



# Comhairle Contae Liatroma Leitrim County Council

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Cora Droma Rúisc  
Contae Liatroma  
N41 PF67  
30/11/2021.

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Our ref – 21- C—07

Your ref . Appeal Part 8 Acres & Drumduff -ABP-311914-21

An Bord Pleanála,  
64 Marlborough Street,  
Dublin 1,  
D01 V902.

For the attention of Niamh Thornton

**Re: Part 8 Planning Application -Construction of a Facility for Water Sports Activities, Carpark and a Controlled pedestrian crossing on the R207 at Acres Lake, Drumshanbo.**

A Chairde,

I refer to the correspondence received from An Bord Pleanála on 10 November last with regard to the proposed Local Authority own development (Part 8, Register ref. No. 21 - C - 07 refers) for a proposed facility centre for water sports activities, car park and controlled pedestrian crossing on the R207 in the townlands of Acres and Drumduff North, Drumshanbo.

The letter requests the Planning Authority to submit the information as specified in Schedule 7A of the Planning and Development Regulations 2001, as amended. The Planning Authority enclose the full suite documents from the Part 8 Public Consultation exercise with respect to this development which includes an Environmental Impact Assessment Screening Statement which has had regard to requirements set out in Schedule 7 of the Planning and Development Regulations 2001, as amended. It is the view of the Planning Authority that this document, along with the other supporting documents, provides adequate information to allow the Board to make a determination that the proposed development which is a prescribed project type but is significantly below the applicable thresholds requiring the preparation of an Environmental Impact Assessment, would not be likely to have a significant effect on the environment and that the undertaking of an Environmental Impact Assessment is not required.

The applicable thresholds are outlined in detail in the EIA Screening Report. The threshold criteria include construction of a car-park providing more than 400 no. spaces, other than a car-park provided as part of, and incidental to the primary purpose of, a development, and 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 proposed development includes the construction of a car park containing 70 no. car parking spaces. This equates to 17.5% of the stated threshold for car parks. The overall area of the proposed development is 0.5075 hectares. The area of the proposed amenity building extends to 990m<sup>2</sup> and the area of the proposed car park extends to 4,085m<sup>2</sup>. The proposed development is located outside but adjoining the development envelop of Drumshanbo as defined by the Drumshanbo Land Use Zoning Strategy as contained in the County Development Plan 2015-2021. However, applying the precautionary principle, the site is considered to be located within the built up area of Drumshanbo but not in a Business District. The relevant threshold is therefore 10 hectares. The proposed development would therefore equate to 5% of this threshold.

It is also noted that a separate Appropriate Assessment Screening Report has concluded that the proposed project is not considered likely to give rise to any significant adverse effects on any designated European sites, alone or in combination with other plans or projects. This evaluation was made in view of the conservation objectives of the habitats or species for which these sites have been designated. Consequently, a Stage II AA (Natura Impact Statement) was not considered necessary. In addition, an Ecological Impact Assessment of the proposed development was undertaken separately by competent professionals along with an Arboricultural Impact Assessment, Tree Protection Plan & Method Statement for the proposed Amenity Block. All of these assessments have informed the determination by the Planning Authority with respect to the issue of Environment Impact Assessment.

The Planning Authority have considered the submission to the Board by Ms Rogers. There are 3 points in the submission after an initial synopsis of the proposed development.

1. It is contended that no report was made on the impact of the car park being built on the wetlands. It is stated that an extensive system of streams and drains enter the Shannon system at Acres Lake and the capability of the lake to absorb this outflow relies in part on the wetland nature of the land proposed for parking. It is argued that a detailed study is required on the impact of the loss of the wetland to a car park, on the local surface drainage system which extends far beyond the vicinity of the lake.
2. The submission states that Acres Lake is drained through a canal system and therefore has a very slow rate of exchange of water. Any drainage from a car park is likely to include amounts of oil and fuel remnants from vehicles (It is noted from the plans that the surface drainage from the car park is to existing drains rather than to the SUDS system nearer the amenity area). The risk of persistent oil pollution into the lake would affect the fishing on the lake, as we have many fishermen travelling from Europe to fish on the lake as well as surrounding waterways.
3. Finally, it is stated that the area of the proposed car park has wonderful flora and fauna around the area which may be lost forever if this proposal is allowed without an impact assessment by an independent company.

The Planning Authority would reply in the following manner:

Acres Lake is a semi natural lake that has been excavated to improve the flow and provide canal channels. This area is long established and has been managed to create tall herb swamp areas. The site is an existing pier with activities taking place on site already. The proposed site has been identified to have an overall moderate to high local ecological importance due to the freshwater habitats and the riparian woodlands on the far side of the lake itself.

No Annex I Habitats or rare / protected floral species were found on site. It is acknowledged in the Ecological Impact Assessment that some of the habitats present on site are of high local importance in terms of support for local biodiversity, resource availability and ecological connectivity across the landscape. The habitats were classified as lake habitats, tall herb swamps, amenity grasslands, riparian woodland and wet grassland with the latter the main type of habitat lost as a result of the proposed development. This is considered a low diversity pasture field with a corresponding low local ecological value. There were no mammal activity signs identified on site during any of the surveys by the ecologists. The presence of otter although not verified by sight or by otter holt was assumed to be present for the purposes of the ecological assessment. The ecological assessment details sightings / expected presence of bats, birds (both breeding and water birds) and amphibians within and adjoining the area of the proposed development. The area within which it is proposed to undertake the proposed development has low ecological value and are species poor however there is direct connectivity to local hydrologically sensitive areas. Overall, it is assessed that the implementation of the proposed project will have temporary impacts associated with water quality and the loss of wet grassland habitats. The assessment notes that there is potential for the development to have adverse impacts on local biodiversity during the construction stage if left unmitigated. These potential impacts and the appropriate mitigation measures are outlined in Section 5 of the Ecological Impact Assessment report. Overall, the resources that will be lost are considered to be of low ecological importance.

The Planning Authority would indicate that the ecological assessment along with all reports other than the Arboricultural Impact Assessment, Tree Protection Plan & Method Statement relate to the entire site of the proposed development which includes the proposed car park.

The Appropriate Assessment Screening Report is based on best scientific knowledge and has utilised ecological and hydrological expertise. Hydrological connectivity of the site, shows significant dilution effects before reaching any European site. The Screening Report has identified that the proposed project is not likely to have significant effects on any European site.

The Planning Authority would indicate to the Board that the water levels within Acres Lake and the canal system are controlled / managed by the E.S.B. and Waterways Ireland. The submitted Site Services Layout (Drawing No. AL-006) indicates that surface water from the proposed car park will be collected along the northern site boundary and discharged to an existing drain along the southern boundary via a petrol interceptor. The nature of the proposed development is not considered to represent a use which is sensitive to the effects of flooding. A flood risk assessment is therefore not considered to be required. However, Floodmaps.ie do not record any incidence of flooding at this location. It is not considered that the loss of this extent of wet grassland would be of significance to the effect of flooding in the wider area.

It is considered that the existing level of the ground will have to be raised by approximately 0.5 metres. The material at the existing ground will consist of granular material which would not prevent surface water from infiltrating below the surface of the completed car park. This is shown in the cross section on the submitted drawing. The petrol interceptor will therefore be at a level above the existing ground levels and will prevent any such residues from being discharged into the water system thus ensuring no adverse impact occurring.

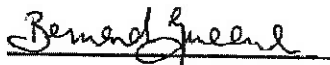
The Planning Authority will consider the use of SUDs within the proposed car park and will include a condition to this effect in the Chief Executive's recommendation to the Elected Members. This should have been included in the documentation which was placed on public display.

### **Conclusion**

The Planning Authority respectfully submit to An Bord Pleanála that a comprehensive EIAR screening assessment was carried out as part of the consideration of the proposed development by the Local Authority. The EIAR Screening report included an assessment of the site, proposed development, assessments undertaken as part of the preparation of the Part 8 public consultation process and the scale of the development. It is considered that this is determination by the Local Authority is more than adequate for a development of this scale within a locally important habitat.

The project does not meet the thresholds for which the preparation of an EIAR is a mandatory requirement. The legislative requirements that deem whether an EIA is mandatory for a project are outlined in Schedule 5 of the Planning and Development Regulations 2001, as amended. Additionally, the thresholds listed in Part 2(10) (b)(i) of Schedule 5 are not met.

It is the considered opinion of the Planning Authority that that the development does not require an EIAR to be carried out such is the scale of development. The submitter has not presented an argument to the Board which would require the Planning Authority to reconsider this determination. The Planning Authority would therefore request the Board to make an expedient decision and confirm the determination of Leitrim County Council on the subject now before the Board.



Bernard Greene,  
Senior Planner,  
29 November 2021