



EIA Screening report

*Limehill Esker Ltd Dunlo, Ballinasloe
Co. Galway*

Proposed Residential Housing Ballinasloe
Reference Number EIA Screening 27072022

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1.0 INTRODUCTION

Aster Environmental Consultants Ltd have been appointed by Limehill Esker Limited relation to the planning permission for a proposed residential development at Dunlo Ballinasloe County. This EIA Screening Report is prepared on behalf of Limehill Esker developments in relation to the proposed development of 165 dwelling units at Dunlo, Ballinasloe, Co. Galway.

The report is prepared in the context of SHD application to An Bord Pleanála. This report has been compiled by Aster Environmental Consultants Ltd and prepared by Marie Louise Heffernan. Marie Louise Heffernan is a qualified Environmental Scientist and director of Aster Environmental Consultants Ltd since 2002. She holds a MSc in Environmental Science (1995) from Trinity College Dublin and is a Chartered Environmentalist with the Society of the Environment UK as well as a full member of Chartered Institute of Ecological and Environmental managers (UK).

1.1 Purpose

The purpose of this Report is to determine if 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 Schedule 5 of the Planning and Development Regulations, 2001, as amended (the Regulations). The requirement for a 'sub-threshold' development to be subject to EIA is determined by the likelihood that the development would result in significant environmental effects which may arise due to the location of the development or the characteristics of the development. The EIA screening exercise outlined below has examined the project with reference to the relevant thresholds and criteria.

In addition, a Natura Impact Statement (prepared by Aster Environmental Consultants Ltd), which assesses the potential of the proposed development to adversely affect the integrity of Natura 2000 sites (i.e. SPAs and SACs), has been prepared and will be submitted as part of the application as will an Ecological Impact Assessment to address Wildlife Act 1976 Considerations.

1.2 Consultation

Section 7 of the Planning and Development (Housing) and Residential Tenancies Act 2016 Planning and Development (Strategic Housing Development) Regulations 2017 allows for a prospective applicant to make a request to An Bord Pleanála for an Environmental Impact Assessment (EIA) and / or an Appropriate Assessment (AA) screening determination and / or scoping opinion in regard to a proposed Strategic Housing Development (SHD). Such requests are entirely discretionary and are not a mandatory part of the SHD Pre-Application Consultation process. In this case such a request was not made but a statement was submitted to the board outlining the nature of the sub threshold development under the EIA directive and stating that it would be expected to Screen out for EIA. This report is a methodological assessment of that position.

Given that this is a Strategic Housing Development consultation and opinion were sought from An Bord Pleanála. Case Reference: ABP-312236-21.

An Bord Pleanála states that “Furthermore, Pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that, in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission:” (Note only the relevant section below is presented)

“Where an EIAR is not being submitted the applicant should submit all necessary information referred to in Article 299B(1)(b)(ii)(II) and Article 299B(1)(c) of the Planning and Development Regulations 2001-2018 for the purposes of EIAR screening.”

2.0 PROJECT DESCRIPTION

2.1 The Site Location

A Site Location Plan showing the subject site in the context of the surrounding area is shown on Maps 1 and 2 below. The site comprises total site area 6.6702 ha with some 5.22ha allocated for residential development within the centre of the town of Ballinasloe, Co. Galway. Close to the eastern boundary of the County.



Map 1: Location of the proposed development (Reproduced under OSI Licence number EN 0070910)

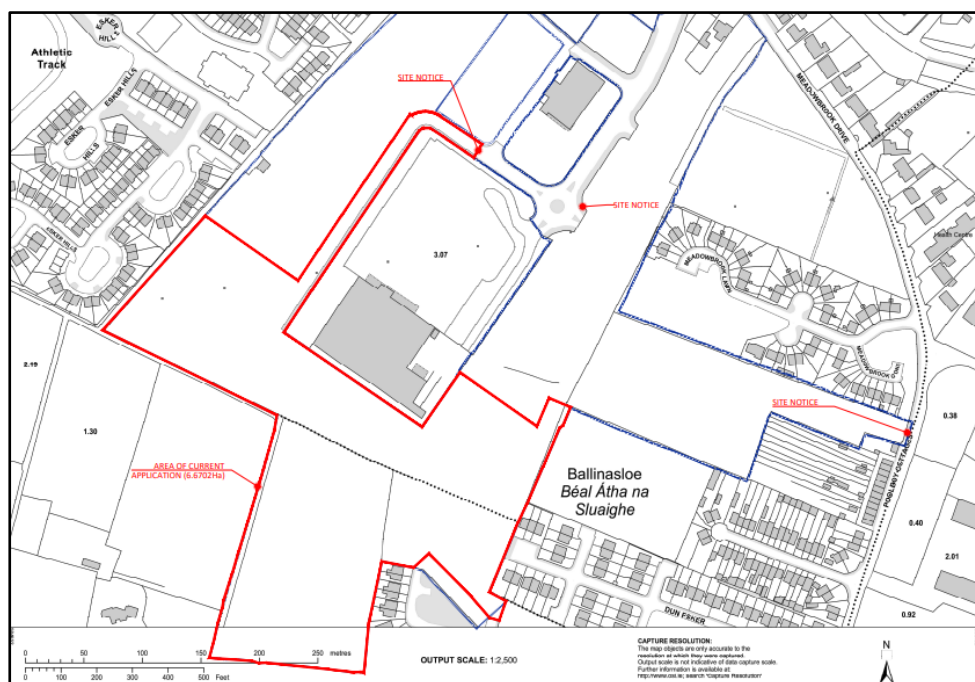
2.2 Description

The proposed development consists of residential development (c. 15,992 m² gross floor area), consisting of 165 No residential units and all associated and ancillary site development and infrastructural works, hard and soft landscaping and boundary treatment works, including:

The development will consist of :

- Block A1 and A2, each consisting of 6 No Two-Bed Ground Floor apartments, 1 No One-Bed ground Floor apartment, 6 No Three-Bed First Floor Duplex Units, and 1 No Three-Bed Second Floor apartment.
- Blocks B1 to B13 inclusive, each consisting of 2 No Two-Bed Ground Floor Duplex Units, 2 No Three-Bed Ground Floor Duplex Units, 1 No Two-Bed Second Floor apartment, and 1 No One-Bed Second Floor apartment.
- House Type C : 32 No Two-Bed units in semi-detached pairs
- House Type E : 27 No Three-Bed units in triplet arrangements
- provision of 281 No. on-site car parking spaces incorporating 163 No. spaces for residents of the apartment/duplexes, and 118 No in-curtilage car parking spaces for the housing units
- Provision of all water, surface water, foul drainage, utility ducting and public lighting and all associated siteworks and ancillary services.
- All ancillary site development works including access roadways, footpaths, cycle ways, pedestrian links, Bicycle Sheds, waste storage areas, communal and open space, site landscaping, and

boundary treatments,



Map 2. Site Boundary map (Reproduced under OSI Licence number EN 0070910)

2.3 Services

The scheme will connect to the existing Ballinasloe town sewage and water supply.

3.0 RELEVANT LEGISLATION

3.1 EIA Directive

The EIA Directive, Council Directive 85/337/EEC of 27 June 1985 *on the assessment of the effects of certain public and private projects on the environment* is designed to ensure that projects likely to have significant effects on the environment are subject to a comprehensive assessment of environmental effects prior to development consent being given. This Directive was amended by the following Directives:- Directive 97/11/EC of 3 March 1997, Directive 2003/35/EC of 26 May 2003, Directive 2009/31/EC of 23 April 2009, (codified in Directive 2011/92/EU of 13 December 2011) and recently by Directive 2014/52/EU of 16 April 2014.

3.2 Planning Act 2000

EIA provisions in relation to planning permissions are contained in the Part X of the *Planning and Development Act, 2000*, as amended (hereafter referred to as “the Planning Act”), and in Part 10 of the *Planning and Development Regulations, 2001*, as amended.

The 2014 EIA Directive has been transposed into national planning law by the *European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018* (S.I. No. 296 of 2018), with effect from 1 September 2018, and the *European Union (Planning and Development) (Environmental Impact Assessment) (No.2) Regulations 2018*, with effect from 8th October 2018.

3.3 EIA Guidance notes

The Department of Housing, Planning and Local Government (DHPLG) revised the *Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment*, in August 2018. These new Guidelines deal with the legal provisions resulting from the 2014 EIA Directive and the *European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018* (S.I. No. 296 of 2018) and how, in practice, they are to be adopted.

The Environmental Protection Agency (EPA) prepared revised (draft) guidance in response to the 2014 EIA Directive, including Draft *Guidelines on the Information to be contained in Environmental Impact Assessment Reports* (2017) and Draft *Advice Notes for Preparing Environmental Impact Statements* (2015).

Since the adoption of the 2014 EIA Directive, The European Commission has also prepared a number of Guidance documents including “*Environmental Impact Assessment of Projects, Guidance on Screening (Directive 2011/92/EU as amended by 2014/52/EU)*” (2017).

4.0 EIA SCREENING

4.1 Methodology

To determine if an EIA is required, the first step is to determine whether the Project is one of the classes set out in Annex I or II of the Directive. These classes have been transposed into Schedule 5 (Part 1 and 2) of the Planning and Development Regulations 2001, with national thresholds included for many of the Annex II classes.

If the project is not subject to a mandatory EIA, EIA may still be required to determine the likelihood of a sub-threshold project having significant effects on the environment. Criteria are included in Annex III of the EIA Directive (see Schedule 7 of the Planning and Development Regulations 2001) to determine if a sub-threshold development should be subject to an Environmental Impact Assessment.

4.2 Mandatory EIA Thresholds

Section 172 of the Planning & Development Act 2000, provides the legal basis for mandatory EIA. It states Where a planning application is made in respect of a development or class of development referred to in regulations under *section 176*, that application shall, in addition to meeting the requirements of the permission regulations, be accompanied by an environmental impact statement.

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. There is no class set out under Part 1 of Schedule 5 in relation to the provision of a housing development. Under Part 2 of Schedule 5, in relation to Infrastructure projects, Class 10(b)(i) of Part 2 refers to housing developments as follows:

10. Infrastructure projects

(b) (i) Construction of more than 500 dwelling units.

Construction of car-parks providing more than 400 spaces, other than a car-park provided as part of, and incidental to the primary purpose of, a development.

Construction of shopping centres with a gross floor space exceeding 10,000 square metres

Urban development which would involve an area greater than 2 hectares in the case of a Business District, 10 hectares in the case of other parts of a built-up area, and 20 hectares elsewhere.

The number of dwelling units proposed as part of the proposed housing development is **165** and will therefore be significantly below the threshold specified in Class 10(b)(i). The development at 6.6702ha (including 1.1218ha Open space) is also significantly less than the threshold of 10 hectares.

With reference to the above EIA is therefore not mandatory for the proposed development.

5.0 SUB -THRESHOLD SCREENING

To determine to determine whether the project described above should be subject to an EIA, the following assessment is completed on the basis of the Criteria in Schedule 7 of the Planning and Development Regulations 2001, and use the Screening Checklist provided in the 'Environmental Impact Assessment of Projects, Guidance on Screening (Directive 2011/92/EU as amended by 2014/52/EU)' (EC, 2017).

The criteria are grouped under the following three headings in Table 1 below:

1. Characteristics of the Development as Proposed
2. Location of Proposed Development
3. Characteristics of Potential Impacts

The DoEHLG Guidance Document '*Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development*' states that it is not intended that specific studies or technical evaluations are be necessary for the purpose of making a decision. In this context, this screening exercise has relied on available information.

In addition to the above reference criteria, a further screening exercise was completed to assess the most significant potential impacts and presents the sections that would be covered in any EIA Table 2 as specified in the Directive and includes the aspects of the environment with the potential to be significantly affected by the project.

5.1 Screening Criteria

Screening Questions	Comment
Characteristics of the Proposed Development	
<i>Is the scale of the project considered to be significant?</i>	The housing is 165 units well below the threshold of 500 units. The area of 6.7602 is below the 10 ha threshold as per part 2 schedule 5. The scale of the proposed development is in keeping with the scale of the receiving environment and surrounds in terms of size and design, and is therefore not considered significant. It is in line with Galway planning to develop Ballinasloe as a key town.
<i>Is the size of the project considered significant when considered cumulatively with other adjacent developments?</i>	The project is for 165 houses although large, is not out of scale or inappropriate in this urban setting. Planning application 191978 is for 88 dwellings is adjacent to this development. The cumulative size of the recent grant of permissions terms of housing at 255 dwellings well below the 500 specified.
<i>Will the project utilise a significant quantity of natural resources, in particular land, soil, water or biodiversity?</i>	No. The proposed development will connect to the existing public sewer system and water supply. The footprint of the dwelling units will be on disturbed land within the town centre. No significant residual impacts on Natura 2000 sites or on biodiversity were noted in the NIS or EclA. This development is appropriate within a Key Town earmarked for development within the County Development plan.
<i>Will the project produce a significant quantity of waste?</i>	No. During the construction phase, normal construction waste will be collected by a suitably licensed contractor and sent to appropriately permitted waste or materials recovery facilities. The waste management hierarchy will be implemented on site, which prioritizes prevention and minimization of waste, followed by re- use and recycling. During the operational phase, waste will be sorted and collected a suitably licensed contractor and sent to appropriately permitted waste or materials recovery facilities. Grouping housing will enable efficient collection, recycling or and disposal of waste.
<i>Will the project create a significant amount or type of pollution?</i>	No. No significant water or air-borne pollution are envisaged as a result of the proposed housing development. The proposed housing development is not a project type that will give rise to significant emissions or pollution.
<i>Will the project create a significant amount of nuisance?</i>	No. Limited disruption in terms of noise and traffic may arise during the construction phase but this will be short-term in duration. The majority of the proposed works will take place within site of the proposed development at Dunlo.
<i>Will there be a risk of major accidents?</i>	No. The proposed development is not of a type that poses a risk of major accidents, having regard to substances or technologies used. The proposed construction works will employ best practice methodologies, and be subject to the contractor's safety statements and risk assessments.

Screening Questions Continued ...	Comment
Characteristics of the Proposed Development	
<i>Will there be a risk of natural disasters, including those caused by climate change?</i>	The potential natural disasters that may occur are limited to flooding and fire. Based on available data from the OPW's Catchment Flood Risk Assessment and Management (CFRAM) and the Hydro S (2022) report, the proposed development site is not at risk of flooding. The proposed development will comply with all relevant health & safety legislation thus minimizing all risk.
<i>Will there be a risk to human health (for example due to water contamination or air pollution)?</i>	No. There is the limited potential for negative effects on human health during the construction phase as a result of potential emissions to air of dust, or potential emissions to land and water of hydrocarbons. Best construction site practices (see CMP) will prevent any risk of pollution running off the site. A housing development is not a recognised source of pollution and is not an activity that falls within any thresholds requiring Environmental Protection Agency licensing. On this basis, the potential for negative health effects associated with the proposed development is negligible.
<i>Is the combination of the above factors likely to have significant effects on the environment?</i>	No. There are no factors above which when combined would result in the proposed development, due to its characteristics, have a significant effect on the environment.
<i>Has the proposed development the potential to impact directly or indirectly on any site designated for conservation interest (e.g. SAC, SPA, pNHA)?</i>	An NIS for the site has been undertaken. The hydrology report identified certain pathways for pollution. However with mitigation no significant impacts arising from the proposed development are anticipated.
<i>Has the proposed development the potential to impact directly or indirectly on any habitats listed as Annex I in the EU Habitats Directive?</i>	No. There will be no negative direct or indirect impacts to, or reduction in Annex I habitat area within the Natura 2000 network. Annex I priority habitat Orchid rich grassland was identified as a transitional habitat on site. Created by land disturbance in 2009 and transitioning to scrub habitat. The landscape plan has retained areas of this habitat within the development masterplan. Without management this habitat will disappear from this site.
<i>Has the proposed development the potential to impact directly or indirectly on any habitats listed as Priority Annex I in the EU Habitats Directive?</i>	As above
<i>Has the proposed development the potential to impact directly or indirectly on any species listed as Annex II in the EU Habitats Directive?</i>	No.

Screening Questions Continued ...	Comment
Characteristics of the Proposed Development	
<i>Has the proposed development the potential to impact directly or indirectly on any species listed as Annex I of the EU Birds Directive?</i>	No direct impacts on Annex I bird species are predicted. Indirect impacts through water pollution are mitigated against and no significant residual impacts are predicted.
<i>Has the proposed development the potential to impact directly or indirectly on the breeding places of any species protected under the Wildlife Act?</i>	No.
<i>Has the proposed development the potential to impact directly or indirectly on the existing or approved land use?</i>	No. This area is zoned for development of Ballinasloe into a key town.
<i>Has the proposed development the potential to significantly impact directly or indirectly the relative abundance, availability, quality or regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground?</i>	No. The proposed development can be accommodated on this site with no significant negative effects on the abundance, availability, quality or regenerative capacity of the receiving natural environment. The area is disturbed recolonizing gravel in the majority transitioning to scrub.
<i>Has the proposed development the potential to impact directly or indirectly on any protected structures or Recorded Monuments and Places of Archaeological Interest?</i>	No. There are no Recorded Monuments affected There are no protected structures located within or in close proximity to the proposed development site.
<i>Has the proposed development the potential to impact directly or indirectly on listed or scenic views or protected landscapes as outlined in the County Development Plan?</i>	No. The proposed development does not affect any listed or scenic views or protected landscapes

Screening Questions Continued ...	
Type and Characteristics of Potential Impacts	
<i>Would a large geographical area be impacted as a result of the proposed development?</i>	No. The geographic extent of the proposed works is confined to the proposed development site.
<i>Would a large population of people be affected as a result of the proposed development?</i>	No. The proposed development site is within the existing urban area and is consistent with the land use pattern in the general area.
<i>Are any transboundary impacts likely to arise as a result of the proposed development?</i>	No.
<i>Would the magnitude of impacts associated with the proposed development be considered significant?</i>	No. Having regard to the characteristics of the proposed development and the location of the proposed development site, there are no significant negative impacts associated with the proposed project. The proposed development will provide additional housing stock which is considered a significant positive impact on Human Beings.
<i>In considering the various aspects of the environment, would the impacts of the proposed development be considered complex?</i>	No. The development is a typical housing development of a type found throughout the region
<i>Is there a high probability that the effects will occur?</i>	Whilst temporary impacts relating to construction activities are likely to occur but are not significant.
<i>Will the effects continue for a longtime?</i>	No likely significant negative effects on the environment have been identified as a result of the proposed development. The project will have a long-term positive impact on Human Beings, with regard to the provision of additional housing stock in area.
<i>Will the effects be permanent rather than temporary?</i>	The potential effects during construction are temporary. No significant permanent negative impacts are expected to result from the operational phase.
<i>Will the impacts be irreversible?</i>	No. No likely significant effects on the environment have been identified as a result of the proposed development. However, the project is a permanent change from Grassland/disturbed ground to housing and green areas.
<i>Will there be significant cumulative impacts with other existing and/or approved projects?</i>	No. The proposed project will not give rise to significant effects on the environment, and no permitted or proposed projects were identified with which the proposal would give rise to significant cumulative impacts.
<i>Will it be difficult to avoid, or reduce or repair or compensate for the effects?</i>	The construction process will avoid any significant effects of the proposed development through the implementation of standard best practice construction methodologies.

5.2 Consideration of Potential Impacts by EIA Topic

EIA Topic	Potential Impacts
Population and Human Health	<p>The potential impacts of the construction phase on human beings are not considered to be significant. During construction, there is the potential for temporary minor impacts related to traffic inconvenience, dust and noise to occur. However, the works will be short-term in duration. Standard best practice construction methodologies will limit disturbance to people in the area.</p> <p>Once completed, the proposed development will provide additional housing stock in an area of high demand which is considered a significant positive impact.</p>
Biodiversity / Species and Habitats	<p>No impacts on Birds of Conservation concern were noted. Impacts were noted in respect of bats, badgers and orchid rich grassland. Potential threat to water quality and associated wetland habitats was noted. Mitigation is expected to be effective. No residual impacts are anticipated.</p>
Land and Soils	<p>No significant impact; the development will be constructed in accordance with best practice construction methods and environmental management systems</p>
Water	<p>Good construction site practices and detailed mitigation will be in place to prevent any risk of pollution, e.g. from earthmoving works or chemicals used in construction such as hydrocarbons and cement based products, running off the site. With best practice incorporated into the design and the construction works, the potential for significant run-off of pollutants is either eliminated or greatly reduced, and no significant residual impacts on water are anticipated. CFRAM mapping shows that the site of the proposed development is not at risk of flooding.</p> <p>The proposed development will connect to the existing public sewer.</p>
Air & Climate	<p>During construction, there is the potential for short-term minor negative impacts related to dust to occur, however this will be short term in duration and limited to the works area. Best practice construction site management will minimise emissions.</p>
Noise & Vibration	<p>Potential short-term noise impact may arise during construction activities however this will be managed through implementation of best practice measures. No significant impact anticipated.</p>
Material Assets: Built Environment	<p>The proposed development will connect to existing public services (foul and water mains and utilities). There are no issues with capacity in the existing services. No significant effects arising are expected.</p>
Material Assets: Transportation	<p>There will be no significant long-term impact on local traffic movements due to the scale of the proposed housing development. During the construction phase, appropriate traffic management and signage will be in place to ensure safe access and egress from the site, and the safety of other road users. No significant effects arising are expected.</p>
Waste Management	<p>The development will involve limited excavation as it sits on a natural gravel bed. Possible effects include the re-use / recycle / disposal of excavated material as well as other waste generated on site i.e. construction and demolition waste, domestic waste once occupied. Any effects will be mitigated by the implementation of best practice in construction and demolition and operational waste management procedures.</p> <p>No significant effects arising are expected.</p>

Cultural Heritage	The proposed development will not give rise to any significant impacts on cultural heritage.
Landscape	No significant impact. The site proposed housing development is located within an existing urban area, and will not give rise to any significant landscape or visual impacts. There are no protected views or designated scenic routes pertaining to the site, and there will be no significant change in terms of site visibility.
Interactions	No significant effects arising are expected.

5.3 Conclusions of Screening Exercise

The proposed development will involve the construction of 165 no. dwelling units which is significantly less the EIA threshold of 500 dwelling units and at 6.67ha is significantly below the 10ha mandatory thresholds.

The screening exercise considered if it should be considered as a subthreshold development. It concluded that the nature of the proposed development is not likely to have significant effects on the environment (direct or indirect). The characteristics of the proposed housing development are not of a nature that will give rise to significant effects on the environment by way of its location or design. Therefore, no EIAR report is considered necessary.

The Natura Impact Statement and the Ecological Impact Assessment confirm that there will be no significant effect to Natura 2000 sites or Biodiversity as a result of the proposed development, alone or in combination with any other permitted or proposed project when mitigation is applied. No significant impacts were noted in terms of human beings, resource use, landscapes/sites of historical, cultural or archaeological significance were noted. Temporary impacts in terms of construction site practices are addressed through mitigation and water quality is protected through mitigation and best practice construction method. Mitigation is included in the Construction Management Plan presented as part of this planning.

From a land use planning perspective, the proposed housing development is on lands that are zoned for residential use and within a key town listed for expansion in the Galway County Development Plan 2022-28. The development is consistent with the relevant policy provisions of the local Development Plan and County Development plan. The proposed development is considered to represent a long-term and permanent positive impact in terms of the provision of additional housing stock and will enable population growth in this area in line with local and national policies.

It is the conclusion that the proposed development site can therefore accommodate the development without significant impact and a detailed EIAR is not required in this instance. This project is considered to screen out for Environmental Impact Assessment.

6.0 CONCLUSION

The proposed project is not a development for which an EIA is mandatory. In terms of scale, the proposed housing development falls below the threshold set out in Class 10(b) in Part 2 of Schedule 5 of the Regulations.

An EIA Screening exercise was carried out to determine the potential for the proposed development to have significant environmental effects. This exercise has been informed by multiple professional reports: Natura Impact Statement, Ecological Impact Assessment, Hydrological assessment, traffic management, housing need assessment and an Archaeological assessment.

No significant negative effects on the environment have been identified and the overall conclusion and recommendation of this screening exercise is therefore that there is no requirement for Environmental Impact Assessment of this proposed project.

7.0 REFERENCES

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