



An  
Bord  
Pleanála

## Technical Note: Ecology ABP-319927-24

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**To:** Colin MacBride  
**From:** Dr Maeve Flynn, Inspectorate Ecologist  
**Re:** Response to request for advice on Screening for Appropriate Assessment  
for case file ABP-319927  
**Date:** 03.09.2024

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### Background

In a memo to the Ecology and Environment Team (23/08/2024), the Planning Inspector referred a query regarding the need for Appropriate Assessment (AA) for case file 319927.

The proposed development is for student accommodation with 257 bedrooms and ancillary accommodation in Galway City. The application is accompanied by an Natura Impact Statement (NIS) which includes screening for AA. The NIS and Ecological Impact Assessment have been prepared by a suitably qualified Ecologist. A geology/hydrogeology report is also appended to the NIS. In addition, an updated (from original Local Authority LRD application) Soils, Geology, Hydrogeology Drainage report also accompanies the suite of environmental reports.

### European Sites

The proposed development site is located within 75m of Lough Corrib SAC and Galway Bay Complex SAC and Inner Galway Bay SPA are also considered as being in a potential zone of influence as they are downstream of Lough Corrib and within

1.6km of the site. I note that ecological and hydrological surveys found no water features such as drains or streams on the site and therefore there are no direct pathways for surface water connections to the European sites. Such impacts are excluded from being a likely significant risk to European Sites.

The site is characterised as being within an area of Extreme ground water vulnerability with a small area of Extreme-X vulnerability determined at the western edge of the site. Therefore, there is potential for groundwater contamination from infiltrating water where construction related pollutants and silt reach groundwater. Groundwater flow directions are assumed to be towards the southwest towards the River Corrib.

### **Screening report for AA and NIS**

The Ecologist, on behalf of the applicant screens in the need for AA on the basis of potential for groundwater impacts due to the mobilisation pollutants which could negatively affect European Sites within a zone of influence.

In the NIS, the implications are further assessed in relation to individual conservation objectives, attributes and targets and mitigation measures specific to the protection ground water are proposed. I note that this is also reflected in the Hydrogeology report with the intent to prevent adverse effects on Lough Corrib SAC, Galway Bay Complex SAC and Inner Galway Bay SPA. Mitigation measures are for the most part best practice management for the protections of surface and ground water. The NIS includes a recommendation for the engagement of a Hydrogeologist during the construction phase. The updated Soils, Geology, Hydrogeology Drainage report also refers to the need prevent pollution in order to protect the European Sites, however I note that mitigation measures don't include for the engagement of a Hydrogeologist.

### **Review and recommendations**

From the scientific information presented, I consider that it has been demonstrated that there is a possible risk of significant effects for Lough Corrib SAC. The possibility of significant effects on European Sites further downstream under and under coastal influences of tides and dilution is in my opinion unlikely taking account

of the conservation objectives, however the applicant has included these sites due to possible infiltration of polluted groundwater and citing the precautionary principle.

In both the NIS and Hydrogeology assessment, mitigation measures are considered necessary for the purpose of preventing adverse effects on European sites, notwithstanding that some of these may be considered best practice measures that would be undertaken in any construction situation. There is specific reference to the intention of these measures to prevent adverse effects and therefore I consider that based on established case law in this respect the planning inspector and the Board should undertake AA of the implications of the proposed development on the site integrity of Lough Corrib SAC, Galway Bay Complex SAC and Inner Galway Bay SPA taking account of mitigation measures proposed.

The Planning Inspector should ensure that all measures proposed in the NIS are included in the final Construction Management Plan. I note that the NIS recommends that a Hydrologist be engaged during the ground works stage however, it doesn't appear that this measure is brought into the CEMP. If the Board decide to grant planning permission for this LRD, I recommend that the following condition be attached:

Final CEMP be review by a Hydrologist and Ecologist to ensure that mitigation measures recommend in the NIS and Hydrogeology assessments are included in the final working document submitted to the eventual contractor.

A hydrogeologist will be engaged during the construction phase to ensure appropriate implementation of mitigation measures and for regular site inspections during the construction phase. Reason: to protect groundwater

Signed:



Dr Maeve Flynn MCIEEM

03/09/2024