PLANNING REPORT

BALLINA FLOOD RELIEF SCHEME

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Mayo County Council

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1 INTRODUCTION

RPS Group Limited (RPS) has prepared this Planning Report (the report) to accompany an application by Mayo County Council (MCC) for approval to An Bord Pleanála to carry out the proposed Ballina Flood Relief Scheme (hereafter, the Proposed Scheme).

The Proposed Scheme will consist of flood relief works along and/or adjacent to and/or in the vicinity of the River Moy, and the following tributaries: Quignamanger Stream, Bunree Stream, Brusna River, and the Tullyegan Stream. The Proposed Scheme is located in the townlands of Ballina, Quignamanger, Quignalecka, Quignashee, Knocknalyre or Downhill, Ballyholan, Abbeyhalfquarter, Rathkip, Ardnaree or Shanaghy Carrowcushlaun West, Mullauns, Commons, Behybaun and Rahans, County Mayo. The total area to be disturbed by the Proposed Scheme is approximately c. 12.7 ha including the area required for construction compounds.

The statutory public notices and the plans and particulars submitted with this application provide details of the proposed works, which should be read in conjunction with this report.

The application is made to An Bord Pleanála under Section 175[1] and 177AE of the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001-2023 (as amended). A Natura Impact Statement (NIS) and Environmental Impact Assessment Report (EIAR) have been prepared for the Proposed Scheme and are enclosed with the application

The Maritime Area Planning Act 2021 established a new marine development management regime from the high water mark to the outer limit of the State's continental shelf, administered by An Bord Pleanála, the coastal local authorities and the Maritime Area Regulatory Authority (MARA). A Maritime Area Consent (MAC) is required before a planning application may be made. A MAC (Ref. No. MAC20230008) was obtained on the 14th March 2025. Some of the maritime area within the application boundary is within the ownership of private landowners. Letters of consent to submit this application have been received from all such landowners.

1.1 Purpose of this Report

This report sets out how the Proposed Scheme has regard to the relevant policies, objectives, and development standards set in the *Mayo County Development Plan 2022 – 2028* (the Development Plan) (refer to **Section 7.4.1** of this report).

In addition, this report also outlines specific flood risk, water quality, climate action and adaptation, and biodiversity policies and guidance relevant to the Proposed Scheme. Please refer to **Sections 7.1 - 7.4** of this report.

Other sections of this report outline the location and context, description of proposed works and relevant planning history.

This report should be read in conjunction with the plans and particulars enclosed with the application, particularly **Chapter 6: The Proposed Scheme** of the EIAR, which provides a complete description of the works as part of the Proposed Scheme.

1.2 Structure of this Report

This report is arranged under the following headings:

- **Section 1:** Introduction;
- **Section 2:** Need for the Proposed Scheme;
- **Section 3:** The Proposed Scheme Location;

[1] Upon consultation with ABP via email, it was confirmed that this application, accompanied by an Environmental Impact Assessment Report and a Natura Impact Statement, should be made under Section 175 and 177AE of the Planning and Development Act 2000 (as amended).

- **Section 4:** Planning History;
- **Section 5:** Pre-Planning Consultation;
- **Section 6:** The Proposed Scheme;
- **Section 7:** Policy Context;
- **Section 8:** Environmental Considerations;
- **Section 9:** Conclusion; and
- **Section 10:** List of References.

2 NEED FOR THE PROPOSED SCHEME

The Office of Public Works (OPW), working in partnership with MCC and other local authorities completed the *Western Catchment Flood Risk Assessment and Management (CFRAM) Study* in 2018. The study included Ballina as an Area for Further Assessment and concluded that a Flood Relief Scheme (FRS) would be viable and effective for the community. The *Flood Risk Management Plan Moy & Killala Bay* (2018) sets out potentially viable flood relief methods, from which a potentially viable flood risk management measure for the AFA as a whole can be developed.

Arising from Ballina's current susceptibility to flooding in conjunction with the expected increase in future flooding, there is a strong need to develop a FRS to protect Ballina residents from serious flooding events and to preserve Ballina as an attractive town for development. Ballina has a long history of flooding events because of the River Moy's high-water levels, in conjunction with inadequate conveyance capacities of the smaller stream/channels and associated culverts. The highest observed water level recorded a height of 3.21 mOD-Malin in 2014. Within this flood plain, approximately 370 residential and 101 commercial receptors may potentially be affected by flooding within the River Moy catchment.

The need for the Proposed Scheme and the alternatives considered are described in more detail in **Chapter 1: Introduction** and **Chapter 4: Assessment of Alternatives** of the EIAR enclosed with the application.

3 THE PROPOSED SCHEME LOCATION

3.1 Location of the Proposed Scheme

The Proposed Scheme is situated on lands within and/or adjacent to the settlement of Ballina Town.

Ballina Town is the second-largest town in County Mayo with a population of 10,556. It lies at the mouth of the River Moy near Killala Bay and is the most important urban settlement in the north of the county. Due to its proximity to County Sligo, the town also serves as the main economic, commercial, social and educational centre for parts of west Sligo.

Ballina is classified as tidally influenced due to its proximity to Killala Bay.

Figure 3-1 illustrates the location of Ballina Town and its surroundings.

Figure 3-1: Location of the Proposed Scheme

Source: Open Street Map

3.2 Description of Proposed Scheme's Location

The precise location of the Proposed Scheme within Ballina Town is illustrated in **Figure 3-2** below. Additionally, please refer to the *Site Context Map* and *Site Location Maps* included with the application documentation, which delineates the full extent of the application boundary.

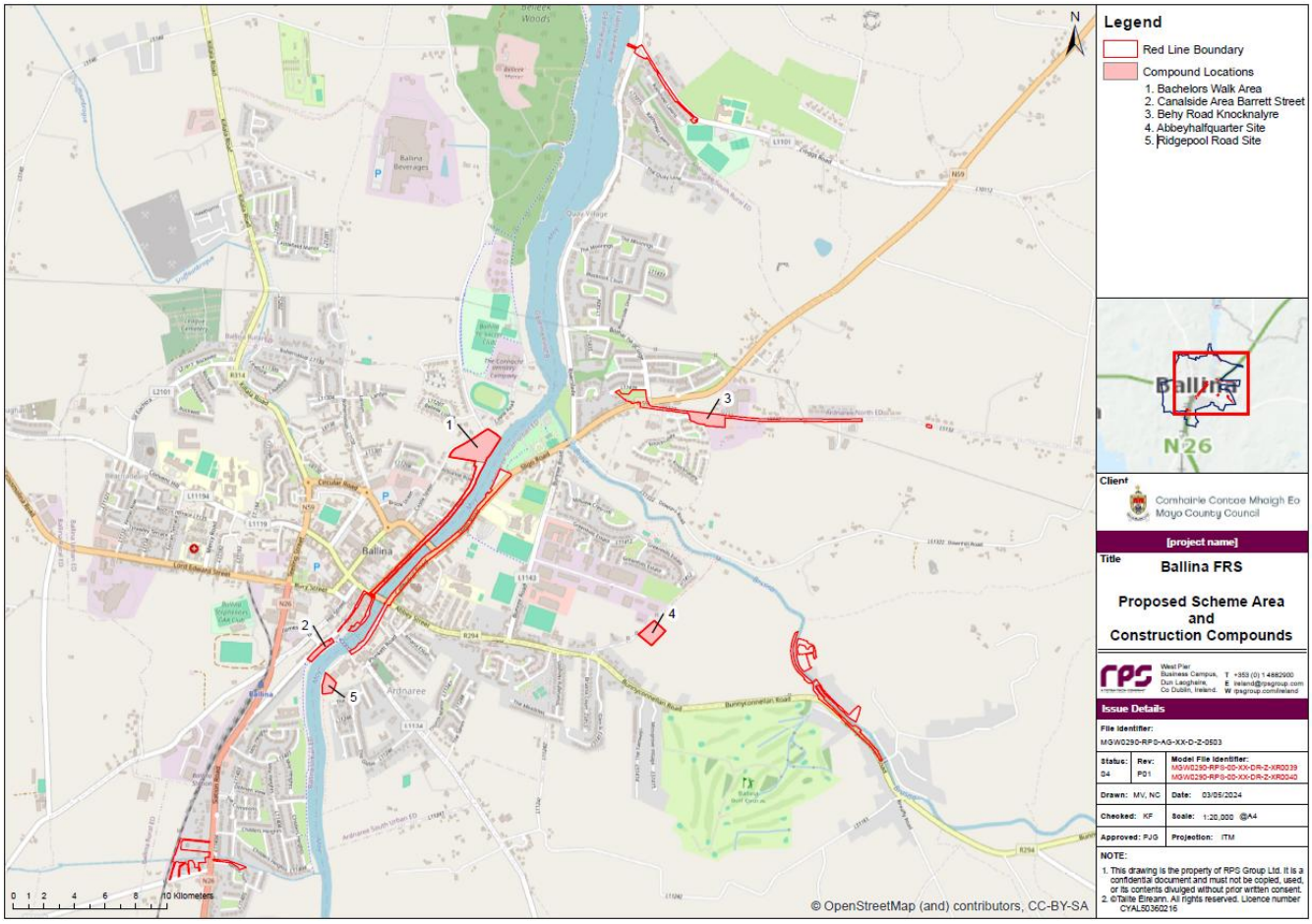

Figure 3-2: Proposed Scheme Area and Construction Compounds

Ballina is located on the River Moy just upstream of the Moy Estuary. The reach of the Moy downstream of the Salmon Weir in Ballina is tidally influenced. There are several tributaries of the River Moy flowing within the town including the Quignamanger Stream, Bunree Stream (known locally as the Behy Road Stream), Brusna River, Tullyegan Stream and Knockanelo Stream. The Proposed Scheme includes flood relief measures in Ballina for the River Moy and the following tributaries: Quignamanger Stream, Bunree Stream, Brusna River and the Tullyegan Stream.

Ballina Town is a designated Key Town (Tier 1) as per the Development Plan and functions as the main economic driver for a large area of north Mayo and parts of west Sligo. This makes Ballina, alongside its historical significance, and tourism potential an important asset to the wider region.

The River Moy rises in Sligo's Ox Mountains and is roughly 100 km long. For the greater part of its length, it flows south-westward, entering County Mayo and flowing near Swinford before passing through Foxford then turning north near the village of Kilmore and onward to Ballina Town, where it enters the Atlantic Ocean at Killala Bay along the Mayo-Sligo border.

The River Moy is known for its exceptional salmon fishery, with Ballina referred to as "*The Salmon Capital of Ireland*".

Sections of reaches along the River Moy are heavily modified. The Salmon Weir footbridge, Salmon Weir, Upper Bridge and Lower Bridge all span the entire width of the river in Ballina town and thus influence the flow regime within the river channel. The Salmon Weir pedestrian bridge is supported by a single pier in the centre of the channel, while the Salmon Weir itself spans 9 piers in total.

The Lower Bridge (originally New Bridge) is a four-arch road over river bridge built 1833-35 spanning the River Moy. The Upper Bridge (originally Arran Bridge) is a five-arch road over river bridge built 1835-36, spanning the River Moy at the southern end of Ballina town environs. Further south, the Salmon Weir which is recorded by Lewis c. 1837 as extant (and rebuilt) is an important element of the built heritage fabric of Ballina. It has been subject to improvement/restoration works in 2010/11.

There are also several bridges and structures to support road and rail routes across the tributaries to the River Moy.

The tributaries which form part of the Proposed Scheme are also heavily modified with culverts, except for the Brusna River. The Quignamanger Stream additionally has an existing diversion culvert operating in the lower reach before discharging into the Moy via a culvert under Quay Road. The Bunree Stream conveys flow via numerous culverts. The Tullyegan Stream incorporates several short culverts.

4 PLANNING HISTORY

RPS has completed a planning history search of Mayo County Council's online planning search tool, as well as An Bord Pleanála online case search tool.

The search considered all planning applications for the past ten years within the Proposed Scheme's red line (application site). For completeness, it also considered planning applications directly adjacent to the Proposed Scheme's red line and within a 10m buffer around it.

The results of the planning application search are summarised in **Table 4-1** and **Figure 4-1** below.

With regard to the above, the results of the search revealed that the majority of the applications are small and modest in scale and nature. The Proposed Scheme is not prejudicial to any of these planning permissions.

Table 4-1: Planning Applications within the Redline Boundary or within 10m of the Redline Boundary

Application Reference	Submitted	Summary Development Description	Decision (Final grant)
2360176	19/05/2023	*"Construct a rear and side single storey extension to an existing creche facility and to carry out all ancillary site works at Hunt Montessori School, Foxford Road, Behybaun Td, Ballina, Co. Mayo."*	06/07/2023**Grant** with Conditions
ABP Ref: 313724	03.06.2022	*"'North Connacht Project' consisting of approximately 59km of underground cable between the existing Moy substation, near Ballina, Co. Mayo and the existing Tonroe substation, near Ballaghaderreen, Co. Roscommon."*	15.09.2022 **Grant** with Conditions
MCC Reg. Ref: 2028 ABP-308100-20	24.01.2020	*"Construct 2 storey dwellinghouse and single storey domestic garage, connect to all services and public utilities, carry out all ancillary site works on site located to the north east of protected monument reg no 31303016"*	07.08.2020 **Grant** with Conditions 22.12.2020 Appealed and **Granted** with Conditions
MCC Reg. Ref. 15864	23/12/2015	*"Change of use of existing commercial unit to restaurant and takeaway. Permission for minor alterations to existing building including all other ancillary site work and services"*	11/04/2016 **Grant** with Conditions

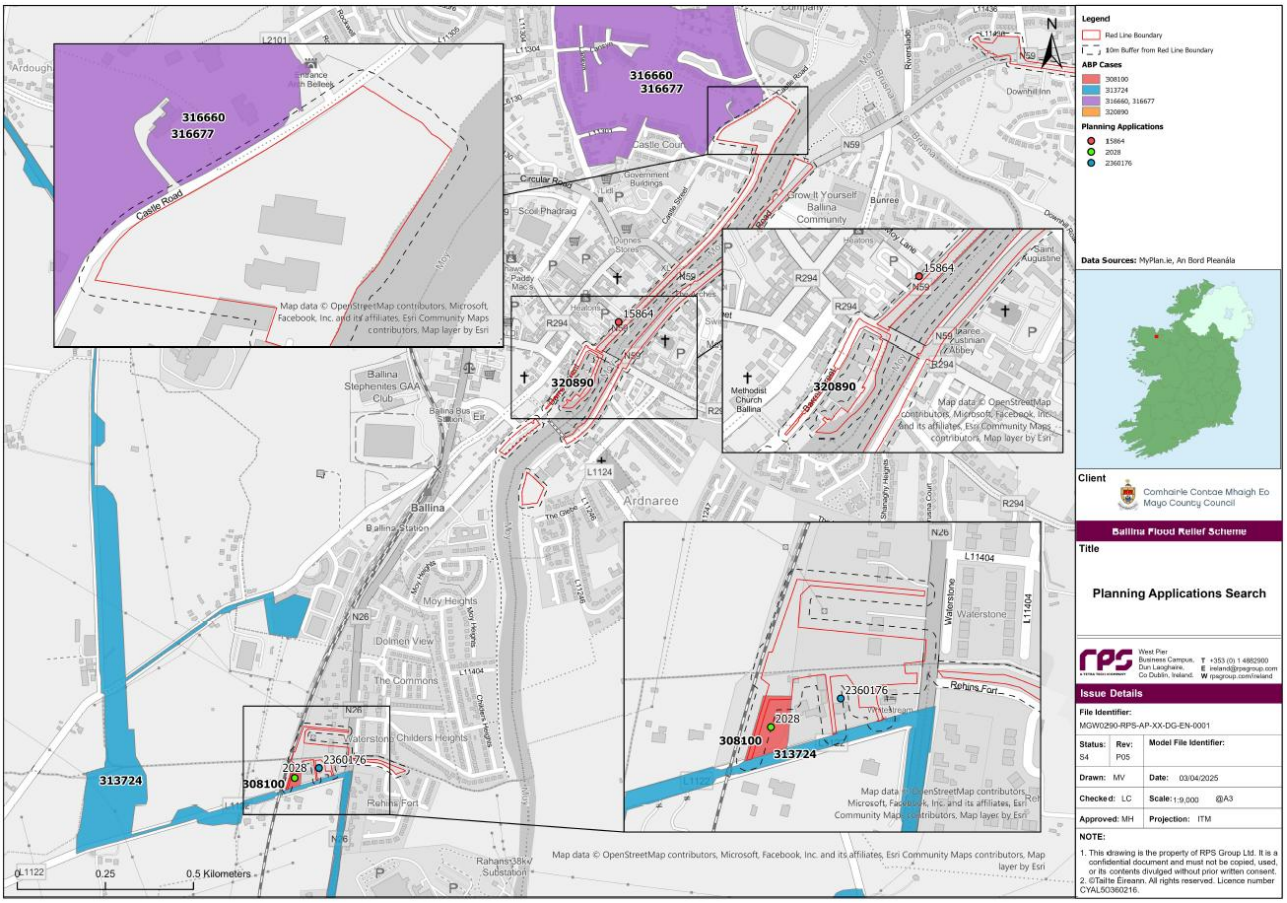

Figure 4-1: Planning Applications within the Redline Boundary or within 10m of the Redline Boundary Mapped

5 PRE-PLANNING CONSULTATION

The consultation process is outlined in **Chapter 3: Consultation** of the enclosed EIAR and includes public consultation, stakeholder consultation and landowner liaison.

5.1 Public Consultation

Public Consultation Day (PCD) events were held on the 23rd September 2020 and on the 30th March 2023. These have been supplemented by project newsletters and a project website (https://www.floodinfo.ie/frs/en/ballina/home/).

There has been general support for the Proposed Scheme in the consultation process. As the design has developed, a number of queries raised at the public consultation have been addressed as follows:

- Consider reuse of the existing stone when rebuilding walls at Bachelors Walk
  - Existing wall along Emmet Street will be taken down and rebuilt using the existing stone.
  - It is proposed to reuse existing stone where possible. It is proposed to undertake an advance works contract to determine the volume of existing stone which can be reused. Refer Chapter 5, Chapter 18 and Chapter 19 of the EIAR.
- Concern about flooding on Cregg's Road directly outside homeowner's property. Homeowner notes that he has sent photographs into the council. A solution where the footpath is extended past the homeowner's property is requested.
  - The proposed scheme will alleviate flooding of properties at risk along Creggs road.
- Attendee expressed desire for the progression of the Proposed Scheme due to loss in flood insurance.
- Boat club does not want to have to vacate for the duration of the works and notes that a lot of the trailers are not suitable to be moved offsite.
  - Discussions are underway with landowner on options available for alternative accommodation during the works.
- Aligned with the proposal in principle. Attendee has considerations in regard to aesthetics, heritage and recreational perspective of the following nature:
  - Reuse of original stone as much as possible on Bachelors Walk. Mix new stone with old where necessary.
    - As per bullet point No.1 above.
  - Recreational access to the river from Bachelor/s Walk to preferably be preserved for water sports.
    - Existing access points will be maintained post implementation of the scheme.
  - Consider potential future installation of a pontoon for the rowing and kayaking clubs use at Ballina Quay when considering height of the defences at the quay.
    - No works at the Quay are proposed as part of this scheme. Flood defence works at the Quay will be addressed as part of a separate project to redevelop the Quay area.
- Consideration to be given to environment and ecosystems – minimise impacts to Salmon, Seals and Otter.
  - The EIAR details the baseline aquatic system, the proposed impact of the scheme and the required mitigations to protect the salmon, seal and otter, refer Chapter 9 and 10 of the EIAR.
- Suggestion that the level above existing wall height shall be "see through"/glazed. Also notes that there should be maintenance of the gullies.
  - Given that there is no significant increase in wall height along the River Moy, no glazed panels were required for this purpose. Glazed panel wall sections have been allowed for along certain stretches of the River Moy – Ridgepool and Emmet Street. Refer Chapter 18 and 19 of the EIAR.
  - Surface water system is and will continue to be maintained by MCC.

- Protection in the interim to be implemented by defence force or flood defence with large sandbags to be laid out and plastic sheeting set between the bags. Seeks better notification in relation to flood and weather warnings which may lead to flood events.
  - Noted by MCC for consideration in absence of scheme.
- Request for a call from team to discuss the culvert potential for flooding at a property on Abbey Street and the impact that the proposed works will have long term on flood risk.
  - The proposed scheme will reduce the potential for culvert flooding along Abbey Street
- Query noting if there are any restrictions in place for residents on Emmet Street regarding planning applications. Details of any such restrictions were requested to be provided.
  - Following the implementation of this scheme being delivered by MCC the subject property will benefit from flood protection. This protection will be one factor in the consideration of the Planning Authority with regard to any future planning application.
- One of the plans uses McAndrew's Lane for a new culvert. Business property adjoins this lane for a large portion. Attendee had queries relating to protection of the building and impacts on trade and parking. Reservations are noted in relation to the best route to the River Moy. Also notes reservations regarding the disruption of traffic flow through town at Humbert Street.
  - The works along the Knockanelo have been decoupled from the current scheme to allow time to gather and assess additional flow data. The Knockanelo scheme will advance separately.
- Comments call for the improvement of heritage and connections for pedestrians and cyclists in the town:
  - Improve heritage style features on the new flood walls.
    - Conservation Architect engaged and proposed measures outlined in the EIAR.
  - Reopen the stream from Killala Road to River Moy.
    - The works along the Knockanelo have been decoupled from the current scheme to allow time to gather and assess additional flow data. The Knockanelo scheme will advance separately.
  - Improve green space and reduce hardscape space where possible.
    - Due to the nature of the works, there is limited scope to introduce green space. However, the project includes for a number of biodiversity enhancement measures, refer Chapter 9 and 10 of the EIAR.
  - Improve pedestrian and cycle flows around rivers.
    - Improved pedestrian and accessible access to the River Moy has been adopted. Cycle paths etc will be dealt separately under a separate scheme being undertaken by MCC.
  - Connect Barrett Street car-park to Ham Bridge.
    - Under review by MCC but does not form part of this proposed scheme.

5.2 Stakeholder Consultation

Four stakeholder consultations were completed between July 2020 and February 2023. Stakeholders of the Proposed Scheme were contacted in writing or via email.

These consultations were as follows:

- 08-July-2020: Introduce the Proposed Scheme (Stage 1 Programme) and request feedback on Stage 1, Constraints Study and Screening for Appropriate Assessment.
- 18-September-2020: Request input on the existing environmental constraints identified and inform stakeholders of the Virtual and PCD 1.
- 21-December-2022: Provide summary of options considered and introduced preferred option.
- 28-February-2023: Provide scoping report for review and inform stakeholders of the upcoming Virtual and PCD 2.

Stakeholder meetings took place with the Heritage Council, Inland Fisheries Ireland, National Parks and Wildlife Service and the Maritime Area Regulatory Authority.

The items raised were focussed largely on environmental issues and these are outlined in **Chapter 3: Consultation** of the EIAR and addressed throughout the EIAR as appropriate.

5.3 Landowner Liaison

Following confirmation of land take requirements, based on Property Registration Authority information, letters of engagement were issued in July 2024 to all private landowners whose property interacts with the Proposed Scheme.

The letters included details of the type and location of proposed infrastructure/access requirements that may be located on their folios. The letter provides contact details to facilitate further engagement. Landowner liaison is ongoing. A copy of the letter template issued to all landowners involved is enclosed in Appendix 3-2 of the EIAR.

6 THE PROPOSED SCHEME

6.1 Overview

The Proposed Scheme will consist of flood relief works along and/or adjacent to and/or in the vicinity of the River Moy, and the following tributaries: Quignamanger Stream, Bunree Stream, Brusna River, and the Tullyegan Stream. Works proposed include the construction of new flood walls, repairs to quay wall, culverts, embankments, cutting, pruning and bankside maintenance and other works.

The Knockanelo Stream Catchment is ungauged with a high level of uncertainty used in the freeboard assessment. The Knockanelo Stream has therefore been decoupled from the main scheme and it shall be progressed separately. This is further detailed in Chapter 4 of the enclosed EIAR.

A summary of the Proposed Scheme is provided in **Table 6-1** with a description of the works to be carried out described in the sections that follow.

Banks are referred to in terms of Left-Hand Side (LHS) or Right-Hand Side (RHS), which are the true left and true right banks facing downstream.

Table 6-1: Summary of Proposed Scheme

Watercourse	Location	Description of Works
River Moy	Pedestrian Bridge to Salmon Weir	New flood walls
	Barrett Street	Proposed storm water pumping station
	Ridgepool	New flood walls Tanking of the Weir Building Additional access to the river Repairs to quay wall as necessary Proposed storm water pumping station.
	Cathedral Road	Raised plaza to act as flood defence incorporating public realm elements.
	Emmet Street	Removal and reconstruction of existing wall using original stone Replace existing railings with combination of new flood wall and glass wall
	Clare Street/Howley Terrace	New flood walls Accessible access at existing angling area Proposed storm water pumping station
	Bachelors Walk	New flood walls Proposed storm water pumping station
	General	Tree removal, cutting, pruning and bankside maintenance
Quignamanger Stream	Existing diversion culvert	New culvert
	Existing open reach	New flood walls Lowering of existing left bank wall Baffle/ stepped pool at D/S reach of drainage channel
	Outfall to River Moy	New culvert crossing of Quay Road and replacement of downstream culvert with open channel.
	General	Tree removal, cutting, pruning and bankside maintenance
Bunree Stream	Existing culverts and open reaches along Behy Road from Behy Business Park to N59	New culvert
	Existing culvert downstream of N59 - public open space	Replace existing culvert with open channel
		Regrade channel bank where possible to achieve a stepped/more gentle slope
	Field bridge	New culvert

Watercourse	Location	Description of Works
	General	Tree removal, cutting, pruning and bankside maintenance
Brusna River	Rathkip/ Shanaghy Area	Flood walls and embankments
	Bridge Crossing	Beam to act as flood defence
		Replacement of scour protection including bank retaining walls as required
	General	Tree removal, cutting, pruning and bankside maintenance
Tullyegan Stream	Between N26 and railway crossing	Flood walls and embankment
	General	Tree removal, cutting, pruning and bankside maintenance

The National Parks and Wildlife Service (NPWS) have issued a derogation under Regulation 54 of the European Communities (Birds and Natural Habitats) Regulations 2011 allowing for disturbance and actions authorised within the derogation in respect of otters at Clare Street & Abbeyhalfquarter (Derogation No. DER-OTTER-2025-09). The actions which this derogation authorise shall be completed between the 28th March – 31st December 2025, inclusive. It is anticipated that another derogation will be necessary to allow for the proposed works to be undertaken at a later date.

6.2 Description of Components of the Proposed Scheme

6.2.1 River Moy

The proposed works on the right-bank of (looking downstream) the River Moy (**Figure 6-1**) include flood walls of up to 1.25m height along the left and right banks of the river. This is an increase of up 0.5m on the existing walls. The new walls (replacing the existing walls) will start upstream of the Salmon Weir, at the pedestrian bridge and finish at Clare Street at Tom Ruane Park. Where required flood defence heights are lower along the section of Ridgepool Road opposite the Inland Fisheries Ireland (IFI) Building, a lower height (700mm approximately) wall will be constructed with a railing placed above the wall.

The existing Weir Building on Ridgepool Road will form part of the flood defence measures and will be waterproofed as necessary. Public access to the religious grotto on Clare Street will also be maintained by placing the wall behind the structure.

Flood defences on the left-bank of the river will begin at the existing flood defence at the Ballina Arts Centre and end at the old Ballina Dairies site north of Bachelors Walk. New walls will be constructed to replace existing walls where required. Glass walling in combination with flood walling will be used in front of the Ballina Manor Hotel/ apartments and the IFI Building to maintain views from affected properties. At Emmet Street the existing railings will be replaced with a combination of new flood walls and glass walls. In the location of existing historic steps, 900mm glass walls will be installed. The existing walls on Emmet Street will be carefully dismantled and reconstructed due to their historical significance. The proposed works on the left-bank of the river (looking downstream) on the River Moy include flood walls of up to 1.3 m height along the left banks of the river. This is an increase of up 0.6m on the existing walls.

Along the left bank of the River Moy adjacent to the Salmon Weir and the Ballina Arts Centre, realignment of the temporary groyne, as agreed with IFI, is proposed as a fisheries enhancement measure. Biodiversity enhancement will be provided along the River Moy in the form of bird boxes and bat boxes.

The pavement along these sections will be removed and replaced to accommodate the foundation of the new walls and drainage. The route of the flood walls will generally follow the line of existing walls and will tie into existing walls, bridges and/or high ground. The existing walls will therefore need to be removed to allow new flood walls to be constructed. This will be required along the banks of Ridgepool Road, Cathedral Road, Clare Street and Bachelors Walk.

Mayo County Council (MCC) is in the process of developing a Public Realm Scheme for the town of Ballina. The Proposed Scheme provides for a new public open space area on Cathedral Road which will be

incorporated into the broader Ballina Public Realm in the future (see **Section 6.2.6**). Further details regarding the public open space area are provided in **Section 6.2.6** and **Chapter 19: Landscape & Visual**.

Existing angling access points along the right bank will be maintained post construction. An additional angling access point will be provided immediately downstream of the Weir Building. A wheelchair accessible angling access point will be provided on Clare Street.

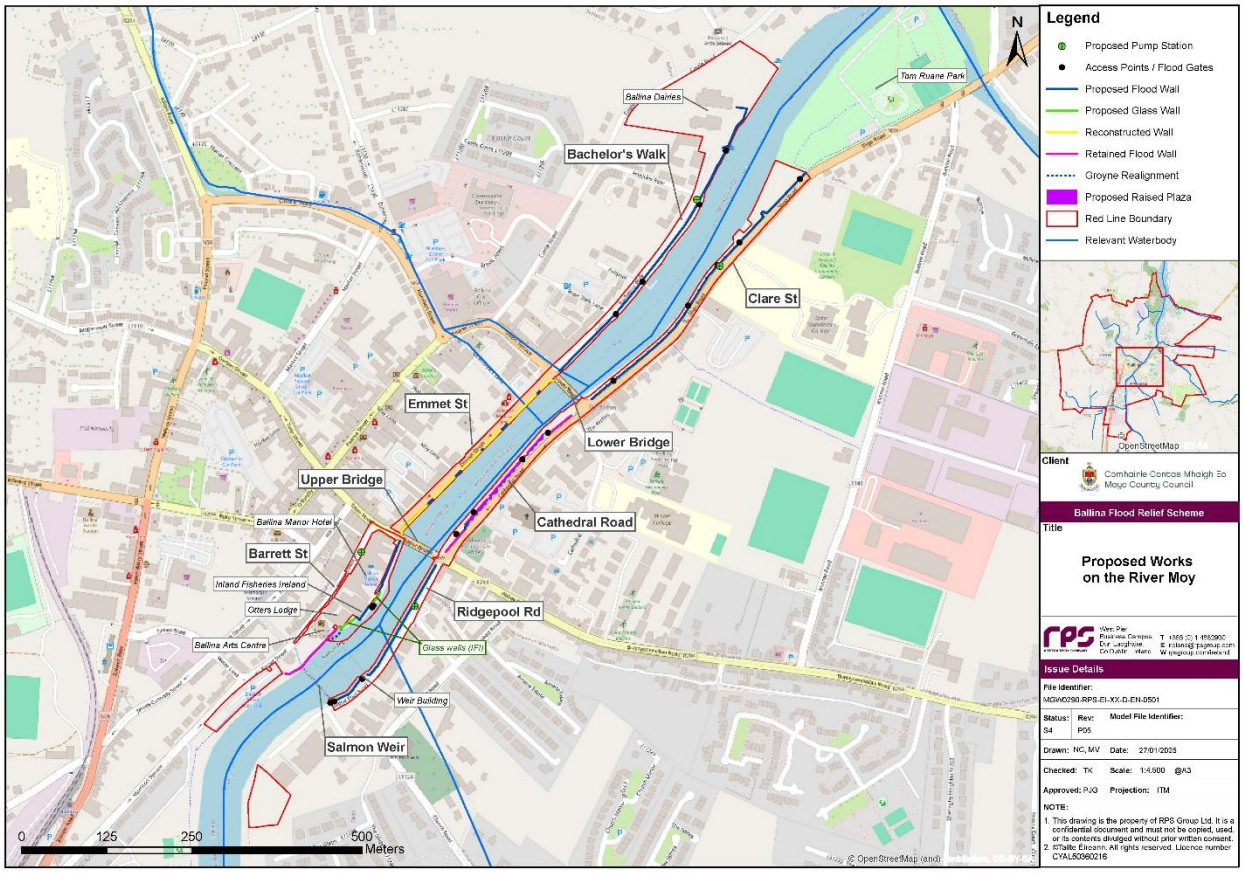

Figure 6-1: Proposed Works to be Carried out on the River Moy

6.2.2 Quignamanger Stream

The Quignamanger is a small watercourse with numerous culverted sections with a maximum diameter of 0.7m. It also has an existing diversion culvert operating in the lower reach before discharging into the Moy via a culvert under Quay Road. The proposed works involve the replacement of this existing 0.9 m piped diameter diversion culvert with a larger 1.5 m diameter piped culvert for part of the upstream section and a 2 m wide by 1 m deep box culvert along the downstream section to minimise the amount of regrading required in the stream. The existing flap valve at the point where the culvert discharges back into the river channel, just before intersection of Creggs and Quay Roads will also be removed.

Flood walls will be installed along the open reach of the channel upstream of Quay Road. The open reach has been planned to allow for the protection of sensitive habitat located in this area. Where the lower reach of the Quignamanger channel upstream of the existing Quay Road culvert is to be regraded to meet the new enlarged Quay Road culvert, rather than leaving a uniformly sloping channel, the design shall include a series of fixed rock or concrete baffles or step-pools (ensuring a low- flow notch) using natural rock and cobble to create turbulent flow. The flood walls will have a maximum height of 1.1 m. The culvert under Quay Road which conveys water to the River Moy will also be upgraded to a 2 x 1 m box culvert. The existing culvert downstream of Quay road will be removed to allow for an open channel discharge to the River Moy.

6.2.3 Bunree / Behy Road Stream

The Bunree is a small watercourse with numerous culverts of various shapes and sizes. Many of these culverts are undersized and constrict the flow so that out of bank flooding occurs upstream of the inlets. Out of bank flooding therefore occurs in numerous locations along Behy Road.

The proposed works include the installation of a new culvert which would replace the existing culvert and the existing sections of open channel. The culvert will follow the existing stream channel. A 1.5 m diameter piped culvert will be installed at the upstream section of the works to upgrade an existing field culvert access. A new 1.5 m culvert will be installed from Behy Business Park to the Knocknalyre housing estate. Downstream of this, the culvert will increase to a 1.8 m diameter culvert. The culvert will further increase to a 2m x 1.25m culvert where it crosses the N59. Local road raising will be required at the crossing. A culverted section downstream of the N59 at Moyvale Park, which causes a constriction to flood flows, will be removed and the open channel reinstated. Localised regrading will be required to ensure stream invert levels are maintained. The banks of this open channel will be regraded to form a gentle/ stepped slope.

6.2.4 Brusna (Glenree) River

The Brusna (Glenree) is a medium sized river. A section of the river, in the Rathkip/Shanaghy area, shows a potential flood risk to properties and infrastructure. The road bridge, the only access to and from Rathkip/Shanaghy area, also constricts the flow creating higher than normal water levels upstream of the bridge.

The proposed works on the Brusna (Glenree) River include hard defences consisting of flood walls and embankments. Flood walls and embankments are required on both sides of the river upstream of the access bridge. Flood walls and embankments are required on the right hand bank of the river downstream of the bridge. The maximum height of flood walls and embankment is approximately 1.7 m. There are no existing walls in most of the locations where flood walls are proposed, with it consisting mostly of fences or hedgerows. Flood walls and embankments have been set back from the river to minimise the removal of trees and protect the riparian zone. Two otter holts are proposed to be constructed downstream of the bridge crossing on the left bank. Embankments will allow for access/habitat for wildlife. Bat and bird boxes are being provided to enhance biodiversity.

The design flood levels are higher than the deck level of the bridge to the Rathkip/Shanaghy area, therefore a reinforced concrete beam spanning the river on the upstream side of the bridge is required to prevent overtopping and remove any additional loading to the bridge. The beam will be connected to the upstream side of the bridge. The beam will be installed using a crane located on the southern left bank of the river. The beam will be supported on 2 proposed reinforced concrete piers. The piers will tie into the proposed flood walls on either side of the bridge. The existing railing will be reinstalled along the proposed beam to ensure fall protection height is provided. Construction of the beam will not block access across the bridge and access to the houses on the other side of the river will be maintained.

6.2.5 Tullyegan Stream

The Tullyegan is a small, mainly open watercourse located at the southern end of Ballina. Hydraulic modelling showed that during the 1 % AEP flood event out of bank flooding occurs. This is due to a downstream constriction at the N26 road bridge resulting in flows backing up increasing water levels upstream.

Flood walls on the north bank are to be constructed to the same height as the existing walls which range from 1.4 to 2.96m. The embankment on the north bank has a maximum height of 1.5m. Flood walls on the southern bank of the stream have a maximum height of 1m. Some of the right bank/southern wall will be set back from the riverbank in order to prevent the removal of trees which line the riverbank. An embankment will be installed on the left bank where the flood defence ties in with the Iarnród Éireann/Irish Rail embankment. The embankment is proposed to facilitate the movement of otters, as suitable habitat was identified at this location.

New gated construction and emergency access points will be provided from the N26 and L1122 roads.

A typical flood wall detail to be used on the River Moy and other areas is shown in **Figure 6-2**. The majority of flood walls will consist of reinforced concrete with a suitable foundation, stone cladding along the face and of varying height.

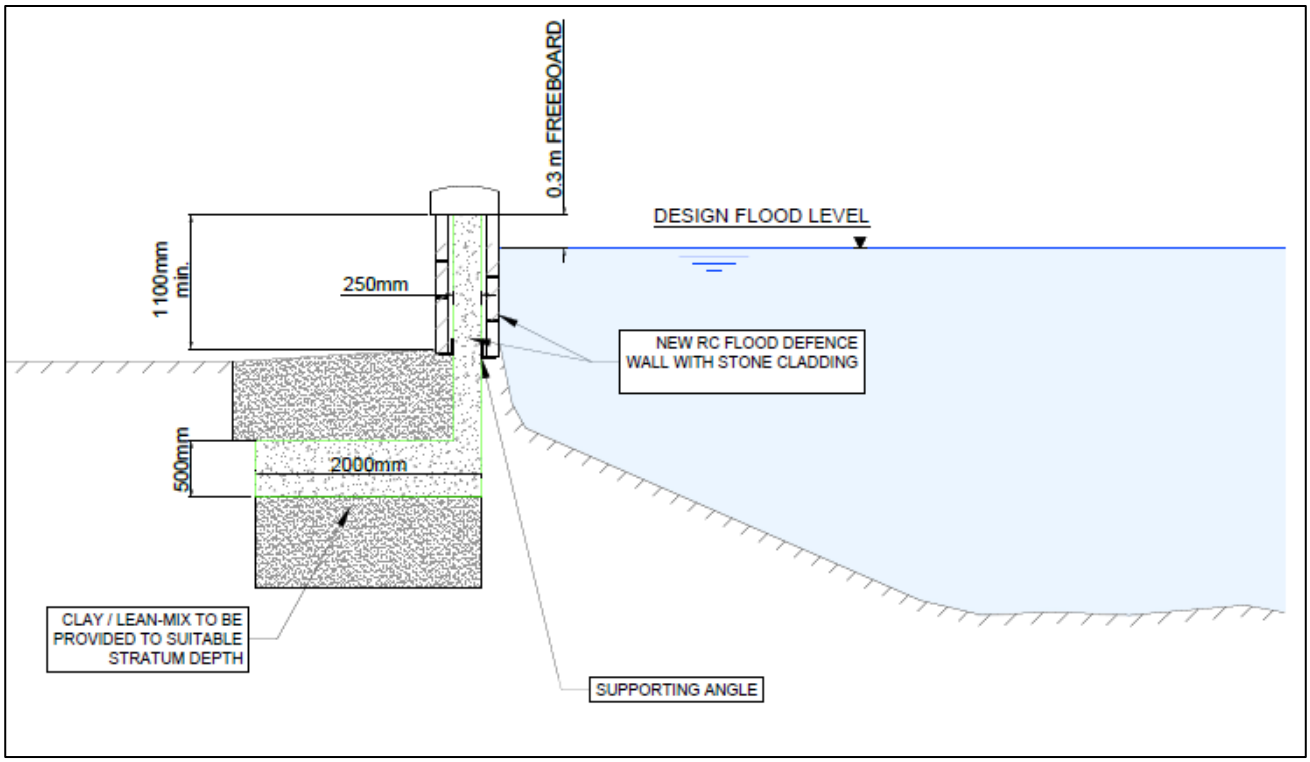

Figure 6-2: Typical Cross Section Detail of Flood Wall - River Moy

Embankments are proposed on the River Brusna and on the Tullyegan Stream.

Embankments will be constructed of impermeable clay with a capping of topsoil of approximately 150 mm depth to allow for landscaping.

A typical embankment structure is shown in **Figure 6-3**.

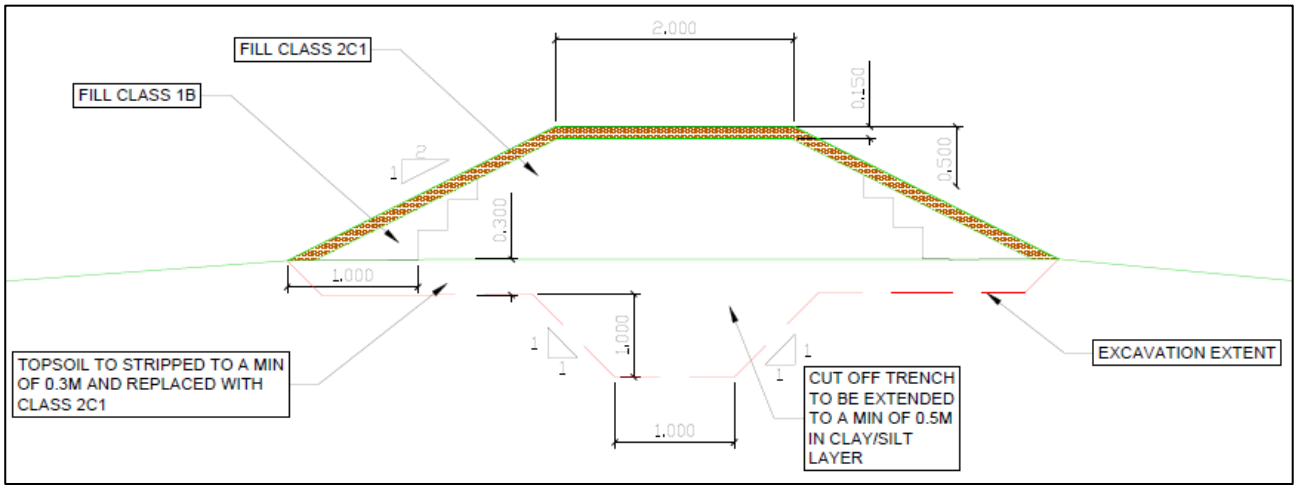

Figure 6-3: Typical Embankment Details

6.2.6 Public Open Space / Amenity

The plaza opposite Muredach's Cathedral along Cathedral Road will be modified for incorporation into the future planned Ballina Public Realm. This will involve the development of a raised platform to a height of approximately 0.8 m. Existing pedestrian access to the river will be maintained, including provision for accessible access.

Access to the River Moy for recreational activities and anglers along the Proposed Scheme is to be maintained. All existing access points are being maintained with access to be improved where practical.

Such access points to the River Moy will be maintained through ramps, stiles or flood gates. Existing public lighting will be replaced where removed.

6.2.7 Construction Compounds

Temporary construction compounds will include site offices, welfare facilities, bunded fuel storage areas, designated storage area and construction parking. Wastewater will connect to foul sewer networks where available. Where not available, the contractor will have to provide welfare facilities in accordance with best practice.

The locations of potential temporary compounds are listed below:

- Ballina Dairies site and adjacent boat club site.
- MCC lands on Barrett Street.
- Sites located on private lands:
  - Ridgepool Road.
  - Behy Road.
  - Bonniconlon Road.

7 POLICY CONTEXT

This section presents an overview of the policy context relevant to the Proposed Scheme. In the interest of clarity, the policy context has been divided into three main areas:

- International Level Policy, see **Section 7.1**;
- National Level Policy, see **Section 7.2**;
- Regional Level Policy, see **Section 7.3**; and
- Local Level Policy, see **Section 7.4**.

7.1 International Level

The following sections set out specific European flood risk, water quality and climate action & adaptation policies relevant to the Proposed Scheme.

7.1.1 Directive 2007/60/EC on the Assessment and Management of Flood Risks

The *Directive on the Assessment and Management of Flood Risks (2007/60/EC) of the European Parliament and of the Council of 23 October 2000* (hereafter, the FRD), is concerned with the protection of people and society from waters.

It establishes a framework for assessing and managing flood risks and reducing the adverse consequences of flooding on human health, the environment, cultural heritage, and economic activity. Thus, EU Member States[2] are required to follow a particular process, *inter alia*:

- Undertake a Preliminary Flood Risk Assessment (PFRA), to identify areas of existing or foreseeable future potentially significant flood risk (referred to as 'Areas for Further Assessment', or AFAs).
- Prepare flood hazard and risk maps for the AFAs.
- Prepare flood Risk Management Plans, setting objectives for managing flood risk within the AFAs and prioritising measures for achieving those objectives.

With regard to the above, the Proposed Scheme was initially found to be an area for further assessment in 2012 under the OPW CFRAM study.

Subsequently a number of potential flood relief/protection measures were identified, assessed and found to be viable and effective to reduce flooding for the vulnerable properties located in Ballina Town. In February 2020, Mayo County Council in partnership with the OPW appointed RPS Consulting Engineers Ltd to further assess the CFRAM Study identify options and prepare a detailed scheme for Ballina which is economically viable, socially acceptable and environmentally sustainable.

7.1.2 Directive 2000/60/EC Water Framework

The *Directive 2000/60/EC Water Framework of the European Parliament and of the Council of 23 October 2000* (hereafter, the WFD) is concerned with protecting the quality of waters. Thus, both the FRD and WFD are concerned with water and river management and their implementation requires coordination.

The WFD requires Member States to protect and improve water quality in all waters so that they achieve good ecological status by 2015 (extended to 2027). It applies to rivers, lakes, groundwater, transitional and coastal waters (out to one nautical mile). Good status refers to both good chemical and good ecological status.

A purpose of this Directive is to establish a framework for the protection of inland surface waters, transitional waters, coastal waters and groundwater which contributes to mitigating the effects of floods.

[2] Transposed into Irish law under SI No.122 of 2010

With regard to the above, the Proposed Scheme has been found in **Chapter 11: Land, Soil, Geology and Hydrogeology** of the enclosed EIAR not to cause a deterioration of status in any water body, nor will it compromise the attainment of good status where necessary. The Proposed Scheme is therefore compliant with WFD Article 4(1) objectives. The Proposed Scheme also advances the overall purpose of the WFD by contributing to mitigating the effects of floods, as per Article 1(e).

7.1.3 EU Climate Adaptation Strategy

The European Commission adopted the *EU Climate Adaptation Strategy* on 24 February 2021. It sets out how the EU can adapt to climate change impacts and become resilient by 2050.

The Strategy identifies flooding as a climate-related risk, and the need for flood protection is recognised.

With regard to the above, the Proposed Scheme delivers a climate resilient flood protection scheme for Ballina.

7.1.4 Regulation (EU) 2024/1991 Nature Restoration

Regulation (EU) 2024/1991 of the European Parliament and of the Council of 24 June 2024 on nature restoration (hereafter, the Nature Restoration Law) is a regulation of the European Union to protect the EU environments and restore its nature to a good ecological state through renaturation. The law is a core element of the European Green Deal and the EU Biodiversity Strategy and makes the targets set therein for the "restoration of nature" binding.

EU member states are required to prepare Nature Restoration Plans (NRP) by 2026. An independent Advisory Committee on Nature Restoration to support the development of Ireland's NRP has been established.

The proposed scheme is considered to be in no way prejudicial to the overarching objectives of the Nature Restoration Law or the preparation of a national NRP.

7.2 National Level

The following sections set relevant national planning policy in the context of the Proposed Scheme.

7.2.1 Project Ireland 2040

7.2.1.1 National Planning Framework

As part of Project Ireland 2040, the *National Planning Framework 2040* (hereafter, the NPF) was published by the Department of Housing, Planning and Local Government (DHPLG) in 2018.

The NPF sets out a framework of policy objectives to help Ireland achieve its long-term sustainable goals. The NPF focuses on integrating Ireland's economic development, spatial planning, infrastructure planning and social considerations. It promotes environmentally focused planning at the local level to tackle climate change and the implementation of appropriate measures to mitigate existing issues.

The NPF aims to align itself with the UN's Sustainable Development Goals (SDGs) by ensuring that the decision-making process safeguards the needs of future generations. These objectives are integrated as part of the National Strategic Outcomes (NSOs) in areas such as climate action and planning, sustainable cities, and innovation and infrastructure.

The NPF notes the need to respond to climate change and its impacts *"(…) such as sea level change, more frequent and sustained rainfall events and greater vulnerability of low-lying areas to flooding."* Flooding is recognised as a cross-sectoral issue that can affect all aspects of life.

NSO9 is relevant to flood management because it focuses on the need for investment in water services infrastructure. This strategic outcome particularly recognises the challenges posed by climate change, which is expected to alter water levels in waterbodies such as rivers and lakes. These changes may result in more severe and frequent flooding. Therefore, NSO9 stresses the importance of considering these potential impacts when planning water services and developing strategies to enhance flood resilience. This approach

will ensure that future water infrastructure can cope with the increasing risk of flooding, aiding in effective flood relief measures.

The Proposed Scheme will implement flood relief measures that address current and anticipated flooding events in Ballina, derived from the River Moy and its' tributaries. Thus, the Proposed Scheme will protect Ballina and its communities from flood risks and deliver flood risk infrastructure to adapt to climate change and manage increased flooding risks due to increased rainfall events.

The Proposed Scheme will deliver flood relief measures designed to address both existing and projected flooding in Ballina, mainly resulting from the River Moy and tributaries. By doing so, the Proposed Scheme will safeguard Ballina and its communities from flood risks, providing infrastructure to address climate change and manage the impacts of flooding events caused by changing climate patterns, thus aligning with the provisions and vision in NSO9 of the NPF.

7.2.1.2 Updated Draft First Revision to the National Planning Framework

The Government published the draft first revision of the NPF for public consultation in July 2024. Arising from the public consultation process the Updated Draft Revised National Planning Framework was published in November 2024 (hereafter, the Updated Draft NPF).

The Updated Draft NPF notes under *Water Resource Management and Flooding* that *"Flooding is a cross-sectoral issue that can affect all aspects of life, and that can be influenced, positively or detrimentally, by actions in many other sectors."*. The Updated Draft NPF has the same general policy approach to flooding issues as the current NPF. Some National Policy Objectives (NPOs) have been updated and amended with a number of new NPOs added. The Updated Draft NPF includes NPO 77 and 78 that address mitigation of flood risk and states:

> *"Support the management of stormwater, rainwater and surface water flood and pollution risk through the use of nature-based solutions and sustainable drainage systems, including the retrofitting of existing environments to support nature based solutions."*
>
> *Promote sustainable development by ensuring flooding and flood risk management informs place-making by:*
>
> - *Avoiding inappropriate development in areas at risk of flooding that do not pass the Justification Test, in accordance with the Guidelines on the Planning system and Flood Risk Management;*
> - *Taking account of the potential impacts of climate change on flooding and flood risk, in line with national policy regarding climate adaption."*

The Proposed Scheme will deliver flood relief measures designed to address both existing and projected flooding in Ballina, mainly resulting from the River Moy and tributaries. By doing so, the Proposed Scheme will safeguard Ballina and its communities from flood risks, providing infrastructure to address climate change and manage the impacts of flooding events caused by changing climate patterns, thus aligning with the provisions and vision of the Updated Draft NPF.

7.2.1.3 National Development Plan 2021-2030

This *National Development Plan 2021-2030* (hereafter, the NDP) underpins the NPF. It was published by the Department of Public Expenditure and Reform (DPER) in 2021.

Under NSO9, which relates to the sustainable management of water and other environmental resources, it sets out strategic investment priorities, including delivering commitments under the River Basin Management Plan. Furthermore, NSO 8, which addresses the transition to a climate-neutral and climate-resilient society, notes the role of FRSs identified in the FRMPs. These FRSs provide protection to properties and economic benefits in damage and losses avoided but also help reduce the country's vulnerability to the adverse effects of climate change.

In line with NSO9 of the NDP, the proposed flood relief measures will allow for the sustainable management of flood risks associated with the River Moy. Furthermore, consistent with NSO8 of the NDP, the proposed flood relief infrastructure will allow for climate change and adaptation, safeguarding Ballina from the impacts of increased rainfall events.

The following sections set specific national flood risk, water quality and climate action & adaptation policies relevant in the context of the Proposed Scheme.

7.2.2 National Marine Planning Framework

The National Marine Planning Framework 2021 (NMPF) provides for a comprehensive marine spatial planning framework. It brings together all marine-based human activities and outlines the Government's vision, objectives and marine planning policies for each marine activity.

The NMPF recognises that, "*Climate change is expected to alter patterns in storm surges, sea level rise, and floods that can all play a part in coastal change*".

It provides for the co-ordination of appropriate measures to deal with coastal change resulting from climate change (incl. storm surges, sea level rise and floods) and requires that, "*proposals should demonstrate that they have considered, and are resilient to, the effects of climate change for the lifetime proposed plans*".

7.2.3 Climate Action Plan 2024

The *Climate Action Plan 2024* (hereafter, the CAP24) was published by the Government of Ireland in 2023 and adopted in May 2024.

The CAP24 notes that Ireland has experienced first-hand the consequences of climate change. These changes will cause direct and indirect harm to communities, including predicted impacts arising from coastal, groundwater, and river flooding, which will require action.

The CAP 2023 sets out actions in order to reduce the risk of flooding within Ireland, inter alia:

- **AD/24/2:** *"Complete a review of the national Preliminary Flood Risk Assessment to assess the potential impacts of climate change on flooding and flood risk across Ireland."*
- **AD/24/5:** *"Improve the resilience of Ireland's water infrastructure through implementation of a Nature Based Solutions (NBS) Programme"*
- **AD/24/14:** *"Develop Ireland's first National Climate Change Risk Assessment setting out the priority impacts of climate change for Ireland."*

With regard to the above, it is submitted that the Proposed Scheme will deliver flood protection to address an identified need.

7.2.4 National Biodiversity Action Plan 2023–2030

The *Ireland's 4th National Biodiversity Action Plan 2023–2030* (hereafter, the NBAP), published in 2024, has been prepared by the National Parks and Wildlife Service.

The NBAP sets the national biodiversity agenda for 2023-2030 and aims to deliver the transformative changes required in the ways in which we value and protect nature. Thus, it takes account of the wide range of policies, strategies, conventions, laws, and targets at the global, EU, and national levels that influence our shared environment to scale up biodiversity action.

The NBAP has five overarching objectives:

- Objective 1: *"Adopt a Whole-of- Government, Whole- of-Society Approach to Biodiversity"*
- Objective 2: *"Meet Urgent Conservation and Restoration Needs"*
- Objective 3: *"Secure Nature's Contribution to People"*
- Objective 4: *"Enhance the Evidence Base for Action on Biodiversity"*
- Objective 5: *"Strengthen Ireland's Contribution to International Biodiversity Initiatives"*

(National Parks and Wildlife Service, 2024)

The NBAP set out a range of actions and outcomes within the framework of the above objectives. Within the context of the Proposed Scheme, it is to be noted 'Outcome 2D' which reads as "*Biodiversity and ecosystem services in the marine and freshwater environment are conserved and restored*." (National Parks and Wildlife Service, 2024)

The following actions are set under 'Outcome 2D':

- *Action 2D1: "Relevant bodies such as DHLGH, DAFM, Local Authorities and partners will deliver a RBMP to better protect, enhance and monitor the ecological status of water during the third cycle of the RBMP"*
- *Action 2D5: "OPW will work with relevant authorities to ensure that Flood Risk Management planning and associated Strategic Environmental Assessment (SEA), EIA and Appropriate Assessment (AA) minimise loss of biodiversity and ecosystem services through policies to promote more catchment-wide and non-structural flood risk management measures."*
- Action 2D7: *"The OPW, in coordination with other relevant stakeholders, will continue to enhance its knowledge and capacity with regards to Nature-based Solutions for Catchment Management (NBS-CM) and will assess the potential NBS-CM as part of the development of the future flood relief schemes."*

(National Parks and Wildlife Service, 2024)

Regarding the above, the Proposed Scheme is considered to accord with the overarching objective to protect biodiversity and place the protection of biodiversity at the centre of the planning and design of flood relief schemes.

7.2.5 Biodiversity Action Strategy 2022-2026

This *Biodiversity Action Strategy 2022-2026* (hereafter, the BAS) was prepared by the OPW.

The BAS sets out OPW's approach to protecting, promoting and enhancing biodiversity across its operations. The BAS identifies strategic actions to help deliver Government policy through contribution to the delivery of the NBAP.

It is noted that the OPW is an Irish government office whose primary function is to support the implementation of government policy. The OPW advises the Minister for Public Expenditure and Reform and the Minister of State in that department, principally in the disciplines of property (including heritage properties) and flood risk management.

The BAS sets out actions relating to NBAP objectives. Within the context of the Proposed Scheme, actions relating to flood relief works are as follows:

- 2.9: *"Develop biodiversity guidance and manuals for waterway maintenance and flood relief scheme."*
- 3.2: *"Develop a requirement for contractors to have completed the environmental awareness training as a requirement for OPW- funded work on flood relief schemes or river maintenance."*
- 3.4: *"Carry out a review of biodiversity measures within flood relief scheme."*
- 3.8: *"Develop biodiversity opportunity planning for a range of demonstration flood relief scheme projects and drainage maintenance operations."*

(OPW, 2022)

With regard to the above, the Proposed Scheme there are a number of measures included with the specific purpose to protect biodiversity including:

- Biodiversity enhancement will be provided along the River Moy and other areas in the form of bird boxes and bat boxes.
- On the Brusna River two otter holts are proposed to be constructed downstream of the bridge crossing on the left bank.
- On the Tullyegan stream an embankment which will facilitate the movement of otters will be installed on the left bank tying in with the Iarnród Éireann/Irish Rail embankment.

Further detail on the design aspects of the Proposed Scheme which protect biodiversity and the effects of the proposed development on the environment is provided in **Chapters 9: Aquatic Biodiversity and Chapter 10 Terrestrial Biodiversity** of the enclosed EIAR.

7.2.6 National Flood Policy (2004)

In 2004, the Government of Ireland conducted a review of the national flood policy. This resulted in the *2004 Report of the Flood Policy Review Group*, which established key points:

- The OPW is tasked with leading and coordinating the implementation of national flood risk management policy.
- While structural flood relief measures remain important, there is a shift towards prioritising non-structural measures such as flood forecasting and planning guidelines.
- The OPW, with input from other relevant State bodies as needed, is to develop a programme to implement the report's recommendations.

Implementation of the recommendations in the report has included, *inter alia*, the publication by the OPW and the Department of Environment, Heritage and Local Government (DEHLG) of the *Planning System and Flood Risk Management* guidelines in 2009 (hereafter, the Flood Risk Guidelines). Subsequently, the *National Catchment-based Flood Risk Assessment and Management Programme* (hereafter, the CFRAM Programme), prepared by the Government of Ireland in 2021, was introduced.

The following sections provide information on the Proposed Scheme's consistency with the policies, objectives, principles and/or guidance set out in the Flood Risk Guidelines and the CFRAM Programme.

7.2.7 The Planning System & Flood Risk Management (2009)

The Flood Risk Guidelines were prepared by the OPW and DEHLG in response to the recommendations set out in the *2004 Report of the Flood Policy Review Group* (refer to section above). Its publication is also linked to the mandate set out in the FDW, which requires EU Member States to prepare flood risk management plans.

The Flood Risk Guidelines advocate a proactive approach to preventing flooding. This includes, for example, adopting general policies for protection, improving or restoring floodplains, and upgrading flood barriers.

Regarding flood zones and flood risk management, the Flood Risk Guidelines note that *"the provision of flood protection measures in appropriate locations, such as in or adjacent to town centres, can significantly reduce flood risk"* (OPW and DEHLG, 2009) and that *"Minimising risk can be achieved through structural measures that block or restrict the pathways of floodwater"* (OPW and DEHLG, 2009).

The Proposed Scheme shall deliver flood protection to the centre of Ballina in accordance with a central tent of the Flood Risk Guidelines.

7.2.8 National Catchment-based Flood Risk Assessment and Management Programme (2012)

As noted above, the CFRAM Programme was introduced following the *2004 Report Flood Policy Review Group's* recommendations. Like the Flood Risk Guidelines, the CFRAM Programme reflects the mandate set out in the FRD.

The CFRAM Programme is central to the medium to long-term strategy for the reduction and management of flood risk in Ireland. Thus, the CFRAM Programme:

- Focuses on managing flood risk comprehensively rather than solely relying on flood protection measures.
- Adopts a catchment-based approach to assess and manage risks within the broader catchment context.
- Proactively addresses flood risks, including through the creation of flood maps and Flood Risk Management Plans.

Arising from the above, the CFRAM Programme mapped the existing and potential future flood hazards and flood risk in the areas at potentially significant risk from flooding. Thus, the CFRAM Programme focussed on 300 communities at potentially significant flood risk, referred to as Areas for Further Assessment (AFAs). It is to be noted that Ballina and its environs (ID no. 340534) were part of these.

Further, the CFRAM Programme led to the development of Flood Risk Management Plans (FRMP), including the Moy and Killala Bay FRMP. **Section 7.5.10** provides further details of the FRMP.

7.2.9 Water Action Plan 2024 A River Basin Management Plan for Ireland

The *Water Action Plan 2024 A River Basin Management Plan for Ireland* (hereafter, the Water Action Plan 2024) prepared by the Government of Ireland sets out Ireland's approach to protect and restore its rivers, lakes, estuaries and coastal waters over the third cycle of the EU Water Framework Directive (WFD). The Plan builds upon the previous two cycles of River Basin Management Plans and signals to the international community, Ireland's commitment to implementing the United Nations Sustainable Development Goal 6 to improve water quality, protect and restore water-related ecosystems.

The Plan sets out the environmental improvements to be delivered during a river basin planning cycle. The plans contain water quality objectives and a programme of measures to achieve those objectives.

Flooding, flood relief works and the need for protection against flooding are referenced within the RBMP. The increasing prevalence of flooding, due in part to climate change is acknowledged.

Multiple measures to reduce flooding, including flooding protection, appropriate planning control, nature based urban sustainable urban drainage are reference and supported. The Water Action Plan 2024 states the following with regard to structural flood protection:

> *"the current policy in relation to flood protection is to implement the Floods Directive in full. This includes structural flood protection measures proposed for communities at significant flood risk, aimed at reducing the likelihood and/or degree of flooding, identified through the National Catchment Flood Risk Assessment and Management (CFRAM) Programme."*

7.2.10 Flood Risk Management: Climate Change Sectoral Adaptation Plan

The *Flood Risk Management: Climate Change Sectoral Adaptation Plan* (hereafter, the Climate Change SAP), prepared under the NAF by the OPW, concerns climate change and flooding. It has been prepared for the 2019-2024 period.

The Ballina FRS, the subject of this planning application, is identified as one of the schemes to be progressed in the first phase of the future capital programme's delivery.

The Climate Change SAP sets out 21 no. actions which shall ensure effective and sustainable management of flood risk in the future. Within the context of the Proposed Scheme and flood risk management, the following actions are considered relevant:

- **Action 2.B** *"(Responsible: OPW; When: 2019 and Ongoing): The Brief for the detailed development of flood relief schemes to include a requirement for a Scheme Adaptation Plan that will set out how climate change has been taken into account during the design and construction, and what adaptation measures might be needed and when into the future."* (OPW, 2019).

With regard to the above, the Proposed Scheme resilience to climate change is detailed in **Chapter 5: Project Description** of the enclosed EIAR. Additional works are set out which will provide for climate change in Mid-Range and High-End Future Scenarios, future proofing the current design life of 50 years.

7.2.11 National Adaptation Framework 2024

The *National Adaptation Framework 2024: Planning for a Climate Resilient Ireland* (hereafter, the NAF), published by the Department of Communications, Climate Action and Environment, provides a broad strategic direction for climate change adaptation across various sectors in Ireland, including flood risk management, which is one of the 13 priority sectors under the NAF.

While providing limited guidance on flood relief schemes, the NAF acknowledges the increasing frequency and intensity of extreme weather events, including projected precipitation that may increase pluvial and fluvial flooding due to climate change and supports capital investment in flood adaptation measures. In this regard, investments in critical infrastructure, such as water management systems, are highlighted to ensure they can withstand severe flooding events. Furthermore, it notes the role of local authorities in developing and implementing local climate adaptation measures, focusing on flood-prone areas and strengthening

infrastructure to better cope with increased rainfall. These actions aim to reduce vulnerabilities in terms of flood risk and align with broader national objectives for climate resilience.

Considering the above, the proposed flood relief measures will allow the sustainable management of flood risks associated with the Clodagh River and for climate change adaptation.

7.3 Regional Level

The following sections set relevant regional planning policy in the context of the Proposed Scheme.

7.3.1 Regional Spatial and Economic Strategy 2020-2032

The *Regional Spatial and Economic Strategy 2020-2032* (hereafter, the RSES) was published by the North and Western Region Assembly (NWRA) in 2020.

The RSES seeks to enable the implementation of the vision for the North and West region set out in the NPF. Ballina is designated a "Key Town" in the NWRA. With regard to key towns RPS 3.1 is to

"Develop urban places of regional-scale through….Delivering significant compact growth Key Towns…."

The NWRA sets out "Key Future Priorities" for Ballina which include:

"Build on Ballina's strong enterprise and associated skills base, strong infrastructural base in terms of connectivity, Metropolitan Area Network (MAN) and proximity to the Atlantic Europe Connect sub-sea telecommunications cable, Ireland West Airport Knock and the Atlantic Economic Corridor (AEC).

Regeneration within the town core particularly in the Market Square/Military Barracks area and regeneration of the riverside along the River Moy is crucial to facilitate an enterprise-led regeneration of the town centre."

The RSES is cognisant of the need to address flooding. This is directly reflected in the following Regional Policy Objectives (RPO):

- **RPO 3.10** "*Ensure flood risk management informs development by avoiding inappropriate development in areas at risk of flooding and integrate sustainable water management solutions (such as SUDS, non-porous surfacing and green roofs) to create safe places. Development plans should assess flood risk by implementing the recommendations of the Planning System and Flood Risk Assessment Guidelines for Planning Authorities (2009) and Circular PL02/2014 (August 2014).*"
- **RPS 8.13** *"Support the delivery of flood defence works planned by OPW to be implemented in the short-term."*

The Proposed Scheme supports the growth of Ballina which accords fully with the objectives set out in the NWRA for Ballina, a key town.

The delivery of flood relief works at appropriate locations, such as the subject Proposed Scheme, also fully accords with the NWRA.

7.4 Local Level

The following sections set relevant local planning policy in the context of the Proposed Scheme.

7.4.1 Mayo County Development Plan 2022 – 2028

The *Mayo County Development Plan 2022 – 2028* (CDP) is the primary articulation of local statutory planning policy in the county. As such it provides guidance *inter alia* on the development of Ballina and the provision of flood relief defences.

7.4.1.1 Development of Ballina Town

The policies and objectives of the CDP support the growth and development of Ballina town, particularly the existing town centre, proximate to the River Moy. The CDP contains Settlement Strategy Policies (SSP), Settlement Strategy Objectives (SSO) and Economic Development Policies (EDP).

SSP 2

"*Support the continued growth and sustainable development of Ballina, Castlebar and Westport, as designated Tier I towns (Key Towns and Strategic Growth Town) in the Settlement Strategy, capitalising on Ballina's designation as a Key Town in the context of the Sligo Regional Growth Centre and Castlebar/Westport as a linked growth driver in the region.*"

SSO 2

"*To facilitate the development of Ballina, Castlebar and Westport to underpin their role as designated Tier I Key Towns and a Strategic Growth Town, respectively, in the Settlement Hierarchy and to ensure that the growth of these towns takes place in an orderly and sustainable fashion that will not detract from the vitality and viability of their town centres.*"

SSO 3

"*To require sustainable, compact, sequential growth and urban regeneration in Ballina, Castlebar and Westport by consolidating the built-up footprints of these towns through a focus on regeneration and development of town centre infill and brownfield sites, and encouraging regeneration of underutilised, vacant and derelict lands for residential development and mixed use to facilitate population growth*."

SSO 4

"*To apply higher densities to the higher order settlements of Ballina, Castlebar and Westport (see DM Standards), to align with their roles within the settlement hierarchy, subject to good design and development management standards being met.*"

EDP 6

"*To support and grow the role of Ballina as the key economic driver in the north-west of the county, capitalising on its designation as a Key Town within the context of the Sligo Regional Growth Centre and its location in relation to the Atlantic Economic Corridor, in order to facilitate long-term economic growth within the context of a high-quality environment, supporting a wide range of services and amenities.*"

The Proposed Scheme supports the growth of Ballina which accords fully with the objectives set out in the CDP.

7.4.1.2 Land Use Zoning

The CDP maintained the land use zonings from the *Ballina Town and Environs Development Plan 2009 – 2015 (*Town Plan*)*, stating:

"The land use zoning provisions of the existing town and environs development plans for Ballina, Castlebar and Westport shall continue to be implemented on an interim basis until such time as local area plans are adopted for these towns, whilst also having regard to any draft local area plan, and subject to compliance with the provisions of the Mayo County Development Plan, including the Core Strategy population/housing targets."

The *Ballina Local Area Plan 2024-2030* (Ballina LAP) is now in effect and land use zonings are considered in **Section 7.4.5**.

7.4.1.3 Flood Risk Management

The CDP outlines that flooding is the most common source of climate related impacts and loss around the country, with Ballina being a town at a high risk for flooding. The CDP aims to promote efficient flood risk practices in planning and development management and to deliver infrastructural provision which will reduce flood risk:

Policy INP 15

"*To support the implementation of the recommendations in the Flood Risk Management Plans (FRMP's), including planned investment measures for managing and reducing flood risk*".

Policy INP 16

"*To support the implementation of recommendations in the CFRAM Programme to ensure that flood risk management policies and infrastructure are progressively implemented.*"

Objective INO 21

"*To assist the OPW in developing catchment-based Flood Risk Management Plans for rivers in County Mayo and have regard to their provisions/recommendations*".

Objective INO 23

"*To ensure that where flood risk management works take place that natural heritage, cultural heritage, rivers, streams and watercourses are appropriately protected.*"

The accordance of the Proposed Scheme with the *Flood Risk Management Plan Moy and Killala Bay* is considered in **Section 7.4.10**.

The accordance of the Proposed Scheme with *the CFRAM Programme* is considered in **Section 7.2.8**.

The protection of natural heritage, cultural heritage, rivers, streams and watercourses has been a key design objective. Measures to meet this objective include:

- Public access to the religious grotto on Clare Street will also be maintained by placing the wall behind the structure;
- The existing walls on Emmet Street will be carefully dismantled and reconstructed due to their historical significance;
- Biodiversity enhancement will be provided along the River Moy and other areas in the form of bird boxes and bat boxes.
- On the Brusna River two otter holts are proposed to be constructed downstream of the bridge crossing on the left bank; and
- On the Tullyegan stream an embankment which will facilitate the movement of otters will be installed on the left bank tying in with the Iarnród Éireann/Irish Rail embankment.

Further detail is provided in **Chapter 9: Aquatic Biodiversity**, **Chapter 10: Terrestrial Biodiversity**, **Chapter 12: Water** and **Chapter 18: Archaeology and Cultural Heritage** of the enclosed EIAR.

River Moy

The significance of the River Moy is recognised in the CDP with multiple objectives pertaining to the protection and better utilisation of the river, including:

Objective KAO 7

"*To protect Killala Bay/Moy Estuary Special Area of Conservation (Site Code 000458) and Special Protection Area (Site Code 004036). Development proposals will be required to demonstrate that the development will not have an adverse effect on the integrity of the sites.*"

Policy TRP 6 (C)

"*Exploration of the development potential of Westport and Ballina harbour areas in terms of marine related tourism and extensive marine resources*."

Policy TRP 6 (D)

"*Promote the significant tourism potential of Ballina and its location as a prominent stop on the Wild Atlantic Way, a gateway to Northwest Mayo, the Céide Fields, and internationally renowned salmon fishing, through investment in tourism related infrastructure, including Monasteries of the Moy Greenway from Belleek to Killala, incorporating EuroVelo1 Atlantic Coastal Route, Mountain Biking Trail via Ballina connecting the Wild Nephin Ballycroy National Park to the National Mountain Bike Trail at Coolaney and ongoing development of the Wild Atlantic Way, including Discovery Points at Crockets Town.*"

Policy TRP 6 (G)

> "*To support the implementation of the feasibility study entitled Moy estuary, A Development Strategy, where appropriate.*"

An *Appropriate Assessment (AA) Screening* and *Natura Impact Statement* (NIS) have been prepared and are enclosed in the application documents. These have concluded that "*based on best scientific knowledge available, that subject to implementation of bespoke mitigation measures and monitoring as detailed above, it can be objectively concluded that the Proposed Scheme on its own and in combination with other plans and projects will not adversely affect the integrity of these European Sites having regard to site-specific conservation objectives."*

The Proposed Scheme has been designed to maintain and enhance access to the River Moy and in tandem with the planning public realm scheme enhance the attractiveness of the riverscape.

7.4.1.4 Cultural Heritage

Architectural Heritage Policy BEP 7 is:

> *"To protect buildings and structures included in the Record of Protected Structures (RPS) which forms part of this Plan."*

There are protected structures located within the study area as more fully detailed in **Chapter 18: Archaeology & Cultural Heritage** of the enclosed EIAR. These include:

- RPS no. 4 Gate Lodge;
- RPS no. 7 Ballina House;
- RPS no. 8 St. Muredach's College;
- RPS no. 11 Armstrong + West (Lower) Bridge;
- RPS no. 13 Former Provincial Bank;
- RPS no. 14 Presbyterian Church;
- RPS no. 15 Presbyterian Orphanage;
- RPS no. 16 Bank of Ireland;
- RPS no. 17 Library (former Moy Hotel);
- RPS no. 18 – 23 Terrace of limestone fronted buildings on Pearse Street;
- RPS no. 24 Commercial Use building on Pearse;
- RPS no. 29 St. Muredach's Cathedral;
- RPS no. 30 Remains of Augustinian Friary;
- RPS no. 33 Ham (Upper) Bridge;
- RPS no. 35 Salmon Weir;
- RPS no. 36 St. Michael's Church;
- RPS no. 38 Church of Ireland National School; and
- RPS no. 39 Courthouse.

The analysis reported in **Chapter 18: Archaeology & Cultural Heritage** of the enclosed EIAR identifies no significant residual impact on a protected structure.

7.4.1.5 Strategic Flood Risk Assessment to the Mayo County Development Plan

Within the *Planning System and Flood Risk Management* guidelines, the purpose of the Strategic Flood Risk Assessment (SFRA) is "*to provide a broad (wide area) assessment of all types of flood risk to inform strategic land-use planning decisions. SFRAs enable the LA to undertake the sequential approach, including the Justification Test, allocate appropriate sites for development and identify how flood risk can be reduced as part of the development plan process*".

The SFRA notes that the CFRAM identified a viable flood relief scheme for Ballina and further states:

"The Ballina Flood Relief Scheme was initially found to be an area for further assessment in 2012 under the OPW CFRAM study and subsequently in a number of potential flood relief/protection measures were identified and assessed to be viable and effective to reduce flooding for the vulnerable properties located in Ballina Town. In February 2020, Mayo County Council in partnership with the OPW appointed RPS Consulting Engineers Ltd to further assess the CFRAM Study identify options and prepare a detailed scheme for Ballina which is economically viable, socially acceptable and environmentally sustainable. The entire scheme will be implemented in five different stages. Stage I is currently ongoing which has commenced in March 2020."

The Proposed Scheme is proceeding as envisaged in the SFRA, as evidenced by the subject application.

7.4.2 Draft Mayo Heritage and Biodiversity Strategy 2023-2030

The *Draft Mayo Heritage and Biodiversity Strategy 2023-2030* facilitated by the Heritage Office of Mayo County Council aims to build on the achievements of the previous County Mayo Heritage and Biodiversity Plans. The Strategy identifies 8 no. thematic areas for inclusion in the Strategy of: "*Community, Biodiversity, Awareness and Education, Historic and Archaeological Heritage, Research and Data Collection, Climate, Intangible Cultural Heritage",* and "*Partnerships"*. Within the theme of biodiversity there is a commitment to the promotion of planting and management of hedgerows and native trees, to explore and promote opportunities for habitat conservation, enhancement and restoration and to conduct an audit of Mayo County Council land/property to identify, conserve and enhance biodiversity potential.

Public consultation on the draft Strategy is complete but the Strategy has not yet been finalised. The Proposed Scheme will not impact in any tangible way on the implementation of the Strategy.

7.4.3 County Mayo Biodiversity Action Plan 2010 - 2015

The County Mayo Biodiversity Action Plan (CMBAP) aims to raise awareness of and promote the conservation of the natural heritage and biodiversity of the county.

The vision for the CMBAP is "*That Mayo becomes a place even richer in wildlife and wild places that is cherished and respected by all, and for the benefit of all*".

The Plan provides a framework for the conservation of biodiversity and natural heritage at a local level.

It is noted in the CMBAP that the River Moy is famous for its salmon fishery and is a Special Area of Conservation (SAC) and that Killala Bay / Moy Estuary is designated as both a SAC and SPA.

The three over-riding objectives as set out in the plan are:

- *"Objective 1: Increase awareness, understanding and appreciation of Mayo's biodiversity and natural heritage;*
- *Objective 2: Collect and make accessible biodiversity/ natural heritage information; and*
- *Objective 3: Promote best practice in natural heritage management and conservation."*

The protection of biodiversity has been a key design objective. Measures to meet this objective include:

- Biodiversity enhancement will be provided along the River Moy and other areas in the form of bird boxes and bat boxes.
- On the Brusna River two otter holts are proposed to be constructed downstream of the bridge crossing on the left bank
- On the Tullyegan stream an embankment which will facilitate the movement of otters will be installed on the left bank tying in with the Iarnród Éireann/Irish Rail embankment.

Further detail on the design aspects of the Proposed Scheme which protect biodiversity and the effects of the proposed development on the environment is provided in **Chapter 9: Aquatic Biodiversity** and **Chapter 10: Terrestrial Biodiversity** respectively in the enclosed EIAR.

7.4.4 Mayo County Council Climate Action Plan 2024 -2029

The *Mayo County Council Climate Action Plan 2024 -2029* (MCAP) sets out how MCC will be responsible for enhancing climate resilience, increasing energy efficiency, and reducing greenhouse gas emissions, across its own assets, services, and infrastructure, for which it is fully accountable, whilst also demonstrating a broader role of influencing, advocating, and facilitating other sectors, to meet their own climate targets and ambitions.

Each chapter of the MCAP includes a case study that details an example of the climate action projects undertaken by MCC to date. Case Study 2 details the Councils commitment to tackle the increased frequency and impact of flooding in Mayo. Case Study 2 notes, ***"Ballina Town:*** *The Ballina Flood Relief Scheme is nearing the submission of a planning application to An Bord Pleanála."*

The MCAP also details results from the Climate Change Risk Assessment including:

> *"Recent experiences of river and pluvial flooding events in 2020, 2021 and 2022 resulted in damages to buildings and infrastructure, damage of transport networks (e.g., Closure of R334 road between The Neale and Ballinrobe at The Neale crossroads) and impacts on business and local economy. Projected increases in the frequency of extreme precipitation events will result in increased surface water and riverine flood risk for County Mayo."*

The need to provide flood alleviation via nature based solutions is an action (No. 14) of the MCAP.

It is submitted that the Proposed Scheme will deliver flood protection, addressing a risk identified in the MCAP.

7.4.5 Ballina Local Area Plan 2024 - 2030

The Ballina LAP sets out an overall strategy for the proper planning and sustainable development of Ballina in the context of local, regional and national planning policies.

The Ballina LAP was formally made by the Elected Members of the Ballina Municipal District of Mayo County Council on 18th September 2024. The Plan has effect from 30th October 2024 for a period of 6 years until 2030 save for the items referenced within the Draft Ministerial Direction issued on the 15th of October 2024.

The draft direction directs the Planning Authority to delete 7 no. material alterations regarding land use zonings.

The "Vision Statement" for the town as set out in the Ballina LAP is:

> *"To support and grow the role of the Key Town of Ballina, to create a sustainable and competitive town that supports the health and well-being of the people of Ballina, providing an attractive destination, as a place in which to live, work, invest, do business and visit, offering high quality employment and educational opportunities within strong and vibrant sustainable communities, whilst ensuring a transition to a carbon neutral and climate resilient town that supports high environmental quality."*

The Proposed Scheme supports the growth of the town, making it a more attractive place for residents, workers and visitors and enhances the climate resilience of the town.

Climate Action Policy 2 states:

> *"It is a Policy of the Council to promote and encourage development which is resilient to climate change by ensuring that development proposals demonstrate sustainable design principles for new buildings/ services/site, including:*
>
> *…. d) reducing flood risk, damage to property from extreme events–residential, public, and commercial*
>
> *e)reducing risks from temperature extremes and extreme weather events to critical infrastructure such as roads, communication networks, the water/drainage network, and energy supply…"*

A flood relief scheme is identified as part of the "*medium / longer term vision*" for the Town Core, Moy Quarter and Cathedral Quarter.

The Proposed Scheme directly addresses this vision for the town core and reduces flood risk.

Objective NEO10 is to:

> *"Enhance and promote biodiversity and amenity and to ensure the protection of environmentally sensitive sites and habitats, including where flood risk management measures are planned."*

The Proposed Scheme has been designed with the protection and enhancement of biodiversity as a key objective. Measures to meet this objective include:

- Biodiversity enhancement will be provided along the River Moy and other areas in the form of bird boxes and bat boxes.
- On the Brusna River two otter holts are proposed to be constructed downstream of the bridge crossing on the left bank
- On the Tullyegan stream an embankment which will facilitate the movement of otters will be installed on the left bank tying in with the Iarnród Éireann/Irish Rail embankment.

Further detail on the design aspects of the Proposed Scheme which protect biodiversity and the effects of the proposed development on the environment is provided in **Chapter 9: Aquatic Biodiversity** and **Chapter 10: Terrestrial Biodiversity** respectively in the enclosed EIAR.

The Ballina LAP notes the background to the subject FRS and that the FRS is now being progressed. *Chapter 10 Infrastructure and Environmental Services,* Section 10.4 *Flood Risk Management* outlines specific planning development management standards for development where there is an identified or potential flood risk and outlines the progress being made in the bringing forward of the Ballina Flood Relief Scheme.

This Chapter also includes Objectives IESO 3, which states:

> *"It is an objective of the Council to:*
>
> *a) Manage flood risk in accordance with the requirements of "The Planning System and Flood Risk Management Guidelines for Planning Authorities", DECLG and OPW (2009) and any revisions thereof and consider the potential impacts of climate change in the application of these guidelines.*
>
> *c) Minimise flood risk arising from pluvial (surface water) flooding in Ballina by promoting the use of natural flood risk management measures including sustainable 109 drainage systems (SuDS), minimising extent of hard surface/paving, and smart solutions such as innovative green infrastructure.*
>
> *f) The LAP supports the on-going design, planning and implementation of the Ballina Flood Relief Scheme*

The land use zoning included in the Ballina LAP is shown in **Figure 7-1**.

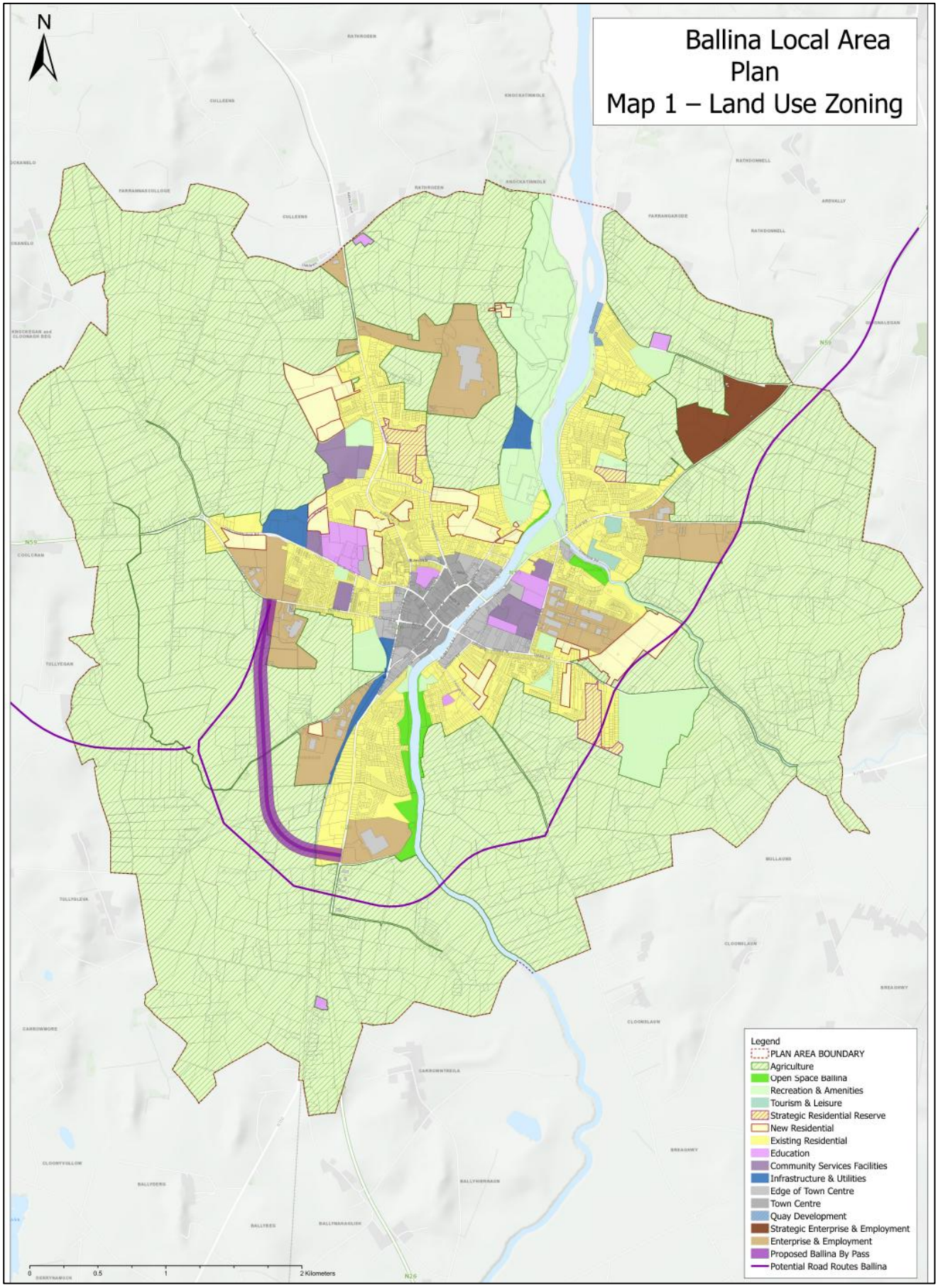

Figure 7-1: Land Use Zoning in Ballina Town Centre

The Proposed Scheme shall protect lands zoned, *inter alia*, town centre, edge of town centre and existing residential and supports their use in accordance with the land use zoning.

The Proposed Scheme directly addresses a need identified in the LAP.

7.4.6 Draft Ballina Strategic Flood Risk Assessment

The *Draft Ballina Strategic Flood Risk Assessment* notes that Ballina was initially found to be an area for further assessment in 2012 under the OPW CFRAM study and subsequently a number of potential flood relief/protection measures were identified and assessed to be viable and effective to reduce flooding for the vulnerable properties located in Ballina Town.

The status of the Proposed Scheme is outlined. It is surmised that the Proposed Scheme is unlikely to occur within the timeframe of the LAP and so the SFRA must protect lands for infrastructure and also ensure that development within Flood Zones A/B is sustainably managed. It is noted that proposed flood relief works are proposed at a number of locations and MCC will be required to allow for consideration of these in the LAP.

7.4.7 Draft Ballina Local Transport Plan 2023

The *Draft Ballina Local Transport Plan 2023* (the Draft Transport Plan) informs the preparation of the Ballina Local Area Plan. This Transport Plan sets out a series of objectives and actions to ensure the essential transport infrastructure will be delivered at the correct locations in the town to create opportunities for a modal shift in transport. The overall aspiration of the transport plan is to provide recommendations to deliver a high quality, safe, coherent, direct, and attractive sustainable transport network.

The Proposed Scheme at the operational stage does not impact on the strategy set out in the *Draft Transport Plan.*

7.4.8 Ballina Draft Public Realm Strategy

The *Ballina Draft Public Realm Strategy* builds upon and ties together the six themes of: *Identity*, *Bringing Streets to Life*, *New Civic Quarters*, *An Activated and Connected Waterfront*, *Legibility and Orientation*, and *Welcome and Arrival*.

Chapter 4 of this Strategy describes public realm projects and identifies specific areas along the River Moy. Amongst these areas is Cathedral Road, which has a number of opportunities and recommendations stated including to "*Introduce high quality lighting, seating, high canopy trees in planters and soft landscaping.*". Emmet Street is also highlighted as an area for planned public realm projects such as "*enhanced waterfront area with seating, outlook areas, planting and trees*". This Strategy concludes with a public realm action plan that lists 10 no. steps and recommendations for Mayo County Council to implement to deliver this Strategy in the short to medium term.

7.4.9 Local Biodiversity Action Plan Ballina County Mayo

This Biodiversity action plan for Ballina, Co. Mayo provides advice and guidance on practical and meaningful actions which can be taken by the local authority, community groups and individuals to protect and promote biodiversity in the Ballina area.

The Proposed Scheme is in no way prejudicial to the implementation of the biodiversity action plan.

7.4.10 Flood Risk Management Plan Moy and Killala Bay (2018)

The purpose of the *Flood Risk Management Plan Moy and Killala Bay*, prepared by the OPW, is to set out the strategy, including a set of proposed measures, for the cost-effective and sustainable, long-term management of flood risk in the River Basin, including the areas where the flood risk has been determined as being potentially significant.

The Plan includes non-structural flood risk prevention and preparedness measures and also structural flood protection measures proposed for communities at significant flood risk, aimed at reducing the likelihood and/or degree of flooding, identified through the National CFRAM Programme.

A series of measures are proposed in the Plan including:

- Sustainable Planning and Development Management
- Sustainable Urban Drainage Systems (SUDS)
- Adaptation Planning
- Land Use Management and Natural Flood Risk Management
- Arterial Drainage Schemes
- Maintenance of Channels not part of a scheme
- Emergency Response Planning
- Promotion of Individual and Community Resilience
- Individual Property Protection
- As part of the development of the National Flood Forecasting Service, a flood forecasting system should be developed to include Foxford to Killala Bay, including Ballina and Knockanelo Tributary.

Of particular relevance to the project is the following:

> *"For Ballina & Environs, it is proposed in the Plan that a flood relief scheme is progressed to project-level development and assessment, including environmental assessment as necessary and further public consultation, for refinement and preparation for planning / exhibition and, if and as appropriate, implementation*."

The subject FRS accords with this recommendation and an EIAR and Flood Risk Assessment have been prepared and are submitted as part of the planning consent documentation.

8 ENVIRONMENTAL CONSIDERATIONS

8.1 Environmental Impact Assessment Report

The application for approval includes an EIAR prepared in accordance with the requirements of EU and Irish National law, policy and practice. The EIAR has considered the effects of the proposed scheme across a range of sensitivities including:

- Traffic & Transportation;
- Population;
- Human Health;
- Biodiversity;
- Land, Soil, Geology and Hydrogeology;
- Water;
- Air Quality;
- Climate;
- Noise & Vibrations;
- Material Assets: Waste/ Utilities;
- Material Assets: Landtake;
- Archaeology and Cultural Heritage; and
- Landscape & Visual.

Full details and a Non-Technical Summary are included as part of the application for approval. From the inception of the design and environmental assessment processes of the Proposed Scheme, the project team has strived to avoid, prevent and reduce adverse effects, which are incorporated into the design drawings and specifications for the Proposed Scheme that have been assessed as part of the EIAR and NIS.

Where likely significant environmental effects have been identified during the EIA process, measures will be implemented to mitigate these effects as much as reasonably possible, with any residual effects identified in the relevant chapters of this EIAR.

8.2 Appropriate Assessment and Natura Impact Statement

The Appropriate Assessment (AA) Screening Report provides an overview of the potential impacts and effects on Qualifying Interests (QIs) and Special Conservation species (SCIs) of River Moy SAC, Killala Bay/Moy Estuary SAC, Killala Bay/Moy Estuary SPA and Lough Conn and Lough Cullin SPA. The screening concluded that there is potential for likely significant effects on the following QIs and SCIs: sea lamprey, brook lamprey, salmon, otter, white-clawed crayfish, estuaries, mudflats and sandflats not covered by seawater at low tide, Atlantic salt-meadows, harbour seal, ringed plover, golden plover, grey plover, sanderling, dunlin, bar-tailed godwit, curlew, redshank, wetland and waterbirds, tufted duck, common scoter, common gull and Greenland white-fronted goose.

The AA Screening Report concluded that the Proposed Scheme has potential for Likely Significant Effects (LSEs) on four European Sites; Killala Bay/Moy Estuary SAC (000459), River Moy SAC (002298), Killala Bay/Moy Estuary SPA (004036) and Lough Conn and Lough Cullin SPA (004228) due to the activities associated with the construction phase and/or the operational and maintenance phase of the Proposed Scheme. The AA Screening Report concluded:

> *"Due to the LSEs identified, it is concluded that a Stage 2 –NIS is required to inform an AA of the implications of the Proposed Scheme on the European Sites and their associated QIs and SCIs by the Competent Authority."*

Proposed Mitigation Measures have been provided in the Natura Impact Statement (NIS) lodged with this document. The mitigation measures that are included set out clear commitments for surface water management, aquatic protection measures, otter protection measures, noise and vibration protection measures and measures to prevent environmental incidents and accidents, amongst others, during construction of the Proposed Scheme in Ballina. A number of operational and maintenance phase mitigation measures have also been outlined.

The NIS concluded that:

> "*based on best scientific knowledge available, that subject to implementation of bespoke mitigation measures and monitoring as detailed above, it can be objectively concluded that the Proposed Scheme on its own and in combination with other plans and projects will not adversely affect the integrity of these European Sites having regard to site-specific conservation objectives."*

9 CONCLUSION

The increased impact of flood events, arising in part from climate change, and the need to address these flood events through, *inter alia*, flood protection works, are acknowledged across European, National, Regional and Local Planning Policy documents. The proposed Ballina Flood Relief Scheme accords with overarching European, national and local planning policy and objectives.

Ballina is a designated key town, an important driver of economic activity and provides community and social facilities to a wide hinterland in North Mayo and West Sligo. The protection of areas of the town from flooding enables the continuation of these functions and the growth of the town in line with wider policy.

The proposed scheme will address an identified area of flooding. These flood events, which has increased in severity and frequently have resulted in severe hardship in the area.

Providing relief to these individuals and businesses in an environmentally appropriate manner is a matter of urgency and importance. We would recommend that An Bord Pleanála approve the Ballina Flood Relief Scheme.

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