/or mitigated by measures that form part of the proposed scheme, where relevant. I am satisfied that the proposed development would not have any unacceptable direct, indirect, or cumulative impacts as a result of the interactions of the environmental elements considered in the EIAR.

Reasoned Conclusion

10.146. I consider that the EIAR and supplementary information is sufficient to identify, describe, and assess the likely significant effects of the project on the environment. Having regard to the examination of environmental information contained above, and in particular to the EIAR and supplementary information provided by the applicant, and the submissions from the prescribed bodies and submitters/objectors/observers in the course of the application, including during the oral hearing process, it is considered that the main significant direct and indirect effects of the proposed development are, and will be mitigated as follows where relevant:

- Traffic – The purpose of the proposed road development is to separate regional and local traffic from the section of the existing N63 that is to be bypassed, to improve safety, and to improve the environment for sustainable modes of transport. This would result in an improved environment for both vehicles and vulnerable road users.
- Biodiversity – There will be habitat loss due to the construction of the proposed road and ancillary features. The proposed bridge over the River Abbert crosses Lough Corrib SAC but no in-stream works are proposed. Measures have been designed to mitigate potential negative effects on the Molinia meadows and petrifying springs habitats as well as QI species such as otter, and other mammals such as badger. The improvements to the existing N63 will not have any notable impact on biodiversity. Mitigation is set out for the construction and operational phases.
- Climate – Though there would be unavoidable GHG emissions resulting from both construction and operational phases, regional traffic would be relocated from the area of the N63 where the community facilities are located, there would be quicker journeys for regional traffic, there would be less traffic congestion around the community facilities and Liss Bridge, and the proposed development would facilitate and encourage an increase in more sustainable modes of transport between the commercial/residential core and the community facilities. The proposed road development would redistribute existing traffic, not encourage more traffic. This would all benefit climate change targets.
- Cultural Heritage – While the proposed development would be constructed closer to Knockmoy Abbey ruins than the existing N63, this prominent landscape feature would be more visible to users of the proposed realigned road while remaining visible to residents and users of the existing N63. Pre-development archaeological testing would address concerns relating to loss of any archaeological material.
- Material Assets (Non-Agricultural and Agricultural) – The most significant material asset loss is of agricultural land to accommodate the proposed road development. Notwithstanding, no objection to the CPO was received in this

regard. I do not consider the loss or alteration of other material assets are particularly significant.

10.147. I am, therefore, satisfied that the proposed development would not have any unacceptable direct or indirect effects on the environment.

11.0 Appropriate Assessment (AA)

Appropriate Assessment (AA) Screening

Compliance with Article 6(3) of the Habitats Directive

11.1. 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.

11.2. The proposed development is not directly connected with or necessary to the management of any European site and is therefore subject to the provisions of article 6(3).

Background on the Application

11.3. The applicant submitted a 'Natura Impact Statement' (NIS), prepared by Flynn Furney Environmental Consultants and dated February 2022. Appendix III to this document is an 'Appropriate Assessment (AA) Screening Report'. Inter alia this contains a description of the project and local site characteristics, an ecological assessment, and a screening assessment. The applicant's screening report concluded that 'impacts to the Lough Corrib SAC as a result of the Proposed Road Development could not be definitively ruled out. Possible impacts associated with road works and bridge construction works upon water quality of the Abbert River may lead to indirect impact to a number of key species that form part of the conservation objectives of the Lough

Corrib SAC. Disturbance disruption to qualifying interest species could not be ruled out. It is therefore concluded that a full AA is required'.

11.4. The applicant submitted a number of AA-relevant documents in advance of the oral hearing. These documents are 'Brief of Evidence – Biodiversity', 'Response to DAU Submission', 'EIAR and NIS Errata', and 'Addendum'. These were all prepared by AECOM and dated November 2022. I am satisfied these documents do not materially alter the proposed development from that originally submitted.

11.5. Having reviewed the documents and submissions I am satisfied that the information allows for a complete examination and identification of any potential significant effects of the development alone, or in combination with other plans and projects, on European sites.

Brief Description of the Development

11.6. The applicant provides a description of the project on pages 3-4 of the AA screening report and elsewhere e.g. pages 4-1 and 4-2 of the EIAR. It is also provided in sections 2.1.1 and 9.3 of this inspector's report.

11.7. The development site is briefly described in section 3.1 of the applicant's screening report, and in more detail in section 4.5. Improved grassland is the dominant habitat within the landscape, likely used by cattle, sheep, and horses. Areas of wet grassland were likely the precursor to improved grassland before drainage, fertiliser, and reseeding. One large area of wet grassland was noted as having linkage to an Annex I habitat, Molinia meadows. The study area is bisected by the Abbert River, which has been highly modified. It offers excellent examples of habitat for Atlantic salmon and brook lamprey and there was evidence of otter. Other habitat types include hedgerows, drainage ditches, small areas of scrub, mixed broadleaved woodland, and mixed broadleaf and conifer woodland.

Submissions and Observations

11.8. A submission from the Department of Housing, Local Government and Heritage was received on the proposed road development application which raised a number of issues specifically related to Lough Corrib SAC. These are set out in section 6.1(2) of this inspector's report.

11.9. None of the third party submissions raised an issue related to AA.

European Sites

11.10. The development site is located immediately adjacent to Lough Corrib SAC (site code 000297).

11.11. All six European sites within a 15km radius of the site are set out in table 1 of the applicant's screening report and are illustrated on figure 2. They are all SACs and the five other sites apart from Lough Corrib SAC are Monivea Bog SAC (site code 002352) approx. 8.2km to the south, Levally Lough SAC (site code 000295) approx. 9km to the north, Derrinlough (Cloonkeenleananode) Bog SAC (site code 002197) approx. 10.7km to the north east, Shankill West Bog SAC (site code 000326) approx. 12.7km to the north east, and Carrownagappul Bog SAC (site code 001242) approx. 14.5km to the north east. The applicant's screening report excluded these five SACs from further consideration because of one or more of the following issues:

- Lack of connectivity between the proposed works area and the designated area;
- Significant buffer between the proposed works area and the designated area;
- No impact or change to the management of the designated area; or
- No change to chemical or physiological condition of the designated site as a result of the proposed development.

I agree with the applicant's conclusion to omit these European sites from further consideration for the reasons outlined.

11.12. One European site that was not referenced in the applicant's screening report, and which has a hydrological link to the site, is Lough Corrib SPA (site code 004042). The special conservation interest (SCI) species for the SPA comprises 13 no. bird species plus a more general 'wetlands and waterbirds' QI. However, although there is a direct source-pathway-receptor link, this SPA is approx. 20km west of the proposed road development site at the closest point as the crow flies, and approx. 36km hydrologically from the proposed bridge location. Given the hydrological distances involved, the dilution potential, the relatively limited nature of the proposed road development, the absence of in-stream works, and the nature of the SCI/QI species and habitat, I do not consider the proposed road development would be likely to have any significant effect on Lough Corrib SPA, and therefore it can also be ruled out of

further consideration. If the proposed development is found to have no impact on Lough Corrib SAC then it cannot have any impact on the SPA.

11.13. The applicant's AA screening recommends that Lough Corrib SAC is brought forward to stage 2 AA because the proposed development is immediately adjacent to the SAC and the proposed bridge crosses it. I agree with this conclusion. The QI habitats and species of this SAC are as follows:

- Oligotrophic waters containing very few minerals of sandy plains [3110]
- Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or Isoeto-Nanojuncetea [3130]
- Hard oligo-mesotrophic waters with benthic vegetation of Chara spp. [3140]
- Water courses of plain to montane levels with the Ranunculion fluitantis and Callitrichio-Batrachion vegetation [3260]
- Semi-natural dry grasslands and scrubland facies on calcareous substrates [6210]
- Molinia meadows on calcareous, peaty or clayey-silt-laden soils [6410]
- Active raised bogs [7110]
- Degraded raised bogs still capable of natural regeneration [7120]
- Depressions on peat substrates of the Rhynchosporion [7150]
- Calcareous fens with Cladium mariscus and species of the Caricion davallianae [7210]
- Petrifying springs with tufa formation [7220]
- Alkaline fens [7230]
- Limestone pavements [8240]
- Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]
- Bog woodland [91D0]
- Freshwater pearl mussel [1029]
- White-clawed crayfish [1092]

- Sea lamprey [1095]
- Brook lamprey [1096]
- Salmon [1106]
- Lesser horseshoe bat [1303]
- Otter [1355]
- Slender naiad [1833]
- Slender green-feather moss [6216]

11.14. Some other plans and projects are set out in figure 3 of the applicant's screening report. The report states 'No significant effects are therefore predicted as likely as arising for cumulative or in combination effects'.

11.15. Having regard to the foregoing, I agree with the applicant's AA screening report that progression to Stage 2 AA is required in relation to Lough Corrib SAC.

Mitigation Measures

11.16. No measures designed or intended to avoid or reduce any harmful effects of the project on a European site have been relied upon in this screening exercise.

Screening Determination

Significant effects cannot be excluded, and Appropriate Assessment required

11.17. The proposed development was considered in light of the requirements of the Planning & Development Act, 2000 (as amended). Having carried out screening for AA of the project, I conclude that the project individually (or in combination with other plans or projects) could have a significant effect on European site Lough Corrib SAC (site code 000297) in view of the site's conservation objectives, and AA (and submission of a NIS) is therefore required.

Appropriate Assessment (AA)

The Natura Impact Statement (NIS)

11.18. The applicant's NIS assesses potential adverse effects of the proposed development on Lough Corrib SAC and notes the guidance documents with regard to which the NIS was prepared. Table 2-1 details the dates, targeted survey type, and the

methodologies employed for each survey type. The dates range from December 2019 to October 2020. The QIs for the SAC are set out in table 2-2 (habitats) and table 2-3 (species) along with the specific environmental sensitivity and main threats relevant to each feature, and their proximity to the proposed road development. The site specific conservation objectives for the two habitats (Molinia meadows and petrifying springs) and five species (white-clawed crayfish, sea lamprey, brook lamprey, salmon, and otter) that were identified within or close to the proposed development, and/or for which suitable habitat was noted are set out in section 2.3 (tables 2-4 – 2-10). Potential impacts and effects are described and tabulated in table 3-2. This includes all QI habitats, with a justification for why the majority are not considered to be impacted on. Similar is set out for species in table 3-3. A summary of impacts is set out in table 3-4. Pre-construction, construction, and operational phase mitigation measures are tabulated in table 3-5.

11.19. The applicant's NIS states that it may be concluded 'in view of the best scientific knowledge and in view of the conservation objectives of the site, that the Proposed Road Development with the implementation of the prescribed mitigation measures, would not give rise to significant adverse effects individually or in combination with other plans or projects (either directly or indirectly) on the integrity of the Lough Corrib SAC or any other designated sites within the Natura 2000 network'.

11.20. I note the content of the department's submission with regard to the SAC such as concern about the petrifying spring and Molinia meadows habitats, sea lamprey, lamprey ammocoetes, and the site compound. The applicant's submission received in advance of the oral hearing addresses these issues. This includes method statements for protection and monitoring of the petrifying springs habitat and the Molinia meadow habitat translocation. Sea lamprey was included as one of the relevant QIs even though they are not known to occur within the Abbert and are generally confined to below the Galway Regulating Weir. In this regard the Conservation Objective Series document states, in relation to the distribution of sea lamprey, that they 'traditionally congregate and build spawning nests in the River Corrib in Galway city, both up- and downstream of the Salmon Weir Bridge. Their further upstream passage is impeded by the regulating weir immediately upstream'. I note that sea lamprey distribution is not shown on any of the maps attached to the Conservation Objectives Series document. Nonetheless, a pre-construction survey for sea lamprey in the bridge

environs will be carried out. Works are not predicted to have any direct impacts on lamprey ammocoetes that may be present given the absence of in-stream works, set-back of works from the river, and mitigation measures. Mitigation measures are in place for the site compound. I have taken the department's submission and applicant's response into consideration in my AA. The applicant's response does not materially alter the proposed development.

11.21. Having reviewed the documents and submissions, I am satisfied that the information allows for a complete assessment of any adverse effects of the development on the conservation objectives of Lough Corrib SAC, alone or in combination with other plans and projects.

Appropriate Assessment of Implications of the Proposed Development

11.22. The following is a summary of the objective scientific assessment of the implications of the project on the QI features of the European site (Lough Corrib SAC) using the best scientific knowledge in the field. All aspects of the project which could result in significant effects are assessed and mitigation measures designed to avoid or reduce any adverse effects are considered and assessed.

European Site(s)

11.23. Lough Corrib SAC (site code 000297) is the only European site subject to AA. A description of the site and its conservation and QIs for the seven relevant habitats and species, including attributes and targets, are set out in tables 2-4 – 2-10 of the NIS. This information for all QIs is available on the 'Conservation Objectives Series Lough Corrib SAC 000297' published by the NPWS.

Aspects of the Proposed Development

11.24. The NIS considers that there is potential for impacts on QIs of the SAC as a result of:

- Habitat loss of Molinia meadows (notwithstanding its location outside the SAC boundary).
- Habitat degradation (potential for habitat degradation of the remaining Molinia meadow and the petrifying springs through hydrological and hydrogeological impact).

- Pollution of surface water during construction e.g. suspended solids, organic material, fuels etc. (A direct impact)
- Changes to prey species of QIs due to impacts on water quality e.g. turbidity, impact breeding cycles. (An indirect impact).
- Potential for road collision with otters during construction and operation.
- The construction of a sealed surface water management infrastructure may decrease the volume of direct run-off from the road compared to the current system which may positively effect water quality. (An indirect positive impact).

I agree that these are issues that could affect the QI habitats and species.

11.25. There are 24 no. habitats and species included in the Conservation Objectives Series document. The NIS cited seven of these as potentially affected by the proposed development for the reasons outlined in the previous paragraph.

11.26. However, there is no potential for the other 17 no. habitats and species to be affected for one or more of the following reasons:

Habitats

- The habitat type does not occur and/or was not observed within the zone of influence of the proposed road development i.e. peat-derived habitats, fen, limestone pavement, bog woodland;
- No lake habitats were recorded within the zone of influence;
- No floating river vegetation was observed during the river habitats survey;
- No spread of aquatic invasive species likely / no aquatic invasive species recorded;
- No connectivity between the habitat and the proposed road development;
- No changes in management to old oak woodlands [91A0] likely as a result of the proposed road development
- No changes in the nutrient or base status of old oak woodlands [91A0] likely as a result of the proposed road development.

Species

The freshwater pearl mussel, lesser horseshoe bat, slender naiad, and slender green feather moss were not recorded and are not known to occur within the zone of influence.

11.27. This was informed by ecological survey and by reference to the distribution as detailed in best available scientific information from NPWS.

11.28. Table 1 below summarises the AA and site integrity test. This is based on the NIS and NPWS data etc. The relevant conservation objectives for the European site have been examined and assessed with regard to the identified potential significant effects and all aspects of the project, both alone and in-combination with other plans and projects. Mitigation measures proposed to avoid and reduce impacts to a non-significant level have been assessed, and clear, precise, and definitive conclusions reached in terms of adverse effects on the integrity of the European site.

Summary of Appropriate Assessment of implications of the proposed development on the integrity of the European site alone and in-combination with other plans and projects in view of the site's conservation objectives

Table 1 – Lough Corrib SAC (site code 000297)					
Summary of key issues that could give rise to adverse effects: • **Habitat loss** • **Habitat degradation** • **Pollution of surface water during construction** • **Changes to prey species due to impact on water quality** • **Sealed surface water management infrastructure** **Conservation objectives: see https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000297.pdf**					
Summary of Appropriate Assessment					
Qualifying interest (QI) feature	**Conservation objectives**	**Potential adverse effects**	**Mitigation measures**	**In-combination effects**	**Can adverse effects on integrity be excluded?**
Molinia meadows on calcareous, peaty or clayey-silt-laden soils [6410]	To maintain the favourable conservation condition of Molinia meadows	Habitat loss – 0.36 hectares of the 1.7 hectares occurring would be lost as a result of the proposed road development. This habitat is outside the actual SAC boundary. Habitat degradation – There is potential for degradation of the remaining habitat	Construction Phase – - The footprint in the habitat has been minimised to the smallest allowable cross-section. - Where disturbance is unavoidable the area of the habitat within the works footprint will be translocated to the field adjacent to the south west (subject to review) which has the same soil type and composition and hydrological characteristics. A detailed translocation plan will be prepared. - No interference with the habitat outside of the proposed route footprint.	Section 3.1.3 of the NIS states projects of this nature are generally unlikely to contribute to cumulative impacts as it is unlikely that other works will be taking place on the river channel or within this vicinity. No	Yes. The loss of 0.36 hectares is outside of the SAC boundary. It is not connected to or in close proximity to any other areas of Molinia meadow within the SAC and is not important as a supporting habitat.

		through hydrological impact.	Operational Phase – - Monitoring of the translocated area until confirmed established ('Brief of Evidence – Biodiversity'). An 'Outline Method Statement – Molinia Meadow Habitat Translocation' was submitted as appendix B of the 'Response to DAU Submission' document.	planning application found was likely to lead to direct, indirect, or cumulative impacts on any European site or QI. I agree with this conclusion.	
Petrifying springs with tufa formation [7220]	To maintain the favourable conservation condition of Petrifying springs with tufa formation	Habitat degradation – Impacts on the hydrological regime drying out the spring. Pollution of groundwater – Sediment ingress and changes to groundwater chemistry	Pre-Construction Phase – - A quarterly sample programme will be undertaken for one year including sampling for an inorganic suite of analysis. Construction Phase – - The footprint of construction activity in the area will be minimised (minimum 10 metres buffer) and the existing bank and hedgerow that acts as a barrier shall be retained. - Stockpiling, refuelling etc. will be >50 metres away. - Installation of silt fencing and silt traps. - Clearance of topsoil/substrate to be minimised within 50 metres. - Use of appropriately sized limestone as base fill within 100 metres. - Surface water runoff within 30 metres of the spring will be intercepted during construction. - Precautionary mitigation measures are set out for groundwater investigations.	As above.	Yes. Indirect minor beneficial impacts are predicted (section 3.1.4 of the NIS). I agree with this conclusion.

			Operational Phase – - Runoff is directed away from the habitat area. - A quarterly sampling programme will be undertaken for two years after construction including sampling for an inorganic suite of analysis. - Ecological monitoring as per NPWS guidelines (2016). An 'Outline Method Statement – Protection and Monitoring of Annex 1 Habitat Petrifying Springs with Tufa Formation' was submitted as appendix A of the 'Response to DAU Submission' document.		
White-clawed crayfish [1092]	To maintain the favourable conservation condition of White-clawed Crayfish	Pollution of surface water – Nutrient enrichment and turbidity. Impact on prey species	<u>Surface water quality</u> Construction Phase – - Implementation of a CEMP including silt fencing, silt traps, and cut off drains. - Regular daily/weekly monitoring and recording of the effectiveness of the control measures. - Sheet piling within 10 metres of the riverbank only from July to September inclusive unless otherwise agreed with IFI. (The department notes sea lamprey are known to spawn into July and therefore would not be fully mitigated for). - Turn off lights during periods of darkness while construction is close to the river. - Silt mitigation for dewatering open trenches and excavating drains.	As above.	Section 3.3 of the NIS states 'It is considered that there is no potential for residual adverse effects on these Annex I species'. I agree with this conclusion.

			- All sections of river/stream channels within the development boundary but outside the footprint will be fenced off. -No abstraction of water for dust suppression from the river. - Fish removal from the drain identified as having fishery potential shall be carried out, if necessary, under licence in a manner to be agreed with Inland Fisheries Ireland (IFI). - No discharge of pollutants to the river. Operational Phase – - An embedded drainage system is incorporated in the development that will allow stormwater management, including petrol interceptors. This is likely to have a net positive impact on water quality (section 3.1.4 of the NIS) <u>Impact on prey species</u> Construction phase – - Use of silt fencing and regular monitoring. - Piling of bridge abutments to avoid sensitive lifecycle periods for salmon and brook lamprey. - Silt mitigation for dewatering open trenches and excavating drains		
Sea lamprey [1095]	To restore the favourable conservation	Pollution of surface water	As above for surface water quality.	As above.	As above.

	condition of Sea Lamprey		A pre-construction survey will occur within the zone of influence of the proposed bridge to ensure the absence of sea lamprey		
Brook lamprey [1096]	To maintain the favourable conservation condition of Brook Lamprey	Pollution of surface water	As above for surface water quality.	As above.	As above.
Salmon [1106]	To maintain the favourable conservation condition of Atlantic Salmon	Pollution of surface water – turbidity. Impacts to spawning due to sedimentation of gravel beds Impact on prey species	As above for surface water quality. <u>Sedimentation of gravel beds</u> Construction phase – - Use of silt fencing and regular monitoring. - Piling of bridge abutments to avoid sensitive lifecycle periods for salmon. As there is no in-stream piling or other works the piling will not give rise to any significant impacts when carried out outside the sensitive period. - Silt mitigation for dewatering open trenches and excavating drains. As per white-clawed crayfish for impact on prey species.	As above.	As above.
Otter [1355]	To maintain the favourable conservation condition of Otter	Pollution of surface water – turbidity. Indirect impact to prey species Potential for road collision during	<u>Surface Water Quality</u> Generally similar to above plus: Construction Phase – - As new holt or couch sites could be established within the zone of influence a pre-construction survey of all	As above.	As above

		construction and operation	suitable habitat will be required within 12 months of commencement of works. Operational Phase – - To avoid otter road casualties passage will be enabled under the bridge and generally via pipes used on crossing drainage ditches. - Incorporation of mammal resistant fencing to either side of all watercourses. As per white-clawed crayfish for impact on prey species.		
For the remaining 17 no. habitats and species please see paragraphs 11.26-11.27 of this inspector's report.	N/A	N/A	N/A	N/A	N/A
Overall Conclusion: Integrity Test Following the implementation of mitigation, I am able to ascertain with confidence that the construction and operation of the proposed development would not adversely affect the integrity of Lough Corrib SAC in light of the site's conservation objectives. No reasonable scientific doubt remains as to the absence of such effects.					

Mitigation Measures

11.29. Full mitigation measures are set out in table 3.5 of the NIS and some are also included in the 'Response to DAU Submission' document. The measures outlined in table 1 are summarised and are not an exhaustive list of each mitigation measure cited. There are other mitigation measures also set out in section 3.2 of the NIS such as bunding of storage tanks, placing of stationary plant on drip trays, and no washings to be directed into the river. Best practice shall be followed such as adoption of a CEMP, and the appointment of an ECoW who would 'monitor activities and ensure that all relevant environmental legislation is complied with and that the requirements of the CEMP are implemented'.

11.30. I consider that the proposed mitigation measures comprise relatively standard, well proven good practice measures for construction works in the vicinity of watercourses and would maintain the integrity of the adjacent European site. I consider that the proposed measures are suitably detailed to remove any lack of clarity regarding potential adverse effects and that they are capable of being successfully implemented.

In-Combination Effects

11.31. No other development of scale has been identified in the NIS in proximity to the site and I am not aware of any development that would have any significant in-combination effect. The Galway Co. Co. online planning application map does not show any significant development in the vicinity. I agree with the NIS finding that no adverse in-combination impacts are foreseen with any other plan or project.

Appropriate Assessment (AA) Conclusion

11.32. The proposed road development has been considered in light of the assessment requirements of sections 177U and 177V of the Planning & Development Act, 2000 (as amended).

11.33. Having carried out screening for AA of the project, it was concluded that it may have a significant effect on Lough Corrib SAC (site code 000297). Consequently, AA was required of the implications of the project on the qualifying features of that site in light of its conservation objectives. The possibility for significant effects was excluded for other European sites.

11.34. Following AA, it has been ascertained that the proposed development, individually or in combination with other plans or projects, would not adversely affect the integrity of Lough Corrib SAC, or any other European site, in view of the site's conservation objectives.

11.35. This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable doubt as to the absence of adverse effects.

12.0 Compulsory Purchase Order

12.1. The statutory powers of the local authority to acquire land are contained in section 213 (2)(a) of the Planning & Development Act, 2000 (as amended). Under its provisions the planning authority may acquire land compulsorily for the purpose of performing any of its functions including giving effect to or facilitating the implementation of its development plan.

12.2. Four submissions were received in relation to the CPO. Two of these were subsequently withdrawn, and two remain applicable.

12.3. Galway County Council's case for the proposed CPO is that it would improve regional connectivity, it would address existing safety and alignment issues on the current N63, and it would improve local connectivity at a community level.

12.4. The CPO provides for the permanent acquisition of 0.035 hectares of residential land, approx. 12.2.-12.3 hectares of agricultural land, and 2.937 hectares of the public road/roadbed. Temporary acquisition of 0.074 hectares of residential land and 0.169 hectares of agricultural land will also be required. The development will also extinguish the public right of way over an approximate 38 metres section of the L6159 public road. In the order of 50 no. different landowners or groups of landowners are affected.

12.5. The four criteria normally applied where it is proposed to use powers of compulsory purchase to acquire land or property are:

- development plan compliance,
- community need,
- suitability of land to meet the community need, and,

- alternatives.

12.6. The Board is advised that there is a substantial overlap with the planning assessment above and therefore this section should be read in conjunction with same.

Development Plan Compliance

12.7. A planning policy overview was included in chapter 2 of the EIAR. However, this included reference to the Galway County Development Plan 2015-2021. As part of the submission received by the Board in advance of the oral hearing the applicant submitted an 'EIAR and NIS Errata' document, prepared by AECOM, and dated November 2022. This document acknowledges the adoption of the Galway County Development Plan 2022-2028 which has occurred since the submission of the application to the Board. The document states 'The Environmental Impact Assessment Report has been reviewed in regard to the new Galway County Council Development Plan 2022-2028 and the Proposed Development is in full compliance with the policies outlined within it. Volume 1 as well as Volume 2 have been reviewed, and the following sections and policies below have been corrected'. The document updates the original EIAR with reference to chapters 2, 3, 4, 6, 7, 10, 11, 13, and 14.

12.8. I have set out the relevant policy context in section 4 of this inspector's report with the Galway County Development Plan 2022-2028 contained in section 4.5. In addition, I have specifically addressed the policy context in section 9.2 of the planning assessment part of this report. Sections 9.2.7-9.2.11 relate to my consideration of how the proposed development would be consistent with the plan. While these sections should be read in their entirety, I note that, in the context of the proposed development the following policy objectives are particularly relevant:

- GCTPS 7 (Improvements to Road Network) – The County will manage and maintain the efficient and safe operation of the road network under its control, and will work with TII and NTA to identify locations on the national network where targeted improvements may be required to address specific issues.
- GCTPS 8 (Enhancement of National Networks) – The County will co-operate with TII and the NTA with regard to the maintenance and enhancement of national networks for longer-distance and cross-country travel and movement of through-traffic including freight.

12.9. Policy Objective Priority Roads Projects (PRP) 1 states, inter alia, 'Galway County Council will facilitate the progression of the necessary infrastructure improvements including new roads/projects listed in Table 6.1: Priority Transportation Infrastructure Projects for County Galway 2022-2028 …'. Table 6.1 includes 'N63 Annagh Cross to Ballygar'.

12.10. Therefore, I consider the proposed road development would be consistent with the provisions of the Galway County Development Plan 2022-2028.

Community Need

12.11. The need for the proposed development is set out in section 2.2 of the applicant's EIAR. This can be summarised as resolving existing safety and alignment issues on the existing N63, providing improved regional connectivity by separating regional and local traffic, providing improved local connectivity between the two separate residential/commercial and community village cores, and enabling a modal shift to active travel modes at a community level. These issues were also referenced by the applicant during the oral hearing.

12.12. Section 9.1 of this inspector's report considered the issue of community need. The connection between both village cores is by way of the existing N63 which has an 80kph speed limit and which is subject of relatively heavy volumes of traffic. In my opinion the proposed road development would appropriately separate regional and local traffic, would significantly improve the safety of the existing N63 for both vehicles and vulnerable road users, would substantially reduce congestion around the community facilities, and would significantly improve connectivity between the separate village cores by encouraging pedestrian and cyclist activity on the proposed footpath and cycling path.

12.13. I am satisfied that the proposed road development is an appropriate and suitable means of meeting the stated objectives of the project. It would accord with national, regional, and local policy. I consider that the proposed development would benefit the wider community and the CPO can be justified in the interests of the common good. I consider that the community need for the scheme has been established.

Suitability of Land to Meet the Community Need

12.14. Section 9.3 of this inspector's report is relevant. It sets out the extent of the proposed works required to carry out the proposed development and should be read in conjunction with this section. In summary, it is proposed to construct an approx. 2.3km long national secondary road on 15.494 hectares of land, the majority of which is on greenfield, agricultural land to the north east of the residential and commercial village core. It would comprise a rural all-purpose type 2 single carriageway road including a bridge crossing over the Abbert River with a span of 60.5 metres. Pedestrian and cyclist facilities are included, predominantly along the existing N63. The works would include road, junctions, bridge, culverts, pedestrian and cyclist facilities, earthworks, accommodation works, drainage, utilities and services diversions, barriers, lighting, viewing area, landscaping, construction of access tracks, and environmental measures.

12.15. I concluded in section 9.3 that the extent, type, and design of the works proposed are generally acceptable and would result in a road development that would successfully separate regional and local traffic, would result in a calmer traffic environment for both types of traffic, and would likely significantly increase the number of people walking or cycling to and from the existing community facilities.

12.16. The extent of the land that would be acquired under the order is determined by the specifications for same. I am satisfied that the lands proposed to be acquired are necessary to facilitate the provision of the scheme, and that the land-take is necessary and proportional to ensure the delivery of the proposed development to an appropriate design standard.

Alternatives

12.17. Alternatives were considered in chapter 3 of the applicant's EIAR. The 'do-nothing' scenario was considered 'which would not provide for any additional crossing of the Abbert River or improvement of the existing road network other than routine maintenance'. The 'do-minimum' scenario 'investigated the potential to upgrade, rather than replace, the existing infrastructure to meet the predicted traffic and non-motorised user demands for the next 30 years'. These two scenarios 'did not perform

well in terms of the overall environmental assessment and assessment against the key project objectives …'

12.18. Six route options were identified which took into consideration natural and artificial constraints e.g. the SAC and Knockmoy Abbey. Three route options were progressed and compared using six common appraisal framework criteria: economy, safety, environment, integration, accessibility and social inclusion, and physical activity. Option B was taken forward as the emerging preferred option. 'It was recommended that this option be adopted as the preferred route and was therefore taken forward to the preliminary design stage'. Two public consultations took place. The first presented the six route options that emerged from stage 1 and the second presented the three options studied at stage 2 where the emerging preferred route was presented.

12.19. I am satisfied that several alternative route options for the proposed road development were considered and assessed, and that the proposed route alignment and affected lands represent the most reasonable means of achieving the scheme's objectives and meeting the identified community need, in the interests of the common good.

Site-Specific CPO Issues

12.20. Two of the four submissions originally received to the CPO have been subsequently withdrawn, and two remain valid. The contents of these are summarised in section 7.2 of this inspector's report and as outlined in the oral hearing which is summarised in section 8 of this inspector's report. I note that Lucy Woods has no objection in principle to the proposed development. The main issues are considered as follows:

Lucy Woods

Loss of car parking to the front of the property

12.21. This issue is the main concern for the observer and was effectively the only issue raised at the oral hearing. The removal of the current car parking area will disadvantage the observer and diminish the use of the property, according to the original submission. Alternative car parking provision was suggested on the opposite side of the road, on the same side but slightly east of the frontage, and in the adjacent agricultural field to the east. There is a dispute between the observer and the applicant in this regard. The observer claims the applicant requested a costing for this car

parking area, but the applicant claims no such request was made. As it stands there is no revised car parking being provided for.

12.22. The observer claims that this car parking area is essential to the functioning of the property as the existing vehicular access is narrow and there is an inability to turn within the curtilage. The applicant's position is that it is not a private parking area, and it is part of the public road. The proposed road works would reduce traffic on the existing road, and accessibility of the property would be greatly facilitated by the proposed footpath and cycleway.

12.23. In my view it is likely that the proposed development would result in a significant improvement in the traffic situation on the road for residents. While there is a risk of conflict between pedestrians/cyclists and exiting vehicles it would be no different to many locations and is acceptable subject to normal safety precautions being undertaken. While the vehicular entrance is relatively narrow it is capable of accommodating vehicles. The proposed upgraded road layout would likely assist in vehicles reversing into the property rather than having to reverse out. While the removal of the area currently used as car parking would have an effect on the use of the property, vehicles can be accommodated within the curtilage. Therefore, while I acknowledge the position outlined by the observer in the oral hearing, I do not consider that the removal of the subject area would have an unacceptably detrimental impact on the functioning of the property as a residential property.

12.24. The observer is seeking a written direction from the Board to the applicant that the loss of the front car parking area is acknowledged by the applicant as part of the CPO accommodation and compensation process. I undertook to bring this to the Board's attention but as stated at the oral hearing remain of the opinion that the Board has no role or jurisdiction in the matter of compensation.

Footpath, boundaries, and works in proximity to Rose Villa

12.25. In the initial observation received clarification in relation to these matters was sought.

12.26. The applicant, as part of the oral hearing submission submitted a document entitled 'Response to Submissions & CPO Objections', prepared by AECOM, dated November 2022. This included some relevant commentary as follows:

- Detailed accommodation works drawings are not typically prepared at this stage. The front wall is to be maintained.
- The area of temporary land take will be reinstated to match the previous condition so far as feasible following the completion of construction.
- The earthworks shown will only be required to tie in with the existing drainage and will be minimised as much as possible.
- There is no lined drainage ditch proposed.
- The addition of a footpath will not impact the ability to appreciate the property.
- A structural condition and photographic survey will be undertaken on the front boundary wall, likely during the next phase prior to construction.
- The loss of hedgerow will be dealt with by way of compensation.
- The drainage design will be further developed during detailed construction design.

12.27. I note that these issues were not raised in the oral hearing. I consider these issues have been reasonably addressed and can be more fully addressed during the next phase, should the application be approved and the CPO certified.

Padraic Conneely

Access to the shop and car park

12.28. The observer considers, as set out in his submission to the oral hearing, that access to his shop and car park will be too difficult to access should a footpath be constructed to the front of this area. In my opinion the structure referred to as a shop has not been operated as a normal shop for quite some time given its condition and the lack of any associated signage etc. The car park area is an informal, unlined open area to the front of the structure. The observer states that the car park area is used as an informal farmer's market type operation.

12.29. The applicant considers that, from a road and pedestrian safety perspective, maintaining vehicular access to this open area would need to be controlled and it would be appropriate to limit access and egress at this location.

12.30. I agree with the applicant in this regard that access needs to be controlled. However, given the existing nature of the location, and notwithstanding both the condition of the existing structure and the likely restricted movement and use that would result, I consider that a single dished vehicular access/egress point should be retained for access to this structure, in the interest of natural justice.

Wall along the eastern boundary

12.31. This issue was raised in the original submission on the CPO as well as at the oral hearing. The observer does not want this wall removed. The applicant confirmed at the oral hearing that this wall will be retained.

Loss of bus parking

12.32. The observer stated at the oral hearing that the open car park area is used as a bus stop by Bus Éireann. The removal of the area because of the footpath would be a loss to the local community.

12.33. There is no bus signpost at this location. I note from the Bus Éireann website that the closest stops for the 425 route (Galway – Mountbellew – Roscommon – Longford) which is a once/twice a day service are Abbeyknockmoy (Mannion's Bar), Newtown Cross, and Derreen Cross. There is also a Bus4U service (route 433) which services Roscommon – Galway several times a day. It has only one stop in the Abbeyknockmoy area according to its website, at Donoghue's pub.

12.34. Section 4.4.7 of the EIAR states 'The introduction of the Proposed Road Development will assist the bus services. The locations of the bus stops mean they will not be by-passed by the new section of road, but the buses will be able to use the new section of road minimising their journey time along this section of national road'. I agree that it is likely that these buses would utilise the proposed road in the interest of efficiency.

12.35. There is limited residential development within walking distance of this particular unofficial bus stop location. Therefore I do not consider the loss of this unofficial bus stop would be an unduly significant loss given the presence of official stops in the vicinity.

Location of the pedestrian crossing and trip hazard

12.36. The observer outlined a number of issues in the oral hearing with the location of the proposed pedestrian crossing to the front of the property but appears to have accepted

it. It is the preferable location as it is on the residential/commercial village core side of the L7138 and would involve pedestrians/cyclists from this area only having to cross one road to access the community facilities rather than having to cross two roads should it be located to the front of the church property as suggested. I do not accept there would be any undue trip hazard as a result of introducing a footpath to the front of the observer's property.

Conclusion

12.37. Having regard to the assessment carried out above I am satisfied that:

- the proposed road development scheme is compatible with the provisions of the Galway County Development Plan 2022-2028.
- the community need for the proposed road development scheme has been established.
- the particular lands that constitute the proposed road development corridor are suitable to meet the needs of the proposed scheme.
- reasonable alternatives have been considered and this route is appropriate.

12.38. I consider that the proposed development is acceptable in environmental and planning terms, and I recommend that the CPO be confirmed.

Recommendation

12.39. I acknowledge that the proposed CPO for the proposed N63 realignment scheme will involve the permanent loss of land. At present the lands are in use as residential and, primarily, agricultural. However, this loss should be balanced against the wider policy objective PRP 1 of the Galway County Development Plan 2022-2028 which seeks to facilitate the progression of the necessary infrastructure improvements including new roads/projects, which specifically includes N63 Annagh Cross to Ballygar, and the need to secure the objectives of the development plan in accordance with the provisions of sections 15 and 212(1) of the Planning & Development Act, 2000 (as amended).

12.40. The acquisition of the lands in question would separate regional and local traffic, would significantly improve the safety of the existing N63 for both vehicles and vulnerable

road users, would substantially reduce congestion around the community facilities and in particular the school, would significantly improve connectivity between the separate village cores, and would encourage pedestrian and cyclist activity by way of the proposed footpath and cycling path.

12.41. I therefore recommend that the Compulsory Purchase Order of the N63 road realignment be confirmed.

13.0 Conclusion and Recommendation

13.1. I recommend that the application under section 51(2) of the Roads Act, 1993 (as amended) for the construction of the proposed N63 Liss to Abbey realignment scheme should be approved for the reasons and considerations as set out in schedule 1 and consequently that the CPO is approved, as set out in schedule 2.

14.0 Schedule 1 – N63 Realignment Scheme

Reasons and Considerations

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

1. the relevant provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU (the EIA Directive) on the assessment of the effects of certain public and private projects on the environment,
2. Directive 92/43/EEC (the Habitats Directive) and Directive 79/409/EEC, as amended by 2009/147/EC (the Birds Directive), which set out the requirements for Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union,
3. National Planning Framework Project Ireland 2040,
4. Climate Action Plan 2021,
5. Northern and Western Regional Assembly Regional Spatial and Economic Strategy 2020-2032,

6. Galway County Development Plan 2022-2028,
7. the nature, scale, and design of the proposed works as set out in the application for approval, and the pattern of development in the vicinity,
8. the documentation and submissions of the local authority, including the environmental impact assessment report and associated documentation submitted with the application, and the range of mitigating and monitoring measures proposed,
9. the likely effects and consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely significant effects of the proposed development on European sites,
10. the submissions received in relation to the application, and,
11. the report and recommendation of the inspector.

Appropriate Assessment Stage 1

The Board agreed with the screening assessment and conclusion carried out in the inspector's report that Lough Corrib SAC (site code – 000297) is the only European site for which there is a possibility of significant effects and must therefore be subject to appropriate assessment.

Appropriate Assessment Stage 2

The Board considered the Natura impact statement and all other relevant submissions and carried out an appropriate assessment of the implications of the proposed development for Lough Corrib SAC in view of the site's conservation objectives. The Board considered that the information before it was sufficient to undertake a complete assessment of all aspects of the proposed road development in relation to the site's conservation objectives using the best available scientific knowledge in the field.

In completing the appropriate assessment, the Board considered, in particular, the following:

(a) the likely direct and indirect impacts arising from the proposed road development both individually or in combination with other plans or projects,

(b) the mitigation measures which are included as part of the current proposal, and,

(c) the conservation objectives for the European site.

In completing the appropriate assessment, the Board accepted and adopted the appropriate assessment carried out in the inspector's report in respect of the potential effects of the proposed road development on the aforementioned European site, having regard to the site's conservation objectives.

In overall conclusion, the Board was satisfied that the proposed road development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European site, in view of the site's conservation objectives.

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,

(b) the Environmental Impact Assessment Report and associated documentation submitted in support of the application,

(c) the submissions received from the applicant, prescribed bodies, and observers in the course of the application, and,

(d) the inspector's 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 development on the environment. The Board agreed with the examination, set out in the inspector's 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 application.

Reasoned Conclusion on the Significant Effects

The Board considered that the main significant direct and indirect effects of the proposed development on the environment are, and would be mitigated where relevant, as follows:

- Traffic – The proposed road development would separate regional and local traffic, would improve safety, and would improve the environment for sustainable modes of transport. This would result in an improved environment for both vehicles and vulnerable road users.
- Biodiversity – There would be habitat loss due to the construction of the proposed road and ancillary features. The proposed bridge crosses Lough Corrib SAC but no in-stream works are proposed. Measures have been designed to mitigate potential negative effects on the Molinia meadows and petrifying springs habitats as well as QI species such as otter, and other mammals such as badger. Mitigation is set out for the construction and operational phases.
- Climate – Though there would be unavoidable greenhouse gas emissions from both construction and operational phases of the proposed development, regional traffic would be removed from the area of the existing N63 where the community facilities are located, it would result in quicker journeys for regional traffic, would result in less traffic congestion around the community facilities and Liss Bridge, and would provide for and encourage an increase in more sustainable modes of transport between the two village cores. The proposed road development would redistribute existing traffic, not encourage more traffic. This would all benefit climate change targets.
- Cultural Heritage – The prominent landscape feature Knockmoy Abbey would be more visible to users of the proposed realigned road while remaining visible to residents and users of the existing N63. Pre-development archaeological testing would address concerns relating to loss of any archaeological material.

It is considered that, subject to the implementation of the mitigation measures referred to above and as detailed throughout the chapters of the Environmental Impact Assessment Report, including Chapter 19 (Schedule of Mitigation Measures), the effects of the proposed development on the environment in the vicinity would be

acceptable in respect of the delivery of the physical infrastructure and any associated impacts.

Overall the Board is satisfied that the proposed development would not have any unacceptable effects on the environment.

Proper Planning and Sustainable Development

The Board considered that the proposed road development would be in accordance with national, regional, and local planning policy, would not have an unacceptable impact on the landscape or on biodiversity, would not seriously injure the visual or residential amenities of the area or of property in the vicinity, would allow for greater community cohesion, would facilitate an increased modal share of sustainable modes of transport, would provide for improved safety for pedestrians, cyclists and other road users and 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, including the Environmental Impact Assessment Report and Natura impact statement, lodged with and during the course of the application to An Bord Pleanála.

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

2. The proposals, mitigation measures, and commitments set out in the Environmental Impact Assessment Report and the Natura impact statement shall be implemented in full as part of the proposed road development.

Reason: In the interest of clarity, to mitigate the environmental effects of the proposed road development, and to protect the amenities of the area, and of properties in the vicinity.

3. The preservation, recording, and protection of archaeological materials or features that may exist within the site shall be facilitated. In this regard, a suitably qualified archaeologist shall be retained to monitor all site investigations and other excavation works and provide arrangements for the recording and for the removal of any archaeological material considered appropriate to remove.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

4. A single dished vehicular access/egress point shall be provided to the existing structure on the Conneely property opposite the handball alley and community centre on the N63.

Reason: In the interests of maintaining access to this structure and the proper planning and sustainable development of the area.

15.0 Schedule 2 – Compulsory Purchase Order

Reasons and Considerations

Having considered the objections made to the compulsory purchase order, the report and recommendation of the inspector who conducted the oral hearing into the objections, the purpose of the compulsory purchase order, and also having regard to:

(i) the need to provide a safe traffic environment,

(ii) the community need, public interest served, and overall benefits, including benefits to the wider area and the increased provisions for a range of road users to be achieved from use of the acquired lands,

(iii) the provisions of the current Galway County Development 2022-2028 and the policies and objectives stated therein, and,

(iv) the proportionate design response to the identified need,

it is considered that the acquisition by the local authority of the lands in question, and the extinguishment of a public right of way, as set out in the compulsory purchase

order and on the deposited maps, are necessary for the purpose stated, and that the objections cannot be sustained having regard to the said necessity.

Anthony Kelly
Planning Inspector
20th December 2022