



An
Bord
Pleanála

Inspector's Report ABP-315773-23

Development	Repair works at Doiriu Bridge.
Location	Rossaveel, Co. Galway
Local Authority	Galway County Council
Type of Application	Application for approval made under Section 177(AE) of the Planning and Development Act, 2000 (local authority development requiring appropriate assessment)
Prescribed Bodies	DHLG&H (DAU) Inland Fisheries Ireland Peter Sweetman & wild Ireland Defence CLG.
Observer(s)	None
Date of Site Inspection	14 th April 2023
Inspector	Karla Mc Bride

1.0 Introduction

- 1.1. Galway County Council is seeking approval from An Bord Pleanála to undertake bridge repair works at Doiriu Bridge to the E of Rossaveel. The existing bridge traverses a tributary of the Casla River that drains SW to Casla Bay, and there are several designated European sites in the wider area. A Natura Impact Statement (NIS) and application under Section 177AE was lodged by the Local Authority on the basis of the proposed development's likely significant effect on a European site.
- 1.2. Section 177AE of the Planning and Development act 2000 (as amended) requires that where an appropriate assessment is required in respect of development by a local authority the authority shall prepare an NIS and the development shall not be carried out unless the Board has approved the development with or without modifications. Furthermore, Section 177V of the Planning and Development Act 2000 (as amended) requires that the appropriate assessment shall include a determination by the Board as to whether or not the proposed development would adversely affect the integrity of a European site and the appropriate assessment shall be carried out by the Board before consent is given for the development.

2.0 Site and Location

- 2.1. The site is located within a small linear settlement of detached houses located along the approach road to Rossaveel in County Galway, and the surrounding area comprises a mix of peatlands, agricultural fields, farm buildings and residential uses. Doiriu Bridge carries a regional road (R336) over a tributary of the Casla River which is known as the Casla Stream. The existing bridge supports a two-arch masonry / stone slab bridge structure and the c.4km long Casla Stream flows W from the bridge to Casla Bay. The immediate environs are characterised by riparian vegetation with peatlands and agricultural fields beyond. The bridge and stream are not covered by any sensitive natural heritage designations. However, the bridge is located close to the boundary of the Connemara Bog Complex SAC, and the watercourse ultimately discharges to Kilkieran Islands and Bay SAC via Casla Bay over a distance of c.10km. The stream and environs may also be important for mobile species from other further afield European sites.
- 2.2. Photographs & maps in Appendix 1 describe the site & surroundings in more detail.

3.0 Proposed Development

Galway County Council proposes to undertake bridge repair works at Doiriu Bridge, the proposed scheme would repair and protect public infrastructure and the works would take place over a c. 2-month period.

The proposed works would comprise:

- Vegetation clearance at bridge structure.
- Masonry repointing & reconstruction.
- Rebuild upstream end of bridge (to match existing structure).
- Replace damaged clapper stone at downstream end.
- Install rock armour as foundations for bridge parapets.
- Construct 2 x stone works parapets (1m high x 10m long).
- Temporary stream damming & diversion.

Accompanying documents

The application was accompanied by the following documents:

- Planning report
- Drawings & photographs
- Natural Impact Statement (Incl. AA Screening)
- List of Prescribed Bodies
- Copies of Public Notices.

4.0 Planning History

4.1. Several planning cases in the vicinity but none of note.

5.0 Legislative and Policy Context

- 5.1. **The EU Habitats Directive (92/43/EEC):** This Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Article 6(3) and 6(4) require an appropriate assessment of the likely significant effects of a proposed development on its own and in combination with other plans and projects which may have an effect on a European Site (SAC or SPA).
- 5.2. **European Communities (Birds and Natural Habitats) Regulations 2011:** These Regulations consolidate the European Communities (Natural Habitats) Regulations 1997 to 2005 and the European Communities (Birds and Natural Habitats) (Control of Recreational Activities) Regulations 2010, as well as addressing transposition failures identified in CJEU judgements. The Regulations in particular require in Reg 42(21) that where an appropriate assessment has already been carried out by a 'first' public authority for the same project (under a separate code of legislation) then a 'second' public authority considering that project for appropriate assessment under its own code of legislation is required to take account of the appropriate assessment of the first authority.
- 5.3. **National nature conservation designations:** The Department of Culture, Heritage and the Gaeltacht and the National Parks and Wildlife Service are responsible for the designation of conservation sites throughout the country. The three main types of designation are Natural Heritage Areas (NHA), Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) and the latter two form part of the European Natura 2000 Network.
- 5.4. European sites located within the Zone of Influence of the subject site include: -
- Connemara Bog Complex SAC (Site code: 002034)
 - Connemara Bog Complex SPA (Site code: 004181)
 - Kilkieran Bay & Islands SAC (Site code: 002111)
 - Inishmore Island SAC (Site code: 000213)

5.5. **Planning and Development Acts 2000 (as amended):** Part XAB of the Planning and Development Acts 2000-2017 sets out the requirements for the appropriate assessment of developments which could have an effect on a European site or its conservation objectives.

- 177(AE) sets out the requirements for the appropriate assessment of developments carried out by or on behalf of local authorities.
- Section 177(AE) (1) requires a local authority to prepare, or cause to be prepared, a Natura impact statement in respect of the proposed development.
- Section 177(AE) (2) states that a proposed development in respect of which an appropriate assessment is required shall not be carried out unless the Board has approved it with or without modifications.
- Section 177(AE) (3) states that where a Natura impact assessment has been prepared pursuant to subsection (1), the local authority shall apply to the Board for approval and the provisions of Part XAB shall apply to the carrying out of the appropriate assessment.
- Section 177(V) (3) states that a competent authority shall give consent for a proposed development only after having determined that the proposed development shall not adversely affect the integrity of a European site.
- Section 177AE (6) (a) states that before making a decision in respect of a proposed development the Board shall consider the NIS, any submissions or observations received and any other information relating to:
 - The likely effects on the environment.
 - The likely consequences for the proper planning and sustainable development of the area.
 - The likely significant effects on a European site.

5.6. National and Regional Planning policy

National Planning Framework, 2018-2040

This Plan sets out a high-level strategic plan for shaping future growth and development to 2040. It seeks to develop a region-focused strategy to manage growth and environmentally focused planning at a local level.

National Development Plan, 2018-2027

This Plan underpins the National Planning Framework 2018-2040. It contains several priorities which include investment in regional growth potential and increasing investment in national, regional and local roads.

Climate Action Plan, 2023

This plan seeks to tackle climate breakdown and achieve net zero greenhouse gas emissions by 2050. It identifies several risks as a result of climate change including rising sea-levels, extreme weather, further pressure on water resources and food production systems, and increased chance and scale of river and coastal flooding.

Biodiversity Action Plan

The Plan sets out actions through which a range of government, civil and private sectors will undertake to achieve Ireland's 'Vision for Biodiversity' and follows on from the work of the first and second National Biodiversity Action Plans. It contains 119 x targeted actions which are underpinned by 7 x strategic objectives.

The Planning System and Flood Risk Management, 2009

These Guidelines seeks to avoid inappropriate development in areas at risk of flooding and avoid new developments increasing flood risk elsewhere and they advocate a sequential approach to risk assessment and a justification test.

The Northern and Western Regional Economic & Spatial Strategy, 2020-2032

The RSES supports the delivery of the programme for change set out in the National Planning Framework and the National Development Plan. It sets out a strategic vision and policy objectives for urban and rural areas, people, the economy, the environment, connectivity, amenities and utilities.

5.7. Local Planning policy

Galway County Development Plan, 2022 - 2028

The site and surrounding lands are located within a rural area to the W of Galway City and E of Rossaveel which are covered by the policies and objectives contained in the current Galway County Development Plan. Chapter 4 deals with rural living, Chapter 7 deals with infrastructure, Chapter 8 deals with the landscape and Chapter 10 deals with natural heritage and biodiversity.

Natural heritage policies:

- **NHB 1 to 11:** seek to protect natural heritage, biodiversity and designated sites, habitats and species.
- **NHB 5:** seeks to support the protection & enhancement of biodiversity and ecological connectivity in non-designated sites (incl. rivers & streams).
- **NBH 9:** seeks to protect bats and their roosts, feeding areas, flight paths and commuting routes (incl. linear features such as watercourses).
- **WR 1:** seeks to protect water resources (incl. rivers & streams).
- **P 1:** seeks to ensure that designated peatland areas are conserved.
- **IS 1&2:** seek to support measures for the prevention and eradication of invasive species and to require IS Management Plans.
- **TWHS 1:** seeks to protect & retain natural boundaries (incl. stonewalls).

Landscape character:

- The site lies within a Coastal Landscape & along Galway Bay Scenic Route.

6.0 Consultations

6.1. Prescribed Bodies:

The Council circulated the project details to the following Prescribed Bodies: -

- Dept. of Housing, Local Government & Heritage (DAU)
- Dept. of Tourism, Culture, Arts, Gaeltacht, Sports & Media
- Inland Fisheries Ireland

- Uduras Na Gaeltachta
- Failte Ireland
- An Taisce
- An Chomhairle Ealaíon

Department of Housing, Local Government & Heritage (DAU):

- Old masonry has bat roost potential due to large number of cracks & crevices.
- A bat survey should be undertaken as the works have the potential to lead to the deterioration or destruction of a bat roost which should be considered.
- All bat species are protected under Annex IV of the habitats Directive.
- Article 12 (1) (d) of the Habitats Directive makes it an offence to cause deterioration or destruction of breeding sites or resting places.
- Article 16 provides for derogations from the strict protection as a last resort.

Inland Fisheries Ireland:

The stream is a tributary of the Casla River which is the main river of the Costello & Fermoy sea trout & salmon fishery, request the following conditions be attached: -

- The free passage of fish should be fully accommodated.
- In-stream works be undertaken as per IFI Guidelines.
- Full adherence with method statements & pollution mitigation measures with any deviations agreed locally with IFI Officers.
- Appoint a member of staff with responsibility for environmental issues, record keeping, liaising with IFI staff, & reporting incidents to IFI Galway.
- Mitigate any threats to the aquatic environment in the event of a flood event.
- In-stream works & use of concrete should take place during low water flows.
- Fully re-instate any riparian zones damaged by machinery or equipment.
- Prevent the introduction or spread of invasive species (incl. Zebra mussel).
- Observe appropriate health and safety conditions.
- IFI contact details provided.
- Obtain prior consent of the owner of the fishing rights.
- Notify relevant bodies before works commence.

6.2. **Public Submissions:**

One submission received from Peter Sweetman & Wild Ireland Defence CLG: -

- Compliance with EU Directives (EIA & AA) and Planning Act required.
- AA Screening conclusion does not accord with EUCJ requirements as the mitigation measures appear to be cantered on “best practice”.
- Previous “best practice” caused a major pollution incident in similar works in the LEEANNE RIVER.

7.0 Assessment

7.1. The likely consequences for the proper planning and sustainable development of the area:

The proposed Doiriu Bridge repair works would comply with national, regional and local policy in respect of climate change, residential amenity, cultural and natural heritage, and the environment.

Doiriu Bridge carries the R336 regional road, which serves south Connemara, over the Casla Stream which is a tributary of the Casla River. The Council states that the repair works are justified as they would ensure the continued use of public infrastructure which would also ensure continued road access to land and property on the W side of the Stream.

The submissions received from Prescribed Bodies are summarised in section 6.0 above. The main concerns raised by IFI relate to potential adverse effects on water quality and fisheries, and the main concerns of the NPWS relate to the potential for bat roosts under the bridge. One submission was received a member of the public (Peter Sweetman) who raised concerns in relation to compliance with EU Directives and the consideration of “best practice” as a mitigation measure.

Design and layout:

The location and design of the proposed Doiriu Bridge repair works are described in sections 2.0 and 3.0 above. The existing stone bridge is in a poor state of repair and requires repair and maintenance works, and it is significantly overgrown with vegetation. The Council’s submission noted that sections of the existing parapet walls will need to be demolished and replaced along with localised masonry repairs to the existing structure. Given that the project would not comprise any new structures and minimal disturbance to the riparian embankments, the design and layout of the proposed works are considered acceptable.

Visual and residential amenity:

In relation to visual amenity, Doiriu Bridge and the surrounding rural area is characterised by a mix of grazing land and detached residential uses located along the main road that connects Galway City to south Connemara and Rossaveel Port. The overall lands are located within a Coastal Landscape and along Galway Bay

Scenic Route, and the surrounding small linear settlement is not covered by any sensitive built heritage or conservation designations. Doiriu Bridge and environs, along with the adjoining regional road and surrounding rural area, are defined by hedgerows and hedgerow trees, and the Casla Stream is defined by riparian vegetation, all of which contribute to the overall character of the area. Several Development Plan policies seek the protection of features which contribute to landscape character. However, given the small scale, low profile and linear nature of the repair works to an existing bridge, the proposed development would not have an adverse impact on residential or visual amenities.

In terms of general residential amenity, the proposed works would not overlook, overshadow, result in a loss of privacy or otherwise adversely affect the amenity of any nearby dwelling houses. However, any localised removal of hedgerow and riparian vegetation in the vicinity of the bridge would have a minor adverse impact on the visual amenities and rural character of the area in the short term.

Notwithstanding these concerns, the proposed works will not give rise to an adverse visual impact on the character of the area, interfere with the scenic coastal route, or the amenities of nearby houses in the long term.

Biodiversity:

The rural site and environs are characterised by a mix of agricultural fields, peatland areas and wetland habitats. The section of Casla Stream upstream of the bridge is defined by Elder to the W and a mix of Gorse and the ornamental shrub Escallonia to the W, with semi-mature trees on along both embankments further upstream. The downstream section is mainly defined by Gorse and Bramble with rushes and wet grassland. Given the erosional characteristics of the watercourse, it does not support any significant in-stream vegetation, although the bridge itself supports some localised epiphyte growth.

Doiriu Bridge and the section of the Casla Stream that it traverses are located within c.1.2km of the Connemara Bog Complex SAC. Casla Stream also ultimately discharges to Kilkieran Bay and Islands SAC to the W over an aquatic distance of c.10km via Casla Bay. The watercourse and environs may also be important for aquatic and mobile species for further afield European sites. Issues related to Appropriate Assessment will be addressed in sections 7.3 below.

Policies NHB 1 to 11 seek to protect natural heritage, biodiversity and designated sites, habitats and species, Policy NHB 5 seeks to support the protection and enhancement of biodiversity and ecological connectivity in non-designated sites (incl. rivers & streams), Policy WR 1 seeks to protect water resources (incl. rivers & streams), and Policy NBH 9 seeks to protect bats and their roosts, feeding areas, flight paths and commuting routes (incl. linear features such as watercourses).

The watercourse and its embankments may provide a habitat, refuge, foraging area or resting place for a variety of terrestrial and aquatic animal species (incl. otter, birds, fish & aquatic invertebrates), which have been described in the submitted documents. This includes an Appropriate Assessment Screening Report and Natural Impact Statement which examined the relationship between the watercourse and its environs, and several European sites. The AA Screening and NIS reports were informed by desk top studies and field surveys which described the ecological characteristics of the receiving environment and identified the potential impacts on Europeans Sites and biodiversity, and the NIS also contains mitigation measures.

No European site QI habitats or species, or further afield European site SCI species were recorded in the vicinity of the stream in the NIS desktop studies and field surveys. However, it is possible that Otter may commute or forage along the watercourse, the watercourse may provide suitable life cycle support habitat for fish, and the stream and stone bridge could provide foraging and/or roosting opportunities for bats.

Although **otter** was not recorded in the vicinity it is a QI species for the nearby Connemara Bog Complex SAC, a pre-construction survey should be undertaken before the repair works commence. This could be addressed by way of a planning condition.

A wide variety of **bird** species were noted in the surveys of the bridge and surrounding area (incl. mainly common species & passerines), although none were recorded nesting at or close to Doiriu Bridge the fringing riparian vegetation may have nesting and roosting potential. Although there would be some disturbance during the construction works and localised loss of vegetation, given the small scale, low profile and linear nature of the repair works to an existing bridge, it is unlikely

that the proposed development would cause a long-term disturbance to birds. However, vegetation clearance should take place outside of the bird nesting season.

The stone bridge and surrounding riparian environs may provide suitable foraging and/or roosting habitat for **bats** given the characteristics of the bridge structure and the wider presence of trees and hedgerows. The NPWS noted that old masonry has bat roost potential due to large number of cracks and crevices and that a bat survey should be undertaken as the works have the potential to lead to the deterioration or destruction of a bat roost which should be considered under the project assessment. However, given that no Bat species are designated QIs for the SAC, I am satisfied that this concern could be addressed by a pre-construction bat survey which should be undertaken before the repair works commence. In the event that a roost is recorded the applicant should be required to seek a Derogation Licence to enable the safe and humane relocation of any specimens to another suitable nearby habitat. This could be addressed by way of a planning condition.

The Casla Stream, as a tributary of the Casla River which is the main river of the Costello and Fermoy Sea Trout and Salmon Fishery, could provide suitable support habitat for several species of **fish** (incl. Atlantic Salmon, Brown Trout, Sea Trout & European Eel). The watercourse may also provide suitable habitat for prey species of aquatic invertebrate and macrophytes which form part of the food supply for fish species in the Casla River. The concerns of Inland Fisheries Ireland (IFI) are summarised in section 6.1 above.

The proposed bridge works at the watercourse have the potential to release and convey deleterious construction materials downstream in the absence of appropriate safeguards which could adversely affect water quality and fisheries (incl. riverbed smothering, changes to pH, clogging fish gills & habitat degradation), and potentially create barriers to species movement during the temporary damming and diversion works, along with general noise and disturbance. However, the mitigation measures contained in the NIS report would ensure that appropriate protection measures are put in place during the repair works (incl. no concrete mixing or vehicle washing on site, protection of the watercourses from silt & chemical contamination, and silt fences). The IFI requested that the works should adhere to its "Guidelines on protection of fisheries during construction works in and adjacent to waters", no in-

stream works should occur without its agreement, water quality should be protected during the works which should avoid the fish breeding season, and the free passage of fish should be fully accommodated at all times. These concerns could be addressed by way of a planning condition.

No **invasive plant species** were recorded at or in the vicinity of Doiriu Bridge or the stream during the surveys, however a biosecurity condition should be attached to ensure that the works (and vehicles) do not introduce or contribute to the spread of invasive species, including Zebra mussel, which is a particular concern for IFI.

The proposed bridge repair works would require the removal of **riparian vegetation** which would have a short-term localised impact on biodiversity in terms of disturbance to foraging areas, resting places and refuges during the works, however no adverse long-term impacts are anticipated after the repair works are completed.

It is proposed to appoint an **Ecological Clerk of Works** to oversee the repair works and the mitigation measures contained in the NIS report would protect sensitive species (incl. birds & fish). The works will be conducted in accordance IFI guidance and outside the salmon and trout spawning seasons, the removal of vegetation during the bird nesting season will be prohibited, and pre-construction surveys for Otters and Bats will be required as per the recommended conditions, and to address the concerns raised by the NPWS in relation to Bats.

In conclusion, having regard to all of the above, the predicted impacts on biodiversity would be temporary and short term as most species will return to the area after the works are complete. It is noted that IFI and NPWS had have no objections to the proposed works, subject to the consideration of the issues summarised above.

Cultural heritage:

Doiriu Bridge and its environs are not covered by any sensitive heritage designations, and it is not of any heritage value. The proposed development would not adversely affect the character or setting of any Recorded Monuments, Protected Structures, NIAH features of ACAs in the area. However, it is possible that the surrounding environment may contain historical artefacts that may be uncovered during the works, and archaeological monitoring should be required. This concern could be addressed by way of a planning condition.

Need, effectiveness & alternatives:

I am satisfied that the applicant has provided adequate background information to justify the need for the proposed works which seek to repair public infrastructure and that the proposed works will function effectively. I am also satisfied, on the basis of my examination of the submitted documents and assessment of the watercourse, that the proposed bridge repair works constitute an appropriate and proportionate response to the conditions along this section of the stream.

Conclusions:

Having regard to the foregoing, I am satisfied that the proposed development is acceptable in principle and that the bridge repair works are justified.

7.2. The likely effects on the environment

The applicant did not provide an Environmental Impact Assessment Screening Report. However, the project is not of a type included in Schedule 5 Part 1 or Part 2 of the Planning and Development Regulations 2001 (as amended) or in the Road Act 1993 (as amended). Furthermore, it does not meet any of the criteria set out in Schedule 7 of the Regulations for determining whether a sub-threshold development would be likely to have significant effects on the environment, with regard to the characteristics of the works, its location and the characteristics of potential impacts.

Having regard to the small scale, low profile and linear nature of the proposed development, which would comprise repair works to an existing bridge along a short section of a stream, and the characteristics of the receiving environment which is not densely developed or covered by a sensitive heritage or landscape designations, and notwithstanding its proximity to the boundary of the Connemara Bog Complex SAC, I am satisfied that the proposed works would not have any significant adverse effects on population and human health, biodiversity, land, soil or water, air and climate, material assets, cultural heritage or the landscape, and the need for environmental impact assessment can, therefore, be excluded.

Notwithstanding this conclusion, the Council should ensure that the NIS ecological mitigation measures are fully implemented, that pre-construction Otter and Bat

surveys are undertaken before works commence, and that the works do not take place during the bird nesting or fish spawning seasons.

7.1. **The likely significant effects on a European site:**

The areas addressed in this section are as follows:

- Compliance with Articles 6(3) of the EU Habitats Directive
- The Natura Impact Statement
- Appropriate Assessment

7.2. **Compliance with Articles 6(3) of the EU Habitats Directive**

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

7.3. **The Natura Impact Statement**

The application was accompanied by a Natural Impact Statement (NIS) which scientifically examined the proposed works and European sites which was informed by desk top studies and field surveys.

The desk top studies and field surveys described the site and surrounding area. This included details of potential connections between the proposed works and several European sites (incl. Connemara Bog Complex SAC). The reports assessed the surrounding watercourse and environs for Qualifying Interest (QI) habitats and species and Special Conservation Interest (SCI) species for the European sites. The

ecological characteristics of the riparian site were described. Further afield sections of some European site QI peatland habitats were recorded, and the stream may contain suitable support habitat for QI fish species. The site is outside the favourable reference range for most SCI species, and it does not contain suitable habitat or foraging potential. No scheduled invasive species were recorded along the watercourse.

The AA Screening report identified 4 x European sites located within a 15km radius of the proposed works, it examined connectivity and characterised the possible effects of the proposed development on these sites. It concluded that significant effects could not be ruled out for 2 of the sites (Connemara Bog Complex SAC & Kilkieran Bay & Islands SAC), and that the preparation of an NIS was required.

The NIS report described the receiving environment and the proposed development. It described the two remaining SACs, listed their QI habitats and species, and described the nature of the connection between the proposed works and the European sites. It characterised the potential effects on the European sites including in-combination effects in view of the site's Conservation Objectives. The identified effects related to surface water pollution, discharges resulting in loss/change to habitats & disturbance to commuting/forging territory. The NIS formally concluded that no significant effects are likely on Natura 2000 sites, their features of interest or conservation objectives, and that the proposed project will not adversely affect the integrity of European sites.

- 7.4. Having reviewed the NIS and the supporting documentation, I am satisfied that it provides adequate information in respect of the baseline conditions, does clearly identify the potential impacts, and does use best scientific information and knowledge, and details of mitigation measures are provided. I am satisfied that the information is sufficient to allow for appropriate assessment of the proposed development (see further analysis below).

7.5. **Appropriate Assessment**

7.6. The proposed development, which would comprise repair works to an existing bridge over a short section of the Casla Stream which is in turn a tributary of the Casla River, is not directly connected with or necessary to the management of any European sites in the surrounding area.

7.7. Having regard to the information and submissions available, nature, size and location of the proposed development and its likely direct, indirect and cumulative effects, the source pathway receptor principle and sensitivities of the ecological receptors, the following European Sites are considered relevant to include for the purposes of initial screening for the requirement for Stage 2 appropriate assessment on the basis of likely significant effects.

7.8. The potential likely significant impacts that could arise during the construction and operational phases of the proposed development on the European site's QI habitats and species are:

- Release of sediment & pollutants to surface & ground water during the repair works.
- Loss of or damage to habitat/resting/nesting/foraging places used by QI and SCI species.
- Noise and disturbance to QI and SCI species during construction.
- Dispersal of invasive species with resultant impacts on QI habitats and QI and SCI species during the repair works.

Stage 1 Screening Assessment:

The European sites within the Zone of Influence (i.e the area over which an impact can have a potential effect in relation to proximity of European sites and the mobility of faunal species from further afield sites) of the proposed works and approximate separation distances are set out below.

European Site	Qualifying Interests	Distance	Link
Connemara Bog SAC (Site code: 002034)	Coastal lagoons & Reefs Oligotrophic waters Oligotrophic to mesotrophic standing waters Natural dystrophic lakes & ponds Floating river vegetation Northern Atlantic wet heaths European dry heaths Molinia meadows & Blanket bogs Transition mires & quaking bogs Depressions on peat substrates Alkaline fens & Old sessile oak woods Marsh Fritillary & Slender Naiad Salmon & Otter	1.2km (S)	Yes
Connemara Bog SPA (Site code: 004181)	Cormorant & Merlin Golden Plover & Common Gull	c.10-14 km (E/NE)	No
Kilkieran Bay & Islands SAC (Site code: 002111)	Mudflats & sandflats Coastal lagoons & Reefs Large shallow inlets & bays Atlantic salt meadows Mediterranean salt meadows Machairs & Lowland hay meadows Oligotrophic to mesotrophic standing waters Otter & Harbour Seal Slender Naiad	c.10km (SW)	Yes (long distance)
Inishmore Island SAC	Coastal lagoons [1150] Reefs [1170] Perennial vegetation of stony banks [1220] Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] Embryonic shifting dunes [2110]	c.7-14km (SW)	No

European Site	Qualifying Interests	Distance	Link
	Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] Dunes with <i>Salix repens</i> ssp. Humid dune slacks & Machairs European dry heaths Alpine & Boreal heaths Semi-natural dry grasslands Lowland hay meadows Limestone pavements Submerged or partially submerged sea caves Narrow-mouthed Whorl Snail		

Based on my examination of the NIS report and supporting information (incl. the desktop studies & field surveys), NPWS website, aerial and satellite imagery, the small scale of the proposed works and nature of the likely effects, the substantial separation distance and functional relationship between the proposed works and the European sites and their conservation objectives, the upstream location, the site specific characteristics, and taken in conjunction with my assessment of the subject site and surrounding area, I conclude that a Stage 2 Appropriate Assessment is required for 1 of the European sites referred to above which I consider to be within the Zone of Influence by reason of a direct aquatic connections (Connemara Bog Complex SAC).

It is noted that the NIS included the Kilkieran Bay and Islands SAC in the Stage 2 assessment, however I am satisfied that it could be screened out from further assessment given the small scale of the proposed works, the nature of the likely impacts, the substantial aquatic separation distance (in excess of 10km) and the assimilative capacity of the waters within Casla Bay and the degree of tidal mixing.

7.9. Stage 2 Appropriate assessment:

Connemara Bog Complex SAC:

This European site lies within the Zone of Influence of the proposed works as it has a direct aquatic and/or mobile connection to the site of the proposed works.

European site description:

This extensive **SAC site** encompasses the majority of the south Connemara lowlands, and it supports a wide range of habitats, including extensive tracts of western blanket bog, which form the core interest, as well as areas of heath, fen, woodlands, lakes, rivers and coastal habitats. It contains 14 x QI habitats (incl. Wet & Dry Heaths, Blanket Bogs and Oligotrophic & Dystrophic lakes), 4 x QI species (Otter, Atlantic salmon, Marsh Fritillary & Slender Naiad), and 9 x protected plant species (incl. Bog Orchid). The Casla River, which is one of the main river systems within the SAC, is noted as a good example of a western acidic spate river which supports Atlantic Salmon and contains good spawning and nursery grounds. The site is internationally important for Cormorant and nationally important for Greenland White-fronted Goose and it contains nesting sites for Golden Plover.

The main damaging operations and threats to the **SAC** include peat cutting, afforestation, and over-grazing by sheep and cattle with erosion of peat ensuing. Other threats and potentially damaging operations include land drainage and reclamation, fertilization, quarrying and dumping.

SAC Qualifying Interest habitats and species:

This SAC is designated for its importance to a wide variety of habitats and species, which extend from the upland source of the watercourse (N) to the coastal estuary (S). The full list of QI habitats and species is set out in the table above.

It is noted from the NPWS documentation and accompanying maps (Nos. 3 & 4) that several of the QI habitats and species for the SAC (incl. coastal QIs) are located a considerable distance downstream of the proposed development. For this reason, combined with the modest scale of the proposed works, the specific QI site characteristics and locational requirements, and the dynamics of coastal and tidal processes, the following QI coastal habitats will be excluded from any further consideration: -

- Coastal Lagoons
- Reefs

It is further noted from the NPWS documentation and maps (No. 8 & 9) that some of the QI habitats and species for this SAC are either located upstream of the works or a considerable distance downstream of the proposed works, or not in the vicinity. For this reason, combined with the modest scale and nature of the proposed works, and the specific QI site characteristics and locational requirements, the following QI habitats and species will be excluded from any further consideration:

- Old sessile oak woods
- Oligotrophic waters
- Oligotrophic to mesotrophic waters
- Natural dystrophic lakes & ponds
- Floating water vegetation
- Marsh Fritillary
- Slender Naiad

SAC Conservation Objectives:

The Conservation Objectives for the various habitats and species seek to maintain the favourable conservation condition of the habitats and species in the Connemara Bog Complex SAC, which are defined by a specific list of attributes and targets.

SAC Qualifying Interests, attributes & targets:

The relevant SAC Qualifying Interests for the remaining SAC habitats and species, and applicable attributes and targets for the remaining QIs, are set out below.

Qualifying Interests	Attributes & targets
Northern Atlantic wet heaths with <i>Erica tetralix</i>	Habitat Area & Distribution; Ecosystem function; Community diversity; Vegetation composition (incl. cross-leaved heath, lichens & bryophytes, ericoid species & crowberry, dwarf shrub species, native trees & shrubs, bracken and soft rush); Vegetation structure; Physical structure; Indicators of local distinctiveness.

Qualifying Interests	Attributes & targets
European dry heaths	As for Northern Atlantic wet heaths (incl. lichens & bryophytes, native trees and shrubs, bracken, soft rush & ling).
Molinia meadows	As for Northern Atlantic wet heaths (incl. moss, bracken & broad leaf herb).
Transition mires & quaking bogs	As for Northern Atlantic wet heaths (incl. positive indicator species).
Depressions on peat substrates	As for Northern Atlantic wet heaths (incl. Rhynchospora spp., native trees & shrubs, Sphagnum moss).
Blanket bogs	As for Northern Atlantic wet heaths (incl. lichens & bryophytes, native trees & scrub and Sphagnum moss)
Alkaline fens	As for Northern Atlantic wet heaths (incl. brown mosses, vascular plants, native trees & scrub and soft rush & common reed).
Salmon	Distribution; Adult spawning fish; Salmon fry abundance; Out-migrating smolt abundance; Number and distribution of redds; Water quality.
Otter	Distribution; Extent of terrestrial & freshwater habitats; Couching sites & holts; and Fish biomass (no significant decline).

Consideration of potential impacts:

Potential direct effects: The proposed development would not be located within this European site, it is not relevant to the maintenance of the site, and there is no potential direct effects on this European site during the ***construction and operational phases***.

Potential indirect effects: There is potential for indirect effects on this European site during the ***construction phase*** as a result of: - water pollution from the unmitigated release of fine sediments in runoff during repair works and hydrocarbons by way of accidental spillages from machinery which could give rise to ground and water pollution, chemical contamination and changes to pH status, with resultant impacts on terrestrial peatland and aquatic freshwater habitats, riverbed smothering and disturbance to support spawning and nursery habitat, with resultant impacts on the attributes and targets for the QI habitats and species, in the absence of mitigation. Further potential direct effects relate to the loss or disturbance to habitats and species (incl. foraging and commuting Otter), and the uncontrolled introduction of invasive species from works vehicles which could give rise to the colonisation of habitats by invasive plant and animal species, with resultant impacts on the attributes and targets for the QI habitats and species, in the absence of mitigation.

There is no potential for any additional significant indirect adverse effects during the **operational phase** as the proposed works comprise repairs to an existing bridge which is used to cross over the Casla Stream to provide access to landholdings, properties, ports and tourist amenities in south Connemara.

Mitigation measures: The NIS report contains a full list of mitigation measures which would serve to protect the European sites and their QI habitats and species from adverse effects, and these include: -

- Surface water management measures to protect water quality for habitats and species (incl. no concrete mixing or washing out on site, designated storage for waste, protection of all watercourses & drains from siltation & contamination, and spill kits)
- Adherence IFI Guidelines.
- Protection measures for peatland habitats.
- Timing and seasonality of works.
- Precautions to prevent the spread of invasive species (incl. Zebra mussel).
- Pre-construction surveys.
- Construction and Environmental Management Plan (CEMP).
- Appointment of an Ecological Clerk of Works to oversee works.
- Contingency measures for unforeseen events.

Peatland habitats: There are several peatland habitats in the vicinity of Doiriu Bridge and this section of the Casla Stream which have the potential to be adversely affected by the proposed works via surface and ground water contamination. Although it is not entirely clear from the NPWS documentation and maps if any of these areas comprise QI habitats or their constituent species, it is possible that some remnant habitats may occur. However, having regard to the relatively small scale of the repair works to an existing bridge which would result in a small loss and/or minor disturbance to peatland habitats, I am satisfied that following the implementation of the mitigation measures and any recommended conditions (incl. the management of sediments & accidental spills, and the control of invasive species) the proposed works would not have an adverse impact on peatland habitats, or introduce invasive

species to the surrounding area during any of the repair works. There would be no resultant adverse effects on the QI peatland habitats with respect to their attributes and targets (incl. Habitat Area & Distribution; Ecosystem function; Community diversity; Vegetation composition; Vegetation structure; Physical structure; Indicators of local distinctiveness).

Salmon: Several species of fish (incl. Atlantic salmon) have been recorded in the River Casla during their various lifecycle stages, of which the Casla Stream is a tributary. Although the NIS concluded that the watercourse does not contain suitable habitat, the IFI submission noted that the stream may contain suitable support habitat for this species. Any deterioration of biological or chemical water quality or smothering of the riverbed substratum because of siltation, accidental fuel spills or poorly managed in-stream works could have adverse resultant impacts on the QI fish species downstream in the Casla River and Bay, by affecting spawning grounds, food availability (incl. macro-invertebrates & macrophytes) and health (incl. clogging of fish gills). However, I am satisfied that following the implementation of the mitigation measures and any recommended conditions (incl. the measures to protect water quality), the proposed development would not have an adverse impact on fisheries in the Casla Stream, River Casla or Casla Bay during the repair works. There would be no resultant adverse effects on the Connemara Bog Complex SAC QI species of Atlantic salmon with respect to its attributes and targets (incl. Distribution; Adult spawning fish; Salmon fry abundance; Out-migrating smolt abundance; Number and distribution of redds; Water quality).

Otter. There are no records to indicate the presence of this species in the vicinity of Doiriu Bridge, and I did not observe any signs of its presence during my site inspection, although it may commute or forage along the River Casla and Casla Stream given the abundance of prey species in the watercourses. Any deterioration of water quality because of the proposed works and resultant impacts on the availability of fish biomass for Otter could have an adverse impact on this SAC QI species. Notwithstanding this, and in the event that Otter may be present and having regard to the relatively small scale of the works to an existing bridge, I am satisfied that following the implementation of the mitigation measures (incl. the measures to protect water quality and hence the availability of prey species) and the

recommended pre-construction surveys, the proposed development would not have an adverse impact on Otter during the repair works. Therefore, there would be no resultant adverse effects on this QI species respect to its attributes and targets (incl. Distribution, Extent of terrestrial & freshwater habitats, Couching sites & holts, and availability of fish biomass).

Potential in-combination effects: Potential indirect in-combination effects relate to damage to QI habitats and species because of accidental spillages and sediment run off during the repair works, and the poorly managed removal of or introduction of invasive species, in-combination with agricultural, commercial and residential works in the wider area. This could give rise to pollution, contamination and/or colonisation by invasive species, with resultant impacts on water quality, fisheries, and the availability of prey species for Otter, having regard to the various plans or projects in wider area, in the absence of mitigation. However, having regard to the implementation of the mitigation measures, I am satisfied that there would be no adverse cumulative effects on the European site or its QI habitats and species.

Residual effects: None anticipated post mitigation.

NIS Omissions: None noted.

Suggested conditions: All plant and machinery used during the works should be thoroughly cleaned and washed before delivery to the site to prevent the spread of hazardous invasive species and pathogens. IFI requirements should be adhered to. A pre-construction Otter survey should be undertaken. Having regard to the location of the bridge repair works within a peatland environment, the works should be carried out under the supervision of an archaeologist.

Conclusion: I am satisfied that the proposed development individually or in combination with other plans or projects would not adversely affect the integrity of the European site in light of its Conservation Objectives, subject to the implementation of mitigation measures outlined above.

7.10. Appropriate Assessment Conclusions:

Having regard to the foregoing I consider that it is reasonable to conclude on the basis of the information on the file, which I consider adequate in order to carry out a Stage 2 Appropriate Assessment, that the proposed development, individually or in combination with other plans and projects would not adversely affect the integrity of the European site no. 002034 or any other European site, in view of the site's Conservation Objectives.

8.0 Recommendation

On the basis of the above assessment, I recommend that the Board approve the proposed development subject to the reasons and considerations below and subject to conditions including those requiring compliance with the submitted details and with the mitigation measures as set out in the NIS.

Reasons and Considerations

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

- (a) the EU Habitats Directive (92/43/EEC),
- (b) the European Union (Birds and Natural Habitats) Regulations 2011-2015,
- (c) the Government of Ireland Climate Action Plan, 2023,
- (d) the Regional Economic & Spatial Strategy, 2020 - 2032,
- (e) the likely 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 a European Site,
- (f) the conservation objectives and qualifying interests for the Connemara Bog Complex SAC (site code: 002034),
- (g) the policies and objectives of the Galway County Development Plan 2022 to 2028,
- (h) the nature and extent of the proposed works as set out in the application for approval,
- (i) the information submitted in relation to the potential impacts on habitats, flora and fauna, including the Natura Impact Statement, and
- (j) the report and recommendation of the person appointed by the Board to make a report and recommendation on the matter.

Appropriate Assessment:

The Board agreed with and adopted the screening assessment and conclusion carried out in the Inspector's report that the Connemara Bog Complex SAC (site code: 002034), is the only European Sites in respect of which the proposed development has the potential to have a significant effect.

The Board considered the Natura Impact Statement and associated documentation submitted with the application for approval, the mitigation measures contained therein, the submissions and observations on file, and the Inspector's assessment. The Board completed an appropriate assessment of the implications of the proposed development for the affected European Site, namely the Connemara Bog Complex SAC, in view of the site's conservation objectives. The Board considered that the information before it was adequate to allow the carrying out of an appropriate assessment. In completing the appropriate assessment, the Board considered, in particular, the following:

- i. the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
- ii. the mitigation measures which are included as part of the current proposal, and
- iii. 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 development on the integrity of the aforementioned European Sites, having regard to the site's conservation objectives.

In overall conclusion, the Board was satisfied that the proposed 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.

Proper Planning and Sustainable Development and Likely effects on the environment:

It is considered that, subject to compliance with the conditions set out below, the proposed development would not have significant negative effects on the environment or the community in the vicinity, would not give rise to a risk of pollution, would not be detrimental to the visual or landscape amenities of the area, would not seriously injure the amenities of property in the vicinity, would not adversely impact on the cultural, archaeological and built heritage of the area and would not interfere with the existing land uses in the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area and it would not give rise to likely effects on the environment.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions.
Reason: In the interest of clarity.

2. The mitigation measures outlined in the plans and particulars relating to the proposed development or as may be required in order to comply with the following conditions shall be implemented. Prior to the commencement of development, details of a time schedule for implementation of mitigation measures and associated monitoring shall be prepared by the local authority and placed on file and retained as part of the public record.
Reason: In the interest of protecting the environment and European Sites.

3. Prior to the commencement of development, the local authority, or any agent acting on its behalf, shall prepare in consultation with the relevant statutory agencies, a Construction Environmental Management Plan (CEMP), incorporating all mitigation measures indicated in the Natura Impact Statement, and demonstration of proposals to adhere to best practice and protocols.

Reason: In the interest of protecting the European Site and biodiversity.

4. The following nature conservation requirements shall be complied with:
 - (a) The works shall be carried out in compliance with the Inland Fisheries Ireland document “Guidelines on protection of fisheries during construction works in and adjacent to waters.”
 - (b) No in-stream works shall be undertaken without prior consultation with Inland Fisheries Ireland, and the works shall only be undertaken between October and June (inclusive).
 - (c) The free passage of fish shall be fully accommodated.
 - (d) In-stream works, and the use of concrete shall take place during periods of low water flows.
 - (e) No riparian vegetation removal shall take place during the period 1st March to 31st August (inclusive).
 - (f) Any riparian zones damaged by machinery or equipment shall be fully re-instated.
 - (g) A pre-construction otter survey by a suitably qualified ecologist shall be carried out before works commence, any destruction of otter holts or relocation of otter species shall be carried out by a suitably qualified ecologist under a Derogation Licence granted by the Minister for Housing, Local Government and Heritage.
 - (h) A pre-construction bat survey shall be carried out by a suitably qualified ecologist during the active bat season; any destruction of bat roosting sites or relocation of bat species shall be carried out by a suitably qualified ecologist under a Derogation Licence granted by the Minister for Housing, Local Government and Heritage; and the

works shall be undertaken in accordance with the Bat Conservation of Ireland document “Bats and Lighting, Guidance Notes for: Planners, engineers, architects and developers 2010”.

- (i) Prevention measures shall be put in place to prevent the introduction or spread of Zebra mussel in the watercourse.

Reason: In the interest of biodiversity and nature conservation.

- 5. A suitably qualified ecologist shall be retained by the local authority to oversee the site set up and construction of the proposed development and implementation of mitigation measures relating to ecology. The ecologist shall be present during repair and remediation works. Upon completion of works, an ecological report of the site works shall be prepared by the appointed ecologist to be kept on file as part of the public record.

Reason: In the interest of nature conservation and the protection of biodiversity.

- 6. The County Council and any agent acting on its behalf shall ensure that all plant and machinery used during the works should be thoroughly cleaned and washed before delivery to the site to prevent the spread of hazardous invasive species and pathogens.

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

- 7. The County Council and any agent acting on its behalf shall facilitate the preservation, recording, protection or removal of archaeological materials or features that may exist within the site. A suitably qualified archaeologist shall be appointed by the County Council to oversee the site set-up and construction of the proposed development and the archaeologist shall be present on-site during construction works.

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.

Professional Declaration

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Karla Mc Bride
Senior Planning Inspector
3rd May 2023