



An
Bord
Pleanála

**Memorandum
ABP-320946-24 –
Request for Further
Information**

To: Una Crosse, ADP
From: Hugh O'Neill, SPI
Re: 320946-24 – Request for Further Information
Date: 18th November 2024

Following a site inspection and a review of the submitted application documentation including:

- Drawings,
- Planning Report
- EIA Screening Report (EIASR)
- Natura Impact Statement, (NIS)
- Ecological Impact Assessment,
- Construction and Environmental Management Plan,
- Landscape Soft Works Report
- Flood risk assessment report.

Having regard to the submissions received including those from the Department of Culture, Heritage and the Gaeltacht, I am of the opinion that as a result of:

- Insufficient description of the protected lakebed and shore.
- Inadequate description of the development proposed.
- Insufficient consideration of impact on the lakebed and lake shore,

that lacunae exist in data presented for assessment, including for determination of significance. For that reason, I consider that further information is required in order to

provide the level of detail to come to a recommendation on the development. Definitive findings and conclusions on, the effects on the environment, proper planning and sustainable development and likely significant effects on a European site, cannot be reached. I therefore consider it necessary to require Galway County Council to furnish to the Board further information for assessment of this application, as detailed below.

1. Environmental Baseline

The Applicant shall submit further data relating to the nature, distribution and extent of terrestrial, benthic/lacustrine and fringe habitats in the location of, proximate to, and in the wider vicinity of each element of the proposal within the SAC and immediately adjacent to the SAC. The submitted baseline should be clear in defining the extent of:

- a. The overlap between the application boundary, the SAC boundary and the Annex I habitat as published.
- b. Annex I habitats, as defined by distribution of species described as characteristic of the habitat.
- c. Habitats providing a supporting function to the annex habitat.
- d. Habitats of biodiversity value beyond the Natura designation(s).
- e. Nature and extent of existing impacts on the natural functioning of the habitats including hard edges and sand.
- f. Each area of semi natural vegetation within and adjacent to the SAC which it is proposed to remove including the area adjacent to the proposed slipway and the area to be removed for construction of Car Park b.

Each supporting document including the NIS and EIAR screening report shall be amended to take account of any revised and/or extended description of the receiving environment.

2. Nature and Extent of Proposed Development

As the development is located partially within a European Site, and areas of high biodiversity value, the Applicant is requested to submit a schedule of works which shall include materials and methods, to accurately describe the extent of proposed disturbance/loss of vegetation and or substrate to the lakebed supported by

drawings. Reporting of proposed disturbance/loss should be described relative to the abundance of the habitat in the wider receiving environment. The applicant is requested to submit the following:

- a. A schedule of trees to be felled, and of those to be retained.
- b. Mitigation measures including but not limited to root protection zones for all lakeshore trees
- c. Detailed materials and method for construction of the proposed slipway including any proposal to achieve increased depth of water adjacent for its operation or otherwise.
- d. Detailed description of vegetation, including trees to be removed for the creation of proposed car parking area b.
- e. A summary Landscape impact assessment of the development from vantage points including from Corry's field protected view (CDP ref 40). The summary assessment will include consideration and recommendations as appropriate relating to lighting and car parking.

3. Habitat Management Plan

The Applicant shall provide further information to justify the decision not to proceed with a Habitat Management Plan for the area as recommended by NPWS in the pre-planning consultation correspondence 15 March 2023. Consideration should be given to the carrying out and the submission of a Habitat Management Plan as part of the response to further information request.

4. Archaeology

The report of the Development Applications Unit (DAU) of the Department of Housing, Local government and Heritage sets out a prohibition on commencement of any works prior to submission and review of the Under Water Archaeological Impact Assessment (UAIA).

The DAU report also highlights the potential for design amendments to the proposal on foot of the findings of archaeological assessments.

The Applicant shall undertake a programme of pre-development assessment in consultation with the National Monuments Service to facilitate the embedding or elimination of any further mitigation on the detailed design of the project ensuring

complete assessments by the competent authorities of a finalised design and to submit the findings of same in response to this request.

5. Construction and Environmental Management Plan (CEMP)

The Applicant shall provide site and project specific information within a revised CEMP which it is considered is necessary to inform an assessment. Revisions shall include the following:

- a) The nature and location of the proposed pre-cast elements for culverts and concrete works. Statements such as "*Where possible, pre-cast elements for concrete works will be used.*" Should be clarified/refined/removed from the CEMP.
- b) Further detail in the form of a specification and construction methodology for each structure to facilitate assessment of "*the existing pier surfaces and slipway will be repaired according to the engineers specifications.*"
- c) A drawing of the position of the location proposed silt fence between the works and the lake as set out in the CEMP should be submitted.
- d) Further detail and drawing(s) demonstrating suitable and unsuitable areas for the proposed perimeter construction phase swales around the construction areas.
- e) The phasing of lake shore works, steps, ramps and beach shall be included in the proposed programme of works at section 6 of the CEMP.

A revised table 5.1 of the CEMP shall include the following amendments/clarification of project specific measures:

f) Measure 1

The requirement for oversight of any amendments to the CEMP proposed post consent by an appropriate party should be referenced in Measure 1, such as National Parks and Wildlife Service (NPWS), Inland Fisheries Ireland (IFI), National Monuments Service (NMS) etc

g) Measure 2

Proposed location of silt fencing to be indicated on a submitted drawing should be referenced in measure 2.

The requirement for ecological supervision of works to the lake bed including enabling works (coffer dams etc.) should be strengthened and extended to include works to lake fringe.

The use of perimeter swales as mitigation needs to be described in both detail and the consideration of locations acceptable or otherwise. Designation of an exclusion zone from lake edge may be appropriate.

h) Measure 4

This measure shall be reconsidered and drafted regarding the response to this further information request.

i) Measure 5

The necessity for and details of a proposed silt curtain associated with the coffer dam should be set out in this measure.

The nature/meaning and application of precast elements is required.

The location of the proposed pre-cast culverts shall be identified within the proposal.

In the context of its use as a proposed mitigation measure, greater detail is required of foundations/formation layer for excavation/grading to install precast elements. The proposed nature of the pre-cast elements and a construction methodology and locations are required in order to undertake an assessment of potential impacts thereof.

j) Measure 7

Reference to pre-cast should be clarified as above, 'where possible' needs refinement and/or a statement of parameters for deciding where it could be possible.

Contradiction to be removed, no washing vs only washing of chute.

6. Drainage and Flooding

The Applicant shall provide further information to describe how flood protection of the foul holding tank and pumping station as recommended in the conclusion of the submitted flood risk assessment report has been incorporated into the proposal.

Further information is required in the form of clear drawings/sections demonstrating proposed site levels with reference to the proposed chamber levels of bypass separators and silt traps. This shall demonstrate how these structures are incorporated into the landscaping plan.

7. Schedule of proposed mitigation measures.

The Applicant is requested to submit a stand-alone table setting out all mitigation measures proposed across each of the various reports including EIAR Screening report, NIS, EclA, CEMP, Landscaping Softworks plan, Flood Impact Assessment, Traffic and Transport assessment, Site lighting, and Archaeology assessments, for the purpose of clarity in the assessment and any consent arising.

8. Submissions and Observations

The Applicant is invited to respond to the submissions received by the Board.

If the information requested above necessitates a revision of the NIS, a revised NIS shall be submitted.

Please allow 3 months for response to this request.



Hugh O'Neill

Inspectorate

Agreed
Una Rose
18/11/24