

**Environmental Report on the proposed upgrading of the Regional Roads
R313 and R314 and Local Roads L1204 and L12044 in the Townlands of
Bellagelly, Bellanaboy, Muingeeroon South, Muingingaun, Glenturkmore,
Glenturkbeg, Glencullin Lower, Cloontakilla and Attavally.**

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This report was written by Michael O'Boyle in conjunction with the Western Directorate, the Road Design Office, The Heritage Officer, Mayo County Council. The Regional Design Office, The Northwestern Fisheries Board, and the Heritage Service of the Department of the Environment

18 June 2004

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Introduction

Mayo County Council proposes to upgrade certain sections of the existing R313 and R314 Regional Roads, and L1204 and L12044 Local Roads. This development is subject to the requirements of Part 8 of the Planning and Development Regulations, 2001. Mayo County Council proposes to treat this development as if it were sub-threshold. This development will facilitate the transportation of peat from the proposed Gas Terminal site at Bellanaboy to the Shramore peat deposition site.

Having regard to the European Communities (Natural Habitat) Regulations 1997, to determine whether an EIS is necessary for the proposed development, the likely impacts of the development are assessed using the criteria listed in Schedule 7 of the Planning and Development Regulations, 2001, for determining whether a development would or would not be likely to have significant effects on the environment.

Project Description

Mayo County Council proposes to carry out development, as described below, in the townlands of Bellagelly, Bellanaboy, Muingeroon South, Muingingaun, Glenturkmore, Glenturkbeg, Glencullin Lower, Cloontakilla and Attavally, Co. Mayo.

1. The widening of certain sections of the existing R313 and R314 Regional Roads, and L1204 and L12044 Local Roads to ensure a minimum carriageway width of 5.5m.
2. The improvement and strengthening of approximately 13 km of the R313 and R314 Regional Roads and L1204 and L12044 Local Roads.
3. The replacement of bridges/culverts at Glenturkbeg and Cloontakilla.
4. The strengthening of bridges at Bellanaboy and Glenturkmore

Exact locations and nature of works are shown on Drawing Nos. 3225/04/01 and 3225/04/06. Further details of the work are described in the associated Method Statement.

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The proposed works are typical of routine road improvement works carried out by Mayo County Council on a regular basis throughout the county. The roadway already exists and is a public road that is maintained by Mayo County Council. Road upgrading works will take approximately 3 months to complete. The works will generally be carried out in 500 m lengths on one half of the carriageway at a time. As the construction train moves along the length of the roadway so too will any impacts, such as noise, dust and traffic disruption. The L1204 for the most part runs along the eastern boundary of the European Site, Carrowmore Lake candidate Special Area of Conservation (cSAC) Site code: 000476 (Site Synopsis attached, Appendix A), shown on drawing no.3225/04/01. Part of the existing roadway bisects the cSAC. This area of the cSAC comprises intact blanket bog. Rivers and streams, which traverse the roadway, flow into the Carrowmore Lake.

The possible potential impacts of the proposed development are:

- The potential drainage effects of the works on the intact blanket bog.
- Siltation of local water courses
- Accidental oil spillages
- Effects on Habitats

In order to mitigate against these potential environmental impacts Mayo County Council has consulted with the National Parks and Wildlife division of the DoEHLG and The North Western Fisheries Board (NWRFB). As a result of these consultations the following measures will be undertaken:

- Following consultation with the National Parks and Wildlife Service of the DoEHLG the road upgrade design has been tailored so as to minimize impacts on the SAC.
- A survey of all bridges, which are to be strengthened or replaced along the route, is being carried out to determine the presence or absence of bat and bird species, which are known to roost in bridges. This survey will be carried out by a suitably qualified ecologist prior to the commencement of the development. Recommendations arising from this survey in relation to wildlife habitats will be implemented. Artificial bat roosts will be installed on bridges to ensure the future conservation of bats. Otter passes will be constructed in new bridges.

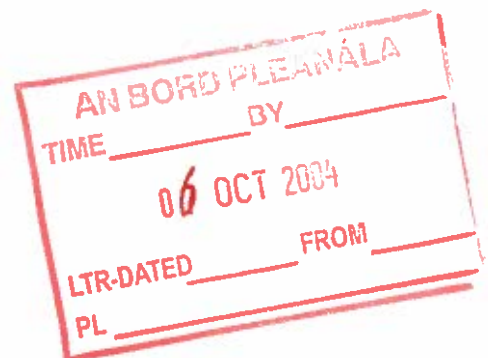
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- Following consultation with the NWRFB, procedures to be followed and timing of works to mitigate against any potential impacts to the aquatic ecology of local water courses have been agreed. Proposed works will be carried out in accordance with Fisheries By-law No. 420 (Appendix B). To prevent siltation of local watercourses temporary weirs will be placed along the roadside drains either side of the rivers during the works (the Glencullin River is of particular importance in this regard). Development works will have regard to *Fisheries Guidelines for Local Authority Works* (Appendix C).
- Roadside drains shall maintained in such a fashion as to maximize settlement within the drains. The proposed works will be carried out within existing drains; no new drains shall be constructed. A new stone-filled edge will be constructed as part of the upgrading works which will absorb and attenuate surface runoff during the surfacing operation.
- The approach to the length of roadway being treated shall be maintained clean and swept at all times.
- An oil spillage kit shall be maintained as part of the Construction Train to mitigate against any accidental oil spillages.
- Management and monitoring during the proposed development will ensure that any impacts that may arise will be mitigated against.
- Careful instruction, supervision and monitoring of works will be undertaken in order to ensure that environmentally sensitive modes of operation during the development are followed.



As discussed above, the likely impacts of the development are assessed here using the criteria listed in Schedule 7 of the Planning and Development Regulations, 2001, for determining whether a development would or would not be likely to have significant effects on the environment:

Characteristics of proposed development	Significant	Not Significant
The size of the proposed development		*
The cumulation with other proposed development		*
The use of natural resources		*
The production of waste		*
Pollution and nuisances		*
The risk of accidents, having regard to substances or technologies used.		*

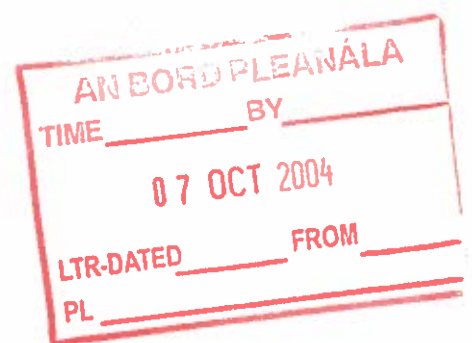
Location of proposed development	Significant	Not Significant
The existing land use		*
The relative abundance, quality and regenerative capacity of natural resources in the area		*
The absorption capacity of the natural environment, paying particular attention to the following areas: (a) wetlands (b) coastal zones (c) mountain and forest areas (d) nature reserves and parks (e) Areas classified or protected under legislation, including special protection areas designated pursuant to Directives 79/409/EEC and 92/43/EEC (f) Areas in which the environmental quality standards laid down in legislation of the EU have already been exceeded. (g) Densely populated areas, (h) Landscapes or historical, cultural or archaeological significance.		* * * * *

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Characteristics of potential impacts.	Significant	Not Significant
The extent of the impact (geographical area and size of the affected population,		*
The transfrontier nature of the impact		*
The magnitude and complexity of the impact		*
The probability of the impact		*
The duration, frequency and reversibility of the impact.		*

Based on the above criteria it is considered that the proposed development will not have a significant effect on the cSAC, and therefore will not require an EIS.

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COMHAIRLE CHONTAE MHAIGH EO MAYO COUNTY COUNCIL

TO: Director of Services Westport/Belmullet

FROM: Iain Douglas Senior Planner - Steve Verity S.E.E.

DATE: 10/08/04

SUBJECT: Proposed Upgrading of Regional Roads R313 and R314 and Local Roads L1204 and 1244 in the townlands of Bellanagelly, Bellanaboy, Muingeraon South, Muingaun, Glenturkmore, Glenturkbeg, Glencullin Lower, Cloontakilla and Attvally. Pt XI Report.

FILE MAYO CO. CO.
BELMULLET
24 AUG 2004

RECEIVED

We have examined the following :-

- (i) the plans and documents for the scheme as advertised under Part 8 of the Planning and Development Regulations 2001,
- (ii) the submissions and observations received,

The following is our report on the proposed Upgrading of Regional Roads R313 and R314 and Local Roads L1204 and 1244 in the townlands of Bellanagelly, Bellanaboy, Muingeraon South, Muingaun, Glenturkmore, Glenturkbeg, Glencullin Lower, Cloontakilla and Attvally required in accordance with the Planning and Development Act 2000 Section 179(3).

An advertisement in accordance with the Planning & Development Regulations 2001 Article 81 was placed in the local Mayo papers on 23rd June, 2004 outlining the details of the above proposed works. Drawing No's 3225/04/01, 3225/04/05, and 3225/04/06, outlining the detailed construction information were put on display at Mayo County Council offices in Castlebar and Belmullet for four weeks from this date. The relevant State Departments and agencies were also notified of the proposal in accordance with the Planning and Development Regulations 2001. Article 82 The closing date for receipt of submissions was Friday, 6th August, 2004.

(A) DESCRIPTION OF THE PROPOSED DEVELOPMENT.

The proposed development consists of:

- 1 : The widening of certain sections of the existing R313 and R314 Regional Roads, and L1204 and L12044 Local Roads to ensure a minimum carriageway width of 5.5m.
- 2: The improvement and strengthening of approximately 13km of the R313 and R314 Regional Roads and L 1204 and L 12044 Local Roads.
- 3: The replacement of bridges/culverts at Glenturkbeg and Cloontakilla.
- 4: The strengthening of bridges at Bellanaboy and Glenturkmore.

The detailed construction information is contained on the drawings put on public display. A copy of Drawing No. 3225/04/01 outlining the general details of the proposed works is attached.

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(C) CONSISTENCY WITH THE PROPER PLANNING AND SUSTAINABLE DEVELOPMENT OF THE AREA & THE DEVELOPMENT PLAN.

1. The proposed development is in compliance with the Goals, Policies and Objectives of the Mayo County Development Plan 2003-2009 in particular;

2.1 OVERALL STRATEGY.

The Overall Strategy of the County Development Plan is:

- To promote population growth in the county by facilitating economic, social and cultural development throughout the county with due regard to the role of both urban and rural areas in the overall strategic development of the county.
- To promote the future growth and development needs of the county in a sustainable manner and to ensure that the benefits of economic growth and prosperity are spread to all parts of the county.
- To improve the economic competitiveness of Mayo and to promote and facilitate the provision of a sound infrastructure base throughout the county.

3.1.3 TRANSPORT & INFRASTRUCTURE.

TRANSPORT.

ROAD.

Local Roads.

TI-LR 2 It is an objective of the Council to have the improvements carried out on the Local Road network.

TI-LR 4 It is an objective of the Council to continue with the strengthening and improvements of the local road network and to improve strategic sections on those roads servicing aquaculture/ forestry/ agriculture/ gas industry and tourism.

GAS.

TI-G 1 It is an objective of the Council that it fully supports the realisation of the Corrib Gas Field find and any other gas find in the County either on or off-shore. It also supports the provision of an on-shore gas terminal in North Mayo and the related pipe network through the County to maximise the benefits for the County.

The proposed development is consistent the proper planning and sustainable development of the area.

(D) LIST OF PERSONS AND BODIES WHO MADE SUBMISSIONS.

Ms. Maura Harrington, Doohoma, Ballina, Co. Mayo
Ms. Monica Muller, Rosspoint, Ballina, Co. Mayo
Mr. Peter Sweetman, Post Net Box 14, Rathmines, Dublin 6

(E) SUMMARY OF ISSUES RAISED IN THE SUBMISSIONS RECEIVED AND RESPONSE.

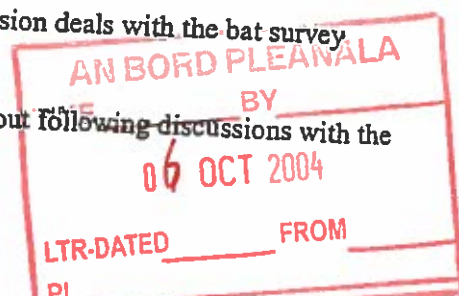
Ms. Maura Harrington.

Summary of Issues Raised.

The only substantive matter raised in this submission deals with the bat survey

Response to Issues Raised.

The need for a bat survey of the bridges came about following discussions with the



Department of the Environment, Heritage & Local Government. The bat survey was carried out by a recognised expert consultant. ✓

Ms. Monica Muller and Peter Sweetman & Associates

These two submissions are identical in the issues raised only one response is required.

Summary of Issues Raised

- 1.(a) Proposed development is not exempt under the Planning & Development Regulations 2001.
- 1.(b) Proposed development will breach of Condition 4 of P03/3343.
2. Regulation 17 of the 1997 Habitats Regulations applies to this site.
3. The Part 8 Advertisement is misleading.
4. Referral to An Bord Pleanála.

Response to Issues Raised.

- 1.(a) *Proposed development is not exempt under the Planning & Development Regulations 2001.*

Development by a Local Authority within its own functional area is Exempt under the principal Act, The Planning & Development Act 2000 (Section 4 (1)(b) unless it falls into a category specified by the Minister under Section 179 when the development becomes subject to Part 8 Procedure.

The submission is incorrect in its assertion that the development comes within Article 9 of the Planning & Development Regulations 2001.

- 1.(b) *Proposed development will breach of Condition 4 of P03/3343*

Condition 4 of P03/3343 refers to carriageway realignment at the junction of the proposed gas terminal entrance, the work to be carried out by the terminal developer. The works subject of this condition are shown on the Part 8 drawings only to present a complete picture of the overall road up-grading. Drawing number 3225/04/01 of the Part 8 documentation specifically states that the work subject of condition 3 will be carried out by others (the drawing is annotated to this effect) and that the Part 8 works referred to commence not at the entrance to the gas terminal site but at Chainage 0 indicated on Drawing number 3225/04/01.

The submission is incorrect in its assertion that Condition 4 of Breach of Condition 4 of P03/3343 will be breached.

2. *Regulation 17 of the 1997 Habitats Regulations applies to this site.*

Response to Issues Raised

The proposed development falls under Regulation 29 of the 1997 Habitats Regulations – “Obligations of Local Authorities in carrying out developments in which Part X of the Local Government Planning & Development Regulations apply.”. Part X development is now is now known as Part 8 development.

Regulation 29 of the 1997 Habitats Regulations requires an “appropriate assessment” is undertaken where the development “is likely to a significant effect” on a European Site. The Environmental Report carried out as part of this planning process, concluded that the proposed development will not have significant effects on or adversely affect the integrity of the cSAC or NHAs and that an EIS is not required.

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Development by a Local Authority is specifically excluded from the definition of "operation or activity" in the Habitats Regulations, therefore Regulation 17 of the 1997 Habitats Regulations as quoted is not relevant.

3. *The Part 8 Advertisement is misleading.*

Response to Issues Raised

The form and content of Part 8 Advertisements are subject to statutory requirements set out in the Planning & Development Regulations 2001 Part 8 Article 81(2). The public notice both in the newspapers and on-site complies with the statutory obligations.

The matters referred to in Item 3 do not form any part of contents of the notice required under the Planning & Development Regulations 2001.

4. *Referral to An Bord Pleanála as to whether or not an EIS is required.*

Response to Issues Raised

The proposed works do not fall within any of the classes of development specified in Schedule 5 of the Planning & Development Regulations 2001 or the Roads Regulations 1994 for which an EIS is required. An Bord Pleanála can only require a Local Authority to carry out an EIS where the development is below the established threshold (sub-threshold.).

As the development is not subject to a threshold An Bord Pleanála, in these circumstances, cannot require the Council to prepare an EIS.

(F) RECOMMENDATION.

Having considered:-

- The documentation of the Part VIII consultation,
- The observations and submissions received,

It is recommended that the development subject of this Part XI Report proceed as proposed.

Iain Douglas

Iain Douglas
Senior Planner

S. Verity

S. Verity
Senior Executive Engineer

To P. Bogan SSO Belmulet.

Approved.

Please place on agenda for next meeting.

P Mahon A/DOS.

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