Inspector's Report
ABP-319078-24

Development	Proposed refurbishment works at Quaybawn Bridge.
Location	Quaybawn Bridge, Glenbeigh, in the Townlands of Quaybaun and Commaun, Co. Kerry.
Local Authority	Kerry 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	Department of Housing, Local Government and Heritage Uisce Éireann
Observers	None
Date of Site Inspection	4th June 2024
Inspector	Susan Clarke

Contents

1.0 Introduction

1.1. Kerry County Council is seeking approval from An Bord Pleanála to undertake refurbishment works to Quaybawn Bridge in the townlands of Quaybaun and Commaun in Co. Kerry. The site is located in the Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC (site code: 000365). A Natura Impact Statement (NIS) and application under Section 177AE was lodged by the Local Authority based on the proposed development's likely significant effect on European sites.

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 a 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 proposed development.

2.0 Site Location and Description

2.1. The subject site is located in the townlands of Quaybaun and Commaun, approx. 7.5km southwest of Killorgan in Co. Kerry. The site is located on a local road off the N70 on the Ring of Kerry. The bridge is within a rural location with its immediate vicinity characterised by agricultural use and one off housing interspersed.

2.2. Quaybaun Bridge is located approx. 350m downstream (west) of Caragh Lough. The outflow from Caragh Lough is the Caragh River (a 5th order watercourse). The River flows for approx. 3km before discharging to the estuarine within Castlemaine Harbour SAC/SPA.

2.3. Quaybawn Bridge is a seven span jack arch bridge, spanning in a south to north direction across the River Caragh. The bridge span is 49m in total and carries two-way traffic. The deck consists of eight steel beams with a mass concrete slab. Corrugated steel permanent formwork is used to form the semi-circular arches

between the beams. The piers and abutments are built in ashlar masonry. Stonework masonry retaining walls are built on both approaches to the bridge. The bridge is not a designated Protected Structure.

2.4. Photographs accompanying this Report describe the site & surroundings in more detail.

3.0 **Proposed Development**

3.1. The proposed development comprises of the following:

- Remove all vegetation on approach walls, deck and parapets
- Remove any loose pointing and repoint piers, abutments and approach walls
- Carry out localised masonry repairs as required
- Replace capping on the parapets where cracks have formed
- Demolish span 1 and span 7 and replace with cast in-situ concrete decks
- Clean back the exposed steel in spans 2 to 6 to an SA2.5 finish
- New steel strengthening plates to be welded to existing steel beams where excessive corrosion is found
- Additional steel ties to be welded between edge beams and 1st internal beams to counter horizontal thrust from arches
- Installation of 150mm watermain to be encased in concrete within the rubbing strip in the bridge deck
- Installation of air valve kiosk on one end of the bridge (600mm x 450mm x 300mm)
- All exposed steelwork to be painted
- Localised concrete repairs to jack arches
- Remove soft verges and replace with concrete rubbing strips
- The bridge will need to be encapsulated during the steel cleaning, repair and repainting works.

3.2. **Accompanying Documents**

3.2.1. The application is accompanied by the following documents:

- Planning Report and Statement of Consistency (February 2024)
- Appropriate Assessment Screening and Natura Impact Statement (not dated)
- Notifications to Prescribed Bodies
- Copies of public notices
- Maps and drawings.

A response to a request for further information sought by way of Section 177AE(5) of the Act was received on 16th July 2024. The following documentation was submitted:

- Cover Letter (15th July 2024)
- Correspondence to the Board (regarding disposal of water pumped from dry cell area) (dated 16th July 2024)
- Appropriate Assessment Screening and Natura Impact Statement (not dated) – a revised version from that submitted with the original documentation with amendments highlighted in coloured text.
- Ecological Impact Assessment (10th July 2024)
- Construction and Environmental Management Plan (July 2024)
- Map illustrating the extent of the works.

4.0 **Planning History**

There is no recently recorded history for this site. There are several planning cases in the wider vicinity of the subject site relating to *inter alia* rural housing, agriculture, tourism, and quarry activities. However, I do not consider these to be relevant to the project.

5.0 Legislative and Policy Context

5.1. The EU Habitats Directive (92/43/EEC)

5.1.1. 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

5.2.1. 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

5.3.1. The Department of Housing, Local Government and Heritage 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.

5.3.2. The proposal is located within the Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC (Site code:000365).

5.3.3. European sites located within a 15km radius of Quaybawn Bridge include:

- Castlemaine Harbour SAC (Site code:000343)
- Castlemaine Harbour SPA (Site code:004029)
- Lough Yganavan and Lough Nambrackdarrig SAC (Site code:000370)

- Slieve Mish Mountains SAC (Site code:002185)
- Iveragh Peninsula SPA (Site Code: 004154).

5.4. Planning and Development Act 2000 (as amended)

5.4.1. Part XAB of the Planning and Development Act 2000, as amended, 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 Statement 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.

5.5. Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities

5.5.1. Guidance is provided for the competent authority to assess any plan or project. The impact of any plan or project alone or in combination with other projects on the integrity of the Natura 2000 site is considered with respect to the conservation objectives of the site and the structure and function.

6.0 Policy Context

6.1.1. **National Planning Framework:** 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.

6.1.2. **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.

6.1.3. **Climate Action Plan, 2024:** This plan provides a roadmap of actions to halve Ireland's emissions by 2030 and reach net zero by no later than 2050, as committed to in the Climate Action and Low Carbon Development (Amendment) Act 2021.

6.1.4. **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.

6.1.5. **The Planning System and Flood Risk Management, 2009**: These Guidelines seek 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.

6.1.6. **Regional Planning Guidelines**: The Regional Spatial and Economic Strategy sets out a strategy to implement the NPF in the Southern Region, including Kerry. It sets out a strategic vision and policy objectives for urban and rural areas, people, the economy, the environment, connectivity, amenities and utilities.

6.1.7. **Kerry County Development Plan 2022-2028**: This is the operative development plan for the area.

Objective KCDP 8-38 - retention and appropriate repair and upgrading of historic buildings, structures, road bridges, railway bridges and tunnels throughout the county, subject to environmental assessment.

Note: The bridge is not a protected structure and is not included in the National Inventory of Architectural Heritage.

Objective KCDP 11-2 - maintain the nature conservation value and integrity of Special Areas of Conservation, Special Protection Areas, Natural Heritage Areas (NHAs) and proposed Natural Heritage Areas (pNHAs). This shall include any other sites that may be designated at national level during the lifetime of the plan in co-operation with relevant state agencies.

Objective KCDP 11-5 - support and facilitate the actions in the National Biodiversity Action Plan and Kerry County Council's Biodiversity Action Plan 2022 – 2028.

The bridge is located within a visually sensitive area with views from the area listed for protection (Map J, Volume 4).

Kerry County Council's Biodiversity Action Plan 2022-2028 is in Volume 6 of the Plan.

Under the heading Objective 2 the Council seeks to conserve, protect and enhance biodiversity and ecosystem services in the county and action 2.1.5 states that bridge upgrade proposals in the county are to be environmentally assessed and, where possible, to incorporate biodiversity measures.

In specific key areas where the Council can lead by example in promoting biodiversity works, bridge upgrade proposals will take into account any existing biodiversity features of interest and, where possible, incorporate biodiversity measures (e.g. provide for improved fish passage, mammal ledges, bird nesting and/or bat roosting). Any instream works will only be undertaken between July and September and/or in agreement with IFI.

7.0 The Natura Impact Statement

7.1.1. Kerry County Council's application for the proposed development was accompanied by an Appropriate Assessment Screening and Natura Impact Statement, which

scientifically examined the proposed development and the European sites. The NIS identified and characterised the possible implications of the proposed development on the European sites, in view of the sites' conservation objectives, and provided information to enable the Board to carry out an appropriate assessment of the proposed works.

7.1.2. In summary, the Applicant concludes that the proposed development, individually or in combination with other plans or projects, will not have an adverse effect or pose a risk of likely significant effects on the Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC (Site code:000365), Castlemaine Harbour SAC (Site code:000343) or Castlemaine Harbour SPA (Site code:004029) provided they are carried out in line with the mitigations outlined in the report.

8.0 Consultations

8.1. The application was circulated to the following bodies:

- Fáilte Ireland
- Department of Housing, Local Government and Heritage
- The Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media
- Heritage Council
- An Taisce
- An Chomhairle Ealíon
- Inland Fisheries Ireland.

8.1.1. A response was received from the Department of Housing, Local Government & Heritage. The key points can be summarised as follows:

- Quaybaun Bridge is within Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC (Site code:000365), which is designated for amongst other habitats and species freshwater pearl mussel. The catchment to which the conservation objective for freshwater pearl mussel applies in the SAC is above Lough Caragh, whereas the proposed development is below Lough Caragh in the lower section of the Caragh River.

- Concerns regarding the extent of the works and access area, and how soil will be managed in this area to avoid siltation due to runoff into the river from machinery, and especially to ensure that fresh cement is not carried into the river.
- Works are to be restricted to the months of August and September.
- Anomalies in the planning documentation as to which form of mitigation (barrier or encapsulation) is proposed.
- Contractor must be experienced in river works in designated areas.
- NPWS to be notified at least 1 week in advance of the commencement of works on-site.

8.1.2. A submission was also received from Uisce Éireann in respect of the proposed development, which advises that the Body has no objection to the subject development.

8.2. **Public Submissions**

There are no public submissions on file.

9.0 EIA Screening

9.1. The proposed development relates to repair and rehabilitation works to Quaybawn Bridge. The proposed development is not of a class in Schedule 5 of the Planning and Development Regulations, 2001 (as amended). Having regard to the scale of works on lands within a rural area, the proposed works are considered not to have a significant effect on the biodiversity of the site or surrounding area.

10.0 Further Information

10.1. **Request & Response – Additional Information**

Having regard to the nature, scale and location of the proposed development in the context of a European Site, the Applicant is requested to submit the following:

1. *An Ecological Impact Assessment Report.*
2. *A Construction Environmental Management Plan.*

3. *A map(s)/plan(s) showing:*

    I. *the full extent of the works area.*

    II. *the location of the construction compound.*

    III. *the access route to the works area in the River.*

    IV. *the washout locations for cement trucks.*

4. *The Applicant is requested to confirm:*

    I. *if there is a watermain present in or along the Bridge*

    II. *With the exception of scaffolding, what other structures/equipment will be required in the river (excluding hand held equipment) to complete the works.*

10.1.1. **Response 1**

An Ecological Impact Assessment report, Construction and Environmental Management Plan, and a map (Dwg. No. 22979-MWP-SBR-SW-DR-CB-1005, Rev. P01 illustrating the extent of the proposed works, the location of the construction compound, and access route to the river.

The Applicant also confirmed the following:

- Concrete delivery vehicles will be required to wash chutes off-site at their depots. No washing of concrete delivery vehicles will be permitted on site.
- There is no existing watermain present at the bridge, but it is proposed to install a new watermain at the crossing.
- Grit blasting equipment and welding equipment will be required within the encapsulated area. Water pumps and sandbags will be required to create ‘dry cells’. Extraction fans will be required to allow for air circulation with the encapsulated area.

10.2. **Request 2 - Submissions**

The applicant is invited to respond to the various matters raised in the submission received by the Board from the Department of Housing, Local Government and Heritage. In particular, the Applicant is requested to provide additional information in relation to:

1. *Specify the mitigation measures to be relied upon to prevent sedimentation/siltation resulting from vegetation removal and fresh cement release to the River.*
2. *Section 4.2.2 of the NIS states that "the preferred option from an ecological perspective is encapsulation of the structure, however, if this option is not available, a well made 'barrier' option is suitable." Outline the reasons why 'encapsulation' would not be available/possible at this location.*

10.2.1. **Response 2**

The Cover Letter states that vegetation removal will be limited to the vegetation attached to the structure. A polythene mat will be laid along the base of the approach walls to collect any debris dislodged during the removal of the roots. The polythene mats, at each approach wall, will be removed once work on that wall is completed. Removal of vegetation attached to the structure over water will be carried out when the encapsulation is in place. All debris arising from the removal of vegetation will be collected at the end of every shift and removed to a skip. All concrete work and works involving mortar repointing and masonry repairs will be undertaken in a dry cell. This will prevent any fresh concrete release or any other sources of sediment or siltation from entering the water course.

The Applicant advises there is no reason why encapsulation would not be possible at this location. It is the preferred and only option available. The NIS has been revised to reflect this.

10.3. **Request 3 - Invasive Species Management**

Whilst the NIS states that there are no invasive species in the footprint of the works area, I note from my site visit that Rhododendron is present in close proximity to the bridge. The Applicant is requested to clearly outline what measures will be undertaken to prevent the spread of the invasive species further in the area during the works.

10.3.1. **Response 3**

A field survey carried out on 6th July 2024 confirmed that there are no invasive species within the study area. Nonetheless the NIS has been revised to include a requirement

of a preconstruction IAPS and a detailed methodology outlining how invasive species will be dealt with if encountered at or near the site.

10.4. Request 4 - Update NIS

Having regard to the above, the NIS should be updated accordingly (including potential impacts from the provision of a temporary construction compound).

10.4.1. Response 4

The NIS has been updated to in light of the amendments discussed above. The Cover Letter outlines the specific sections which have been amended. In summary, these include *inter alia*:

- The temporary construction compound will be located on the road, 25m from the river.
- The bridge will be encapsulated during the vegetation removal, steel cleaning, repair and repainting works. The inclusion of an alternative to encapsulation is not necessary and has been removed from the NIS.
- Access to the river will be upstream of the bridge on the right bank. This is an existing path to the water's edge which will be modified to gain access by foot, to enable crew carrying equipment to access the underside of the bridge. Access would be restricted to one location. When the scaffold is completed, access will be via a ladder on the bridge. Equipment for creating 'dry cells' will be lowered from the road using truck mounted cranes.
- Concrete lorries will be required to wash at their own depots.
- Appropriate storage of all non-hazardous and hazardous wastes on-site will be undertaken to minimise potential for environmental impacts.
- In the event that any buried waste or potentially contaminated material is encountered, this will be segregated from clean, inert material and then tested and classified. In the unlikely event of hazardous material being encountered, it will be transported for treatment/recovery or disposal in suitable facilities.

- Measures have been included to ensure any existing IAPS are dealt with appropriately.

10.5. **Further Consultation**

10.5.1. It was determined that the further information received was not significant (Memo dated 25th July 2024) and therefore did not need to be readvertised.

11.0 Assessment

11.1. Under the provisions of Section 177AE (6) of the Planning and Development Act, 2000 (as amended), the Board is required to consider the following in respect of this type of application:

- The likely consequences for the proper planning and sustainable development of the area;
- The likely effects on the environment; and,
- The likely impact on any European sites.

11.2. **The Likely Consequences for the Proper Planning and Sustainable Development of the Area:**

11.2.1. Kerry County Council proposes to undertake bridge repair and rehabilitation works at Quaybaun Bridge, a seven span jack arch bridge located in the Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC (site code:000365). The purpose of the approval project is to carry out remedial works in order to safeguard the structure and to prevent its collapse into the Caragh River. The proposed works include vegetation removal, localised concrete and masonry repairs, demolition of span 1 and span 7 and replacement with cast in-situ concrete decks, welding steel strengthening plates to existing beams, steel cleaning and painting works, removal of soft verges and installation of concrete rubbing strips, installation of a 150mm watermain and air value kiosk, and resurfacing works.

11.2.2. The upgrade and maintenance of bridges and roads is a function of the local authority. Whilst a copy has not been provided with the application, the Applicant states that the proposed maintenance works were identified in the Special Inspection Report (MWP, 2022) commissioned by Kerry County Council. As outlined above, Section 14.4.2 of

the County Development Plan notes that regional and local roads are of vital importance, linking the national roads with the towns and villages and remaining rural areas within the County. It is the policy of the plan to continue the ongoing upgrading, strengthening and improvement works on all regional and local roads in a sustainable manner in accordance with the objectives (Objective KCDP 8-38) of this Plan and in compliance with the annual roads programmes.

11.2.3. I consider that the proposed works are considered essential and necessary to safeguard the structural condition of a river crossing on this regional road. Subject to an assessment of the proposal on the surrounding environment and European sites, I consider that the proposed bridge remediation works are acceptable in principle and are in accordance with the proper planning and sustainable development of the area.

11.3. The Likely Effects on the Environment

Having regard to the nature and scale of the proposed development, I consider that the main environmental effects to be assessed, other than those covered under the appropriate assessment, are as follows:

- Biodiversity
- Landscape and Visual Amenity
- Cultural Heritage
- Roads and Traffic

Biodiversity

11.3.1. The Ecological Impact Assessment submitted as part of the FI Response includes a classification of **habitats** according to the Fossitt scheme. It reports that the following habitats are present: treeline (WL2), riparian woodland (WN5), improved agricultural grassland (wet) and buildings and artificial surfaces (BL3). The proposed development will involve the removal of vegetation from the bridge structure, which will be removed from the site using a skip.

11.3.2. The Applicant states that an existing path leading from the road to the water's edge will be modified to gain access by foot to enable crew carrying equipment to access the underneath of the bridge (see photograph 5 attached with this Report). As stated by the Applicant, the path is located in an area of alluvial woodland. As discussed in

further detail below, this habitat is not mapped as 'Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae)' in the the Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC (Site code:000365). The Applicant states that the berth required for access will be minimal and that when the scaffold platform is completed, access to the water will be via a ladder on the bridge. Equipment for creating dry cells will be lowered from the road using truck mounted cranes. Furthermore, the Applicant has advised in the FI Response that there will only be limited equipment required to complete the works. I note that the temporary construction compound will be located on the road surface and as such will not result in the loss of any sensitive habitat. Having regard to the scale and nature of the proposed development, in particular that only limited equipment will be required to access the river and as such modifications to the existing path will be minimal, I am satisfied that the proposed development would have no long-term significant impacts on the alluvial woodland area or any other habitat.

11.3.3. The Applicant states that there were no **invasive species** identified in the study area. Nonetheless, the NIS and EIA outline a suite of mitigation measures to prevent the introduction/spread of invasive species including conducting a pre-construction survey, demarcation fencing and signage, and good work hygiene practices. I note that a Project Ecologist will be appointed to oversee the construction works. Having regard to the proposed mitigation measures, I am satisfied that the threat of spreading of invasive species can be managed appropriately during the construction phase.

11.3.4. As part of the EIA a **bat** survey was conducted on 8th July 2024 including both a daytime site visit and an emergency survey. In summary, while bats (predominantly common and soprano pipistrelles) were recorded both upstream and downstream of the bridge, no roost sites were identified on the bridge. The Bat Impact Assessment (July 2024) which is attached to the EIA, states that "*while there was no evidence of bats found during the site visit within the bridge structure or bats seen exiting from the bridge, it is recommended that the repair works proceed with caution. When the spans are being demolished care must be taken and if a bat is identified or observed flying from the bridge all works must stop and the National Parks and Wildlife Services should be called immediately. Several bats were observed commuting and foraging along the riparian vegetation upstream and downstream of the bridge. To provide additional bat habitat in this location it is recommended that back boxes should be*

erected on the newly repaired bridge." Should the Board be minded to approve the proposed development, I recommend that a pre-construction bat survey be conditioned as part of the decision.

As highlighted in the Department's submission, Quaybaun Bridge is within Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC (Site code:000365), which is designated for amongst other habitats and species **freshwater pearl mussel.** The catchment to which the conservation objective for freshwater pearl mussel applies in the SAC is above Lough Caragh, whereas the proposed development is below Lough Caragh in the lower section of the Caragh River.

As outlined in the NIS, a FPM survey was carried out in the River Caragh on 15th October 2022 including a full survey of the river from 9m upstream and 9m downstream of the bridge and a FPM presence 190m downstream of the bridge. In summary, FPM or shells of FPM were not detected during the survey in the works area on proximity to the bridge. The Applicant states that if FPM are present in the river downstream of the bridge, the densities are very low.

Having regard to the foregoing and the mitigation measures outlined in the NIS, particularly those in relation to water quality protection, I am satisfied that the proposed development would not have an adverse impact on freshwater pearl mussel.

Landscape and Visual Amenity

11.3.5. The location and design of the proposed Quaybawn Bridge repair and rehabilitation works are described in Sections 2.0 and 3.0 above. The existing bridge is in a poor state of repair and requires maintenance works. The bridge, subject of the proposed works, is located within an area designated as visually sensitive in the County Development Plan with designated views of Lough Caragh and the northern facing slopes of the Macgillycuddy's Reeks mountain range. The bridge is part masonry and part concrete. The Applicant advises that it was constructed in the 1920s. It is not listed as a designated Protected Structure in the County Development Plan, nor is it listed in the National Inventory of Architectural Heritage. Whilst I consider that the bridge is a key feature along the road providing clear views of Lake Caragh and the northern facing slopes of the Macgillycuddy's Reeks mountain range, having regard to the nature and scale of the proposed works, I do not consider that they will have

any long-term significant impact on the visual amenities or landscape character of the area.

Cultural Heritage

11.3.6. As stated above, the bridge is not a protected structure and is not included in the National Inventory of Architectural Heritage. Furthermore, its environs are not covered by any sensitive heritage designations. Having regard to the non-intrusive nature of the proposed development, it is unlikely that the works would negatively impact on any uncovered historical artefacts. Accordingly, I do not recommend that archaeological monitoring be conditioned should the Board approve the development.

Roads and Traffic

11.3.7. As noted above the purpose of the project is so as to safeguard the structure and to prevent its collapse into the Caragh River thereby ensuring the continued operation of the regional road. It is anticipated that traffic restrictions/controls will be required during the works but will be temporary in nature. Any disturbance arising from noise during the works would, again, be of limited duration. I note that that there are no dwellings in the immediate vicinity of the bridge.

Conclusion

11.3.8. Having regard to the documentation submitted, conducted a site visit, and the nature and scale of the proposed development, I am satisfied that the proposed development will not have a significant impact on the environment.

11.4. **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.

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

11.5.1. 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.

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

11.6. Natura Impact Statement

11.6.1. The application was accompanied by an NIS which described the proposed development, the project site and the surrounding area. As stated above, the NIS was amended on foot of a request for further information. This assessment is based on the revised NIS. It outlines the methodology used for assessing potential impacts on the habitats and species within several European Sites that have the potential to be affected by the proposed development. It predicted the potential impacts for these sites and their conservation objectives, it suggested mitigation measures, assessed in-combination effects with other plans and projects and it identified any residual effects on the European sites and their conservation objectives.

11.6.2. The NIS was informed by a desktop research and site walkovers on the 7th and 15th October 2022 to characterise the site and environs and establish the ecological features and resources at the site, particularly in relation to the conservation interests of the Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC, the Castlemaine Harbour SAC and the Castlemaine Harbour SPA. The aims of the walkover surveys was to assess the aquatic habitats, the riparian habitats, the physical and hydromorphological characteristics, to look for signs of species of interest, and to identify issues pertaining to the aquatic environment to determine their causes and effects were possible.

11.6.3. A FPM survey was carried out in River Caragh on the 15th October 2022 consisting of:

- A full survey of the River Caragh from 9m upstream to 9m downstream of Quaybawn Br.

- FPM presence in River Caragh to 190 m downstream of Quaybawn Br. This involved searches in niches deemed most suitable for FPM, including along both margins (left and right), islet margins and downstream of boulders.

11.6.4. In addition, a further field survey was carried out on 6th July 2024 with particular attention paid to potential invasive species.

11.6.5. Details of mitigation measures are provided in Section 4.2 of the NIS.

11.6.6. The NIS concluded that, subject to the implementation of best practice and the recommended mitigation measures, the proposed development would not cause significant effects on Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC, the Castlemaine Harbour SAC or the Castlemaine Harbour SPA provided they are carried out in line with the mitigations specified in the NIS.

11.6.7. Having reviewed the NIS and the supporting documentation, I am satisfied that it provides adequate information in respect of the baseline conditions, clearly identifies the potential impacts, and uses best scientific information and knowledge. Details of mitigation measures are provided and they are summarised in Section 4.2 of the NIS. I am satisfied that the information is sufficient to allow for appropriate assessment of the proposed development (see further analysis below).

11.7. Screening the Need for Appropriate Assessment

11.7.1. The first test of Article 6(3) is to establish if the proposed development could result in likely significant effects to a European site. This is considered Stage 1 of the appropriate assessment process i.e., screening. The screening stage is intended to be a preliminary examination. If the possibility of significant effects cannot be excluded on the basis of objective information, without extensive investigation or the application of mitigation, a plan or project should be considered to have a likely significant effect and Appropriate Assessment carried out.

11.7.2. The applicant carried out an appropriate assessment screening exercise, which accompanies the Natura Impact Statement submitted with the application. The screening report identifies all European sites within a 15km zone of influence of the proposed development. The assessment then explains whether there is a hydrological or ecological connection between the European Sites and the subject site (i.e. source-path-receptor approach).

Table 1: European sites considered for Stage 1 Screening:			
European site (SAC/SPA)	Qualifying Interests	Connections (Source, pathway, receptor)	Considered further in screening. Y/N
Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC (000365)	Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110] Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or Isoeto-Nanojuncetea [3130] Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation [3260] Northern Atlantic wet heaths with Erica tetralix [4010] European dry heaths [4030] Alpine and Boreal heaths [4060] Juniperus communis formations on heaths or calcareous grasslands [5130] Calaminarian grasslands of the Violetalia calaminariae [6130] Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410] Blanket bogs (* if active bog) [7130] Depressions on peat substrates of the Rhynchosporion [7150] Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0] Taxus baccata woods of the British Isles [91J0] Geomalacus maculosus (Kerry Slug) [1024] Margaritifera margaritifera (Freshwater Pearl Mussel) [1029] Euphydryas aurinia (Marsh Fritillary) [1065]	The subject site is located in the SAC. Any impacts from the proposed development in relation to water quality deterioration, habitat loss, or disturbance could affect the conservation objectives of qualifying interests within the SAC.	Yes

	Petromyzon marinus (Sea Lamprey) [1095] Lampetra planeri (Brook Lamprey) [1096] Lampetra fluviatilis (River Lamprey) [1099] Salmo salar (Salmon) [1106] Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303] Lutra lutra (Otter) [1355] Trichomanes speciosum (Killarney Fern) [1421] Najas flexilis (Slender Naiad) [1833] Alosa fallax killarnensis (Killarney Shad) [5046]		
Lough Yganavan And Lough Nambrackdarrig SAC (000370)	Atlantic decalcified fixed dunes (Calluno-Ulicetea) [2150] Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110] Geomalacus maculosus (Kerry Slug) [1024]	The subject site is approx. 1.8km south of the SAC. There is no hydrological or ecological connection between the sites.	No
Castlemaine Harbour SAC (000343)	Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] Perennial vegetation of stony banks [1220] Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] Mediterranean salt meadows (Juncetalia maritimi) [1410] Embryonic shifting dunes [2110] Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] Dunes with Salix repens ssp. argentea (Salicion arenariae) [2170] Humid dune slacks [2190] Alluvial forests with Alnus glutinosa and Fraxinus	The subject site is approx. 3km east of the SAC. The sites are hydrologically connected via the Caragh River.	Yes

	excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0] Petromyzon marinus (Sea Lamprey) [1095] Lampetra fluviatilis (River Lamprey) [1099] Salmo salar (Salmon) [1106] Lutra lutra (Otter) [1355] Petalophyllum ralfsii (Petalwort) [1395]		
Slieve Mish Mountains SAC (002185)	Northern Atlantic wet heaths with Erica tetralix [4010] European dry heaths [4030] Alpine and Boreal heaths [4060] Blanket bogs (* if active bog) [7130] Siliceous scree of the montane to snow levels (Androsacetalia alpinae and Galeopsietalia ladani) [8110] Calcareous rocky slopes with chasmophytic vegetation [8210] Siliceous rocky slopes with chasmophytic vegetation [8220] Trichomanes speciosum (Killarney Fern) [1421]	The subject site is approx. 10km southeast of the SAC. There is no hydrological or ecological connection between the sites.	No
Castlemaine Harbour SPA (004029)	Red-throated Diver (Gavia stellata) [A001] Cormorant (Phalacrocorax carbo) [A017] Light-bellied Brent Goose (Branta bernicla hrota) [A046] Wigeon (Anas penelope) [A050] Mallard (Anas platyrhynchos) [A053] Pintail (Anas acuta) [A054] Scaup (Aythya marila) [A062] Common Scoter (Melanitta nigra) [A065] Oystercatcher (Haematopus ostralegus) [A130] Ringed Plover (Charadrius hiaticula) [A137] Sanderling (Calidris alba) [A144] Bar-tailed Godwit (Limosa lapponica) [A157] Redshank (Tringa totanus) [A162] Greenshank (Tringa nebularia) [A164] Turnstone (Arenaria interpres) [A169]	The subject site is approx. 3km east of the SPA. The sites are hydrologically connected via the Caragh River.	Yes

	Chough (Pyrrhocorax pyrrhocorax) [A346] Wetland and Waterbirds [A999]		
Iveragh Peninsula SPA (Site code: 004154)	Fulmar (Fulmarus glacialis) [A009] Peregrine (Falco peregrinus) [A103] Kittiwake (Rissa tridactyla) [A188] Guillemot (Uria aalge) [A199] Chough (Pyrrhocorax pyrrhocorax) [A346]	The subject site is approx. 7.5km north east of the SPA. Having regard to the separation distance, the nature of the qualifying interests, it is concluded that significant effects on the conservation objectives of the SPA are unlikely and therefore the site can be screened out from further consideration.	No

11.7.3. Based on my examination of the NIS report and supporting information, the NPWS website, aerial and satellite imagery, the scale of the proposed development and likely effects, separation distances and functional relationship between the proposed works and the European sites, their conservation objectives and taken in conjunction with my assessment of the subject site and the surrounding area, I would conclude that a Stage 2 Appropriate Assessment is required for the Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC (000365), Castlemaine Harbour SAC (000343), and Castlemaine Harbour SPA (004029) as the possibility of significant effects cannot be ruled out.

11.7.4. The other sites can be screened out from further assessment due to the zone of influence of the proposed works, the scale of the proposed works, the nature of the Conservation Objectives, Qualifying Interests and Special Conservation Interests, the separation distances and lack of a substantive hydrological links or ecological connectivity between the proposed works and the European sites. It is therefore reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on Iveragh Peninsula SPA (Site code: 004154) Slieve Mish Mountains SAC (002185) or Lough Yganavan and Lough Nambrackdarrig SAC (000370) in view of their site conservation objectives and a Stage 2 Appropriate Assessment is not therefore required for this site.

11.7.5. No measures designed or intended to avoid or reduce any harmful effects on a European Site have been relied upon in this screening exercise.

11.8. Appropriate Assessment of Relevant European Sites

11.8.1. The Conservation Objectives and Qualifying Interests/Special Conservation interests, including any relevant attributes and targets for these sites, are set out below.

Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC (Site Code: 000365)

11.8.2. This designated Natura 2000 site encompasses the mountains, rivers and lakes of the Iveragh Peninsula and the Paps Mountains, stretching eastward from Killarney towards Millstreet. This SAC overlaps with Killarney National Park SPA (004038) and Iveragh Peninsula SPA (004154) and is adjacent to Ballinskelligs Bay and Inny Estuary SAC (000335), Castlemaine Harbour SAC (000343), Castlemaine Harbour SPA (004029), Blackwater River (Cork/Waterford) SAC (002170) and Blackwater River (Kerry) SAC (002173).

11.8.3. This SAC is designated for a diverse range of 14 qualifying interest habitats and 12 qualifying interest species (See Table 2 below). The NPWS Site Synopsis notes that the Caragh River is relatively unpolluted from headwater to estuary, a rare phenomenon in Europe.

Table 2 - Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC (Site Code: 000365)	
Qualifying Interests and Conservation Objective (R or M)	**Potential for Significant Effect** **Site's Attributes and Targets:** ConservationObjectives.rdl (npws.ie)
Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110] (R)	**No** - Given the location of these habitats in the context of the project site (i.e. the site is downstream, of the Lough Caragh and there are no other lakes downstream of the subject site), a source-pathway-receptor link does not exist between the proposed works and this particular habitat. Therefore, potential significant effects to this qualifying interest habitat are not anticipated.
Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or Isoeto-	**No** - The SCI notes that this habitat is likely to occur in Lough Caragh, however the subject site is downstream of this lake. Therefore, potential significant effects to this qualifying interest habitat are not anticipated.

Nanojuncetea [3130] (R)	
Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation [3260] (M)	**Yes -** As highlighted by the Applicant this habitat has not been fully documented within the SAC but is likely to occur within the numerous watercourses associated with the SAC. This habitat is commonly referred to as 'floating river vegetation'. The Applicant states that the habitat likely exists within and downstream of the works area. There is potential for the distribution of rare species to be negatively affected, which if it were to happen would contravene a CO for this CI.
Northern Atlantic wet heaths with Erica tetralix [4010] (R)	**No** - Given the distance from the project site and the lack of a hydrological connection, a source-pathway-receptor link does not exist between the proposed works and this particular habitat. Therefore, potential significant effects to the habitat are not anticipated.
European dry heaths [4030] (R)	**No** - Given the distance from the project site and the lack of a hydrological connection, a source-pathway-receptor link does not exist between the proposed works and this particular habitat. Therefore, potential significant effects to the habitat are not anticipated.
Alpine and Boreal heaths [4060] (R)	**No** - Given the distance from the project site and the lack of a hydrological connection, a source-pathway-receptor link does not exist between the proposed works and this particular habitat. Therefore, potential significant effects to the habitat are not anticipated.
Juniperus communis formations on heaths or calcareous grasslands [5130] (M)	**No** - Given the distance from the project site and the lack of a hydrological connection, a source-pathway-receptor link does not exist between the proposed works and this particular habitat. Therefore, potential significant effects to the habitat are not anticipated.
Calaminarian grasslands of the Violetalia calaminariae [6130] (M)	**No** - Given the distance from the project site and the lack of a hydrological connection, a source-pathway-receptor link does not exist between the proposed works and this particular habitat. Therefore, potential significant effects to the habitat are not anticipated.
Molinia meadows on calcareous, peaty or clayey silt-laden soils (Molinion caeruleae) [6410] (R)	**No** - Given the distance from the project site and the lack of a hydrological connection, a source-pathway-receptor link does not exist between the proposed works and this particular habitat. Therefore, potential significant effects to the habitat are not anticipated.
Blanket bogs (* if active bog) [7130] (R)	**No** - Given the distance from the project site and the lack of a hydrological connection, a source-pathway-receptor link does not exist between the proposed works and this particular habitat. Therefore, potential significant effects to the habitat are not anticipated.
Depressions on peat substrates of the Rhynchosporion [7150] (R)	**No** - Given the distance from the project site and the lack of a hydrological connection, a source-pathway-receptor link does not exist between the proposed works and this particular habitat. Therefore, potential significant effects to the habitat are not anticipated.

Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] (R)	**No** - Given the distance from the project site and the lack of a hydrological connection, a source-pathway-receptor link does not exist between the proposed works and this particular habitat. Therefore, potential significant effects to the habitat are not anticipated.
Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0] (R)	**No** - Given the distance from the project site and the lack of a hydrological connection, a source-pathway-receptor link does not exist between the proposed works and this particular habitat. Therefore, potential significant effects to the habitat are not anticipated.
Taxus baccata woods of the British Isles [91J0] (R)	**No** - Given the distance from the project site and the lack of a hydrological connection, a source-pathway-receptor link does not exist between the proposed works and this particular habitat. Therefore, potential significant effects to the habitat are not anticipated.
Geomalacus maculosus (Kerry Slug) [1024] (M)	**No** - Given the distance from the project site and the lack of a hydrological connection, a source-pathway-receptor link does not exist between the proposed works and this particular habitat. Therefore, potential significant effects to the habitat are not anticipated.
Margaritifera margaritifera (Freshwater Pearl Mussel) [1029] (R)	**Yes** – The Applicant highlights that while the Caragh River downstream of Caragh Lake is not indicated as a FPM catchment, there is potential for this species to occur in this reach of the watercourse. The FPM survey reported that the species is not present in the works area, but may be present downstream in low density numbers. Therefore, this species is considered to be within the zone of influence of the proposed works and there is potential for significant effects to the species
Euphydryas aurinia (Marsh Fritillary) [1065] (R)	**No** - the total current distribution of this species within the SAC is unknown with one colony recorded within the SAC to date, c. 10km from the project site. A source-pathway-receptor link does not exist between the proposed works and this particular species. Therefore, potential significant effects to the species are not anticipated.
Petromyzon marinus (Sea Lamprey) [1095] Lampetra planeri (Brook Lamprey) [1096] Lampetra fluviatilis (River Lamprey) [1099] (M)	**Yes**- the Applicant notes that the habitats in the vicinity of Quaybawn Br. are of no particular importance to juvenile lampreys (not recorded during surveying) but possibly occur in low densities in this watercourse. Any instream works have the potential to result in habitat alteration impacts to juvenile lamprey within the footprint of the proposed works. The works within the Caragh River will result in localised habitat loss and/or alteration in the vicinity of the works, especially at span 1 and 7. There may be loss and / or alteration of juvenile lamprey habitat adjacent to piers at the downstream side of the bridge due to changes in flow pattern and sorting of particles during floods, resulting in changes to substrate composition and suitability. In addition, discharge of polluting substances to the Caragh River could result in a significant indirect impact to lamprey ammocoetes contained in local silt and sand beds. Direct contact with grout and concrete wastewater is particularly damaging to fish so lampreys could therefore be affected resulting in significant impacts to this species.

	There is potential for disturbance and/or displacement to this species within the Caragh River as a result of the proposed works. Therefore, these species is considered to be within the zone of influence of the proposed works and there is potential for significant effects to the species.
Salmo salar (Salmon) [1106] (M)	**Yes-** The Applicant highlights that there is spawning habitat upstream and downstream of the proposed works site but not within the footprint of the works proposed. The bridge works could potentially result in sediment and nutrient release or cause a change to pH (concrete escapement to river, leakage from a burst mains pipe). The project could therefore potentially result in release of pollutants and affect the quality of the water associated with successful recruitment. Direct contact with grout and concrete wastewater is particularly damaging to fish so salmon could therefore be affected resulting in significant impacts to this species Any instream works have the potential to result in habitat alteration impacts to juvenile salmon within the footprint of the proposed works. There is potential for disturbance and/or displacement to this species within the Caragh River as a result of the proposed works. Therefore, this species is considered to be within the zone of influence of the proposed works and there is potential for significant effects to the species.
Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303] (M)	**No** - The Applicant states that relative to the Quaybawn Bridge, the four known lesser horseshoe bat roosts exist outside of the normal foraging range of this species. Works will be focussed on Quaybawn Br. and little or no vegetation removal is envisaged, certainly not in a manner that would impact the foraging potential of this species.
Lutra lutra (Otter) [1355] (M)	**Yes** - Otter is recorded as being widespread in the aquatic habitats of this SAC, however no evidence of the species was recorded during the Applicant's surveys. This species is a qualifying interest species of Castlemaine Harbour SAC. Lamprey and salmon are important prey species for Otter. The proposed remedial works could potentially impact on these prey species, ultimately impacting the prey biomass available to Otter. Therefore, this species is considered to be within the zone of influence of the proposed works and there is potential for significant effects to the species.
Trichomanes speciosum (Killarney Fern) [1421] (M)	**No** - A source-pathway-receptor link does not exist between the project site and this particular species. Therefore, potential significant effects to the species are not anticipated.
Alosa fallax killarnensis (Killarney Shad) [5046] (R)	**No** - Given the location of suitable habitat for this species in the context of the project site, a source-pathway-receptor link does not exist between the proposed works and this particular species. Therefore, potential significant effects to this qualifying interest species are not anticipated.

Castlemaine Harbour SAC (Site Code: 000343)

11.8.4. The site is described in the synopsis as a large site located on the southeast corner of the Dingle Peninsula, Co. Kerry. It consists of the whole inner section of Dingle Bay, i.e. Castlemaine Harbour, the spits of Inch and White Strand/Rosbehy and a little of the coastline to the west. The River Maine, almost to Castlemaine, and much of the River Laune catchment, including the Gaddagh, Gweestion, Glanooragh, Cottoner's River and the River Loe, are also included within the site. The rivers and their associated habitats also make up a considerable portion of the site. These associated habitats include wet grassland, woodland, scrub and bog/heath.

11.8.5. This SAC is designated for fourteen qualifying interest habitats and five qualifying interest species, all of which are listed in Table 3 below. Site-specific conservation objectives have been published for the site which is to maintain/restore the favourable conservation condition of the habitats/species for which the site is selected.

Table 3 - Castlemaine Harbour SAC (Site Code: 000343)	
Qualifying Interests and Conservation Objective (R or M)	**Potential for Significant Effect** Site's Conservation Objectives, Attributes and Targets**:** Site_specific_cons_obj (npws.ie)
Estuaries [1130] (M)	**Yes** - This habitat does not exist within the works area but the estuarine reach of the Caragh River is part of the Castlemaine Harbour SAC and lies approx. 1.4km downstream of Quaybawn Bridge. There is potential for direct and indirect ecological impacts associated with water quality deterioration arising from the proposed works which could significantly affect the conservation objectives of this qualifying interest habitat. Therefore, this species is considered to be within the zone of influence of the proposed works and there is potential for significant effects to the habitat.
Mudflats and sandflats not covered by seawater at low tide [1140] (M)	**Yes** - Much of the SAC comprises this habitat and occurs approx. 1.6km from the mouth of the Caragh River, or approx. 3km downstream of the project site and extends into Castlemaine Harbour. Given the proximity of this habitat to the project site, there is potential for ecological impacts through water quality deterioration and therefore potential for significant effects to this habitat. Therefore, this species is considered to be within the zone of influence of the proposed works and there is potential for significant effects to the habitat.
Annual vegetation of drift lines [1210] (M)	**No** - This habitat has been documented in proximity to the spits of Inch and Rosbehy, at the periphery of Castlemaine Harbour. It occurs on sandy, shingle or stony substrate at the upper part of the strand, around the high tide mark. Given the distance of this habitat from the project site and its position above the high tide mark, potential significant effects to the habitat are not anticipated.

Perennial vegetation of stony banks [1220] (M)	**No** - This coastal habitat has been documented on the west edge of Cromane spit and is found above the high tide mark on beaches comprised of shingle. Given the distance of this habitat from the project site and its position above the high tide mark, potential significant effects to the habitat are not anticipated.
Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]	**No** - This habitat is likely to occur west of Inch. There is no information available on the conservation objectives for this habitat within the SAC.
Salicornia and other annuals colonising mud and sand [1310] (M)	**Yes** - This habitat is likely to occur in mosaic with estuarine habitats within Castlemaine Harbour. There is potential for direct and indirect ecological impacts associated with water quality deterioration arising from the proposed works which could significantly affect the conservation objectives of this qualifying interest habitat. A reduction in water quality at the proposed works site could result in indirect significant impacts to these habitats downstream.
Atlantic salt meadows (Glauc-Puccinellietalia maritimae) [1330] (M)	**Yes** - This habitat is likely to occur in mosaic with estuarine habitats within Castlemaine Harbour. There is potential for direct and indirect ecological impacts associated with water quality deterioration arising from the proposed works which could significantly affect the conservation objectives of this qualifying interest habitat. A reduction in water quality at the proposed works site could result in indirect significant impacts to these habitats downstream.
Mediterranean salt meadows (Juncetalia maritimi) [1410] (M)	**Yes** - This habitat is likely to occur in mosaic with estuarine habitats within Castlemaine Harbour. There is potential for direct and indirect ecological impacts associated with water quality deterioration arising from the proposed works which could significantly affect the conservation objectives of this qualifying interest habitat. A reduction in water quality at the proposed works site could result in indirect significant impacts to these habitats downstream.
Embryonic shifting dunes [2110] (M)	**No -** Due to the dynamic nature of this habitat, its extent within the SAC is not known. However, it has been documented along the western edges of both Inch and Rosbehy spits, in mosaic with other Annex I dune systems. This habitat is found above the high tide mark; therefore, a source-pathway-receptor link does not connect it to the project site. Thus, potential significant effects to the habitat are not anticipated.
Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120] (M)	**No** - This habitat is found above the high tide mark; therefore, a source-pathway-receptor link does not connect it to the project site. Thus, potential significant effects to the habitat are not anticipated.
Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] (R)	**No -** This habitat is found above the high tide mark; therefore, a source-pathway-receptor link does not connect it to the project site. Thus, potential significant effects to the habitat are not anticipated.
Dunes with Salix repens ssp. argentea (Salicion arenariae) [2170] (M)	**No** - This habitat is found above the high tide mark; therefore, a source-pathway-receptor link does not connect it to the project site. Thus, potential significant effects to the habitat are not anticipated.

Humid dune slacks [2190] (M)	**No -** This habitat is found above the high tide mark; therefore, a source-pathway-receptor link does not connect it to the project site. Thus, potential significant effects to the habitat are not anticipated.
Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0] (R)	**No -** This habitat is listed as a priority habitat type under the EU Habitats Directive. It is associated with the rivers and streams within the SAC and occurs along the Laune River and tributaries. The project site does not overlap with and exists in a separate catchment to where this habitat occurs. Therefore, it is concluded that it will not be significantly impacted.
Petromyzon marinus (Sea Lamprey) [1095] Lampetra fluviatilis (River Lamprey) [1099]	**No** - The River Laune Catchment is known to comprise of significant spawning habitat for Sea and River lamprey species and provides a migration corridor to the sea for adult Sea Lamprey. The project site does not overlap with and exists in a separate catchment to where this species occurs within the SAC. Therefore, it is concluded that it will not be significantly impacted.
Salmo salar (Salmon) [1106]	**No** - The River Laune Catchment is considered to be an important Salmon system with nurseries, riffle pools and glides found throughout the catchment. The project site does not overlap with and exists in a separate freshwater catchment to where this species occurs and reproduces within the SAC. Therefore, it is concluded that it will not be significantly impacted.
Lutra lutra (Otter) [1355]	**Yes -** The complete distribution of this species within the SAC has not been mapped. However, this species is known to occur along the coastline of the SAC and the River Laune Catchment, including both terrestrial and freshwater habitats, is significant habitat for this species. There is potential for ecological impacts associated with water quality deterioration arising from the proposed works which could significantly affect the conservation objectives of this qualifying interest species.
Petalophyllum ralfsii (Petalwort) [1395]	**No** - Although the complete distribution of this species within the SAC is not known., this species is associated with habitats found above the high tide mark; therefore, potential significant effects to this species are not anticipated.

Castlemaine Harbour SPA (Site Code: 004029)

11.8.6. Castlemaine Harbour SPA is a designated Natura 2000 site comprising a large coastal site, extending from the lower tidal reaches of the River Maine and River Laune to west of the Inch and Rosbehy peninsulas (c. 16 km from east to west). The site comprises the estuaries of the River Maine and the River Laune including the extensive areas of intertidal sand and mud flats. Salt marsh habitat fringes much of the shoreline within the site and a dune systems occur on both Inch and White Strand/Rosbehy spits. A substantial area of shallow marine water is included in the site.

11.8.7. The SPA is designated for sixteen species of waterbirds, listed in Table 4 below, that utilise the habitats within the SPA for foraging and roosting purposes. Castlemaine Harbour is considered to be one of the most important sites for wintering waterbirds in the south-west of Ireland.

Table 4 - Castlemaine Harbour SPA (Site Code: 004029)	
Qualifying Interests and Conservation Objective (R or M)	Potential for Significant Effect Site's Conservation Objectives, Attributes and Targets: Site_specific_cons_obj (npws.ie)
Red-throated Diver (Gavia stellata) Cormorant (Phalacrocorax carbo) Light-bellied Brent Goose (Branta bernicla hrota) Wigeon (Anas penelope) Mallard (Anas platyrhynchos) Pintail (Anas acuta) Scaup (Aythya marila) Common Scoter (Melanitta nigra) Oystercatcher (Haematopus ostralegus) Plover (Charadrius hiaticula) Sanderling (Calidris alba) Bar-tailed Godwit (Limosa lapponica) Redshank (Tringa totanus) Greenshank (Tringa nebularia) Turnstone (Arenaria interpres) Chough (Pyrrhocorax pyrrhocorax)	Yes - There is potential for ecological impacts associated with water quality deterioration arising from the proposed works which could significantly affect the conservation objectives of these species.
Wetland and Waterbirds [A999]	**Yes** - There is potential for water quality deterioration arising from the proposed refurbishment works, which could potentially result in significant indirect impacts to this qualifying feature of the SPA.

Assessment of Potentially Significant Effects

11.8.8. Having regard to the NIS submitted, the nature and scale of the proposed works and the location of the qualifying interests relative to the proposed works, I consider that those specific QIs/SCIs identified in bold in Tables 2-4 above may be at risk of potential significant impact. The likelihood of significant effects to a Natura 2000 site from the project was determined based on a number of indicators including:

• Water quality deterioration and resource

• Habitat loss or alteration

• Disturbance and/or displacement of species

• Introduction of invasive species.

These indicators are discussed in further detail below.

Water quality deterioration and resources

11.8.9. The receiving environment of the proposed repair works at Quaybawn Bridge is the River Caragh. The main risk to water quality arises in sediment/nutrient release from vegetation removal, excavations, demolition of spans 1 and 7, and cement from repair works. I highlight that the Applicant states that span 1 and 7 are dry during normal flows based on the presence of plant species normally associated with damp, albeit terrestrial habitats. There is also potential for uncontrolled discharge of polluting substances from accidental spillage of hydrocarbons from construction related vehicles, machinery and equipment. During the operational phase there is potential for a burst pipe to occur in the watermains, whether through wear and tear or an accident. In the event of this happening mains water could enter the river and potentially negatively affect the water chemistry, having knock on effects on aquatic organisms. A deterioration in water quality could also indirectly impact on biomass for certain species (e.g. otter).

11.8.10. It is considered that the main threat to the qualifying species and habitat types of the Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC (000365), Castlemaine Harbour SAC (000343), and Castlemaine Harbour SPA (004029) relate to water quality impacts. The species and habitat types that may suffer potentially significant impacts include:-

- Sea lamprey

- River lamprey
- Brook lamprey
- Salmon
- Otter
- Freshwater Pearl Mussel
- Waterbirds
- Wetlands & Waterbirds
- Estuaries
- Mudflats and sandflats not covered by seawater at low tide
- Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation.

As such, the Applicant proposes a suite of water quality mitigation measures as part of the proposed development (see Section 11.9 below). These include encapsulation of the bridge structure in addition to implementation of standard best practice water quality control measures.

Habitat loss or alteration

11.8.11. The proposed remedial works will result in direct localised habitat loss immediately around the Bridge. While the temporary construction compound will be located on the road surface, access to the river will be gained via an existing path in an alluvial woodland area. As stated earlier, this habitat is not mapped as 'Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae)' as per NPWS (2017). The Applicant contends that it is not a good example of such a habitat. In terms of floating river vegetation, I concur with the Applicant that due to localized nature of the works, the proposed development would not have a long-term significant impact on this habitat.

11.8.12. The Applicant's field survey results demonstrate that this area is not of particular importance to lamprey, salmon, otter or FPM. Nonetheless these species are noted to be present in the beyond the immediate works area. Potential exists for significant habitat alteration impacts to occur through a reduction in water quality within the European Sites and as such mitigation is recommended. Potential for water quality

impacts to occur through accidental spillages to the river during the proposed refurbishment works is also a possibility. The species and habitat types that may suffer potentially significant impacts include:-

- Sea lamprey
- River lamprey
- Brook lamprey
- Salmon
- Otter
- Freshwater Pearl Mussel
- Waterbirds
- Wetlands & Waterbirds
- Estuaries
- Mudflats and sandflats not covered by seawater at low tide
- Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation.

Disturbance and/or displacement of species

11.8.13. There is potential for disturbance/displacement of migrating aquatic species as a result of the proposed works. However, the impact is considered not to be significant but rather would be limited given the localised and temporary nature of the works and the wide availability of suitable habitat upstream and downstream of the works. Therefore, it is not expected that otter will be significantly impacted by the proposed refurbishment works.

Invasive Species

11.8.14. Whilst the habitat survey did not identify any invasive species in the study area, there is nonetheless a risk that such species could be introduced via machine/equipment during the construction phase of the proposed development, which could in turn negatively impact on the conservation objectives of the qualifying interests. Section 4.2.9 of the NIS outlines the various mitigation measures that will be undertaken to prevent the spread/introduction of invasive species.

Potential in-combination effects

11.8.15. To assess the potential for cumulative effects on the relevant designated Natura 2000 sites, Section 3.2 of the NIS assessed the plans, projects and ongoing activities occurring in the wider landscape for any in combination effects with the proposed development.

11.8.16. The proposed works were considered in combination with the Kerry County Development Plan 2015-2021 and the Killorglin Functional Local Area Plan 2010-2016 and the National Biodiversity Plan 2017-2021. It was noted that a proposed walkway and a proposed relief road are included in the Killorglin LAP and that there is potential for cumulative water quality effects and cumulative disturbance/displacement effects should these proposals be constructed without appropriate mitigation at the same time as the proposed works. However, significant cumulative impacts are not predicted with the plans listed above, as each plan has a range of environmental and natural heritage policy safeguards in place.

11.8.17. I have also considered the policies and objectives outlined under the current Kerry County Development Plan 2022-2028. I consider that the range of environmental and natural heritage policy safeguards proposed in the plan are sufficient to ensure no in-combination impacts with the proposal development.

11.8.18. In addition, I have examined the National Planning Application Database (NPAD) and An Bord Pleanála's mapping system to identify any applications with the potential to have an in-combination effect. I consider that with the implementation of specific environmental protection and control measures as outlined below to avoid/negate any potential adverse impacts, there will be no cumulative impacts arising in combination with any other plans or projects which would be of significance in respect to impacts affecting the conservation objectives of integrity of the Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC (000365), Castlemaine Harbour SAC (000343), and Castlemaine Harbour SPA (004029).

11.9. Mitigation Measures

11.9.1. Section 4.2 of the NIS outlines the various mitigation measures proposed as part of the proposed development to mitigate against the identified potential impacts.

11.9.2. The measures are as follows:

Construction Phase

- The works will be restricted to the existing bridge structure and the carriageway above to which works will be carried out. Access will be upstream of the bridge on the right bank on an existing path, which will be modified to gain access by foot, to enable crew carrying equipment to access the underneath of the bridge. The area of river impacted by access will be minimised and floating river vegetation will be avoided insofar as possible.
- The berth required for access will be minimal, and its boundary marked with stakes and high visibility tape. Access from the road to the river will be restricted to one location. When the scaffold platform is completed, access will be via a ladder on the bridge.
- In order to prevent sedimentation or siltation resulting from vegetation removal residual or paint release from steel cleaning and painting or fresh cement release to the river during the refurbishment of the deck, the bridge would be encapsulated.
- A scaffold system spanning the whole bridge is to be temporarily installed. The bridge will be fully encapsulated with an impermeable liner which will attach firmly to the scaffold system. This impermeable liner will comprise shrink wrap on the outside and monarflex on the inside to prevent the escape of potential pollutants to the external environment. The encapsulation will begin at the scaffold board level. Timber screens will be used locally where necessary to prevent damage to the encapsulation. Dust extraction will also be employed using a water filtration system whereby dust will be extracted to a water tank within which it will settle, prior to disposal of ‘dirty’ water off-site as part of the WMP. Water required for the water filtration system for dust extraction will be sourced off-site.
- A “dry cell” will be created wherever instream works are being carried out. The works at specific locations along the bridge will need to be staged to allow for this, as only a portion of the river can be sealed off at a time, with flow conveyed through vacant spans. To do this, the river upstream just upstream of the works and again just downstream will be blocked using large “tonne-bag” sandbags, along with a number of small sandbags to fill smaller gaps and create the seal

around the works areas. Equipment for creating dry cells will be lowered from the road using truck mounted cranes.

- Sand used in the sandbags is to be non-calcareous and will not contain any petrochemicals. Water within the closed off areas will be pumped out into the river. The pump will remain in situ on standby, for deployment if necessary, in the event that water re-enters the sealed-off area during the works, in which case it will be pumped out if at risk of being contaminated by the works. For example, if there are concrete works required, water inside the enclosure should be pumped out to ensure that all concrete works can be carried out in the dry.
- Concrete pours shall not be carried out during forecasted periods of heavy rainfall. Weather forecasts will be monitored during the construction phase. The 24 hour advance meteorological forecasting service from Met Éireann will be used;
- Concrete lorries will be required to wash off site at their own depots.
- No disposal of concrete remnants will be permitted on site.
- A concrete operator trained and experienced with a proven track record in working in rivers will be used to undertake concrete works.
- Any waste generated during removal of loose pointing and paints, or any lubricants/oils will be collected and stored in proper waste containers at the site compound within a prefabricated bunded storage unit and will be removed and disposed of appropriately by the contractor for disposal to licensed landfill or to recycling.
- There will be no discharge of effluent or waste-water on site.
- Appropriate storage of all non hazardous and hazardous wastes on site will be undertaken to minimise potential for environmental impacts. Dedicated bonded storage containers will be provided for hazardous wastes. In the event that any buried waste or potentially contaminated material is encountered this will be segregated from clean inert material and then tested and classified. In the unlikely event of hazardous materials being encountered, it will be transported for treatment or recovery or disposal in suitable facilities. Always are to be

removed from site by appropriate licensed contractors to suitable waste facilities.

- The proposed works should be undertaken at a time when the river is close to 95% ile flow.
- All machinery to be used for the works shall be washed thoroughly in a designated washing area in the contractors yard.
- A pre-construction survey for IAPS should take place in advance of the commencement of site works. Should IAPS be found to have encroached on the site a construction-stage IAPS management plan will be prepared to set out processes for eradiation, control and containment of each IAPS on-site and to include a detailed implementation and treatment schedule.
- No non-essential ground maintenance or any other ground disturbance should take place within the IAPS fenced areas. Where works are required within/adjacent to infested areas, the appointed contractor is to develop and implement an appropriate method statement in consultation with a suitable qualified specialist.
- Herbicide use is to be minimized as much as possible and targeted to the specific IAPS.
- Monitoring of control measures should be undertaken approx. 6 to 8 weeks after treatment.
- Off-site removal of IAPS material or infested soil will be completed under relevant licence.
- A suitably qualified and experienced ecologist shall monitor the works.
- A detailed CEMP will be developed by the appointed contractor prior to construction works commencing to ensure that best practice measures are adhered to with minimum impact on the surrounding environment and will incorporate any planning conditions.
- Prior to being brought to site validation should be provided by all suppliers that construction plant machinery and vehicles or raw materials are free from invasive species. A schedule of regular site inspections for invasive species is to be prepared and undertaken for the duration of the construction works.

- Where there is requirement for IAPS controlled areas, all vehicles equipment or tools, footwear etc will be used in these areas would be thoroughly cleaned in a designated area once works in that area are completed to prevent the spread of IAPS.

Operational Phase:

- Installation of a shut-off valve at least 50m away from where the pipe meets the bridge. (In the event of a burst pipe this should limit the amount of water that escapes into the river.)

11.10. **Conclusion on Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC (000365)**

11.10.1. I consider that the potential direct and indirect effects on the qualifying interests identified as having the potential to be affected have been satisfactorily identified. The mitigation measures outlined are comprehensive and address the potential direct and indirect effects appropriately. I am satisfied that the proposed development individually or in combination with other plans or projects would not adversely affect the integrity of this European site in light of its conservation objectives subject to the implementation of mitigation measures outlined above and detailed within Section 4.2 of the submitted NIS.

11.11. **Conclusion on Castlemaine Harbour SAC (000343)**

11.11.1. I consider that the potential direct and indirect effects on the qualifying interests identified as having the potential to be affected have been satisfactorily identified. The mitigation measures outlined are comprehensive and address the potential direct and indirect effects appropriately. I am satisfied that the proposed development individually or in combination with other plans or projects would not adversely affect the integrity of this European site in light of its conservation objectives subject to the implementation of mitigation measures outlined above and detailed within Section 4.2 of the submitted NIS and CEMP.

11.12. **Conclusion on Castlemaine Harbour SPA (004029)**

11.12.1. I consider that the potential direct and indirect effects on the special conservation interests identified as having the potential to be affected have been satisfactorily identified. The mitigation measures outlined are comprehensive and address the

potential direct and indirect effects appropriately. I am satisfied that the proposed development individually or in combination with other plans or projects would not adversely affect the integrity of this European site in light of its conservation objectives subject to the implementation of mitigation measures outlined above and detailed within Section 4.2 of the submitted NIS.

11.13. **Residual Effects**

11.13.1. No residual impacts on any of the species or habitats where identified. I am satisfied that those mitigation measures proposed will protect the aquatic species and habitats which have the potential to be impacted.

11.1. **NIS Omissions**

11.1.1. None noted.

11.1. **Suggested Related Conditions**

Whilst not listed in the revised NIS, the Correspondence to the Board (dated 16th July 2024) which formed part of the RFI response, states that all the water extracted/pumped from the proposed closed off areas (dry cells) of the River shall be pumped into an appropriately designed settlement tank prior to discharge. The settlement tank shall be located with the proposed compound or a suitable alternative location on the public road. Should the Board approve the proposed development, I recommend that this measure is conditioned having regard to the conservation objectives of the relevant qualifying interests.

In addition, pre-construction Otter and Bat surveys should be undertaken. 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.

Integrity Test

11.1.1. Following the Appropriate Assessment and the consideration of mitigation measures, I am able to ascertain with confidence that the project would not adversely affect the integrity of Castlemaine Harbour SAC (000343), Castlemaine Harbour SPA (004029) or Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC (000365) in view of the Conservation Objectives of these sites.

11.1.2. This conclusion has been based on a complete assessment of all implications of the project alone and in combination with plans and projects.

11.2. Appropriate Assessment Conclusions

11.2.1. Having carried out screening for Appropriate Assessment of the project, it was concluded that the proposed development may have a significant effect on the following European sites;

- Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC (000365)
- Castlemaine Harbour SAC (000343), and
- Castlemaine Harbour SPA (004029).

11.2.2. Consequently, an Appropriate Assessment was required of the implications of the project on the qualifying interests of these sites in light of its conservation objectives.

11.2.3. Following an Appropriate Assessment, it has been ascertained that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the European sites No.s 000343, 004029 or 000365 or any other European site, in view of the site's Conservation Objectives.

11.2.4. This conclusion is based on:

- A full and detailed assessment of all aspects of the proposed project including proposed mitigation measures and ecological monitoring in relation to the Conservation Objectives of Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC (000365), Castlemaine Harbour SAC (000343), and Castlemaine Harbour SPA (004029).
- Detailed assessment of in-combination effects with other plans and projects including historical projects, current proposals and future plans; and
- The demonstration, beyond reasonable scientific doubt, that with full and proper implementation of mitigation measures that these will prevent any possible construction related pollutants from entering the River Caragh and thus the proposed development will not result in adverse effects on the integrity of Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment

SAC (000365), Castlemaine Harbour SAC (000343), and Castlemaine Harbour SPA (004029).

The 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 such effects.

12.0 Recommendation

12.1.1. 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 requiring compliance with the submitted details and with the mitigation measures as set out in the NIS.

13.0 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 (As amended)

(c) 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,

(d) the conservation objectives, qualifying interests and special conservation interests for the Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC (000365), Castlemaine Harbour SAC (000343), and Castlemaine Harbour SPA (004029).

(e) the policies and objectives of the Kerry County Development Plan 2022-2028,

(f) the nature and extent of the proposed works as set out in the application for approval,

(g) the information submitted in relation to the potential impacts on habitats, flora and fauna, including the revised Natura Impact Statement,

(h) the submissions received in relation to the proposed development, and

(i) 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 Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC (000365), Castlemaine Harbour SAC (000343), and Castlemaine Harbour SPA (004029) are European sites for which there is a likelihood of significant effects.

The Board considered the revised Natura Impact Statement, all relevant submissions and carried out an appropriate assessment of the implications of the proposal for the Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC (000365), Castlemaine Harbour SAC (000343), and Castlemaine Harbour SPA (004029) in view of the sites' Conservation Objectives. The Board considered that the information before it was adequate to allow the carrying out of an appropriate assessment.

In completing the assessment, the Board considered, in particular, the

(i) Likely direct and indirect impacts arising from the proposal both individually or in combination with other plans or projects, specifically upon Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC (000365), Castlemaine Harbour SAC (000343), and Castlemaine Harbour SPA (004029).

(ii) Mitigation measures which are included as part of the current proposal, and

(iii) Conservation Objective for this European Sites.

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 sites' 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/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 pose a risk to water quality, 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, would not interfere with the existing land uses in the area and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, and additional plans and particulars submitted on 16th July 2024, except as may otherwise be required in order to comply with the following conditions. Where any mitigation measures set out in the Natura Impact Statement or any conditions of approval require further details to be prepared by or on behalf of the local authority, these details shall be placed on the file and retained as part of the public record.

   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 mitigation measures and monitoring commitments identified in the Natura Impact Statement, and other plans and particulars submitted with the application shall be carried out in full except as may otherwise be required in order to comply with other conditions. 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 clarity and protection of the environment and the protection of European Sites during the construction and operational phases of the proposed development.

3. 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.

4. Prior to the commencement of development, the local authority, or any agent acting on its behalf, shall prepare in consultation with the project ecologist and relevant statutory agencies, a detailed Construction Environmental Management Plan (CEMP), incorporating all mitigation measures indicated in the Natura Impact Statement. The CEMP shall include:

   a) all mitigation measures indicated in the Natura Impact Statement, CEMP, EIA and correspondence to the Board (dated 16th July 2024) whereby all the water extracted/pumped from the proposed closed off areas (dry cells) of the River shall be pumped into an appropriately designed settlement tank prior to discharge. The settlement tank shall be located with the proposed compound or a suitable alternative location on the public road;

   b) Specific proposals as to how the measures outlined in the CEMP will be measured and monitored for effectiveness.

   c) Location of the site and materials compounds including areas identified for the storage of construction waste,

   d) Location of areas for construction site offices and staff facilities,

   e) Intended construction practice for the development, including hours of working,

   f) Means to ensure that surface water run-off is controlled in line with a Sediment & Erosion Control Plan, such that no deleterious levels of silt or other pollutants enter local surface water drains or watercourses,

   g) Containment of all construction related fuel and oil within specifically constructed bunds to ensure that fuel spillages are fully contained,

h) The management of construction traffic and off-site disposal of construction waste,

i) Traffic management measures including any alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of the public road during the course of site development works,

j) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels.

A record of daily checks that the works are being undertaken in accordance with the CEMP shall be maintained on file as part of the public record.

Reason: In the interest of protecting the environment and adjacent European Sites and in the interest of public health and safety.

5. 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 July to September (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) Access to the river shall be restricted to the existing path upstream of the bridge (on the right hand side of the bridge).

(g) Any riparian zones damaged by machinery or equipment shall be fully re-instated.

(h) 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.

(i) 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”.

Reason: In the interest of biodiversity and nature conservation.

6. Prior to commencement of works the ecologist shall carry out a survey of the works area to identify the presence of any invasive species and to prepare an Invasive Species Management Plan if required. Details shall be maintained on the file as part of the public record. 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 and upon removal from 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.

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.

Ms Susan Clarke
Senior Planning Inspector

31st July 2024

14.0 **Appendix**

Form 1 EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	**ABP-319078-24**
Proposed Development Summary	Proposed refurbishment works at Quaybawn Bridge.
Development Address	Quaybawn Bridge, Co. Kerry

1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)	**Yes**	
	No	✓

2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) or does it equal or exceed any relevant quantity, area or limit where specified for that class?

Yes			
No	✓		Proceed to Q.3

3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?

		Threshold	**Comment (if relevant)**	**Conclusion**
No	✓	N/A		No EIAR or Preliminary Examination required
Yes				Proceed to Q.4

4. Has Schedule 7A information been submitted?		
No	✓	**Preliminary Examination required**
Yes		**Screening Determination required**