

# Draft Caherconlish Local Area Plan 2023 – 2029

## Strategic Environmental Assessment Screening and Appropriate Assessment Screening and Strategic Flood Risk Assessment for the Draft Caherconlish Local Area Plan 2023 – 2029

October 2022



Comhairle Cathrach  
& Contae **Luimnigh**

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**Limerick** City  
& County Council



## Table of Contents

Part A – Strategic Environmental Assessment Screening .....	1
1.0 Introduction .....	1
1.1 Stage One - Pre-Screening .....	2
1.2 Stage Two - (A) Environmental Significance Screening .....	4
1.3 Stage Two – Summary, Conclusions and Recommendation .....	10
Part B – Appropriate Assessment Screening .....	12
2.0 Introduction .....	12
2.1 Screening Matrix.....	13
2.2 Finding of No Significant Effects Matrix .....	20
Part C Stage 1: Flood Risk Assessment .....	22
3.1 Introduction: Flood Risk in Caherconlish.....	22
4.2 Stage 1: Flood Risk Identification .....	22
4.3 Flood Justification Tests .....	28
(b)Lands zoned Agriculture, which is at flood risk within the Plan boundary.....	30
4.4 Strategic Flood Risk Assessment and SEA .....	31
4.5 Conclusion .....	32

## **Part A – Strategic Environmental Assessment Screening**

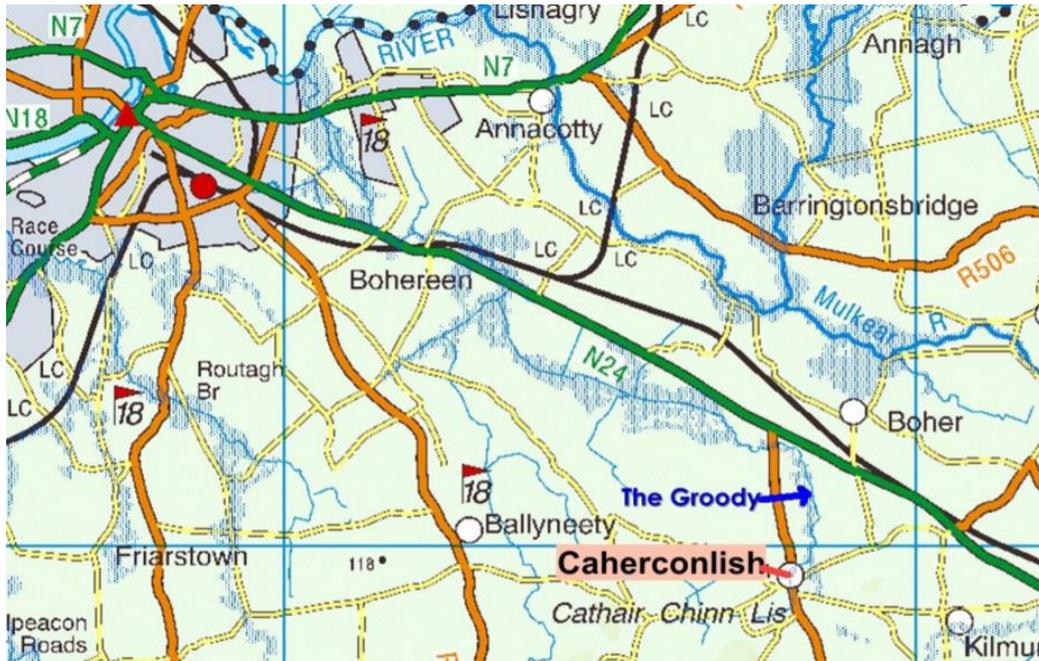
### **1.0 Introduction**

This Strategic Environmental Assessment (SEA) Screening accompanies the Draft Caherconlish Local Area Plan (LAP) 2023 – 2029, in accordance with the SEA Directive (2001/42/EC). The SEA screening assessment is a formal, systematic evaluation of the likely significant environmental effects of implementing a plan, policy or programme and any amendments to same. Written submissions on both the Draft Plan and the screening report will be considered by the Council to inform the adoption of the Caherconlish Local Area Plan 2023–2029 by the Elected Members of Cappamore – Kilmallock Municipal District in mid-2023.

The Planning and Development (Strategic Environmental Assessment) Regulations 2004 - 2011 (S.I. No. 436 of 2004, SI 201 of 2011) require case by case screening of individual plans and programmes based on the criteria in Schedule 2A to the Planning and Development Regulations 2001 (as amended). These criteria must be taken into account in determining whether or not significant effects on the environment would be likely to arise.

The Draft Caherconlish LAP, once adopted by the Elected Members of Cappamore-Kilmallock Municipal District will replace the existing Caherconlish Local Area Plan 2012 – 2018 (as extended). The Council is statutorily required to review the existing Caherconlish LAP at this time to ensure the policies and objectives align with current regional planning policy and higher level plans, in particular the National Planning Framework (NPF), the Regional Spatial and Economic Strategy for the Southern Region and the Limerick Development Plan 2022 – 2028.

Caherconlish is located approximately 10 kilometers (6 miles) southeast of Limerick City. The village is located just to the south of the main Limerick to Waterford National Primary Road, (N24) providing ease of access to Limerick City, North Cork and the southeast of the County. The village itself is traversed by the R513 linking the village to Hospital, Ballylanders and onto Mitchelstown in North Cork. The village is sited predominantly on the east side of the Groody River, which flows in a south-north direction through the village. The Draft Caherconlish LAP covers approximately 51.825ha in area and falls into the Caherconlish West Electoral Division (ED). According to the 2016 Census, Caherconlish had a population of 1,476 persons, representing an increase of 15% on the 2011 population figure of 1,279 persons. The Limerick Development Plan 2022 – 2028 identifies Caherconlish as Level 3 settlement in Limerick. These settlements provide local retail and business services for their surrounding areas. Fig. 1.1 below outlines the location of Caherconlish relative to Limerick City and the Groody River.



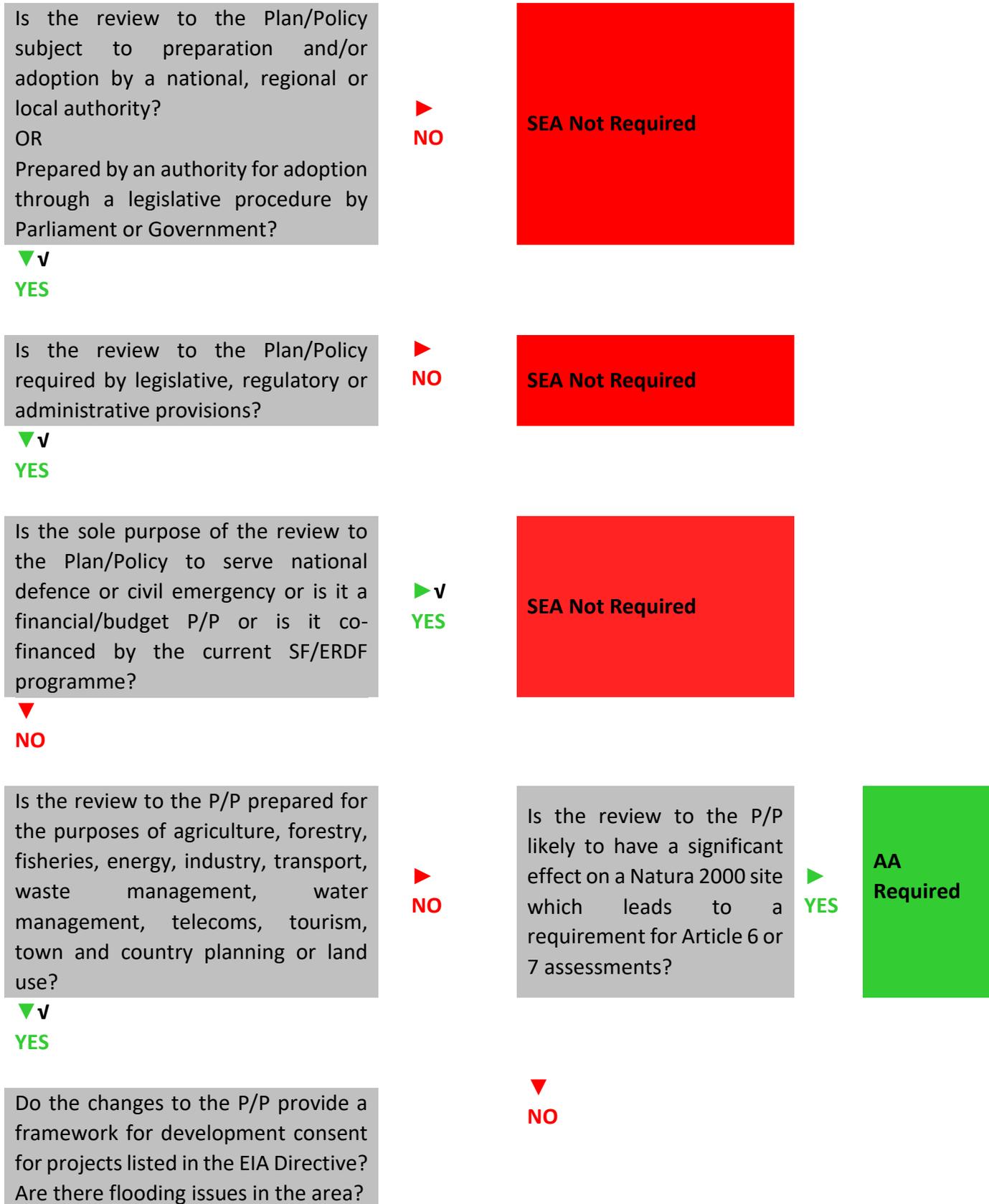
**Fig. 1.1:** Location of Caherconlish

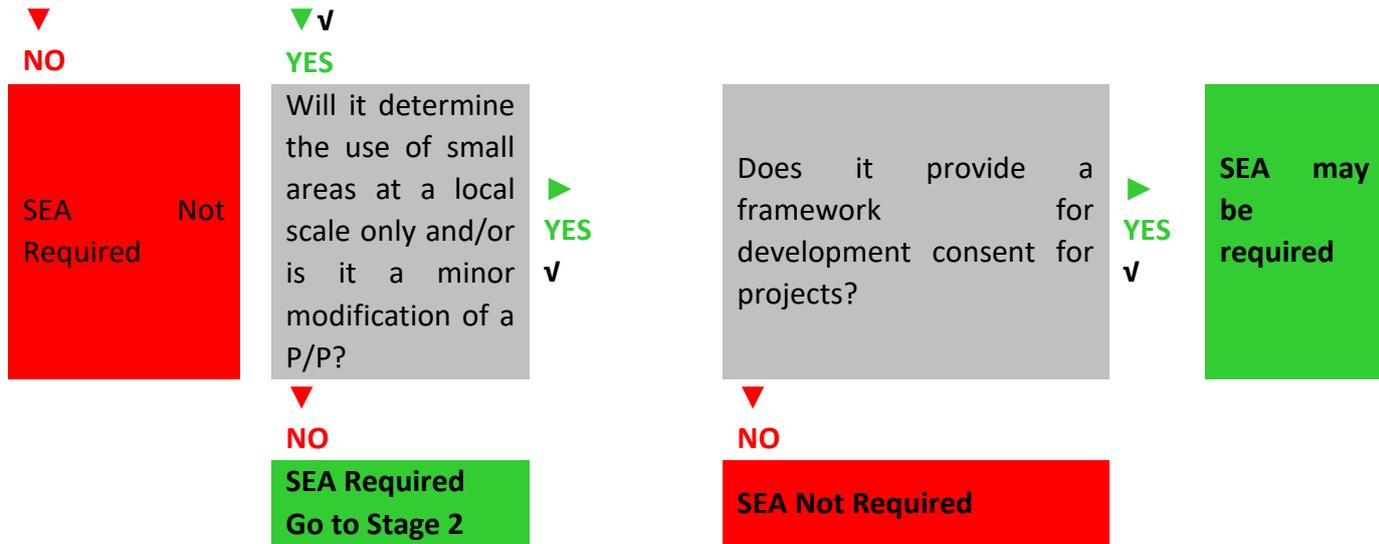
### 1.1 Stage One - Pre-Screening

The first step in determining whether the review to the Draft Caherconlish Local Area Plan 2023 – 2029 would require an SEA, involves a pre-screening check. It allows for the rapid screening-out of reviews of plans and policies that are clearly not going to have any environmental impact and screening-in of those that definitely do require Strategic Environmental Assessment.

It is necessary to conduct screening to determine if a Strategic Environmental Assessment of the review of the Local Area Plan (LAP) is required. The review of the Plan will provide a framework for development. It is necessary to determine whether an SEA would be required by testing the plan review against environmental significance screening criteria. Under the updated SEA regulations (2011), the thresholds for mandatory SEA is 5,000 persons and an area of 50km<sup>2</sup>. The zoned area of the Caherconlish Plan is 51.825 hectares and the population was recorded as 1,476 in the 2016 census. The projected population growth for Caherconlish, as outlined in the Draft Plan, is that the village will grow to 1,915 by 2029, which remains below the SEA threshold. Policies and objectives set out in the Draft Local Area Plan, will ensure that growth occurs in a controlled manner and in line with the provision of services and infrastructure. These population and zoned area figures are below the thresholds for statutory SEA, which are 5,000 people and 50km<sup>2</sup> respectively.

**Figure 2 Pre-Screening Decision Tree**





### 1.2 Stage Two - (A) Environmental Significance Screening

The application of environmental significance criteria is important in determining whether an SEA is required for Plans/Policies or modifications to Plans/Policies. Annex II (2) of Directive 2001/42/EC sets out the “statutory” criteria that should be addressed when undertaking the screening stage.

#### Criteria for Determining the Likely Significance of Environmental Effects

##### Characteristics of the Plan/Programme

(i)	<b>The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources</b>
	<p>The Local Area Plan guides development within the settlement boundary of Caherconlish as defined by the plan. By allocating zoning to different land uses in accordance with Section 28 guidelines and the requirements of the higher tier guidance, the plan guides the amount and type of development that will take place in Caherconlish. The review of the plan will ensure that the population projections and hence the zoning patterns of the plan will reflect the policy guidance and population figures of the core strategy of the Limerick Development Plan 2022 – 2028. This, in turn, has been informed by the National Planning Framework (NPF) and the Regional Spatial and Economic Strategy (RSES), which have been prepared since the last plan was adopted.</p> <p>The Local Area Plan will guide the amount and type of development that will take place in Caherconlish, over the lifetime of the plan. The different zoning categories will permit developments within the appropriate zoning, in accordance with the</p>

	<p>zoning matrix for each land use. The review of the existing Local Area Plan will ensure that the population projections and hence the zoning patterns of the plan will reflect the policy guidance and population figures of the NPF and RSES and the contents of the core strategy of the Limerick Development Plan 2022 – 2028.</p> <p>The SEA Directive supports the use of brownfield and infill sites and also the development of “vibrant city, towns and village centres”. So too does the NPF, RSES and the Limerick Development Plan. The Sustainable Residential Development in Urban Areas Guidelines from May 2009, also states that “new development should contribute to compact towns and villages” (DEHLG, 2009 p.48). By encouraging the re-use of vacant or infill sites, particularly those located close to the settlement centre, will help to achieve a compact settlements.</p> <p>The Draft Plan places emphasis, as outlined in Chapter 4 – on the Town Centre First Approach, the importance of development of brownfield and infill sites, which reflects the recent government policy document Town Centres First, encouraging the revitalisation and reoccupation of towns and villages.</p>
<b>(ii)</b>	<p><b>The degree to which the plan or programme influences other plans and programmes including those in a hierarchy;</b></p> <p>The Local Area Plan is set within the context of the National Planning Framework (NPF), Regional Spatial and Economic Plan for the Southern Region (RSES), and the Limerick Development Plan 2022 – 2028, and the provisions of relevant planning guidelines, issued by the Department of Housing, Local Government and Heritage. These influence and shape the contents of the Draft Caherconlish LAP. The Draft Plan will influence and guide individual projects and planning decisions within the LAP boundary, through the zoning mechanism and the policy content of the Local Area Plan.</p>
<b>(iii)</b>	<p><b>The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;</b></p> <p>The existing Caherconlish LAP is being reviewed under the Planning and Development Act 2000 (as amended) to update its policy content as it nears the end of its extended statutory time frame. It will be updated to take into account the need to incorporate the Limerick Development Plan core strategy, policies and objectives. Circular PSSP 6/2010 Core Strategies issued under the Planning and Development (Amendment) Act 2010 and the accompanying Guidance Note on Core Strategies November 2010 (pp. 2-3), highlights that the incorporation of the core strategy “must integrate relevant EU directive related considerations that development plans must comply with”, amongst them the SEA Directive, Water Framework Directive and the Habitats Directive and relevant environmental legalisation</p> <p>The inclusion of policies ensuring growth takes place in parallel with the provision of adequate waste treatment facilities, means that the possibility of ex-situ effects</p>

	<p>on the Groody River, a tributary of the River Shannon that feeds into the Lower Shannon Special Area of Conservation (SAC), is reduced.</p> <p>The new Town Centre First, A Policy Approach for Irish Towns as outlined above, is also a significant policy document published by the Department of Housing, Local Government and Heritage and the Department of Rural and Community Development in 2022. The Policy document supports the revitalisation of existing settlements, by supporting their redevelopment and repopulation, which will provide a viable alternative to more scattered rural populations and reduce both the cost of service infrastructure and reduce the need for travel.</p>
<b>(iv)</b>	<p><b>Environmental problems relevant to the plan or programme;</b></p> <p>The underlying environmental issues of the Draft Caherconlish LAP remain the same as the previous plan.</p> <ul style="list-style-type: none"> <li>▪ Sensitive development of the historic village scape of Caherconlish;</li> <li>▪ Avoidance of pollution to the Groody River;</li> <li>▪ Preservation of key features of the village’s natural environment and protected structures and listed buildings;</li> <li>▪ The protection of existing views and vistas in Caherconlish, particularly of the Old Church of Ireland building and spire and views along the Groody River.</li> </ul>
<b>(v)</b>	<p><b>The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).</b></p> <p>The Draft LAP has been prepared to align with the significant changes in the higher-level spatial plans referred to above. The Draft Caherconlish LAP places greater emphasis on climate change than what was provided in the Caherconlish LAP 2012 – 2018 (as extended). The National Climate Action Plan 2021, the latest in a series of guidance and legislation, provides a detailed plan to achieve a 51% reduction in overall greenhouse gas emissions by 2030 and to reach net-zero emissions by no later than 2050, as committed to in the Programme for Government and set out in the Climate Act 2021.</p> <p>The Limerick Development Plan 2022 – 2028, with its updated policy content is the immediate higher tier plan which informs the content of the LAP. In addition, the Draft Caherconlish LAP is being prepared in accordance with the Regional Spatial and Economic Strategy, which takes cognisance of community legislation and guidelines in relation to environmental issues.</p> <p>The Limerick Development Plan 2022 – 2028, as the parent plan and the Draft Caherconlish Local Area Plan provide a number of policies and objectives in support of reducing Limerick’s and Caherconlish’s carbon footprint and mitigate against negative impacts of climate change, as follows:</p>

	<ul style="list-style-type: none"> <li>- Policy support to deliver compact growth, supporting the development of brownfield and infill sites, reuse of derelict and vacant buildings and zoning of lands in a sequential manner;</li> <li>- Policy support in the provision of green/blue infrastructure, in new developments and the greening of the existing settlement, for example planting of trees, hedgerows, woodlands, construction of surface water retention features such as ponds, lakes or swales;</li> <li>- Policy support with regards to climate proofing the design of buildings and neighbourhoods;</li> <li>- Policy supporting modal shift towards more sustainable travel patterns;</li> <li>- Policy support in the use of indigenous resources and adoption of new building techniques and designs that minimize energy intensive inputs;</li> <li>- Policy support in improving energy performance ratings on existing and new buildings. All new homes constructed must reach an energy performance rating in accordance with Part L – Conservation of Fuel and Energy 2019, which gives effect to Nearly Zero Energy Buildings (NZEB) Regulations.</li> </ul>
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**Characteristics of the Effects and of the Area Likely to be affected**

<b>(i)</b>	<b>Probability, duration, frequency and reversibility of the effects</b>
	<p>Changes are likely as the zoning mechanism guides both the amount and location of development. Changes to the built environment are generally permanent in nature and are difficult to reverse. As indicated above by rationalising the zoning pattern, it is expected that the overall effects of development would be much more controlled, both in terms of reduced areas proposed for development, also through consolidation of the village core, which will try and address issues of under use of buildings in the settlement core.</p> <p>Changes to the built environment are generally long term (with perhaps a 50 plus year lifespan), however, the zoning template and the emphasis on centre out development allied to the use of core strategy figures will ensure that the village will not be overwhelmed by such development and will grow at an appropriate rate relative to the availability of services.</p>
<b>(ii)</b>	<b>Cumulative nature of the effects</b>
	<p>Cumulative negative environmental effects are likely to be localised within the plan boundary and limited in nature. As outlined above, with the use of guidance, such as the core strategy and robust planning policies, it is considered that the scale of development will integrate well into the existing settlement, thereby reducing adverse cumulative effects.</p> <p>Growth will now be managed through updated planning guidance and will ensure that the capacity of the existing waste water infrastructure will not be exceeded.</p>

<b>(iii)</b>	<b>Trans-boundary nature of the effects</b>
There are no trans-boundary effects.	
<b>(iv)</b>	<b>Risks to human health or the environment (e.g. due to accidents)</b>
<p>None. The wastewater treatment plant has a population equivalent of 2,500 (Irish Water 2022), the current load is identified as 1,640, as per the Irish Water Register. The projected population growth for Caherconlish, as outlined in the Draft Plan, is that the village will grow to 1,915 by 2029. The Council will continue to work with Irish Water to safeguard existing infrastructure and upgrade existing infrastructure as required.</p> <p>There are no Seveso sites within the plan area.</p>	
<b>(v)</b>	<b>Magnitude and spatial extent of the affects (geographical area and size of the population likely to be affected)</b>
<p>The area that will be affected is that within the development boundary of Caherconlish (see zoning map in Appendix 1 of the Draft Caherconlish Local Area Plan). The Census population data for 2016 is 1,476 and as such is well below the 5,000 Population threshold for SEA. The total area zoned within the plan boundaries for the Draft Plan is 51.825 ha. This is also below the 50km<sup>2</sup> area that is the mandatory SEA threshold. The zoned area is likely to be altered as zoning patterns are changed following review of the plan.</p>	
<b>6.</b>	<b>Value and vulnerability of the area likely to be affected due to:</b>

**Special natural characteristics or cultural heritage:**

The Development Plan and the Draft Local Area Plan identify the following protected areas/elements of the natural/cultural heritage:

- Protected Structures;
- Architectural Conservation Areas;
- Sites of Archaeological Significance;
- Areas with natural history designations;
- Tree protection in the plan.
- Proposed Landscape Structure and Reinforcement Policies.

The village of Caherconlish is of particular architectural interest. Of particular note is the streetscape and the built environment contributing to the creation of a series of unique views and prospects both along and beyond the streets of the village. Policies in the Draft Plan's Chapter 8 regarding Protected Views (Section 8. Objective CH O7: Protected Views), Archeology (Objective CH O5: Record of Monuments and Places) and Architecture (Objective CH O6: Protected Structures) in the Draft Plan will ensure that cultural heritage are safeguarded. It is recommended that all of these objectives are important to protect the character of Caherconlish. The church ruins which is mentioned in Section 8.3.2 (Architectural Heritage) was found to be a nesting site for barn owls during one of the land use surveys carried out as part of the Draft Plan preparation. Unfortunately, it was found that two of the brood from 2022 died.



**Figure 3:** The remains of a dead barn owl in the Church ruin

<b>7.</b>	<b>Exceeded environmental quality standards or limit values:</b>
<p>It is not expected that any environmental quality standards will be exceeded or that the value of vulnerable areas, will be impacted, as a result of the review, it is recommended that policies which conserve aspects of both the built and natural environment are carried forward and reinforced in the review. Other policies, such as Policy CH P2: Water Framework Directive Policy in Chapter 8 of the Draft Plan, sets out the need to achieve good water quality, in line with the requirements of the Water Framework Directive. The population level is still approximately 900 population equivalent below the capacity of the waste water treatment plant.</p> <p>Retention of policies regarding views, archaeology and the environment (Chapter 8 of Draft Plan) will also ensure that local environmental quality is safeguarded.</p>	
<b>8.</b>	<b>Intensive land-use</b>
<p>The zoning patterns of the plan has been reviewed and has resulted in consolidation of the development boundary and a rationalisation of the zoning. This seeks to reduce the impact on land use by limiting the amount of land used for development by concentrating development in core areas, including brown field/infill sites, while protecting environmentally sensitive areas from development.</p> <p>The emphasis on the village centre first policy is designed to encourage reuse of existing building stock particularly the village core, which is intended to result in revitalisation of this part of the village.</p>	
<b>9.</b>	<b>Effects on areas or landscapes, which have a recognised national, community or international protection status.</b>
No effects, none located within the development boundaries of the plan area.	

### 1.3 Stage Two – Summary, Conclusions and Recommendation

At this stage in the plan process, no strategically significant environmental problems are identified in relation to the above issues, however the following should inform policies/objectives to be included in the Draft Plan to safeguard the environment of Caherconlish:

- The Irish Fisheries Ireland document, 'Planning for Watercourses in Urban Environments' is now in its second edition and has a series of standard recommendations which apply to all water courses in urban areas. It is recommended that the Draft Plan, retain the buffer zone, where it exists, along the river to protect the Groody River and to avoid encroachment of unsuitable development on the river. Objective shall include the following: Provide an appropriate set back from the edge of watercourses, where possible, to proposed developments to protect the integrity of the Groody River and to ensure access infinity for channel clearing, and/or maintenance. Any proposed development shall have cognisance to the contents of the Inland Fisheries Ireland document 'Planning

for Watercourses in Urban Environments’ and in addition allow for access to and maintenance of existing Irish Water Infrastructure such as outfalls or pipelines.

- The inclusion of policies that ensure that growth takes place in parallel with provision of adequate waste treatment facilities will mean that the possibility of ex-situ effects on the river and downstream designated sites such as the Lower River Shannon SAC (c 12km downstream) is much reduced. The following to be included:
  - Ensure compliance for infrastructure led-growth in accordance with the DHPLG Water Services Guidelines for Planning Authorities;
  - Support the implementation of the Irish Water Investment Plans, in accordance with the settlement strategy of the RSES and the Limerick Development Plan 2022-2028;
  - Ensure adequate wastewater infrastructure is available to cater for existing and proposed development, in collaboration with Irish Water, avoiding any deterioration in the quality of receiving waters and ensuring discharge meets the requirements of the Water Framework Directive. This includes the separation of foul and surface water through the provision of sewerage networks;
  - Facilitate improvements to the existing water supply system to cater for the needs of an expanding population;
- Ensure that development proposals provide adequate water infrastructure to facilitate proposed developments.
- With the architectural sensitivity of Caherconlish, it is recommended that policies and objectives in relation to the preservation of its built heritage are included, as well as objectives relating to views and prospects in the village.
- That the zoning patterns are in line with new emphasis on more compact developments and Town Centre First Initiative.
- In the protection and conservation of local species, it is proposed to include the following:

Require all developments, where there are species of conservation concern, such as the Barn Owl, to incorporate elements that will assist in the conservation of these species from design stage.

Following the screening process whereby the specific context of the review to the Draft Caherconlish Local Area Plan has been assessed against the environmental significance criteria as contained in Annex II (2) of the SEA Directive, **it is concluded that a Strategic Environmental Assessment is not required at this stage for the Draft Caherconlish Local Area Plan.**

## Part B – Appropriate Assessment Screening

### 2.0 Introduction

The following section provides the Appropriate Assessment Screening for the Draft Caherconlish LAP, in accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC).

The Draft Local Area Plan is, as a requirement of the above legislation, screened for 'Appropriate Assessment'. Based on the *Methodological guidance on the provision of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*, a 'Screening Matrix' and a 'Finding of No Significant Effects Matrix' have been completed. The conclusions of these assessments has found that the revision to the Caherconlish Local Area Plan 2012-2018 (as extended) and preparation of the Draft Caherconlish Local Area Plan 2023 – 2029 does **not require** an Appropriate Assessment.

The principal consideration for an Appropriate Assessment would be if the Draft LAP were likely to have significant effects on a Natura 2000 site – Special Areas of Conservation and Special Protection Areas (SACs and SPAs). There is no SAC or SPA within the boundaries of the Draft Caherconlish LAP. The Draft LAP has been formulated to ensure that land uses, developments and effects arising from permissions based upon the Draft Plan (either individually or in combination with other plans or projects) will not give rise to significant adverse impacts on the integrity of any Natura sites, having regard to their conservation objectives.

The following text will be added to the plan: *No projects which will be reasonably likely to give rise to significant adverse direct or indirect or secondary impacts on the integrity of any Natura 2000 sites having regard to their conservation objectives arising from reduction in species diversity, shall be permitted on the basis of this plan (either individually or in combination with other plans or projects)*. This provides additional safeguards for areas of natural history significance.

This policy together with the requirement that infrastructural capacity, such as sewage infrastructure is not exceeded should help to prevent ex-situ effects on the Lower River Shannon SAC site. In addition, it is proposed the area along the Groody River is retained as 'open space'. This will facilitate the passage of otters, a species of conservation concern generally and is important in the specific context of the Lower River Shannon SAC site that lies 12km to the east. Policy CH O4 of Chapter 8 – Climate Action, Environment and Heritage of the Draft Plan, emphasises the protection of the downstream Lower River Shannon SAC site.

The conclusion is at this stage is that the Draft Caherconlish LAP 2023 – 2029, as currently prepared **does not require** an Appropriate Assessment. Zoning for agriculture (within Flood Zone A and B) lessens the intensity of land use patterns within the plan area and in addition, the population is within the levels that can be catered for by the waste water treatment

plant (see SEA screening above) and having regard to the policies and objectives set out in the Draft Plan to regulate the growth and development of Caherconlish in a sustainable manner. This removes the possibility of ex situ effects from untreated wastewater on the downstream Lower River Shannon SAC site.

## 2.1 Screening Matrix

### Brief description of the project or plan:

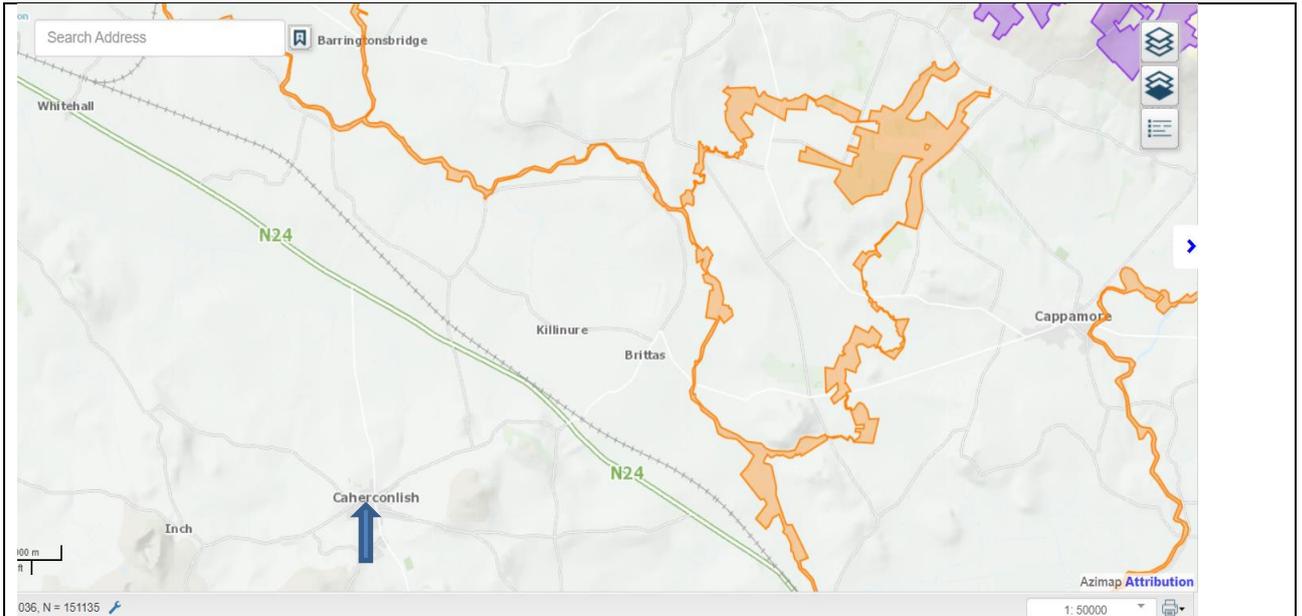
This Draft LAP is intended to provide for a framework for the planning and development of Caherconlish for the duration of six years, unless amended. The plan is aimed at regulating development while providing sufficient zoning for the land uses designed to respond to the needs of the village.

The desirable outcome of the implementation of the Draft Plan is a village that:

- Has a sustainable level of development appropriate to the character, heritage, amenity and strategic role of Caherconlish as a Level 3 settlement in the settlement strategy of the Limerick Development Plan 2022 – 2028, and that allows for the preservation and enhancement of the village character, services and amenities;
- Supports and protects the environment, heritage, character and amenity of the village, and in particular the setting of the Groody River and the architectural and archaeological heritage of the village centre;
- Has a high quality built environment with a well-developed public realm and appropriate building forms, materials, heights and associated landscaping that complement and enhance the distinctive character of the village;
- Has a suitable range of community and educational facilities and amenities to serve the local community, the wider rural catchment area and visitors to the village;
- Has a safe network of amenity walks within and through the village and linking the various community facilities, as well as natural and heritage features;
- Has an adequate level of service infrastructure to support existing and future populations in a manner that protects and complements the environment, including adequate road network, traffic management and parking facilities, improved public transport and safe routes for pedestrians and cyclists, and adequate wastewater disposal, water supply and surface water drainage.

### Brief description of the Natura 2000 sites:

There are no Natura sites within the village. The Lower River Shannon SAC site is approximately 12km to the north of the village. This SAC site has been selected because of a range of riparian habitats and species, such as wet woodlands, tidal mudflats, estuaries and for species, for example, otter, salmon and lamprey. Maintenance of high water quality is an important factor in ensuring the preservation of these habitats.



**Figure 4:** Location of the Lower River Shannon site (orange) and the Slieve Felim SPA (purple) relative to Caherconlish which is indicated by a blue arrow

**Describe the individual elements of the plan (either alone or in combination with other plans or projects) likely to give rise to impacts on the Natura 2000 site:**

The main way in which ex-situ impacts could be created is through pollution, which could affect water quality downstream in the Lower River Shannon SAC site. The addition of text referred to above which takes into account the requirements of Article 6 of the Habitats Directive seeks to minimise any chances of ex-situ impacts lessens the possibility of such effects on the designated sites. This text is as follows:

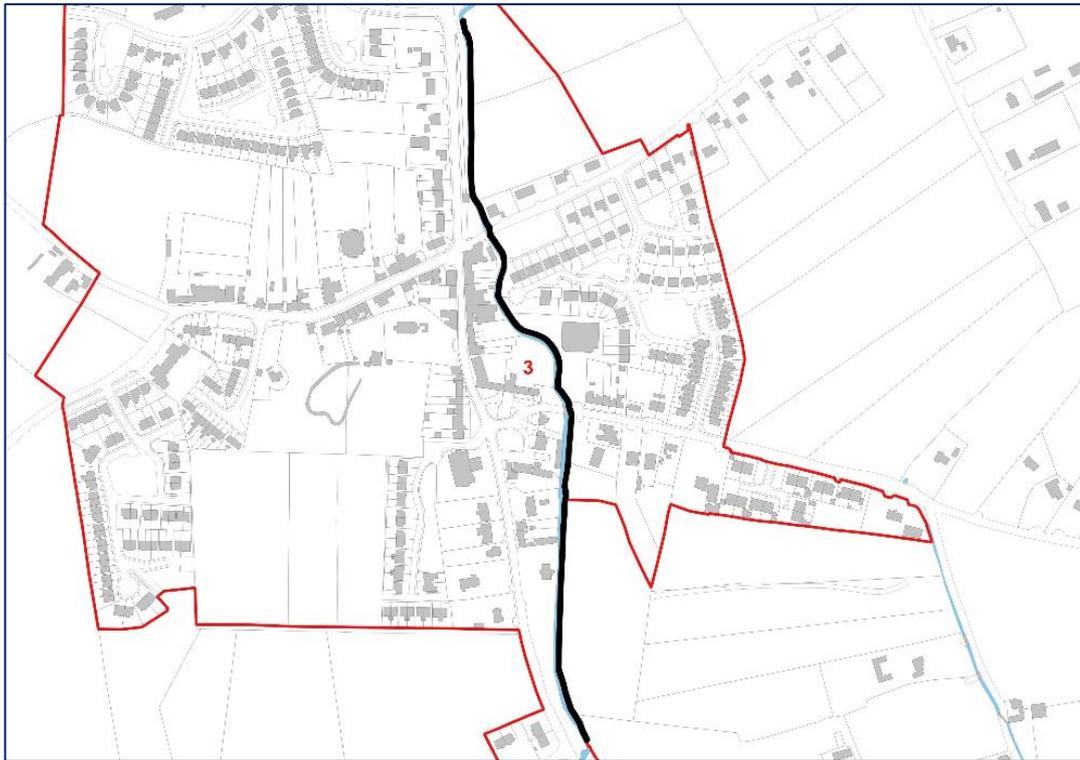
No projects which will be reasonably likely to give rise to significant adverse direct or indirect or secondary impacts on the integrity of any Natura 2000 sites having regard to their conservation objectives arising from reduction in species diversity, shall be permitted on the basis of this plan (either individually or in combination with other plans or projects).

Given the distance from the Slieve Felim Special Protection Area and other Natura 2000 sites it is not considered that the plan review would have any effects on them. Census 2016 population figures, indicates a population of 1,476 are within the capacity limits of the waste water treatment plant. The assumed population growth for Caherconlish allocates an additional 1,915 persons to 2029 which would be still within this capacity.

The Draft LAP includes a number of Opportunity Sites as part of the Town Centre First policy approach and a regeneration strategy for the village centre. Opportunity Site 3 (Chapter 4 Section 4.2 Opportunity Sites) outlines the potential to develop a blue/green infrastructure amenity as a recreational/ecological resource and in doing so, providing a biodiversity corridor north of Caherconlish village centre, along a section of the Groody River and linking the L1149 to the R513

at Ceol na Habhann. This proposal has been looked at in terms of whether such a proposal could give rise to effects on the downstream Lower River Shannon SAC site.

It is likely that the effects would be greatest during the construction phase where pollutants and sediments could make their way into the Loobagh River and onwards further downstream. The route of the proposed walkway is shown in Figure 5. The Groody River, at its widest point is 3m wide and has been canalised and heavily modified, thereby reducing its structural diversity from the point of view of habitats. It could be classed as a depositing lowland river, due to its shallow gradient and slow flow speed. Riparian vegetation was variable with species such as Reed Canary Grass, Yellow Flag Iris and Creeping Bent present.



**Figure 5:** Route of proposed walkway (Opportunity Site no. 3 Draft LAP)

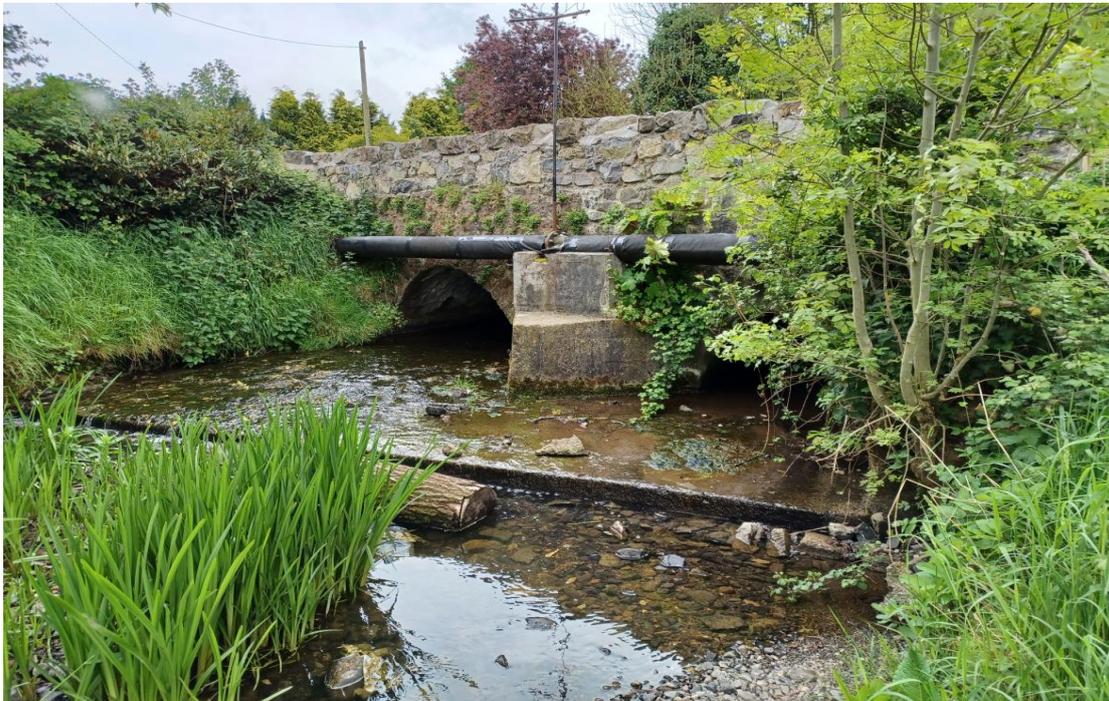
The works are within the LAP boundary which would already have a degree of human activity and disturbance on going. The Groody River is not designated at this point. There were no sign of otters though they might use it occasionally, however, since they are largely crepuscular, human disturbance might not be so much of an issue. There were no signs of Dipper nests under the bridge in the village centre and any small bird usage of the river is likely to be the Grey Wagtail which is a common resident.

There are obstructions to fish passage in the river, particularly during low flow conditions. These include piping behind the old Library building on the R513 north of the village centre and a stepped concrete apron below the bridge in the village centre, both of which would reduce the value of the Groody River for instream life in this general area. If these could be removed or

modified during any potential works in developing the walkway, this would create an ecological gain as it would enable the movement of instream life, particularly during low flow conditions as seen on the 18<sup>th</sup> of May 2022. For instance, works such as sloping the concrete apron would benefit the ecological value of the River.



**Figure 6:** The eastern arch of the Bridge in village – neither arch had visible nesting species such as Dippers (*Cinclus cinclus*) visible



**Figure 7:** Bridge in the village centre, close to the Millennium Centre

The proposal under Opportunity Site 3 would create some ecological losses at construction phase including the removal of trees and bankside vegetation. Although the trees are common species such as Ash and Sycamore, they do contribute to local diversity along the course of the river. None of these are designated. There are choke points along the route and these may compromise the creation of the walkway. Engineering works such as structures suspended over the river to allow for a continuous walk could be used, however this would be an engineering issue which would be considered at design stage, It is likely that it is during the construction phase that ecological effects will be greatest, however, these would be examined in greater detail at design stage and managed.



**Figure 8 The Groody River in the village centre**

Overall, due to the distance from the SAC site and the fact that the walkway is proposed within the village only, it is considered that the effect will be minor and not significant in terms of the downstream SAC site. The river is already subject to human disturbance along its length in the village. To the north of the village outside of the built up area, cattle have access to the Groody which also contributes to disturbance and the removal of bankside vegetation which lessens its ecological value.

**Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the Natura 2000 site by virtue of:**

**Size and scale**

There are no designated sites within the village boundary. Ex-situ impacts are taken into account by including policies that ensure that development takes place in tandem with the establishment of appropriate facilities, including wastewater infrastructure. As outlined above the proposal

outlined under Opportunity Site 3 in the Draft Plan (the riverside trail) may have downstream effects, but due to distance from the SAC site, the dilution factor of the intervening waters and the use of standard good practice measures in the construction of the walkway, it is not considered that there would be any significant effects. It is also noted that the route of the proposed trail is entirely within the boundaries of the development plan and is already subject to human disturbance along its length.

**Land-take**

It is not proposed to further expand the development boundaries of the Local Area Plan. There are no Natura 2000 sites within or immediately adjacent the plan area, so direct land take will not arise. There are Natura 2000 site designations approximately 12km from the settlement boundary. See Figure 3 above and next paragraph below.

**Distance from Natura 2000 site or key features of the site**

The River Shannon SAC site lies approximately 12km to the north west and the Slieve Felim Mountains 18km to the north east.

**Resource requirements (water abstraction etc.)**

No policies within the plan indicate the need for abstraction of water from the Groody River.

**Emission (disposal to land, water or air)**

In the Draft Plan, policies are included to ensure that the pace of development does not over-reach the capacity of the available treatment systems.

**Excavation requirements**

Any excavation which may be permitted under the scope of the plan will take place within the LAP boundaries. The LAP boundary is a sufficient distant from any designated sites so as to ensure that there will be no effect on the sites.

**Transportation requirements**

It is not envisaged that any of the transport policies put forward in the Draft Plan will have an effect in terms of encroachment on any designated sites.

**Duration of construction, operation, decommissioning, etc.**

No construction projects within the plan area will encroach upon designated sites.

**Other**

None

**Describe any likely changes to the site arising as a result of:**

- **reduction of habitat area:**

As indicated above, it is intended to retain the buffer area along the Groody River. This open space will be retained and the buffer will prevent encroachment on the river. It is considered that the

concentration of development within the plan boundaries, in an area that has access to infrastructure, is preferable to more scattered development in the open countryside.

- **disturbance to key species:**

No projects giving rise to disturbance to key species for Natura 2000 sites is likely within the boundaries of the plan as no such sites exist. The inclusion of policies that ensure that development takes place only in step with provision of wastewater treatment systems helps to ensure that no ex-situ effects through water pollution issues will take place.

- **habitat or species fragmentation:**

The absence of designated sites, and the presumption in the plan against development that would cause ex-situ effects will help to prevent fragmentation of non – designated habitats and the species that are contained within them.

- **reduction in species density:**

As outlined above, the Draft Local Area Plan area is a significant distance from any Natura 2000 site network and as a result, is not anticipated to have effects on density of the specific species for which the designations have been put in place.

- **changes in key indicators of conservation value:**

No projects giving rise to significant adverse changes in key indicators of conservation value for Natura 2000 sites are likely given that policies are in place to control possible ex-situ effects and the absence of Natura sites within the plan boundaries.

- **climate change:**

The consolidation of development within the boundaries of the Draft LAP, while at the same time recognising the importance of the conservation sites outside the plan boundaries is not expected to result in climate change issues that would affect the sites.

**Describe any likely impacts on the Natura 2000 site as a whole in terms of:**

**Interference with the key relationships that define the structure of the site:**

None-see policies regarding improvement of sewage facilities to reduce chances of ex-situ effects

**Interference with key relationships that define the function of the site:**

With the consolidation of development a focus of the Draft Plan and the overall conservation objectives set out by the Limerick Development Plan, it is not expected that the various factors that help designated sites function as particular habitats will be affected.

**Provide indicators of significance as a result of the identification of effects set out above in terms of:**

**Loss:** Not applicable.

<p><b>Fragmentation:</b> Not applicable.</p> <p><b>Disruption:</b> Not applicable.</p> <p><b>Disturbance:</b> Not applicable.</p> <p><b>Change to key elements of the site (e.g. water quality etc.):</b> Not applicable.</p>
<p><b>Describe from the above those elements of the project or plan, or combination of elements, where the above impacts are likely to be significant or where the scale or magnitude of impacts are not known:</b> Not applicable.</p>

## 2.2 Finding of No Significant Effects Matrix

<b>Name of Project or Plan:</b>	Draft Caherconlish Local Area Plan 2023 – 2029
<b>Name and location of Natura 2000 sites:</b>	Lower River Shannon SAC (Site Code 002165) 12 km to the north. Slieve Felim to Silvermines SPA 16km to the north east.
<b>Description of the Project or Plan</b>	As given in Screening Matrix above.
<b>Is the Project or Plan directly connected with or necessary to the management of the site (provide details)</b>	No. The Draft LAP is intended to provide support for the proper planning and sustainable development of Caherconlish and includes policies and objectives to protect and manage development in a suitable manner, in order to protect the natural heritage of the village.
<b>Are there other projects or plans that together with the project of plan being assessed could affect the site (provide details)?</b>	The LAP has been formulated to ensure that the uses, developments and effects arising from proposals and/or permissions based upon the policies and objectives of the Plan (either individually or in combination with other plans or projects) will not give rise to significant adverse impacts on the integrity of Natura 2000 sites, having regard to their conservation objectives.
<b>The Assessment of Significance of Effects</b>	
<b>Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 sites:</b>	Effects are not likely as the plan area has sufficient Waste Water Treatment Capacity to deal with current population and any projected increases, removing pollution risk to the downstream SAC site. It is at sufficient distance from other sites in

	the Natura 2000 network to ensure that they would not be affected.		
<b>Explain why these effects are not considered significant:</b>	<p>No Natura 2000 sites exist within the plan boundaries and policies, including those set out in the Limerick Development Plan 2022 – 2028 for the prevention of pollution, nuisance or other environmental effects likely to significantly and adversely affect the integrity of the Natura 2000 sites.</p> <p>Due to separation distance (12km) from the SAC site and the level of disturbance already in place along it's length it is not considered that the proposals for the creation of a riverside walkway would have an effect on the downstream SAC site or on species which are of conservation importance such as the otter.</p>		
<b>List of Agencies Consulted: Provide contact name and telephone or email address:</b>	AA Screening Reports were sent to: The Manager, Development Applications Unit Newtown Road, Wexford.		
<b>Response to consultation</b>	Awaited		
<b>Data Collected to Carry out the Assessment</b>			
<b>Who carried out the Assessment?</b>	<b>Sources of Data</b>	<b>Level of assessment Completed</b>	<b>Where can the full results of the assessment be accessed and viewed</b>
Heritage Officer, Forward Planning Section, Limerick City and County Council.	Existing NPWS Site Synopses  Site visits during plan preparation process.	Desktop study, site visits	With plan documentation on request.

## Part C Stage 1: Flood Risk Assessment

### 3.1 Introduction: Flood Risk in Caherconlish

This is the Stage 1 Flood Risk Identification Assessment of the Draft Caherconlish Local Area Plan (LAP) 2023 – 2029 as per Section 2.21 of the Planning System and Flood Risk Management, DEHLG and OPW, 2009, heretofore referred to as the Flood Guidelines. The Assessment should be read in conjunction with the attached Map 1 Land Use Zoning and the Map 2 Flood Risk of the Draft LAP. The Assessment identifies whether there may be any flooding issues in the Draft LAP area /sites that may warrant further investigation at the planning application level.

### 3.2 Stage 1: Flood Risk Identification

The Technical Appendices of the *Planning and Flood Risk Management Guidelines (November 2009 p.9)* identify the following sources of information:

1. OPW Preliminary flood risk assessment indicative fluvial flood maps;
2. National Coastal Protection strategy study flood and coastal erosion risk maps;
3. Predictive and historic flood maps and benefiting land maps;
4. Predictive flood maps produced under CFRAM studies;
5. River Basin Management Plan and reports;
6. Indicative assessment of existing flood risk under Preliminary flood risk assessment;
7. Previous flood risk assessments;
8. Advice from Office of Public Works;
9. Internal consultation with Local Authority personnel, in particular water services engineers;
10. Topographical maps - in particular LIDAR;
11. Information on flood defence condition and performance;
12. Alluvial deposition maps;
13. Liable to flood markings on old 6 inch maps. In addition these maps particularly the first edition, contain information on landscape features and infrastructure such as mills and weirs that can indicate hydrological features;
14. Local Libraries and newspaper reports;
15. Local consultation e.g. local groups;
16. Walkover surveys to assess potential sources of flooding and likely routes of flood waters and flood defences;
17. National, regional and local spatial plans and previous planning applications.

<b>1.</b>	<b>OPW Preliminary flood risk assessment indicative fluvial flood maps</b>
<p>These maps are available for the Caherconlish area and indicate potential risk from fluvial flooding, both in the village centre and north of the village. The former area is an area of established mixed use development and is zoned as village centre, some established residential and the area to the north east of the village is zoned for agriculture uses. The</p>	

zoning reflects existing land uses, the Draft Plan has been prepared in line with the Flood Guidelines and avoids the zoning of additional lands in areas at risk of flooding.

**2. National Coastal Protection strategy study flood and coastal erosion risk maps**

Maps for this study would not be of any assistance in dealing with specific flooding issues in Caherconlish.

**3. Predictive and historic flood maps and benefiting land maps**

These maps were consulted. Two historic flood events were indicated one from 2005, the other from 1991. Benefiting lands were shown within the plan area and lie to the north east.



**Figure 4:** The light blue area in the north east of the plan area is benefiting land, i.e. agricultural land which would benefit from flood relief works. This is consistent with current land usage, which is agricultural.

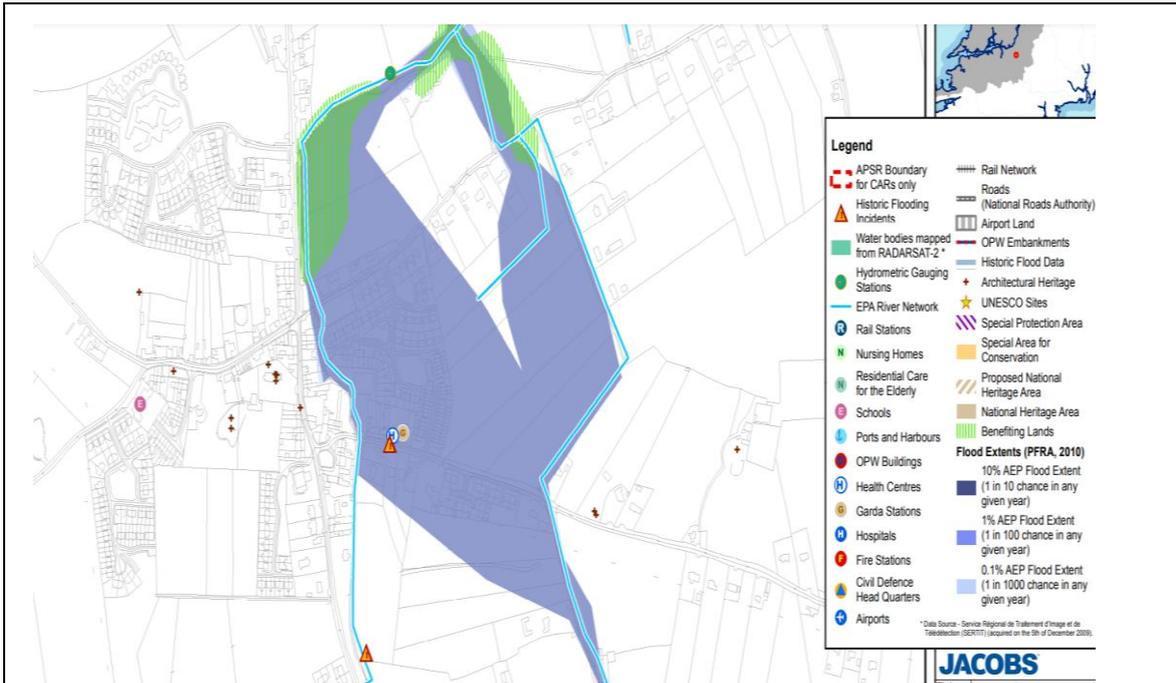
**4. Predictive flood maps produced under CFRAM studies**

These, dating from 2016, show flooding along the course of the Mulkear River which is outside the boundary of the Local Area Plan and is 5km to the east. This is not likely affect the plan area.

**5. River Basin Management Plan and reports**

Insufficient detail available to inform responses at LAP level.

**6. Indicative assessment of existing flood risk under Preliminary flood risk assessment**



**Figure 5:** PFRA dating from 2012

The PFRA mapping available for Caherconlish are taken from 10 years ago and have since been superseded by the CFRAM mapping. However, since no CFRAM Mapping is available for Caherconlish, this has been included. The PFRA concludes that the risk of Caherconlish is a possible area for further assessment of flood risk (March 2012). Part of the area indicated at possible risk corresponds with the flood benefiting area shown in Figure 4.

<b>7.</b>	<b>Previous flood risk assessments</b>
None submitted.	
<b>8.</b>	<b>Advice from Office of Public Works</b>
This will be sought as the review progresses.	
<b>9.</b>	<b>Internal consultation with Local Authority personnel, in particular water services engineers</b>
Discussions regarding drainage and flooding issues took place with council engineers, which did not indicate any particular issues.	
<b>10.</b>	<b>Topographical maps - in particular LIDAR</b>
No flood defences exist within the plan area.	
<b>11.</b>	<b>Information on flood defence condition and performance</b>
The Council has purchased LIDAR mapping which has been used with the JBA study to provide more accurate information in relation to flooding risk. These are shown below. The maps below need to be interpreted with caution. Not all the area indicated as being subject to flood risk has been supported by other evidence, such as alluvial soil distribution and flood events on the OPW website. The exception is the flood event in the south east of the village centre, which has been listed on floodinfo.ie. The area	

shown as being on Flood Zone A (shown as 1 below) does correspond with an area of alluvial soils. It does correspond with the benefitting lands shown above.



Figure 5: Northern portion of the village showing Flood Zone A (light blue) and Flood Zone B (dark blue)

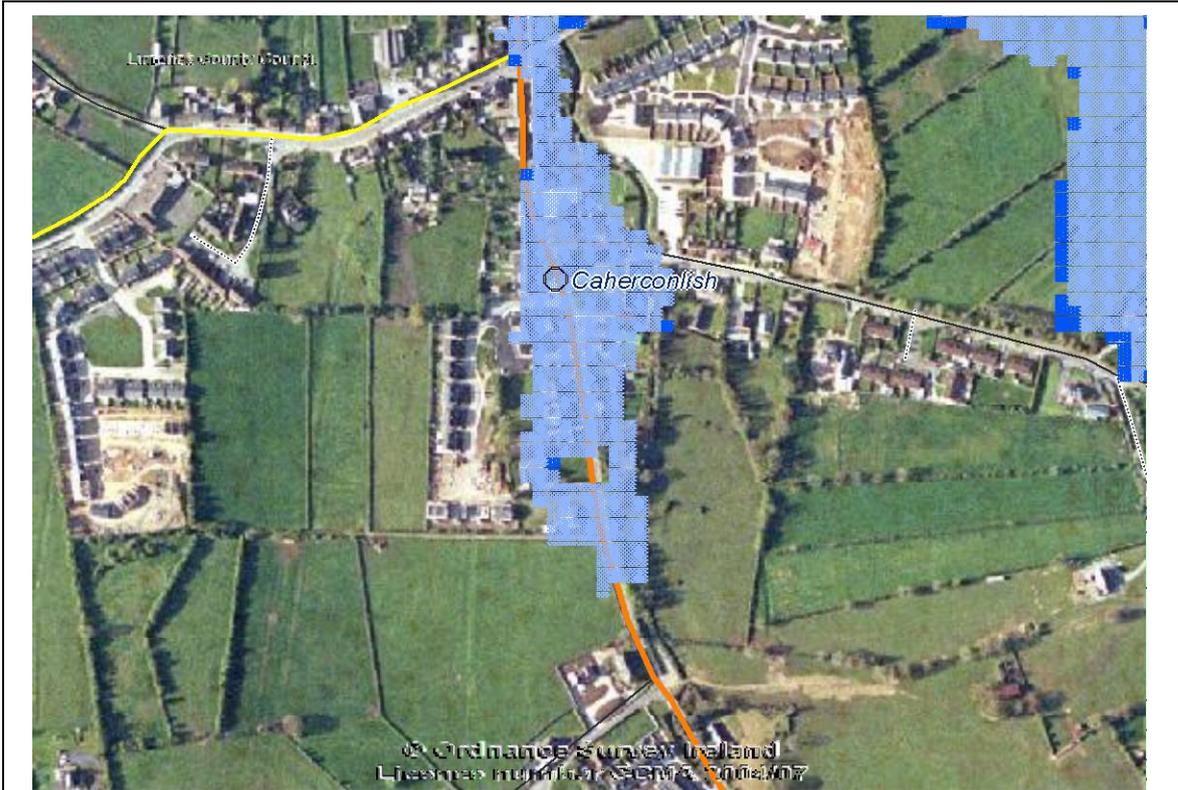
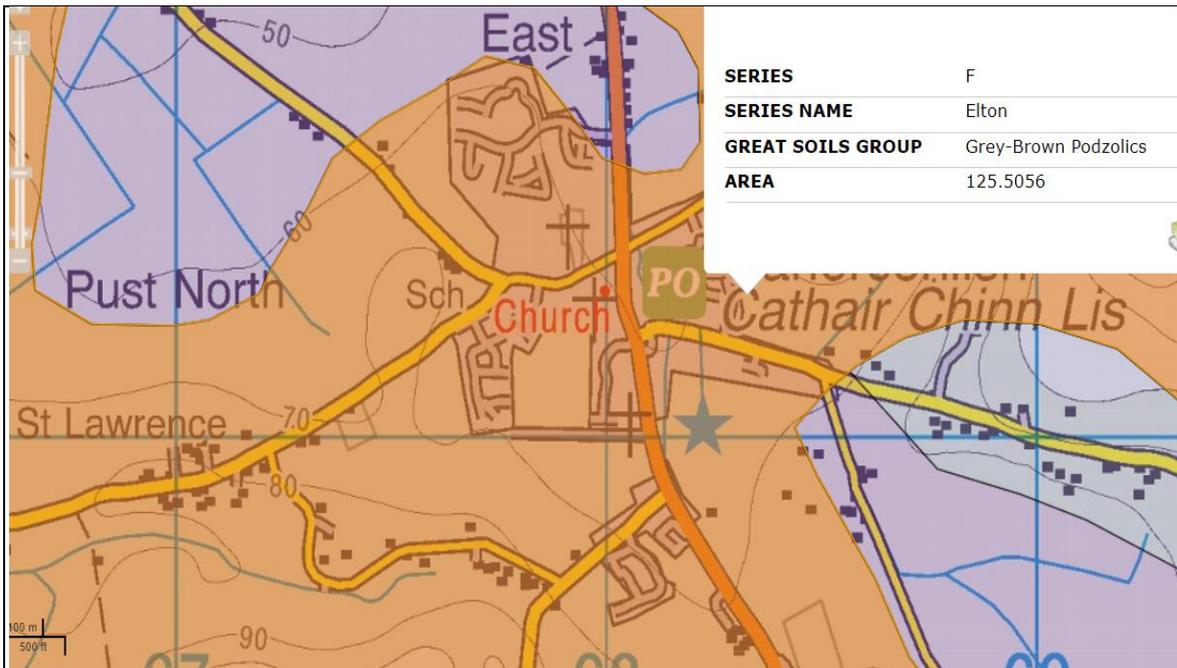


Figure 6: Southern portion of the village showing Flood Zone A (light blue) and Flood Zone B (dark blue)

For areas with pre-existing uses that are now deemed to at flood risk, only limited development, as outlined in the Flood Guidelines, save for where lands have been justified in this report.

**12. Alluvial Deposition Maps**

Alluvial soils are those deposited by rivers. Their extent helps to indicate the extent of historic flood events. These allied to benefiting areas in addition to historic maps (first and later editions of the six inch maps) show areas prone to flooding. The soils maps did not show alluvial soils in the LAP area, where the dominant soil type was Grey Brown Podzolics (Elton Group, Teagasc 1966)



**Figure 7:** Soils of Caherconlish - no alluvial soils visible on the Teagasc 1966 soil map.

**13.** Liable to flood markings on old 6 inch maps. In addition these maps particularly the first edition, contain information on landscape features and infrastructure such as mills and weirs that can indicate hydrological features

Areas liable to flood were not shown on the 6 inch maps (map 14 revised in 1923-24) and the editions dating from 1938. No areas liable to flood are shown within the development plan boundaries or immediately outside.

**14.** Local Libraries and newspaper reports

Flooding reports were present on the OPW website in relation to the flood incident in the centre of the village. The April 2005 flood maps do not show any location reported for flooding, while the information on the 1991 flood is taken from the Mulcair Drainage Committee Log, which refers to flooding of agricultural land in Caherconlish East, outside the village itself.

**15.** Local consultation e.g. local groups

No issues in relation to flooding were high-lighted during the consultation phase of the issues Paper on the review of the Local Area Plan.

**16.** Walkover surveys to assess potential sources of flooding and likely routes of flood waters and flood defences

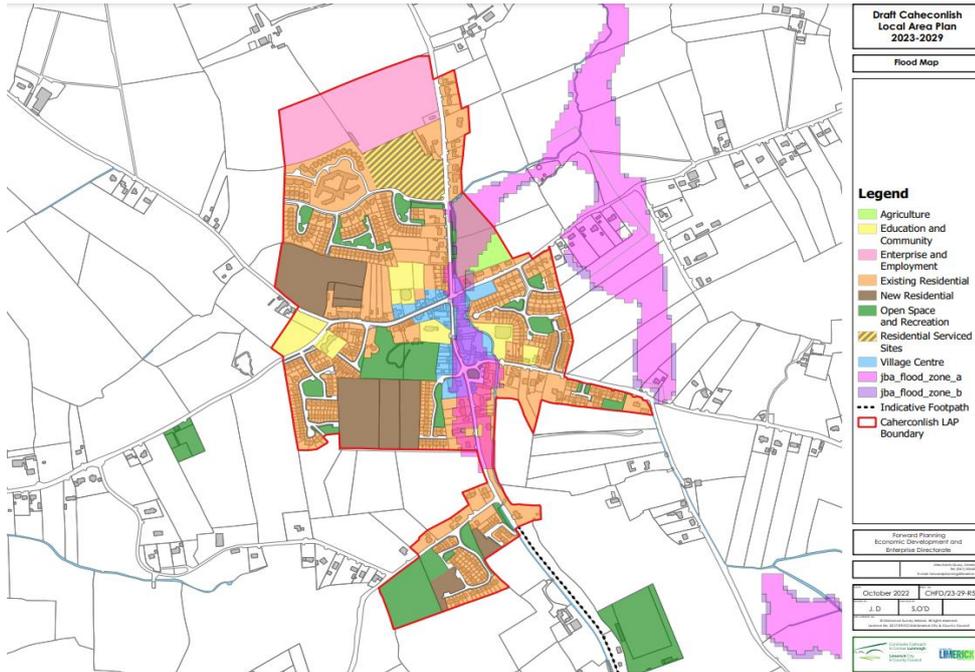
Walk over surveys were an important part of the groundwork associated with the plan and showed the condition of bridges and the river channel. In addition, the walkover survey indicated lower ground levels in the area currently used for agricultural and confirmed the need to retain this usage in this location

**17.** National, regional and local spatial plans and previous planning applications

Insufficient detail was present in other plans or strategies in order to inform the current survey.

<b>18. Previous planning applications</b>
No relevant information was found in planning application files.

Limerick City and County Council engaged the services of JBA Engineering Ltd. as part of the preparation of the Limerick Development Plan 2022 – 2028, to consider the land extents in Caherconlish and the area identified in the Flood Map, Appendix 1, have been verified by flood consultants.



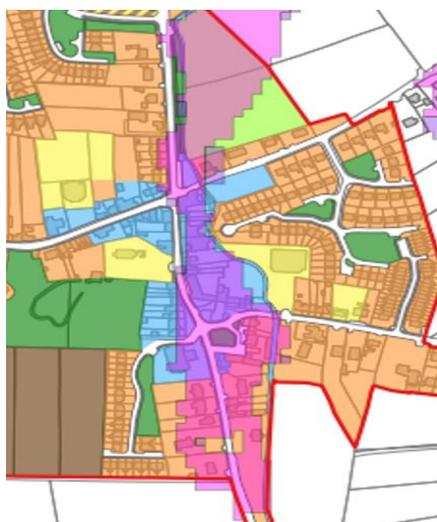
### 3.3 Flood Justification Tests

As per Section 4.2 of Flood Guidelines, Flood Justification Test has been undertaken for lands zoned in the Draft LAP, which are identified as liable to flooding, according to the most up to date flooding maps available. These lands are in the main are developed or unsuitable for development and have been zoned for purpose of agricultural use.

- (a) Lands located in the village core zoned Village Centre and Existing Residential

<b>1</b>	<b>The urban settlements is identified for growth under the National Planning Framework, Regional Economic and Spatial Strategy, statutory plans prepared under the Planning and Development Act 2000 as amended, relevant Directives and the Planning Guidelines.</b>
	Caherconlish is a Level 3 Settlement in the settlement hierarchy, identified in the Limerick Development Plan 2022 – 2028. The Limerick Development Plan promotes Level 3 settlements, as development centres for population growth sustaining a wide range of functions, services and employment opportunities supporting its hinterland. In line with National Policy Objective 3c 30% of all new homes targeted within Level 3

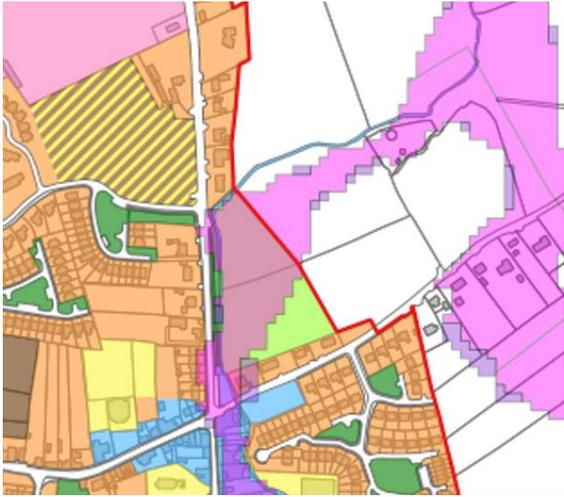
settlements shall be within the existing built-up area of the village. Part of the lands within the village centre, are identified as being risk as flooding, however, the lands are also the core of the village and in line with national, regional and local planning policy critical to the overall development of the village centre, will facilitate consolidation and by in large is brown field or infill lands.



<b>2</b>	<b>The zoning or designation of the lands for the particular use or development type is required to achieve the proper planning and sustainable development of the town and in particular:</b>	
	<b>(i) Is essential to facilitate regeneration and/or expansion of the centre of the urban settlement</b>	The lands are proposed to be zoned village centre, reflecting their existing uses. The lands are essential to facilitate regeneration and expansion of the centre of the settlement.
	<b>(ii) Comprises significant previously developed and/or under-utilised lands</b>	These lands are already developed and currently occupied by existing uses as per their proposed zoning objective.
	<b>(iii) Is within or adjoining the core of an established or designated urban settlement</b>	The lands are zoned village centre and located in the core of the village.
	<b>(iv) Will be essential in achieving compact or sustainable urban growth</b>	The redevelopment on these lands will contribute to compact urban growth aligned to higher-level spatial policy.
	<b>(v) There are no suitable alternative lands for the particular use or development type, in areas at lower risk of flooding within or adjoining the core of the urban settlement</b>	The lands are currently developed.
<b>3</b>	<b>A flood risk assessment to an appropriate level of detail has been carried out as part of the Strategic Environmental</b>	The extent of Flood Zone A/B across the village centre zoning is limited and risks can be managed by following the sequential approach, guided by an appropriately site specific flood

<p><b>Assessment as part of the local area plan preparation process, which demonstrates that flood risk to the development can be adequately managed and the use or development of the lands will not cause unacceptable adverse impacts elsewhere.</b></p>	<p>risk assessments. Where there is Existing Residential development within Flood Zones A/B future development should be limited to minor developments, in accordance with Section 5.28 of the Planning Guidelines.</p>
<p><b>4 Conclusion of the Justification Test</b></p>	
<p>Given the measures above, the objectives of the Draft LAP, the Planning Authority is satisfied that the proposed zoning of these lands as village centre for development is appropriate subject to more detailed site-specific flood risk assessment to be submitted as supplementary information with planning applications on these lands, supporting any planning applicant, which may be made in the future.</p>	

(b) Lands zoned Agriculture, which is at flood risk within the Plan boundary

<p><b>1</b></p>	<p><b>The urban settlements is identified for growth under the National Planning Framework, Regional Economic and Spatial Strategy, statutory plans prepared under the Planning and Development Act 2000 as amended, relevant Directives and the Planning Guidelines.</b></p> <p>Caherconlish is a Level 3 Settlement in the settlement hierarchy, identified in the Limerick Development Plan 2022 – 2028. The Limerick Development Plan promotes Level 3 settlements, as development centres for population growth sustaining a wide range of functions, services and employment opportunities supporting its hinterland. In line with National Policy Objective 3c 30% of all new homes targeted within Level 3 settlements shall be within the existing built-up area of the village. For the main part lands zoned, which is at risk of flooding, is zoned for non-vulnerable uses, such as Agricultural.</p> 
<p><b>2</b></p>	<p><b>The zoning or designation of the lands for the particular use or development type is required to achieve the proper planning and sustainable development of the town and in particular:</b></p>

	<b>(i) Is essential to facilitate regeneration and/or expansion of the centre of the urban settlement</b>	The lands are proposed to for Agricultural purposes and development will be limited in terms of the uses permitted.
	<b>(ii) Comprises significant previously developed and/or under-utilised lands</b>	Having regard to the location of the lands, only development appropriate to its location would be considered, subject to an appropriate level of assessment.
	<b>(iii) Is within or adjoining the core of an established or designated urban settlement</b>	The lands are located within the Plan boundary.
	<b>(iv) Will be essential in achieving compact or sustainable urban growth</b>	Only limited development will be considered, subject to an appropriate level of assessment.
	<b>(v) There are no suitable alternative lands for the particular use or development type, in areas at lower risk of flooding within or adjoining the core of the urban settlement</b>	Suitable alternative lands are available for development elsewhere in areas outside of any flood risk.
<b>3</b>	<b>A flood risk assessment to an appropriate level of detail has been carried out as part of the Strategic Environmental Assessment as part of the local area plan preparation process, which demonstrates that flood risk to the development can be adequately managed and the use or development of the lands will not cause unacceptable adverse impacts elsewhere.</b>	These lands at flood risk is nearly entirely within Flood Zone A. Applying the sequential approach to flood management means that development within Flood Zones A and B should be avoided.
<b>4</b>	<b>Conclusion of the Justification Test</b>	
	Part 2 of the Justification Test has not been passed and the site is at high risk of flooding so should be retained for water compatible uses.	

### 3.4 Strategic Flood Risk Assessment and SEA

As per Section 4.2 of the Flood Guidelines, a Flood Risk Assessment has been carried out in a manner that is integrated with the SEA process. Any subsequent stages of flood risk assessment will be integrated with the SEA process as the Proposed LAP progresses through to final adoption. Similarly, corresponding SEA Screening Reports will consider the environmental effects of the Proposed LAP against environmental criteria for the plan area, including mitigation measures and future monitoring of effects including flooding.

### **3.5 Conclusion**

The core strategy figures set out in the Limerick Development Plan 2022 - 2028 indicates that 8.6 ha are required, to accommodate the projected growth of Caherconlish. There is no expansion of zoning into areas identified as risk of flooding, lands that are at risk of flooding, have been zoned for uses, such as agriculture, to minimise the risk associated with further development of the village. Flood considerations have informed the zoning layout within the village, considerable emphasis has been placed on blue – green infrastructure in the plan, as well as nature based solutions in managing surface water in the village.