



An
Coimisiún
Pleanála

Inspector's Report ACP-323024-25

Development	Proposed elevation of local tertiary road (L-52214)
Location	Cuan Na Loinge, Ceantar na nOileán, Conamara, Co. Galway
Local Authority	Galway County Council
Type of Application	Application for approval made under Section 177(AE) of the Planning and Development Act, 2000 (local authority development requiring appropriate assessment)
Prescribed Bodies	Inland Fisheries Ireland (IFI) Uisce Éireann (UE) Development Applications Unit (DAU)
Observer(s)	None.
Date of Site Inspection	27 th August 2025.
Inspector	Peadar McQuaid.

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1.0 Introduction

- 1.1.** Galway County Council is seeking approval from An Coimisiún Pleanála to undertake proposed works to raise the elevation of the local tertiary road (L-52214) under a road improvement project at Cuan Na Loinge, Ceantar na nOileán, Co Galway. The proposed works are adjacent to the Kilkieran Bay and Islands SAC which is a designated European site. A Natura Impact Statement (NIS) and application under Section 177AE was lodged by the Local Authority on the basis of the proposed development's likely significant effect on a European site.
- 1.2.** Section 177AE of the Planning and Development act 2000 (as amended) requires that where an appropriate assessment is required in respect of development by a local authority, the authority shall prepare an NIS and the development shall not be carried out unless the Commission has approved the development with or without modifications.
- 1.3.** Furthermore, Section 177V of the Planning and Development Act 2000 (as amended) requires that the appropriate assessment shall include a determination by the Commission as to whether or not the proposed development would adversely affect the integrity of a European site and the appropriate assessment shall be carried out by the Commission before consent is given for the proposed development.

2.0 Proposed Development

- 2.1.** The proposed development, a road improvement project will consist of raising the elevation levels of a local tertiary road (L-52214). The length of the public road to be raised is approximately 200 metres. The maximum increase of road elevation will be of 1.0 metre above the existing road level, with natural rock armour embankment and natural stone parapet walls on each side together with associated drainage, water services, fencing and signage. This section of the road is stated by the applicant as being frequently inundated by seawater during high tides and storm surges events, directly impacting upon the only access arrangement for seventeen residences and their connectivity with the Regional Road (R374).

2.2. The proposed works will raise the road level to 3.6mOD. A rock-armour embankment with a natural stone roadside walls will be constructed along the route, with a parapet height of 0.8m above the new road surface. The embankment slope is to be designed at 1:1, and five no. 450mm diameter culverts with headwalls are to be replaced where required to facilitate water flow beneath the road.

2.3. This application for approval is accompanied by the following documents:

- Natura Impact Statement,
- Construction Environmental Management Plan,
- Environmental Constraints Report,
- Ecological Impact Assessment,
- Environmental Impact Assessment Screening,
- Road Safety Audit,
- Drawing Schedule and Planning Drawings,
- Preferred Scheme Options Report,
- Applicants email to Prescribed Bodies,
- Newspaper Notice.

3.0 Site and Location

3.1. The subject site located in the townlands of An Cheathrú Rua Thiar (Carrowroe West) and Béal an Daingin (Bealadangan), Cuan na Loinge, approximately 37km west of Galway City Centre. The nearest villages are An Cheathrú Rua circa 5km to the south and Casla (Costelloe) 4.2km to the southeast. The site is within an area that is sparsely populated, characterised by a rugged, low-lying landscape with a mix of granite outcrops, boglands, and small coastal inlets. The wider area comprises of interconnected islands and peninsulas of Kilkieran Bay.

3.2. The land surrounding the subject site is primarily used for low-intensity agriculture, such as sheep grazing, and contains areas of blanket bog and heathland. Seventeen dispersed one-off dwellings are accessed from the narrow single carriageway of the L-52214. This local road links the residences of the townlands of Béal an Daingin (Bealadangan) and An Cheathrú Rua Thiar (Carrowroe West) to the regional road (R374). The coastal habitats of salt marches and two small saline, rock/peat lagoons

(Loch Fhada Upper Pools – IL054 - western and eastern pools) adjoin the subject site to the north and west. The lagoon of Loch an Ghadaí is further to the east.

4.0 Planning History

4.1. Subject Site

4.2. PA. Ref. 22/60184 – Permission GRANTED for the development consisting of refurbishment and upgrading works [including (where necessary) replacement of existing poles along the existing overhead electricity line, minor ground works, and all associated ancillary works including the provision of temporary accessways at Clynagh - Glentrasna, Muckanaghkillew, Knockaphreaghaun, Shannakeela, Teeranea, Camus Oughter, Carrowroe West, Furnace, Oorid, Carrowroe North, Lettermullan, Knock, Lettercallow, Lettermore, Leam West, Boheeshal, Kinvarra, Muckanaghederdauhaulia, Derreenagusfoor, Derryerglinna and Glentrasna. Applicant: ESB.

4.3. Surrounding Area

4.4. Historical planning history in the vicinity of the site relates to the construction of one-off dwellings and extensions of existing residential dwellings.

5.0 Legislative and Policy Context

5.1. Relevant legislative provisions

5.1.1. **The EU Habitats Directive (92/43/EEC):** This Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Article 6(3) and 6(4) require an appropriate assessment of the likely significant effects of a proposed development on its own and in combination with other plans and projects which may have an effect on a European Site (SAC or SPA).

5.1.2. **European Communities (Birds and Natural Habitats) Regulations 2011:** These Regulations consolidate the European Communities (Natural Habitats) Regulations 1997 to 2005 and the European Communities (Birds and Natural Habitats) (Control of Recreational Activities) Regulations 2010, as well as addressing transposition failures identified in CJEU judgements. The Regulations in particular require in Reg 42(21) that where an appropriate assessment has already been carried out by a

'first' public authority for the same project (under a separate code of legislation) then a 'second' public authority considering that project for appropriate assessment under its own code of legislation is required to take account of the appropriate assessment of the first authority.

5.1.3. National nature conservation designations: The Department of Culture, Heritage and the Gaeltacht and the National Parks and Wildlife Service are responsible for the designation of conservation sites throughout the country. The three main types of designation are Natural Heritage Areas (NHA), Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) and the latter two form part of the European Natura 2000 Network.

European sites located in proximity to the subject site include:

- Kilkieran Bay and Islands SAC
- Connemara Bog Complex SAC
- Connemara Bog Complex SPA
- Connemara Islands SPA

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

- 177(AE) sets out the requirements for the appropriate assessment of developments carried out by or on behalf of local authorities.
- Section 177(AE) (1) requires a local authority to prepare, or cause to be prepared, a Natura impact statement in respect of the proposed development.
- Section 177(AE) (2) states that a proposed development in respect of which an appropriate assessment is required shall not be carried out unless the Commission has approved it with or without modifications.
- Section 177(AE) (3) states that where a Natura impact assessment has been prepared pursuant to subsection (1), the local authority shall apply to the Commission for approval and the provisions of Part XAB shall apply to the carrying out of the appropriate assessment.

- Section 177(V) (3) states that a competent authority shall give consent for a proposed development only after having determined that the proposed development shall not adversely affect the integrity of a European site.
- Section 177AE (6) (a) states that before making a decision in respect of a proposed development the Commission shall consider the NIS, any submissions or observations received and any other information relating to:
 - The likely effects on the environment.
 - The likely consequences for the proper planning and sustainable development of the area.
 - The likely significant effects on a European site.

5.2. National, Regional and Local Policy

The following policy and guidelines are considered relevant to the proposed development:

- Project Ireland 2040: National Planning Framework (NPF), First Revision of the NPF and the National Development Plan (NDP 2018-2027),
- The Northern and Western Regional Spatial and Economic Strategy, 2020-2032,
- Climate Action Plan 2024 (“CAP24”) and 2025 (“CAP25”),
- The National Biodiversity Action Plan 2023-2030,
- Galway County Development Plan 2022-2028.

5.2.1. National Planning Framework, First Revision, April 2025 (NPF): The NPF is a high-level strategic plan for shaping the future growth and development of Ireland to 2040. It seeks to develop a region-focused strategy to manage growth and environmentally focused planning at a local level. The revised NPF NSO’s remain the same as the previous National Planning Framework 2040 (2018) with some minor amendments. The NPF National Strategic Outcomes (NSOs) relate to enhanced regional accessibility between key urban centres of population and their regions. NSO relates to Enhanced Regional Accessibility, while NSO 4 relates to High-Quality International Connectivity and NSO 5 relates to Sustainable Mobility.

- 5.2.2. National Development Plan, 2021-2030:** This Plan underpins the National Planning Framework. It contains several priorities which includes investment in regional and local road network protection and renewal.
- 5.2.3. Regional Spatial and Economic Strategy for the Northern and Western Region 2020 - 2032 (RSES):** Under the National Planning Framework, Connacht and the Ulster Counties of Cavan, Donegal, and Monaghan are combined into a Northern and Western region representing 18% of Ireland's population. The RSES supports the delivery of the programme for change set out in the National Planning Framework and the National Development Plan. It sets out a strategic vision and policy objectives for urban and rural areas, people, the economy, the environment, connectivity, amenities, and utilities. It states that local authorities should seek to enhance biodiversity and amenities and ensure the protection of environmentally sensitive sites and habitats. RPO 5.5 promotes the conservation and protection of European sites and their integrity. The RSES acknowledges local authorities are planning to progress a wide range of regional and local roads projects in accordance with their respective settlement strategies and road safety considerations.
- 5.2.4. Climate Action Plan 2024 ("CAP24") and 2025 ("CAP25"):** The Climate Action Plan 2025 builds upon the Climate Action Plan 2024 (CAP 24) by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings and it should be read in conjunction with CAP 24. References to CAP 25 in this report therefore also includes recognition of CAP 24.
- 5.2.5.** As part of its functions, the Coimisiún must, in so far as, perform its functions in a manner that is consistent with the most recently approved climate action plan, most recently approved national long term climate action strategy, national adaptation framework, sectoral plans, furtherance of national climate objective and the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State [section 15(1) of the Climate Action and Low Carbon Development Act 2015 (as amended)]. The Climate Action Plan is prepared in accordance with the Climate Action and Low Carbon Development (Amendment) Act 2021. Under the Plan, targets include for a 20% reduction in total vehicle kilometres and significant increases to sustainable transport trips.

5.2.6. National Biodiversity Action Plan 2023 – 2030 (NBAP): Ireland’s 4th NBAP sets the biodiversity agenda for the period 2023 – 2030. The NBAP has a list of Objectives which promotes biodiversity as follows; **Objective 1** Adopt a whole of government, whole of society approach to biodiversity; **Objective 2** Meet urgent conservation and restoration needs; **Objective 3** Secure nature’s contribution to people; **Objective 4** Enhance the evidence base for action on biodiversity; **Objective 5** Strengthen Irelands contribution to international biodiversity initiatives. The Wildlife (Amendment) Act 2023 provides that every public body, as listed in the Act, is obliged to have regard to the objectives and targets in the National Biodiversity Action Plan.

5.2.7. Galway County Development Plan 2022-2028: The Galway County Development Plan 2022-2028 (CDP) is the relevant plan for the County. Under Section 6.5.3 the Council recognises the importance of the public road network in the county and at a local level notes the importance regional and local roads which provide connectivity between towns and villages and their wider rural hinterlands.

The CDP contains the following relevant policy objective in relation to roads upgrades.

NNR 2 Safeguard Regional and Local Roads which seeks ‘to safeguard the carrying capacity and safety of the County’s regional and local road network’.

The following policy objectives are considered relevant with respect to the protection of biodiversity and natural heritage.

NHB 1 - Natural Heritage and Biodiversity of Designated Sites, Habitats and Species which seeks to ‘protect and where possible enhance the natural heritage sites designated under EU Legislation and National Legislation (Habitats Directive, Birds Directive, European Communities (Birds and Natural Habitats) Regulations 2011 and Wildlife Acts) and extend to any additions or alterations to sites that may occur during the lifetime of this plan. Protect and, where possible, enhance the plant and animal species and their habitats that have been identified under European legislation (Habitats and Birds Directive) and protected under national Legislation (European Communities (Birds and Natural Habitats) Regulations 2011 (SI 477 of 2011), Wildlife Acts 1976-2010 and the Flora Protection Order (SI 94 of 1999). Support the protection, conservation and enhancement of natural heritage and

biodiversity, including the protection of the integrity of European sites, that form part of the Natura 2000 network, the protection of Natural Heritage Areas, proposed Natural Heritage Areas, Ramsar Sites, Nature Reserves, Wild Fowl Sanctuaries (and other designated sites including any future designations) and the promotion of the development of a green/ ecological network’.

NHB 2 - European Sites and Appropriate Assessment requires the ‘implementation of Article 6 of the Habitats Directive and to ensure that Appropriate Assessment is carried out in relation to works, plans and projects likely to impact on European sites (SACs and SPAs), whether directly or indirectly or in combination with any other plan(s) or project(s). All assessments must be in compliance with the European Communities (Birds and Natural Habitats) Regulations 2011. All such projects and plans will also be required to comply with statutory Environmental Impact Assessment requirements where relevant’.

NHB 3 - Protection of European Sites – requires that ‘no plans, programmes, or projects etc. giving rise to significant cumulative, direct, indirect or secondary impacts on European sites arising from their size or scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation requirements, duration of construction, operation, decommissioning or from any other effects shall be permitted on the basis of this Plan (either individually or in combination with other plans, programmes, etc. or projects’.

WR 1 - Water Resources - which seeks to ‘Protect the water resources in the plan area, including rivers, streams, lakes, wetlands, springs, turloughs, surface water and groundwater quality, as well as surface waters, aquatic and wetland habitats and freshwater and water dependant species in accordance with the requirements and guidance in the EU Water Framework Directive 2000 (2000/60/EC), the European Union (Water Policy) Regulations 2003 (as amended), the River Basin District Management Plan 2018 – 2021 and other relevant EU Directives, including associated national legislation and policy guidance (including any superseding versions of same) and also have regard to the Freshwater Pearl Mussel Sub-Basin Management Plans’.

WTWF 1- Wetland Sites – which seeks to ‘Protect and conserve the ecological and biodiversity heritage of the wetland sites in the County. Ensure that an appropriate

level of assessment is completed in relation to wetland habitats that are subject to proposals which would involve drainage or reclamation that might destroy, fragment or degrade any wetland in the county. This includes lakes and ponds, turloughs, watercourses, springs and swamps, marshes, fens, heath, peatlands, some woodlands as well as some coastal and marine habitats. Protect Ramsar sites under The Convention on Wetlands of International Importance (especially as Waterfowl Habitat)'.

6.0 The Natura Impact Statement

6.1. Galway County Council's application for the proposed development was accompanied by a Natural Impact Statement (NIS) which scientifically examined the proposed development and the European sites. The NIS identified and characterised the possible implications of the proposed development on the European sites, in view of the site's conservation objectives, and provided information to enable the Coimisiún to carry out an appropriate assessment of the proposed works.

7.0 Consultations

7.1. Prescribed Bodies

The application was circulated to the following bodies:

- Inland Fisheries Ireland
- Department of Housing, Local Government and Heritage (DAU)
- National Parks & Wildlife Service (NPWS)
- An Taisce
- Uisce Éireann
- Ireland's Seafood Development Agency - Bord Iascaigh Mhara

7.2. Responses Received from Consultees

7.2.1. Responses were received from the following three bodies:

- Inland Fisheries Ireland (IFI):
- Loch Fhada adjoining the site is currently listed as of ecological status under the Water Framework Directive. Derrynea_010 river which flows out of Loch Fhada is currently classed as not at risk and is of good ecological status. Both statuses need to be protected.
- IFI notes the proposed mitigation measures as set out in the CEMP and have been incorporated into the design of the proposed works. Should the development be granted permission, the IFI would require the appointed contractor would be made aware of IFIs guidance document (2016) regarding 'the protection of fisheries watercourses during construction works in and adjacent to water' before the construction phase of the project commences.
- Uisce Éireann (UE)
- UE anticipate no adverse impact on any assets or sources belonging to Uisce Éireann as the applicant has not included a proposal for a new water/wastewater connection. No objection in principle is the recommendation. A standard condition is for inclusion.
- Department of Housing, Local Government and Heritage (DAU)
- The Department notes that the application site borders the Kilkieran Bay and Islands Special Area of Conservation (SAC) (Site Code: 002111). Immediately adjacent to the northern side of the proposed works there are two Annex I habitats, Coastal lagoons [1150] and Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*) [1330], for which this SAC is designated.
- The Department notes that the Natura Impact Statement (NIS) provided with the application does not identify that an area of the Annex I habitat Coastal Lagoon occurs immediately adjoining the proposed works (as outlined in Map 4 of NPWS, 20141). The NIS also states that there will be no direct loss of habitat within the SAC as a result of the proposed works, however, the cross-sectional diagram re-produced in the document '*Preferred scheme option report*' indicates that the rock armour, which will occur along the elevated road, will be significantly wider than the existing road.
- Consequently, there is some uncertainty as to whether the area of Coastal lagoons [1150], or Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*)

[1330], will be subject to a loss of area as a result of the proposed development.

- The Department recommends that An Coimisiun is satisfied that they have sufficient information to determine that the proposed works, including the rock armour, do not extend into any areas that correspond to either the Annex I habitat Coastal lagoons [1150], or the Annex I habitat Atlantic salt meadows (*Glauco-Puccinellietalia maritima*) (f330). It is a Conservation Objective for both within the Kilkieran Bay and Islands SAC that their area be stable or increasing.

7.3. Public Submissions

7.3.1. No submissions were received from members of the public.

7.4. Response of Applicant to Submissions

7.4.1. The submissions were circulated to the applicant for response.

- **Inland Fisheries Ireland (IFI):**
 - The applicant notes the submission and does not wish to comment further.
- **Uisce Éireann (UE):**
 - The applicant confirms that a water services realignment application to UE will be submitted in due course.
- **Department of Housing, Local Government and Heritage (DAU):**
 - The Coastal Lagoon habitat is identified in the NIS submitted as part of the application. Table 6.1, states that the SAC lies immediately adjacent the site, and Table 9.2, identifies three NIS habitat types (Coastal lagoons, Atlantic salt meadows and Mediterranean salt meadows) and states that “These habitats have hydrological connectivity to the site as such the SSCOs of this habitat will be considered in detail and mitigation measures outlined to protect this habitat.
 - The Coastal lagoon within the SAC has an area of 122.8ha (1,228,000 m²). The scheme proposes to replace existing wall and boundary structures like for like slightly offset from their original positions. The footprint of the boundary works element is approximately 150m².

8.0 Further Information

8.1. Further information Request

8.1.1. In accordance with section 177AE (5) of the Planning and Development Act, 2000, as amended, a further information request was issued to the first party on the 19th December 2025, requiring the submission of further information in relation to the effects on the environment of the proposed development. The items requested were the following:

1. (a) Clarification on the presence and location of any QI habitat within the site boundary, having regard to best practice survey guidance and published research on Annex I marine and benthic/lacustrine habitats.
(b) A targeted habitat survey is required to be undertaken within the site boundary, areas proximate to and in the wider vicinity of the proposed works to inform the response to item 1 (a) above.

The results of this habitat survey shall confirm the presence, location, extent, condition and conservation assessment of Annex I habitat/ non-Annex I habitats within and adjoining the site boundary. The habitat survey shall be clear in defining the extent of:

- i. The overlap between the application boundary, extent of the proposed works, the SAC boundary and Annex I habitat.
 - ii. Impact on Annex I habitat, as defined by its attributes and targets as detailed in the site-specific conservation objectives document for Kilkieran Bay and Islands SAC.
 - iii. Habitats providing a supporting function to the annex habitat.
 - iv. Habitats of biodiversity value beyond the Natura designation(s).
2. Detailed drawings (1:200 scale) showing the footprint of the proposed works, the SAC boundary and confirmed Annex I habitats/non-Annex I habitats within the application site boundary.
 3. Detail the area(s) of temporary and/or permanent habitat loss (if any) within Annex I habitat area.
 4. Justify, in terms of best available scientific information, why habitat loss (if any) will not result in adverse effects on site integrity of the SAC overall in

view of the conservation objectives as defined by the specific attributes and targets.

5. The nature and location of the proposed culverts and concrete works. Statements such as “*The culverts should be designed with the hydrology of the site in mind*” should be clarified/refined/removed from the NIS. The applicant shall provide project specific information with regard to what (if any) impact the operational phase and the installation of new culverts would have on the hydrological conditions and lagoonal specialist species of the Loch Fhada upper pools.
6. Each supporting document including the NIS, EclA, EIA screening report and CEMP shall be amended to take account of the information requested above.

8.2. First-party Response to Further Information Request

- 8.2.1.** On the 23rd March 2026 the applicant responded to the request of An Coimisiún Pleanála by submitting a response report which detailed the responses to each of the requested items. The further information response can be summarised as follows: -

FI item 1 – A targeted habitat survey was prepared by Mr. Roger Goodwillie B.A.(Mod.), M.Sc., MCIEEM and submitted with the response. The survey includes diagnostic assessment of habitats against Annex I criteria, together with evaluation of habitat condition and functional ecological relationships within the receiving environment. The findings from the target habitat survey were used to inform the supporting environmental assessment documentation submitted.

FI item 2 – The applicant has submitted revised drawings and cross section to show the boundary of the proposed works and the SAC. Drawing reference numbers: 24155-DG-1103, 24155-DG-1104, 24155-DG-1105 & 24155-DG-1202.

FI items 3 & 4 – The applicant contends that targeted habitat survey carried out identifies the location of all adjacent habitats and confirms that no habitat loss is proposed as part of the proposed works.

FI item 5 – The applicant states that there will be no impact on the hydrological conditions and lagoonal specialist species during the operational and installation phase of the proposed works. Details on the environmental nature, location, and ecological function of the existing culverts beneath Local Road L-52214, together

with the assessment of their hydrological significance to Loch Fhada Upper Pools (IL054) and the lagoonal specialist species assemblage of the Kilkieran Bay and Islands SAC, are provided in the accompanying supporting documentation.

FI item 6 – All supporting documentation (NIS, EclA and CEMP) has been amended by the applicant to include details of the targeted habitat survey.

9.0 Responses to Further Information Request

- 9.1.** The new information received by An Coimisiún Pleanála was not deemed significant therefore the readvertisement of the public notices were not required. Prescribed bodies did not respond to the appellant's further information submission within the requested timeframe.

10.0 EIA Screening

- 10.1.** An EIA Screening Report was submitted with the application and further information documentation. The report states that there is no class set out under Schedule 5 in relation to the upgrade to an existing road. Under the provisions of Schedule 5, the closest type of project to the subject development is for the provision of "all private roads which would exceed 2,000 metres in length", as per Class 10 (a)(dd), Part 2 of the Schedule. The proposed development is an upgrade of an existing public road and not the construction of a new private road. Furthermore, the proposed project does not trigger the requirement for mandatory EIA under Section 50 of the Roads Act, 1993 to 2007 (as amended) and Article 8 of the Roads Regulations, 1994.

- 10.2.** Under Class 15, of Schedule 5 Part 2 which states the following:

"Any project listed in this Part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development, but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7."

- 10.3.** The report considers the proposed project against the criteria for determining whether a development would or would not be likely to have significant effects on the environment is outlined in Schedule 7. It concludes that having regard to the nature, scale and location of the proposed works, that the likelihood of significant

environmental effects is minimal. Therefore, it is considered that an Environmental Impact Assessment Report (EIAR) is not required in this instance.

- 10.4.** The proposed development described as a road improvement project involves the raising of a local tertiary road (L-52214) by 1m over a length of 200 metres, is not a development type for the purposes of Part 10 listed in Schedule 5 of the Planning and Development Regulations, 2001 (as amended) i.e., development for which mandatory EIA is required, nor is it integral to any project that is of a type included in Schedule 5. Notwithstanding that the applicant prepared and submitted a screening assessment based on the criteria of Schedule 7 of the Planning and Development Regulations, 2001 as amended, as no element of the development the subject of this application falls into a class of development contained in Schedule 5, Parts 1 or 2 of the Regulations, I am satisfied that the development does not therefore constitute sub-threshold development and neither a mandatory EIA, nor an EIA screening determination, is required.
- 10.5.** Furthermore, the proposed project does not fall under the prescribed type of road development pursuant to Section 50 of Roads Act, 1993 (as amended) and defined in Article 8 of the Roads Regulations, 1994 that requires the preparation of an Environmental Impact Assessment Report.
- 10.6.** I have completed a screening assessment as set out in Appendix 1 of this report and recommend to the Coimisiún that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an Environmental Impact Assessment Report (EIAR) would not therefore be required. The conclusion of this is assessment is as follows:

Having regard to: -

(a) the nature and scale of the proposed development, which is not listed in Part 1 or 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended.

(b) The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended); and

(c) The features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including

measures identified in the Ecological Impact Assessment, Natura Impact Statement and CEMP.

It is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not therefore be required. I recommend that a screening determination be issued accordingly, confirming that no EIAR is required.

11.0 Water Framework Directive Screening

- 11.1.** An assessment of the proposed development has been carried out in accordance with Article 4 of the Water Framework Directive and relevant EPA guidance, including best practice in sustainable drainage design.

The development incorporates appropriate surface water management measures, including, silt and sediment control measures, hydrocarbon and fuel management, concrete and cement management, and installation of fuel/oil interceptors.

These measures ensure that there will be no increase in pollutant loading, no alteration of the receiving waterbody's hydrological regime, and no risk of deterioration in water quality or ecological status. Any residual risks identified during the assessment are capable of being addressed through standard mitigation measures and best practice construction management, including the implementation of the Construction Environmental Management Plan (CEMP).

The proposed development will not impact on the achievement of environmental objectives for any water body and is therefore considered compliant with the requirements of Article 4.

Conclusion

An assessment of the proposed development has been undertaken in accordance with Article 4 of the EU Water Framework Directive (2000/60/EC), as transposed by the European Communities (Water Policy) Regulations 2003, as amended, and with regard to The Water Action Plan 2024: A River Basin Management Plan for Ireland.

The receiving water environment has been identified and assessed, see Appendix 2. Having regard to the nature, scale, and location of the proposed development, and

the proposed mitigation measures, it is concluded that the proposed development will not:

- Result in deterioration of the ecological, chemical, or quantitative status of any relevant surface water or groundwater body;
- Increase pollutant loading or alter the hydrological regime of any receiving watercourse;
- Prevent or impede achievement of environmental objectives under the applicable River Basin Management Plan;
- Any residual risks are capable of being addressed through the proposed mitigation measures, mitigation conditions and full implementation of a Construction Environmental Management Plan (CEMP).

The proposed development is considered to be in compliance with the requirements of Article 4 of the Water Framework Directive.

12.0 Assessment

The assessment will be undertaken in three parts as per the requirements of Section 177AE as follows:

- The likely effects on the environment.
- The likely consequences for the proper planning and sustainable development of the area.
- The likely significant effects on a European site.

12.1. The likely effects on the environment

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

- Biodiversity

12.1.1. Biodiversity

12.1.2. The application was accompanied by an Ecological Impact Assessment (EclA) compiled by Ecologists of Fitzsimons Walsh Environmental Ltd which subsequently

was updated following the request of further information and findings of the targeted habitat survey. The methodologies employed are set out in section 3 of the EclA and include a desk study and field surveys carried on four occasions between October 2024 and March 2026. Based on the Chartered Institute of Ecology and Environmental Management (CIEEM) *Guidelines for Ecological Impact Assessment in the UK and Ireland*, the zone of influence was deemed to be the area in the immediate vicinity of the works and the wider downstream surface water network.

- 12.1.3.** There are four Natura 2000 sites within 15km of the Site (Table 5.1) with the Kilkieran Bay and Islands SAC (002111) located Immediately adjacent to the proposed project. There are no Natural Heritage Areas (NHA) within 15km of the site however there are seven proposed Natural Heritage Areas (pNHAs) as detailed in Table 5.2. A review of the National Biodiversity Data Centre (NBDC) database recorded the following Bird Species and Terrestrial Species within 2km of the site; Otter, Great Cormorant, Common Kestrel, Common Snipe, European Eel and Soprano Pipistrelle. A full list of the Protected Fauna and Flora Species recorded is detailed in table 5.3.
- 12.1.4.** Field study results are discussed in section 4. The habitats recorded are listed in section 5.4.1 with a habitats map provided in Figure 5.4. A total of seven habitats using the Fossitt habitat code were recorded in the vicinity of the site. The permanent works area of the overall site comprises predominately of 'Buildings and Artificial Surfaces' (BL3) habitat consisting of the existing road surface and associated hard standing of Local Road L-52214. The existing road surface is an asphalt carriageway of approximately 4 m width, with verge areas on both sides. Other habitats in the surrounding area of the proposed project include Salt Marsh (CM), Lagoons and Saline Lakes (CW1), With some smaller areas of Lowland Blanket Bog (PB3), Wet Grassland (GS4) and Exposed Siliceous Rock (ER1). These are generally consistent with observations during my site inspection. Under section 5.4.2 of the 2026 field survey confirms the presence of three Annex I Qualifying Interest habitats immediately adjacent to the project boundary: Mediterranean salt meadows (*Juncetalia maritimi*) [1410], Atlantic salt meadows (*Glauco Puccinellietalia maritimae*) [1330] and Coastal lagoons [1150].
- 12.1.5.** During the walkover surveys seven species of bird were observed using the habitat surrounding the site and flying overhead with swan faeces also found on the grassed

area of the saltmarsh. All seven species observed are BoCCI amber listed. No bat roosts were identified within the zone of influence during the field surveys. The Common Frog and European Eel were recorded in the wider catchment/area. An otter survey conducted in February 2025 recorded no spraints, tracks, holts, couches, or slides within the survey area at the time of the survey.

12.1.6. The potential for impacts in the construction and operational phases is assessed in Section 6 of the EclA. Impacts include effects on the following

- Direct habitat loss from embankment works.
- Hydrological impacts on the lagoon and saltmarsh system from culvert works and road raising.
- Construction phase water quality deterioration from sediment, hydrocarbon, and cement contamination.
- Disturbance and displacement of fauna during construction.
- Invasive species introduction or spread during construction.
- Operational phase impacts from road drainage and maintenance.

12.1.7. Section 7 details the proposed mitigation measures during construction phase which includes general good practice and pre-commencement measures, protection measures for the lagoon waterbody during culvert renovations/works, surface waters protection, silt and sediment management, hydrocarbon and fuel management, concrete and cement management, management of waste, biosecurity and noise control measures, and fauna protection measures. Mitigation measures for the operational phase are outlined in Section 7.3 of the EclA which include measures for the protection of water quality, culvert maintenance, road drainage interceptors and post-construction ecological monitoring.

12.1.8. Having reviewed Ecological Impact Assessment (EclA), I consider that the appointment of an Environmental Clerk of Works (ECoW) who will inspect the site in advance of works commencing and will undertake site inspections during the construction stage to ensure that they will be completed in line with the mitigation measures detailed within this EclA, the NIS and the CEMP will ensure that there will be no significant ecological impacts on the local area. Section 5.0 of the CEMP submitted with the application also outlines the schedule of environmental controls

and mitigation measures. I am satisfied that the mitigation measures and monitoring outlined in the EclA are proven good practice measures.

12.1.9. From a review of the revised drawings submitted (Drawing no's 1103 – 1105) and the Habitat Survey Report, I am generally satisfied that no non-EU designated Annex I habitats were identified within the proposed project footprint. Issues involving EU designated Annex I habitat are addressed in the appropriate assessment section of this report. I consider the existing/proposed road surface and associated hard standing is of negligible botanical interest.

12.1.10. I note the applicant is proposing to carry out pre-construction surveys. An otter survey covering a minimum of 250 m either side of the project along the lagoon margin and tidal channel network is to be conducted. I consider this appropriate having regard to evidence of otter during the targeted ecological survey conducted in March 2026 with an otter path recorded at the lagoon margin. Mitigation measures in relation to the Otter are further detailed in section 12.3.8 of this report. The other pre-construction survey will involve an invasive species survey with any identified invasive species being addressed via an Invasive Species Management Plan to be incorporated within the CEMP. No invasive plant species were recorded at or in the vicinity of the application site during the surveys, however I recommend that a biosecurity condition should be attached to ensure that construction works, associated plant and vehicles do not introduce or contribute to the spread of invasive plant/animal species.

12.1.11. In relation to bats, I am satisfied that no bat roosts are located within the zone of influence or within the project boundary given the lack of any built structure, mature tree, or rock feature that could support a bat roost as noted during my site inspection. No permanent artificial lighting will be installed within 50m of the lagoon margin or the tidal channel network as part of the project. Temporary construction lighting if required will be in accordance with bat-sensitive lighting guidance contained in Institution of Lighting Professionals guidance note 08/23. I acknowledge construction phase noise and disturbance has the potential to cause temporary displacement of breeding or foraging birds from the immediate works area however I am satisfied the works are short in duration (four to six weeks) and high noise activities are to be restricted to standard working hours. No adverse effect on birds during operation is predicted.

12.1.12. A post-construction ecological monitoring programme is proposed to verify that the predicted outcomes of the ecological assessment are realised in practice, and to provide the early warning information necessary to trigger remediation if any unanticipated ecological change occurs within the Loch Fhada Upper Pools (IL054) following completion of the project. The monitoring programme is to be carried out by a suitably qualified ecologist with the results reported to NPWS and to Galway County Council. Given the environmental sensitivity of the site location, I consider this to be appropriate and can be included as condition if the Coimisiún is minded to grant permission. Hydrological impacts of the proposed project on the adjoining Loch Fhada Upper Pools are assessed fully in section 12.3 of this report given the potential impacts on a Natura 2000 site.

12.1.13. Overall, I am satisfied that the proposed development would not have a significant negative impact on biodiversity (including habitats and species), subject to compliance with relevant legislation and guidance, implementation of the final CEMP, NIS and EclA mitigation measures and compliance with recommended conditions.

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

I address this topic under the following relevant headings:

- Need for the Project
- Road Safety and Transportation
- Comments on Conditions

12.2.1. Need for the Project

12.2.2. The applicant states the objective of the project is to raise the road level to minimize the impact of coastal flooding on the L-52214 and reduce the impacts of the seawater inundation events. A significant length of the L-52214, it's junctions with two side roads and a residential entrance in Cuan na Loinge, Ceantar na nOileán becomes inundated with seawater at very high tides and following storm surge events on an ever-increasing basis. This results in the road being impassable affecting up to seventeen local residences that are served by this road within the townland of An Cheathrú Rua Thiar. The project will involve raising the road level to

3.6mOD, representing a maximum increase of 1.0 metre above the existing level for a section of 200m.

12.2.3. I am satisfied that based on a preliminary consideration of the facts; there is clear evidence of the need for a project to address the issue of very high tide /storm surge events. It was evident at the time of my site inspection that the road surface has suffered from previous events with sections of the carriageway showing signs of significant deterioration. Without the intervention of the proposed works, I consider it reasonable to assume the roadway will continue to suffer the impacts of future high tides/storm surge events, require significant ongoing maintenance at the expense of the Local Authority. I am satisfied the proposal by increasing road levels at this location will help ensure the road remains accessible to residents. Safe unrestricted connectivity to the wider road network is essential particularly in an emergency incident during a storm event.

12.2.4. In terms of the policy context, I refer to the earlier section of my report which outlines a range of national, regional and county policy provisions which are relevant. I would refer to section 6.5.3 of the Galway County Development Plan 2022-2028 (CDP) which recognises the importance of the public road network in the county and at a local level notes the importance regional and local roads which provide connectivity between towns and villages and their wider rural hinterlands. Furthermore, it is a policy objective (NNR 2) of Galway County Council to safeguard the carrying capacity and safety of the County's regional and local road network. I am satisfied the proposed project is to provide safe unrestricted access to the residents during very high tide/storm surge events aligns with provisions of the CDP.

12.2.5. Overall, I consider that the proposed development is acceptable in principle and generally accords with national, regional and local planning policy in terms of enhanced accessibility for the local community and general road safety improvement. Accordingly, the proposal is considered in accordance with the proper planning and sustainable development of the area.

12.2.6. Road Safety and Transportation

12.2.7. The application is accompanied by the following roads and traffic related documents:

- Preferred Scheme options report prepared by Langan Consulting Engineers.

- Environmental Constraints Report prepared by Fitzsimons Walsh Environmental Limited.
- Stage 1 Road Safety Audit prepared by Traffico.

12.2.8. The Preferred Scheme options report outlines that two structural flood containment options were identified. Option A provided for a rock armour embankment with roadside natural stone wall and culverts. Option B contained a reinforced concrete (RC) wall with natural stone-clad finish above ground level and culverts. Following a comparative appraisal that considered site geometry, civil and structural conditions, hydraulic, environmental and visual impact, Option A was recommended as the emerging preferred scheme. Option A was compared against the options of “Do nothing” and “Do minimal” and assessed under a number of criteria headings namely technical, economic, health & safety, environmental, social & cultural and Adaptability to climate change. It was assessed that Option A was the sole viable approach. A further assessment of the preferred option identified no economic, environmental, social & cultural, health & safety constraints.

12.2.9. The Environmental Constraints Report identified the site as being within an environmental sensitive area and proximate to the Kilkieran Bay and Islands SAC. Screening having identified potential impacts of the proposed plan upon this Natura 2000 site, and in accordance with Article 6(3) of the Habitats Directive recommended that a Stage 2 Appropriate Assessment be carried. The report also recommended an ecological impact assessment be undertaken for the proposed development due to the potential impact on the sensitive aquatic habitats surrounding the proposed works.

12.2.10. In relation to road safety and design the applicant has submitted a ‘Stage 1 Road Safety Audit’. I note the audit identified three road safety issues with the proposed road layout. The issues consist of a lack of space for pedestrians to take refuge from vehicles, flood protection walls impacting on sight lines and provision for opposing vehicles to pass. The recommendations involve an appropriate horizontal alignment to allow for a continuous and consistent pedestrian refuge area, adjusting the position of the flood protection walls as needed and to provide for suitable locations where two opposing vehicles can pass each other. The road safety audit feedback form

attached in Appendix A, has been signed with all three recommended measures accepted.

12.2.11. Having regard to the above, I am satisfied that the selected option and layout will provide for a significant upgrade to the roadway and improve safety for all road users. Given the environmental constraints of the immediate area (Loch Fhada Upper Pools), I am satisfied the only route corridor available is within the current road alignment. I note the height of the proposed flood protection walls have been restricted to 0.8m high so not to impact upon visibility splays. A continuous 0.6m wide verge has also been provided for pedestrian refuge along the southside of the carriageway. I also consider the improved vertical alignment of the road will also assist with greater driver visibility of oncoming vehicles. I note during the construction phase the appointed contractor is to prepare a traffic management plan to ensure the safe movement of vehicles/pedestrians during the scheme works. The proposed works are within the footprint of the existing roadway and therefore no additional lands are required. Overall, I conclude that the proposed scheme would constitute a positive intervention and would be in accordance with the proper planning and sustainable development of the area.

12.2.12. Comments on Conditions

12.2.13. I have reviewed the conditions requested by prescribed bodies. In Table 1.0 below, recommended conditions are tabulated, and I have indicated whether these are included in, or excluded from the recommended schedule of conditions.

Table 1.0: Suggested Conditions - In/Exclusion in Schedule of Conditions

	Suggested Conditions	Included/ excluded in Schedule of Conditions
	Uisce Éireann (UE): Recommended Conditions	
1.	All development shall be carried in compliance with Uisce Éireann’s <i>Standard Details and Code of Practice</i> .	Included – See Condition No. 8
2.	Uisce Éireann does not permit Build Over of its assets. Where the applicant proposes works or build over existing water or wastewater services, the applicant shall have received a written Confirmation of Feasibility (COF)	Included – See Condition No. 8

	of Diversion(s) from Uisce Éireann prior to any works commencing.	
	Inland Fisheries Ireland (IFI): Recommended Conditions	
3.	The IFI would require the appointed contractor would be made aware of IFIs guidance document (2016) regarding 'the protection of fisheries watercourses during construction works in and adjacent to water' before the construction phase of the project commences.	Included – See Condition No. 6

12.3. The likely significant effects on a European site

The areas addressed in this section are as follows:

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

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

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

12.3.2. The Natura Impact Statement

The application was accompanied by an NIS prepared by Fitzsimons Walsh Environmental Limited which described the proposed development, the project site and the surrounding area. The NIS contained a Stage 1 Screening Assessment which concluded that a Stage 2 Appropriate Assessment was required. The NIS outlined the methodology used for assessing potential impacts on the habitats and species within several European Sites that have the potential to be affected by the

proposed development. It predicted the potential impacts for these sites and their conservation objectives, it suggested mitigation measures, assessed in-combination effects with other plans and projects and it identified any residual effects on the European sites and their conservation objectives.

The NIS was informed by the following studies, surveys and consultations:

- A desk top study.
- An examination of aerial photography and maps.
- Ecological walkover surveys of the proposal site on the 24th October 2024, and 26th May 2025.
- An Otter Survey was undertaken on 14th February 2025.
- Targeted habitat survey March 2026.

The report concluded that *‘with the implementation of the mitigation measures specified in the report, the proposed works will not have the potential to significantly affect the conservation objectives or qualifying interests of the Kilkieran Bay and Islands SAC or any other Nature 2000 site either individually or in combination with other plans or projects’*.

Having reviewed the NIS and the supporting documentation, I am satisfied that it provides adequate information in respect of the baseline conditions, does clearly identify the potential impacts, and does use best scientific information and knowledge. Details of mitigation measures are provided and are summarised in Section 10 (10.1 – 10.4) of the NIS. I am satisfied that the information is sufficient to allow for appropriate assessment of the proposed development.

12.3.3. Appropriate Assessment

I consider that the proposed development is not directly connected with or necessary to the management of any European site.

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

on the basis of likely significant effects. In Table 2.0 below, European sites considered for Stage 1 screening are detailed.

Table 2.0: European sites considered for Stage 1 screening.

European site (SAC/SPA)	Qualifying Interests	Distance
<p>Kilkieran Bay and Islands SAC.</p> <p>Site Code - 002111</p>	<p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Coastal lagoons [1150]</p> <p>Large shallow inlets and bays [1160]</p> <p>Reefs [1170]</p> <p>Atlantic salt meadows (<i>Glaucopuccinellietalia maritima</i>) [1330]</p> <p>Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]</p> <p>Machairs (* in Ireland) [21A0]</p> <p>Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or Isoeto-Nanojuncetea [3130]</p> <p>Lowland hay meadows (<i>Alopecurus pratensis</i>, <i>Sanguisorba officinalis</i>) [6510]</p> <p><i>Phocoena phocoena</i> (Harbour Porpoise) [1351]</p> <p><i>Lutra lutra</i> (Otter) [1355]</p> <p><i>Phoca vitulina</i> (Harbour Seal) [1365]</p> <p><i>Najas flexilis</i> (Slender Naiad) [1833]</p>	<p>0km</p> <p>Immediately adjacent to and transecting the site to the north and east.</p>
<p>Connemara Bog Complex SAC.</p> <p>Site Code - 002034</p>	<p>Coastal lagoons [1150]</p> <p>Reefs [1170]</p> <p>Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletea uniflorae</i>) [3110]</p> <p>Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or Isoeto-Nanojuncetea [3130]</p>	<p>3.93 km</p>

European site (SAC/SPA)	Qualifying Interests	Distance
	<p>Natural dystrophic lakes and ponds [3160]</p> <p>Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation [3260]</p> <p>Northern Atlantic wet heaths with <i>Erica tetralix</i> [4010]</p> <p>European dry heaths [4030]</p> <p>Molinia meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>) [6410]</p> <p>Blanket bogs (* if active bog) [7130]</p> <p>Transition mires and quaking bogs [7140]</p> <p>Depressions on peat substrates of the <i>Rhynchosporion</i> [7150]</p> <p>Alkaline fens [7230]</p> <p>Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0]</p> <p><i>Euphydryas aurinia</i> (Marsh Fritillary) [1065]</p> <p><i>Salmo salar</i> (Salmon) [1106]</p> <p><i>Lutra lutra</i> (Otter) [1355]</p> <p><i>Najas flexilis</i> (Slender Naiad) [1833]</p>	
<p>Connemara Bog Complex SPA.</p> <p>Site Code - 004181</p>	<p>Cormorant (<i>Phalacrocorax carbo</i>) [A017]</p> <p>Merlin (<i>Falco columbarius</i>) [A098]</p> <p>Golden Plover (<i>Pluvialis apricaria</i>) [A140]</p> <p>Common Gull (<i>Larus canus</i>) [A182]</p>	<p>5.65km</p>
<p>Connemara Islands SPA.</p> <p>Site Code - 004159</p>	<p>Barnacle Goose (<i>Branta leucopsis</i>) [A045]</p> <p>Arctic Tern (<i>Sterna paradisaea</i>) [A194]</p> <p>Sandwich Tern (<i>Thalasseus sandvicensis</i>) [A863]</p> <p>Little Tern (<i>Sternula albifrons</i>) [A885]</p>	<p>11.97km</p>

European site (SAC/SPA)	Qualifying Interests	Distance
	Common Tern (<i>Sterna hirundo</i>) [A193]	

Based on my examination of the NIS report and supporting information (including Ecological Impact Assessment), the NPWS website, aerial and satellite imagery, the scale of the proposed development and likely effects, separation distance and functional relationship between the proposed works and the European sites, their conservation objectives and taken in conjunction with my assessment of the subject site and the surrounding area, I would conclude that a Stage 2 Appropriate Assessment is required for one (Kilkieran Bay and Islands SAC) of the four European sites referred to above.

The remaining three sites can be screened out from further assessment because of the separation distances, the scale of the proposed works and the lack of a substantive linkage between the proposed works and the European sites. It is therefore reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on the following European Sites Connemara Bog Complex SAC, Connemara Bog Complex SPA and Connemara Islands SPA in view of the site(s) conservation objectives and a Stage 2 Appropriate Assessment is not therefore required for this/these sites.

Relevant European sites

The Conservation Objectives and Qualifying Interests, including any relevant attributes and targets for these sites, are set out below in Table 3.

Table 3:0 Relevant European sites

Site Name	Qualifying Interests	Distance
Kilkieran Bay and Islands SAC	Conservation objectives: To maintain favourable conservation condition M	0km

Site Name	Qualifying Interests	Distance
	<p>To restore favourable conservation condition R</p> <p>Qualifying Interests: Habitats</p> <p>Mudflats and sandflats not covered by seawater at low tide [1140] M</p> <p>Coastal lagoons [1150] M</p> <p>Large shallow inlets and bays [1160] M</p> <p>Reefs [1170] M</p> <p>Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) [1330] R</p> <p>Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410] R</p> <p>Machairs (* in Ireland) [21A0] R</p> <p>Oligotrophic to mesotrophic standing waters with vegetation of the <i>Littorelletea uniflorae</i> and/or <i>Isoeto-Nanojuncetea</i> [3130] R</p> <p>Lowland hay meadows (<i>Alopecurus pratensis</i>, <i>Sanguisorba officinalis</i>) [6510] M</p> <p>Qualifying Interests: Species/Plant</p> <p><i>Phocoena phocoena</i> (Harbour Porpoise) [1351] M</p> <p><i>Lutra lutra</i> (Otter) [1355] R</p> <p><i>Phoca vitulina</i> (Harbour Seal) [1365] M</p> <p><i>Najas flexilis</i> (Slender Naiad) [1833] M</p>	

12.3.4. Kilkieran Bay and Islands SAC (site code:002111)

<https://www.npws.ie/protected-sites/sac/002111>

Description of site

Kilkieran Bay and Islands SAC is located just north of Galway Bay and extends from Keeraun Point, south of Carraroe, westwards to Mace Head, west of Carna, all in Co. Galway. The site contains a large area of open marine water, many islands and

rocky islets, and the coastline is much indented with a series of bays (notably the interconnected Kilkieran Bay and Greatman's Bay), channels and inlets. The marine habitats found within Kilkieran Bay and Greatman's Bay are of very high conservation value. Both bays have a wide variety of habitats and Kilkieran Bay has a very high diversity of marine species.

The site is extremely important for the number of lagoons that it includes. It is considered to be one of the best sites in the country for this habitat and provides an excellent example of a particularly unusual type of saline lake lagoon situated on peat. This habitat type appears to be rare in Europe but characteristic of south Connemara. Examples of lagoons in the site include Lettermullen Pool, Lough Tanai, Mill Lough, Carafinla Lough, Loch an Aibhnín and the Lough Fhada complex.

Kilkieran Bay and Islands is an extensive coastal complex site that is of high conservation value, particularly for the fine examples of marine and terrestrial E.U. Habitats Directive Annex I habitats that it supports and for its important Slender Naiad, Otter, seal and seabird populations.

Conservation Objectives

To maintain the favourable conservation condition of: Mudflats and sandflats not covered by seawater at low tide [1140], Coastal lagoons [1150], Large shallow inlets and bays [1160], Reefs [1170], Lowland hay meadows (*Alopecurus pratensis*, *Sanguisorba officinalis*) [6510], *Phocoena phocoena* (Harbour Porpoise) [1351], *Phoca vitulina* (Harbour Seal) [1365], *Najas flexilis* (Slender Naiad) [1833].

To restore the favourable conservation condition of: Atlantic salt meadows (*Glaucopuccinellietalia maritimae*) [1330], Mediterranean salt meadows (*Juncetalia maritimi*) [1410], Machairs (* in Ireland) [21A0], Oligotrophic to mesotrophic standing waters with vegetation of the *Littorelletea uniflorae* and/or *Isoeto-Nanojuncetea* [3130], *Lutra lutra* (Otter) [1355].

12.3.5. Potential direct effects:

Given the proximity and hydrological connectivity of the proposed project to the Kilkieran Bay and Islands SAC and the location of three Annex I Qualifying Interest habitats (Coastal lagoons [1150], Mediterranean salt meadow [1410], Atlantic salt meadows [1330]) immediately adjacent to the project boundary and for the

requirement for in-stream works with regards to culvert renovations, the potential significant effects associated with proposed project include the deterioration of water quality and direct loss of habitat are considered.

Direct Habitat Loss

I note the concerns of the Department of Housing Local Government and Heritage, Development Applications Unit (DAU) in their observation dated 26th June 2025, relating to the exact location of the proposed works and the potential loss of Annex I habitat namely Coastal lagoons [1150] and Atlantic salt meadows [1330].

In response to items 1-4 of the further information request by the Coimisiún, the applicant has submitted a targeted habitat survey report (carried out March 2026) prepared by Mr. Roger Goodwillie B.A.(Mod.), M.Sc., MCIEEM, and site layout plan/cross section drawings (reference no's 1103 – 1105 & 1202). Having reviewed the FI drawings which show the SAC boundary and application site boundary clearly delineated, I am satisfied the proposed road layout is contained within the existing road corridor. I note that the proposed rock armour embankment is to be laid upon the existing footprint of the road embankment and therefore does not extend into the Special Area Conservation and the lagoon waterbodies of the Loch Fhada upper pools.

Furthermore, I note the findings of the habitat survey report which confirms that no EU designated Annex I habitats were identified within the footprint of the proposed works. The survey found that EU designated habitats, Coastal lagoons [1150], Mediterranean salt meadows [1410] and Atlantic salt meadows [1330] were located proximate to the proposed project along its northern boundary. No other biodiversity habitats were identified within the project footprint that perform essential ecological functions that maintain the structure and integrity of the identified Annex I habitats. Habitats such as Atlantic blanket bog, saline wet grassland, saltmarsh creek network, vascular plants and brackish emergent swamp community were recorded within the wider survey area.

The further information was circulated to the DAU with an invitation for comments until the 29th April 2026. There were no further submissions from the DAU on the application. I am satisfied that the applicant's further information submitted 23rd March 2026 suitably addresses the concerns raised in the DAU submission.

Overall, I consider the Applicant's assessment of the Annex I habitat within areas proximate to and in the wider vicinity of the proposed works is satisfactory and that all relevant habitats have been identified and fully assessed. I am satisfied the proposed works involving the raising of the road and embankment level will not directly encroach into the adjacent Special Area Conservation and therefore, no direct physical loss of Annex I qualifying interest habitat, Coastal lagoons [1150], Mediterranean salt meadows [1410] and Atlantic salt meadows [1330] will occur.

Deterioration of Water Quality

The submitted NIS identifies that there is potential for significant effects on water quality as a result of the proposed works during construction given the immediate proximity of the lagoon waterbodies and in-stream works. Construction phase activities, such as earthworks, concrete works, culvert renovation and road surface laying, provide standard risks of suspended sediment, hydrocarbon, and cement contamination entering the adjacent lagoon water bodies and negatively affecting aquatic organisms/habitat. Any impairment of water quality during the construction stage could also have an impact on the other a qualifying interest of the SAC and the availability of lagoonal specialist prey fauna.

The introduction of non-native invasive species could be imported during the construction stage. As no non-native invasive species were recorded in the study area it is considered that adherence to relevant guidance is sufficient measure to avoid introduction of non-native invasive species.

It is also noted the proposed culvert renovation works will potentially involve in-stream works within the lagoon waterbodies and SAC. Five existing culverts pass beneath the existing roadway, providing hydrological connections between the lagoon waterbodies and tidal channels on either side of the road embankment. It is proposed to replace five existing culverts and headwalls on a like-for like basis if required depending on the culvert condition. It is proposed to expose each culvert during the construction works for inspection. If a culvert is deemed to be functional, it is to be retained in situ. Where a culvert is found to be in poor condition, the culvert will be replaced with the same pipe diameter, invert level, alignment, gradient, and length at each location.

The NIS notes that the salinity regime of Loch Fhada Upper Pools is maintained by tidal exchange, principally through Culvert 1, (as shown on drawing ref no 24155-DG-1103) which provides the primary connection between the lagoon water body (western and eastern pools) and the tidal system to the north. The NIS contends that the ecological significance of the renovation is directly positive once completed. Whereby if the existing culverts are partially collapsed and underperforming, their restoration to full bore flow will restore and enhance tidal exchange capacity relative to the current degraded condition. The proposed works will provide standard risks such as the release of contaminants that may affect the current polyhaline salinity regime and water clarity condition of the western and eastern pools.

Table 4.1 of the NIS outlines the full construction sequence and methodology of the proposed works. A wide range of construction phase mitigation incorporating project-specific measures for culvert renovation works is detailed below in section 11.3.8 of this report and is to be overseen by an Environmental Clerk of Works.

During the operational stage, road surface runoff which may contain hydrocarbons suspended solids, and de-icing salts etc could enter the adjacent water bodies without treatment causing a decrease in water quality. The risk to the adjacent waterbody and dependent aquatic species from spillages can be minimised with the proposed installation of fuel and oil interceptors.

12.3.6. Potential indirect effects:

None identified within the submitted NIS.

12.3.7. Potential in-combination effects:

The submitted NIS considers these in section 9.6.1. It considers the proposal with other projects identified from Galway County Council online planning application system. One relevant planning application has been identified in table 9.11. Having examined and assessed the project alone and in combination with plans and projects as presented in the NIS, I accept that no significant in-combination adverse effects on European sites are predicted provided that best practice guidelines and the mitigation measures outlined in the applicants NIS are implemented.

12.3.8. Mitigation measures:

Section 10 of the applicants NIS describes the proposed mitigation measures which relate to potential impairment of water quality during construction from run-off including suspended solids, cementitious materials, silt and hydrocarbon leaks or spills entering the Loch Fhada Upper Pools and Kilkieran Bay and Islands SAC. The mitigation measures proposed include as follows:

Table 4:0 Mitigation Measures

Pre-Construction Stage	
Pre-Construction Surveys	<ul style="list-style-type: none"> - An Otter Survey will be conducted prior to works commencing to assess the use of the site by Otter. The survey will cover a minimum of 250 m on either side of the scheme along the lagoon margin and tidal channel network and be conducted in accordance with standard Irish otter survey methodology. - An Invasive Species Survey will be conducted prior to works commencing to confirm the presence or absence of schedule 3 species listed under the European Communities (Birds and Natural Habitats) Regulations 2011. Should invasive species be identified, an Invasive Species Management Plan will be required to inform the Construction Environmental Management Plan (CEMP).
Construction Stage – Culvert Renovations Works	
General Measures	General good practice and pre-commencement measures in line with Inland Fisheries Ireland (IFI) and Construction Industry Research and Information Association – C692, C532, C512(CIRIA) Guidance.
Culvert renovations	<p>Before commencement of culvert renovation works, a pre-works inspection of each culvert should be undertaken to:</p> <ul style="list-style-type: none"> - Confirm existing pipe diameter, invert level, and structural condition at each location. - Record existing water levels on both sides of the embankment at each culvert. - Confirm tidal exchange is occurring through each culvert and document the tidal cycle characteristics at Culvert 1. - Photograph the existing condition of each culvert inlet and outlet for baseline record and as-built comparison.

	<ul style="list-style-type: none"> - Confirm that the bypass pumping arrangement for Culvert 1 is in place and operational before any works commence at that location.
Phased Working Programme	<p>Culvert renovation works will be strictly phased to ensure that tidal connectivity is maintained throughout the construction programme:</p> <ul style="list-style-type: none"> - No more than one culvert will be under active construction at any one time. - Tidal flow will be confirmed as passing freely through each culvert before works commence at the next location. - Culvert 1 will be treated as the highest ecological priority location. Works at Culvert 1 will be scheduled during a period of settled weather and will not commence if significant storm surge or extreme high tide conditions are forecast within the working period.
Bypass Pumping	<p>To maintain tidal exchange through Culvert 1 during headwall construction, a bypass pumping arrangement will be installed prior to any excavation at that location. The bypass system will:</p> <ul style="list-style-type: none"> - Provide continuous bidirectional flow capacity equivalent to the existing culvert flow during the period of active headwall works. - Be designed and specified by the scheme engineer to ensure hydraulic equivalence with the culvert capacity. - Be inspected by the ECW at the start and end of each working day and following any storm or tidal surge event. - Remain in place until the headwall works are complete, the culvert has been backfilled and reinstated, and tidal flow through the renovated culvert has been confirmed.
Tidal Window Working	<p>Where practicable, works will be timed to coincide with low tide periods to minimise the hydraulic head differential across the embankment during active working. The ECW will monitor tidal predictions and direct construction timing accordingly.</p>
Protection of Lagoon Water Body During Culvert Works	<p>The following measures will be implemented to prevent disturbance to the IL054 lagoon water body and its lagoonal specialist species assemblage during culvert renovation works:</p> <ul style="list-style-type: none"> - Silt barriers will be deployed on the lagoon face of the embankment at Culvert 1 prior to any excavation, to intercept any sediment mobilised during headwall construction before it enters the open water body. - Exclusion zone will be established on the lagoon side of the embankment at Culvert 1, extending a minimum of 5 m into the water from the embankment face, within

	<p>which no plant, machinery, or materials will be permitted during active works.</p> <ul style="list-style-type: none"> - Excavated material from headwall trenching will be removed immediately from the working area and will not be stockpiled within the tidal or lagoonal zone. - The ECW will monitor water clarity in the lagoon during excavation and construction. If significant turbidity is observed in the lagoon water body, work will pause until clarity is restored. - No in-situ concrete will be poured in conditions where concrete or cement slurry could enter the lagoon water body. Pre-cast concrete will be used wherever practicable to eliminate this risk. Where in-situ concrete is required, sealed shuttering will be used, and pours will take place only in dry weather conditions.
Post-Renovation Confirmation at Each Culvert	<p>On completion of renovation works at each culvert location, the ECW will conduct a post works inspection to confirm:</p> <ul style="list-style-type: none"> - The renovated culvert pipe is clear and unobstructed through its full length. - Tidal flow is passing freely through the culvert in both directions. - The headwalls are structurally sound and properly tied into the embankment. - No construction material, spoil, or debris remains within or adjacent to the water body.
Construction Stage – Protection of Surface Water Integrity	
Silt and Sediment Management	<ul style="list-style-type: none"> - Silt fencing and sediment traps will be installed around all work areas before commencement of any earthworks, with particular attention to the northern (lagoon) side of the scheme. - All machinery will be checked for oil leaks before entering the site each day. - Works will be carried out in dry conditions wherever practicable. Weather forecasts will be monitored daily by the ECW. Works involving significant excavation or earthmoving will not commence if sustained rainfall is forecast within the working period. - Suitably sized plant and machinery will be selected to minimise disturbance to the embankment and adjacent ground. - Excess spoil from excavations will be removed from the site immediately to a suitably licensed facility. No excess soil will be stockpiled on site.
Hydrocarbon and Fuel Management	<ul style="list-style-type: none"> - Fuel will be delivered to the site as required rather than stored on site. Refuelling will take place at a designated impermeable area located a minimum of 50 m from any water body.

	<ul style="list-style-type: none"> - An effective spillage procedure will be in place before works commence, with all staff briefed. Any waste oils or hydraulic fluids will be collected, stored in appropriate containers, and disposed of off-site by a registered waste contractor. - Hydrocarbon spill kits of appropriate capacity for the contaminants in use will be maintained on site throughout the construction period. - A hydrocarbon oil boom will be available on site for immediate deployment in the event of any spillage adjacent to the water body.
Concrete and Cement Management	<ul style="list-style-type: none"> - Pre-cast concrete will be used for all headwall construction wherever practicable, eliminating the risk of wet concrete or cement leachate entering the water bodies. - Where in-situ concrete is unavoidable, all pours will be undertaken in dry conditions with sealed shuttering, fully isolated from any watercourse or tidal zone. - No direct discharge to water will be made where there is potential for cement or concrete residues. - Designated impermeable cement washout areas will be provided at a minimum of 50 m from any water body. - All concrete washings will be collected and disposed of off-site.
Temporary diversion of watercourse	<p>For any temporary works in or adjacent to watercourses, the following measures will apply:</p> <ul style="list-style-type: none"> - Unnecessary vegetation clearance will be avoided. Site clearance will be phased to avoid exposing large areas of ground simultaneously. - Buffer zones of a minimum of 5 m will be established around all watercourses and around the lagoon water body prior to works commencing, clearly delineated by fencing or barrier tape. - Temporary flow barriers and diversion structures will be inspected by the ECW at the start and end of each working day and following any storm event. - No works in or immediately adjacent to any watercourse will proceed if significant rainfall or tidal surge is imminent.
Construction Stage - General	
Management of Waste	<ul style="list-style-type: none"> - All construction waste must be removed from the site by a registered contractor to a registered site. Evidence of the movement and safe disposal of the construction waste must be retained and presented to the Local Authority upon request.

	<ul style="list-style-type: none"> - The applicants and construction contractors will be responsible for the safe removal of any construction waste generated on site. - There must be no disposal of construction waste or topsoil in any designated site. - Stockpile areas for gravel or other such construction materials will be kept to a minimum size, well away from all waterbodies and watercourses.
Biosecurity	<ul style="list-style-type: none"> - Preparation of biosecurity statement by appointed contractor. - Biosecurity measures must be strictly adhered to throughout the proposed works. Measures must be in accordance with IFI (2010) Biosecurity Protocol for Field Survey Work. - All PPE and machines entering the water will be power washed before entry to the site and sprayed with a suitable disinfectant (e.g., 1% virkon aquatic solution or another proprietary disinfection product). - Visually inspect all equipment that has come in contact with the water for evidence of attached plant or animal material, or adherent mud or debris. This will be carried out before leaving the site.
Noise	<p>To minimise disturbance construction noise will be controlled in accordance with the guidance and procedures set out in BS 5228-1:2009+A1:2014 – Code of practice for noise and vibration control on construction and open sites – Part 1: Noise.</p> <p>Noise control will be implemented through a combination of best practicable means (BPM), including but not limited to:</p> <ul style="list-style-type: none"> - Selection of quiet plant and equipment: Prioritising use of equipment with low noise emissions or fitted with effective silencers, mufflers, or acoustic covers. - Operation scheduling: Limiting high-noise activities to standard daytime hours (typically 08:00–18:00, Monday to Friday; 08:00–13:00 on Saturdays), with no work on Sundays or public holidays unless otherwise agreed. - Operator training: Ensuring all operatives are trained in noise reduction practices and adhere to established protocols for switching off equipment when not in use.
Operational Stage - General	
Culvert Maintenance	Culverts should be routinely inspected and maintained post project completion.
Road Drainage Interceptors	Fuel and oil interceptors should be part of the road drainage design to avoid pollutants from vehicles using the road from entering the ecologically sensitive waters adjacent to the road.

	Infrastructure must be inspected routinely and maintained in good working order.
Post-Construction Ecological Monitoring	A post-construction ecological monitoring programme is specified to verify that the predicted outcomes of the ecological assessment are realised in practice, and to provide the early warning information necessary to trigger remediation if any unanticipated ecological change occurs within IL054 following completion of the scheme. The monitoring programme will be carried out by a suitably qualified ecologist, and the results reported to NPWS and to Galway County Council as the road authority. All monitoring reports will be made available to An Coimisiún Pleanála upon request.

All mitigation measures proposed have been examined, evaluated and assessed as being in line with current best practice. The measures have been described in detail providing evidence of how adverse effects will be avoided or reduced to non-significant levels. In particular I am satisfied with the mitigation measures detailed in relation to the culvert renovations which is considered to be high-priority, ecologically sensitive element of the proposed construction work. There is no doubt as to the effectiveness of these measures or their ease of implementation. In my view, the mitigation measures are appropriate to the risks identified and would, if implemented correctly, be sufficient to avoid any significant impacts and exclude adverse effects on site integrity.

12.3.9. Residual effects/Further analysis:

Following the implementation of mitigation measures, as outlined above, no residual effects were identified. I am satisfied with the conclusion of the NIS, that the proposed project will not adversely affect the water quality or result in habitat loss or degradation within the Kilkieran Bay and Islands SAC and therefore, will not adversely affect any designated habitat or species of the Kilkieran Bay and Islands SAC utilising the wider lagoonal and saltmarsh system.

12.3.10. NIS Omissions

Omissions have been addressed as part of the response to the further information requested and the submission of a revised NIS, EclA and CEMP.

12.3.11. Suggested related conditions

Given the proposed project includes works that involve culvert renovations within a waterbody, I consider it appropriate to include a condition specifically in relation to dry working arrangements to facilitate the removal of culverts where required. The most appropriate option for a temporary cofferdam arrangement to minimise disturbance to the lagoon bottom and risk of pollution should be implemented and included as a condition.

12.3.12. Conclusion

I am satisfied that the proposed development individually or in combination with other plans or projects would not adversely affect the integrity of this European site in light of its conservation objectives (subject to the implementation of mitigation measures outlined above).

12.4. Appropriate Assessment Conclusion

Having regard to the layout and nature of the proposed road project, the construction methods to be employed and the overall activities that will occur onsite during both the construction and operational phases and mitigation measures proposed, I consider that it is reasonable to conclude on the basis of the information on the file, which I consider adequate in order to carry out a Stage 2 Appropriate Assessment, that the proposed development, individually or in combination with other plans and projects would not adversely affect the integrity of the European site Kilkieran Bay and Islands SAC [Site Code – 002111] or any other European site, in view of the site's Conservation Objectives.

13.0 Recommendation

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

13.1. Reasons and Considerations

In performing its functions in relation to the making of its decision, the Coimisiún had regard to:

Section 15(1) of the Climate Action and Low Carbon Development Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, and the requirement to, in so far as practicable, perform its functions in a manner consistent with Climate Action Plan 2024 and Climate Action Plan 2025 and the national long term climate action strategy, national adaptation framework and approved sectoral adaptation plans set out in those Plans and in furtherance of the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State.

And in coming to its decision, the Coimisiún had regard to the following:

- (a) the EU Habitats Directive (92/43/EEC),
- (b) the European Union (Birds and Natural Habitats) Regulations 2011-2015,
- (c) the likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely significant effects of the proposed development on a European Site,
- (d) the conservation objectives, qualifying interests and special conservation interests for the Kilkieran Bay and Islands SAC (site code: 002111),
- (e) the policies and objectives of Project Ireland 2040 National Planning Framework (NPF),
- (f) the policies and objectives of the Regional Spatial and Economic Strategy for the Western and Northern Region (RSES),
- (g) the policies and objectives of the Galway County Council Development Plan, 2022-2028,
- (h) the nature and extent of the proposed works as set out in the application for approval,
- (i) the information submitted in relation to the potential impacts on habitats, flora and fauna, including the Natura Impact Statement and Ecological Impact Assessment,
- (j) the submissions and observations received in relation to the proposed development,

- (k) the report and recommendation of the person appointed by the Commission to make a report and recommendation on the matter.

13.2. Appropriate Assessment

The Coimisiún agreed with and adopted the screening assessment and conclusion carried out in the Inspector's report that the Kilkieran Bay and Islands SAC (site code: 002111), are the only European Sites in respect of which the proposed development has the potential to have a significant effect.

The Coimisiún considered the Natura Impact Statement and associated documentation submitted with the application for approval, the mitigation measures contained therein, the submissions and observations on file, and the Inspector's assessment. The Commission completed an appropriate assessment of the implications of the proposed development for the affected European Sites, namely the Kilkieran Bay and Islands SAC (site code: 002111), in view of the site's conservation objectives. The Commission considered that the information before it was adequate to allow the carrying out of an appropriate assessment. In completing the appropriate assessment, the Commission considered, in particular, the following:

- i. the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
- ii. the mitigation measures which are included as part of the current proposal, and
- iii. the conservation objectives for the European Sites.

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

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

13.3. Proper Planning and Sustainable Development/Likely effects on the environment

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

The proposed development would improve accessibility and road safety on this section of the L-52214 local road and would result in an improved environment for the surrounding residents. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

14.0 Recommended Conditions

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

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

2. The mitigation and monitoring measures identified in the Natura Impact Statement submitted with the application shall be implemented in full. Prior to the commencement of development, details of a time schedule for implementation of mitigation measures and associated monitoring shall be prepared by the local authority and placed on file and retained as part of the public record.

Reason: In the interest of protecting the environment, the protection of European Sites and in the interest of public health.

3. The mitigation and monitoring measures identified, commitments and recommendations set out in the Ecological Impact Assessment submitted with the application shall be implemented in full as part of the proposed roads development. Prior to the commencement of development, details of a time schedule for implementation of mitigation measures and associated monitoring shall be prepared by the local authority and placed on file and retained as part of the public record.

Reason: In the interest of protecting the environment and in the interest of public health.

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

Reason: In the interest of nature conservation and biodiversity.

5. Prior to the commencement of development, the local authority, or any agent acting on its behalf, shall prepare in consultation with the project ecologist and relevant statutory agencies, a Construction Environmental Management Plan (CEMP), incorporating all mitigation measures indicated in the Natura Impact Statement and Ecological Impact Assessment and demonstration of proposals to adhere to best practice and protocols. The CEMP shall include:
 - a) all mitigation measures indicated in the Natura Impact Statement and Ecological Impact Assessment,
 - b) location and extent of silt fencing to be installed on site,
 - c) details of a temporary cofferdam arrangements to be installed on site (if required) that will facilitate minimal disturbance to the lagoon bed and risk of pollution during deployment and removal.
 - d) specific proposals as to how the measures outlined in the CEMP will be measured and monitored for effectiveness.

Reason: In the interest of protecting the environment and the European Site

6. The following nature conservation requirements shall be complied with:
- a) Prior to the commencement of development, details of measures to protect fisheries and water quality of the lagoon waterbody system shall be outlined and placed on file. Full regard shall be had to Inland Fisheries Ireland's published guidelines for construction works near waterways (Guidelines on Protection of Fisheries during Construction Works in and Adjacent to Waters, 2016). A programme of water quality monitoring shall be prepared in consultation with the contractor, the local authority and relevant statutory agencies and the programme shall be implemented thereafter.
 - b) no vegetation removal shall take place during the period of the 1st day of March to the 31st day of August (inclusive) without the written approval of the Ecological Clerk of Works. Such approval shall be placed on the public file.
 - c) a pre-construction otter survey by a suitability qualified ecologist shall be carried out before works commence and be kept on file as part of the public record.
 - d) a pre-construction invasive species survey by a suitability qualified ecologist shall be carried out before works commence and be kept on file as part of the public record.

Reason: In the interests of biodiversity and nature conservation.

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

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

8. All development shall be carried out in compliance with Uisce Éireann's Standard Details and Codes of Practice. Note that Uisce Éireann does not permit Build Over of its assets. Where the applicant proposes works or build over existing water or wastewater services, the applicant shall have received a written Confirmation of Feasibility (COF) of Diversion(s) from Uisce Éireann prior to any works commencing.

Reason: To protect the public water and wastewater facilities.

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.

Peadar McQuaid
Planning Inspector

7th May 2026

Appendix 1 - Form 1 - EIA Pre-Screening

Case Reference	ACP-32024-25
Proposed Development Summary	Proposed elevation of local tertiary road (L-52214).
Development Address	Cuan Na Loinge, Ceantar na nOileán, Conamara, Co. Galway.
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a ‘project’ for the purposes of EIA? (For the purposes of the Directive, “Project” means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a ‘Project’. Proceed to Q2.
	<input type="checkbox"/> No, no further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

<p>development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>The development of a road improvement project is not a specified class of development in Part 1 or Part 2 of Schedule 5 of the Regulations.</p> <p>Class 10 (a)(dd), Part 2 of the Schedule 5, the closest type of project to the subject development is for the provision of <i>“all private roads which would exceed 2,000 metres in length”</i>, as per Class 10 (a)(dd), Part 2 of the Schedule.</p> <p>The proposed development is an upgrade of an existing public road and not the construction of a new private road.</p> <p>Under Section 50 (1) (a) of the Roads Act 1993 as amended state that <i>“A road authority or the Authority shall prepare a statement of the likely effects on the environment (‘environmental impact statement’) of any proposed road development it proposes consisting of: i. ii. iii. iv. the construction of a motorway, the construction of a busway, the construction of a service area, or any prescribed type of proposed road development consisting of the construction of a proposed public road or the improvement of an existing public road.”</i></p> <p>Article 8 of S.I. No. 119/1994 Roads Regulations ,1994 prescribes the types of road developments for the purposes of Section 50 (1)(a)(iv) that are subject to the provisions of Section 50 of the Roads Act 1993 to 2007 (as amended). <i>a) The construction of a new road of four or more lanes, or the realignment or widening of an existing road so as to provide four or more lanes, where such new, realigned or widened road would be eight kilometres or more in length in a rural area, or 500 metres or more in length in an urban area b) The</i></p>

	<p><i>construction of a new bridge or tunnel which would be 100 metres or more in length.</i></p> <p>The proposed development does not come under the scope of road prescribed under Article 8 of the Roads Regulations 1994 (S.I. No. 119/1994).</p>
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4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: 7th May 2026

Appendix 2 - WFD Impact Assessment Stage 1: Screening

Step 1: Nature of the Project, the Site and Locality

An Coimisiún Pleanála ref. no.	ACP-32024-25	Townland, address	Cuan Na Loinge, Ceantar na nOileán, Conamara, Co. Galway.
Description of project		Application by Galway County Council pursuant to Section 177AE of the Planning and Development Act, 2000 (as amended) for a road improvement project consisting of the raising the elevation levels of the local tertiary road (L-52214). The length of road to be raised is approximately 200 metres. The maximum increase of road elevation will be of 1.0 metre above the existing road level, with natural rock armour embankment and natural stone parapet walls on each sides together with associated drainage, water services, fencing and signage	
Brief site description, relevant to WFD Screening,		<p>The subject site, located in Cuan na Loinge, Ceantar na nOileán, Co. Galway. The site is located within the Galway Bay North Catchment (31), and the Furnace_SC_010 Sub-Catchment (31_). The site is within the Spiddal Groundwater Body and the status of this groundwater body is good. There is extreme groundwater vulnerability and is located on a Poor aquifer.</p> <p>The River Derrynea emerges from the Loch Fhada Upper Pool system and flows from east to west through Loch Fada onto Loch an Aibhinn before entering Camus Bay. The river water body status of Derrynea is good.</p>	
Proposed surface water details		The proposed development concerns a road improvement project. As part of this, roadside drainage is proposed which include the installation of fuel and oil interceptors.	
Proposed water supply source & available capacity		The proposed development does not require any water supply.	

Proposed wastewater treatment system & available capacity, other issues		The proposed development does not require wastewater treatment.				
Others?						
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
Transitional Waterbody– Loch Fhada Upper Pools	0km	Loch Fhada Upper Pools IE_WE_200_0300	Good	Under Review		Yes – surface run off, drainage.
River Waterbody – Derrynea	0km	Derrynea_010 IE_WE_31D010770	Good	Not at Risk	No pressures	Yes – surface run off, drainage.
Groundwater Waterbody - Spiddal	Underlying site	Spiddal IE_WE_G_0004	Good	Not at risk	No pressures	Yes –subject site is predominately classed as 'X' and 'Extreme'.
Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.						
CONSTRUCTION PHASE						

No	Component	Waterbody receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Transitional Waterbody	Loch Fhada Upper Pools IE_WE_200_0300.	The transitional waterbody is located adjacent to the site - Surface water discharge.	Deterioration of water quality from contaminated surface water run-off during site preparation and construction stage- Siltation, pH (Concrete), hydrocarbon spillages.	A number of standard construction phase mitigation measures are set out in, for example, the NIS and CEMP including the silt and sediment control, hydrocarbon and fuel Management, Temporary diversion of watercourse measures, concrete and cement Management and buffer zones from watercourses.	No	Screened out
2.	Surface	Derrynea_010 IE_WE_31D010770	Watercourse is located adjacent to the site and is part of the wider Loch Fhada Upper Pools - Surface water discharge.	As above	As Above	No	Screened out
3.	Ground	Spiddal IE_WE_G_0004	Pathway exists. The site is partially underlain	Hydrocarbon spillages	Relevant measures set out in the NIS and CEMP include spill	No	Screened out

			by X and, Extreme, vulnerability.		kits, surface water management, silt fencing, stockpiles stored off site, and fuel management – no fuel stored onsite.		
OPERATIONAL PHASE							
1.	Transitional Waterbody	Loch Fhada Upper Pools IE_WE_200_0300	The transitional waterbody is located adjacent to the site - Surface water discharge.	Deterioration of water quality from contaminated surface water run-off from roadway.	Water quality management measures to include the installation of road drainage interceptors (fuel/oil) to prevent pollutants entering the adjacent waterbody.	No	Screened out
2.	Surface	Derrynea_010 IE_WE_31D010770	Watercourse is located adjacent to the site and is part of the wider Loch Fhada Upper Pools - Surface water discharge	As Above.	As Above.	No	Screened out
3.	Ground	Spiddal IE_WE_G_0004	Pathway exists. The site is partially underlain by X and, Extreme, vulnerability.	As Above.	As Above.	No	Screened out
DECOMMISSIONING PHASE							
	N/A						

Inspector: _____ Date: 7th May 2026