

**N4 Collooney to Castlebaldwin  
Oral Hearing**

**Compulsory Purchase Order**

**and**

**Environmental Impact Statement  
Oral Hearing**

**Non- Agricultural Property**

**Brief of Evidence**

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# N4 Collooney to Castlebaldwin Oral Hearing

## Brief of Evidence by Freda Salley

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# 1 INTRODUCTION

My name is Freda Salley. I am a senior Agricultural Consultant with Philip Farrelly & Co, Agricultural Consultants. I hold a degree in Agricultural Science from University College Dublin and I hold a higher certificate in Real Estate (valuation, sales, & management) from the Institute of Technology Tallaght. I have been working with Philip Farrelly & Co for over nine years. While working with Philip Farrelly & Co. I have specialised in providing agronomy and property services to Local Authorities and National Bodies in relation to major infrastructural works.

With respect to the N4 Collooney to Castlebaldwin proposed road development. I was responsible for the preparation of the Non- Agricultural Property Assessment. The assessment considered the direct impact of the proposed road development on the following property categories:

- Miscellaneous property- property which is not classified as Agricultural, Residential, Commercial or Recreational,
- Commercial or Recreational property
- Residential property

The results and conclusions of this work are contained within Chapter 7 Non-Agricultural Property, Section A ,Volume 2 of the Environmental Impact Statement for N4 Collooney to Castlebaldwin proposed road development

## 1.1 INSTRUCTIONS

Philip Farrelly & Co was appointed by Sligo County Council to carry out the following task for the N4 Collooney to Castlebaldwin Proposed Road Development.

- To assess the impact on each of non agricultural properties directly affected by the proposed road development and to categorise the impact as Not significant, Minor, Moderate, Major or Severe;
- To suggest Mitigation Measures;
- To predict the Residual Impacts;

## 2 METHODOLOGY

The study was limited to the assessment of direct impacts on properties (i.e where there is landtake on a property).

The assessment of the existing property environment was carried out between August & November 2013 through the completion of a desktop survey of available mapping, roadside survey and detailed property surveys. The desktop study of landownership and mapping information together with the roadside survey identified those properties where the property impact was deemed to be potentially significant and would require landowner consultation.

Where the impact on the property consisted of public road only or where the impact is such that the impact is not likely to be significant, property owner consultation was not deemed to be required. There are 41 properties directly impacted by the proposed road development and 15 properties were identified as requiring property owner consultation. Consultation was completed on 12 properties. Consultation with property owners of the three outstanding properties did not take place due to the property owners being unavailable at the time of the assessment. For these outstanding assessments a property impact assessment has been carried out based on a desktop and roadside survey. Sligo County Council has had extensive consultations with property owners since the impact assessment took place.

The surveys assessed how the proposed road development would impact on the property and what mitigation measures would be necessary to alleviate any negative impact.

Property visits were attended by a consultant from Philip Farrelly & Co in order to carry out the following tasks:

- To conduct an appraisal of the property and layout; and
- To gather data via a questionnaire to enable an assessment of the impact and detail mitigation measures required as a result of the proposed road development.

The impact of the Proposed Road Development on properties was determined in consideration of the following

- Acquisition of buildings
- Landtake
- Sub-division

- Type of property
- Impact on access
- Boundary impact

The significance of the effects of the Proposed Road Development on property has been assessed using the criteria presented in Table 1 attached to this brief as **Appendix A**. The criteria and the levels of impact are based on the Environmental Protection Agency (EPA) “*Guidelines on the Information to be Contained in Environmental Impact Statements*” (March 2002) and “*Advice notes on current practice in the preparation of Environmental Impact Statements*” (September 2003).

There are no specific guidelines available for impact assessment of property. As a result, the criteria in Table 1 that define the corresponding impacts for this chapter have been prepared by Philip Farrelly & Co.

Details of the individual property assessments can be found in Appendix 7.1 volume 4 of the Environmental Impact Statement for N4 Collooney to Castlebaldwin proposed road development

### **3 RECEIVING ENVIRONMENT**

The existing land use environment along the Proposed Road Development can be described as agricultural and is addressed in Chapter 11 (Agricultural Impact Assessment) of this EIS. In general terms, much of the receiving environment is rural.

The Proposed Road Development has been developed through the planning phases to avoid properties, as far as possible in balance with other environmental, engineering and economic considerations. In certain instances, landtake from non-agricultural properties has been unavoidable mainly due to:

- the upgrading of the existing section of the N4 between Toberbride Td. and Doorly Td
- to accommodate junction; and to provide tie- ins to the existing road network

### **4 PREDICATED IMPACTS**

Of the 41 properties directly impacted by the Proposed Development there are

- 26 Residential properties
- 13 Miscellaneous properties- property which is not classified as Agricultural, Residential, Commercial or Recreational
- 2 Commercial properties

Following proposed mitigation works relating to access, property boundary and other property impacts the residual impact was assessed for each property.

### ***Residential Property***

Of the 26 residential properties, there is a severe residual impact on fifteen properties. The impact will include the acquisition of fifteen residential properties. Eight of the residential properties to be acquired are currently inhabited. The remaining seven residential properties to be acquired are uninhabited.

Six residential properties will have a minor residual impact, five residential properties will have a not significant residual impact.

### ***Miscellaneous Property***

Of the 13 miscellaneous properties, there is a severe residual impact on one property. The impact on this property will include the acquisition of the entire property. There are no properties with a major or moderate residual impact. There is a minor residual impact on two properties, and on 10 properties the residual impact is not significant

### ***Commercial Property***

Of the 2 Commercial properties, one property will have a moderate residual impact and one property will have a minor residual impact.

## **5 MITIGATION MEASURES AND RECOMMENDATIONS**

Monetary compensatory measures for the loss of land, buildings and other injurious affection will comprise part of the land acquisition procedures with property owners affected by the landtake for the proposed road development once approval for the scheme has been granted. Such compensation measures do not form part of the EIS and were therefore not considered further in the assessment.

Where existing access is affected, this will be reinstated where feasible. If it is not feasible to reinstate the original access an alternative access will be provided.

Where a boundary wall is impacted upon by the Proposed Road Development mitigation will involve the replacement of the boundary wall on a like for like basis, subject to issues of road safety. If necessary, these works will be carried out as part of the contract or the landowner may be compensated to replace the boundary wall. Where existing services (e.g. water supply, electricity supply) are permanently affected by the proposed road development these will be restored or alternative supplies will be provided.

## **6 RESIDUAL IMPACTS**

Of the 41 non-agricultural properties directly impacted by the *Proposed Road Development*, there are:

- Sixteen properties with a severe residual impact;
- No properties will have a major residual impact;
- One property will have a moderate residual impact;
- Nine properties will have a minor residual impact; and
- Fifteen properties will have a not significant residual impact.

## **7 RESPONSE TO SUBMISSIONS**

Submissions generally relate to the following items

- (1) The timeframe for acquisition

*The time frame for the acquisition is dependent on approval for the proposed road development by an Bord Pleanala, Should approval issue Notice to Treat must issue within a time frame of 18 months from the Order becoming operative unless court proceedings are brought to challenge same or the approval.*

- (2) The compensation arising to enable a new residence to be acquired

*Should the proposed road development receive approval all matters relating to clients concerns can be dealt with as part of the overall compensation package..*

- (3) The uncertainty in relation to the availability of an alternative residence prior to giving up vacant possession of this residence

*Areas of compensation which may be sought include compensation for disturbance.*

## **8 SUMMARY/CONCLUSION**

It is acknowledged the proposed road development will impact on 41 properties. There are positive impacts on non-agricultural property including the following:

Vehicle and pedestrian access will be significantly safer for non-agricultural property due to reduction in traffic on the existing heavily populated N4 road



## APPENDIX A

**Table 1      Significance Criteria for Overall / Residual Impact**

***Criteria for the Significance for overall/Residual Impact***

EPA Definition of Impacts	Significance Level/Degree of Impact	Definition
Neutral, Imperceptible or Slight Impact	Not Significant	Where a property is impacted upon resulting in minimal change to the environment of the property. This includes lands in the ownership of the adjacent property which are occupied by existing roads.
Significant Impact:	Minor	Minor impact occurs where the use of the property can continue where part of a property is temporarily or permanently acquired resulting in little change to the environment of the property.
	Moderate	Moderate impact occurs where the use of the property can continue where part of a property is temporarily or permanently acquired. This may result in a change to the environment of the property.
	Major	Major impact occurs when the use of the property cannot continue where a portion of the property is permanently acquired. This may result in the acquisition of a residential house or buildings.
Profound or Significant Impact:	Severe	Severe impact occurs when the use of a property cannot continue where a property is acquired in full. This may involve the acquisition and /or demolition of a residential house or buildings.