An Bord Pleanála

Inspector's Report

ABP-319999-24

Development	Permission for extension to dwelling house, construction of an outbuilding, and all associated site development and external works. The application is accompanied by a Natura Impact Statement.
Location	Lisloughrey Cong Co. Mayo
Planning Authority	Mayo County Council
Planning Authority Reg. Ref.	24/60194
Applicant(s)	Noel Meaney.
Type of Application	Permission.
Planning Authority Decision	Refuse permission
Type of Appeal	First Party
Appellant(s)	Noel Meaney
Observer(s)	None
Date of Site Inspection	13th day November 2024
Inspector	Fergal Ó Bric

1.0 Site Location and Description

1.1. This appeal relates to a rural site located within the townland of Lisloughrey approximately 1.2 kilometres south-east of Cong, 0.4 kilometres south of the Neale GAA pitch and pavilion and immediately adjacent to the north-eastern shoreline of Lough Corrib. The appeal site is accessed via a local road L56609-0, which in turn is accessed off the regional route, the R346, a road that connects Cong with Ballinrobe.

1.2. The appeal site has a stated area of 0.387 hectares and comprises a two -storey vernacular cottage with a generous two-storey contemporary extension to the side and a detached domestic garage is also included within the site. The dwelling house is included within the National Inventory of Architectural Heritage (reference number 31312013). The site levels gradually fall from the eastern part of the site where ground levels are stated to be at 15 mOD (metres Ordnance Datum) Malin and levels drop to their lowest point within the site to 6 mOD at the lakeshore edge with Lough Corrib to the south-west within the appeal site. The existing dwelling has a stated finished floor level (FFL) of 12.5 mOD. Part of the appeal site boundary (to the south-west) is located within the Lough Corrib Special Area of Conservation (site code 000297) and immediately adjacent to but outside of the Lough Corrib SPA (site code 004042). The roadside boundary is defined by a steel fence at a height of approximately 1.2 metres. There are two vehicular access gates to the appeal site, the main access to the east of the dwelling and another to the north-west, there is also a pedestrian gated access to the north of the dwelling. There is a mature hedgerow, and trees located along the southern and north-western site boundaries. There are a number of detached dwellings fronting onto the local road further north along the L-56609-0 and a number of dwellings associated with the Ashford Castle demesne north and north-west of the appeal site.

1.3. The surrounding area is characterised by the aquatic environment around Lough Corrib, dense forestry and a concentration of rural one-off housing further north and north-west of the appeal site along the L-56609-0. A number of dwellings associated with the Ashford Castle demesne are located further north and north-west of the

appeal site in the vicinity of the Neale GAA football pavilion and the settlement of Cong.

2.0 Proposed Development

2.1. The appellant is seeking to construct a single storey domestic extension with a stated gross floor area of 26 square metres. He is also seeking to construct an outbuilding, stated to be used to store a fishing boat and ancillary boat equipment with a stated floor area of 106 square metres.

3.0 Planning Authority Decision

Decision

By order dated 30th day of May 2024, Mayo County Council issued notification of the decision to refuse planning permission for the following reasons:

1 It is considered that the proposed extension and outbuilding, and in particular having regard to the scale, proportions and overall design concept, would be overdevelopment of the application site and significantly detract from the visual and historical prominence of Lisloughrey cottage, listed on the National Inventory of Architectural Heritage (reg. no 313 12013). The proposed development would injure the amenities and depreciate the value of property in the vicinity, would set an undesirable precedent for similar develoepmnt of this type in the future and would, therefore, be contrary to the proper planning and sustainable development of the area.

2 It is considered that the proposed outbuilding, will set an undesirable precedent for similar developments of this type in the future and for which no justification was provided will detrimentally impact on the visual amenities of the area and will be contrary to the proper planning and sustainable development of the area.

3 It has not been demonstrated to the satisfaction of Mayo County Council that the site is not at risk of flooding. In the absence of a Flood Risk

Assessment being carried out in accordance with 'The Planning System and Flood Risk Management Guidelines, OPW and the Department of the Environment, Heritage and Local Government, 2009'. Mayo County Council consider that the proposed development would be at risk of flooding, would be contrary to objective INO 19 of the Mayo County Development Plan 2022-2028 and the Planning System and Flood Risk Management Guidelines (DoEHLG/OPW 2009).

4.1 Planning Authority Reports

4.1.1 Planning Report

The Planner' report considered the scale, design and proportions of the proposals to be inappropriate and would represent overdevelopment of the site and would significantly detract from the visual and historical prominence of the existing dwelling on site (Lisloughrey Cottage), which is included within the National Inventory of Architectural Heritage. They also considered the proposals would injure the amenities and depreciate the value of property in the vicinity and would establish an undesirable future precedent. The Planner also noted that no justification for the outbuilding was submitted to the Planning authority and neither had the applicant demonstrated that the site is not at risk from flooding. A refusal of planning permission was recommended as per Section 3 above.

4.1.2 Other Technical Reports

Claremorris Area Architect**:** Comments based on telephone conversation; no written correspondence received. The Architect expressed concerns regarding the potential for an adverse impact upon the existing dwelling on site and that the proposals would represent over-development of the site.

Ballinrobe Area Engineer: No objections.

Waer Services Section: No objections.

Environment Section: Recommended that a site-specific flood risk assessment be submitted as the appeal site is within/proximate to the 1; 100 and 1:1,000 fluvial flooding levels.

4.2 Prescribed Bodies

None received.

4.3 Third Party Observations

No observations received.

4.4 Planning History

Planning reference number 21/376 Application refused permission by Mayo County Council in 2021 for the construction of a shed on site. There were two refusal reasons relating to: the scale and design of the development and the location within the Lough Corrib SAC and SPA boundaries.

Planning reference 17/44, planning permission granted in 2017 to construct a two-storey extension to existing dwelling, refurbishment and reconstruction of outbuilding as domestic garage and the installation of a new effluent treatment system and percolation area together with associated site works and services. This planning permission has been implemented.

5.0 Policy Context

5.1 Development Plan

The Mayo County Development Plan 2022-2028 is the operative plan.

Development Management Standards are set out in Volume 2 of the Plan and include the following provisions:

Section 2.7 pertains to domestic extensions and sets out the following: Rural Housing Extensions shall:

• In general, be subordinate to the existing dwelling in its size, unless in exceptional cases, a larger extension compliments the existing dwelling in its design and massing.

• Reflect the window proportions, detailing and finishes, texture, materials and colour of the existing dwelling, unless a high quality contemporary and innovatively designed extension is proposed.

• Not have an adverse impact on the amenities of adjoining properties through undue 13 overlooking, undue overshadowing and/or an over dominant visual impact.

• Carefully consider site coverage to avoid unacceptable loss of private open space. Where an extension increases the potential occupancy of the dwelling, the adequacy of the on-site sewage treatment (in unsewered areas) should be demonstrated by the applicant.

Section 2.8 pertains to domestic sheds/garages and sets out the following:

Rural Housing Garages / Sheds shall:

• In general, be subordinate to the existing dwelling in its size, unless in exceptional cases, a larger garage / shed compliments the existing dwelling in its design and massing.

• Not have an adverse impact on the amenities of adjoining properties through undue overlooking, undue overshadowing and/or an over dominant visual impact.

The Site is within Landscape Unit M – Lakeland Drumlins in terms of landscape character designations.

Landscape Policy NEP 14 is: To protect, enhance and contribute to the physical, visual and scenic character of County Mayo and to preserve its unique landscape character.

5.2 Natural Heritage Designations

The nearest designated Natura 2000 sites are the Lough Corrib Special Area of Conservation (site code 000297) located partly within the appeal site boundary along the western and southern site boundaries. The appeal site is located immediately adjacent to, but outside of the designated boundary of the Lough Corrib Special Protection Area (site code 004042).

5.3 EIA Preliminary Screening

5.3.1 The proposed development, by virtue of its modest scale does not fall within a class of development set out in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations 2001 (as amended). Therefore, the need for Environmental Impact Assessment (EIA) can be excluded at preliminary examination stage and a screening determination is not deemed to be required in this instance.

6.0 The Appeal

6.1 Grounds of Appeal

The appeal statement is submitted by a Planning Consultant on behalf of the first party Mr Noel Meaney. The grounds of appeal are summarised as follows:

Principle of Development:

- The appeal site is located in a secluded rural location at the end of a cul-de-sac within a wooded lakeshore setting with limited public realm at this location.
- The structures on site are not included within the Record of Protected Structures (RPS) nor within an Architectural Conservation Area (ACA).
- The dwelling on site is included within the National Inventory of Architectural Heritage (NIAH). This does not appear to be a specific consideration in policy terms under the provisions of the current Mayo County Develoepmnt Plan (MCDP) 2022-2028.

- Guidance in relation to rural house extensions is provided within Section 2.7, Volume 2 within the current MCDP.
- The proposals are compliance with section 2.7 in terms of being subordinate to the development on site, window proportions being consistent with the permitted extension, no overlooking of adjacent properties arises and the site coverage with the proposed domestic extension and outbuilding would amount to 11.7% of the total site area.
- The development will enhance the residential enjoyment of the dwelling by the occupants. The proposed development is in keeping with architectural heritage best practice which seeks to sustain the historic premises in active use.
- The scale, proportions and design of the domestic extension and outbuilding are compliant with the MCDP DM standards and would not result in excessive site coverage or an unacceptable loss of private open space, and therefore would not represent overdevelopment.

Design and Layout:

- The proposals relate to the development of a single storey extension onto the southern side of the existing permitted two storey extension which adjoins an old cut stone two storey house, Lisloughrey Cottage.
- The site-specific design has been prepared by a Conservation Architect who has had regard to the particular historical context of the site and its surrounds.
- The floor area of the extension would comprise twenty-six square metres, with a random course natural stone finish to complement the existing house on site, as extended.
- The external finishes proposed would assist in the visual integration of the existing original house, the permitted modern extension and the proposed extension.

- Private open space would amount to almost 2,398 sq. m, even allowing for the proposed development. This space is more than adequate to serve the amenities of the residents. This demonstrates that the proposals would not constitute overdevelopment of the site, as set out within the first reason for refusal by the Planning Authority (PA).
- The scale of the extension is modest and would amount to an 11.3% increase in floorspace within the dwelling and would provide for living room space.
- The mature landscape features on site are proposed to be retained in addition to additional landscaping proposals, if the Board are mindful to grant planning permission.
- The low-profile design of the domestic extension and of the outbuilding is a design response to the sensitivity of the site.
- The overall design concept is considered appropriate.
- The location of the subject site, fronting onto an expansive waterfront setting, mitigates any perceived concerns of overdevelopment.
- A number of photomontages have been submitted demonstrating that the scale, proportions and overall design concept would not detract from the visual and historical prominence of Lisloughrey Cottage.

Architectural Heritage:

- The property within the site (Lisloughrey Cottage) is not identified within the Record of Protected Structures (RPS) nor within an Architectural Conservation Area (ACA) within the current MCDP 2022-28.
- There are no specific policies or objectives within the current MCDP to inform development proposals in relation to NIAH properties.
- The proposals are compliant with the provisions of the Architectural Heritage Protection Guidelines (AHPG's) in terms of sustaining the structure in active use, respecting the character of the existing structure on site, visually integrate with the existing built fabric and providing for high quality contemporary designs within the new element.

- The development would comply with the provisions of the AHPG's, and a grant of planning permission is considered appropriate.

Justification for outbuilding:

- The outbuilding would be used as a boathouse for the domestic purpose of the applicant who is a keen fisherman.
- A cover letter has been submitted by the applicant where he has set out his justification for the outbuilding is that he and his family intend to move to Lisloughrey Cottage on a permanent basis and they need to house their traditional wooden Corrib Lake boat which they use for lake fishing. Due to the prevailing westerly winds and rain the boat and outboard engines need to be stored indoors. Presently the boat and engine are stored remotely from the appeal site. The existing domestic garage on site houses the domestic car but additional storage is also needed for storing bicycles, gardening and household equipment, all of which would be housed in the proposed outbuilding.
- The boatshed would also benefit the applicant's enjoyment of the lakeshore property and the domestic slipway to the lake.

Flood Risk

- In response to the third refusal reason, the applicant commissioned a site-specific flood risk assessment which concludes that the finished floor levels of the domestic extension and boathouse structure would be in excess of one metre above the estimated 1,000-year flood level for the site to minimise current flood risk and risk into the future associated with climate change.
- The development on site satisfies the provisions of the FRMG's 2009 having low residual flood risk currently and into the future. The proposed development will not impact on flooding or the flow regime within the adjacent Lough Corrib nor impact flood risk elsewhere, notwithstanding the fact that the boatshed would be a water compatible use.

Other Issues:

- There are no other residential properties in the immediate vicinity of the appeal site and given the setting facing onto an expanse of waterfront this mitigates any concerns in relation to any perceived injuries to the amenities of the area or devaluation of property in the vicinity.
- In terms of precedent and justification for the boathouse, the applicant has submitted a cover letter setting out the need for the boathouse in terms of protecting their family lake boat from the elements and for security reasons.
- The applicant would benefit from proximity to the lakeshore and the existing slipway at the shoreline. The low-profile nature of the boathouse structure would be assimilated into the lower topography of the site and would be screened by the existing vegetation within the site which is to be retained.
- The boathouse structure would not detrimentally impact the visual amenities of the area.
- A therapeutic village (floor area 7,225 sq. m) has been permitted by Mayo County Council approximately 225 metres east of the subject site.

6.2 **Planning Authority Response**

The Planning Authority did not respond to the grounds appeal.

6.3 **Observations**

None received.

7.0 **Assessment**

7.1 I consider that the principal planning issues that arise in this instance relate to the reasons for refusal as set out by the Planning Authority. Appropriate Assessment will

also be considered. It is not considered that there are any other issues at stake. The pertinent issues are considered to relate to the following:

- Principle of Development.
- Scale, Design Proportion and Layout
- Architectural Heritage
- Justification for and design of boathouse development
- Flood Risk
- Appropriate Assessment

7.2 **Principle of Development**

7.2.1 The requirements of the Mayo County Development Plan (MCDP) 2022-2028 relating to extensions to existing dwellings are set out within Section 2.7, Volume 2, Development Management Standards and include the requirement that "In general extensions shall be subordinate to the existing dwelling in its size, unless in exceptional cases, a larger extension compliments the existing development in its design and massing. The proposed development would result in the provision of a single storey living room extension. The proposed extension, by reasons of its scale, mass and height would be subordinate to the existing dwelling in its size and is considered to complement the existing development in its design and massing. The proposal would in my view be consistent with the provisions of Section 2.7 development management standards in terms of scale, massing and integration.

7.2.2 From the planning history pertaining to the site, I note that Mayo County Council have previously permitted a two-storey contemporary extension immediately south of and adjoining Lisloughrey Cottage. Therefore, the principle of the development of a residential extension at the property has been established. The question arising in

this instance is, whether the further extension of the dwelling, by an additional 26 sq. metres and immediately adjoining and south of the permitted extension would be acceptable, or would by reason of its scale, design and mass be unacceptable.

7.2.3 In conclusion, I am satisfied that the current MCDP provides for the principle of domestic extension. However, the acceptability or not of the extension will be in the detail of its design, scale and proportions. These are mattes which will be assessed further on within this report.

7.3 **Scale, Design, Proportion and Layout**

7.3.1 The first reason for refusal as set out by the Planning Authority relates to the scale, proportions and design concept of the proposals would be overdevelopment of the site and detract from the visual and historical prominence of Lisloughrey Cottage. The proposed single storey domestic extension would be located immediately adjoining and south of the existing permitted extension on site. A low-pitched roof extension is proposed and would have a maximum ridge height of approximately three metres and would comprise a floor area of 26 square metres. The extension would provide for additional ground floor living accommodation. A natural stone wall feature is proposed along the eastern side of the new extension and wraps around the permitted extension in order to provide a greater visual connection between the permitted extension and the original dwelling, through the use of similar local stone. The wall extends in a southerly direction within the site, to the west of the domestic garage, providing greater screening of the existing domestic garage when viewed from the lake. The external finishes would comprise a random rubble course stone, consistent with the external finish of Lisloughrey Cottage. The existing permitted extension on site would act as a buffer between Lisloughrey Cottage and the proposed extension.

7.3.2 The existing dwelling and permitted extension comprise a stated combined floor area of 228 square metres. Therefore, I consider that an additional floor area of 26 sq. m metres would not be regarded as being out of scale or proportion with the existing permitted development on site. given the domestic extension would provide for an

additional 11.3% floor area to the dwelling. The appeal site comprises a stated area 0.387 hectares. Therefore, the scale and proportions of the domestic extension are considered acceptable, having regard to the generous site area and the stepped form of the extension in terms of its building height and building line. The proposed extension would be located approximately 27 metres back from the shoreline of lough Corrib, a similar distance removed from the lake shoreline as the extended Lisloughrey Cottage.

7.3.3 The proposed single storey extension would be located **on the southern (side) gable of the existing contemporary two storey extension onto the southern side of Lisloughrey cottage permitted by the Planning Authority back in 2017. The extension will not be directly attached to Lisloughrey cottage, but instead onto the southern gable elevation of the contemporary two storey extension. The extension would and consistent with the building line of the adjoining extension**. The height of the extension would be considerably lower than that of the existing structure on site. Its location to the south, would also mean it would not be particularly visible from the public roadway, as the existing buildings and mature landscaping would assimilate the proposed extension within the local receiving environment. The design is simple and not over complicated and comprises a single room providing additional living space at ground floor level. The appeal site is located at the end of the cul-de-sac and due to its location, furthest removed from the public road would not be visible from any of the other dwellings, located further north along the cul-de-sac and by virtue of the mature vegetation and screening. There is no intervisibility between the appeal site and any other residential property. I am satisfied that the proposals would not be visible from the public realm in this vicinity.

7.3.4 The appeal site benefits from significant screening from mature trees and hedging, particularly along the southern and western site boundaries. There is no intervisibility between the appeal site and any of the adjacent dwellings or Ashford Castle further north and north-west of the appeal site due to the mature screening within the site and the forested and lakeside setting of the appeal site. The location of the proposed domestic extension, to the south of the dwelling represents the least prominent

location within the site and is the furthest removed from the public road. I consider that the proposed extension, by virtue of its modest scale, height and location within a generous plot size would not be visually prominent or represent a prominent feature within the local landscape and, therefore, would accord with the provisions of Section 2.7 of the Development Plan, which requires that domestic extension assimilate appropriately with the existing dwelling on site and within the local environment/landscape.

7.3.5 I note the issues set out by the Planning Authority within their planning report and specifically within their first refusal reason in relation to overdevelopment within the site by virtue of the scale, proposition and design. I consider that the scale, proportions and design are appropriate in this instance, would be in accordance with the provisions of Section 2.7 of the Development Plan, in relation to domestic extensions. Given the generous site area on which the development is located, the modest footprint and height of the domestic extension and its location onto the side (southern) gable of the existing permitted two storey extension, I consider that the well-proportioned and designed domestic extension would not detract from the prominence of Lisloughrey Cottage. Lisloughrey Cottage would remain the prominent bult feature within the site and that the proposals would not be out of character with existing dwelling and permitted extension on site,

Architectural Heritage:

7.4.1 The applicant submitted an Architectural Heritage Impact Assessment (AHIA) Report including photomontages montages of the development prepared by a Conservation Architect as part of their planning documentation. The AHIA report gives context to the site and provides a historical context to the inclusion of Lisloughrey cottage within the NiAH. This report acknowledges the fact that Lisloughey cottage is not identified as a protected structure within the current MCDP 2022-28. Although, included within the NIAH, there are no policies or objectives set out within the MCDP in relating to structures included within the NIAH, unlike those included within the RPS. Each proposal should be considered on their individual planning merits. Within

the NIAH, Lisloughrey cottage is classified as being of regional importance of architectural, artistic, historical and social significance.

7.4.2 The AHIA provides a historical background to the existence of Lisloughrey cottage as well as a design overview of the proposed domestic extension and of the boathouse outbuilding. The dwelling was constructed in circa 1862 as a detached three bay single storey forester's house with half dormer attic. The two-storey extension, permitted under planning reference 17/44 attempts to mirror the original dwelling, but is simplified in its detail, with a rendered external finish and a single storey flat roof section links the main dwelling to the extension. This flat roof element provides the main access to the dwelling, although the original access doorway to the dwelling is maintained. During the course of the construction of the extension, the original dwelling underwent renovation and restoration, with timber sliding sash windows replacing uPVC windows repair works to the limestone walls and internally some original stonework has been exposed.

7.4.3 An assessment of the proposed architectural interventions is included and mitigation measures set out, where deemed necessary. Photographic montages are included as part of the assessment as well as some recommendations. As set out above within Section 7.3 of this report, I consider that the design approach adopted is a comprehensive one. I consider that an appropriate design rationale for the scale, proportion and design of the extension and boathouse has been presented and that the development will not adversely impact the character and setting of Lisloughey Cottage subject to the recommendations of the conservation architect being fully implemented. These are matters that can be addressed by means of appropriate planning conditions.

7.4.4 The AHiA concludes that through minimal intervention, the use of conservation experts, the use of appropriate construction methods and materials, the new work being distinguishable from the old will result in a limited impact on the historical building. The original building will not be altered in any way under the proposals and the new development will not adversely visually impact the historical building**.** The Architectural Heritage Protection Guidelines, 2009, recommend that interventions be

carried out in accordance with best practice, are sympathetic to the earlier structure, are of good quality and not damage the fabric of the structure and that the character and setting of the historic building can be retained whilst the needs of the building, in terms of function and maintenance are met. The AhiA recommends that all works are monitored by a conservation specialist and a report on the works is prepared and submitted to Mayo County Council upon their completion. This is a matter that can be conditioned, if the Board deem appropriate.

7.4.5 In conclusion, I consider that the character and form of the existing house would be respected in the design of the domestic extension and would provide for a practical and functional use of a lower ground floor area. I am satisfied that the proposed development would not represent an overdevelopment of this rural site and by virtue of the modest level of the extension/boatshed structure to the permitted development on site would not be overdevelopment of the site nor be visually obtrusive in the context of the architectural heritage within the appeal site. The applicants have submitted a number of montages of the proposal, and I am satisfied that they demonstrate that the proposals will integrate appropriately with the existing dwelling on site and within the local landscape. Therefore, on balance, I am satisfied that the current proposals in terms of their scale, design and layout are sensitively designed and would accord with the provisions of Section 2.7 of the Development Management standards in relation to rural extensions.

7.5 Justification for and design of boathouse development

7.5.1 The second reason for refusal as set out by the PA relates to the proposed boathouse outbuilding and the absence of a justification for its existence, that the outbuilding would have a detrimental impact upon the visual amenities of the area and establish an undesirable precedent This structure would have a floor area of 106.7 square metres and a maximum ridge height of 4 metres and would be located on the north-western side of Lisloughrey cottage, in proximity to and thirteen metres removed from the lakeshore. The ground levels within this part of the appeal site are approximately four to six metres below those of Lisloughey Cottage. The purpose of the outbuilding is stated to be for housing a Galway Hooker Boat and associated

boating equipment A cover letter has been submitted by the applicant stating that his boat is presently stored some distance away from the appeal site. The applicant sets out that there will be some excavation works required whereby between fifty and sixty cubic metres of material would be removed in order to set the outbuilding approximately 1.4 metres below existing ground levels. Presently, ground levels fall on site towards Lough Corrib. A stone wall will be developed along the access to the water edge and adjoin the existing rock pier. The roof of the outbuilding will be a sedum planted green roof with a low pitch in order to integrate the structure within the surrounding lawn within the site and reduce any visual impacts of the structure.

7.5.2 The floor plans submitted set out that two boats would be accommodated within the outbuilding and two roller shutter doors would be located on the south elevation of the structure, that nearest the domestic lake slipway. The rising walls are indicated to comprise random rubble cut stone, consistent with those of Lisloughrey cottage. The location of the outbuilding would be at a point within the site where ground levels are considerably lower than those of the main dwelling on site and considerably below levels on the adjoining public roadway. Photographic montages of the extension and outbuilding have been submitted from the public roadway, to the north of the appeal site and from the western part of the appeal site, I am satisfied, that following consideration of the detailed design and with reference to the photographic montages, that the development is acceptable in terms of bulk, mass and scale that adequate planning rationale has been provided for the necessity of the outbuilding structure and its scale. I consider that the outbuilding would not represent overdevelopment of the appeal site, given the generous area of the appeal site and would be acceptable in this instance, given the careful consideration of the design and layout, within this sensitive aquatica and built heritage environment. I am satisfied that the proposal would not adversely impact upon the character or setting of Lisloughrey Cottage. The issue of Appropriate Assessment and potential for impact upon water quality, qualifying interest features or the site-specific

conservation objectives of the Lough Corrib SAC and SPA will be considered later within this assessment.

7.5.3 Section 6.2.2 of the AhiA specifically addresses the outbuilding in the context of the historical structure on site. The boathouse is designed as a low-profile building to the north-west of the main building. The boathouse structure will be partially sunken into the site, to a maximum depth of 1.4 metres. The structure will be constructed behind a retaining wall which would respect the natural contours within the appeal site. The natural stone wall will link in with the rock armour that exists along the lakeshore of the site, which would assist in integrating the proposals within this lakeshore landscape. A sedum planted roof is proposed, again to integrate the development with the private garden area of the site. The existing mature broadleaf planation to the west of the site screens the boathouse development when viewed from the lake, and photo montages to demonstrate this effect have been submitted.

7.5.4 In conclusion, I consider that the applicant has submitted a sound justification for the proposed building, in terms of its scale and location. From the information submitted as part of his appeal statement, he has established a sound justification for a structure to house his fishing boat out of the elements and in terms of security purposes. The location of the boathouse, where site levels are considerably below those of the main dwelling has been specifically chosen in order to minimise its impact within the site, and upon the historical structure within the site. I am satisfied that the boathouse structure will not detrimentally impact the visual amenities of the area and would accord with the continued habitation of the main dwelling and the ability of its residents to enjoy ease of access from their property to the lake through the use of the established slipway and proposed boathouse. Therefore, I am satisfied that the proposals would accord with the proper planning and sustainable development of the area.

7.6 **Flood Risk**

7.6.1 The third reason for refusal set out by the Planning Authority relates to the issue of flood risk and that the applicant had not demonstrated that the proposed

development would not be at risk from flooding. The appeal site is located within the 1:1,000-year fluvial flood risk area as set out by the Environment Section within MCC. The applicant commissioned a site-specific Flood Risk Assessment (SSFRA) by a Consultant Hydrologist, and this was submitted as part of the applicants' appeal submission to the Board. The hydrologist references the Flood Risk Management guidelines for Planning Authorities as published by the office of Public Works (OPW) and the Department of Environment Heritage and Local Government (DoEHLG) in 2009, where the development proposed would be regarded as being minor works to an existing permitted dwelling.

7.6.2 The Hydrologist states that the finished floor level of the existing dwelling is at 12.5 metres Ordnance Datum (mOD) Malin, the proposed domestic extension would have a finished floor level of 11.97 mOD Malin, and the boatshed would have a finished floor level of 9 mOD Malin. Two separate soakaways are proposed on site to manage the storm water generate by the domestic extension and boatshed structure. The site is located immediately adjacent to the north-easterly shoreline of Lough Corrib. The boatshed would be located approximately 20 metres from the shoreline and the domestic extension approximately 30 metres from the shoreline. Floodinfo.ie has no data in relation to historical food events in this area. However, the first edition 25-inch 19th century Ordnance Survey (OS) mapping indicates an area liable to flood along the lakeshore in proximity to the appeal site.

7.6.3 The National indicative flood risk mapping by the OPW is available for Lough Corrib and gives an estimate of the 1:100 and the 1:1,000 flood events. This mapping is indicative only and of medium to low reliability and therefore should only be used for screening purposes. This mapping shows the very westerly extent of the appeal site being affected by the 1:100 and the 1:1:000 flood extents. The screening conclusion within the SSFRA is that 'A fluvial flood risk from Lough Corrib to the proposed development site exists and, therefore, a detailed assessment of flood risk at the site is required'.

7.6.4 The appeal site is a sloping one with ground levels varying from 15mOD at the easterly corner of the site and dropping to 6mOD at the lake shoreline. The applicant

has overlain the footprint of the domestic extension and the boathouse structure on a ground level contour map, as per figure 3-2 within the SSFRA. The appeal site is located in proximity to the OPW Lough Corrib Cong Pier Gauge, north of the appeal site. The gauge provides data of water levels in the lake since 1972. The historical maximum flood levels recorded at this the Cong Pier gauge was recorded at 7.269 mOD Mailin on the 31st of December 2015. The average annual maximum flood level from the 51-year records is 6.737mOD Malin. The Consultant Hydrologist has submitted results of flood frequency analysis for flood events included the 1:100 and 1: 1,000-year flood events, including an allowance for a statistical standard error and estimated that the highest level that such a flood event would reach within the appeal site would be 7.998 mOD.

7.6.5 In conclusion, following robust analysis, including the independent data from the nearby Cong Pier Gauge, that the maximum lake levels for the 1:100 and the 1:1,000-year flood events would be 7.550 mOD and 7.998 mOD. I note that the footprint of the domestic extension and the boatshed building are to be located on lands above these predicted flood levels and, therefore, located within an area of low flood risk, flood zone C lands. The finished floor levels for the proposed development are sufficiently elevated above the estimated 1;1000-year flood level event to minimise flood risk now and into the future having regard to the impact of climate change. I consider that a flood risk justification test is not required in this instance as the proposed development has a low flood risk. The proposed development satisfies the criteria set out within the FRMG's, having a low residual flood risk. I am satisfied that the development will not impact on flooding or the flow regime in the adjacent Lough Corrib waterbody nor impact flood risk within adjacent lands.

7.7 Other Issues

Effluent treatment

7.7.1 I note in relation to wastewater treatment the previous proposals submitted under planning reference 17/44 provided for the installation of a new on-site wastewater treatment system and percolation area. Given that the domestic extension would

provide for a modest increase in living accommodation and there is no increase in potential occupancy proposed on the site in excess of that already permitted by the PA. I consider that the existing wastewater treatment system on site has adequate capacity to cater for the effluent generated by the existing and the proposed development on site.

7.8 Appropriate Assessment

7.8.1 Please refer to Appendix 2 (AA Screening) and Appendix 3 (Appropriate Assessment) of this report which contains an AA Screening Assessment Report and a Natura Impact Assessment Report where I have concluded the following:

I conclude within my AA Screening Assessment that the proposed development would potentially have a significant effect alone on the water dependent habitats and species of the Lough Corrib Special Area of Conservation (side code 000297) and the Lough Corrib Special Protection Area (site code 004042) from surface water run-off, sediment and hydrocarbons that may be generated during the construction phase of the development and the potential for disturbance of species within the European sites during the course of the construction activities. An Appropriate assessment (AA) is required on the basis of the effects of the project alone. Further assessment of in-combination with other plans and projects is not required at this time. Therefore, it was necessary for me to proceed to a Stage 2 AA as set out within Appendix 3 below.

8.0 Recommendation

8.1. I recommend that planning permission be granted subject to the following conditions.

9.0 Reasons and Considerations

Having regard to the location of the site within a designated rural area and to the compliance with the policies and objectives of the Mayo County Development Plan 2022-2028, specifically Section 2.7 and 2.8, Vol 2 in relation to domestic extensions and outbuildings, to the acceptable scale, proportions, height and design of the

domestic extension proposals, and to the pattern of development in the area, it is considered that subject to compliance with the conditions set out below, the development would not seriously injure the residential or visual amenities of the area, would not adversely impact upon the architectural heritage in the area and would not result in exacerbation of flood risk within the site nor within the adjacent lands in the vicinity**.** The development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 **Conditions**

1 The development shall be constructed in accordance with the plans and particulars lodged with the application on the 8th day of April 2024**,** except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the Planning Authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2 (a) The materials, colours and textures of all the external finishes to the proposed domestic extension shall be consistent with those of the existing dwelling on site or otherwise shall be submitted to and agreed in writing with the planning authority before the commencement of development.

(b) The materials, colours and textures of all the external finishes to the proposed outbuilding shall be as set out within the planning documentation submitted to the Planning Authority on the 8tht day of April 2024 or otherwise shall be submitted to and agreed in writing with the planning authority before the commencement of development.

Reason: In the interest of the visual and residential amenities of the area.

3 **(**a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.

(b) Water supply and drainage arrangements, including attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of proper planning and sustainable development.

4 The mature trees, hedgerows, walled boundaries and fencing along the appeal site boundaries shall be maintained in situ.

Reason: In the interest of visual amenity.

5 The construction of the development shall be managed in accordance with a Construction and Environmental Management Plan, which shall be submitted to, final details of which shall be agreed in writing with the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, management of construction waste and materials on site, environmental control measures, including noise, dust and vibration management measures, working hours, construction traffic and parking, measures for managing construction sediment run-off and off-site disposal of construction/demolition waste.

Reason: In the interest of public health.

6 The use of the outbuilding shall be for purposes incidental to the use of the main dwelling, including the storage of a boat(s) and ancillary equipment.

Reason: To restrict the use of the domestic garage and extensions in the interest of residential amenity.

7 All mitigation measures included within the Natura Impact Statement submitted to the Planning Authority on the 8th day of April 2024 and those included within the Construction and Environmental Management Plan submitted to the Planning Authority on the 8th day of April 2024 shall be implemented in full.

Reason: In the interest of protecting natural heritage.

8 All works within the site shall be carried out under the supervision of a qualified professional with specialised conservation expertise. Upon completion a report shall be prepared and submitted to the local Municipal District Architect and to the Department of Arts, Heritage and the Gaeltacht.

Reason: To secure the authentic preservation of the historic structure on site and to ensure that the proposed works are carried out in accordance with best conservation practice.

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.

Fergal Ó Bric

Planning Inspectorate

5th day of December 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	319999-24
Proposed Development Summary	Construction of a domestic extension to dwelling house, construction of an outbuilding, and all associated site development and external works.
Development Address	Lisloughrey, Cong, Co. Mayo.

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**	X
	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) and does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes			
No	X		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	X			No EIAR or Preliminary Examination required
Yes				

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

Inspector: _____ **Date:** _____

Appendix 2 – AA Screening

Screening for Appropriate Assessment
Screening Determination

Description of the project

I have considered the proposed development in light of the requirements of S177U of the Planning and Development Act 2000 as amended.

The development is described in Section 2 of my report. The proposed domestic extension and boatshed outbuilding development is located within a rural area on the shores of Lough Corrib approximately 1.5 kilometres south-east of Cong Village. The site is surrounded by mixed Broadleaf and coniferous woodland. Part of the red line application site boundary overlaps with the designated boundary of the Lough Corrib SAC (site code 000297) and is immediately adjacent to the designated boundary of the Lough Corrib SPA (site code 004042) which are protected by a number of nature conservation designations. The development is served by an on-site wastewater treatment system, installed on site on foot of a 2017 planning permission. The site is also served by public watermains. Surface water on site is to be managed by means of two soakaways, to be designed and constructed in accordance with BRE 365.

The appeal site comprises amenity grassland habitat (GA2), which is species poor and regularly mown and actively managed. The appeal site also includes buildings and artificial surfaces (BL3), spoil and bareground ED2), stone walls and other stonework (BL1). The appeal site is adjacent to mixed Broadleaf woodland (WD1).

The appeal site is immediately adjacent to the upper shore of Lough Corrib which is an example of the Annex 1 habitat ‘Oligotrophic to Mesotrophic waters with vegetation’ which is a specified qualifying interest of the Lough Corrib SAC. The shoreline of the lake comprises medium sized boulders.

The appeal site is located at the north-eastern shoreline of the Upper Lough Corrib. Under the Water Framework Directive (WFD) 3rd cycle the Upper Lough Corrib waterbody is classified as being ‘not at risk’ and similarly further downstream within

the waterbody is classified as being ‘not at risk’. The lake waterbody status is classified as being ‘good’.

In terms of ground water, the appeal site overlies the Cong-Robe waterbody which is also classified as being of ‘good’ status.

I note the issues of flooding raised by the Planning Authority (PA) with their Planners Report and their third reason for refusal. I also note that the PA did not outline any particular issues in relation to the potential for adverse impacts upon habitats/species with the Lough Corrib SAC/SPA or any other Natura 2000 site. No third-party submissions were received by the PA.

I have taken these comments into consideration in the AA Screening Assessment below.

Potential impact mechanisms from the project

The elements of the proposed development that would potentially generate a source of impact are:

- The domestic extension and outbuilding and their construction.
- Surface water run-off from the appeal site during the construction phase.
- Disturbance to qualifying interests during construction of the development

While there is no immediately apparent direct surface water hydrological connection to the Lough Corrib SAC nor the Lough Corrib SPA, the fact that part of the SAC boundary is located within the red line application site boundary and that 2 square metres (sq. m.) of the domestic extension would be located within the SAC boundary and the proximity of the development to the SPA boundary and as such, potential impact mechanisms include surface water outfall arising from construction works (silt/ hydrocarbon/ construction related), resulting in potential deterioration of water quality and potential for disturbance of species associated with the two European sites. . At operational stage, the surface water outfall from contaminated surface water runoff from the additional hard standing areas could impact on surface water bodies as well as lighting associated with the proposed development. It is noted that the surface water is proposed to be managed through the use of two on-site

soakaways which ultimately would filter into the ground and not directly to the adjoining lake waterbody.

With reference to EPA mapping, the site is underlain by carboniferous limestone within the Cong-Robe groundwater body which is classified as having a 'good' water quality status. Therefore, groundwater is not considered to be at risk from the development proposals.

There is no evidence on file that the appeal site support populations of qualifying interest species**,** including Otters or protected bird species listed as qualifying species of the Lough Corrib SAC and/or the Lough Corrib SPA, Therefore, any potentially significant *ex-situ* impacts on species associated with the Lough Corrib SAC and the Lough Corrib SPA can be ruled out.

There are no other readily apparent impact mechanisms that could arise as a result of this project.

European Sites at risk

Table 1 European Sites at risk from impacts of the proposed project

Effect mechanism	**Impact pathway/Zone of influence**	**European Site(s)**	**Qualifying interest features at risk**
Indirect surface water pollution	Surface water outfall from the appeal site which may drain to the Lough Corrib SAC located partly within the appeal site boundary and immediately adjacent to the development.	Lough Corrib SAC (site code 000297).	Oligotrophic waters containing very few minerals of sandy plains Oligotrophic to mesotrophic standing waters with vegetation Hard oligo-mesotrophic waters

			with benthic vegetation Water courses of plain to montane levels Semi-natural dry grasslands and scrubland facies on calcareous substrates Molinia meadows on calcareous, peaty or clayey-silt-laden soils Active raised bogs Degraded raised bogs still capable of natural regeneration Depressions on peat substrates of the Rhynchosporion Calcareous fens with Cladium mariscus and species of the Caricion davallianae Petrifying springs with tufa formation. Alkaline fens. Limestone pavements.

			Old sessile oak woods Bog woodland. Freshwater Pearl Mussel). White-clawed Crayfish. Sea Lamprey. Brook Lamprey. Salmon. Lesser Horseshoe Bat. Otter. Slender Naiad. Slender Green Feather-moss.

Lough Corrib SAC.

With reference to the relevant Site Synopsis document on the NPWS website, Lough Corrib is situated to the north of Galway city and is the second largest lake in Ireland, with an area of approximately 18,240 ha (the entire site is 20,556 ha). The lake can be divided into two parts: a relatively shallow basin, underlain by Carboniferous limestone, in the south, and a larger, deeper basin, underlain by more acidic granite, schists, shales and sandstones to the north. The surrounding lands to the south and east are mostly pastoral farmland, while bog and heath predominate to the west and north. A number of rivers are included within the cSAC as they are important for Atlantic Salmon. These rivers include the Clare, Grange, Abbert, Sinking, Dalgan and Black to the east, as well as the Cong, Bealanabrack, Failmore,

Cornamona, Drimneen and Owenriff to the west. In addition to the rivers and lake basin, adjoining areas of conservation interest, including raised bog, woodland, grassland and limestone pavement, have been incorporated into the site. (www.npws,ie)

Step 4: Likely significant effects on the European site(s) 'alone'

Table 2: Could the project undermine the conservation objectives 'alone'

European Site and qualifying feature	Conservation objective (summary) [1]	Could the conservation objectives be undermined (Y/N)?	
		Indirect surface water pollution	Indirect groundwater pollution
Lough Corrib SAC			
Oligotrophic waters containing very few minerals of sandy plains.	To restore the favourable conservation condition of Oligotrophic waters containing very few minerals of sandy plains in the Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.
Oligotrophic to Mesotrophic standing waters with vegetation.	To restore the favourable conservation condition of Oligotrophic to Mesotrophic standing waters with vegetation in the Lough SAC.	Yes. See discussion below.	No. see discussion below.

[1] Full versions are available at https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO00297.pdf (for the Lough Corrib SAC)

Hard Oligo-Mesotrophic standing waters with benthic vegetation.	To retore the favourable conservation condition of Hard Oligo- Mesotrophic standing waters with benthic vegetation. in the Lough Corrib SAC	No. See discussion below	No. see discussion below
Water course of plan to montane levels.	To maintain the favourable conservation condition of Water course of plan to montane levels. in the Lough Corrib SAC	Yes. See discussion below	No. see discussion below
Semi-natural dry grasslands and scrubland facies on calcareous substrates	To maintain the favourable conservation condition of Semi-natural dry grasslands and scrubland facies on calcareous substrates in the Lough Corrib SAC	No. See discussion below	No. See discussion below
Molinia meadows on calcareous peaty	To maintain the favourable conservation condition of Molinia	No. See discussion below	No. See discussion below

or clayey silt laden soils.	meadows on calcareous peaty or clayey silt laden soils. in the Lough Corrib SAC		
Active raised bogs.	To restore the favourable conservation condition of Active raised bogs in the Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.
Degraded raised bogs still capable of natural regeneration.	To restore the favourable conservation condition of degraded raised bogs still capable of natural regeneration in the Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.
Depressions on peat substrates of the Rhyncosporion.	These comprise an integral part of good quality Active raised bogs and no site-specific conservation objective has been established for this particular QI in the Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.
Calcareous fens.	To maintain the favourable	Yes. see discussion below.	No. see discussion below.

	conservation condition of Calcareous fens in the Lough Corrib SAC.			
Petrifying Springs with Tufa formation.	To maintain the favourable conservation condition of Petrifying Springs with Tufa formation in the Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.	
Alkaline fens	To maintain the favourable conservation condition of Alkaline fens in the Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.	
Limestone Pavements	To maintain the favourable conservation condition of Limestone Pavements in the Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.	
Old Sessile Oak Woods	To maintain the favourable conservation	Yes. see discussion below.	No. see discussion below.	

	condition of Old Sessile Oak Woods in the Lough Corrib SAC.			
Bog Woodland	To maintain the favourable conservation condition of Bog woodland in the Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.	
Freshwater Pearl Mussel	To restore the favourable conservation condition of Freshwater Pearl Mussel in the Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.	
White clawed Crayfish	To maintain the favourable conservation condition of White clawed Crayfish in the Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.	
Sea Lamprey	To restore the favourable conservation condition of Sea Lamprey	Yes. see discussion below.	No. see discussion below.	

	in the Lough Corrib SAC.		
Brook Lamprey	To maintain the favourable conservation condition of Brook Lamprey in the Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.
Salmon	To maintain the favourable conservation condition of Salmon in the Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.
Lesser Horseshoe Bat	To restore the favourable conservation condition of the Lesser Horseshoe Bat in the Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.
Otter	To maintain the favourable conservation condition of the Otter in the Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.
Slender Naiad	To restore the favourable conservation	Yes. see discussion below.	No. see discussion below.

	condition of Slender Naiad in the Lough Corrib SAC.		
Slender green feather moss	To maintain the favourable conservation condition of Slender green feather moss in the Lough Corrib SAC.	Yes. see discussion below.	No. see discussion below.

Lough Corrib SAC

In relation to surface water quality, I note that the development proposed would be developed in close proximity to the Lough Corrib SPA and a small portion (2 sq. m) of the domestic extension would be located within the SAC boundary. However, at construction stage, it is considered that standard best practice construction measures would not be sufficient to prevent the possibility of silt, sediment, soils, hydrocarbons and other construction pollutants entering the European sites given the proximity to the site and the fall in levels within the appeal site towards the drainage ditch and in the absence of appropriate mitigation measures. Given the proximity of the appeal site and the Lough Corrib SAC, it represents a potential indirect ecological connection and, therefore, it is considered that in the absence of mitigation measures that there is potential to adversely impact upon water quality within the Lough Corrib SAC and potentially significantly impact its conservation objective, to maintain or restore the favourable conservation status of habitats and species within the Lough Corrib SAC.

At operational stage, storm water from hardstanding within the site will be directed to two soakaways within the appeal site boundary and these are located approximately 27 metres and 35 metres setback from the Corrib Lake shoreline. However, it is considered that there remains potential to adversely impact water quality within the Lough Corrib SAC. The detailed design of the storm water soakaway systems will be designed to BRE 365 standards, the standard best practice surface/storm water

management system. Notwithstanding the proposal to implement these measures, potential for adverse impacts on water quality within the Lough Corrib SAC exist, resulting from contaminated surface water run-off is possible.

In relation to potential groundwater impacts, I would note that the proposals would not require significant excavations, save for limited groundworks associated with the construction of the outbuilding, as foundations are stated to be already in place for the domestic extension relating back to the development permitted under planning reference 17/44. I consider that best practice construction measures will serve to protect groundwater. Even if these measures should fail, this indirect hydrological link via groundwater represents a weak ecological connection. Any pollutants from the site that should enter groundwater during the construction stage, via spillages onto the overlying soils will be subject to dilution and dispersion within the groundwater body, rendering any adverse impacts on water quality within the Cong-Robe groundwater body which would supply water into the Lough Corrib SAC unlikely.

At operational stage, and as per the discussion of surface water impacts, the soakaways will manage surface and storm water generated within the hard surface areas within the site and these waters would then be released gradually to ground in accordance with best practice surface/storm water management practice, and in this manner groundwater quality would be protected.

I note that best practice construction measures that would be adhered to at construction stage, and the relevant regulations and standard conditions that will be required to be adhered to at operational stage, are not mitigation measures intended to reduce or avoid any harmful effect on any Natura 2000 site and would be employed by any competent operator, notwithstanding any proximity to any Natura 2000 site.

However, the applicant has included a number of site-specific mitigation measures in order to protect the adjoining Natura 2000 sites. These are included in order to protect the water quality of the adjacent European sites.

Having regard to the discussion above, I conclude that the proposed development would have potential to significantly impact upon some of the water effect ‘alone’ on

water dependent habitats and species identified as qualifying features of the Lough Corrib SAC.

Likely significant effects on the European site(s) 'in-combination with other plans and projects'

There is no evidence on file of any plans or projects that are proposed or permitted that could impact in combination with the proposed development and as such no in-combination issues arise.

I conclude, therefore, that the proposed development would have no likely significant effect in combination with other plans and projects on the qualifying features of any European sites. No further assessment is required for the project.

Overall Conclusion- Screening Determination

I conclude that the proposed development is likely to have a significant effect on the water dependent habitats and species associated with the Lough Corrib SAC from effects associated with the construction activities and the outfall of surface water to the adjoining surface water drainage system and the potential for disturbance arising from lighting associated with the outbuilding upon its construction. An appropriate assessment is required on the basis of the effects of the project 'alone'. Further assessment in-combination with other plans and projects is not required at this time.

It is therefore determined that Appropriate Assessment (stage 2) [under Section 177V of the Planning and Development Act 2000] is required on the basis of the effects of the project 'alone'.

European Sites at risk

Table 1 European Sites at risk from impacts of the proposed project

Effect mechanism	**Impact pathway/Zone of influence**	**European Site(s)**	**Qualifying interest features at risk**
Indirect surface water pollution	Surface water outfall from the appeal site which may drain to the Lough Corrib SPA located partly within the appeal site boundary and immediately adjacent to the development.	Lough Corrib SPA (site code 004042).	Gadwall Shoveler Pochard Tufted Duck Common Scoter Hen Harrier Coot Golden Plover Black-headed Gull Common Gull Common Tern Arctic Greenland White-fronted Goose Wetlands and waterbirds.

Lough Corrib SPA.

With reference to the relevant Site Synopsis document on the NPWS website, Lough Corrib is the second largest lake in Ireland and is located, for the most part, in County Galway, with a small section in the north extending into County Mayo. The lake can be divided into two parts: a relatively shallow basin in the south, which is underlain by Carboniferous limestone, and a larger, deeper basin to the north, which is underlain by more acidic granite, schists, shales and sandstones. The main inflowing rivers are the Black, Clare, Dooghta, Cregg, Owenriff and the channel from Lough Mask. The main outflowing river is the Corrib, which reaches the sea at Galway City. The shallow, lime-rich waters of the southern basin of the lake support one of the most extensive beds of Stoneworts (Charophytes) in Ireland. These Chara beds are a very important source of food for waterfowl. In contrast, the northern basin contains more oligotrophic and acidic waters. Large areas of reedswamp vegetation, dominated by varying mixtures of Common Reed (Phragmites australis) and Common Club-rush (Scirpus lacustris) occur around the margins of the lake. The lake has numerous islands, which range from relatively bare rocky islets to larger islands with grassland or woodland, is a very large, marine-dominated site situated on the west coast of Ireland. (www.npws,ie)

Step 4: Likely significant effects on the European site(s) 'alone'

Table 2: Could the project undermine the conservation objectives 'alone'

European Site and qualifying feature	Conservation objective (summary) [2]	Could the conservation objectives be undermined (Y/N)?	
		Indirect surface water pollution	Indirect groundwater pollution
Inner Galway Bay SPA			
Wetlands and Waterbirds	To maintain the favourable conservation	Yes. see discussion below.	No. see discussion below.

[2] Full versions are available at https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO04042.pdf (for the Lough Corrib SPA)

	condition of Wetlands and waterbirds in the Inner Galway Bay SPA.		
Gadwall	To restore the favourable conservation condition of Gadwall in the Lough Corrib SPA.	Yes. See discussion below.	No. see discussion below.
Shoveler	To restore the favourable conservation condition of the Shoveler in the Lough Corrib SPA.	Yes. See discussion below	No. see discussion below.
Pochard	To restore the favourable conservation condition of Pochard in the Lough Corrib SPA.	Yes. See discussion below	No. see discussion below.
Tufted Duck	To restore the favourable conservation condition of Tufted Duck in the Lough Corrib SPA.	Yes. See discussion below	No. See discussion below.
Common Scoter	To maintain the favourable	Yes. See discussion below	No. See discussion below.

	conservation condition of the Common Scoter in the Lough Corrib SPA.		
Hen Harrier	To restore the favourable conservation condition of the Hen Harrier in the Lough Corrib SPA.	Yes. see discussion below.	No. see discussion below.
Coot	To restore the favourable conservation condition of the Coot in the Lough Corrib SPA.	Yes. see discussion below.	No. see discussion below.
Golden Plover	To maintain the favourable conservation condition of Golden Plover in the Lough Corrib SPA.	Yes. see discussion below.	No. see discussion below.
Black headed Gull	To restore the favourable conservation condition of the Black Headed Gull in the Lough Corrib SPA.	Yes. see discussion below.	No. see discussion below.

Common Gull	To restore the favourable conservation condition of the Common Gull in the Inner Lough Corrib SPA.	Yes. see discussion below.	No. see discussion below.
Common Tern	To restore the favourable conservation condition of the Common Tern in the Lough Corrib SPA.	Yes. see discussion below.	No. see discussion below.
Arctic Tern	To restore the favourable conservation condition of the Arctic Tern in the Lough Corrib SPA.	Yes. see discussion below.	No. see discussion below.
Greenland White Fronted Goose	To restore the favourable conservation condition of the Greenland White Fronted Goose in the Lough Corrib SPA.	Yes. see discussion below.	No. see discussion below.

In relation to surface water quality, I would note that the development would be developed in close proximity to the Lough Corrib SPA. However, at construction

stage, standard best practice construction measures will not be sufficient to prevent the possibility of silt, sediment, soils, hydrocarbons and other construction pollutants entering this drainage ditch given close proximity to the site and the fall in levels from the appeal site towards the lake shoreline. In the absence of appropriate mitigation measures. a potential indirect ecological connection exists**,** and therefore, it is considered that in the absence of mitigation measures that there is potential to adversely impact upon water quality within the Lough Corrib SPA and potentially significantly impact its conservation objective, to maintain or restore the favourable conservation status of habitats and species within the Inner Lough Corrib SPA.

At operational stage, storm/surface water from hardstanding within the development will be directed to two soakaways within the appeal site boundary.

Notwithstanding the inclusion of these control measures, it is considered that there remains potential to adversely impact water quality within the Lough Corrib SPA. The soakaways would be constructed in accordance with best practice standards so as to prevent contaminated storm/surface water entering the lake waterbody.

In relation to potential groundwater impacts, I would note that the proposal would not require significant excavations, save for groundworks associated with the construction of the outbuilding. I consider that best practice construction measures will serve to protect groundwater. Even if these measures should fail, this indirect hydrological link via groundwater represents a weak ecological connection. As such any pollutants from the site that should enter groundwater during the construction stage, via spillages onto the overlying soils, will be subject to dilution and dispersion within the groundwater body, rendering any significant impacts on water quality within the Lough Corrib SPA unlikely.

At operational stage, and as per the discussion of surface water impacts, the soakaways are required to be designed to retain any storm/surface waters and to be released gradually to ground after they have passed through the soakaway drainage features and in this manner groundwater quality will be protected.

I would note that the best practice measures that would be adhered to at construction stage, and the relevant regulations and standard conditions that will be required to be adhered to at operational stage, are not mitigation measures intended

to reduce or avoid any harmful effect on any Natura 2000 site and would be employed by any competent operator, notwithstanding any proximity to any Natura 2000 site.

However, the applicants have included a number of site-specific mitigation measures in order to protect the surface water within the adjacent lake shoreline boundary of the site. These are included in order to protect the water quality of the adjacent Natura 2000 sites.

Having regard to the discussion above, I conclude that the proposed development would have potential to significantly impact upon some of the water effect 'alone' on water dependent habitats and species identified as qualifying features of the Lough Corrib SPA.

Likely significant effects on the European site(s) 'in-combination with other plans and projects'

There is no evidence on file of any plans or projects that are proposed or permitted that could impact in combination with the proposed development and as such no in-combination issues arise.

I conclude, therefore, that the proposed development would have no likely significant effect in combination with other plans and projects on the qualifying features of any European sites. No further assessment is required for the project.

Overall Conclusion- Screening Determination

I conclude that the proposed development is likely to have a significant effect on the water dependent habitats and species associated with the Lough Corrib SPA from effects associated with the construction activities and the outfall to the adjoining lake shoreline and from lighting associated with the constructed boatshed. An appropriate assessment is required on the basis of the effects of the project 'alone'. Further assessment in-combination with other plans and projects is not required at this time.

It is therefore determined that Appropriate Assessment (stage 2) [under Section 177V of the Planning and Development Act 2000] is required on the basis of the effects of the project 'alone'.

7.7 Natura Impact Statement

7.7.2 The application documentation included a Natura Impact Statement (NIS) for the domestic extension and boathouse outbuilding development located on the north-eastern shores of Lough Corrib, within a rural area and approximately 1.5 kilometres south-east of the village of Cong. The NIS examines and assesses any potential for adverse effects arising from the proposed development on the Lough Corrib SAC and the Lough Corrib SPA. Section 5.1 of the NIS outlines the characteristics of the European sites. Section 6 sets out the potential impacts arising from the construction and operational phases of the development on the European sites. In combination effects are examined within Section 8 and it is concluded within Section 9 that 'through the use of avoidance, appropriate design and mitigation measures as set out with this report, the measures ensure that the construction and operation of the proposed development does not adversely affect the integrity of European sites. Therefore, it can be objectively concluded that the proposed development'.

7.7.3 The NIS concludes that although potential for indirect effects on the aquatic habitats and species associated with the Lough Corrib SAC and SPA as a result of surface water pollution arising from construction activities and disturbance of protected species during the construction phase of the development were identified, that with the range of mitigation and avoidance measures proposed to negate them, that it can be concluded beyond any reasonable scientific doubt**,** that the proposed development individually, or in combination with other plans or projects, will not adversely affect the integrity of any European site**.**

Appropriate Assessment of implications of the proposed development on the European Sites

7.7.4 The following is an assessment of the implications of the project on the qualifying interest features of the Lough Corrib SAC and SPA using the best scientific knowledge in the field as provided in the NIS. All aspects of the project which could

result in significant effects are assessed and mitigation measures designed to avoid or reduce any adverse effects are considered and assessed.

7.7.5 A number of Qualifying Interests (QI's) within the Lough Corrib SAC and SPA have been removed from further assessment as the potential for significant effects on these particular QI's has been ruled out due largely to the absence of hydrological pathways between the appeal site and these particular QI's and the separation distance between the appeal site and a number of the particular qualifying interests.

7.7.6 A description of the SAC/SPA and Conservation Objectives and Qualifying Interests (www.npws.ie), are set out in the screening assessment above, and repeated in Table 2 of the AA.

7.7.7 The following is an assessment of the implications of the project on the qualifying interest features of the Lough SAC and the Lough Corrib SPA, using the best scientific knowledge in the field. All aspects of the project which could result in significant effects are assessed and mitigation measures designed to avoid or reduce any adverse effects are considered and assessed.

7.7.8 I have relied on the following guidance as part of this assessment:

- Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities, DoEHLG (2009).
- Assessment of plans and projects significantly affecting Natura 2000 sites. Methodological guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EC, EC (2002).
- Guidelines on the implementation of the Birds and Habitats Directives in Estuaries and coastal zones, EC (2011).
- Managing Natura 2000 sites, The provisions of Article 6 of the Habitats Directive 92/43/EEC, EC (2018).

7.7.9 A description of the designated sites, their Conservation Objectives and relevant Qualifying Interests, including any relevant attributes and targets, are set out in the

screening assessment above and repeated in Table 2 of the Appropriate Assessment, and outlined above as part of my assessment. I have also examined the Natura 2000 data forms as relevant and the Conservation Objectives supporting documents for these sites available through the NPWS website (www.npws.ie).

Potential Impacts on identified European Sites

Table 2

Site 1:

Name of European Site, Designation, site code: Lough Corrib SAC (Site code 000297)

Summary of Key issues that could give rise to adverse effects:

- Water Quality and water dependant habitats and species
- Habitat degradation
- Disturbance of QI species

Conservation Objective**:** To maintain or restore the favourable conservation status of habitats and species within the Lough Corrib SAC.

		Summary of Appropriate Assessment			
Qualifying Interest feature	**Conservation Objectives** **Targets and attributes**	**Potential adverse effects**	**Mitigation measures**	**In-combination effects**	**Can adverse effects on integrity be excluded?**
White Clawed Crayfish	To maintain the favourable conservation condition of White Clawed Crayfish in	Deterioration in water quality arising from sedimentation and release	Erection of double silt fence on perimeter of footprint of development	No significant in-combination adverse effects	Yes

	the Lough Corrib SAC.	of hydrocarbons and cement to lakeshore arising from construction activities on site and potentially adversely impacting upon protected habitat and species. Potential for disturbance to species during construction activities arising from excavations, increased noise and activity.	during construction phase to contain sediment, soils and construction materials emanating from surface water run-off. Pre-cast concrete and/or timber frame construction to be used to minimise use of concrete on site. No re-fuelling of construction machinery will be carried out on site, and no fuels stored on site, and watering down of any dusty materials will be carried out. A site		

			environmental manager will be appointed to oversee that all environmental measures are adhered to on site.		
Sea Lamprey	To restore the favourable conservation status of Sea Lamprey Lough Corrib SAC.	Deterioration in water quality arising from sedimentation and release of hydrocarbons and cement to lakeshore arising from construction activities on site and potentially adversely impacting upon protected habitat and species. Potential for disturbance to species	Erection of double silt fence on perimeter of footprint of development during construction phase to contain sediment, soils and construction materials emanating from surface water run-off. Pre-cast concrete and/or timber frame construction to be used to minimise use	No significant in-combination adverse effects	Yes

		during construction activities arising from excavations, increased noise and activity.	of concrete on site. No re-fuelling of construction machinery will be carried out on site, and no fuels stored on site, and watering down of any dusty materials will be carried out. A site environmental manager will be appointed to oversee that all environmental measures are adhered to on site.		
Brook Lamprey	To maintain the favourable conservation conditions of Brook Lamprey in the Lough Corrib SAC.	Deterioration in water quality arising from sedimentation and release of hydrocarbons and cement to lakeshore	Erection of double silt fence on perimeter of footprint of development during construction phase to contain	No significant in-combination adverse effects	Yes

		arising from construction activities on site and potentially adversely impacting upon protected habitat and species. Potential for disturbance to species during construction activities arising from excavations, increased noise and activity.	sediment, soils and construction materials emanating from surface water run-off. Pre-cast concrete and/or timber frame construction to be used to minimise use of concrete on site. No re-fuelling of construction machinery will be carried out on site, and no fuels stored on site, and watering down of any dusty materials will be carried out. A site environmental manager will be appointed to oversee that all		

			environmental measures are adhered to on site.		
Salmon	To maintain the favourable conservation status of Salmon in the Lough Corrib SAC.	Deterioration in water quality arising from sedimentation and release of hydrocarbons and cement to lakeshore arising from construction activities on site and potentially adversely impacting upon protected habitat and species. Potential for disturbance to species during construction activities arising from	Erection of double silt fence on perimeter of footprint of development during construction phase to contain sediment, soils and construction materials emanating from surface water run-off. Pre-cast concrete and/or timber frame construction to be used to minimise use of concrete on site. No re-fuelling of construction	No significant in-combination adverse effects	Yes

		excavations, increased noise and activity.	machinery will be carried out on site, and no fuels stored on site, and watering down of any dusty materials will be carried out. A site environmental manager will be appointed to oversee that all environmental measures are adhered to on site.		
Otter	To maintain the favourable conservation condition of the Otter in the Lough Corrib SAC.	Deterioration in water quality arising from sedimentation and release of hydrocarbons and cement to lakeshore arising from construction activities on site and	Erection of double silt fence on perimeter of footprint of development during construction phase to contain sediment, soils and construction materials	No significant in-combination adverse effects	Yes

		potentially adversely impacting upon protected habitat and species. Potential for disturbance to species during construction activities arising from excavations, increased noise and activity.	emanating from surface water run-off. Pre-cast concrete and/or timber frame construction to be used to minimise use of concrete on site. No re-fuelling of construction machinery will be carried out on site, and no fuels stored on site, and watering down of any dusty materials will be carried out. A site environmental manager will be appointed to oversee that all environmental measures are adhered to on site.		

Slender Naiad	To restore the favourable conservation condition Slender Naiad.in the Lough Corrib SAC.	Deterioration in water quality arising from sedimentation and release of hydrocarbons and cement to lakeshore arising from construction activities on site and potentially adversely impacting upon protected habitat and species. Potential for disturbance to species during construction activities arising from excavations, increased noise and activity.	Erection of double silt fence on perimeter of footprint of development during construction phase to contain sediment, soils and construction materials emanating from surface water run-off. Pre-cast concrete and/or timber frame construction to be used to minimise use of concrete on site. No re-fuelling of construction machinery will be carried out on site, and no fuels stored on	No significant in-combination adverse effects	Yes

			site, and watering down of any dusty materials will be carried out. A site environmental manager will be appointed to oversee that all environmental measures are adhered to on site.		
Oligotrophic Waters	To restore the favourable conservation condition of Oligotrophic Waters in the Lough Corrib SAC.	Deterioration in water quality arising from sedimentation and release of hydrocarbons and cement to lakeshore arising from construction activities on site and potentially adversely impacting upon	Erection of double silt fence on perimeter of footprint of development during construction phase to contain sediment, soils and construction materials emanating from surface water run-off. Pre-cast	No significant in-combination adverse effects	Yes

		protected habitat and species. Potential for disturbance to species during construction activities arising from excavations, increased noise and activity.	concrete and/or timber frame construction to be used to minimise use of concrete on site. No re-fuelling of construction machinery will be carried out on site, and no fuels stored on site, and watering down of any dusty materials will be carried out. A site environmental manager will be appointed to oversee that all environmental measures are adhered to on site.		
Oligotrophic to Mesotrophic standing	To restore the favourable conservation condition of	Deterioration in water quality arising from	Erection of double silt fence on perimeter of	No significant in-combination	Yes

waters with vegetation	Oligotrophic to Mesotrophic standing waters with vegetation in the Lough Corrib SAC.	sedimentation and release of hydrocarbons and cement to lakeshore arising from construction activities on site and potentially adversely impacting upon protected habitat and species. Potential for disturbance to species during construction activities arising from excavations, increased noise and activity.	footprint of development during construction phase to contain sediment, soils and construction materials emanating from surface water run-off. Pre-cast concrete and/or timber frame construction to be used to minimise use of concrete on site. No re-fuelling of construction machinery will be carried out on site, and no fuels stored on site, and watering down of any dusty materials will	adverse effects	

			be carried out. A site environmental manager will be appointed to oversee that all environmental measures are adhered to on site.		
Hard Oligotrophic-Mesotrophic waters with benthic vegetation	To restore the favourable conservation condition of Hard Oligotrophic-Mesotrophic waters with benthic vegetation in the Lough Corrib SAC.	Deterioration in water quality arising from sedimentation and release of hydrocarbons and cement to lakeshore arising from construction activities on site and potentially adversely impacting upon protected habitat and species. Potential for	Erection of double silt fence on perimeter of footprint of development during construction phase to contain sediment, soils and construction materials emanating from surface water run-off. Pre-cast concrete and/or timber frame construction to	No significant in-combination adverse effects	yes

		disturbance to species during construction activities arising from excavations, increased noise and activity.	be used to minimise use of concrete on site. No re-fuelling of construction machinery will be carried out on site, and no fuels stored on site, and watering down of any dusty materials will be carried out. A site environmental manager will be appointed to oversee that all environmental measures are adhered to on site.			
Overall conclusion: Integrity test Following the implementation of the mitigation measures, the construction and operation of this proposed development will not adversely affect the integrity of this European site, and no reasonable doubt remains as to the absence of such effects.						

Table 3.

Site 2:

Name of European Site, Designation, site code: Lough Corrib SPA (Site code 004042)

Summary of Key issues that could give rise to adverse effects:

- Water Quality and water dependant habitats and species
- Habitat degradation/loss
- Disturbance of QI species

Conservation Objective**:** To maintain or restore the favourable conservation status of habitats and species within the Inner Lough Corrib SPA.

		Summary of Appropriate Assessment			
Qualifying Interest feature	**Conservation Objectives** **Targets and attributes**	**Potential adverse effects**	**Mitigation measures**	**In-combination effects**	**Can adverse effects on integrity be excluded?**
Gadwall	To restore the favourable conservation condition of the Gadwall in the Lough Corrib SPA.	Deterioration in water quality arising from sedimentation and release of hydrocarbons and cement to	Erection of double silt fence on perimeter of footprint of development during construction phase to contain	No significant in-combination adverse effects	Yes

		lakeshore arising from construction activities on site and potentially adversely impacting upon protected habitat and species. Potential for disturbance to species during construction activities arising from excavations, increased noise and activity.	sediment, soils and construction materials emanating from surface water run-off. Pre-cast concrete and/or timber frame construction to be used to minimise use of concrete on site. No re-fuelling of construction machinery will be carried out on site, and no fuels stored on site, and watering down of any dusty materials will be carried out. A site		

			environmental manager will be appointed to oversee that all environmental measures are adhered to on site.		
Shoveler	To restore the favourable conservation condition of the Shoveler in the Lough Corrib SPA.	Deterioration in water quality arising from sedimentation and release of hydrocarbons and cement to lakeshore arising from construction activities on site and potentially adversely impacting upon protected habitat and species.	Erection of double silt fence on perimeter of footprint of development during construction phase to contain sediment, soils and construction materials emanating from surface water run-off. Pre-cast concrete and/or timber frame construction	No significant in-combination adverse effects	Yes

		Potential for disturbance to species during construction activities arising from excavations, increased noise and activity.	to be used to minimise use of concrete on site. No re-fuelling of construction machinery will be carried out on site, and no fuels stored on site, and watering down of any dusty materials will be carried out. A site environmental manager will be appointed to oversee that all environmental measures are adhered to on site.		
Pochard	To restore the	Deterioration in water	Erection of double silt	No significant	Yes

	favourable conservation condition of the Pochard in the Lough Corrib SPA.	quality arising from sedimentation and release of hydrocarbons and cement to lakeshore arising from construction activities on site and potentially adversely impacting upon protected habitat and species. Potential for disturbance to species during construction activities arising from excavations, increased noise and activity.	fence on perimeter of footprint of development during construction phase to contain sediment, soils and construction materials emanating from surface water run-off. Pre-cast concrete and/or timber frame construction to be used to minimise use of concrete on site. No re-fuelling of construction machinery will be carried out on site, and no fuels	in-combination adverse effects	

			stored on site, and watering down of any dusty materials will be carried out. A site environmental manager will be appointed to oversee that all environmental measures are adhered to on site.		
Tufted Duck	To restore the favourable conservation condition of the Tufted Duck in the Lough Corrib SPA.	Deterioration in water quality arising from sedimentation and release of hydrocarbons and cement to lakeshore arising from construction activities on	Erection of double silt fence on perimeter of footprint of development during construction phase to contain sediment, soils and construction materials	No significant in-combination adverse effects	Yes

		site and potentially adversely impacting upon protected habitat and species. Potential for disturbance to species during construction activities arising from excavations, increased noise and activity.	emanating from surface water run-off. Pre-cast concrete and/or timber frame construction to be used to minimise use of concrete on site. No re-fuelling of construction machinery will be carried out on site, and no fuels stored on site, and watering down of any dusty materials will be carried out. A site environmental manager will be appointed to		

			oversee that all environmental measures are adhered to on site.		
Common Scoter	To maintain the favourable conservation condition of the Common Scoter in the Lough Corrib SPA.	Deterioration in water quality arising from sedimentation and release of hydrocarbons and cement to lakeshore arising from construction activities on site and potentially adversely impacting upon protected habitat and species. Potential for disturbance to species during	Erection of double silt fence on perimeter of footprint of development during construction phase to contain sediment, soils and construction materials emanating from surface water run-off. Pre-cast concrete and/or timber frame construction to be used to minimise use of concrete on	No significant in-combination adverse effects	Yes

		construction activities arising from excavations, increased noise and activity.	site. No re-fuelling of construction machinery will be carried out on site, and no fuels stored on site, and watering down of any dusty materials will be carried out. A site environmental manager will be appointed to oversee that all environmental measures are adhered to on site.		
Coot	To restore the favourable conservation condition of the Coot in	Deterioration in water quality arising from sedimentation and	Erection of double silt fence on perimeter of footprint of development	No significant in-combination	Yes

	the Lough Corrib SPA.	release of hydrocarbons and cement to lakeshore arising from construction activities on site and potentially adversely impacting upon protected habitat and species. Potential for disturbance to species during construction activities arising from excavations, increased noise and activity.	during construction phase to contain sediment, soils and construction materials emanating from surface water run-off. Pre-cast concrete and/or timber frame construction to be used to minimise use of concrete on site. No re-fuelling of construction machinery will be carried out on site, and no fuels stored on site, and watering down of any	adverse effects	

			dusty materials will be carried out. A site environmental manager will be appointed to oversee that all environmental measures are adhered to on site.		
Golden Plover	To maintain the favourable conservation condition of the Golden Plover in the Lough Corrib SPA.	Deterioration in water quality arising from sedimentation and release of hydrocarbons and cement to lakeshore arising from construction activities on site and potentially adversely impacting	Erection of double silt fence on perimeter of footprint of development during construction phase to contain sediment, soils and construction materials emanating from surface water run-off. Pre-cast	No significant in-combination adverse effects	Yes

		upon protected habitat and species. Potential for disturbance to species during construction activities arising from excavations, increased noise and activity.	concrete and/or timber frame construction to be used to minimise use of concrete on site. No re-fuelling of construction machinery will be carried out on site, and no fuels stored on site, and watering down of any dusty materials will be carried out. A site environmental manager will be appointed to oversee that all environmental measures		

			are adhered to on site.		
Black Headed Gull	To maintain the favourable conservation condition of the Black Headed Gull in the Lough Corrib SPA.	Deterioration in water quality arising from sedimentation and release of hydrocarbons and cement to lakeshore arising from construction activities on site and potentially adversely impacting upon protected habitat and species. Potential for disturbance to species during construction activities arising from excavations,	Erection of double silt fence on perimeter of footprint of development during construction phase to contain sediment, soils and construction materials emanating from surface water run-off. Pre-cast concrete and/or timber frame construction to be used to minimise use of concrete on site. No re-fuelling of construction machinery	No significant in-combination adverse effects	Yes

		increased noise and activity.	will be carried out on site, and no fuels stored on site, and watering down of any dusty materials will be carried out. A site environmental manager will be appointed to oversee that all environmental measures are adhered to on site.		
Common Gull	To restore the favourable conservation condition of the Common Gull in the Lough Corrib SPA.	Deterioration in water quality arising from sedimentation and release of hydrocarbons and cement to	Erection of double silt fence on perimeter of footprint of development during construction phase to contain	No significant in-combination adverse effects	Yes

		lakeshore arising from construction activities on site and potentially adversely impacting upon protected habitat and species. Potential for disturbance to species during construction activities arising from excavations, increased noise and activity.	sediment, soils and construction materials emanating from surface water run-off. Pre-cast concrete and/or timber frame construction to be used to minimise use of concrete on site. No re-fuelling of construction machinery will be carried out on site, and no fuels stored on site, and watering down of any dusty materials will be carried out. A site		

			environmental manager will be appointed to oversee that all environmental measures are adhered to on site.		
Common Tern	To restore the favourable conservation condition of the Common Tern in the Lough Corrib SPA.	Deterioration in water quality arising from sedimentation and release of hydrocarbons and cement to lakeshore arising from construction activities on site and potentially adversely impacting upon protected habitat and species.	Erection of double silt fence on perimeter of footprint of development during construction phase to contain sediment, soils and construction materials emanating from surface water run-off. Pre-cast concrete and/or timber frame construction	No significant in-combination adverse effects	Yes

		Potential for disturbance to species during construction activities arising from excavations, increased noise and activity.	to be used to minimise use of concrete on site. No re-fuelling of construction machinery will be carried out on site, and no fuels stored on site, and watering down of any dusty materials will be carried out. A site environmental manager will be appointed to oversee that all environmental measures are adhered to on site.		

Arctic Tern	To restore the favourable conservation condition of the Arctic Tern in the Lough Corrib SPA.	Deterioration in water quality arising from sedimentation and release of hydrocarbons and cement to lakeshore arising from construction activities on site and potentially adversely impacting upon protected habitat and species. Potential for disturbance to species during construction activities arising from excavations, increased	Erection of double silt fence on perimeter of footprint of development during construction phase to contain sediment, soils and construction materials emanating from surface water run-off. Pre-cast concrete and/or timber frame construction to be used to minimise use of concrete on site. No re-fuelling of construction machinery will be carried out	No significant in-combination adverse effects	Yes

		noise and activity.	on site, and no fuels stored on site, and watering down of any dusty materials will be carried out. A site environmental manager will be appointed to oversee that all environmental measures are adhered to on site.		
Greenland white Fronted Goose	To restore the favourable conservation condition of the Greenland white Fronted Goose in the	Deterioration in water quality arising from sedimentation and release of hydrocarbons and cement to lakeshore arising from	Erection of double silt fence on perimeter of footprint of development during construction phase to contain sediment, soils and	No significant in-combination adverse effects	Yes

	Lough Corrib SPA.	construction activities on site and potentially adversely impacting upon protected habitat and species. Potential for disturbance to species during construction activities arising from excavations, increased noise and activity.	construction materials emanating from surface water run-off. Pre-cast concrete and/or timber frame construction to be used to minimise use of concrete on site. No re-fuelling of construction machinery will be carried out on site, and no fuels stored on site, and watering down of any dusty materials will be carried out. A site environmental manager		

			will be appointed to oversee that all environmental measures are adhered to on site.		
Wetlands	To maintain the favourable conservation condition of Wetlands in the Lough Corrib SPA.	Deterioration in water quality arising from sedimentation and release of hydrocarbons and cement to lakeshore arising from construction activities on site and potentially adversely impacting upon protected habitat and species. Potential for disturbance	Erection of double silt fence on perimeter of footprint of development during construction phase to contain sediment, soils and construction materials emanating from surface water run-off. Pre-cast concrete and/or timber frame construction to be used to minimise		

		to species during construction activities arising from excavations, increased noise and activity.	use of concrete on site. No re-fuelling of construction machinery will be carried out on site, and no fuels stored on site, and watering down of any dusty materials will be carried out. A site environmental manager will be appointed to oversee that all environmental measures are adhered to on site.		

Overall conclusion: Integrity test

Following the implementation of the mitigation measures, the construction and operation of this proposed development will not adversely affect the integrity of this European site, and no reasonable doubt remains as to the absence of such effects.

7.7.10 Following the Appropriate Assessment and the consideration of mitigation measures, I can ascertain with confidence that the project would not adversely affect the integrity of the Lough Corrib SAC nor the Lough Corrib SPA, in view of the Conservation Objectives for these sites. This conclusion has been based on a complete assessment of the implications of the project alone, and in combination with plans and projects.

7.7.11 I consider that any siltation, sediment or hydrocarbons that would enter Lough Corrib, would be mitigated through the use of the best practice environmental control measures set out within Section 6 of the NIS and within the CEMP, including the use of the double silt fencing, the re-fuelling of construction machinery off-site, the use of pre-cast/timber frame construction methods to minimise the pouring of cement on site and the appointment of an on-site environmental manager to manage on -site environmental and mitigation measures**.** Therefore, I consider that as a result of the implementation of these control measures that the impacts would be lessened and would not be so adverse as to cause undue risk to the qualifying interests and conservation objectives associated with these European sites. Therefore, I do not consider it appropriate to assess the potential impacts upon these particular European sites any further as part of this exercise.

Appropriate Assessment Conclusion

7.7.12 Having carried out screening for Appropriate Assessment of the project, it was concluded that in the absence of mitigation measures to prevent construction related pollutants reaching Lough Corrib, it may have adverse effects on the Lough Corrib SAC and the Lough Corrib SPA. Consequently, an Appropriate Assessment was required of the implications of the project on the qualifying features of the European site, in light of its conservation objectives.

7.7.13 Following the Appropriate Assessment and the consideration of mitigation measures, I can ascertain with confidence that the project would not adversely affect the integrity of the Lough Corrib SAC and the Lough Corrib SPA, in view of the sites'

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

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 the aforementioned designated sites.
- Detailed assessment of in-combination effects with other plans and projects including historical projects, current proposals, and future plans.
- No reasonable scientific doubt as to the potential for likely adverse effects on the integrity of the Lough Corrib SAC and the Lough Corrib SPA.