



Comhairle Cathrach
& Contae **Luimnigh**

Limerick City
& County Council

CORBALLY ACTIVE TRAVEL SCHEME, LIMERICK CITY, CO. LIMERICK

PROJECT ID – 2577

APPROPRIATE ASSESSMENT SCREENING REPORT PRELIMINARY DESIGN STAGE

MARCH 2023



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1. INTRODUCTION & BACKGROUND TO PROJECT

1.1 BACKGROUND

Ryan Hanley was commissioned by Shareridge Ltd. on behalf of Irish Water to prepare a Stage 1 Appropriate Assessment (AA) Screening Preliminary Design Stage Report for the proposed works at Corbally Road, Limerick City, Co. Limerick.

The project includes works along Corbally Road (R463), which are approximately 385m from connection to Mill Road to Munchins (from the junction with Mill Road to the entrance of Saint Munchin's College). There is also an isolated raised pedestrian crossing on Corbally Road between Shannon Drive and the Athlunkard Bridge.

The purpose of the AA screening is to determine the potential adverse effects, if any, that the proposed project may have, alone or in combination with other plans or projects, on European sites, namely Special Areas of Conservation and Special Protection Areas in view of their conservation objectives, within the potential Zone of Influence of the works.

This report constitutes Appropriate Assessment Screening for proposed works in Corbally Road, Limerick City, Co. Limerick in accordance with Article 6.3 of the EU Habitats Directive (92/43/EEC).

As this is a Preliminary Design Stage AA Screening, this report will be revised at Detailed Design Stage where all potential impacts to Natura 2000 sites can be screened in full.

1.2 THE REQUIREMENT FOR APPROPRIATE ASSESSMENT

The requirement for Appropriate Assessment is set out in the EU Habitats Directive (92/43/EEC) in Article 6 (3) which states:

“Any plan or project not directly connected with or necessary to the management of the [Natura 2000] site but likely to have a significant effect thereon, either individually or in combination with other plans and projects, shall be subjected to appropriate assessment of its implications for the site in view of the site’s conservation objectives.”

The Habitats Directive is transposed in Ireland by the European Communities (Birds and Natural Habitats) Regulations, 2011 (consolidating the European Communities (Natural Habitats) Regulations 1997 to 2005 and the European Communities Birds and Natural Habitats and Control of Recreational Activities Regulations 2010, as well as addressing transposition failures identified in recent Court of Justice of the European Union Judgements (hereafter referred to as the Habitats Regulations) and the Planning and Development (Amendment) Act, 2010.

1.3 EUROPEAN SITES

There are two types of EU site designation, a Special Area of Conservation (SAC) and a Special Protection Area (SPA). SACs are designated for the conservation of flora, fauna and habitats of European importance and SPAs for the conservation of bird species and wetland habitats of European importance. These sites form part of “Natura 2000” a network of protected areas throughout the European Union.

Annex I of the Habitats Directive lists certain habitats that must be given protection. Certain habitats are deemed ‘priority’ and have greater protection. Irish habitats include raised bogs, active blanket bogs, turloughs, heaths, lakes and rivers. Annex II of the Directive lists species whose habitats must be protected

and includes Lesser Horseshoe Bat (*Rhinolophus hipposideros*), Otter (*Lutra lutra*), Salmon (*Salmo salar*) and White-clawed Crayfish (*Austropotamobius pallipes*).

The Birds Directive aims to protect all wild bird species naturally occurring within the European Union. Emphasis is placed on the protection of habitats for migratory and endangered species. Endangered species within the European Union are listed under Annex I of the Birds Directive. Member states must designate SPA's for the survival of Annex I species and for all migratory birds.

1.4 THE AIM OF THIS REPORT

This Screening for Appropriate Assessment (Stage 1) has been prepared in accordance with latest OPR guidance (2021) and provides the information required in order to establish whether or not the proposed development is likely to have significant adverse effects on the European sites in the context of their conservation objectives and specifically on the habitats and species for which the Sites have been designated.

By undertaking the Screening for AA in a step-by-step manner in relation to the habitats and species of the European sites, this report seeks to inform the Stage 1 Screening for AA process pursuant to Article 6.3 of the EU Habitats Directive.

2. THE APPROPRIATE ASSESSMENT PROCESS

2.1 GUIDANCE

Article 6(3) of the EU Habitats Directive (92/43/EEC) defines the requirement for Appropriate Assessment of certain plans and projects. In order to inform the requirements of this Screening Report the following guidance documents have been referred to:

- DoEHLG Circular NPWS 1/10 & PSSP 2/10 Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities;
- DoEHLG (2010) Appropriate Assessment of Plans and Projects in Ireland. Guidance for Planning Authorities. Department of the Environmental Heritage and Local Government;
- European Commission (2018) Managing Natura 2000 sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC;
- European Commission (2000) Communication from the Commission on the Precautionary Principle. Office for Official Publications of the European Communities, Luxembourg. European Commission;
- European Commission (2001) Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Articles 6(3) and (4) of the Habitats Directive 92/43/EEC;
- European Commission (2007) Guidance document on Article 6(4) of the 'Habitats Directive' 92/49/EEC; clarification of the concepts of: Alternative solutions, Imperative reasons of overriding public interest, Compensatory Measures, Overall Coherence, Opinion of the Commission;
- European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. No.477 of 2011); and
- Office of the Planning Regulator (2021) Appropriate Assessment Screening for Development Management. OPR Practice Note PN01. March 2021.

2.2 STAGES OF ARTICLE 6 ASSESSMENT

The European Commission's guidance promotes a staged process, as set out below, the need for each being dependent upon the outcomes of the preceding stage.

- (1) Screening;
- (2) Appropriate Assessment;
- (3) Assessment of Alternative Solutions; and
- (4) Assessment where no alternative solutions remain and where adverse impacts remain.

The final stage 4 is the Imperative Reasons of Over-riding Public Interest (IROPI test) and requirement for compensatory measures. See **Figure 2.2**.

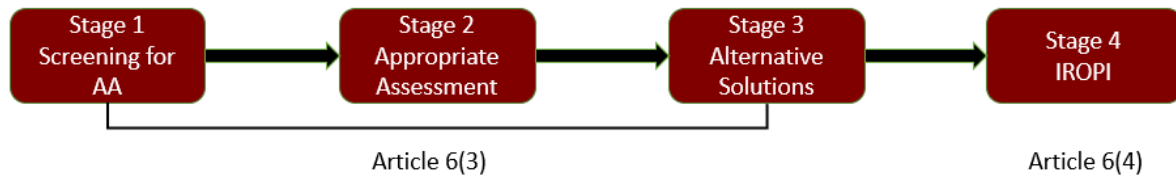


Figure 2.2: Stages of Appropriate Assessment

Within this staged process a hierarchy of avoidance, mitigation, and compensatory measures is promoted by the Habitats Directive.

Stage 1 of the process is intended to identify whether the project is 'likely to have a significant effect' upon a European site, referred to as 'Screening for Appropriate Assessment'.

If the screening process identifies effects to be significant, potentially significant or uncertain, or if the screening process becomes overly complicated, then the process must proceed to Stage 2 (AA). Screening is undertaken without the inclusion of mitigation, unless potential impacts clearly can be avoided through the modification or redesign of the plan or project, in which case the screening process is repeated on the altered plan or project.

Section 177U of the Planning and Development Act 2010 states that; "the competent authority shall determine that an appropriate assessment of the proposed development is not required if it can be excluded, on the basis of objective information, that the proposed development, individually or in combination with other plans or projects, will not have a significant effect on a European site."

Stage 2 of the process considers any potential impacts in greater detail including whether further mitigation measures are required. If an adverse impact upon the site's integrity cannot be ruled out then Stage 3 will need to be undertaken to assess whether alternative solutions exist. If no alternatives exist that have a lesser effect upon the European Site/s in question, the project can only be implemented if there are 'imperative reasons of overriding public interest', as detailed in Article 6(4). In essence, the work at Stage 1 will determine whether further stages of the process are required.

This report includes the testing required under Stage 1: Screening for Appropriate Assessment.

2.3 REPORT FORMAT

In complying with the obligations under Article 6(3) and to be consistent with the Guidance for Planning Authorities, this report has been structured as follows:

- Description of the Plan/Project;
- Identification of European Sites, and the associated Conservation Objectives, which may be potentially affected;
- Identification and description of individual and cumulative impacts likely to result from the Plan/Project;
- Assessment of the significance of the impacts identified above; and
- Exclusion of site where it can be objectively concluded that there will be no significant effects.

2.4 STATEMENT OF AUTHORITY

This report has been completed by Ryan Hanley Graduate Ecologist, Breda Quinn B.Sc. and reviewed by Trevor Stafford, a Senior Ecologist at Ryan Hanley. Trevor holds a B.Sc. in Environmental Management and has over 15 years of ecological reporting experience. Breda has three years' field experience and is also adequately experienced in Screening for AA, having reported on a wide range of development projects.

3. DESCRIPTION OF THE PROJECT

3.1 DESCRIPTION OF THE RECEIVING ENVIRONMENT

The proposed works are located in an urban environment along the Corbally Road (R463 regional road) in the city of Limerick, Co. Limerick (**Figure 3.1**). Fossitt habitat codes are used to classify the habitats in the receiving environment, this information has been taken from the “*A Guide to Habitats in Ireland*” (Fossitt, 2000). The habitat surrounding the proposed rehabilitation works consists predominantly of residential buildings, including amenity buildings such as Tiny Tots Creche, Scoil Íde, Abbey Sarsfield GAA, Saint Munchin's College and Saint Munchin's College Chapel, and other artificial surfaces (BL3), stone walls and other stonework (BL1), amenity grassland (improved) (GA2), flower beds and borders (BC4), scattered trees and parkland (WD5), treelines (WL2), hedgerows (WI1), depositing/lowland river (FW2) and tidal river (CW2).

There is a single watercourse which is located c. 53m Northeast of the proposed works. On the EPA mapping tool, the waterbody is considered transitional and named Limerick Dock downstream of Athlunkard Bridge. Upstream of Athlunkard bridge is freshwater and named River Shannon (**Figure 3.2**).

The works traverse one 1km grid square of the National Biodiversity Data Centre (NBDC) database: R5858. There were no records for bird species listed on Annex I of the Birds Directive. Similarly, there were no records for any species listed on Annex II of the Habitats Directive in any of the 1km grid squares reviewed. The Invasive Japanese Knotweed (*Fallopia japonica*) has been recorded within the 1km grid square R5858.



Figure 3.1: Map of receiving environment (ITM 558498 658757).



Figure 3.2: Watercourses in the surrounding environment.

3.2 PROPOSED DESIGN

Limerick City is Ireland's first Smarter Travel Demonstration City, leading the planning, design and delivery of Active Travel paths across Ireland. The proposed active travel path along Corbally Road will provide a prioritised, safe and segregated cycle and walking route for vulnerable road users along the busy regional road.

The proposed design will upgrade the existing footpaths by providing a dedicated 3.5m wide walking and cycling path on the Scoil Íde side of Corbally Road, and a 3.0m wide shared path on the opposite side. The shared path on the school side of the road will connect from Mill Road through the grounds of Scoil Ide and continue eastwards along the edge of Corbally Road where it will connect into the existing cycle track at the entrance to Munchin's College. The shared path will facilitate safe access to Scoil Íde National School for vulnerable road users. Segregation between the shared path and Corbally Road will be provided by varying finished surface levels and the introduction of soft landscaping features, including but not limited to planter boxes, low level planting and a rain garden. Junction tightening at Roseville Gardens, Lanahrone Avenue and St Munchin's College will reduce vehicle speeds.

The new shared surface will encourage more cycling and walking along Corbally Road and reduce reliance on cars. The new path will give priority to pedestrians and cyclists, encouraging active forms of travel, reducing traffic congestion at peak times and providing a positive addition to the community. There will be raised tables on Corbally Road to provide prioritised crossing locations, and to discourage speeding.

The proposed design will include:

- A new off-road shared pedestrian/cycle path with an average width of 3.5m connecting Mill Road to Corbally Road between Scoil Ide and Sunnyside Montessori;
- A redeveloped pedestrian/cycle path with an average width of 3.5m along the northern side of Corbally Road from Scoil Ide to the primary road entrance to St Munchin's College;
- Resurfacing of existing footpath along southern side of Corbally Road;
- A new bus set-down area in front of Scoil Ide, integrating with the proposed shared surface to facilitate safe transfers on and off buses for school children;
- 3 new no. raised pedestrian crossings along Corbally Road;
- New Junction tightening measures at Roseville Gardens junction, Lanahrone Avenue junction and St Munchin's College junction to reduce vehicle speeds and increase safety for vulnerable road users;
- A new 2-3m wide rain garden with sustainable drainage system features along the northern side of Corbally Road in front of Scoil Íde;
- New low level planting, planter boxes, and soft landscaping features along Corbally Road.

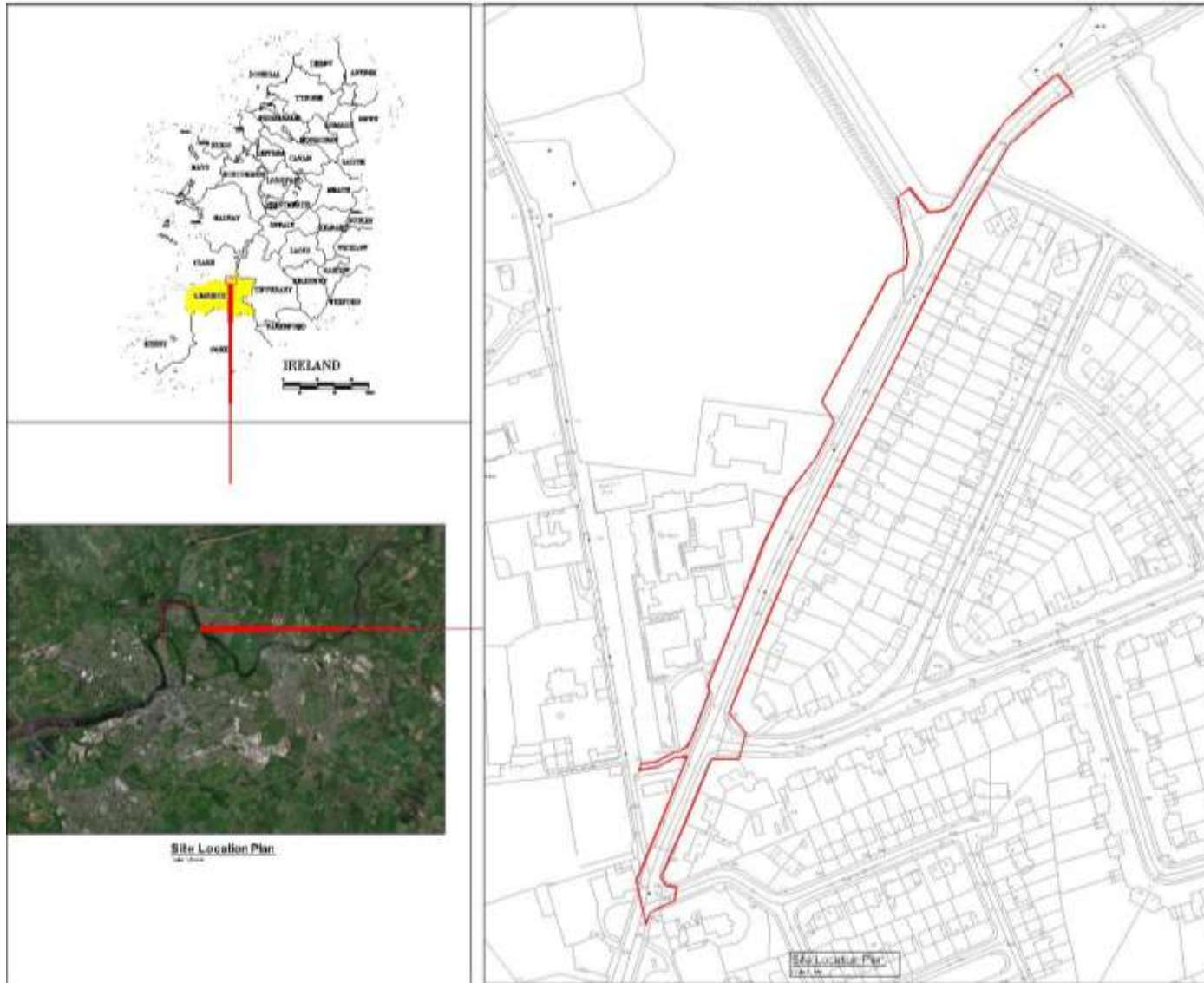


Figure 3.3: Proposed design.

4. EUROPEAN SITES

4.1 DESIGNATED SITES IN THE VICINITY OF THE PROJECT

Section 3.2.3 of the Guidance for Planning Authorities (DoEHLG, 2010) states that the approach to screening can be different for different plans and projects and will depend on the scale and the likely effects of the project. A key variable that will determine whether or not a particular European Site is likely to be negatively affected is its physical distance from the project site and whether there are any pathways for effect linking the project to these sites.

Generally, UK guidance (Scott Wilson et al., 2006) states that a distance of 15 km is currently recommended as the likely Zone of Influence (Zoi) in the case of plans on European Sites and is sufficient to cover the geographic extent over which significant ecological effects are likely to occur. For projects, the guidance recognises that the likely Zoi could be much less than 15 km and, in some cases, less than 100m, but this must be evaluated on a case-by-case basis with reference to the nature, size and location of the project and the sensitivity of the ecological receptors and the potential for in combination effects. **Figure 4.1** displays the European sites within a 15km radius of the proposed works.

Using the Source » Pathway » Receptor approach (OPR, 2021) and having regard for the location and the nature and relatively small size and scale of the proposed works; it is considered for the purpose of this screening exercise that the likely Zoi on designated sites is the zone immediately around the construction site and any sites with a hydrological connection downstream of the works, where distance would be dependent on the qualifying interests of the site. **Error! Reference source not found.** Table 4.1 below details European sites with potential Source » Pathway » Receptor links to the proposed works and whether a potential interaction has been identified.

Table 4.1: European sites within 15km of the proposed development and potential for interaction with the proposed works.

European Site Name	Site Code	Distance from Works	Potential Interaction
Lower River Shannon SAC	002165	c.37.6m ENE	<p>Although the proposed works are c. 40m from the boundary of the SAC, it is unlikely any interaction will occur.</p> <p>The proposed works take place within the existing road structure which has a flat gradient. Water from rain or other sources will remain on this surface instead of draining away and will naturally absorb into the roads underlying materials.</p> <p>Therefore, owing to distance/lack of hydrological or other connectivity interactions are not likely.</p>

European Site Name	Site Code	Distance from Works	Potential Interaction
River Shannon and River Fergus Estuaries SPA	004077	c.2.1 km SSW	No, owing to distance/lack of Source » Pathway » Receptor links interactions are not likely.
Glenomra Wood SAC	001013	c.8.2km NNE	No, owing to distance/lack of Source » Pathway » Receptor links interactions are not likely.
Danes Hole, Poulnalecka SAC	000030	c.13.5km NNW	No, owing to distance/lack of Source » Pathway » Receptor links interactions are not likely.
Slievefelim to Silvermines Mountains SPA	004165	c.14.1 km East	No, owing to distance/lack of Source » Pathway » Receptor links interactions are not likely.
Ratty River Cave SAC	002316	c.14.2km NW	No, owing to distance/lack of Source » Pathway » Receptor links interactions are not likely.
Clare Glen SAC	000930	c.14.3km East	No, owing to distance/lack of Source » Pathway » Receptor links interactions are not likely.
Slieve Bernagh Bog SAC	002312	c.14.6km NNE	No, owing to distance/lack of Source » Pathway » Receptor links interactions are not likely.

As evident in **Table 4.1** there is no potential for interaction to occur between the proposed works and European sites due to the significant distance between the designated sites and where the works are located. No Source » Pathway » Receptor links have been identified. Furthermore, given the nature, small scale and temporary duration of the works there is no potential for impacts or interaction with any European site as a result of the proposed rehabilitation works in Corbally Road, Limerick City, Co. Limerick. For this reason, these European sites are screened out and their Conservations Objectives and Qualifying and/or Special Conservation Interests are not considered further.

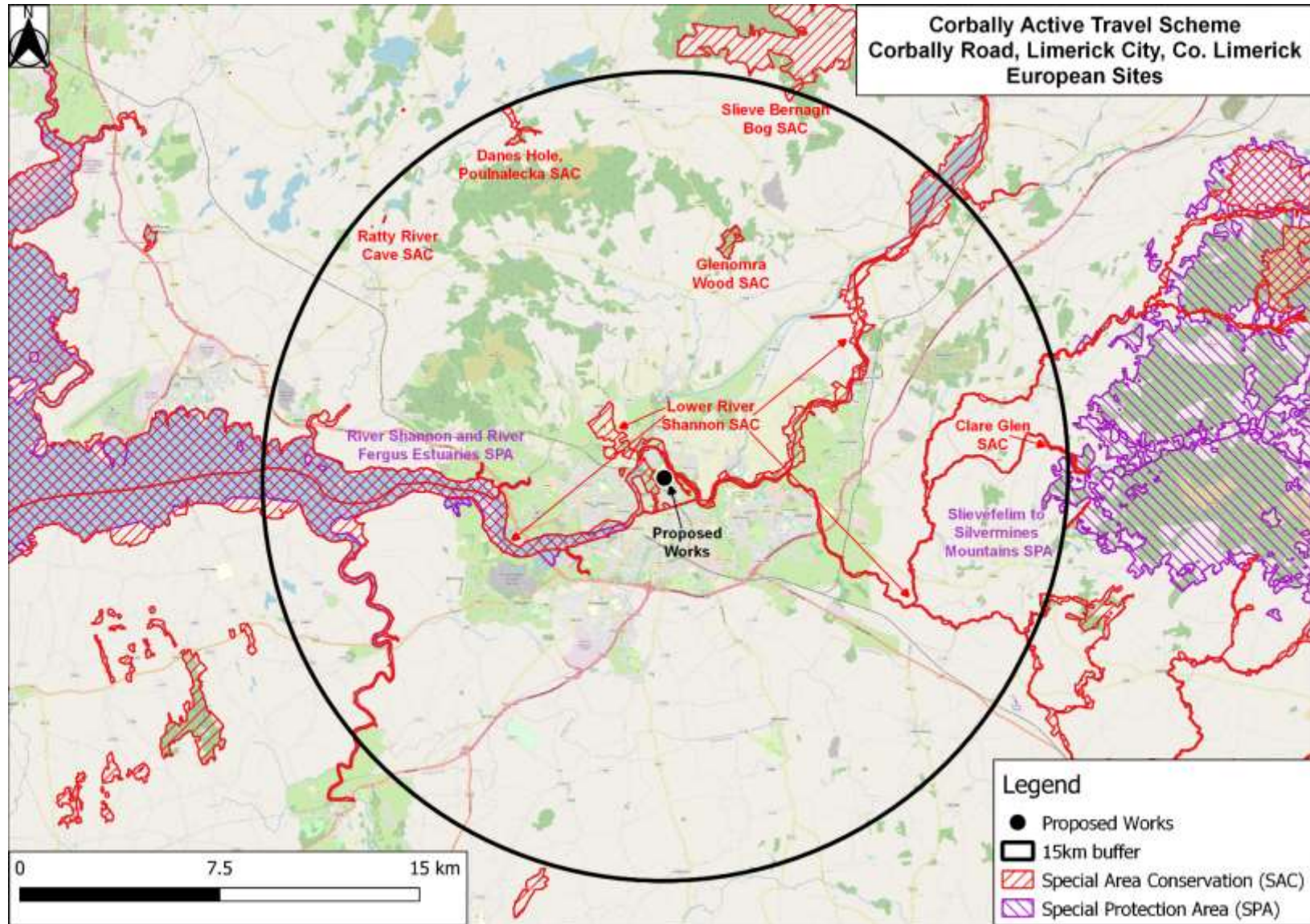


Figure 4.1: Designated European Sites.

5. CUMULATIVE IMPACTS WITH OTHER PLANS/PROJECTS

In order to fully assess the potential impact of the proposed development on European Sites, the project must be assessed alone or in combination with existing activities and proposed plans for the region. Limerick City and County Council Development Plan 2022-2028 and myplan.ie were consulted in order to determine if there were any other plans or projects in the area which could result in cumulative impacts.

Limerick City and County Council Development Plan 2022-2028 sets out the overall strategy for the proper planning and sustainable development of the county. As part of County Development Plan, a Strategic Environmental Assessment (SEA) was conducted with the resulting SEA Statement concluding that the implementation of mitigation measures and adherence to policies would ensure that significant adverse impacts on the environment would be avoided. A Natura Impact Report was conducted which concluded that, subject to the implementation of the policies and objectives contained within the Plan itself and the mitigation measures detailed within the NIR, there will be no adverse effects on the integrity of any Natura 2000 sites.

Local planning applications were also reviewed utilising myplan.ie. The review of the Limerick City and County Council planning register documented relevant general development planning applications in the vicinity of the proposed works, most of which relate to the provision and/or alteration of one-off housing (**Figure 5.1**). The first development is located at 6 Rhebogue Ave, Corbally c.121m East of the proposed works which includes the flat roof extension to rear of existing property and all associated site works. The second development is located at 29 Lanahrone Avenue, Irish Estates, Corbally c.191m ESE which includes the addition of a single storey extension to the side and rear of the existing dwelling, modifications to the existing dwelling, conversion of part of the garage for use as home office and all ancillary site works. The Limerick County and County Council has granted these projects in September 2022 and it is due to expire in September 2027. If the proposed works and the planning application in Corbally Road, Limerick City, Co. Limerick were to occur simultaneously there is no potential for cumulative impact to arise.

Overall, it is concluded that other plans and projects in combination with the proposed works in Corbally Road, Limerick City, Co. Limerick will not have any adverse effects on the integrity of the qualifying interests and conservation objectives of the European sites.



Figure 5.1 Projects in close proximity to the proposed works.

6. DISCUSSIONS AND CONCLUSION

Potential impacts during the Preliminary proposed works at Corbally Road, Limerick City, Co. Limerick have been considered in the context of European sites within a 15km radius and any potential Source » Pathway » Receptor links. A further assessment of the Natura 2000 sites will be undertaken at the Detailed Design Stage to ensure that no changes to the Detailed Design could potentially impact on Natura 2000 sites.

The Preliminary proposed works will involve the construction of an Active Travel Scheme, taking place within existing roadway within an urban environment. The works do not cross any watercourses and no instream works will be carried out; therefore, no hydrological pathway has been identified. The works do not take place within a European site nor are they located at a distance to cause an interaction or impact.

Owing to distance, lack any potential Source » Pathway » Receptor links and owing to the nature, size and localised scale of the proposed works, it is concluded that no European site will be impacted by the proposed works at Corbally Road, Limerick City, Co. Limerick. Furthermore, no impacts will arise as a result of the operational phase of the project at the Preliminary Design Stage.

This Screening report evaluates the objective information presented in the Project Description, taking consideration of the proposed works elements; however, the evaluation does not presuppose that the construction requirements specified in the design, or to be implemented on site by the Contractor, are integral to avoid or reduce harmful effects on any European site. Therefore, it is considered that in accordance with Article 6(3) of the Habitats Directive, the Preliminary proposed works at Corbally Road, Limerick City, Co. Limerick will have **no significant effects** and Stage 2 of the Appropriate Assessment process (Natura Impact Statement) is not required.

ADDITIONAL REFERENCES

DoEHLG (2010) Appropriate Assessment of Plans and Projects in Ireland. Guidance for Planning Authorities. Department of the Environmental Heritage and Local Government.

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