

## 19 Non-agricultural Material Assets

### 19.1 Introduction

This section assesses the impact of the proposed road development on non-agricultural properties. Impacts on agricultural properties are considered in Chapter 6 - *Agronomy*. Section 19.2 sets out methodology. The existing environment is reviewed in Section 19.3 with potential impacts described in Section 19.4. Mitigation measures are proposed in Section 19.5.

### 19.2 Methodology

The assessment is based on a desk study, and on information gathered during consultations with landowners and the public. The desk study included an inspection of land registry records, wind shield surveys, consultation with service providers, examination of aerial photography and inspection of planning records. Information gathered for this assessment is listed in Table 19.1 below.

**Table 19.1: Sources of Assessment Data**

Information	Data Sources
Landowner and land use details	Meetings with landowners Public consultation in May 2013 Land registry to identify ownership of land and location of boundaries Aerial photography
Location of properties	Windshield surveys Aerial photography OS Mapping
Planning applications	Kildare County Council planning files
Service Providers	Kildare County Council – Watermain, Drainage, Foul Sewer, Traffic. Éircom. Electricity Supply Board (ESB). Bord Gáis – Transmission and Distribution. E-Net. UPC/Chorus. BT Ireland. O2 Ireland. Vodafone. Meteor.

The assessment of the impact of the proposed road development will consider the following:

- Acquisition of buildings/facilities (including grant of planning permissions).
- Size of holding.
- Size of land to be acquired.
- Proximity of the landtake to the residence/business.

- Loss of access/provision of new access
- Continued viability of the property.

The impact of the proposed road development on non-agricultural properties is assessed according to the significance criteria detailed in Table 19.2. These criteria are based on EPA guidance.

**Table 19.2: Criteria for Assessing the Significance of Impact on Material Assets**

Significance Level / Degree of Impact	Definition
Profound	Occurs where a non-agricultural property or other material asset of national or regional importance is acquired and/or demolished
Significant	Occurs where part, or all, of a non-agricultural property or other material asset is acquired, which may result in demolition of the property or removal of the asset
Moderate	Occurs where part, or all, of a non-agricultural property or other material asset is acquired, resulting in a significant change to the environment of the property or material asset
Slight	Occurs where part of a non-agricultural property or other material asset is acquired, resulting in little change to the environment
Imperceptible	Occurs where part of a non-agricultural property or other material asset is acquired, resulting in minimal changes to the environment of the property or material asset. This includes impacts on properties which are currently occupied by a public right-of-way. These lands are in the ownership of the adjacent property, however are occupied by existing roads.

### 19.3 Existing Environment

The land along the proposed road development is mainly agricultural in nature but also consists of a number of clusters of properties, both commercial and residential.

The following service providers have been identified as having potential conflicts with the proposed M7 Osberstown Interchange and R407 Sallins Bypass Scheme:

- Telecommunications – Éircom, BT and Inland Fibre Telecom Ltd.
- Electricity Supply – ESB.
- Watermain, Drainage, Foul Sewer- Kildare County Council.
- Gas - Bord Gáis Distribution.

### 19.4 Predicted Impact on Non-agricultural Material Assets

#### 19.4.1 Construction Phase

All construction activity will be carried out within the proposed road development boundary illustrated in **Figures 4.3 V3**.

Where there is an impact on existing services during the construction phase an alternative supply will be made available.

### 19.4.2 Operational Phase

The proposed road development has been designed to avoid as many properties as possible.

It is proposed that one non-agricultural property will be acquired or demolished, refer to Table 19.3.

**Table 19.3: Non-agricultural Properties to be Acquired or Demolished**

Motorway Order / CPO No.	Townland	Area of Property (ha)	Description	Nature of Impact		Level of Impact	Compensation
				Description of Landtake	Land to be Acquired (ha)		
120	Osberstown	0.238	House Garden, Part of Public Road & Land	Acquired and demolished	0.238	Significant	To be agreed by a valuer at a later stage

The proposed scheme will acquire part of the holding of 13 non-agricultural properties, refer to Table 19.4. Locations of the plots are shown on **Figure 4.12 V3**. Where land is being acquired from zoned land, the impact rating considers the positive impact of providing improved access to the land.

**Table 19.4: Non-agricultural Properties affected by Acquisition of part of Holding**

Motorway Order / CPO No.	Townland	Area of Property (ha)	Description	Nature of Impact		Level of Impact	Compensation
				Description of Landtake	Land to be acquired (ha)		
106	Castlesize	0.07	Part of land drain and house garden	Acquired	0.0056	Slight	To be agreed by a valuer at a later stage
107	Osberstown	0.265	House garden	Acquired	0.0045	Slight	To be agreed by a valuer at a later stage
108	Osberstown	2.09	Part of public road, house garden	Acquired	0.445	Moderate	To be agreed by a valuer at a later stage
109	Osberstown	17.2	Part of public road, zoned land	Acquired	9.232	Moderate	To be agreed by a valuer at a later stage
113	Sallins	7.22	Part of public road, zoned land	Acquired	0.927	Moderate	To be agreed by a valuer at a later stage
114	Osberstown	3.58	Zoned land	Acquired	0.029	Slight	To be agreed by a valuer at a later stage
116	Castlesize	4.35	Public green area, part of land drain	Acquired	0.039	Moderate	To be agreed by a valuer at a later stage
121	Osberstown	0.18	Part of public road	Acquired	0.010	Slight	To be agreed by a valuer at a later stage
122	Osberstown	0.14	Part of public road	Acquired	0.032	Moderate	To be agreed by a valuer at a later stage
124	Osberstown	0.43	Part of public road	Acquired	0.018	Slight	To be agreed by a valuer at a later stage
126	Bodenstown	0.4	Part of public road	Acquired	0.038	Slight	To be agreed by a valuer at a later stage
127	Osberstown	3.16	Zoned land	Acquired	0.019	Negligible	To be agreed by a valuer at a later stage
128	Osberstown	11.89	Zoned land	Acquired	0.430	Negligible	To be agreed by a valuer at a later stage

During detailed design and construction of the proposed scheme, the appointed consultant/contractor shall consult and comply with the requirements of the local authority as a minimum in respect to necessary service realignments and diversions. It will be necessary to maintain supply to existing services, as far as possible, during construction. Achieving this may entail temporary diversions of services and/or staging of the works.

A search of the Kildare County Council Online Planning Enquiry System showed that there are three planning applications (within the last 5 years – Nov 2008 to Nov 2013) in the vicinity of the proposed scheme:

- Planning No. 101166 – Extension to Lidl on Millbank Road (2011 - granted)
- Planning No. 13500018 – Kerry Group Global Technology & Innovation Centre (2013 - granted)
- Planning No. 12500046 – Renaissance Medica Ltd Private Hospital south of the Distributor Link Road (2012 granted extension of time)

There were no current private residential planning applications found in the vicinity of the proposed scheme. As there is no significant impact on these planning permissions, it is not necessary to be revoke any planning permissions.

## 19.5 Mitigation Measures

Where existing access to property is affected, this will be reinstated or an alternative access provided. Where the infrastructure for service providers is impacted, this will be diverted or reinstated in accordance with service providers requirements prior to construction.

Public water supply and foul water systems affected will be reconnected. All necessary diversions will be carried out in accordance with the local authority requirements. Where private potable water supplies are impacted, a new well or alternative water supply will be provided. Mitigation for interference with septic tanks will be agreed by the valuer at a later stage.

Where part of a property or land surrounding a property is to be acquired, agreement will be reached with the owner of the property on the type of boundary treatment that will be provided. Where an access to a property is affected the access will be reinstated to match the existing.

Compensatory measures for the loss of land, buildings and other injurious affection will form part of the Motorway Order / CPO procedures with property owners affected by the land acquisition for the proposed road development. Assessment of compensation is not part of the Motorway Order / CPO approval procedure and is therefore not considered further.

## 19.6 Residual Impacts

No significant residual impact on services is envisaged following the implementation of the mitigation measures outlined above.

The residual impact on non-agricultural material assets cannot be assessed as the compensatory measures to be agreed are outside the scope of the Motorway Order / CPO process.

## 19.7 References

Environmental Protection Agency. 2003. Advice Notes on Current Practice in the preparation of an EIS.

Environmental Protection Agency. 2002. Guidelines on the Information to be contained in an EIS.