

Screening Report for Appropriate  
Assessment

Moyross Avenue  
Limerick City

MEC Ltd.

## **Screening Report for Appropriate Assessment**

### **Moyross Avenue Upgrade, Limerick**

This report has been prepared by Minogue Environmental Consultants Ltd. with all reasonable skill, care and diligence. Information report herein is based on the interpretation of data collected and has been accepted in good faith as being accurate and valid.

This report is prepared for the Limerick City & County Council and we accept no responsibility to third parties to whom this report, or any part thereof, is made known. Any such party relies on the report at their own risk.

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# 1. INTRODUCTION

Minogue Environmental Consulting Ltd. have been commissioned by MRG Consulting Ltd on behalf of Limerick City and County Council (LCCC) to undertake a Screening Report for Appropriate Assessment for proposed works at Moyross Avenue, Limerick City, See figure 1.1. for proposed boundary over aerial imagery.

**FIGURE 1-1 SITE LOCATION AND RED LINE BOUNDARY**



This Screening Report for Appropriate Assessment forms Stage 1 of the Habitats Directive Assessment process and is being undertaken in order to comply with the requirements of the Habitats Directive Article 6(3). The function of this Screening Report is to determine if it can or cannot be excluded, on the basis of objective information, that the project, individually or in combination with other plans or projects, will have a significant effect on a European Site. This Screening Report has been prepared to provide information to the competent authority to assist them in their determination as to whether a Stage 2 Appropriate Assessment is required for the project.

## 1.1 LEGISLATIVE CONTEXT

This Screening Report for Appropriate Assessment is being prepared in order to enable the competent authority to comply with Article 6(3) of Council Directive 92/43/EEC (The Habitats Directive). It is prepared to assess whether or not the project alone or in combination with other plans and projects is likely to have a significant effect on any European Site in view of best scientific knowledge and in view of the conservation objectives of the European Sites and specifically on the habitats and species for which the sites have been designated.

### 1.1.1 REQUIREMENT FOR AN ASSESSMENT UNDER ARTICLE 6 OF THE HABITATS DIRECTIVE

According to Regulation 42(1) of the European Communities (Birds and Natural Habitats) Regulations Ss.177U and 177V in Part XAB of the Planning and Development Act 2000/2011 – 2021, the competent authority has a duty to:

- Determine whether the Project is directly connected to or necessary for the management of one of more Natura 2000 sites; and, if not;
- Determine if the Project, either individually or in combination with other plans or projects, would be likely to have a significant effect on the European Site(s) in view of best scientific knowledge and the Conservation Objectives of the site(s).

This Report contains a Screening for Appropriate Assessment and is intended to assess and address all issues regarding the construction and operation of the Project and to inform and assist the competent authority to comply with the Habitats Directive (as already defined). The European Communities (Birds and Natural Habitats) Regulations, 2011 – 2021 (the Habitats Regulations) transpose into Irish law Directive 2009/147/EC (the Birds Directive) and Council Directive 92/43/EEC (the Habitats Directive) lists habitats and species that are of international importance for conservation and require protection. The Habitats legislation requires competent authorities, to carry out a Screening for Appropriate Assessment of plans and projects that, alone or in combination with other plans or projects, would be likely to have significant effects on Natura 2000 sites in view of best scientific knowledge and the Site's conservation objectives. This requirement is transposed into Irish Law by Part 5 of the Habitats Regulations and Part XAB of the Planning and Development Act, 2000 (as amended).

### 1.1.2 STAGE 1 SCREENING METHOD

The purpose of a Stage 1 screening exercise for Appropriate Assessment is to determine whether it is necessary to carry out a Stage 2 Appropriate Assessment of the implications for a European site of a project. The trigger for the requirement for an Appropriate Assessment is that the project, either individually or in combination with other plans or projects, is "likely to have a significant effect" on the European site.

It is clear that the trigger for an Appropriate Assessment is a very light one, and that the mere probability or a risk that a project might have a significant effect is sufficient to require an Appropriate Assessment to be undertaken. Under Part XAB of the 2000 Act, screening for Appropriate Assessment must be carried out by the competent authority.

Section 177U provides:

*A screening for appropriate assessment shall be carried out by the competent authority to assess, in view of best scientific knowledge, if... a proposed development, individually or in combination with another plan or project is likely to have a significant effect on the European site.*

Accordingly, the competent authority shall determine that an Appropriate Assessment of a proposed development is required if it cannot be excluded, on the basis of objective information, that the proposed development, individually or in combination with other plans or projects, will have a significant effect on a European site. The competent authority's determination as to whether an Appropriate Assessment is required must be made on the basis of objective information and must be recorded.

Whereupon the carrying out of a Stage One screening, it is determined by the competent authority that a Stage Two Appropriate Assessment is required, an applicant for permission must prepare and submit a Natura Impact Statement to the competent authority.

This Article 6(3) Appropriate Assessment Screening Report has been prepared in compliance with the provisions of section 177U of the 2000 Act.

The nature of the likely interactions between a project and the Conservation Objectives of European Sites will depend upon the:

- the ecological characteristics of the species or habitat, including their structure, function, conservation status and sensitivity to change; *and/or*
- the character, magnitude, duration, consequences and probability of the impacts arising from land use activities associated with the plan, in combination with other plans and projects.

The European Commission Guidelines (2001) outline the stages involved in undertaking a Screening assessment of a plan or project that has the potential to have likely significant effects on European Sites. The methodology adopted for the screening of this project is informed by these guidelines, as well as the Irish guidance identified above, and was undertaken in the following stages:

- A brief description of the proposed SHD is provided and determine whether it is necessary for the conservation management of European Sites;
- Identification of European Sites occurring within the zone of influence of the proposed SHD;
- Identification of potential likely significant effects on European Sites; and
- Identification of other plans or projects that, in combination with the proposed SHD, have the potential to affect European Sites.

There is absolutely no reliance placed in this AASR on

(a) measures intended to avoid/reduce harmful effects on the European sites,

(b) construction management/best practice measures, or

(c) any other measures (such as SUDS) which are proposed with no relation to the *intention* of avoiding or reducing any potentially harmful effect of the development on any European site.

This Screening Report for Appropriate Assessment has been undertaken with reference to respective National and European guidance documents:

The following guidance documents were also of relevance during the preparation of this Screening Report:

- A guide for competent authorities. Environment and Heritage Service, Sept 2002. Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities (2010). DEHLG.
- Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites – Methodological Guidance of the Provisions of Article 6(3) and (4) of the Habitats Directive 92/42/EEC. European Commission (2001).
- Managing Natura 2000 Sites – The provisions of Article 6 of the Habitats Directive 92/43/EEC. European Commission (2018).
- OPR Practice Note PN01 Appropriate Assessment Screening for Development Management (2021). Office of the Planning Regulator

The EC (2001) guidelines outline the stages involved in undertaking a Screening Report for Appropriate Assessment for projects. The methodology adopted during the preparation of this Screening Report is informed by these guidelines and was undertaken in the following stages:

1. Describe the project and determine whether it is necessary for the conservation management of European Sites;
2. Identify European Sites that could be influenced by the project;
3. Where European Sites are identified as occurring within the zone of influence of the project identify potential effects arising from the project and screen the potential for such effects to negatively affect European Sites identified under Point 2 above; and
4. Identify other plans or projects that, in combination with the project, have the potential to affect European Sites.

### **1.1.3 STATEMENT OF AUTHORITY**

Ruth Minogue, BscSci, MA, MCIEEM prepared this AA Screening Report. Ruth has twenty five years' experience in the field of environmental assessment and has been involved in the completion of environmental and ecological impact assessments since 2002. She is a full member of the Chartered Institute of Ecology and Environmental Management, holds a diploma in Field Ecology (UCC), Advanced Diploma in Planning and Environmental Law (Kings Inn) and undertakes ongoing CDP training through approved training providers including CIEEM.

A site visit was undertaken on 17<sup>th</sup> February 2024.

## 2 BACKGROUND TO THE PROJECT

The proposed scheme is located in the Moyross area (See Figure 1.1), which is a large residential area to the northwest of Limerick City. The upgrade works to Moyross Avenue are proposed as part of a continuation to on-going works to the road corridor which include the link road connecting Moyross Avenue to the Coonagh to Knocklisheen Distributor Road Scheme to the west of the proposed works which received An Bord Pleanála approval in 2011 and the on-going works to the roadway being undertaken as part of the Dalgaish and Cosgrave Park developments which received Part 8 planning approval in 2015..

### 2.1 PROJECT DESCRIPTION

The proposed scheme will provide a high-quality road corridor comprising improved footpaths and segregated cycling facilities, parallel parking, landscaped areas including tree planting and narrowing of the existing road carriageway. The segregated cycle facilities on both sides of the road will be separated from the road carriageway and located to the rear of the parallel parking spaces with a buffer between the cycle facilities and parking. This will be achieved by re-construction of the existing footpaths, construction of cycle tracks, parking areas and re-construction of the existing road carriageway through the extents of the scheme.

Upgraded bus stop facilities in accordance with the details in the Cycle Design Manual 2023 will be provided to the existing route 303 bus stops.

Land acquisition is required at the Corpus Christi Catholic School and the Corpus Christi Church to accommodate the proposed upgrade works to Moyross Avenue with new boundary structures to be constructed along the frontage of the School and Church. The new parking to be provided within the grounds of the Corpus Christi Church will help to limit the on street parking on Moyross Avenue and will provide for improved access arrangements for parishioners to the Church.

#### 2.1.1 DURATION OF WORKS

It is proposed to carry out the upgrade works to Moyross Avenue, the subject of this Report in two separate phases :

Phase one will include that 200m section of Moyross Avenue extending from the junction of Sarsfield Gardens to the western boundary of the Corpus Christi Catholic School. The re-construction of the boundaries to the School and Church will be carried out with this phase along with the provision of replacement car-parking spaces to the rear of the Corpus Christi Parish Church. The Phase one works are the subject of a Part 8 Planning submission.

Phase two will include for the remaining 500m section of Moyross Avenue from the Corpus Christi Catholic School, along the frontage of the Moyross Community Enterprise Centre (MCEC) west to the tie in with the Coonagh to Knocklisheen Distributor Road Scheme at Pineview Gardens.

The construction works to Moyross Avenue and associated junctions will include for the construction of the segregated cycle facilities on both sides of the road separated from the road carriageway. The scheme will also include re-construction of the existing road, parallel parking and footpaths. Other elements to be delivered in conjunction with the above include junction improvements as required, works to bus stops, pedestrian facilities including crossings with associated modification to drainage, lighting, utility services, line markings and signage etc.

It is estimated that the phase one works will take up to 5 months to complete with the phase two works taking up to 6 months to complete.



### 2.1.2 APPROACH TO WORKS

Each phase of the works would be completed in sections to allow for access to existing properties and side roads and also to facilitate pedestrian access. The works would include for the completion of the footpath re-construction / cycle track construction on either side of the road along with drainage/utility works. Works to the road carriageway will require a one-way or stop/go traffic management arrangement to be implemented within each phase to allow for the road re-construction and re-surfacing works. The traffic management arrangements will have to be arranged to maintain safe access and egress to the School, Church and MCEC building which front the roadway.

### 2.1.3 CONSTRUCTION MATERIALS AND PERSONNEL REQUIRED

- 20 tonne excavator
- rubber tyred excavators, 6 tonne JCB
- tonne mini diggers
- 30 tonne dump truck
- 6 tonne dumpers
- 7.5 tonne multi-purpose truck
- 20 tonne and 30 tonne delivery trucks
- teleporter
- site vehicles
- compactor plates
- 6 tonne vibrating rollers
- paving machines
- bitumen boiler
- oil tanker/sprayer
- road planning machine
- road saws
- air compressors
- jack hammers
- traffic management signage, cones and barriers
- herras fencing
- road sweeper

The materials required for the works will be typical civil engineering road construction materials consisting of cement, gravels, aggregates, capping stone, block pavements, precast concrete kerbs, in-situ concrete kerbs and footpaths, precast concrete manholes, covers, plastic ducting, galvanised/cast iron chamber covers, powder coated street lighting columns and traffic signal poles, LED lighting and traffic signals, galvanised steel signage poles, metal traffic signs etc.

The site personnel would be approximately 15-20 persons.

#### **2.1.4 SURFACE WATER**

The existing surface water runoff from Moyross Avenue is collected by road gullies and discharges to a separate piped surface water network. The existing surface water network discharges downstream of the roadway to a combined sewer system. The road drainage will remain as existing. Linear green verge spaces are to be introduced on either side of the road to separate the cycle tracks and footpaths from the roadway with runoff from the cycle track and footpath surfaces to drain to the grassed areas. The area of surface water drainage from the roadway will remain similar to the existing.

The use of a SuDS (Sustainable Urban Drainage System) facility is proposed for the new parking area within the grounds of the Church with the surface water drainage discharged locally on the site. There are many approaches to management of surface water that take account of water quantity (flooding), water quality (pollution), biodiversity (wildlife and plants) and amenity and these are collectively referred to as SuDS systems.

The Contract Documents will include for the following standard construction guidance and guidelines.

The Contractor shall establish and implement, during the execution and completion of the Works, an Environmental Operating Plan consistent with and analogous to the NRA "Guidelines for the Creation, Implementation and Maintenance of an Environmental Operating Plan". All construction and operations shall be carried out in accordance with the Control of Water Pollution from Linear Construction Projects. Technical Guidance (C648) (CIRIA 2006), Control of Water Pollution from

Linear Construction Projects, Site Guide (C649) (CIRIA 2006), and in accordance with Guidelines for the Crossing of Watercourses during the Construction of National Road Schemes (NRA, 2006).

The majority of the proposed works are within the foot print of the existing road/verge/footpath with the road carriageway width being reduced to accommodate new cycle tracks.

## 2.2 DESCRIPTION OF THE PROJECT SITE

The project site comprises existing built land and artificial surfaces associated with the road. Amenity grassland is present at the Corpus Christi Church, Moyross Playing Fields and grass at the school areas.

The study area lands are situated within the Lower Shannon Catchment (code:25D) and the sub catchment of Shannon Lower (SC10).

The soil is classified as 'urban' and is underlain by Visean limestone bedrock. Groundwater vulnerability is classified as of moderate vulnerability.

## 2.3 IS THE PROJECT NECESSARY FOR THE CONSERVATION MANAGEMENT OF EUROPEAN SITES?

The project has been described in Section 2.1 of the Screening Report and it is clear from the description provided that the project is not directly connected with or necessary for the future conservation management of any European Sites.

### 3 EUROPEAN SITES OCCURRING WITHIN THE ZONE OF INFLUENCE OF THE PROJECT

Current guidance informing the approach to screening for Appropriate Assessment defines the zone of influence of a project as the geographical area over which it could affect the receiving environment in a way that could have significant effects on the Qualifying Interests of a European site. It is recommended that this is established on a case-by-case basis using the Source-Pathway-Receptor (SPR) framework. The SPR framework is relied upon to identify pathways connecting the project to Natura 2000 sites and is relied upon during this screening exercise, particularly given the fact that no element of the project is located within the boundary of a Natura 2000 sites and the nearest site Lower River Shannon SAC, is located at a distance of approximately 300m east of the project site as the crow flies.

As a first step in identifying the Natura 2000 sites that could be connected to the project via SPR pathways all Natura 2000 sites occurring in the zone of influence of the project were identified. The zone of influence is defined as follows:

*“The zone of influence of a proposed development is the geographical area over which it could affect the receiving environment in a way that could have significant effects on the Qualifying Interests of a European site. This should be established on a case-by-case basis using the Source Pathway-Receptor framework and not by arbitrary distances (such as 15 km)”.*

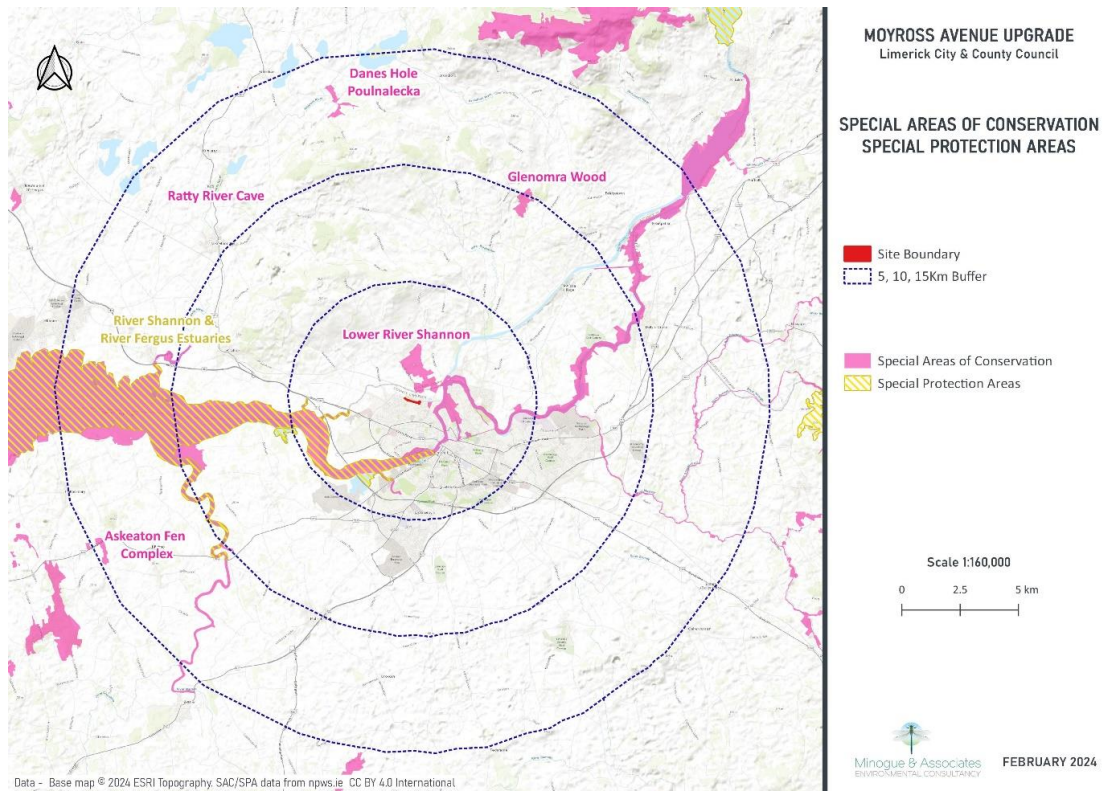
As can be seen in Figures 3.1 and Figure 3.2 six Natura 2000 sites, comprising five SACs and one SPA occur within the wider area surrounding the project site. All other Natura 2000 sites are located at a remote distance from the project site. The qualifying features of interest/special conservation interests of these Natura 2000 sites are listed in full in Table 4.1 below. A summary overview of each of these Natura 2000 sites is provided in Appendix A.

As the nearest Natura 2000 sites (Lower River Shannon and River Shannon and River Fergus SPA ) are located approximately 0.31km and 2.04 km away respectively, the project will not have the potential to result in direct impacts to Natura 2000 sites. Thus, this Screening exercise focuses on investigating whether it can or cannot be excluded, on the basis of objective information, that the project will have the potential to result in indirect effects to Natura 2000 sites beyond the boundaries of their designated conservation areas.

Using the SPR framework, the project as described in Section 2 of this Screening Report, represents the source of potential impacts to Natura 2000 sites.

The project site is located within the Lower Shannon catchment. Therefore, the potential for a connection between the project site and these European Sites requires further examination. All other European Sites are located at a remote distance from the project site and are not connected to it via any SPR pathways and such are excluded from further examination.

**FIGURE 3-1 SACS AND SPAS WITHIN 15 KM FROM THE PROPOSED SITE**



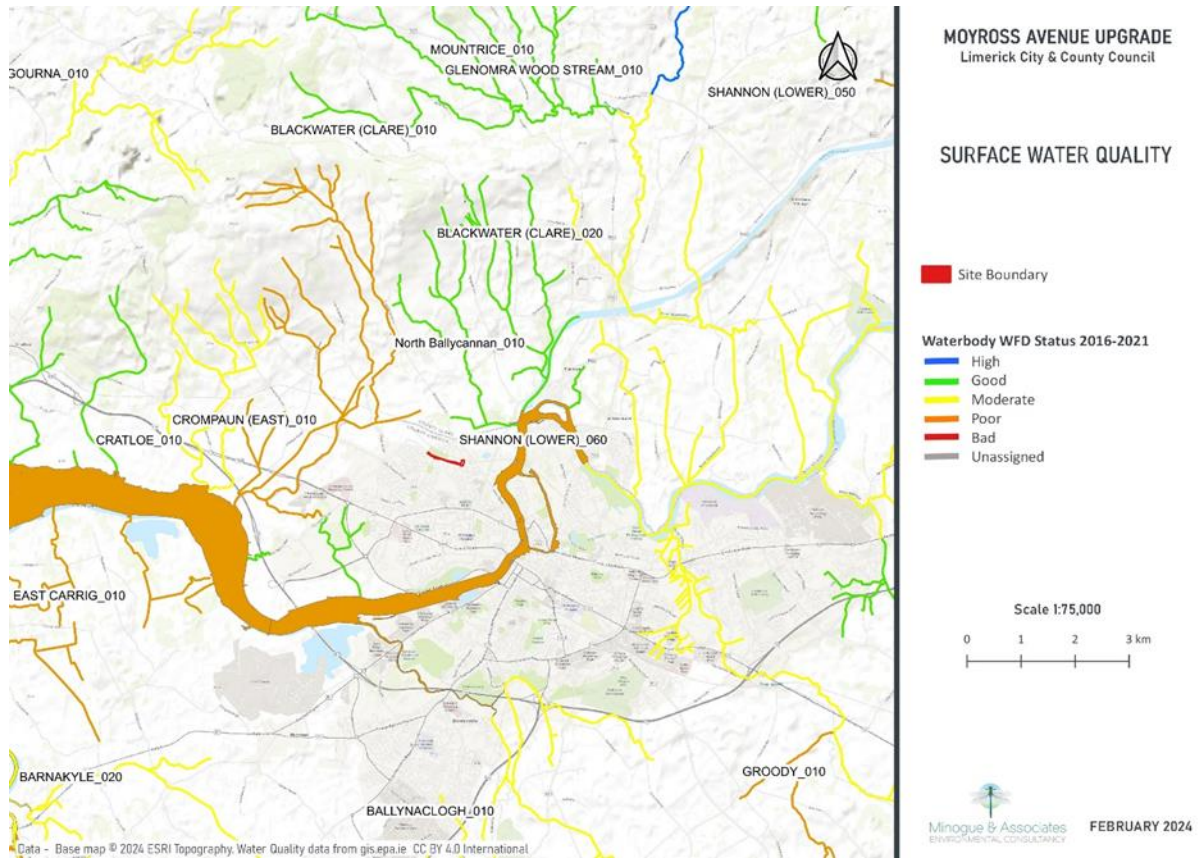
Under the SPR model the project, as described above, represents the source. Potential impact pathways are restricted to hydrological pathways. While it is noted that the project will involve the construction of cycle tracks and reconstruction of existing road and pedestrian footpaths no significant aerial emissions are predicted to arise as a result of this activity. Given the small scale of the construction works required and the distance to the nearest European Sites (i.e. approximately 0.31km) no functional aerial emissions pathway is considered to connect the project to any European Sites. This is supported by the guidance outlined by Holman et al. (2014) which advises that ecological features that are sensitive to dust emissions are likely to be impacted with a zone of 0 to 500m. Other pathways that can typically function as impact pathways to sensitive ecological receptors such as noise, disturbance through the presence of humans is also not considered relevant given the significant distance between the project site and the nearest European Sites.

The receptors represent European Sites and their associated qualifying features of interest. European Sites and their associated qualifying features are likely to occur in the zone of influence of the project only where the above pathways establish a link between the study area and European Sites or where the project site is likely to play an important role in supporting populations of mobile species that are listed as special conservation interests/qualifying species for surrounding European Sites.

With regard to potential impact pathways, it is considered that a potential impact pathway linking the project to European Sites relates to hydrological pathways. In this instance, the nearest surface water stream is the river Shannon occurring approximately 0.31km to the east of the proposed site. It flows upstream into the above-mentioned two overlapping European Sites. The potential surface water will flow or drain post rainfall into Lower Shannon SAC through the existing drainage systems as described in in Section 2.1.4 above.

The surrounding surface water hydrology along with the water quality status with respect to the proposed site is shown in Figure 3.3

**FIGURE 3-2 LOCAL SURFACE WATER QUALITY SURROUNDING THE PROPOSED SITE**



No potential for a wastewater pathway will arise during the construction phase given that all wastewater generated during the construction phase by site operatives will be directed to the existing foul sewers. The project will not result in the generation of wastewater during the operation phase.

No other pathways such as air, noise or visual disturbance pathways are considered relevant due to the distance of over 0.31 km separating the project site from the nearest European Site. The potential for a mobile species pathway (i.e., where mobile species could be supported by the project site) is also not considered to represent a relevant pathway due to the absence of any suitable habitat for these species occurring at the project site (urban environment and small areas of amenity grassland).

TABLE 3.1: IDENTIFICATION OF EUROPEAN SITES OCCURRING WITHIN THE ZONE OF INFLUENCE OF THE PROJECT

European Sites	Distance from Project Site (km)	Is there a Hydrological/Emission Pathway between the Project Site and European Sites?	Risks to Qualifying Habitats	Do European Sites occur within the Projects Zone of Influence?
Lower River Shannon SAC	0.31	Given that the project site is located within the Shannon catchment further examination of the potential for a hydrological pathway to connect the project site to this SAC is provided in Section 6 below.	No	Yes. The project site is located within the Shannon Estuary North Catchment and the Fergus sub-catchment.
River Shannon and River Fergus Estuaries SPA	2.04	Given that the project site is located within the Shannon catchment further examination of the potential for a hydrological pathway to connect the project site to this SAC is provided in Section 6 below.	No	Yes. The project site is located within the Shannon Estuary North Catchment and the Fergus sub-catchment.
Glennomra Wood	8.89	Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]	No.	No. There is no hydrological pathway connecting the project site to this SAC and this SAC does not occur within the project's zone of influence.
Ratty River Cave SAC	12.04	Caves not open to the public [8310] Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303]	No	No. There is no hydrological pathway connecting the project site to this SAC and this SAC does not occur within the project's zone of

				influence.
	12.37	Caves not open to the public [8310] Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303]	No, this SAC is in a different catchment to the project site.	No. There is no hydrological pathway connecting the project site to this SAC and this SAC does not occur within the project's zone of influence.
Askeaton Fen	14.26	Calcareous fens with Cladium mariscus and species of the Caricion davallianae [7210] Alkaline fens [7230]	No. this SAC is in a different catchment to the project site.	No. There is no hydrological pathway connecting the project site to this SAC and this SAC does not occur within the project's zone of influence.

Table 3.1 above examines the relationship between the project site and the European Sites occurring within the wider surrounding area. Aside from the Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA all other European Sites are confirmed not to be located within the zone of influence of the project. The remainder of this Screening focuses on examining the potential for the project to result in likely significant effects to the Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA.



## 4 OVERVIEW OF EUROPEAN SITES

### 4.1 LOWER RIVER SHANNON SAC

The Lower River Shannon SAC is located approximately 0.59km to the north of the project site.

Lower River Shannon SAC is designated as a SAC for its role in supporting a range of qualifying habitats and species. This SAC is a very large site that stretches along the Shannon valley from Killaloe in Co. Clare to Loop Head/ Kerry Head, a distance of some 120 km. The site thus encompasses the Shannon, Feale, Mulkear and Fergus estuaries, the freshwater lower reaches of the River Shannon (between Killaloe and Limerick), the freshwater stretches of much of the Feale and Mulkear catchments and the marine area between Loop Head and Kerry Head. Rivers within the sub-catchment of the Feale include the Galey, Smearlagh, Oolagh, Allaughaun, Owveg, Clydagh, Caher, Breanagh and Glenacarne. Rivers within the sub-catchment of the Mulkear include the Killeenagarrieff, Annagh, Newport, the Dead River, the Bilboa, Glashacloonaraveela, Gortnageragh and Cahernahallia.

The site is a Special Area of Conservation (SAC) selected for the following habitats and/or species listed on Annex I / II of the E.U. Habitats Directive (\* = priority; numbers in brackets are Natura 2000 codes):

- [1110] Sandbanks
- [1130] Estuaries
- [1140] Tidal Mudflats and Sandflats
- [1150] Coastal Lagoons\*
- [1160] Large Shallow Inlets and Bays
- [1170] Reefs
- [1220] Perennial Vegetation of Stony Banks
- [1230] Vegetated Sea Cliffs
- [1310] *Salicornia* Mud
- [1330] Atlantic Salt Meadows
- [1410] Mediterranean Salt Meadows
- [3260] Vegetation of flowing waters
- [6410] *Molinia* Meadows
- [91E0] Alluvial Forests\*
- [1029] Freshwater Pearl Mussel (*Margaritifera margaritifera*)
  
- [1095] Sea Lamprey (*Petromyzon marinus*)
- [1096] Brook Lamprey (*Lampetra planeri*)
- [1099] River Lamprey (*Lampetra fluviatilis*)
- [1106] Atlantic Salmon (*Salmo salar*)
- [1349] Bottle-nosed Dolphin (*Tursiops truncatus*)
- [1355] Otter (*Lutra lutra*)

As noted in Table 3.1 above all qualifying habitats, of this SAC with the exception of vegetation of flow waters are located at a remote distance from the project site and are not connected to the project via any impact pathways. In light of this, the remainder of this screening will focus on examining the potential for the project to result in likely significant effects on the status of this habitat.

In addition, the only qualifying species identified as occurring within the zone of influence of the project are those that are supported by freshwater lotic habitat and that is hydrologically connected to the project. These species are lamprey species, Atlantic salmon and otter.

## 4.2 RIVER SHANNON AND RIVER FERGUS ESTUARIES SPA

The estuaries of the River Shannon and River Fergus form the largest estuarine complex in Ireland. The site has vast expanses of intertidal flats supporting invertebrate and vegetation communities that provide ideal foraging habitat for a range of wetland bird species. It is the most important coastal wetland site in the country and regularly supports in excess of 50,000 wintering waterfowl. The site has been selected as a SPA for its role in supporting populations of the following species:

- Cormorant (*Phalacrocorax carbo*) [A017]
- Whooper Swan (*Cygnus cygnus*) [A038]
- Light-bellied Brent Goose (*Branta bernicla hrota*) [A046]
- Shelduck (*Tadorna tadorna*) [A048]
- Wigeon (*Anas penelope*) [A050]
- Teal (*Anas crecca*) [A052]
- Pintail (*Anas acuta*) [A054]
- Shoveler (*Anas clypeata*) [A056]
- Scaup (*Aythya marila*) [A062]
- Ringed Plover (*Charadrius hiaticula*) [A137]
- Golden Plover (*Pluvialis apricaria*) [A140]
- Grey Plover (*Pluvialis squatarola*) [A141]
- Lapwing (*Vanellus vanellus*) [A142]
- Knot (*Calidris canutus*) [A143]
- Dunlin (*Calidris alpina*) [A149]
- Black-tailed Godwit (*Limosa limosa*) [A156]
- Bar-tailed Godwit (*Limosa lapponica*) [A157]
- Curlew (*Numenius arquata*) [A160]
- Redshank (*Tringa totanus*) [A162]
- Greenshank (*Tringa nebularia*) [A164]
- Black-headed Gull (*Chroicocephalus ridibundus*) [A179]

## 4.3 DOCUMENTED THREATS & PRESSURES TO LOWER RIVER SHANNON SAC& THE RIVER SHANNON AND RIVER FERGUS ESTUARIES SPA

The threats and pressures to this SAC and SPA have been documented in the Standard Natura 2000 Data Form for the site (NPWS, 2012a & b). The documented threats and pressures to these sites are as follows:

- Fertilisation: The source of pollution is assumed to be linked to the agricultural improvement referred to in the SAC Site Synopsis.
- Urbanisation, human habitation: this threat relates to existing and proposed urbanized areas located within or immediately adjacent to the SAC/SPA.
- Air pollution: Associated with existing and proposed human activities in the vicinity of the SAC/SPA.
- Discharges: Associated with existing and proposed discharges from both point and diffuse sources to watercourses draining to the SAC/SPA.
- Eutrophication: Associated with existing and proposed point and diffuse sources discharging to the River Shannon.
- Polderisation; and

- Reclamation of land from sea, estuary and marsh.

Of the above threats and pressures, the only one considered to be of relevance to the project is “discharges”. This is due to the location of the project within the Shannon Lower Catchment.

#### 4.4 CONSERVATION OBJECTIVES

The overall conservation objectives for the Lower River Shannon and the River Shannon and River Fergus Estuaries SPA aim to maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species/special conservation interest bird species for which the SAC/SPA has been selected.

Favourable conservation status of habitat is achieved when:

- its natural range, and area it covers within that range, are stable or increasing, and
- the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and
- the conservation status of its typical species is favourable.

The favourable conservation status of a species is achieved when:

- population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats,
- the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and
- there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

Site-specific conservation objectives have been published for both the Lower River Shannon and the River Shannon and River Fergus Estuaries SPA and are available at:

[https://www.npws.ie/sites/default/files/protected-sites/conservation\\_objectives/CO002165.pdf](https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002165.pdf)

[https://www.npws.ie/sites/default/files/protected-sites/conservation\\_objectives/CO004077.pdf](https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004077.pdf)

The key attributes for the conservation of the Annex 1 habitat vegetation of flowing waters are to maintain the extent of habitat area and distribution and the hydrological regime of watercourses supporting this habitat.

The key attributes for the conservation of otters are to maintain the extent of otter habitat and the distribution of otters within the SAC while also maintaining prey resources.

The key attributes for the conservation of Atlantic salmon and lamprey species within the SAC are to maintain the extent of suitable habitat for the various life stages of these species, avoid fragmentation of habitats and maintain water quality within the watercourses protected by the SAC.

The key attributes for the conservation of wetland bird species of the River Shannon and River Fergus Estuaries SPA are to maintain the population and distribution of these species within the SPA.

## 5 EXAMINATION OF EFFECTS

### 5.1 EXAMINATION OF POTENTIAL CONSTRUCTION & OPERATION PHASE EFFECTS

The consideration of how the project could result in likely significant effects to the Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA relates to an examination of the project's potential to result in contamination to receiving surface waters or groundwaters with consequent negative effects in the River Shannon upstream.

Activities associated with the project are not predicted to have the potential to result in adverse negative effects to the water quality of the River Shannon occurring to the east of the project site. The works will be located in a small area of c 700m, with a total red line boundary of 2.1 ha, and low volumes of surface water runoff will be generated at the project site during both the construction and operation phases. Given the small scale of the site and its location on level ground, the surface water run-off volume that will be generated will be minuscule in the context of the overall runoff rates from the wider surrounding area into Lower Shannon catchment. Sudds measures are proposed as part of the project within the church, as described in Section 2.1.4. Therefore, it will not have a perceptible impact on the water quality of the Lower Shannon.

Furthermore, it is noted that all surface water generated during the project will drain to existing surface water sewers. This combined with the above will ensure that the project will not have the potential to result in negative impacts to the water quality of the Lower Shannon and will not have the potential to negatively affect the status and conservation objectives of European Sites- Lower River Shannon SAC and River Shannon and River Fergus Estuaries SPA.

### 5.2 EXAMINATION OF CUMULATIVE EFFECTS

A search of National Planning Viewer, the online planning applications website, was completed to identify any other projects in the vicinity of the proposed project, with which this project could combine to result in cumulative negative impacts to the Limerick Dock and the close SAC and SPA upstream.

The following recent planning applications have been identified in the surrounding area:

The Limerick City and County Council on line planning system was consulted on 18<sup>th</sup> February 2024 for the subject lands and immediate surrounds in particular development applications adjacent to the site. Table 5.1 lists the projects that have been identified during this search and provides an assessment of the potential for the proposed project to combine with these other projects to result in cumulative significant effects to the environment. The assessment outlined in Table 5.1 has found that the proposed residential project will not have the potential to combine with any other existing and/or approved projects to result in likely significant impacts on the environment. Within the past three years there has been a total of *four planning applications* to Limerick City and County Council and comprised the following as listed in Table 5.1 below. Please see the end of the table for a commentary on cumulative and in-combination effects.

**TABLE 5-1 PLANNING APPLICATIONS WITHIN THE SITE WITHIN THE PAST 3 YEARS (2019-2023)**

Planning Ref	Description	Decision
22567	The construction of 6 no. commercial enterprise units, access road, car parking, signage and all associated infrastructure and site development works. A Natura Impact Statement will be submitted to the planning authority with the application	Permission
221171	a new Special Education Needs base extension with 2 No. classrooms, central activity space, main entrance and lobby, administration offices, storerooms, toilets and ancillary spaces, and within the existing school, an extension comprising	Permission

	construction of a multi sensory room and 4 No. Special Education Teachers offices with a revised front elevation. Site works include new and revised ball courts, play areas, new surface parking for 23 No. cars with existing entrance off Moyross Avenue, including an EV charging point, upgrades to existing parking, boundary treatment, hard and soft landscaping and all associated site works	
211658	a development which will consist of (A) Construction of a single storey discount foodstore (to include off-licence use) with a gross floor area of c. 1,820 sqm (net retail area 1,315 sq.m.); B) New vehicular/pedestrian access from Knockalisheen Road (including connection for proposed future access to adjoining lands); C) 98 no. car parking spaces and 10 no. bicycle spaces; D) Erection of 2 no. internally illuminated, double sided, free standing, identification signs located adjacent to the proposed vehicular/pedestrian access to the site and at the entrance to the carpark; 2 no. single sided internally illuminated gable signs, 1 no. single-sided window sign at entrance door; E) 88sqm of solar panels provided at roof level; F) All Landscaping/lighting, boundary treatment, engineering and site development works (including a single storey ESB substation and switch room c. 35sqm and a deposit return scheme unit c. 62sqm). A Natura Impact Statement will be submitted to the planning authority with the application	Permission
201026 Hartigan Villas	The construction of an extension to existing dwelling house including all ancillary site works	Extension of duration
<p>A comprehensive review of the Limerick City and County Council planning register documented relevant general development planning applications within the past 3 years within the vicinity of the proposed development. The closest application relates to permission relating to extension of Corpus Christi National school and to the north construction of retail and other units on existing built land and artificial surfaces. The two larger grants of permission were subject to Stage 2 AA, and found that ensuring the avoidance and mitigation measures are implemented as proposed, the developments will not have significant adverse impacts on the Lower River Shannon SAC</p> <p>It is noted that given this project as proposed relates to works to upgrade an existing road and footpath along 700m, the scale and nature of this project does not give rise to in combination effects with the above two larger projects.</p> <p><i>Given the nature of the developments, the potential for ongoing environmental effects and associated potential cumulative effects with the currently proposed development are low.</i></p>		

None of the planning applications listed here is significant in their scale and is not expected to give rise to any impacts on environmental resources. There and there will be, similarly, no predicted cumulative impacts in relation to environmental resources, for example in terms of habitat loss or disturbance to, protected species as a result of the proposed development or emissions to water or air arising from same.

Based on the above, and the given the examination of (in Section 5.1 above) of the project's potential to combine with other discharges to result in negative impacts to the water quality of the Lower Shannon there will be no potential for the project to combine with other discharges to result in negative impacts to the water quality downstream within the Lower Shannon.

## 6 SCREENING CONCLUSION

The proposed development is not likely to have any impact on Natura 2000 sites. As such it is concluded that there will be no potential for significant effects on European Sites and the requirement to undertake a Stage 2 Appropriate Assessment of the project can be screened out.

During the preparation of this Screening Report for Appropriate Assessment of the proposed development works to the existing road at Moyross Avenue, it was found that two European Sites occurring in the wider area surrounding the project site required examination to establish whether or not they were at risk of experiencing likely significant effects as a result of the project. These two European Sites are the Lower River Shannon SAC and River Shannon and River Fergus Estuaries SPA. No other European Sites are connected to the project site via potential impact pathways and were therefore screened out at an early stage of the screening exercise.

The two European Sites were identified as requiring further examination by virtue of their location in the wider surrounding of the project site and the location of the project site within the Shannon Lower catchment, which is the same catchment as these two European Sites.

The potential for the Lower Shannon to function as a hydrological impact pathway, linking the project to these European Sites was examined as part of this screening exercise. This examination was completed by considering all aspects of the proposed project that could result in the emission of potentially polluting material to the receiving waters lands close to the project.

This assessment found that the two European Sites occurring downstream of the project site are not deemed to be at risk of likely significant effects from the project due to:

The low volumes of water runoff discharging to the receiving waters from the project site will facilitate dilution of any potentially polluting surface water runoff locally within the river, as well as the maintenance of existing surface water and drainage systems.

The absence of a functional surface water hydrological impact pathway between the project site and the two European Sites will ensure that the project will not have the potential to result in likely significant effects to the future conservation status of qualifying features of interest and special conservation interests for which these European Sites are designated and will not undermine the achievement of their site-specific conservation objectives.

In light of the findings of this report, it is the considered view of the authors of this Screening Report for Appropriate Assessment that it can be concluded by Limerick City and County Council that the project is not likely, alone or in combination with other plans or projects, to have a significant effect on any European Sites in view of their Conservation Objectives and on the basis of best scientific evidence and there is no reasonable scientific doubt as to that conclusion.

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## APPENDIX 1: QUALIFYING FEATURES OF INTEREST OF EUROPEAN SITES OCCURRING WITHIN THE WIDER SURROUNDING AREA

A total of 16 European Sites were identified as occurring within a 15km radius of the project site. Table A1.1 below lists the qualifying features of interest of each of these European Sites.

**TABLE A1.1: QUALIFYING FEATURES OF INTEREST EUROPEAN SITES OCCURRING WITHIN A 15KM RADIUS AND UPSTREAM OF THE PROJECT**

European Sites	Qualifying Features Of Interest
Lower River Shannon SAC	Sandbanks which are slightly covered by sea water all the time [1110]
	Estuaries [1130]
	Mudflats and sandflats not covered by seawater at low tide [1140]
	Coastal lagoons [1150]
	Large shallow inlets and bays [1160]
	Reefs [1170]
	Perennial vegetation of stony banks [1220]
	Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]
	Salicornia and other annuals colonising mud and sand [1310]
	Atlantic salt meadows ( <i>Glauco-Puccinellietalia maritima</i> ) [1330]
	Mediterranean salt meadows ( <i>Juncetalia maritimi</i> ) [1410]
	Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation [3260]
	<i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils ( <i>Molinion caeruleae</i> ) [6410]
	Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> ( <i>Alno-Padion</i> , <i>Alnion incanae</i> , <i>Salicion albae</i> ) [91E0]
	<i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel) [1029]
	<i>Petromyzon marinus</i> (Sea Lamprey) [1095]
	<i>Lampetra planeri</i> (Brook Lamprey) [1096]
	<i>Lampetra fluviatilis</i> (River Lamprey) [1099]
	<i>Salmo salar</i> (Salmon) [1106]
	<i>Tursiops truncatus</i> (Common Bottlenose Dolphin) [1349]
<i>Lutra lutra</i> (Otter) [1355]	
River Shannon and River Fergus Estuaries SPA	Cormorant ( <i>Phalacrocorax carbo</i> ) [A017]
	Whooper Swan ( <i>Cygnus cygnus</i> ) [A038]
	Light-bellied Brent Goose ( <i>Branta bernicla hrota</i> ) [A046]
	Shelduck ( <i>Tadorna tadorna</i> ) [A048]
	Wigeon ( <i>Anas penelope</i> ) [A050]

	Teal ( <i>Anas crecca</i> ) [A052]
	Pintail ( <i>Anas acuta</i> ) [A054]
	Shoveler ( <i>Anas clypeata</i> ) [A056]
	Scaup ( <i>Aythya marila</i> ) [A062]
	Ringed Plover ( <i>Charadrius hiaticula</i> ) [A137]
	Golden Plover ( <i>Pluvialis apricaria</i> ) [A140]
	Grey Plover ( <i>Pluvialis squatarola</i> ) [A141]
	Lapwing ( <i>Vanellus vanellus</i> ) [A142]
	Knot ( <i>Calidris canutus</i> ) [A143]
	Dunlin ( <i>Calidris alpina</i> ) [A149]
	Black-tailed Godwit ( <i>Limosa limosa</i> ) [A156]
	Bar-tailed Godwit ( <i>Limosa lapponica</i> ) [A157]
	Curlew ( <i>Numenius arquata</i> ) [A160]
	Redshank ( <i>Tringa totanus</i> ) [A162]
	Greenshank ( <i>Tringa nebularia</i> ) [A164]
	Black-headed Gull ( <i>Chroicocephalus ridibundus</i> ) [A179]
	Wetland and Waterbirds [A999]
Glenomra Wood SAC	Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0]
Ratty River Cave SAC	Caves not open to the public [8310]
	<i>Rhinolophus hipposideros</i> (Lesser Horseshoe Bat) [1303]
Danes Hole, Poulnalecka SAC	Caves not open to the public [8310]
	Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0]
	<i>Rhinolophus hipposideros</i> (Lesser Horseshoe Bat) [1303]
Askeaton Fen Complex SAC	Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davallianae</i> [7210]
	Alkaline fens [7230]
Kilkishen House SAC	<i>Rhinolophus hipposideros</i> (Lesser Horseshoe Bat) [1303]