

Environmental Impact Assessment Report

Bóthar an Cóiste Strategic
Housing Development





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Client: **T. Broderick**

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1. INTRODUCTION

MKO has been commissioned by T. Broderick, acting on behalf of Lock House Developments Ltd, to prepare an Environmental Impact Assessment (EIA) Screening Document for a proposed strategic housing development at Bóthar na Cóiste, Headford Road, Co. Galway.

This EIA Screening exercise was undertaken to determine if an EIA is required for the proposed development as set out in the mandatory and discretionary provisions of the *Planning and Development Act, 2000 (as amended)* (the Act) and in Schedule 5 of the *Planning and Development Regulations, 2001 (as amended)* (the Regulations) and to address the provisions of 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Regulations.

Certain projects listed in Schedule 5 of the regulations require mandatory EIA due to their potential for significant environmental effects. Others, also listed in the Schedule 5 of the regulations, contain threshold levels and for projects that fall below these thresholds it is the decision of the competent authority to decide if an EIA and the associated Environmental Impact Assessment Report (EIAR) is required.

Whether a ‘sub threshold’ development should be subject to EIA is determined by whether the development would be likely to have significant effect on the environment. The Regulations state that the planning authority shall carry out a preliminary examination of, at the least, the nature, size or location of the development. Where the planning authority concludes, based on such preliminary examination, that there is significant and realistic doubt in regard to the likelihood of significant effects on the environment arising from the proposed demolition works, it shall, by notice in writing served on the applicant, require the applicant to submit to the authority the information specified in Schedule 7A for the purposes of a screening determination unless the applicant has already provided such information.

Significant effects may arise due to the nature of the development, its scale or extent and its location in relation to the characteristics of the receiving area, particularly sensitive environments.

This EIA screening report will accompany the application for the proposed development under the Strategic Housing Provisions of the *Planning and Development (Housing) and Residential Tenancies Act, 2016*. The application for the proposed development is also accompanied by the following reports:

- > Planning Report and Statement of Consistency
- > Appropriate Assessment Screening Report
- > Natura Impact Statement (NIS)
- > Ecological Impact Assessment
- > Land Planning and Design Report
- > Architectural Design Statement
- > Building Life Cycle Report
- > Traffic and Transportation Assessment
- > Report on Civil Works Planning Stage Report
- > Engineering Report
- > Archaeology Impact Assessment
- > Construction Traffic Management Plan
- > Construction and Demolition Waste Management Plan
- > Planning Stage Acoustic Design Statement

The findings of all technical reports prepared as outlined above have been considered in the preparation of this EIA Screening Report with all the results and findings from each report taken into account within this EIA Screening. Where applicable, mitigation and the key results of these technical reports and assessments have been presented in this EIA Screening Report with a rationale as to how findings have been taken in to account when determining the requirement for EIA.

This report documents the methodology employed to complete the EIA screening exercise, having regard to the relevant legislation and guidance documents.

1.1 **Statement of Authority**

The EIA Screening exercise has been compiled by Tom Madden of MKO. Tom holds a BSc (Hons) in Environmental Science from the University of Limerick. Tom has over three years' experience in the environmental sector. Tom's key strengths and expertise are Environmental Protection and Management, Environmental Impact Statements, Project Management and GIS Mapping.

The report was reviewed by Owen Cahill (BSc. MSc.) who has over ten years' experience in the environmental consultancy sector. Owen completed an MSc. in Environmental Engineering at Queens University, Belfast in 2010. Owen is full member of IEMA (MIEMA) as well as a Chartered Environmentalist (CEnv).

Michael Watson is Project Director and head of the Environment Team in MKO. Michael has over 19 years' experience in the environmental sector. Following the completion of his Master's Degree in Environmental Resource Management, Geography, from National University of Ireland, Maynooth he worked for the Geological Survey of Ireland and then a prominent private environmental & hydrogeological consultancy prior to joining MKO in 2014. Michael also has a Bachelor of Arts Degree in Geography and Economics from NUI Maynooth, is a Member of IEMA, a Chartered Environmentalist (CEnv) and Professional Geologist (PGeo).

Eoin O'Sullivan is a Senior Environmental Consultant with MKO with over 12 years of experience in the assessment of a wide range of energy and infrastructure related projects and working in the fields of environmental and human health risk assessment, waste management, waste policy and permitting. Eoin is a Chartered Member of the Chartered Institute of Water and Environmental Management and Chartered Environmentalist (CEnv) with the Society of Environment.

The listed Environmental and Planning Practitioners have a combined experience of more than 35 years in the areas of EIA and Planning & Environmental Consultancy.

2. DESCRIPTION OF THE PROPOSED DEVELOPMENT

2.1 Site Location and Description

The proposed development site is located in the townland of Castlegar, approximately 3.5km north-east of Galway City centre. The site is located adjacent to Bóthar na Cóiste which connects with the N84 National Primary Road approximately 575 metres to the south-west. ITM coordinates for the site centre are X 531464 Y 728176.

The application site extends overall to 4.626 ha in size. This includes the Bóthar Na Cóiste road where upgrades such as road widening and junction re-alignment are proposed to be carried out. The site is currently in a state of greenfield and is in agricultural use. There is a derelict dwelling and outbuilding in the southeast corner of the site and an existing residential dwelling in the south-west corner. The surrounding area is peri-urban in nature. Residential housing estates are located to the south, east and west along with some commercial and industrial premises. Agricultural lands are located to the north of the site and the urban conglomeration of Galway City lies further to the south. Galway City Centre is located approximately 2.95km to the south-west.

Residential estate developments include Caireal Mór, Baile an Chóiste, Cluain Riocard and Maigh Riocard which provide a mix of terraced houses, semidetached houses, townhouse, and apartment development. The area is very accessible in terms of connectivity to the city centre. Bus services are available outside Murphy's Centra on Bóthar Na Chóiste which is about a 5-minute walk from the application site (approximately 400 metres).

With regard to topography, the lands are elevated from the road and rise gently south to north. A vegetation covered stone wall marks the boundary fronting Bóthar Na Chóiste. Hedgerows define parts of the east and west boundaries. Overhead lines traverse the front of the site in parallel to the road. There are no protected structures or archaeological monuments located on the application site. The subject site is not within a flood zone or has recorded any past flood events (following a review of Floodinfo.ie).

With regards to ecology, the applicant site is located within approximate proximity to the following designated Nature 2000 sites:

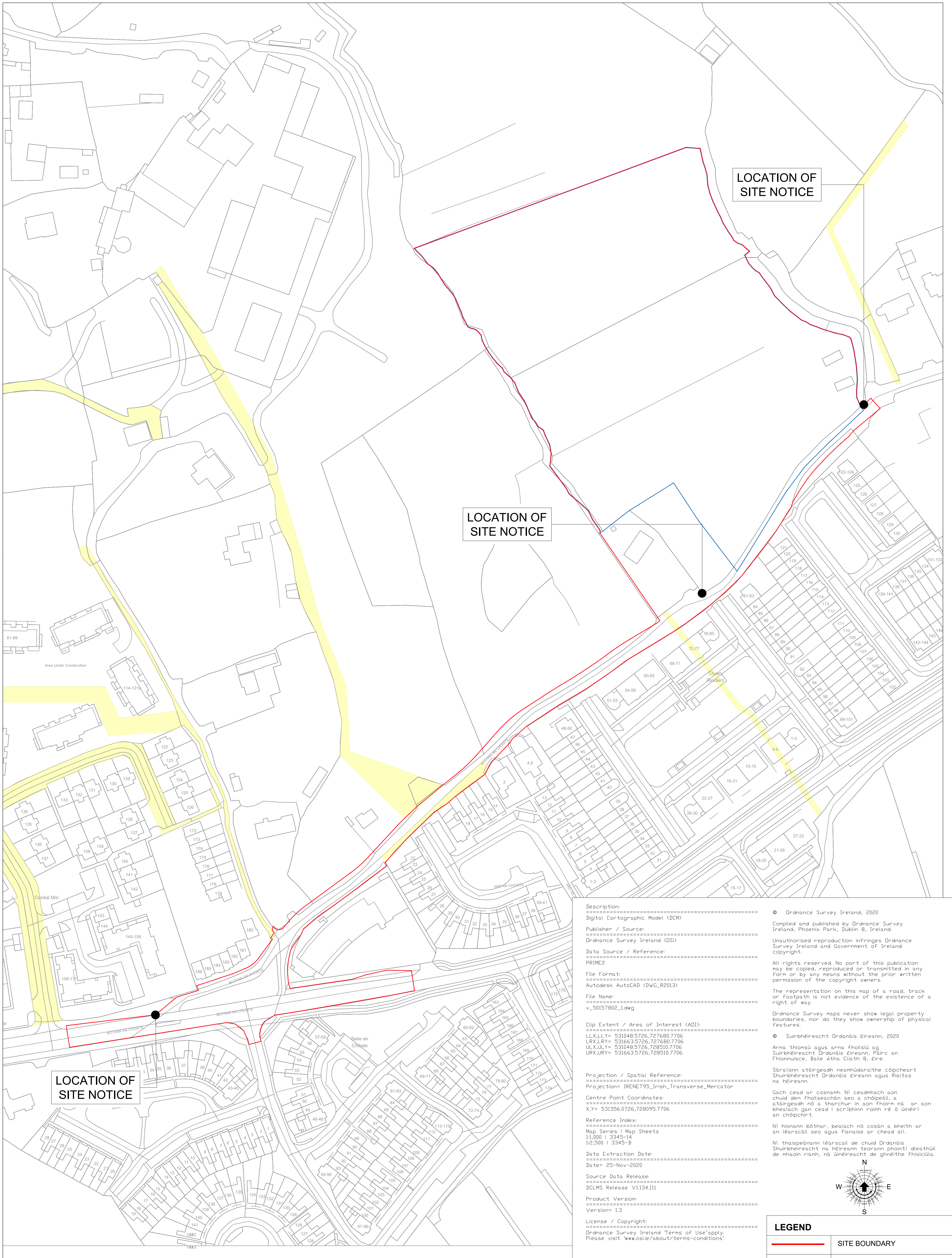
- 1.1km east of the Lough Corrib Special Area of Conservation (SAC) (Site Code: 000297)
- 2km north of the Inner Galway Bay Special Protection Area (SPA) (Site Code: 004031)
- 2km north of the Galway Bay Complex (SAC) (Site Code: 000268)
- 3km east of the Lough Corrib Special Protection Area (SPA) (Site Code: 004042)
- 4.5km east of the Moycullen Bog NHA (Site Code: 002364)

The application site is located entirely within the Corrib Catchment (EPA ENVision, 2016). There are no watercourses present within the site boundary. The nearest watercourse is the Terryland River (EPA Code: 30T01 – Order 1) which is located approximately 440 metres to the south of the application site.

Improved Agricultural Grassland is the dominant habitat within the development site. A derelict cottage lies in the south-eastern corner of the proposed development site, surrounded by gravel. A poached farm track occurs from the access gate in the south-east corner and runs along the eastern boundary of the proposed development. The western and southern site boundaries are delineated by stonewalls classified as stonewalls and other stonework and are fringed by Hedgerows. The eastern site boundary is demarcated by wire and post fence. A hedgerow also occurs outside the eastern site

boundary, set back 5m. The site contains a residential dwelling house within the south-western section of the site, that will be demolished as part of the proposed development. The site boundary extends to include the local road to the south, leading to Castlegar Village. No drainage ditches or watercourses occur within or immediately adjacent to the proposed site.

Ballindooley Lough lies 400m north (and down gradient) of the proposed development site boundary. The wetland habitats surrounding the lake flood in winter and extend to 150m north of the site boundary. There are no Annex I habitats listed under the EU Habitats Directive present within the Proposed development site boundary. No botanical species protected under the Flora (protection) Order (1999, as amended 2015), listed in the EU Habitats Directive (92/43/EEC), or listed in the Irish Red Data Books were recorded on the site and no suitable habitat occurs within the site. All species recorded are common in the Irish landscape.



Description:
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Publisher / Source:
 Ordnance Survey Ireland (OSi)

Data Source / Reference:
 PRIME2

File Format:
 Autodesk AutoCAD (DWG_R2013)

File Name:
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Clip Extent / Area of Interest (AOI):
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 LRX,LYR= 531663.5726,727680.7706
 ULX,ULY= 531048.5726,728510.7706
 ULR,ULR= 531663.5726,728510.7706

Projection / Spatial Reference:
 Projection= IRENE195_Irish_Transverse_Mercator

Centre Point Coordinates:
 X,Y= 531356.0726,728095.7706

Reference Index:
 Map Series 1 Map Sheets
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 Sáraíonn otháirgeadh neamhdaraíthe cóipcheart Suirbhéireacht Dronáis Éireann agus Rialtas na hÉireann.
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 Ní hionann bóthar, bealach nó cosán a bheith ar an léarscáil seo agus fianaise ar chead síl.
 Ní thaispeánann léarscáil de chuid Dronáis Suirbhéireacht na hÉireann teorann phoirtí aleathúil de rnaoin rianh, ná úinéirí cearta de ghnéithe fhisiciúla.

LEGEND	
	SITE BOUNDARY
	LAND UNDER APPLICANTS CONTROL

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No.	Date	Comments	By
REVISIONS			

Scale:	1:1000
Drawing Purpose:	SHD Application
Project:	Residential Development at Bothar an Choiste, Castlegar, Galway
Client:	Lock House Developments LTD
Date:	MAY 2022
Drawn by:	IF
Checked by:	JON
Paper size:	A1
CTB file:	3.09
LTScale:	

File Ref:	3.09
Subject:	Site Location Map
Project No.:	18151
Drawing No.:	3000
Rev.:	

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2.2 The Proposed Development

Planning permission is sought by Lock House Developments Limited (the applicant) for development on a site which extends to 4.626 ha on lands located to the north of Bóthar an Chóiste (also known as Bóthar na Cóiste), in the townland of Castlegar, Galway.

The development will consist of the following:

- 1) *Demolition of an existing house (124.6 m²), a ruined outbuilding (42.8 m²), and a ruined dwelling (41.7 m²)*
- 2) *Construction of 170 no. residential units comprising:*
 - i. *84 no. two storey houses (34 no. two-beds, 42 no. three-beds, 8 no. four-beds),*
 - ii. *1 no. apartment block comprising 17 no. apartments (10 no. one-beds, 7 no. two-beds),*
 - iii. *1 no. apartment block comprising 21 no. apartments (12 no. one-beds, 9 no. two-beds),*
 - iv. *48 no. duplex units (11 no. one-beds, 24 no. two-beds, 13 no. three-beds).*
- 3) *Development of a two-storey creche facility with 46 no. child spaces (c. 300.36 sqm), associated outdoor play areas and parking.*
- 4) *Provision of all associated surface water and foul drainage services and connections including pumping station with all associated site works and ancillary services.*
- 5) *The upgrade of the existing Bóthar an Chóiste road from the proposed development to the junction at L5041 consisting of road improvements, road widening and junction re-alignment.*
- 6) *Pedestrian, cyclist, and vehicular links throughout the development and access with Bóthar an Chóiste, and pedestrian and cyclist link to the adjacent Greenway route.*
- 7) *Provision of shared communal and private open space, site landscaping and public lighting, resident and visitor parking including electric vehicle charging points, bicycle parking spaces, and all associated site development works.*
- 8) *The application is accompanied by a Natura Impact Statement (NIS).*

2.3 Construction Methodology

The key schedule of works will be typical of residential developments and would be as follows:

- I. Site establishment and set-up
- II. Enabling works
- III. Demolition of existing structures, site clearance
- IV. Bulk earthworks & construction of underground services
- V. Construction of buildings
- VI. External Works (road widening, junctions) and Landscaping

These schedules of works are summarised in the following sections.

Site establishment and Set-up

The establishment of the site will comprise the installation of hoarding or fencing will be erected to establish a secure site boundary in agreement with the Galway City Council. The hoarding or fencing will be maintained and kept clean for the duration of the works. Access routes to the site will be clearly

marked at this stage. Access during construction to any working areas will be restricted to land within the outlined works area.

Enabling works

Temporary service connections for the site compound will be installed via existing permanent services. Any necessary signage will be erected at site entrances. Retaining structures will be constructed at boundaries where necessary.

Site Clearance and Demolition

The demolition of the existing structures within the confines of the site boundary will be undertaken by a competent contractor.

The site is a greenfield site requiring minimal site clearance beyond topsoil removal. Excess topsoil will be stockpiled to be recycled and reused within landscaped areas of the proposed development in accordance with the Construction and Demolition Waste Management Plan (CDWMP).

Bulk Earthworks & Construction of Underground Services

The proposed development will require regrading of the site as required by the design. Any excess material will be exported to a suitable waste management facility where it will be recovered or disposed of responsibly. Construction phase control measures to prevent impacts upon surface water and groundwater will be employed at the site. Such measures are outlined in the accompanying Natura Impact Statement (NIS).

Sub-base material for under roads or foundations will be installed and compacted during this project stage.

Underground services which include surface water and foul sewer networks, watermains and electricity cables will be laid. Internal site roads will be constructed to base level to form haul routes within the site.

Construction of Buildings

The exact construction method for the structures must be confirmed by the main contractor when appointed, however, construction of the buildings is considered to follow the sequence below:

- > Foundations
- > Rising structural works
- > Building envelopes and cladding
- > Fit-out
- > Commissioning

Foundations

Raft-type foundations will be required for the buildings within the development. These types of foundations are typically constructed of cast-in-situ reinforced concrete. Ready-mix concrete will be batched offsite and delivered by truck in 6 - 8m³ loads as required. Ready-mix concrete will be delivered directly to the foundation locations.

Conduits for services will be brought through the toe of the raft where necessary.

Rising Structural Works

Detailed structural design of the apartment block, houses and retaining structures will be undertaken during detailed design stage of the development. It is assumed buildings will be constructed of either blockwork with timber roof trusses or prefabricated timber frames.

Building Envelopes and Cladding

Weatherproofing of all buildings and installation of cladding to the architect's requirements and the manufacturers specifications. Construction of all non-load bearing walls, joinery, plastering, fire stopping elements of buildings

Fit-Out

Installation of all mechanical and electrical plant for building and fitting of all sanitary ware, flooring, kitchens, soft furnishings, and decorations in each building.

Commissioning

The final stage before hand-over will be commissioning whereby all works will be inspected to ensure they meet the specifications and criteria as required by the relevant design.

External Works and Landscaping

Completion of all site services including attenuation tanks and permanent connection of the development to the utilities such as the Irish Water infrastructure networks. Completion of all roads, private side SuDS elements, footpaths, bin storage, car and bicycle provisions and landscape features such as green areas.

BOUNDARY TO GALWAY N6 ROAD RESERVATION



Location key
Scale: n.t.s

LOCATION OF SITE NOTICE



01 Site Layout Plan
Scale: 1 : 500

TOTAL NO. OF UNITS = 170

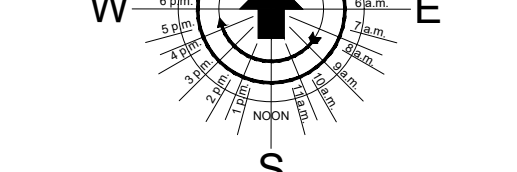
OVERALL SITE AREA : 46,262sqm
4.626 HA :- 11.431 acre

DEVELOPABLE SITE AREA : 37,622.2sqm
3.762 HA :- 9.296 acre

84 no. Houses (49%)
86 no. Duplex/Apartment Units (51%)
TOTAL UNITS ON SITE: 170

Density
45.19 Units per Ha - Residential Density
(170 units on 3.762ha)
18.28 Units per Acre - Residential Density
(170 units on 9.296 acre)

Public open space (approx. areas)
Total open space : 5,840.7 sqm - 15.5%
Total open space required : 5,643.3 sqm
(15% of Developable residential area 3.762 ha)



LEGEND

[Red outline]	DEVELOPABLE AREA *
[Green area]	PUBLIC GREEN OPEN SPACE
[Light green area]	PRIVATE GARDEN SPACE
[Grey area]	SHARED SURFACE

SCHEDULE OF ACCOMMODATION - HOUSE TYPES

HOUSE TYPE A1	HOUSE TYPE B3
SEMI-DETACHED 4 BED 2 STOREY Gross Floor Area: 121.4 m ²	END-TERRACE 3 BED 2 STOREY Gross Floor Area: 107.6 m ²
TOTAL amount of units: 08	TOTAL amount of units: 08
HOUSE TYPE B1	HOUSE TYPE C1
END OF TERRACE 3 BED 2 STOREY Gross Floor Area: 102.2 m ²	MID TERRACE 2 BED 2 STOREY Gross Floor Area: 84.8 m ²
TOTAL amount of units: 17	TOTAL amount of units: 18
HOUSE TYPE B2	HOUSE TYPE C2
MID-TERRACE 3 BED 2 STOREY Gross Floor Area: 102.2 m ²	MID-TERRACE 2 BED 2 STOREY Gross Floor Area: 84.8 m ²
TOTAL amount of units: 17	TOTAL amount of units: 16
COMBINED TOTAL AMOUNT OF HOUSE TYPES: 84	

SCHEDULE OF ACCOMMODATION - DUPLEX UNITS

DUPLEX TYPE A1/A2, C1/C2, D1/D2	DUPLEX TYPE B1/B2, E1/E2
3 BED OVER 2 BED 2.5 STOREY Area: 84.1 m ² & 100.1 m ²	2 BED OVER 1 BED 2.5 STOREY Area: 60.4 m ² & 70.6 m ²
COMBINED TOTAL AMOUNT OF DUPLEX TYPES: 48	

SCHEDULE OF ACCOMMODATION - APARTMENT UNITS

APARTMENT BUILDING 01
1 Bed 2 person Apartment: 10
2 Bed 4 person Apartment: 07
APARTMENT BUILDING 02
1 Bed 2 person Apartment: 12
2 Bed 4 person Apartment: 09
COMBINED TOTAL AMOUNT OF APARTMENTS: 38

LOCATION OF SITE NOTICE

SITE LAYOUT PLAN - PART 01

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Drawing Purpose: SHD Application
Project: Residential Development at Bothan an Choiste, Castlegar, Galway
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Drawn by: ITD
Checked by: JON

File Ref: 3.09
Subject: Site Layout Plan (Part 01)

Project No: 18151
Drawing No: 3004
Rev: Unit 2
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3. EIA SCREENING METHODOLOGY

3.1 Legislative Context

Environmental Impact Assessment (EIA) requirements derive from Council Directive 85/337/EEC (as amended by Directives 97/11/EC, 2003/35/EC and 2009/31/EC) and as codified and replaced by Directive 2011/92/EU of the European Parliament and the Council on the assessment of the effects of certain public and private projects on the environment and as amended in turn by Directive 2014/52/EU.

The consolidated European Union Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (the ‘EIA Directive’), was transposed into Irish planning legislation by the Planning and Development Acts 2000 (as amended) and the Planning and Development Regulations 2001 (as amended) (the ‘Regulations’). The EIA Directive was amended by Directive 2014/52/EU (the ‘amended Directive’) which has been transposed into Irish law with the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018) on the 1st of January 2019, which were effectively an updating of the Planning and Development Act 2000 (as amended).

The legislation requires screening to be undertaken to determine whether or not specified public or private developments are likely to have significant effects on the environment and, as such, require EIA to be carried out prior to a decision on a development consent application being made. The European Commission (2017) have published a Guidance on Screening document (Directive 2011/92/EU as amended 2014/52/EU) which summarises the need for an EIA based on specific measures and/or limits, according to predefined criteria such as characteristics of projects, the locations of projects and the type and characteristics of the potential impact as set out in Annex III of the amended Directive.

3.2 Methodology and Guidance

Screening the proposed development is a process used to establish whether an EIA is required to be undertaken. There are a number of steps in the screening process.

The mandatory requirement for an EIA is generally based on certain project categories as set out in Annex I and II of the amended Directive. This identifies certain types and scales of development, generally based on thresholds of scale, for which EIA is mandatory. There is sometimes a requirement for EIA 'sub-threshold' developments to undergo a screening exercise to assess whether the proposed development requires the preparation of an EIAR. A methodology was developed to formally screen the proposed development, which was based on Environmental Impact Assessment (EIA), Guidance for Consent Authorities regarding Sub-threshold Development (EPA, 2003) and the 2017 guidance issued by the European Commission. The screening exercise is divided into a section on Mandatory EIA and another on Sub-threshold or Discretionary EIA. In each section below a screening assessment has been undertaken which examines the requirement for EIA according to the criteria set out in the relevant legislation. The rationale behind the responses within the matrix is provided at the end of each section. Summary of guidance documents used:

- Guidance for Consent Authorities regarding Sub-threshold Development (EPA, 2003)
- European Commission Guidance on the preparation of the Environmental Impact Assessment Report (EC, 2017)
- European Commission Guidance on Screening (EC, 2017)
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessments

Mandatory Environmental Impact Assessment

Section 172 of the Planning & Development Act 2000 (as amended) provides the legislative basis for mandatory EIA. It states the following:

“An environmental impact assessment shall be carried out by a planning authority or the Board, as the case may be, in respect of an application for consent for proposed development where either:

1. *the proposed development would be of a class specified in –*
 - (i) *Part 1 of Schedule 5 of the Planning and Development Regulations 2001, and either*
 - I. *such development would exceed any relevant quantity, area or other limit specified in that Part, or*
 - II. *no quantity, area or other limit is specified in that Part in respect of the development concerned*

or

- (ii) *Part 2 of Schedule 5 of the Planning and Development Regulations 2001 and either –*
 - I. *such development would exceed any relevant quantity, area or other limit specified in that Part, or*
 - II. *no quantity, area or other limit is specified in that Part in respect of the development concerned,*

or

2. (i) *the proposed development would be of a class specified in Part 2 of Schedule 5 of the Planning and Development Regulations 2001 but does not exceed the relevant quantity, area or other limit specified in that Part, and*
 - (ii) *it is concluded, determined or decided, as the case may be,*
 - I. *by a planning authority, in exercise of the powers conferred on it by this Act or the Planning and Development Regulations 2001 (S.I. No. 600 of 2001),*
 - II. *by the Board, in exercise of the powers conferred on it by this Act or those regulations,*
 - III. *by a local authority in exercise of the powers conferred on it by Regulation 120 of those regulations,*
 - IV. *by a State authority, in exercise of the powers conferred on it by regulation 123A of those regulations,*
 - V. *in accordance with section 13A of the Foreshore Act, by the appropriate Minister (within the meaning of that Act), or*
 - VI. *by the Minister for Communications, Climate Action and Environment, in exercise of the powers conferred on him or her by section 8A of the Minerals Development Act 1940,*

that the proposed development is likely to have a significant effect on the environment.

Further to the above, Schedule 5 of the Planning & Development Regulations 2001, as amended sets out a number of classes and scales of development that require EIA.

With regards to the proposed development, the provisions of Schedule 5 require an EIA to be undertaken where it is proposed to carry out the following -

“Construction of more than 500 dwelling units”, as per Class 10 (b)(i) of the Schedule and (iv) urban development which would involve an area greater than 2 hectares (business district) 10 hectares (built up area) or 20 hectares (elsewhere), and also (possibly):

- Class 10 (dd) private roads of 2km in length;
- Class 15 any sub-threshold project in Schedule 5 Part 2 which would be likely to have significant effects on the environment.

The proposed development does not exceed the 500-unit threshold, does not propose urban development of an area greater than 10 hectares in a built up area and does not require greater than 2km of private roads and therefore is not subject to mandatory EIA.

Therefore, the proposed development is not subject to a mandatory EIA.

However, the proposed development is considered under the provisions of Class 15 for sub-threshold developments, an evaluation of the Schedule 7 criteria is provided in section 3.5 below to further consider if the development would be likely to have significant effects on the environment.

In addition, Article 299B(1)(b)(i) of the Regulations requires the competent authority to carry out a preliminary examination of, at the least, the nature, size or location of the development. where the competent authority concludes, based on this preliminary examination, that, as per Article 299B(1)(b)(ii)(II) of the Regulations, that there is significant and realistic doubt in regard to the likelihood of significant effects on the environment arising from the proposed development, it shall satisfy itself that the applicant has provided to the competent authority.

- A. the information specified in Schedule 7A,
- B. any further relevant information on the characteristics of the proposed development and its likely significant effects on the environment, and
- C. a statement indicating how the available results of other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive have been taken into account.

The information is provided in Sections that follow.

3.4

Sub-Threshold Assessment

Section 172 of the Planning & Development Act 2000, as amended, also sets out the basis for EIA for developments which may not be of a scale included in Schedule 5 of the Planning & Development Regulations 2001, as amended. This allows a consenting authority to carry out an EIA where it is of the opinion that the proposed development is likely to have a significant effect on the environment

In this context, the consideration of ‘significant effect’ should not be determined by reference to size or scale only and the nature and location of a project must also be taken into account.

Class 15 of Schedule 5 provides for EIA/ELAR for developments which are under the relevant threshold (sub-threshold), where the proposed development would be likely to have significant effects on the environment. This 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.”

The proposed residential development is a project which falls under Schedule 5 however is considered sub-threshold as the number of units is 170 rather than the 500-unit threshold, the area of the site is approximately 4.626 ha in area rather than 10 hectares and significantly less than 2km of road will be required.

The 1997 amending Directive (97/11/EC) introduced guidance for Member States in terms of deciding whether or not a development is likely to have ‘significant effects on the environment’. This was codified and replaced by Directive 2011/92/EU (*EIA Directive*) and then Directive 2014/52/EU (*amended Directive*) which has been transposed into Irish law with the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018) on 1st of January 2019 which was effectively an updating of the Planning and Development Act 2000 (as amended).

The Schedule 7 criteria are grouped under three headings as follows:

- 1) *Characteristics of the proposed development*
- 2) *Location of proposed development*
- 3) *Types and characteristics of potential impacts*

Schedule 7A of the Planning and Development Regulations 2001 (as amended), sets out the information to be provided by the applicant or developer for the purposes of screening sub-threshold development for environmental impact assessment.

- 1) *A description of the proposed development, including in particular—*
 - (a) *a description of the physical characteristics of the whole proposed development and, where relevant, of demolition works, and*
 - (a) *a description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected.*
- 2) *A description of the aspects of the environment likely to be significantly affected by the proposed development.*
- 3) *A description of any likely significant effects, to the extent of the information available on such effects, of the proposed development on the environment resulting from—*
 - (a) *the expected residues and emissions and the production of waste, where relevant, and*
 - (b) *the use of natural resources, in particular soil, land, water and biodiversity.*
- 4) *The compilation of the information at paragraphs 1 to 3 shall take into account, where relevant, the criteria set out in Schedule 7*

Each of the above groupings for Schedule 7 and 7A includes a number of criteria for consideration. The assessment on whether the proposed development would be likely to have significant effects on the environment is based on the overall consideration of all criteria and requires clear and rational judgment. The DoEHLG Guidance Document ‘Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-Threshold Development’ states that:

‘Those responsible for making the decision must exercise their best professional judgment, taking account of considerations such as the nature and size of the proposed development, the environmental sensitivity of the area and the nature of the potential effects of the development. In general, it is not intended that special studies or technical evaluations will be necessary for the purpose of making a decision.’

The Schedule 7 and 7A criteria are examined in more detail in the following subsections. The screening questions are based on the criteria listed under each grouped heading for each Schedule as set out in the Regulations.

In addition, the checklist of criteria set out in the European Commission (2017) Guidance on Screening document has been used to determine if the proposed development would be likely to have significant effects on the environment.

In addition, this EIA screening considers all questions to be considered as set out in the checklist of criteria set out in the European Commission (2017) Guidance on Screening document has been used to determine if the proposed development would be likely to have significant effects on the environment. The consideration of this criteria is captured within the sections that follow.

3.5 Schedule 7 Criteria

Class 15 of Schedule 5, Part 2 of the Regulations sets out a requirement for EIA to be undertaken for a project which is deemed to be subthreshold in accordance with the thresholds set out in that Part but would be likely to have significant effects on the environment having regards to the criteria set out in Schedule 7 of the Regulations. In this section, the proposed development is examined considering the scale, location and nature of the proposed development in accordance with the Schedule 7 criteria.

3.5.1 Characteristics of the proposed Development

The nature, scale and characteristics of the proposed development are considered to determine if it would be likely to have significant effects on the environment in the sections below in accordance with Schedule 7 of the regulations.

3.5.1.1 Size and Design of the Whole Proposed Development

The proposed development will comprise the construction of 170 residential units and all associated infrastructure on a 4.626 ha site. The assessment for EIA under the appropriate threshold for residential developments and development in an urban setting in Section 3.3 above demonstrate that the project is significantly below the thresholds set in the Regulations.

The construction phase of the development along with the final constructed development (in its operational phase) will essentially be confined to the extents of the 4.626ha site with some off-site works associated with services connections and infrastructural improvements on Bóthar na Cóiste as outlined in Section 2.3 above.

In terms of density as a consideration of Size and Design of the Whole of the proposed development, the Planning Report and Statement of Consistency prepared as part of this application stated that;

The proposed development comprises 170 no. residential units, with an overall total gross floor space of 14,997sqm on a developable site area of 3.762ha (37,620 sqm), which equates to a plot ratio of 0.40:1 and a density of 45.19 units per ha (170 units on 3.762ha developable area). The Open Space and Parking Areas have been designed in accordance with the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities.

The proposal also complies with *'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009)*. The subject site is classified as an 'Outer Suburban/ Greenfield' site associated with cities and larger towns, with a density in the general range of 35-50 dwellings per hectare as per Section 5.11 of the Guidelines.

Furthermore, this density is in accordance with *Urban Development and Building Heights Guidelines for Planning Authorities December 2018*. In accordance with the Guidelines the density of 44.75 units per hectare addresses the need for more 1 and 2 bedroom units in line with wider demographic and household formation trends, while at the same time providing for the larger 3 and 4 bedroom homes

across a variety of building typology and tenure options, enabling households to meet changing accommodation requirements over longer periods of time without necessitating relocation.

The design approach adopted for the proposed development has taken cognisance of the specific site constraints and the character of the surrounding area; in addition to the Galway City Development Plan 2017-2023 (GCDP) requirements relating to open space and car parking.

In regard to the height of the proposed buildings, the Planning Report and Statement of Consistency prepared as part of this application stated that;

The proposed building heights vary across the site. Typologies include 2-storey houses (Cells 01, 02, 03 and 04), 3-storey duplex buildings (Blocks 02, 03, 04, and 05) and 2 no. 4 storey apartment building (4-storeys with setback).

The 4-storey apartment buildings are situated in the lowest section of the application site adjacent to Bóthar na Cóiste road. As a result of the change in levels over the application site the height of 4 storey element of the apartment block projects less than the 3 storey duplex units in Block 03 and the 2- storey houses in the main body of the site.

Open space area 01 to the southwest of the proposed apartment building, provides visual breaks in the interface of the development with Bóthar na Cóiste road. They provide a landscaped frontage to the apartment building and, a landscaped setback to the 3-storey duplex units (Block 03m 04, and 05 located within the site.

Overall, it is submitted that the 4-storey apartment block contributes positively to both the proposed development and the character of the neighbouring residential development in Cluain Riocaird which incorporates a mix of 2 and 3 -storey residential units.

3.5.1.2 Cumulation with Other Existing and Permitted Development

An examination of the whether the proposed development would be likely to have significant effects on the environment through cumulation with other existing developments is considered in this section. The online planning system for Galway City Council, Galway County Council as well as the An Bord Pleanála Website (planning searches), was consulted on the 23rd of October 2020 for the wider area surrounding the site. The range of permitted development considered as part of the cumulative assessment takes into account the scale of existing development in an already urban setting. Whilst an approximate distance range from the site is not applied, nor is it defined by townlands, the list of cumulative projects collated are based on proximity and relevance to the proposed development.

Therefore, the relevant projects identified in the wider area having received a grant of planning permission in the last 5 years are listed in this section. Projects that received consent prior to the 5-year period that forms the planning search will have either been constructed or the planning permission will by now have expired and therefore do not require consideration. Constructed developments are considered cumulatively as part of the examination for potential operational phase impacts.

- Planning reference 18292: Second E.O.D. on Pl. Ref. 08/532. (First E.O.D Pl Ref 14/9) Permission for the construction of 84 No. residential units (14 No. 1 bed apartments, 44 No. 2 bed townhouses and 26 No. 3 bed townhouses) in 8 No. two and three storey blocks, 118 No. car parking spaces (comprising 26 No. new basement spaces and 92 NO. new surface spaces) construction of flood mitigation measures and landscaping to pond area to north of site, provision of 3 No. bin storage/meter rooms and 1 No. substation and all associated site development works. In addition to the proposed 118 No. new spaces, this proposal involves the use of 36 No. existing basement car parking spaces (approved under Pl. Ref. 592/03) to accommodate the proposed residential development.

- Planning reference 1942: Permission to amend Phase II of planning approval reference 0658, with; (i) the omission of all underground parking; (ii) the omission of 13 no. 4-bedroom Type G3 and G4 houses;(iii) the omission of 15 no. 3-bedroom Type G1 and 4 no. 1-bedroom Type J apartments; (iv) the re-alignment of the internal secondary access road; (v) the re-design of the previously approved 32 no. 2 bedroom and 8 no. 1-bedroom apartments to 26 no. 2 bedroom and 14 no. 1 bed-room enhanced apartments with in-house Care Support facilities; (vi) the provision of 70 no. surface car parking spaces; 9 no. 3 bedroom houses; 18 no. 3-bedroom upper duplex apartments; 16 no. 2-bedroom ground floor apartments; a childrens crèche; a central amenity play area; and all associated site works.
- Planning reference 17342: Permission for a) the construction of an ASD Classroom & General classroom with ancillary rooms single storey rear extension, b) New parking drop off area to rear of school accessed from a new shared access road granted permission under Pl. Ref: 15/366, c) revised boundary treatments including minor revisions to those granted under adjacent permission Pl. Ref: 15/366 and all associated external works.
- Planning reference 20261: Permission for development which will consist of 1. a mixed-use scheme with an overall gross floor area (GFA) of approximately 97,936 sqm. on a site of circa 6.81 hectares. The development is arranged across 13 no. development blocks (A-M) ranging in height from 2 to 8 storeys with associated ground level and basement level car parking. 2. Demolition of an existing security kiosk, and demolition and relocation of an existing substation. 3. Construction of 4 no. blocks of commercial offices ranging in height from 4 to 5 storeys over ground floor level (GFA c. 25,527 sqm). 4. A hotel development (8 floors over ground floor level) comprising 150 no. hotel bedrooms, 72 no. apart hotel units, conference facilities and restaurant/bar areas (GFA c. 12,375 sqm.) A leisure centre and spa with indoor swimming pool and gym, changing rooms, treatment rooms, studios, ancillary spaces (GFA c. 2,479 sqm.). 5. 9 no. blocks of residential units ranging in height from 2 to 8 storeys over ground floor level totalling 309 no. apartments including 118 no. 1-bed apartments, 143 no. 2-bed apartments, 42 no. 3-bed apartments, 3 no. 4-bed apartments and 3 no. studio apartments. Provision of residential amenity facilities with Blocks B, G, H, J, K, L, M such as laundry rooms, gym, co-working space, bookable spaces and workshop/bike repair areas (GFA c. 28,960 sqm). 6. Provision of a creche facility (c. 429sqm including an outdoor secure play area (c. 275.1 sqm). 7. Provision of a cultural centre including community use facilities such as a community café, multi-functional ground floor exhibition space, workshop rooms, party rooms, meeting spaces, residents lounge area, a concierge and parcel collection point, and ancillary kitchen and toilet facilities (GFA c. 1,195 sqm.) 8. Provision of ground floor retail units (GRA c. 1,080 sqm.) 9. Provision of café and restaurant uses (GFA c. 1,234 sqm.) 10. Provision of 788 no. car parking spaces, 63 no. motorcycle spaces, and 1,116 no. bicycle parking spaces. 11. Upgrade to the existing N83 access junction to the site. 12. Provision of a footpath connectivity link to the south west of the site along the N83. 13. Provision of a temporary access for existing businesses into Galway City North Business Park during the construction phase. Please refer to file for full development description.
- Planning reference 20148: Permission for development which will consist of (a) the construction of a new entrance and access road along with all associated site services, and improvements to existing private road. (b) the construction of 2 no. new two-storey dwelling houses with separate domestic wastewater treatment systems, 2 no. new external store/garages, and all associated site development and external works.

The proposed development has been assessed and designed for:

- I. Minimising Traffic impacts
- II. Managing Drainage, Wastewater and Storm water
- III. Landscape and Visual effects
- IV. Environmental impacts and mitigation measures
- V. Minimising Ecological impacts (EcIA) and ensuring no impacts on Natura Designated sites (NIS)

The findings of these reports in terms of a cumulation of the proposed development with existing development and whether it would be likely to have significant effects on the environment are summarised as follows:

The Construction Traffic Management Plan (CTMP), prepared by Tobin Consulting Engineers outlines site access via Bóthar na Cóiste. The proposed access into the development will be from a new priority T-junction on the Bóthar na Cóiste Road. The proposed site access will be situated within a design speed zone of 50km/h. The existing Bóthar na Cóiste road adjacent to the proposed development has a carriageway width which ranges from 4.0 – 6.0m. Separately, improvement works to the existing Bóthar na Cóiste road and junction are also proposed.

Preferred construction phase access would be from the southwestern boundary at the proposed development access. The delivery/haulage vehicles will be routed depending on the destination of the materials being delivered. It is envisaged that all construction traffic will approach the site from the N84 direction.

The use of local roads will be minimised as much as possible, particularly to avoid / minimise the encountering of narrow road widths, poor visibility and unsuitable bearing capacities. Other measures including wheel cleansing systems, street cleaning and covering of materials leaving the site have been proposed to avoid the deposition of debris on the public roads and the potential for impacts on road users.

The preliminary Construction Traffic Management Plan (TMP) will form part of the construction contract and will be designed to reduce possible impacts which may occur during the construction of the proposed development. This preliminary CTMP shall be used by the appointed Contractor as a basis for the preparation of a final CTMP and shall detail, at a minimum, the items detailed in this preliminary CTMP and any subsequent requirements of the local authorities.

The Traffic and Transport Assessment (TTA) prepared by Tobin Consulting Engineers has considered all existing and permitted developments within the vicinity of the site. This includes sites which have previously been granted planning permission, but which are yet to become operational. There are several major existing and permitted developments in the immediate vicinity of the proposed development. There is also one-off houses and extensions to existing dwellings in the vicinity of the proposed site.

An allowance will be made in the traffic projections for these developments. The extent of the Bóthar na Cóiste road upgrade works up to the subject development site are now included within the redline planning boundary. These works will be constructed in agreement and conjunction with Galway City Council. It is envisaged that the upgrade works will be completed prior to the occupation and operation of the proposed development. Given the newly proposed linkages and the proximity to the city centre, there is significant potential for modal shift from the private car to walking and cycling as a mode of travel, particularly if improved linkages between the city centre and residential areas are realised and new developments focus on connectivity, legibility and permeability.

The Priority Intersection Capacity and Delay (PICADY) analysis carried out on the junctions (Junction 1 and Junction 2) indicate that the newly proposed junctions are operating well within their respective capacities for all existing traffic streams in both the morning and evening peak periods. This will continue to be the case for the 2024 opening year scenario with slight increases projected in the ratio flow capacity and queue lengths for both the morning and evening peak periods.

Junction 1 - For the design year 2039, the priority junction is forecast to operate within capacity for all Streams in both the morning and evening peak periods for the No Development scenario. The inclusion of the potential development traffic will result in a minor increase in both delays and queueing for all traffic Streams in the morning and evening peaks with the Stream B-AC approaching 0.85 for a 15-minute period (with a 5.1 PCU queue forecast), but the Junction is projected to continue to operate within capacity.

Junction 2 - For the design year 2039, the priority junction is forecast to operate well within capacity for all Streams in both the morning and evening peak periods for the No Development scenario. The inclusion of the potential development traffic will result in a minor increase in both delays and queuing for all traffic Streams, but the Junction is projected to continue to operate well within capacity.

In accordance with the Traffic and Transport Assessment Guidelines, ways to promote non-car access to the proposed development will also be explored. This will include convenient pedestrian and cycle interconnection between existing and proposed developments and public transport facilities. Existing public transport networks will be examined. A walking and cycling accessibility assessment will also be conducted to determine the distances to main attractions and public transport connections and to also illustrate the benefits of walking or using a bicycle to access a particular development

The Report on Civil Works Planning Stage has proposed that wastewater generated from the development will flow via a pumping station and rising main (225mm diameter) to the existing foul sewer network which is located approximately 225m down the Bóthar na Cóiiste road. Irish Water have reviewed the proposed wastewater drainage layout and confirmed its suitability. A letter of consent has been obtained for connecting to this network and is contained in Appendix D of the Civil Works Stage Planning Stage Report.

The storm water drainage design has been designed to cater for all surface water runoff from all hard surfaces in the proposed development including roadways, roofs etc. All stormwater generated on site from roadways and roofs will discharge via Oil/Petrol Interceptor to proposed soakaways which are strategically situated throughout the site. The stormwater will soak away through the underlying fractured rock/boulders. The soakaways shall be constructed of a cellular storage unit providing 95% porosity or stone filled soakaway providing 40% void ratio. These will also attenuate storm water during and post storm events prior to infiltrating through the underlying fractured rock/boulders. All soakaways are designed to accommodate a 1 in 100-year storm event + 20% for Climate Change throughout the site.

The foul sewer drainage services have been designed to take account of the requirements of the Civil Engineering Specification for the Water Industry (CESWI), subject to the requirements applied to it by Irish Water, as outlined in the Irish Water Code of Practice for Wastewater Infrastructure. Other design guidelines adhered to include the Department of Environment "Recommendations for Site Development Works for Housing Areas", 1998, and "Sewers for Adoption" published by WRC, UK.

The Architectural Design Statement concludes that the proposal as described within the design statement and detailed in the architectural, engineering and landscape drawings as well as associated reports, respects the character of the area and is appropriate to the sequential growth of Galway City.

It also states that it is demonstrated that the scheme abides by ministerial, local authority and development standards which are met and exceeded in many cases and the proposal will be ecologically and socially sustainable.

In developing and concluding the scheme design, comments and feedback from a range of parties was considered and integrated. Feedback from Galway City Council has been taken into account in developing the proposals. A large proportion of the site is to be maintained as usable green open and amenity. We submit that the proposed scheme will create an inclusive community with a sense of place and will provide appropriate amenities to the community as well as the wider locality.

The NIS concluded that following the detailed assessment provided in the preceding sections, it is concluded that, the proposed development will not result in any residual adverse effects on any of the European Sites, their integrity or their conservation objectives when considered on its own. There is therefore no potential for the proposed development to contribute to any cumulative adverse effects on any European Site when considered in-combination with other plans and projects.

Following the detailed assessment provided in the preceding sections, it is concluded that, the proposed development will not result in any residual adverse effects on any of the European Sites, their integrity or their conservation objectives when considered on its own. There is therefore no potential for the proposed development to contribute to any cumulative adverse effects on any European Site when considered in-combination with other plans and projects.

The EcIA concluded that the proposed development will not result in the loss of habitats or species of high ecological significance and will not have any significant effects on the ecology of the wider areas.

The potential residual impacts on ecological receptors will not be significant and no potential for the proposed development to contribute to any cumulative impacts on biodiversity when considered in-combination with other plans and projects was identified. Provided that the development is constructed in accordance with the design and best practice that is described within this application, significant effects on biodiversity are not anticipated at any geographic scale.

3.5.1.3 Nature of any Associated Demolition Works

The proposed development requires the demolition of an existing house (124.6 m²), a ruined outbuilding (42.8 m²), a ruined dwelling (41.7 m²) and agricultural stone walls. The existing dwelling is located in the south-west corner of the site. The derelict dwelling along with outbuilding are located in the south-east corner of the site.

A Construction and Demolition Waste Management Plan (CDWMP) has been prepared by Tobin Consulting Engineers. The CDWMP states that demolition waste volumes will be relatively low.

The demolition works are small in scale and will be completed over a very short period of time as part of site enabling works. The demolition works will be carried out prior to the commencement any construction works using mechanical excavators and plant. This equipment will potentially use fossil fuels, but the possible impact on air and climate associated with this is not significant due to the temporary duration of the demolition works. The management of waste material generated by the proposed demolition works is outlined in Section 3.5.1.5 below.

3.5.1.4 Use of Natural Resources

The use of natural resources are considered in particular land, soil, water and biodiversity.

The consideration of land as a natural resource can be viewed from the perspective of the current land and the proposed land use in terms of density, sustainable development and achieving the maximum potential of this resource. The proposed application site extends to 4.626 ha. The lands comprise an existing agricultural field, including areas of scrub and two existing dwellings and a lean to shed. The site has direct frontage on to the Bóthar na Cóiste road. The boundaries of the site include a mixture of stone walls and wire fencing. As the description suggests the current land use is not for intensive agricultural purpose but the presence of animals is more so for maintenance of the lands and less so for agricultural gain therefore it is not considered.

As regards the proposed land use, density, sustainable development and achieving the maximum potential of this land resource Section 3.5.1.1 above already alludes to the fact that the proposal has a net density per hectare which is within the general range of 35-50 dwellings per hectare as per section 5.11 of the Guidelines. Furthermore, the Planning Report and Statement of Consistency states that the proposed development provides a significant response to Galway's housing needs in accordance with the adopted Housing Strategy 2017-23, which has been informed by the Core Strategy of the GCDP. The proposed development will assist Galway City Council in meeting its commitment to provide for residential development and for associated support development, which will ensure the protection of existing residential amenity and will contribute to sustainable residential neighbourhoods.

The proposed development will require the excavation, temporary storage and reuse of soil materials in backfilling, site reinstatement and landscaping. The CDWMP states that given previous green field land use and on-site observations, it is expected to be inert soil and subsoils which will be excavated and reused where possible but if removed from site will be taken to licensed facility.

The use of water resources at the proposed development will be restricted to anticipated domestic consumption along with the commercial element associated with the crèche facility. The site will be supplied by a public watermain which is managed by Irish Water which will be subject to appropriate consents and agreements being in place and confirmation of the ability of this utility to provide adequate supply. Although there is a slight commercial element associated with the crèche, there is no industrial process associated with the proposed development that will have a high volume of water consumption. There is also no proposal for any direct discharge to watercourses or any waterbodies within or adjacent to the site of the proposed development.

The proposed development is also considered in term of other natural resources including raw materials such as stone and aggregates and general building materials. The CDWMP has outlined the materials which will be utilised during the construction phase of the proposed development. Good quality new materials and equipment fit for their respective purposes will be utilised. The volume of stone and aggregates required to construct the proposed development is modest in respect of the volume that is extracted from a permitted supply quarry over the course of a year or its lifetime.

The Building Life Cycle Report prepared by the O Neill & O Malley Architecture outlines that proposed building materials are durable which would avoid regular replacement or maintenance. To improve on building standards there has been an increase in the expected build cost. Materials have been selected with a view to longevity, durability, and low maintenance. Consideration has been given to Building Regulations and includes reference the building regulations guidance documents part D and to BS 7543:2015 'Guide to Durability of Buildings and Building elements, Products and Components'. It is expected that a sinking fund allowance will account for future major maintenance and upgrade costs. A 10 year Planned Preventative Maintenance (PPM) strategy will determine the level of sinking fund required. All proposed buildings are designed in accordance with the Building Regulations, in particular Part D 'Materials and Workmanship', which includes all elements of the construction.

The proposed development has been the subject of an Ecological Impact Assessment (EcIA) which summarised the potential impact associated with the development and concluded that;

Taking the above information into consideration and having regard to the precautionary principle, it is considered that the proposed development will not result in the loss of habitats or species of high ecological significance and will not have any significant effects on the ecology of the wider area.

The potential residual impacts on ecological receptors will not be significant and no potential for the proposed development to contribute to any cumulative impacts on biodiversity when considered in-combination with other plans and projects was identified.

Provided that the development is constructed in accordance with the design and best practice that is described within this application, significant effects on biodiversity are not anticipated at any geographic scale.

3.5.1.5 Production of Waste

The production of waste from the proposed development during its construction phase including the demolition of the existing structures and the proposal for the management of this waste material is outlined in the CDWMP which has been prepared by Tobins Consulting Engineers. Table 6 of the CDWMP provides quantities for the Reuse/Recovery, Recycle and Disposal of waste materials. Although the CDWMP does suggest that the quantities are difficult to accurately predict at this stage in the proposal, it does set a target of 80% for reuse, recycle and recovery as part of waste management,

which is greater than the national target of 70% and the current achievement of 68% by the Irish waste industry.

Proposals for the management of waste during the operational phase have been taken into consideration in the project design, particularly for the mid terrace housing units, duplex and apartment units for which provision of bin stores have been included in the design. These facilities will provide the necessary infrastructure of waste three-bin waste management system. The waste produced by the development during its operational phase will be confined to residential waste stream with a small commercial element associated the crèche facility. A development of this nature will generate a waste stream and quantity consistent with any residential development of this scale.

3.5.1.6 **Pollution and Nuisances**

The examination of the developments potential to cause pollution and nuisance is considered in terms water, air, noise and waste is considered as follows.

Pollution associated with waste is addressed in Section 3.5.1.5 above which summarise the proposals for the management and control of waste during both construction and operation.

For the potential of water pollution, the Planning Stage Civil Works Design Report prepared as part of this application has provided information on the drainage design for the proposed development for the management of surface water and storm water through a new drainage network before discharge to ground via 6. No soakaways which will be located within the confines of the site boundary.

The NIS and all other document listed in Section 3.5.3 which have been prepared sets out proposals for the management of surface waters which include site management measures which will be put in place to avoid release of potential pollutants into nearby surface water networks or groundwaters at the site during the construction phase.

The management of surface water run-off during the construction phase will also be carried out in accordance with the CIRIA C698 publication Site Handbook for the Construction of SUDS.

The potential for pollution associated with air and noise are described in the characteristics for potential impacts in Section 3.5.3.1 below. The management of water is also described further in that section

3.5.1.7 **Risk of Major Accidents including those caused by Climate Change**

The risk of major accidents, and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge is considered as follows. The risk of major accidents associated with a development of this type and scale that are considered are accidents associated with traffic, plant and machinery, contact with underground services and general construction activities.

The CTMP sets out a commitment to provide a Project Supervisor for the Construction Stage (PSCS) of the proposed development. The PSCS will be required to provide a Safety and Health Plan for the site. The Safety and Health Plan shall include a site-specific risk assessment and appropriate control measures which shall include appropriate PPE, consideration of health & safety at design stage, adopting of the general principles of prevention and avoiding unnecessary risk to mitigate any of the potential hazards identified within that process.

For traffic management and the avoidance of major accidents associated with traffic collisions, the Construction Traffic Management Plan (CTMP) proposes site access via Bóthar na Cóiste along with upgrades to junctions to allow for safe access during the operational phase.

Delivery/haulage vehicles will be routed depending on the destination of the materials being delivered. It is envisaged that all construction traffic will approach the site from the N84 direction. The use of local roads will be minimised as much as possible, particularly to avoid / minimise the encountering of narrow road widths, poor visibility and unsuitable bearing capacities. Other measures such as construction traffic speed limits, road cleaning, vehicle cleaning and covering of materials in transit (if necessary) have also been proposed to avoid the deposition of debris on the public roads and the potential for causing an accident.

The project design and in particular, the site entrance and junctions have been assessed with the Traffic and Transport Assessment which concluded that Junction 1 and Junction 2 will continue to operate well within capacity for both 2024 opening year scenario and 2039 design year.

A Stage 1 Road Safety Audit has been carried out by CST Group Chartered Consulting Engineers on the proposed design for the site and the recommendations have of the audit have been incorporated to the site layout.

3.5.1.8 Risk to Human Health

The proposed development is not considered to be the type of development that can pose a risk a to human health by causing environmental impacts such as water contamination or air pollution. The development is being proposed to provide residential units which will be constructed in accordance with mitigation set out for the management of surface waters which includes site management measures which will be put in place to avoid release of potential pollutants into the existing site network or groundwaters at the site within the NIS. The proposed development during its construction phase will utilise mechanical excavators and plant. This equipment will potentially use fossil fuels, but the possible impact associated with emissions from this plant is not significant and will be short-term in nature.

A development of this type during it operational phase is not considered as a development which will have significant emissions like that of an industrial or commercial operation with the site emissions confined to that of wastewater and storm water into a controlled network for appropriate treatment.

The Building Life Cycle Report prepared by the applicant sets out considerations for health and well-being of future residents which have been adopted by the project design which include provision of natural day light, adequate accessibility, security, private open space and natural amenity.

The potential risk to human health during the construction phase both to site operatives and the general will be assessed and controlled within the Safety and Health Plan which will be prepared prior to the inception of construction works.

3.5.2 Location of the Proposed Development

The location of the proposed development is considered for determining whether the proposed development would be likely to have significant effects on the environment in the sections below in accordance with Schedule 7 of the regulations.

3.5.2.1 Existing and Approved Land Use

It has been established that the current land use is primarily in the form of low intensity agricultural practices. The Ecological Impact Assessment (EcIA) shows that the value of habitats and key sensitive receptors is low and has concluded that the development will not result in any significant effects on the biodiversity flora and fauna of the existing environment.

The proposed development will result in the construction on land zoned for 'Residential' development use under the extant Galway City Development Plan and in the Draft Galway City Development Plan 2023 - 2029.

3.5.2.2 Abundance, Availability, Quality and Regenerative Capacity of Natural Resources

The site of the proposed development is not a recognised source of natural resources in terms of extractable materials with the exception of soils and subsoils. Soils material will be both excavated and used as part of site reinstatement. The CDWMP outlines that the development will include the excavation of approximately 10,000 m³ of soil/subsoil, associated with the general site clearance and excavation relating to the bulk dig and installation of housing sub-structures and general civil engineering works. It is intended to reuse excavated materials if deemed suitable in landscape areas to reduce waste volumes.

In addition, the only other natural resource which require consideration in the area is groundwater. The works associated with the proposed development have the potential for pollution to impact of groundwater through accidental hydrocarbon contamination of the area by fuel spillages or oil leaks for example with the use and presence of fuels on site. The NIS and other supporting documents outlines the necessary fuel management mitigation for the project which includes appropriate bunding of fuels, spill kits and drip trays.

The potential for impact during the operational phase is much reduced as there will be no such fuel burning plant and equipment on site thereafter. The site will also have areas of impermeable surfaces most notably in access roads and parking areas on which vehicle will travel. The Civil Design Report states that all surface water generated onsite will pass through oil/petrol interceptors designed to separate hydrocarbons from clean water before discharging to 6 no soakaways which will be located within the confines of the site boundary.

3.5.2.3 Absorption Capacity of the Natural Environment

Schedule 7(2)(c) considers the absorption capacity of the natural environment, paying particular attention to the following areas:

(i) wetlands, riparian areas, river mouths;

There are no open watercourses on the site. Therefore, there are no riparian areas or river mouths on site.

The EcIA prepared for the proposed development comprehensively reviewed the extant Galway County Development Plan was, with particular reference to Policies and Objectives that relate to ecologically important features (including to support and protect wetlands). It concluded the proposed development will be in compliance with these objectives. The proposed development was also reviewed in line with the draft Galway City Development Plan 2023-2029.

(ii) coastal zones and the marine environment;

The site is located on the north-eastern suburbs of Galway City; therefore it is not located in a coastal zone or marine environment. However, all foul water will be discharged to the public sewer and will be treated at the Terryland Wastewater Treatment Plant under licence from the Environmental Protection Agency.

(iii) mountain and forest areas;

The proposed development site is not located in mountain and forest areas.

(iv) nature reserves and parks;

The proposed development site is not located in a nature reserves or park.

(v) areas classified or protected under legislation, including Natura 2000 areas designated pursuant to the Habitats Directive and the Birds Directive;

The potential for impact on European sites has been fully assessed in the Appropriate Assessment Screening Report (AASR) and the NIS that have been prepared in support of the current application.

The following European Sites were identified as having the potential to be affected by the proposed development:

- Galway Bay Complex SAC
- Lough Corrib SAC
- Inner Galway Bay SPA
- Lough Corrib SPA

The pathway for effect was identified as a potential degradation in water quality arising from the proposed works and all necessary preventative measures are described in the NIS and are incorporated into the project design.

The Natura Impact Statement concludes as follows:

“Where the potential for any adverse effect on any European Site has been identified, the pathway by which any such effect may occur has been robustly blocked through the use of avoidance, appropriate design and mitigation measures as set out within this report and its appendices. The measures ensure that the construction, operation of the proposed development does not adversely affect the integrity of European Sites.”

“Therefore, it can be objectively concluded that the proposed development, individually or in combination with other plans or projects, will not adversely affect the integrity of any European Site.”

(vi) areas in which there has already been a failure to meet the environmental quality standards laid down in legislation of the European Union and relevant to the project, or in which it is considered that there is such a failure;

The site of the proposed development is primarily in a state of greenfield. There has been minor development in the past at the site in the form of an existing dwelling at the south-west corner of the site and a derelict dwelling and shed at the south-east corner of the site.

The only activity that has occurred at the site in recent times is low level agricultural grazing as a means of maintaining the land which in itself does not appear to have been an intensive use of the landholding therefore the potential for previous failures to meet environmental quality standards is low.

(vii) densely populated areas;

It is acknowledged that the proposed development will be located in a well populated area however, as outlined in the Planning Report and Statement of Consistency, the *Regional Spatial and Economic Strategy* (RSES), the Galway Metropolitan Area has considerable land capacity that can significantly

contribute to meeting the housing demands based on population targets set out in the National Planning Framework (NPF) and the Regional Spatial and Economic Strategy (RSES).

(viii) landscapes and sites of historical, cultural or archaeological significance.

The Archaeological Impact Assessment for the proposed development prepared by Richard Crumlish concluded that there are no features of archaeological significance within or in the immediate vicinity of the proposed development site during the field walking landscape designations on the site of the proposed development.

The report also states that the closest recorded monument is Castlegar Castle (RMP No. GA082-021), which is located circa 350m to the east of the proposed development boundary.

3.5.3 Characteristics of Potential Impacts

The examination of whether the proposed development would be likely to have significant effects on the environment in relation to criteria set out in Section 3.5.1 and 3.5.2 with regard to the impact of the project on the factors specified in section 171A of the Act for the definition of environmental impact assessment report have been taken into account in the sections below.

3.5.3.1 Population and Human Health

Magnitude and Spatial Extent of the Impact

Potential impacts include changes to population and impacts on human health receptors in the vicinity of the site, in particular during the construction phase. The magnitude and scale of the proposed development is significantly below the appropriate EIA threshold for residential developments and development in an urban setting. It comprises an additional 170 residential units within an area zoned and serviced for the development.

Nature of the Impact

The proposed development will have a positive impact on local population by providing new residential units, pedestrian and cyclist links to an adjacent greenway, a creche and communal and private open space. The proposed development will be located in a well populated area however, as outlined in the Planning Report and Statement of Consistency, the *Regional Spatial and Economic Strategy* (RSES), the Galway Metropolitan Area has considerable land capacity that can significantly contribute to meeting the housing demands based on population targets set out in the National Planning Framework and the Regional Spatial and Economic Strategy.

The development is not considered to be the type of development that can pose a significant risk to human health. There is the potential for negative impacts associated with the construction phase but these can be managed using appropriate construction methodologies and mitigation as set out in the CDWMP and CTMP.

Transboundary Nature of the Impact

The proposed development will be confined to the extents of the 4.626ha site with some off site works associated with services connections and infrastructural improvements on the Bóthar na Cóiste Road. There are no transboundary impacts for consideration.

Intensity and Complexity of the Impact

There are no intense or complex impacts associated with this residential development. The character/quality of any of the environmental factors discussed in this section of the EIA Screening Report having the potential to impact population and human health will not change significantly. The positive effect as outlined in the Nature of the Impact section above will be imperceptible provided that development is constructed in line with project design. The negative effect as outlined in the Nature of the Impact section above will be imperceptible provided that the control measures outlined in the accompanying documents are implemented at the site.

Probability of the Impact

The probability for significant effects on the environment or impacts on population and human health is considered unlikely. This conclusion is based on the scale of the development, its location and the nature of the potential impacts identified in this section and the design measures incorporated into the project and the proposed mitigation measures

Expected Onset, Duration, Frequency and Reversibility of the Impact

The potential negative effects associated with the construction phase will be short-term. There are no negative effects anticipated within the operational phase on human health. The positive effects identified that the proposed development could have on population within the operational phase will be permanent.

Cumulation of the Impact

Section 3.5.1.2 above has concluded that significant environmental effects from a cumulation of the proposed development with existing and permitted development is unlikely.

Possibility of Effectively Reducing the Impact

Mitigation to reduce the potential impact has been set out in the various documents prepared as part of this application as listed in Section 1. It is summarised here as follows:

- Surface water generated from the works during construction will be routed towards settlement tanks prior to controlled discharge to ground. There will be no direct discharge to surface waters.
- In the event of encountering groundwaters during excavation, the excavation will be de-watered using a pump equipped with a silt bag on the outlet, if necessary, to capture any silty material prior to subsequent natural percolation to ground. Alternatively, this water will be tankered off site if required.
- All site plant will be inspected at the beginning of each day prior to use. Defective plant shall not be used until the defect is satisfactorily fixed. All major repair and maintenance operations will take place off site.
- Vehicles will never be left unattended during refuelling. Only dedicated trained and competent personnel will carry out refuelling operations and plant refuelling procedures shall be detailed in the contractor's method statements.
- Fuels, lubricants and hydraulic fluids for equipment used on the site will be carefully handled to avoid spillage, properly secured against unauthorised access or vandalism, and provided with spill containment.
- All fuels, lubricants and hydraulic fluids will be stored at the site compound. The storage area will contain a small bund lined with an impermeable membrane in order to prevent any contamination of the surrounding soils and vegetation.
- Potential impacts caused by spillages etc. during the construction phase will be reduced by keeping spill kits and other appropriate equipment on-site.

- No batching of wet-cement products will occur on site. Ready-mixed supply of wet concrete products and pre-cast elements for culverts and concrete works will be used.
- No washing out of any plant used in concrete transport or concreting operations will be allowed on-site.
- Where concrete is delivered on site, only chute cleaning will be permitted, using the smallest volume of water possible. No discharge of cement contaminated waters will be allowed on site.
- Weather forecasting will be used to plan dry days for pouring concrete.
- It will be ensured that the pour site is free of standing water and plastic covers will be ready in case of sudden rainfall event.
- A self-contained port-a-loo with an integrated waste holding tank will be used at the site compounds, maintained by the providing contractor, and removed from site on completion of the construction works.
- No wastewater will be discharged on-site during either the construction or operational phase.
- All waste will be collected in skips and the site will be kept tidy and free of debris at all times.
- Waste oils and hydraulic fluids will be collected in leak-proof containers and removed from the site for disposal or recycling.
- All construction waste materials will be stored within the confines of the site, prior to removal from the site to a licenced waste facility.
- The contractor will assign a member of the site staff as the environmental officer with the responsibility for ensuring the environmental measures prescribed in this document are adhered to. Any environmental incidents or non-compliance issues will immediately be reported to the project team.
- It shall be a requirement of the works contract that the Main Contractor will be required to carry out road sweeping operations to remove any project related dirt and material deposited on the road network by construction/delivery vehicles.
- Road Sweepers will dispose of material following sweeping of road network, to licensed waste facility.
- It shall be a requirement of the works contract that the Main Contractor will be required to provide wheel washing and/or other means necessary to remove mud and organic material from vehicles exiting the site.
- Loads of materials leaving each site will be evaluated and covered if considered necessary to minimise potential dust impacts during transportation.
- Covering of all waste or material with suitably secured tarpaulin/ covers to prevent loss
- The roads forming part of the haul routes will be monitored visually throughout the construction period and a truck mounted vacuum mechanical sweeper will be assigned to roads along the haul route as required
- Throughout the course of the construction of the proposed development, ongoing visual inspections and monitoring of the Bóthar na Cóiste will be undertaken to ensure any damage caused by construction traffic is recorded and that the relevant Local Authority is notified.
- All plant and equipment for use will comply with Statutory Instrument No 359 of 1996 “European Communities (Construction Plant and Equipment) (Permissible Noise Levels) Regulations 1996”.
- Plant machinery will be turned off when not in use.
- Operating machinery will be restricted to the proposed development site area.

3.5.3.2 Biodiversity

Magnitude and Spatial Extent of the Impact

The Article 6(3) Appropriate Assessment Screening Report (AASR) prepared as part of this application identified the potential for the proposed development to result in significant effects on the following European Sites:

- > Galway Bay Complex SAC
- > Lough Corrib SAC
- > Inner Galway Bay SPA
- > Lough Corrib SPA

The AASR identified the European Sites upon which the proposed development has the potential to result in significant effects and the pathways by which those effects may occur. It has also identified those qualifying interests/special conservation interests that have the potential to be affected by the proposed development. Therefore, MKO were appointed to provide the information necessary to allow the competent authority to conduct an Article 6(3) Appropriate Assessment and prepare a Natura Impact Statement (NIS).

The Lough Corrib SAC, Galway Bay Complex SAC, Inner Galway Bay SPA and Lough Corrib SPA are located approximately .7km, 1.98km and 2.96km from the proposed site, respectively. However, no complete impact source-pathway-receptor chain was identified between the proposed development and the SAC's and SPA's listed above.

The Lough Corrib SPA is located 2.96km from the site of the proposed development which is the extent to which the NIS has examined the potential for the proposed development to have significant effects on European Sites.

This NIS has provided an assessment of all potential direct or indirect adverse effects on European Sites.

Where the potential for any adverse effect on any European Site has been identified, the pathway by which any such effect may occur has been robustly blocked through the use of avoidance, appropriate design and mitigation measures as set out within this report and its appendices. The measures ensure that the construction and operation of the proposed development does not adversely affect the integrity of European sites.

Therefore, it can be objectively concluded that the Proposed Development, individually or in combination with other plans or projects, will not adversely affect the integrity of any European Site.

The ecological assessment concludes that provided the proposed development is constructed and operated in accordance with the design and best practice that is described within this application, significant effects on biodiversity are not anticipated at any geographical scale.

The magnitude and scale of the proposed development is below the appropriate EIA threshold for residential developments and development in an urban setting. The proposed development will be confined to the extents of the 4.626ha site with some off-site works associated with services connections and infrastructural improvements on the Bóthar na Cóiste road. The proposed development and whether it would be likely to have significant effects on the environment through cumulation with other existing developments is considered in Section 3.5 .

Nature of the Impact

The AASR has identified the European Sites upon which the proposed development has the potential to result in significant effects and the pathways by which those effects may occur. The potential pathway

for indirect effect in the form of surface water pollution was identified in relation to the aquatic QIs associated with Galway Bay Complex SAC, Galway Bay SPA, Lough Corrib SAC and Lough Corrib SPA. The NIS concludes that the use of avoidance, appropriate design and mitigation measures will ensure no adverse effect on any European Site.

Impacts on flora and fauna are addressed in the ecological impact assessment which describes the nature of the potential negative impacts. These relate to construction impacts and operational phase impacts.

Transboundary Nature of the Impact

The proposed development will be confined to the extents of the 4.626ha site with some off site works associated with services connections and infrastructural improvements on the Bóthar na Cóiste road. There are no transboundary impacts for consideration.

The NIS has also concluded that the Qualifying Interests (QIs) and integrity of four European Sites whereby a pathway for potential adverse effects on those European Sites has been identified, will not be adversely effected.

Intensity and Complexity of the Impact

There are no intense or complex impacts associated with this residential development. Standard construction techniques are proposed. The character/quality of any of the environmental factors discussed in this section of the EIA Screening Report having the potential to impact biodiversity will not change significantly. The proposed development will not result in a significant effects on the environment provided the project design and mitigation measures are implemented.

The negative effect as outlined in the Nature of the Impact section above will be imperceptible provided that the control measures outlined in the accompanying documents are implemented at the site.

Probability of the Impact

The probability for significant effects on the environment or impacts on biodiversity is unlikely. This conclusion is based on the value of the receptors, the scale, location and nature of the project, the design proposals which have been incorporated into the project design and the proposed mitigation measures. The ecological assessment concludes that provided the proposed development is constructed and operated in accordance with the design and best practice that is described within this application, significant effects on biodiversity are not anticipated at any geographical scale.

The potential for any adverse effect on any European Site has been identified, the pathway by which any such effect may occur has been robustly blocked through the use of avoidance, appropriate design and mitigation measures. There will be no adverse impact on the integrity of any European Site due to the Proposed Development.

Expected Onset, Duration, Frequency and Reversibility of the Impact

The impacts associated with the construction phase will be permanent (habitat loss). The impacts associated with the operational phase will be long-term. However, it has been concluded that the proposed development will not result in a significant effects on the environment provided the project design and mitigation measures are implemented.

Cumulation of the Impact

The EcIA and the NIS has concluded that significant environmental effects from a cumulation of the proposed development with existing development is unlikely.

Possibility of Effectively Reducing the Impact

The following measures will be put in place to prevent disturbance of fauna during the construction works:

- All plant and equipment for use will comply with Statutory Instrument No 359 of 1996 “European Communities (Construction Plant and Equipment) (Permissible Noise Levels) Regulations 1996”.
- Plant machinery will be turned off when not in use.
- Operating machinery will be restricted to the proposed development site area.
- Construction works will be limited to daylight hours and artificial lighting to facilitate works will not be permitted.
- All works will be confined will be confined to the site footprint and there will be no access to Ballindooley Lough

The NIS sets out the required mitigation measures for the avoidance of impacts on European Sites. Best practice environmental control measures have been incorporated in the design of the development and are described in the following subsections:

Site Set-up

- 2.5m high hoarding will be erected around the boundaries of the development site. All works will be located within the confines of this fencing.
- A site compound will be established within the site boundary. The exact location of the site compound will be established by the contractor.
- Access routes will be clearly marked / identified. Access during construction to any working areas will be restricted to land within the outlined works area.

Pollution prevention

- Surface water generated from the works during construction will be routed towards settlement tanks prior to controlled discharge to ground. There will be no direct discharge to surface waters.
- In the event of encountering groundwaters during excavation, the excavation will be de-watered using a pump equipped with a silt bag on the outlet if necessary, to capture any silty material prior to subsequent natural percolation to ground. Alternatively, this water will be tankered off site if required.
- All site plant will be inspected at the beginning of each day prior to use. Defective plant shall not be used until the defect is satisfactorily fixed. All major repair and maintenance operations will take place off site.
- Vehicles will never be left unattended during refuelling. Only dedicated trained and competent personnel will carry out refuelling operations and plant refuelling procedures shall be detailed in the contractor's method statements.
- Fuels, lubricants and hydraulic fluids for equipment used on the site will be carefully handled to avoid spillage, properly secured against unauthorised access or vandalism, and provided with spill containment.
- All fuels, lubricants and hydraulic fluids will be stored at the site compound. The storage area will contain a small bund lined with an impermeable membrane in order to prevent any contamination of the surrounding soils and vegetation.
- Potential impacts caused by spillages etc. during the construction phase will be reduced by keeping spill kits and other appropriate equipment on-site.

Measures to avoid the release of cement-based material during construction

- No batching of wet-cement products will occur on site. Ready-mixed supply of wet concrete products and pre-cast elements for culverts and concrete works will be used.
- No washing out of any plant used in concrete transport or concreting operations will be allowed on-site.
- Where concrete is delivered on site, only chute cleaning will be permitted, using the smallest volume of water possible. No discharge of cement contaminated waters will be allowed on site.
- Weather forecasting will be used to plan dry days for pouring concrete.
- It will be ensured that the pour site is free of standing water and plastic covers will be ready in case of sudden rainfall event.

Measures to avoid effects associated with the disposal of wastewater

- A self-contained port-a-loo with an integrated waste holding tank will be used at the site compounds, maintained by the providing contractor, and removed from site on completion of the construction works.
- No wastewater will be discharged on-site during either the construction or operational phase.

Waste Management

- All waste will be collected in skips and the site will be kept tidy and free of debris at all times.
- Waste oils and hydraulic fluids will be collected in leak-proof containers and removed from the site for disposal or recycling.
- All construction waste materials will be stored within the confines of the site, prior to removal from the site to a licenced waste facility.

3.5.3.3 Land, Soil, Water, Air and Climate

Magnitude and Spatial Extent of the Impact

The proposed development will be confined to the extents of the 4.626ha site with some off site works associated with services connections and infrastructural improvements on the Bóthar na Cóiiste road. The magnitude and scale of the proposed development is below the appropriate EIA threshold for residential developments and development in an urban setting. The proposed development and whether it would be likely to have significant effects on the environment through cumulation with other existing developments is considered in Section 3.5 above and at the end of this section.

Nature of the Impact

The proposed development site within the application is 4.626 ha in size. The lands comprise an existing agricultural field, including areas of scrub, an existing dwelling, a derelict dwelling and derelict outbuilding with direct frontage onto Bóthar na Cóiiste. The site will be excavated as part of the construction works with some disruption to soils and subsoils during the works. It is proposed to reinstate the site on completion of construction which will include landscape works. A development of this nature will not have any operational impact on land and soils as the general use of the land as a residential amenity is not of a project class that has the potential to have significant effects on land and soils. There is potential for negative impacts during the construction phase as a result of excavation works.

Surface waters and groundwaters may be impacted by the proposed construction works through run off of silt laden surface or pollution events associated with hydrocarbon spillages. Appropriate mitigation has been proposed to block pathways to the sensitive receptors.

The construction phase will utilise mechanical excavators and plant. This equipment will potentially use fossil fuels, but the possible impact on air and climate associated with this is not significant and will be short-term in nature.

For the operational phase, the proposed development is not a recognised emitter of greenhouse gases with the potential to effect climate change.

In addition, the Building Lifecycle Report states that low energy technologies such as heat pumps, PV solar panels and ECAR charging points are being considered in order to achieve a minimum of A2 BER rating.

Transboundary Nature of the Impact

The proposed development will be confined to the extents of the 4.626ha site with some off site works associated with services connections and infrastructural improvements on Bóthar na Cóiste. The only transboundary impacts for consideration are the wastewaters which will leave the site. All foul water will be discharged to the public sewer and will be treated at the Terryland Wastewater Treatment Plant.

There are no transboundary impacts associated with land, soils and air & climate for consideration.

Intensity and Complexity of the Impact

There are no intense or complex impacts associated with this residential development. The character/quality of any of the environmental factors discussed in this section of the EIA Screening Report having the potential to impact land, soil, water and air & climate will not change significantly. There will be a negative, impact on land, soil, water, air & climate. The impact will be imperceptible provided the project design and mitigation measures are implemented.

The negative effect as outlined in the Nature of the Impact section above will be imperceptible provided that the control measures outlined in the accompanying documents are implemented at the site.

Probability of the Impact

The probability for significant effects on the environment or impacts on land, soil, water and air & climate is unlikely. This conclusion is based on the value of the sensitive receptors, the scale, nature and location of the project, the project design proposals incorporated into the project design and the proposed mitigation measures.

Expected Onset, Duration, Frequency and Reversibility of the Impact

The impacts associated with the construction phase will be short-term. Any minor impacts associated with the operational phase as described above will be permanent in nature. However, it has been concluded that the proposed development will not result in significant effects on the environment provided the project design and mitigation measures are implemented.

Cumulation of the Impact

Section 3.5.1.2 above has concluded that significant environmental effects from a cumulation of the proposed development with existing development is unlikely.

Possibility of Effectively Reducing the Impact

- Vehicles will never be left unattended during refuelling. Only dedicated trained and competent personnel will carry out refuelling operations and plant refuelling procedures shall be detailed in the contractor's method statements.
- Fuels, lubricants and hydraulic fluids for equipment used on the site will be carefully handled to avoid spillage, properly secured against unauthorised access or vandalism, and provided with spill containment.
- All fuels, lubricants and hydraulic fluids will be stored at the site compound. The storage area will contain a small bund lined with an impermeable membrane in order to prevent any contamination of the surrounding soils and vegetation.
- Potential impacts caused by spillages etc. during the construction phase will be reduced by keeping spill kits and other appropriate equipment on-site.
- No batching of wet-cement products will occur on site. Ready-mixed supply of wet concrete products and pre-cast elements for culverts and concrete works will be used. No washing out of any plant used in concrete transport or concreting operations will be allowed on-site.
- Where concrete is delivered on site, only chute cleaning will be permitted, using the smallest volume of water possible. No discharge of cement contaminated waters will be allowed on site. Weather forecasting will be used to plan dry days for pouring concrete. It will be ensured that the pour site is free of standing water and plastic covers will be ready in case of sudden rainfall event.

Measures will be put in place to minimise the impact of dust generated from the works with reference to best practice guidance such as the *Control of Dust from Construction and Demolition Activities* document. These measures will include:

- Any contaminated soil and stone will be transferred off-site in tipper lorries which will be covered to prevent dust deposition off-site, and trailers will be sealed to prevent contaminated run-off leaking from the trailer.
- Loads of materials leaving each site will be evaluated and covered if considered necessary to minimise potential dust impacts during transportation

In terms of potential impacts associated with wastewater which will discharge from the site to the public sewer network, all foul water will be treated at the Terryland Wastewater Treatment Plant.

Wastewater produced during the operational phase of the proposed development will be redirected into the public network following design implementation of Irish Water Code of Practice for Wastewater Infrastructure.

Given that waste will be appropriately treated to EPA standards, no potential for significant effects on water quality exists as results of wastewater generated by the proposed development.

3.5.3.4 Material Assets, Cultural Heritage and the Landscape

Magnitude and Spatial Extent of the Impact

The proposed development will be confined to the extents of the 4.626ha site with some off-site works associated with services connections and infrastructural improvements on Bóthar na Cóiste. The magnitude and scale of the proposed development is below the appropriate EIA threshold for residential developments and development in an urban setting. The proposed development and whether it would be likely to have significant effects on the environment through cumulation with other existing developments is considered in Section 3.5

Nature of the Impact

Material assets as considered as regards existing services and utilities which may be negatively impacted by the proposed development. The works and in particular, the bulk excavation works have the potential to come into contact and impact previously unidentified underground services should they exist. The same can be said for archaeological features that have previously been undetected. Material assets are also considered in terms of traffic management and impacts associated with the proposed development and the existing road network. There will be a neutral, impact on material assets, cultural heritage and the landscape during the operational phase.

The nature of impact associated with Landscape is considered in terms of the magnitude of change imposed on the landscape with reference to its key elements, features and characteristics (also known as ‘landscape receptors’) combined with the sensitivity of the landscape to determine the landscape effect.

Transboundary Nature of the Impact

The potential to come into contact and impact previously unidentified underground services should it occur could lead to impacts beyond the boundary of the site. Where any such utility passes through an undeveloped green field it is generally there to service developed areas. Any impact on such services were they to exist would impact receptors beyond the boundary of the site where a loss in supply or service is experienced. In terms of traffic, the transboundary impact relates to accessing the public road from site and the potential for traffic impacts including road collisions.

Visual impact has the potential to occur beyond the site boundary where visibility of the proposed development exists.

There are no transboundary impacts associated with cultural heritage for consideration.

Intensity and Complexity of the Impact

There are no intense or complex impacts associated with this residential development. The character/quality of any of the environmental factors discussed in this section of the EIA Screening Report having the potential to impact material assets, cultural heritage and landscape will not change significantly. The impact will be imperceptible provided the project design and mitigation measures are implemented.

Probability of the Impact

The probability for significant effects on the environment or impacts on material assets, cultural heritage and landscape is unlikely. This conclusion is based on the value of the sensitive receptors, the scale, nature and location of the project, the project design proposals incorporated into the project design and the proposed mitigation measures.

Expected Onset, Duration, Frequency and Reversibility of the Impact

The impacts associated with material assets and cultural heritage during the construction phase will be short-term. There are no significant impacts anticipated with material assets and cultural heritage during the operational phase.

The impacts on landscape during the construction phase will be short-term. The impacts on landscape in the operational phase will be permanent however, the landscape effects are localised and will not be evident in the wider landscape.

Cumulation of the Impact

The technical reports and Section 3.5.1.2 above has concluded that significant environmental effects from a cumulation of the proposed development with existing development is unlikely.

Possibility of Effectively Reducing the Impact

Mitigation to reduce the impact on material assets, cultural heritage and landscape has been set out in the various documents prepared as part of this application as listed in Section 1. It is summarised here as follows:

Traffic Management proposals have been set out in the accompanying Construction Traffic Management Plan.

The Landscape Planning and Design report compiled by Cunnane, Stratton Reynolds proposes a number of landscape design objectives such as the introduction of a wide diversity of tree and shrub species. Large trees such as Oak will be planted where space allows. Smaller native trees will be planted where space is more restricted, helping to structure and visually soften the environment around the proposed buildings.

A formal green open space will be located strategically within the housing layout to provide high levels of overlooking/passive surveillance. It incorporates an equipped children’s playground with feature tree and ornamental shrub planting.

Mitigation to reduce the impact on potential cultural heritage sites has been outlined in the accompanying Archaeological Impact Assessment, which states that Although there are no archaeological features visible within the site and no recorded monuments within or in the immediate vicinity, due to the size of the site and the scale of the proposed development, it is recommended that a programme of pre-development testing be carried out by a suitably qualified archaeologist in advance of the commencement of the proposed development

3.5.3.5 Interaction

The preceding sections examine the proposed development and whether it would be likely to have significant effects on the environment in relation to criteria set out in Section 3.5.1 and 3.5.2 with regard to the impact of the project on the factors specified in section 171A of the Act for the definition of environmental impact assessment report have been taken into account in the sections below. This section examines the interaction between those factors and whether the proposed development would be likely to have significant effects on the environment arising from these interactions.

The various anticipated interactions are summarised as follows:

- Population and Human Health,
 - Air and Climate, Land, Soils and Geology, Water, Material Assets and Landscape
- Biodiversity,
 - Land, Soils and Geology, Water, Air and Climate and Landscape
- Land, Soils and Geology,
 - Water, Cultural Heritage and Landscape
- Air and Climate

- Material Assets
- Landscape
 - Cultural Heritage

The examination of these factors above individually concluded that significant effects on the environment was unlikely.

Where any potential interactive negative impacts have been identified in the above, appropriate mitigation measures has already been included in the various documents as part of this application as listed in Section 1. These mitigation measures are summarised briefly here as follows;

- Interactions between Population and Human Health and Air & Climate have been mitigated in the CTMP through measures provided for the management of dust from construction works.
- Interactions between Population and Human Health and Water have been mitigated in the NIS through measures provided for the management of fuels and hydrocarbons on site during construction. During operation, a detail drainage design for wastewater and surface water management has been provided.
- Interactions between Population and Human Health and Landscape have been mitigated in the LVA which included proposals to introduce tree planting along with other measures to soften the appearance of the buildings
- Interactions between Biodiversity and Land, Soils and Geology Assets have been mitigated in the NIS through soil and earthworks management and proposals to minimise where possible along with material waste management and site reinstatement proposals
- Interactions between Biodiversity and Water have been mitigated in the NIS through measures provided for the management of fuels and hydrocarbons on site during construction. During operation, a detail drainage design for wastewater and surface water management has been provided.
- Interactions between Biodiversity and Air & Climate have been mitigated in the CTMP through measures provided for the management of dust from construction works
- Interactions between Biodiversity and Landscape have been mitigated in the Landscape Planning and Design Report through proposals for proposal to introduce tree planting to soften the appearance of the buildings and will also replace and enhance any vegetation removed within the development footprint as part of the construction works
- Interactions between Land, Soils and Geology and Water have been mitigated in the NIS through measures provided for the management of soil & groundwater and surface water. During operation, a detail drainage design for wastewater and surface water management has been provided.
- Interactions between Land, Soils and Geology and Cultural Heritage. Mitigation has been provided in the Archaeological Impact Assessment which states that, due to the size of the site and the scale of the proposed development, it is recommended that a programme of pre-development testing be carried out by a suitably qualified archaeologist in advance of the commencement of the proposed development.
- Interactions between Land, Soils and Geology and Landscape have been mitigated in the CDWMP and NIS through soil and earthworks management and proposals to minimise where possible along with material waste management and site reinstatement proposals
- Interactions between Air & Climate and Material Assets
- Interactions between Landscape and Cultural. Although there are no archaeological features visible within the site and no recorded monuments within or in the immediate vicinity, due to the size of the site and the scale of the proposed

development, it is recommended that a programme of pre-development testing be carried out by a suitably qualified archaeologist in advance of the commencement of the proposed development

3.5.4 Summary of Schedule 7 Criteria Examination

This section has examined the proposed development and whether it would be likely to have significant effects on the environment having regards to the criteria set out in Schedule 7 of the Regulations. It has considered the scale, location and nature of the proposed development as well as the results of the technical reports, the outcome of the Article 299 assessments, the design proposals and the proposed mitigation measures proposed to control emissions and reduce energy and resource consumption.

The characteristics and scale of the proposed development have been described and assessed in line with Schedule 7 Paragraph 1 of the Regulations. It concluded that:

- Site Area, Density & Building Heights with the proposed development are consistent and in line with relevant guidance
- Significant environmental effects from a cumulation of the proposed development with existing development is unlikely based on the review of the relevant technical reports, the project design decisions and the proposed mitigation measures which effectively reduces the potential for cumulative effects
- The demolition works are small in scale and will be completed over a very short period
- The use or potential impact on natural resources, in particular land, soil, water and biodiversity is assessed above and found that potential impact will be imperceptible and mitigated through site reinstatement
- A CDWMP has been prepared which has set a target of 80% for reuse, recycle and recovery as part of waste management, which is greater than the national target of 70% and the current achievement of 68% by the Irish waste industry
- A drainage design for the proposed development for the management of surface water and storm water through the public networks for subsequent treatment at a wastewater treatment facility. The NIS which has been prepared sets out proposals for the management of surface waters which include site management measures during construction
- A Road Safety Audit has been carried out on the proposed design for the site and the recommendations have of the audit have been incorporated to the site layout and Construction Traffic Management Plan.
- The risk to human health has been mitigated by adequate drainage design proposals, traffic management and health and safety procedures for the construction phase

The location of the proposed development have been examined in line with Schedule 7 Paragraph 2 of the Regulations. It is concluded that:

- The proposed development will result in the construction on land zoned for 'Residential' development use under the extant Galway City Development Plan.
- All surface water generated onsite will pass through oil/petrol interceptors designed to separate hydrocarbons from clean water before discharging to one of the 6. no soakaways which will be located within the confines of the site boundary
- There are no open watercourses on the site. Therefore, there are no riparian areas or river mouths on site.
- Foul water will be discharged to the public sewer and will be treated at the Terryland Wastewater Treatment Plant.
- It can be objectively concluded that the proposed development, individually or in combination with other plans or projects, will not adversely affect the integrity of any European Site

- An examination of the planning history of the site did not identify an enforcement proceedings from the local authority with regards planning consent or failures to meet environmental quality standards.
- The Galway Metropolitan Area has considerable land capacity that can significantly contribute to meeting the housing demands based on population targets set out in the NPF and the RSES

The nature and characteristics of potential impacts from the proposed development have been examined in line with Schedule 7 Paragraph 3 of the Regulations. It is concluded that:

- The impacts on Population and Human Health associated with the construction phase will be imperceptible and short-term. There are no impacts anticipated with the operational phase.
- The impacts on Biodiversity associated with the construction phase will be not significant and long-term. The operational phase impacts will be slight and long term.
- The impacts on Land, Soil, Water, Air and Climate associated with the construction phase will be imperceptible and short-term. Any minor impacts associated with the operational phase as described above will be permanent.
- The impacts on Material Assets, Cultural Heritage and the Landscape associated with the construction phase will be imperceptible and short-term. There are no impacts anticipated with the operational phase on Cultural heritage. The impacts on material assets and landscape will be permanent but not significant.

Based on the findings of the examination above and the summary of conclusions that have been presented and the anticipated short-term duration of construction phase impacts, it is concluded that the proposed development is not considered likely to have significant effects on the environment.

There is no real likelihood of significant environmental effects either alone or in cumulation with other existing and permitted projects associated with the proposed development.

3.6 Schedule 7A Sub-threshold Criteria

Article 299B(1)(b)(ii)(II) of the Regulations requires the applicant to provide the competent authority with the information specified in Schedule 7A of the Regulations where the competent authority concludes, based on a preliminary examination of the proposed development, that there is significant and realistic doubt in regard to the likelihood of significant effects on the environment. For the avoidance of doubt, the information specified in Schedule 7A of the Regulations is provided in this section. In addition, any further relevant information on the characteristics of the proposed development and its likely significant effects on the environment is also provided.

3.6.1 Description of the Proposed Development

Schedule 7a, Paragraph 1 requires:

A description of the proposed development, including in particular—

(a) a description of the physical characteristics of the whole proposed development and, where relevant, of demolition works, and

(b) a description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected.

The proposed development will comprise the construction of 170 residential units and all associated infrastructure on a 4.626ha site. The assessment for EIA under the appropriate threshold for residential developments and development in an urban setting in Section 3.3 above demonstrate that the project is well the below the threshold sets in the Regulations.

The proposed development requires the demolition of an existing dwelling, a derelict dwelling and associated shed structure.

A Construction and Demolition Waste Management Plan (CDWMP) has been prepared by Tobin Consulting Engineers. The CDWMP describes the demolition as works that will consist of agricultural stone walls, an existing dwelling, a derelict dwelling and a derelict outbuilding. There are no other existing building or structures located within the proposed development site that require demolition.

The demolition works are small in scale and will be completed over a very short period of time as part of site enabling work is prior to the commencement any construction works using mechanical excavators and plant. This equipment will potentially use fossil fuels, but the possible impact on air and climate associated with this is not significant and the duration of the demolition works and will be short-term. The management of waste material generated by the proposed demolition works is outlined in Section 3.5.1.5 above.

The location of the development relative to areas of environmental sensitivity are examined in Section 3.5.2.3 above. In summary it has been concluded that the proposed development is compliance with the objectives of the Galway County Development Plan that relate to ecologically important features.

The potential for impact on European sites has been fully assessed in the Appropriate Assessment Screening Report (AASR) and the NIS that have been prepared in support of the current application.

The following European Sites were identified as having the potential to be affected by the proposed development:

- Galway Bay Complex SAC
- Inner Galway Bay SPA
- Lough Corrib SAC
- Lough Corrib SPA

The pathway for effect was identified as a potential degradation in water quality arising from the proposed works and all necessary preventative measures are described in the NIS and are incorporated into the project design.

The NIS concluded that the proposed development, individually or in combination with other plans or projects, will not adversely affect the integrity of any European Site.

3.6.2 Aspects of the Environment likely to be Significantly Affected

Schedule 7a, Paragraph 2 requires:

A description of the aspects of the environment likely to be significantly affected by the proposed development.

Section 3.5.3 above describes the aspects of the environment with regard to the impact of the project on the factors specified in section 171A of the Act for the definition of environmental impact assessment report. The findings are summarised in the sections that follow.

Population and Human Health

The proposed development is not considered to be the type of development that can pose a significant risk a to human health. There is the potential for some impacts associated with the construction phase, but these can be managed using appropriate construction methodologies and mitigation as set out in

the CMP. The development will facilitate an increase in the population of the City in line with the policy objective of the City Council.

Biodiversity

The AASR has identified the European Sites upon which the proposed development has the potential to result in significant effects and the pathways by which those effects may occur. The potential pathway for indirect effect in the form of surface water pollution was identified in relation to the aquatic QIs associated with Galway Bay Complex SAC, Inner Galway Bay SPA, Lough Corrib SPA and Lough Corrib SAC. The NIS concludes that the use of avoidance, appropriate design and mitigation measures will ensure no adverse effect on any European Site.

The EcIA concludes that where that the proposed development is constructed and operated in accordance with the design and best practice that is described within this application, potential effects are anticipated to be not significant.

Land, Soil, Water, Air and Climate

The site will be excavated as part of the construction works with some disruption to soils and subsoils during the works. It is proposed to reinstate the site on completion of construction which will include landscape works. A development of this nature will not have any operational impact on land and soils as the general use of the land as a residential amenity is not of a project class that has the potential to have significant effects on land and soils.

Surface waters and groundwaters may be impacted by the proposed construction works through run off of silt laden surface or pollution events associated with hydrocarbon spillages. Appropriate mitigation has been proposed to counter this.

The construction phase will utilise mechanical excavators and plant. This equipment will potentially use fossil fuels, but the possible impact on air and climate associated with this is not significant and will be short-term in nature.

For the operational phase, the proposed development is not a recognised emitter of greenhouse gases with the potential to effect climate change. The housing units will be constructed to current building regulation standards delivering at least an A2 energy rating. The proposed housing units will be heated by air to water heat pump heating systems.

The current building regulations energy loss standards are known as nZEB - near Zero Energy Buildings. Buildings will now be required to decrease their fabric energy loss, increase their proportion of energy from renewables, increase airtightness and overall improve the buildings construction. This will mean warmer, better built homes using much less energy. A provision for ducting will also be made to all houses for Electric vehicle charging, thus helping to future proof the proposal

Material Assets, Cultural Heritage and the Landscape

The proposed works and in particular, the bulk excavation works have the potential to come into contact and impact previously unidentified underground services should they exist. The same can be said for archaeological features that have previously been undetected. Material assets are also considered in terms of traffic management and impacts associated with the proposed development and the existing road network.

The nature of impact associated with Landscape is considered in terms of the magnitude of change imposed on the landscape with reference to its key elements, features and characteristics (also known as 'landscape receptors') combined with the sensitivity of the landscape to determine the landscape effect.

3.6.3 Description of any Likely Significant Effects

Schedule 7a, Paragraph 3 requires:

A description of any likely significant effects, to the extent of the information available on such effects, of the proposed development on the environment resulting from—

(a) the expected residues and emissions and the production of waste, where relevant, and

(b) the use of natural resources, in particular soil, land, water and biodiversity.

Section 3.5.3 above describes the characteristics of the proposed development in terms of emissions, waste production and use of natural resources and concludes on the likelihood of significant effects. The findings are summarised in the sections that follow.

Residues and Emissions

The Report on Civil Works Planning Stage prepared as part of this application has provided a drainage design for the proposed development for the management of surface water and storm water through an internal drainage network which would include oil/petrol interceptors and 6. No soakaways which would discharge clean water to ground. The NIS which has been prepared sets out measures for the management of surface waters which include site management measures which will be put in place to avoid release of potential pollutants into the existing site network or groundwaters at the site. Wastewater generated at the site during the operational phase will flow to Terryland Wastewater Treatment Plant. The management of surface water run-off during the construction phase will also be carried out in accordance with the CIRIA C698 publication Site Handbook for the Construction of SUDS as is good practice.

There is no real likelihood of significant environmental effects associated with residues and emissions either alone or in cumulation with other existing and permitted projects associated with the proposed development.

This is based on a review of the project design, the proposed mitigation measures, the location of the site and the environmental receptors. Where a source impact is identified, proven measures have been incorporated to reduce the potential effect or block the pathway between the source and the receptor.

Production of Waste

Table 6 of the CDWMP provides quantities for the Reuse/Recovery, Recycle and Disposal of waste materials. Although CDWMP does suggest that the quantities are difficult to accurately predict at this stage in the proposal, it does set a target of 80% for reuse, recycle and recovery as part of waste management, which is greater than the national target of 70% and the current achievement of 68% by the Irish waste industry. Proposals for the management of waste during the operational phase have been taken into consideration in the project design, particularly for the apartment units for which provision of bin stores have been included in the design. There is no real likelihood of significant environmental effects either alone or in cumulation with other permitted and proposed projects related to the production and management of wastes.

Use of Natural Resources

The proposed application site extends to 4.626 ha. The site is comprised of an agricultural field, including areas of scrub, with direct frontage onto Bóthar na Cóiste. An existing dwelling and derelict dwelling and associated derelict outbuilding are also located within the confines of the site boundary.

The boundaries of the site include a mixture of dry-stone walls, hedgerows and wire fencing. As the description suggests the current land use is not for intensive agricultural purpose but the presence of animals is more so for maintenance of the lands and less so for agricultural gain therefore it is not considered. As regards the proposed land use, density, sustainable development and achieving the maximum potential of this land resource Section 3.5.1.1 above already alludes to the fact that the proposal has a net density per hectare above the recommended level in the guidelines.

The proposed development will require the excavation, temporary storage and reuse of soil materials in backfilling, site reinstatement and landscaping. The CDWMP states that given previous green field land use and on-site observations, it is expected to be inert soil and subsoils which will be excavated and reused where possible but if removed from site will be taken to licensed facility.

The use of water resources at the proposed development will be restricted to anticipated domestic consumption along with the commercial element associated with the crèche facility. The site will be supplied by a public watermain which is managed by Irish Water which will be subject to appropriate consents and agreements being in place and confirmation of the ability of this utility to provide adequate supply.

The proposed development has been the subject of an Ecological Impact Assessment (EcIA) which summarised the potential impact associated with the development and concluded that;

It is considered that the proposed development will not result in the loss of habitats or species of high ecological significance and will not have any significant effects on the ecology of the wider area.

The potential residual impacts on ecological receptors will not be significant and no potential for the proposed development to contribute to any cumulative impacts on biodiversity when considered in-combination with other plans and projects was identified.

Provided that the development is constructed in accordance with the design and best practice that is described within this application, significant effects on biodiversity are not anticipated at any geographic scale.

3.6.4 **Compilation of Paragraphs 1-3**

Schedule 7a, Paragraph 4 requires:

The compilation of the information at paragraphs 1 to 3 shall take into account, where relevant, the criteria set out in Schedule 7.

Sections 3.6.1 – 3.6.3 of this document provides information on the proposed development, the aspects of the environment which are likely to significantly affected by the proposed development and a description of these effects. A summary of the measures set out to mitigate and ensure that the proposed development will not have significant effects on the environment has been provided throughout Sections 3.6.1 – 3.6.3 which is drawn from the information provided in Section 3.5.1 above which was prepared to provide criteria for determining whether a development listed in Part 2 of Schedule 5 (sub-threshold) should be subject to an environmental impact assessment as required by Schedule 7 of the Regulations.

3.6.5 **Summary of Schedule 7a Criteria Assessment**

This section has examined the proposed development and whether it would be likely to have significant effects on the environment having regards to the criteria set out in Schedule 7a of the Regulations. A compilation of the data presented in Paragraphs 1 – 3 has noted the measures set out to mitigate any significant effects and from this it can be concluded that there will be no significant on the environment arising from the proposed development.

3.7

Other Environmental Assessments

Article 299B(1)(b)(ii)(II)(C) of the Regulations requires the applicant to provide the competent authority with a statement indicating how the available results of other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directives have been taken into account. The required statement is provided in this section.

3.7.1

European Union Legislation

The following sections outline the various EU Directives (other than the EIA Directive) relevant to this proposed development. It highlights the nature of the assessments carried out in accordance with the said directives. Where individual assessments have influenced the details of the proposed scheme, this is also described below, to show how the results of those assessments have been taken into account.

The Directives examined in this report and considered within the wider application are as follows:

- 1) *Directive 92/43/EEC, Habitats Directive*
- 2) *Directives 2009/147/EC Birds and Habitats*
- 3) *Directive 2000/60/EC, Water Framework Directive;*
- 4) *Directive 2001/42/EC, SEA Directive;*
- 5) *Directive 2002/49/EC, Environmental Noise;*
- 6) *Directive 2008/50/EC, Ambient Air Quality and Cleaner Air for Europe Directive;*
- 7) *Directive 2007/60/EC, Floods Directive;*
- 8) *Directive 2010/75/EU Industrial Emissions Directive*
- 9) *Directive 2012/18/EU Seveso-III Directive*
- 10) *Directive 2010/31/EU, Directive on the Energy Performance of Buildings*
- 11) *Directive 2008/98/EC, EU Waste Framework Directive*
- 12) *Directive 2008/56/EC, Marine Strategy Framework Directive*
- 13) *Directive 2012/19/EU, Waste Electrical and Electronic Equipment (WEEE) Directive*
- 14) *Directive 92/57/EEC on the minimum safety and health requirements at temporary or mobile construction sites*

3.7.1.1

Directive 92/43/EEC, Habitats Directive and Directive 2009/147/EC, Birds Directive

Adopted in 1992, the Habitats Directive (Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora) aims to promote the maintenance of biodiversity, taking account of economic, social, cultural and regional requirements. It forms the cornerstone of Europe's nature conservation policy with the Birds Directive and establishes the EU wide Natura 2000 ecological network of protected areas, safeguarded against potentially damaging developments.

There are no European Sites located directly on the subject site. The Lough Corrib SAC is located 0.7km west of the proposed development site, Galway Bay Complex SAC and Inner Galway SPA are located 1.97km to the south and Lough Corrib SPA is located 2.96km to the west.

The Birds Directive (Directive 2009/147/EC on the conservation of wild birds), first adopted by the Member States in 1979, is the European Union's oldest piece of nature legislation.

3.7.1.1.1 Appropriate Assessment Screening Report

Article 6.3 of the Habitats Directive 92/43/EEC requires that an Appropriate Assessment (AA) should be carried out where plans or projects are likely to have a significant effect on any European Site. An Appropriate Assessment Screening Report (AASR) has been prepared by MKO and accompanies this

application The AASR identified the European Sites upon which the proposed development has the potential to result in significant effects and the pathways by which those effects may occur. It has also identified those qualifying interests/special conservation interests that have the potential to be affected by the proposed development. Therefore, MKO were appointed to provide the information necessary to allow the competent authority to conduct an Article 6(3) Appropriate Assessment and prepare a Natura Impact Statement (NIS).

3.7.1.1.2 **Natura Impact Statement**

A Natura Impact Statement (NIS) has been prepared by MKO in accordance with Article 6.3 of the Habitats Directive 92/43/EEC. This NIS concludes the following:

This NIS has provided an assessment of all potential direct or indirect adverse effects on European Sites.

Where the potential for any adverse effect on any European Site has been identified, the pathway by which any such effect may occur has been robustly blocked through the use of avoidance, appropriate design and mitigation measures as set out within this report and its appendices. The measures ensure that the construction, operation of the proposed development does not adversely affect the integrity of European sites.

Therefore, it can be objectively concluded that the proposed development, individually or in combination with other plans or projects, will not adversely affect the integrity of any European Site

3.7.1.1.3 **Bat Assessment**

The application has been accompanied by a Bat Survey Report prepared by MKO, which assesses the potential impact of the proposed development on bats. All Irish bats are protected under European legislation, namely the Habitats Directive (92/43/EEC). All Irish species are listed under Annex IV of the Directive, requiring strict protection for individuals, their breeding sites and resting places. The lesser horseshoe bat (*Rhinolophus hipposideros*) is further listed under Annex II of the Directive, requiring the designation of conservation areas for the species. Under this Directive, Ireland is obliged to maintain the favourable conservation status of Annex-listed species. This Directive has been transposed into Irish law through the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477/2011).

The Bat Survey Report concludes the following:

Seven bat species were recorded across the proposed development site. No roosts were identified within the derelict cottage, adjacent shed or residential bungalow. Foraging and commuting was mainly associated with mature trees/hedgerows forming field boundaries.

This report provides a full and comprehensive assessment of the potential for impact on bat populations within the site boundary. The surveys and assessment provided in this report are in accordance with the relevant industry guidance. It is noted that the proposed development will not result in any significant effects on bats.

Taking the above information into consideration and having regard to the precautionary principle, it is considered that the proposed development will not result in the significant loss of habitats of high ecological significance for bat species and will not have any significant impacts on the ecology of the wider area for bats.

Provided that the proposed development is constructed and operated in accordance with the design, best practice and mitigation that is described within this report; no significant impacts on local bat populations will occur at any geographic scale.

3.7.1.1.4 **Birds**

The multi-disciplinary walkover survey was designed to detect the presence, or likely presence, of a range of protected habitats and species. Incidental sighting/observations of birds and additional fauna were noted during the site visit. Surveys were undertaken in accordance with best practice guidance (TII, 2008: Ecological Surveying Techniques for Protected Flora and Fauna during the Planning of National Road Schemes).

A survey for potential habitat and protected bird species was undertaken during the walkover surveys. Following the results of this survey no requirement for more detailed surveys was identified.

Wintering bird surveys were carried out during the initial multidisciplinary walkover survey on the 5th of March 2021 with follow up dedicated bird surveys on the 30th of March 2021, 24th of November 2021, 15th of March 2022 and the 29th of March 2022

A dedicated barn owl survey was undertaken at the site on the evening of the 29th of July 2021 and a dedicated swift survey was undertaken at the site on the evening of the 28th of July 2021. The survey timing falls within the recognised optimum period for vegetation surveys/habitat mapping, i.e. April to September (Smith et al., 2011). As described above, this conclusion has been taken into account in reaching the EIA Screening conclusion.

3.7.1.2 **Directive 2000/60/EC, Water Framework Directive**

The Water Framework Directive requires all Member States to protect and improve water quality in all waters to ensure that good ecological status is achieved. It establishes common principles and an overall framework for action in relation to water protection and developed the overall principles and the structure for protection and sustainable use of water in the European Union.

An Ecological Impact Assessment (EcIA) has been prepared by MKO and included with this application for consideration. This EcIA includes a desk-based assessment of water quality in Section 4.5, and states that:

There are no drainage ditches or mapped EPA watercourses within or near the proposed development site. The site is located within the Corrib sub-catchment. The EPA web-mapper was consulted regarding the water quality and status of the nearby Lough Corrib (Corrib Lower IE_WE_30_666a). Lough Corrib was assigned 'good' status in the Water Framework Directive monitoring program for the period 2013-2018. Lough Corrib was assessed as 'not at risk' and therefore meets its Water Framework Directive objectives. The water quality status of Galway Bay is categorised as 'unpolluted'.

In the absence of mitigation and following the precautionary principle, there is potential for the proposed development to result in significant indirect effects on downstream water quality, aquatic habitats and species at a local geographic scale in the form of pollution during the construction and operational phase of the proposed development.

Following the implementation of the mitigation as described above, there will be no significant effect on surface water quality or downstream aquatic habitats or species arising from the construction and operation of the proposed development.

The proposed development does not involve any abstraction of groundwater or alteration of drainage patterns. Therefore, the quantitative status (i.e., the available quantity (volume) of groundwater and surface water locally) to the receiving waters will remain unaltered during the construction and operational phase of the proposed development.

There is no direct discharge from the development site to downstream receiving waters. Mitigation for the protection of surface water during the construction and the operational phases of the development

will ensure the qualitative status of the receiving waters will not be altered by the proposed development.

There is also mitigation proposed to protect groundwater quality within the proposed development scheme during the construction and operational phases of the development. These mitigation measures will ensure the qualitative status of the underlying Groundwater Bodies (GWBs) will not be altered by the proposed development. Such mitigation measures are as follows:

- Vehicles will never be left unattended during refuelling. Only dedicated trained and competent personnel will carry out refuelling operations and plant refuelling procedures shall be detailed in the contractor's method statements.
- Fuels, lubricants and hydraulic fluids for equipment used on the site will be carefully handled to avoid spillage, properly secured against unauthorised access or vandalism, and provided with spill containment.
- All fuels, lubricants and hydraulic fluids will be stored at the site compound. The storage area will contain a small bund lined with an impermeable membrane in order to prevent any contamination of the surrounding soils and vegetation.
- Potential impacts caused by spillages etc. during the construction phase will be reduced by keeping spill kits and other appropriate equipment on-site.

There will be no change in the status in the underlying GWBs or downstream SWBs resulting from the proposed development. There will be no change in quantitative (volume) or qualitative (chemical) status, and the underlying GWBs are protected from any potential deterioration from chemical pollution.

The proposed development will not prevent the relevant water bodies from achieving Good Status in the future or maintaining it currently.

As such, the proposed development is compliant with the requirements of the Water Framework Directive (2000/60/EC)

As described above, this conclusion has been taken into account in reaching the EIA Screening conclusion.

3.7.1.3 Directive 2001/42/EC, SEA Directive

Strategic Environmental Assessment (SEA) is a process for evaluating at the earliest appropriate stage the likely environmental effects of implementing a Plan or other strategic action in order to ensure that environmental considerations are appropriately addressed in the decision-making process, both during the preparation of, and prior to adoption of a Plan.

The European Directive (2001/42/EC) on the Assessment of the Effects of Certain Plans and Programmes on the Environment (the SEA Directive) was transposed into national legislation by the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. 435 2004) and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. 436 2004). The legislation requires that the Plan-making Authority must make available an SEA Statement summarising how the SEA and consultations have been taken into account in the making of the Plan. The Galway City Development Plan 2017-2023 was subject to Strategic Environmental Assessment and includes the preparation of SEA statements.

The application for the proposed development is accompanied by a Planning Report and Statement of Consistency prepared by MKO which demonstrates that the details of the proposal are consistent with the relevant objectives of the Galway City Development Plan 2017-2023. The site zoning has been informed by the SEA and AA of the CDP and so both reports have been taken into account in reaching the EIA Screening conclusion.

3.7.1.4 Directive 2002/49/EC, Environmental Noise

The Environmental Noise Directive is noted to “provide a basis for developing and completing the existing set of Community measures concerning noise emitted by the major sources, in particular road and rail vehicles and infrastructure, aircraft, outdoor and industrial equipment and mobile machinery, and for developing additional measures, in the short, medium and long term”.

This directive has three objectives, which are:

- The determination of exposure to environmental noise,
- Ensuring that information on environmental noise and its effects is made available to the public and,
- Preventing and reducing environmental noise quality where it is good.

The proposed development was assessed for noise during the operational phase by Amplitude Acoustics. Both interior and exterior noise levels at the development are predicted to comply with the relevant requirements of the ProPG: Planning & Noise and the British Standard BS 8233:2014.

In terms of the construction phase, the proposed development shall be carried out in accordance with the mitigation measures set out in Section 3.5.3 above. As described above, this conclusion has been taken into account in reaching the EIA Screening conclusion.

3.7.1.5 Directive 2008/50/EC, Ambient Air Quality and Cleaner Air for Europe (CAFÉ) Directive

The 2008 CAFE Directive outlines the appropriate measures to be adopted at a local, regional or national level to provide for the attainment of air quality objectives, including:

- Measures to limit transport emissions through traffic planning and management.
- Measures to encourage a shift of transport towards less polluting modes.

Subsequent policies at national, regional and local level including but not limited to the National Planning Framework, Regional Spatial Economic Strategy and Galway City Development Plan 2017-2023, have been prepared in accordance with the Directive and include objectives to encourage a shift towards more sustainable modes of travel.

The proposed development has been designed to accord with these policies and includes measures to encourage sustainable travel and to protect air quality. In accordance with Design Manual for Urban Roads and Streets (DMURS), the scheme favours pedestrians and cyclists, being well laid out and easy to traverse on foot. There are footpaths provided throughout the scheme, with limited requirement to cross the roads internally within the scheme, along with ample pedestrian crossings provided where roads are required to be crossed. The high quality of accessibility of the proposed development by non-car modes of travel is addressed in more detail in Section 8 of the Traffic and Transport Assessment (TTA) of the prepared by Tobin Consulting Engineers that accompanies the application.

The TTA indicates the pedestrian and public transport options as well as the road safety within the scheme for future residents and visitors in Section 8 of that TTA report.

No additional assessments of the proposal were deemed to be required in relation to the Clean Air for Europe (CAFE) Directive. The proposed development will be residential in nature and is not expected to produce any significant emissions once operational. The proposed housing units will be heated by air to water heat pumps.

As described above, the outcome of the assessment related to this Directive has been taken into account in reaching the EIA Screening conclusion.

3.7.1.6 Directive 2007/60/EC, Floods Directive

The Floods Directive requires Member States to assess if all water courses and coast lines are at risk from flooding, to map the flood extent and assets and humans at risk in these areas and to take adequate and coordinated measures to reduce this flood risk. The Directive also reinforces the rights of the public to access this information and to participate in the planning process.

The Planning Report states that up-to-date data from the OPW indicates that the site is not prone to flooding. Therefore, a Flood Risk Assessment was deemed to be not necessary.

As there are no watercourses within or near the site, a Flood Risk Assessment was not deemed necessary.

3.7.1.7 Directive 2010/75/EU Industrial Emissions Directive

The Industrial Emissions Directive aims to achieve a high level of protection of human health and the environment taken as a whole by reducing harmful industrial emissions across the EU, in particular through better application of Best Available Techniques (BAT). The Directive implements rules for the prevention or, where this is not practical, the reduction of industrial emissions to air, water, and land and to prevent the generation of waste, in order to achieve a high level of protection.

The Directive is not directly relevant to the proposed housing development, and the proposed development will not directly involve industrial activities under the Directive. Whilst there is the potential for indirect effects from the production and supply of material for the proposed development from industrial operations, it is not likely to have significant effects on the environment given the scale of the development proposed. The fact that the development is not one that triggers the requirement for IE Licensing has informed the EIA Screening conclusions.

3.7.1.8 Directive 2012/18/EU Seveso-III Directive

The Seveso III Directive (2012/18/EU) aims at the prevention of major accidents involving dangerous substances. However, as accidents may nevertheless occur, it also aims at limiting the consequences of such accidents not only for human health but also for the environment.

The nearest Seveso site as outlined in the Notified Seveso Establishments with the Health and Safety Authority to the proposed development is an Oil Terminal at Galway Harbour Enterprise Park, New Docks, Galway which is located 3.3km from the proposed development. The fact that the development is not one that triggers the requirement for SEVESO considerations has informed the EIA Screening conclusions.

3.7.1.9 Directive 2010/31/EU, Directive on the Energy Performance of Buildings

The Energy Performance of Buildings Directive was revised in 2018 to set the vision to achieve a zero-emission building stock by 2050 in accordance with the Climate Action Plan 2021.

The housing units will be constructed to current building regulation standards delivering at least an A2 energy rating. The proposed housing units will be heated by air to water heat pump heating systems.

The current building regulations energy loss standards are known as nZEB - near Zero Energy Buildings. Buildings will now be required to decrease their fabric energy loss, increase their proportion of energy from renewables, increase airtightness and overall improve the buildings construction. This will mean warmer, better built homes using much less energy. A provision for ducting will also be made to all houses for Electric vehicle charging, thus helping to future proof the proposal.

Nearly Zero-Energy Building (NZEB): means a building that has a very high energy performance, as determined in accordance with Annex I of the Directive 2010/31/EU.

The energy performance and considerations provided in the application and incorporated into the project design have informed the EIA Screening conclusions.

3.7.1.10 **Directive 2008/98/EC, EU Waste Framework Directive**

This Waste Framework Directive requires that Member States take the necessary measures to achieve a minimum target of 70% recycling and recovery of non-hazardous materials from the construction and demolition of a development.

Further to this, the Construction and Demolition Waste Management Plan (CDWMP), has been prepared by Tobin Consulting Engineers. The CDWMP sets out how construction waste during the development of the scheme will be managed, in accordance with the relevant local environmental and EU legislation.

Section 9.0 of the CDWMP states that:

The appointed Project Environmental Manager will be trained in setting up the waste log and checking waste dockets as described in the previous section. The Project Environmental Manager will also be given responsibility for providing toolbox talks on waste management, organising specific training where required and educating workers throughout the project.

Proposals for the management of waste during the operational phase have been taken into consideration in the project design, particularly for the apartment units for which provision of bin stores have been included in the design. These facilities will provide the necessary infrastructure of waste three-bin waste management system. The waste management proposals provided in the application and incorporated into the project design have informed the EIA Screening conclusions.

3.7.1.11 **Directive 2008/56/EC, Marine Strategy Framework Directive**

The Marine Strategy Framework Directive sets out a number of objectives which seek to achieve a transparent and coherent legislative framework, which should contribute to coherence between different policies and foster the integration of environmental concerns into other policies, providing an overall framework for action and enabling action taken to be coordinated, consistent and properly integrated with action under other Community legislation and international agreements.

Paragraph 18 of this directive includes that “this Directive should also support the strong position taken by the Community, in the context of the Convention on Biological Diversity, on halting biodiversity loss, ensuring the conservation and sustainable use of marine biodiversity”.

The impact of the water quality has been assessed and considered in relation to this proposed development, as set out in Section 7, Cumulative Effects, of the Natura Impact Statement (NIS), which states in the review of plans table that:

There will be no adverse effects on sensitive aquatic receptors listed as QIs/SCI, arising from deterioration in water quality. This has informed the EIA Screening conclusion.

3.7.1.12 **Directive 2012/19 EU, Waste Electrical and Electronic Equipment (WEEE) Directive**

The WEEE directive sets out a number of objectives aimed at preserving, protecting and improving the quality of the environment, to protect human health and to utilise natural resources prudently and rationally, based on “the precautionary principle and the principles that preventive action should be

taken, that environmental damage should, as a priority, be rectified at source and that the polluter should pay”.

The Building Life Cycle Report states that the design, separation distances and layout of the apartment blocks have been designed to optimise the ingress of natural daylight/ sunlight to the proposed dwellings to provide good levels of natural light. The benefit is a reduction of reliance on artificial lighting thereby reducing costs. The waste management proposals provided in the application and incorporated into the project design have informed the EIA Screening conclusions.

3.7.1.13 **Directive 92/57/EEC Temporary or Mobile Construction Sites**

This Directive defines minimum safety and health requirements for temporary or mobile construction sites (i.e. any construction site at which building or civil engineering works are carried out and intends to prevent risks by establishing a chain of responsibility linking all the parties involved).

The proposed development will require the appointment of a Project Supervisor for the Construction Stage (PSCS). The PSCS will be required to provide a Safety and Health Plan for the site. The Safety and Health Plan shall include a site specific risk assessment and appropriate control measures to mitigate any of the potential hazards identified within that process. The Health & Safety proposals provided in the application and incorporated into the project design have informed the EIA Screening conclusions.

4.

CONCLUSIONS AND RECOMMENDATIONS

The proposed residential development is not a development for which EIA is mandatory.

The relevant legislation requires EIA for a number of classes of project that could potentially relate to the proposed development including:

- the construction of more than 500 dwelling units,
- the development of an urban area greater than 10 Hectares
- the construction of a private road greater than 2km.

However, the proposed residential development does not reach or exceed any of the thresholds set within any of these classes.

An EIA Screening exercise was carried out to determine the potential for the proposed development to have significant environmental effects or not in accordance with the provisions of Class 15 of the Regulations for sub-threshold developments. The screening exercise has been completed in this report and the methodology used has been informed by the available guidance, legislation, and directives. This exercise has also been informed by a desk study of the site, Natura Impact Statement, Ecological Impact Assessment, Planning Report and Statement of Consistency, and other relevant technical reports on the proposed development.

This EIA Screening for the proposed development has taken into account the scale, location and nature of the project along with the types and characteristics of potential impacts on the factors specified for environmental impact assessment as set out in the Act. It can be concluded that the proposed development, due to the considered design of the project and provided all mitigation measures are properly implemented, that there is no real likelihood of significant effects on the environment. The potential impacts associated with a project of this nature are well established and understood by the authors of this EIA Screening Report and the technical reports prepared as part of this application all of whom have provided details of their competency. The impacts are not complex and the proposed mitigation measures are proven and effective. The proposed development site location is not considered to be especially sensitive from an environmental perspective and any potential impacts on identified specific sensitive receptors have been mitigated appropriately.

Section 3.7 of this document provides a statement indicating how the available results of other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directives have been taken into account on as required Article 299B(1)(b)(ii)(II)(C) of the Regulations. The statement is supported by the provision of the information specified in Schedule 7A of the Regulations which is set out in Section 3.6

The available results of all relevant assessments that have been prepared have been examined to determine the effects on the environment in accordance with EU legislation (other than the EIA Directives) which have been examined in Section 3.7.1 above.

The Board shall complete a preliminary examination for the purposes of a screening determination in accordance with Articles 299B of the Planning Regulations. Where the Board concludes, based on such preliminary examination as required under 299B(1)(b)(i), that there is significant and realistic doubt in regard to the likelihood of significant effects on the environment arising from the proposed development, it shall satisfy itself that the applicant has provided to the Board as per Article 299B(1)(ii)(II)

The statement included in Section 3.7 of this report, in particular, is provided so that the Board shall have regard to the “the available results, where relevant, of preliminary verifications or assessments of

the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive” in accordance with Article 299C(1)(a) of the Planning Regulations.

The statement indicating how the available results of other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive supports the conclusion in this Environmental Impact Assessment Screening document prepared by MKO that sub-threshold EIA is not required as there is no real likelihood that there will be **any significant effects on the environment** arising from the proposed development either alone or in cumulation of other projects..

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