Proposed Large Scale Residential Development (LRD), Monaleen,Newtown, Co. Limerick



Planning Reference 23/60842 Addendum to Natura Impact Statement for permitted development

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1. INTRODUCTION

The current report has been prepared to support the new revised application for the proposed Large Scale Residential Development (LRD), Monaleen, Newtown, Co. Limerick (Planning Reference 23/60842).

The current planning application is for modifications to this permitted development. The amendment involves increasing the number of residential units from 57 units granted to 64 units proposed, the size of the creche is increasing from a 58 space care facility to 102 spaces and the redline of the site has been extended to include additional lands.

This document details the differences between the permitted and proposed developments and considers whether they would affect the outcome of the Natura Impact Statement prepared for the permitted development by SLR (2023a). A Natura Impact Statement (NIS) is prepared to inform an Appropriate Assessment (AA) under Article 6(3) of the Habitats Directive.

The legal safeguards established under Article 6(3) and (4) of the Habitats Directive are precautionary in nature and apply even where there is only a possibility of a significant effect. This principle has been reinforced in case law, including 2013/802 JR Kelly v An Bord Pleanála, which confirms that "*there is no need to establish such an effect; it is merely necessary to determine that there may be such an effect*" (C-258/11). Accordingly, any project capable of potentially affecting the Qualifying Interests of a Natura 2000 site must undergo an assessment, unless it can be determined with scientific certainty that no such effect will arise.

The purpose of this document is to assess whether the proposed modifications to the permitted development require a new NIS. Preparation of a new NIS would only be necessary if the project changes had the potential to cause additional effects on a Natura 2000 site that were not previously considered - or if new mitigation measures were required to avoid significant effects. Additionally, if the proposed changes were deemed capable of increasing the extent or magnitude of potential impacts already identified in a way that could be considered significant, a new assessment would be necessary. However, where project changes result in effects that are inconsequential compared to those already assessed, and all existing mitigation measures remain effective, a new NIS would not be required.

This is a standard approach in environmental assessment. Most permitted developments proceed to a detailed design stage following planning consent and AA determination. Environmental assessments submitted for planning are often high-level documents that establish the parameters of the likely impacts and the required mitigation. This is why outline method statements are submitted at the planning stage, with more detailed construction-phase documents being developed post-consent. As long as the proposed changes result only in inconsequential effects on the Natura 2000 network, this approach is fully compliant with the requirements of Article 6 of the Habitats Directive. The changes proposed may require a new planning consent, but a new NIS would only be required if the proposed changes were relevant in relation to potential effects on the Natura 2000 network.

2. METHODOLOGY

2.1 Appropriate Assessment

Appropriate Assessment is required under the Habitats Directive (92/43/EEC) in instances where a plan or project may give rise to significant effects upon a Natura 2000 site. Natura 2000 sites are of European Importance and have been designated in accordance with the requirements of the EC Habitats Directive (1992) and EC Birds Directive (2009/147/EC); transposed into Irish legislation as the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. 477 of 2011).

The Habitats Directive, in combination with the Birds Directive (2009), establishes a network of internationally important sites designated for their ecological status; identified as Special Areas of Conservation (SACs) designated under the Habitats Directive for the protection of flora, fauna and habitats and as Special Protection Areas (SPAs) designated under the Birds Directive to protect rare, vulnerable and migratory birds. These sites together form a Europe-wide 'Natura 2000' network of designated sites, referred to in this report as Natura 2000 sites.

This report has been prepared in line with the requirements of the Habitats Directive 92/43/EEC, Article 6(3) and the guidance published by the National Parks and Wildlife Service (DoEHLG, 2010) '*Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities*' and the Office of the Planning Regulator '*Appropriate Assessment Screening for Development Management. OPR Practice Note PN01'* by OPR (2021).

2.2 Desk study

The current report fully considers the impact of the proposed changes from the permitted project at construction and operation stages in relation to direct, indirect and cumulative effects on the Integrity of the affected Natura 2000 sites.

An updated desk study was completed to inform the current report. This included a detailed review of the planning files for the permitted development (23/60842).

A review of the following sources was also undertaken to ascertain if there was any new ecological information relevant to the site. Information sources reviewed include:

- National Parks and Wildlife Service (NPWS) online resources.
- Natura 2000 site Conservation Objectives and Natura 2000 Forms.
- Protected species data on NPWS/National Biodiversity Data Centre (NBDC) online databases.
- Environmental Sensitivity Mapping (ESM) Tool.
- Environmental Protection Agency (EPA) online resources, including HydroTool.
- Online aerial imagery (Bing, Google Satellite).

A full bibliography of information sources reviewed is provided in the reference section.

Updated drawings for the development and shapefiles were used to assess the changes and how they related to the Natura 2000 networks. New maps were compiled, and a comparison was made to the existing permitted development.

2.3 Field Surveys

A new updated ecology walkover survey of the site was completed during July 2025. The purpose of this survey was to assess if any changes to the site had occurred since the baseline ecology surveys for the permitted development were completed in July 2023 by SLR (2023b).

The updated surveys included a detailed consideration of species and habitats associated with the Natura 2000 network. The purpose of the July 2025 surveys was to ensure that there were no changes on the site, and that new ecological issues emerged. This survey is set out in the following report:-

- Ecofact (2025) Proposed Large Scale Residential Development (LRD), Monaleen, Newtown, Co. Limerick. Planning Reference 23/60842. Review of environmental commitments.

2.4 Project personnel

The current report was prepared by Dr. Will O'Connor, with assistance from Alaoisa O'Keefe M.Sc. Dr. Will O'Connor is a senior ecologist with over 30 years of professional experience. He holds an MSc in Applied Hydrobiology from the University of Wales, Cardiff and a PhD in Zoology from the National University of Ireland, Galway. He is a Fellow of the Royal Society of Biology and a full member of the Chartered Institute of Ecology and Environmental Management.



Figure 1 Location of the proposed Large Scale Residential Development (LRD), Monaleen, Newtown, Co. Limerick



Site boundary
Lands within Applicants Landholdings

Drawn by: Alaoisa O'Keeffe
Checked by: William O'Connor

Date: 29/10/2025

Proposed LRD site shown on aerial Photography

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Figure 2 Location of the proposed Large Scale Residential Development (LRD), Monaleen, Newtown, Co. Limerick

3. REVIEW

3.1 Introduction

A Natura Impact Statement (NIS) for the permitted development was prepared by SLR (2023a). This report concluded that the now permitted development is not located within or directly adjacent to any Natura 2000 sites. This NIS ruled out potential impacts on all Natura 2000 sites within 15km due to the absence of any likely pathways for effects, except for the Lower River Shannon Special Area of Conservation (SAC) and the River Shannon and River Fergus Estuaries Special Protection Area (SPA). The SLR (2023a) assessment considered that there is a hydrological connection between the subject development site and these two Natura 2000 sites and that this required assessment on a precautionary basis.

The SLR (2023a&b) reports identified that there is a stream located along the eastern site boundary. However, this stream is not included on the Environmental Protection Agency (EPA) watercourse mapping. It was concluded that this stream may join the Groody River south of the site, resulting in downstream surface water connection between the subject site and the SAC. It was concluded by SLR (2023a) that this results in a potential pathway for likely significant effects on the aquatic habitats and species listed as Qualify Interests (QIs) for the SAC. However, the site is located at least 3.7km upstream from the SAC, so this is a very weak hydrological connection. Also, it was not definitely established by SLR (2023a) that this pathway exists.

The River Shannon and River Fergus Estuaries SPA was estimated to be located at least 11.3km downstream of the site by SLR (2023a), again "*assuming the stream along the eastern Site boundary joins the Groody River*". The SPA was screened in on this basis; however, this is a very precautionary approach.

The current document details the proposed differences in the new application compared to the permitted development and considers whether they would affect the outcome of the Natura Impact Statement or require additional mitigation.

The current document considers whether the proposed changes could have any new or increased effects on water quality or hydrology that were not previously assessed. The potential for indirect effects via watercourses is again reviewed. Any modifications to drainage, site runoff, or construction activities that could theoretically alter sedimentation or pollution risks have been fully considered. This report also considers if there have been any other developments or land use changes in the catchment that could give rise to cumulative impact issues. Also, this review has considered if there has been any new scientific data or conservation objectives for the SAC/SPA since the original planning decision. A new ecological walkover survey of the site was also completed during July 2025 to inform this review.

This report has again considered the other Natura 2000 sites located within 15km of the proposed development to ensure that the conclusions in relation to impacts on these sites reached in the previous NIS remain valid.

The current document details the proposed differences to the permitted development and whether they would affect the outcome of the Natura Impact Statement or require additional mitigation. The development remains significantly within the originally approved planning boundary, and all previously approved environmental mitigation measures will continue to be implemented.

The purpose of this report is to examine whether the proposed amendments will introduce any new or increased environmental effects that would be capable of having significant impacts on the Lower River Shannon SAC and/or the River Shannon and River Fergus Estuaries SPA,

A significant effect is defined as "*any effect that may reasonably be predicted as a consequence of a plan or project that may affect the conservation objectives of the features for which the site was designated but excluding de minimis or inconsequential effects*". The safeguards set out in Article 6(3) and (4) of the Habitats Directive are triggered not by certainty but by the possibility of significant effects. If effects are deemed to be significant, potentially significant, or uncertain, or if the screening process becomes overly complicated, then the process must proceed to Stage 2 (AA).

Mitigation measures cannot be taken into account when undertaking a Screening for Appropriate Assessment, as per case C-323/17 *People Over Wind* and *Peter Sweetman v Coillte*. If mitigation measures are required to reduce or avoid any new potentially significant adverse effects associated with the proposed amendments, then a new Natura Impact Statement (Appropriate Assessment) would be required.

3.2 Site description

The proposed development site is located is located in the townland of Newtown in Co. Limerick. It is situated approximately 4.5 km south-east of Limerick City Centre and on the northern side of the M7 motorway. The site is located within a built-up, residential area

The site consists mainly of an agricultural field which appears to be actively used for livestock grazing. There is also an unoccupied dwellinghouse located to the north-west of the Site with associated amenity grassland. Four agricultural sheds are located to the north of the Site, adjacent to the dwelling. The Site is bounded by a mixture of hedgerow and tree lines containing both native and non-native species, with walls from adjacent housing forming the south-west boundary.

3.3 Proposed Amendments

The current planning application seeks modifications to the permitted development granted under Application Ref. 23/60842 and Appeal Ref. ABP-319009-24. The proposal involves the replacement of 57 residential units with a total of 59 units. The permitted scheme included six four-bedroom semi-detached houses (139.2 sq. m.), fifteen three-bedroom semi-detached houses or townhouses (108 sq. m.), six one- and two-bedroom apartments in Block A (54.1–114.1 sq. m.), fourteen one- and two-bedroom apartments in Block B (54.1–114.1 sq. m.), and sixteen one-, two-, and three-bedroom apartments in Block D (50.2–123.2 sq. m.). These are now proposed to be replaced with four four-bedroom semi-detached houses (134.0 sq. m.), twenty-two three-bedroom semi-detached houses (104.4–108.6 sq. m.), four three-bedroom semi-detached houses (115.8 sq. m.), eight three-bedroom townhouses (109.8 sq. m.), six two-bedroom townhouses (80.2 sq. m.), and fifteen one- and two-bedroom apartments (61.6–71.9 sq. m.).

The application also provides for five additional townhouse units, comprising two three-bedroom and three two-bedroom dwellings. In addition, it seeks the omission of the previously permitted childcare facility, which had capacity for 58 children, and its replacement with a new facility to the west of the site designed to accommodate 102 children.

All ancillary site development works form part of the proposed amendments.

3.4 Mitigation in the NIS for permitted development

3.4.1 Introduction

The Natura Impact Statement for the permitted development prepared by SLR (2023a) set out a comprehensive series of mitigation measures designed to ensure that no adverse effects on the integrity of European sites would arise. These measures span site preparation, construction management, drainage, pollution prevention, invasive species management, and general environmental safeguards and are summarised in the sections below.

3.4.2 Site Preparation Works

Prior to commencement, the development site will be securely fenced and a dedicated construction compound established. Topsoil will be stripped in line with a phasing programme and either stockpiled for reuse in landscaping or removed to a licensed recovery facility. Stripping and clearance will be minimised and will not occur during wet weather when rainfall above 1mm/hr is forecast. Erosion and sediment traps, sized in accordance with the Construction and Environmental Management Plan (CEMP), will be installed to ensure that sediment-laden water cannot escape to surface waters.

All fuels, oils, lubricants and hazardous materials will be stored in bunded areas with spill kits provided, and accidental spillages will be contained and contaminated soils removed. Waste fluids will be removed by licensed contractors. A dedicated, bunded wash-down area will be provided for concrete trucks, with wash water collected for off-site treatment. Surface water from the compound will pass through an oil/grit trap before discharge.

3.4.3 Construction Compound

The compound will provide site offices, welfare facilities, power, water and wastewater management for staff. If not connected to local utilities, electricity will be supplied by a double-bunded low-noise generator, and effluent removed to a licensed treatment plant. Any fuels required will be stored in self-bunded tanks. The compound will be fenced for security and located in a future landscaped area so as not to interfere with housing or road construction.

3.4.4 Foul and Storm Water Management

A new foul sewer network will be constructed in accordance with Irish Water's Code of Practice, comprising 100mm house connections and 225mm estate sewers, discharging to the existing Evanwood Estate foul network. Similarly, stormwater will be collected through a network of 100mm to 225mm pipes and discharged to the Evanwood Estate surface water system. The discharge will be at greenfield run-off rates, and all surface water will be treated to remove debris, hydrocarbons and suspended solids before release. Both foul and surface water systems will be tested by air and hydraulic methods before commissioning.

3.4.5 Water Supply

A mains water connection will be provided to serve the development, drawing from the existing 150mm watermain at the site entrance under Irish Water's charge.

4.4.6 Noise Control

Construction noise and vibration will be managed in line with BS5228 guidelines. Measures include restricting noisy works to limited hours, appointing a noise liaison officer, maintaining communication with residents and the Local Authority, and monitoring noise at sensitive receptors. Plant and machinery will be selected for low noise output, maintained in good condition, and switched off when not in use. Noise barriers will be erected where required, and materials will be handled carefully to avoid unnecessary impact noise.

3.4.7 Dust Control

Dust emissions will be managed by water spraying during dry weather, limiting vehicle speeds, regular road sweeping with mechanical sweepers, and use of wheel-wash facilities with rumble grids at site exits. Exhaust emissions will be controlled through regular servicing of plant and machinery. Daily visual inspections will monitor dust control effectiveness, with corrective measures applied as required.

3.4.8 Protection of Soils, Groundwater and Surface Water

Given the presence of an open drain discharging towards the Groody River (a tributary of the Shannon), strict measures will be implemented to prevent contamination. Best practice guidance from CIRIA (2001; 2006) and Inland Fisheries Ireland (2016) will be followed. Measures include:

- Careful siting and bunding of fuel storage facilities.
- Regular inspection of plant for leaks.
- Conducting excavation during dry periods and preventing mixing of topsoil and subsoil.
- Ensuring all wash-down and refuelling areas are impermeable and isolated from drains.
- Using settlement lagoons or absorbent materials to remove silt.
- Maintaining spill kits and training staff in their use.
- Installing silt traps, wheel-wash facilities, and road sweepers to prevent sediment mobilisation.

3.4.9 Invasive Species Management

A pre-construction survey by a qualified ecologist will check for invasive alien plant species. If present or inadvertently introduced, management will follow a strict protocol including fenced exclusion zones, marked and isolated stockpiles, root barrier membranes, and designated wash-down areas for contaminated machinery. Vehicles with caterpillar tracks will be avoided in infested areas. All decontamination will take place in designated areas, with wash water treated as contaminated. A suitably qualified ecologist will oversee implementation of the invasive species management plan.

This summary presents a clear account of the full suite of mitigation measures from the original NIS, covering all aspects of site preparation, construction-phase management, environmental protection, and ecological safeguards.

3.3 Natura 2000 sites affected

3.3.1 Introduction

The Natura Impact Statement prepared by SLR (2023a) considered the potential for impacts on Natura 2000 sites located within 15km of the proposed development areas. These sites were as follows: -

- Lower River Shannon SAC (002165)
- Gleonmra Wood SAC (001013)
- Clare Glen SAC (000930)
- Tory Hill SAC (000439)
- River Shannon and River Fergus Estuaries SPA (004077)
- Slievefelim to Silvermines Mountains SPA (004165)

The Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA were "screened in" and the Natura Impact Assessment was only prepared in relation to these designated sites.

Glenomra Wood SAC is situated approximately 11 km north of the proposed development site. This SAC is designated for the Annex I habitat Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]. The SLR (2023a) report concluded that likely significant effects on this site could be excluded for the permitted development due to the considerable geographic separation. As the proposed amendments are also located 11 km away, it is again concluded that there is no potential for significant adverse effects.

Clare Glen SAC is designated for the Annex I habitat Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] and the Annex II species *Vandenboschia speciosa* (Killarney Fern) [1421]. The SLR (2023a) report similarly ruled out likely significant effects on this site due to its distance from the permitted development. The proposed amendments are 11.5 km from the SAC, and no potential for significant adverse effects is identified.

Tory Hill SAC is designated for several Annex I habitats, namely Semi-natural dry grasslands and scrubland facies on calcareous substrates (*Festuco-Brometalia*) [6210], Calcareous fens with *Cladium mariscus* and species of the *Caricion davallianae* [7210], and Alkaline fens [7230]. The SLR (2023a) report excluded likely significant effects on this SAC for the permitted development on the basis of geographic separation. As the proposed amendments are 14.3 km from the SAC, the same conclusion applies.

The Slievefelim to Silvermines Mountains SPA is designated for Hen Harrier (*Circus cyaneus*) [A082]. The SLR (2023a) report concluded that the permitted development site lies outside the maximum foraging range of this species. The proposed amendments are located 10.8 km from the SPA, and no potential for significant adverse effects is identified. Furthermore, the subject site and its surrounding landscape for several kilometres lack suitable foraging habitat for Hen Harrier.

The Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA are discussed further below.

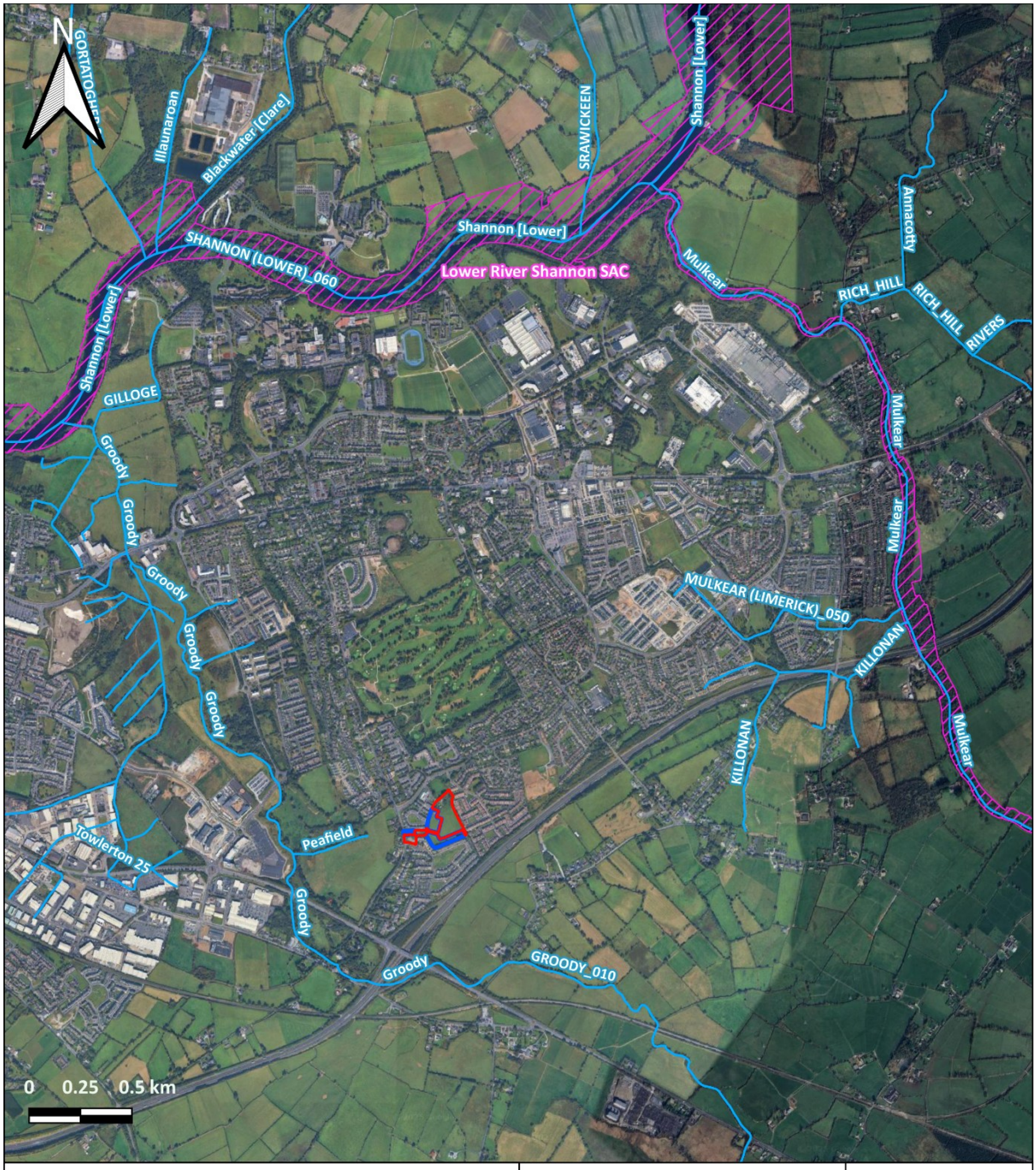


Figure 3 Location of the proposed LRD in relation to the Lower River Shannon SAC and local watercourses.

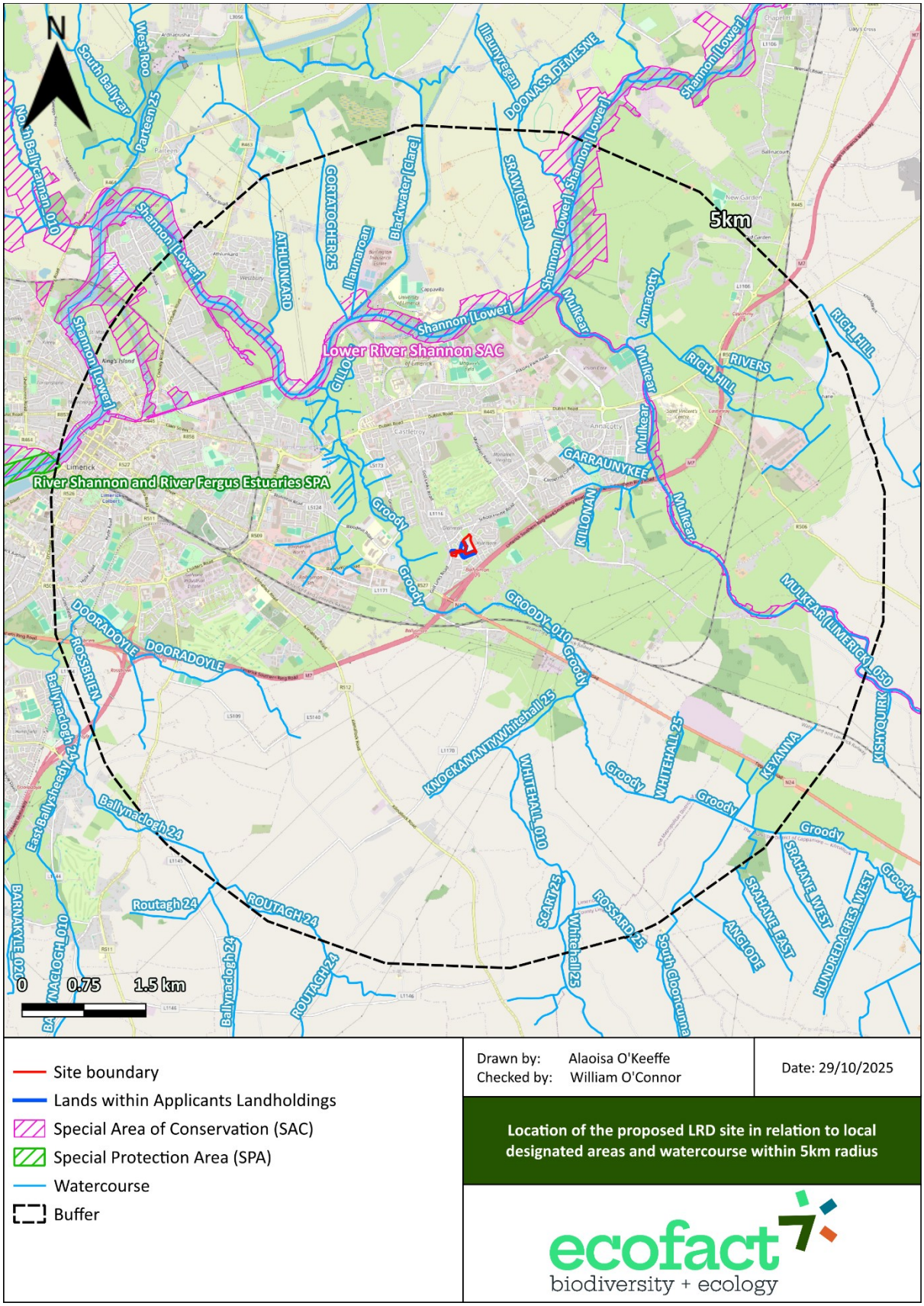
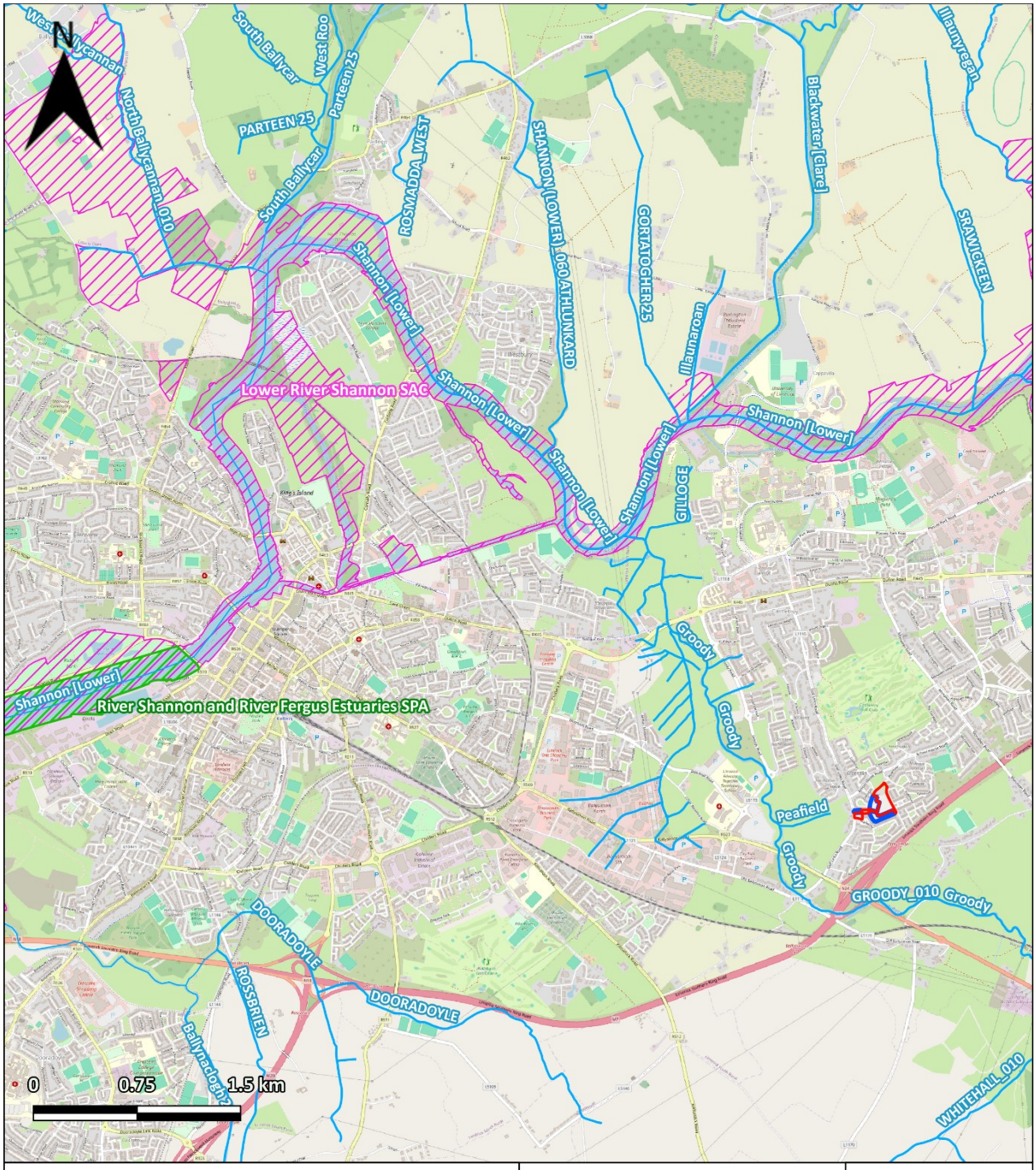


Figure 4 Location of the proposed LRD in relation to the Lower River Shannon SAC and the River Shannon and River Fergus SPA (5km radius).



Site boundary
Lands within Applicants Landholdings
Special Area of Conservation (SAC)
Special Protection Area (SPA)
Watercourse

Drawn by: Alaoisa O'Keeffe
Checked by: William O'Connor

Date: 29/10/2025

Location of the proposed LRD site in relation to local designated areas and watercourse

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Figure 5 Location of the proposed LRD in relation to the Lower River Shannon SAC and the River Shannon and River Fergus SPA (zoomed).

3.3.2 Lower River Shannon SAC (002165)

The Lower River Shannon SAC (002165) is a very large Natura 2000 site. It is up to 14 km wide and 120 km long and encompasses the River Shannon estuary, the broader River Fergus estuary, along with a number of smaller estuaries e.g. Poulnasherry Bay. The SAC also includes the freshwater reaches of the River Shannon River between Killaloe and Limerick, along with the freshwater stretches of much of the Feale and Mulkear catchments. It also includes the marine area at the mouth of the Shannon estuary, ericaceous heath on Kerry Head and Loop Head, along with several lagoons.

The Lower River Shannon SAC is of international ecological interest as it contains a large number of habitats and species listed on Annexes I and II of the E.U. Habitats Directive, including two priority habitats, lagoon and alluvial woodland, as well as the only known resident population of Bottle-nosed Dolphin in Ireland. All three Irish lamprey species - Sea lamprey (*Petromyzon marinus*) [10965], Brook lamprey (*Lampetra planeri*) [1096] and River lamprey (*Lampetra fluviatilis*) [1099] - also occur in the site. In terms of Annex I habitats, this site is highly diverse, including priority Alluvial Forests [91E0], Coastal Lagoons [1150], Vegetated Sea Cliffs [1230] and Reefs [1170]. The Annex II listed Freshwater Pearl Mussel (*Margaritifera Margaritifera*) [1029] is found in the Cloon River. The Lower River Shannon SAC is also designated due to its importance for a number of other Annex II species namely the Otter (*Lutra lutra*) [1355] and Atlantic salmon (*Salmo salar*) [1106].

The Conservation Objectives for the Lower River Shannon SAC are provided in NPWS (2012a).

3.3.3 River Shannon and River Fergus Estuaries SPA (004077)

The River Shannon and River Fergus Estuaries (004077) form the largest estuarine complex in Ireland. The site has vast expanses of intertidal flats. The main macro-invertebrate community is a *Macoma-Scrobicularia-Nereis* community which provides a rich food resource for the wintering birds. Eelgrass (*Zostera* spp.) is present in places. The intertidal flats are often fringed with salt marsh vegetation, areas which provide important high tide roost sites for the birds.

This is the most important coastal wetland site in the country and regularly supports in excess of 50,000 wintering waterfowl. It has internationally important populations of Dunlin (*Calidris alpina*) [A149], Black-tailed Godwit (*Limosa limosa*) [A156] and Redshank (*Tringa totanus*) [A162]. A further 16 species have populations of national importance.

The site is particularly significant also for Grey Plover (*Pluvialis squatarola*) [A141], Lapwing *Vanellus vanellus* [A142] and Shelduck (*Tadorna tadorna*) [A048]. It supports Whooper Swan (*Cygnus cygnus*) [A038], Golden Plover (*Pluvialis apricaria)* [A140] and Bar-tailed Godwit (*Limosa lapponica*) [A157] in significant numbers. The site provides both feeding and roosting areas for the wintering birds and habitat quality for most of the estuarine habitats is good.

The Conservation Objectives for the River Shannon and River Fergus Estuaries SPA are provided in NPWS (2012b).

3.4 Consideration of Impacts

The results from the July 2025 surveys (Ecofact, 2025) were all in line with that reported by SLR (2023a & b). It is considered that the mitigation already in place for the permitted development are sufficient to ensure that there will be no impact on the Qualifying Interests of the Lower River Shannon SAC and/or

the River Shannon and River Fergus Estuaries SPA. No additional mitigation measures for the proposed modifications to the permitted development are required.

If we take a hypothetical 'worst case scenario' where silt enters the drain on the site, it will have to be conveyed downstream by at least 3.7km before it reaches the SAC. However, the flow in the drain on the site is very low and was dry during the July 2025 survey. This would therefore remove this potential pathway for effects. Even if there was a flow in the stream, any silt introduced would also be expected to settle out before it ever entered the River Groody.

The River Groody has a low gradient, with slow depositional stretches over the >3km reach from the west of Monaleen to its confluence with the Lower River Shannon. This facilitates the natural settling of suspended sediments. The presence of macrophyte growths further enhances this process by trapping sediments, promoting deposition and assimilation within the river system. The River Groody is also a medium sized river with significant dilution capacity.

Consequently, the likelihood of silt traveling the proposed development site to the Lower River Shannon SAC downstream without settling is highly unlikely. Considering the river's hydrological characteristics and the nature of the proposed development, it is highly improbable that measurable effects from even a 'worst case scenario' release of silt could extend downstream to the SAC boundary. The natural sedimentation processes, and significant dilution capacity would be collectively expected to mitigate the potential for downstream pollution.

Then there is no visible hydrological connection between the site and the River Groody. During the July 2025 walkover survey this was explored, and the connection could not be found. SLR (2023a) also could not demonstrate this pathway. Moreover, there are no EPA registered watercourse showing a connection between the subject site and River Groody.

This is also all before we come to mitigation measures, which include the provision of buffer areas and effective on-site sediment control measures.

Given the factors discussed, the hydrological pathway linking the construction site to the downstream Natura 2000 site is exceedingly weak. The natural attenuation processes and substantial dilution render this pathway ineffective in transmitting potential pollutants over such a distance. Therefore, it may not even qualify as a viable pathway for significant environmental effects.

With the proposed mitigation measures in place, it is unlikely that even the adjoining stretch of the River Groody could be adversely affected by the construction activities. The combination of effective sediment control practices, natural sedimentation processes, and the river's dilution capacity are predicted to ensure the protection of water quality both locally and further downstream. It is concluded that there is no real credible pathway for significant effects on the Lower River Shannon SAC, and measurable effects >10km downstream on the River Shannon and River Fergus Estuaries SPA should be fully excluded.

SLR (2023a) concluded that by implementing robust mitigation measures during the construction of the proposed residential development is expected to effectively prevent any significant impact on the adjacent stretch of the River Groody. Sediment control practices, such as silt fences, are designed to retain eroded soil on-site, thereby preventing sediment-laden runoff from entering the drain on the site. These measures, when properly installed and maintained, have proven effective in minimising sediment discharge during construction activities.

The proposed development will not alter the existing drainage network. The design of the project ensures that a buffer area will be maintained between the construction works and the drain on the site. It is therefore concluded that the proposed mitigation measures already in the NIS will prove to be highly effective and even in the very unlikely 'worst case scenario' that any pollutants like silt could be conveyed downstream with measurable effects at the Natura 2000 site boundary.

4. CONCLUSION

Following a detailed assessment of the proposed amendments to the permitted residential development, it is concluded that there will be no significant effects on Lower River Shannon SAC, the River Shannon and River Fergus Estuaries SPA, or indeed any other Natura 2000 site.

The changes to the development remain largely within the previously approved boundary, do not introduce new potential sources of impact, and retain the same comprehensive suite of mitigation measures that were established to protect water quality and biodiversity. The surveys completed on the site during July 2025 by Ecofact (2025) confirm that conditions on the site remain the same as previously assessed during the ecology surveys completed by SLR (2023a & b).

Given the substantial distance of at least 3.7 km between the proposed development site and the Lower River Shannon SAC, and at least 10km between the proposed development site and the River Shannon and River Fergus Estuaries SPA and considering the absence of any real viable impact pathways, it is determined that the qualifying interests of these Natura 2000 sites will not be affected. The continued implementation of environmental protections on the site is expected to remove any pathway for significant adverse effects.

The proposed amendments do not introduce any new significant environmental risks to the Natura 2000 network. The changes are all located within the permitted site boundary and these changes are inconsequential in relation to the Lower River Shannon SAC, the River Shannon and River Fergus Estuaries SPA, and indeed any other Natura 2000 site. The footprint of the development is not significantly changed, and the same mitigation measures will be applied throughout construction and operation. There will be no alteration to the existing drainage network, nor will there be an increase in runoff or pollution risks. The proposed changes do not create any new pathways for impacts.

Based on the findings of this report, it is concluded that the proposed amendments to the development are environmentally sound and will not be capable of causing adverse effects on the Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA. Moreover, it is considered that no other Natura 2000 site would be affected. The proposed project changes will result in effects that are inconsequential compared to those already assessed, and all existing mitigation measures remain effective. Therefore, a new NIS will not be required.



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29th of October 2025

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PLATES



Plate 1 The subject site with construction works underway, July 2025.



Plate 2 The small drain that runs along the eastern boundary of the site, just downstream of the site boundary. This is very modified and has negligible flow.



Plate 3 The small drain that runs along the eastern boundary of the site, with grass cutting being dumped in from adjoining estates.



Plate 4 The riparian area of the drain on the site will be protected with a buffer area.



Plate 5 The subject site is fragmented by surrounding residential developments. The main habitat on the site is overgrown agricultural grassland and is of limited ecological value.



Plate 6 Old farm buildings indicating the history of agricultural activity on the site.

NIS Addendum - NIS Prepared Under Application Ref. 23/60842

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AA Screening and Natura Impact Statement

Proposed Large Scale Residential Development (LRD)

RW Nowlan and Associates

Newtown Townland, Co. Limerick

Prepared by:

SLR Environmental Consulting (Ireland) Ltd

7 Dundrum Business Park, Windy Arbour, Dublin, D14 N2Y7

SLR Project No.: 501.065195.00001

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15 November 2023

Revision: 02

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Revision Record

Revision	Date	Prepared By	Checked By	Authorised By
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	Click to enter a date.			
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Acronyms and Abbreviations

AA	Appropriate Assessment
NIS	Natura Impact Statement
SAC	Special Area of Conservation
SPA	Special Protection Area
LSE	Likely Significant Effect

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1.0 INTRODUCTION

1.1 Background

SLR Consulting Ireland (SLR) was commissioned by RW Nowlan and Associates (the Client) to prepare an Appropriate Assessment (AA) Screening report, and where required, a Natura Impact Statement (NIS) to accompany a planning application for a proposed residential development in Monaleen, Newtown, Co. Limerick, hereafter referred to as "the Site".

1.2 Project Overview

The development provides for the construction of a Large Scale Residential Development (LRD) consisting of the provision of 122 residential houses and apartment units and associated infrastructure on a site of 3.2ha, located at Golf Links Road, Monaleen, Co. Limerick.

1.3 Site Description

The Site is located is located in the townland of Newtown in Co. Limerick, at Irish Transverse Mercator (ITM) 562064, 655885. It is situated approximately 4.5 km south-east of Limerick City Centre and on the northern side of the M7 motorway. The Site is located within a built-up, residential area. An agricultural field containing a ringfort is located directly north of the Site boundary.

The Site consists mainly of an agricultural field which appears to be actively used for livestock grazing. There is also an unoccupied dwellinghouse located to the north-west of the Site with associated amenity grassland. Four agricultural sheds are located to the north of the Site, adjacent to the dwelling. The Site is bounded by a mixture of hedgerow and treelines containing both native and non-native species, with walls from adjacent housing forming the south-west boundary.

1.4 Report Purpose

The purpose of this report is to provide supporting information to assist the Competent Authority, in this case Limerick County Council, to carry out Appropriate Assessment for likely significant effects on the integrity of European sites resulting from the proposed development on the Site in Monaleen, Newtown, Co. Limerick.

1.5 Relevant Legislation and Policy

The requirement for AA screening and AA is set out in the Habitats Directive (Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, which is transposed into Irish law primarily through the European Communities (Birds and Natural Habitats) Regulations 2011 –21, (S.I. 477 of 2011, as amended) ("Birds and Natural Habitats Regulations")) and the Planning and Development Acts 2000 -22. Further details are provided in Appendix A.

1.6 Statement of Authority

SLR Project Ecologist Victoria Molloy prepared this report and SLR Associate Ecologist Michael Bailey carried out the technical review.

Victoria Molloy holds a BSc. in Zoology from the University of Galway (formerly National University of Ireland, Galway). She has been working in consultancy for two years and has experience in terrestrial ecology, ornithological surveys, and in the preparation of Appropriate Assessments under the Habitats Regulations/Directive and in the writing of Natura Impact

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Statements. Victoria is a Qualifying Member of the Chartered Institute of Ecology and Environmental Management (CIEEM).

Michael Bailey holds a BSc. in Biology and Ecology from the University of Ulster and an MSc. in Quantitative Conservation Biology from the University of the Witwatersrand in Johannesburg. He has extensive experience in ecological studies and assessments across a range of sectors in Ireland and of agricultural, mining and renewable energy projects across Africa. He is a full member of the Chartered Institute of Ecology and Environmental Management (MCIEEM).

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2.0 METHODOLOGY

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2.1 General Approach

The methodology used in this report is based on guidance provided by the National Parks and Wildlife Service (NPWS [DoEHLG], 2010), the Office of the Planning Regulator (OPR, 2021) and EC Guidance (EC, 2018) (EC, 2020) (EC, 2021) on the application of Article 6 of the Habitats Directive.

The 2021 EC guidance describes a series of stages and steps which should be completed when carrying out the assessment and these are followed here with minor modifications. The assessment applies only to European sites. More specifically, it only applies to the qualifying interest features of such sites i.e. the features which are the reason that the site was designated.

2.2 Baseline Information

2.2.1 Ecological Desk Study

We undertook an ecological desk study comprising an online search for (i) SACs and SPAs within **15km** of the project site; (ii) Annex I habitats and Annex II species (of the Habitats Directive) within **10km** of the Project site; and (iii) Annex I bird species (of the Birds Directive) within **15km** of the Project site. The desk study area was extended where possible links to European sites and species populations occurred due to emissions to air and water, changes to hydrology, or mobile or migratory species populations.

Online resources included ecology data held by the National Biodiversity Data Centre, the National Parks and Wildlife Service, the Environmental Protection Agency, the Ireland Wetland Bird Survey (IWeBS) and Ordnance Survey Ireland (Geohive).

2.2.2 Field Survey

A field survey was carried out by SLR Project Ecologist Victoria Molloy on 24/07/2023 to identify and map any habitats listed as Qualifying Interests (QIs) for relevant SACs, Annex I of the Habitats Directive, or habitats which have a supporting function for such habitats, habitats which may support Annex II species of the Habitats Directive, and habitats which may Species of Conservation Interest (SCIs) for relevant SPAs or which may support SCI species or Annex I species of the Birds Directive.

2.3 Stage One: AA Screening

The methodology for the screening assessment follows that set out in EC (and other) guidelines and is based on the data, surveys and assessments described in Section 0. In summary this will comprise:

Step 1: ascertaining whether the Project is directly connected with or necessary to the management of a European site. Typically, this applies only to a management plan, or parts thereof, which has the purpose of maintaining or restoring the conservation interest of a European site, and which would not have a negative effect on any other European site.

Step 2: identifying the relevant elements of the Project and their likely impacts, which is subdivided into:

Step 2, Part 1: an outline description of the Project, including construction, operation and decommissioning, containing enough information for potential impact pathways to be understood, and the Project site and its surroundings, focussing on the habitats and species that may form part of the qualifying interest of a European site.

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Step 2, Part 2: an identification of the aspects of the project which have the potential to affect European sites, either alone or in combination with other Projects and Plans. This may include for example emissions to air and water, noise and increases in recreational activity (Sources).

Step 3: identifying which (if any) European sites may be affected, considering the potential effects of the Project alone or in combination with other plans or projects, which is subdivided into:

Step 3, Part 1: generating an initial list of European sites to be considered in the screening process, which are those which are potentially connected (via a Pathway) to the Project site including (i) any which overlap with the Project site or are close enough to experience increased noise, vibration, light, visible human activity or invasive species; (ii) those that may have downstream connectivity via watercourses or groundwater to the Project site or transport routes; (iii) those that may receive deposition of pollutants as a result of emissions to air from the Project or transport routes; (iv) those which may support migratory or mobile species populations which may also use the Project site or its environs; and (v) those which may receive additional recreational activity once the Project site is inhabited.

Step 3, Part 2: compiling basic information on the European sites identified in Part 1, including a list of qualifying interest features/special conservation interest (the Receptors), their conservation objective if known (maintain or restore), the distance and direction from the Project site (including transport routes) and how it is or is not connected, using the Source-Pathway-Receptor model, to the Project site (including transport routes). Likely significant effects can be immediately excluded for any European sites and any qualifying /special conservation interest features which clearly lack a pathway or were it can be demonstrated there is a very weak pathway, such that any effects would not be appreciable.

Step 4: assessing whether likely significant effects (LSE) on all European sites can be ruled out, in view of their conservation objectives.

Step 4, Part 1: assessing LSE for the project alone, determining whether there is a risk that the project could undermine the conservation objectives for the qualifying interest features/special conservation interest for those European sites for which a pathway has been identified. This is a scientific determination which considers whether the maintain or restore objective applies and both direct and indirect effects. If there is any uncertainty or detailed investigation or mitigation are required, LSE are assumed.

Step 4, Part 2: assessing LSE for the project in combination with other Projects and Plans. Along the same lines as Part 1, this considers whether the effects of the Project, if not capable of undermining the conservation objectives on their own, could do so cumulatively with other projects and plans. It also considers whether the risk of undermining conservation objective is elevated when cumulative effects are considered.

Conclusion: stating whether likely significant effects arising from the Project, alone and in-combination with projects and plans, on European sites can excluded, and if they cannot, which European sites and which qualifying interest features/special conservation interest are at risk from significant effects, and the relevant impact sources and pathways. If the latter, an AA will be required. The conclusion will not consider any mitigation measures designed to avoid likely significant effects on a European site.

2.4 Stage Two: Appropriate Assessment

Step 1 information on the project and on the European sites

Step 1, Part 1: information on the project and the project site. Whilst the project has been described in outline at Stage 1, a more detailed description is provided here at Stage 2 including construction/ decommissioning methods, relevant details of the design and timescales, providing all the details needed by the competent authority to complete its AA. The description of the project site here provides further details of the habitats and species that

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may form part of the qualifying interest of a European site which is at risk of significant effects and its potential effects on the qualifying /special conservation interest features, considering any scoping opinion provided by the competent authority and prescribed bodies.

Step 1, Part 2: information on the European sites, provides further information on the European sites identified at Stage 1, including a complete list of the qualifying interest features (if not already provided), investigation into the conservation condition and distribution of qualifying habitats and populations, a description of the site and further information on the conservation objectives, including the attributes and targets that define the conservation objectives, and the main threats and pressures.

Step 2: Assessing the implications of the project in view the site's conservation objectives, individually or in combination with other plans or projects.

Step 2, Part 1: Assessment of the project alone. For each of the impact pathways, separately and cumulatively, that were identified at Stage 1 and any others that have been identified subsequently, identifying which conservation objective(s) they could undermine and how and to what degree these objectives could be undermined by the project. If site-specific conservation objectives have not been published it is assumed that the objective is to maintain the area of the qualifying habitat or the population of a qualifying species (or the extent of habitat for that species) at the level it was when the site was designated, or restore it to that level., and that the species are not significantly disturbed. The assessment also considers supporting populations of the same and other species, and connected habitats. Low level effects of short duration and from which habitats and species populations would quickly recover may be regarded as not undermining the conservation objectives.

Step 2, part 2: Assessment of project 'in combination', including the confirmation of the projects and plans (from Stage 1) which could act in combination with the Project to undermine the conservation objectives of a European site, and an examination as to whether these cumulatively with the project could undermine the conservation objectives, even if the project does not on its own. Those included are other plans or projects that have been already completed, approved but not yet completed, or submitted for consent, and have likely significant effects on the same European sites as the Project. All projects and plans are considered together rather than pairwise with the Project, and assessments already made at the Plan level (especially the relevant County Council development plans) are used to inform the assessment.

Step 3: Ascertain the effects of the plan or project on the integrity of European sites. Following on from Step 2, and a detailed scientific investigation of the implications of the project on the conservation objectives, it is determined that where a conservation objective could be undermined, there would be an effect on site integrity and vice versa, which is based on the published conservation objectives where these exist, or an assumed objective as set above.

Step 4 Identify mitigation measures. For any effect that could have an adverse effect on the integrity of a European site, avoidance and mitigation measures are identified with the aim of removing the risk to the integrity of the identified European sites, including in combination effects with other projects and plans. Measures to compensate for adverse effects must not be considered at this Stage, and neither are actions designed to enhance biodiversity.

Conclusion. Taking into account the mitigation identified at Step 4, determining whether the risk to the conservation objectives have been reduced or removed such that they will not be undermined, and adverse effects on the integrity of all European sites can be excluded.

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2.5 Sources of Information

2.5.1 For the Project Alone

Sources of information for the assessment of the Project 'alone' include:

- Article 17 and Article 12 reports completed by the National Parks and Wildlife Service[1];
- Site Synopses, Conservation Objectives and Standard Data Forms for the Natura 2000 sites[2];
- Environmental Protection Agency (EPA) Maps[3].

2.5.2 For the Project in Combination

Sources of information for the plans and projects for the 'in-combination' assessment were as above and also include:

- Limerick Development Plan 2022-2028[4]
- Limerick City and County Council planning portal[5] and myplan.ie[6] were accessed for information on other projects and plans.

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[1] https://www.npws.ie/publications/article-17-reports?msclkid=0c19d260b00a11ecaf5a935da63f219b (last accessed August 2023)

[2] https://www.npws.ie/protected-sites (last accessed August 2023)

[3] http://gis.epa.ie/ (last accessed August 2023)

[4] https://www.limerick.ie/council/services/planning-and-property/development-plan/limerick-development-plan-2022-2028 (last accessed August 2023)

[5] https://www.eplanning.ie/LimerickCCC/searchtypes (last accessed August 2023)

[6] https://myplan.ie/ (last accessed August 2023)

3.0 STAGE ONE: SCREENING

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3.1 Step One: Management of any European Site

The proposed project consists of the construction of a residential development. Therefore, it is not connected with, or necessary for, the management of a European site.

3.2 Step Two, Part 1: Project Description

Philip Collins intends to apply for permission for a Large-Scale Residential Development (LRD) at Golf Links Road, Newtown, Monaleen, Co. Limerick. The development will consist of the provision of 122 residential house and apartment units on a site of 3.2ha.

The site is generally greenfield land with one existing residential dwelling which is to be retained and integrated into the new development. The site is bound by the Kylemore Estate to the east, Evanwood Estate to the south and south-west, Ashfort Estate to the north west and open land to the north which contains a ring fort. Access to the site is off School House Road.

The proposed development will provide as follows;

- Demolition of existing agriculture buildings on site.
- 65 no. housing units comprising a variety of forms to include detached, semi-detached and terraced houses, all two storey in height. The mix of proposed houses include 6 no. four bedroom units and 59 no. three bedroom units to provide a total of 6,280.8m^2 gross floor area;
- 57 no. apartment units across 7 no. 3 storey blocks throughout the development. The apartment units provide a mix of one, two and three bedroom units, comprising 29 no. one bedroom units, 26 no. two bedroom units, and 2 no. three bedroom units to provide a total of 4,929.1m^2 gross floor area.

The proposed development also includes;

- A childcare facility measuring 352.2m^2, providing 58 childcare places, located at the northern most edge of the development.
- The provision of 114 no. car parking spaces within the curtilage of the proposed dwelling houses and 89 no. public car parking spaces and 311 no. bicycle parking spaces.
- The provision of 1 no. ESB sub-station, ancillary services and infrastructure works including foul and surface water drainage, blue roofs, landscaped public open spaces (approximately .5 ha or 15.9% of the overall site area), landscaping, lighting, internal roads, cycle paths, footpaths.

In total, the proposed development would provide a total residential gross floor area of 11,749.9m^2.

3.3 Step Two, Part 2: Potential Impact Factors

The proposed construction of the residential development has the potential to result in the following impacts:

- Habitat loss;
- Release of suspended solids and/or other pollution into the watercourse which flows along the eastern boundary of the Site;
- Disturbance due to machinery usage and presence of construction workers;

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- Dust emissions during the construction phase;
- Noise and vibration during the construction phase;
- Vehicle emissions due to increased traffic both during and after construction;
- Increased recreational pressure after construction.

The habitats and species listed as features of interest of any European sites in proximity to the project must therefore be assessed for effects from the above potential impacts from the proposed development project. These effects are considered further below.

3.4 Step Three: Identification of Relevant European sites

The first step in identification of relevant European sites for further assessment is to identify those that will be at risk from likely significant effects where a Source-Pathway-Receptor link exists between the proposed development and the European site.

The relevant European sites are identified through a review of the nature and scale of the project, the project location relative to European sites, presence of ecological (including mobile and migratory species) and landscape connectivity, such as along waterways, hedgerows and treelines between the Site and the European sites, known impacts and effects likely to arise as a result of this type of project, distance from European sites and the qualifying interests of the European sites.

Table 3-1 provides a list of European sites which were selected for initial consideration of Source-Pathway-Receptor links (**Figure 2**); a description of each site; their qualifying interests; and any Source-Pathway-Receptor links.

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Table 3-1: Description of European sites with Potential Source-Pathway-Receptor Links

Natura 2000 Site	Distance[7]	Qualifying Interests[8] and Conservation Objectives	Connections (Source-Pathway-Receptor)	Considered Further in Screening (Y/N)
Lower River Shannon SAC (002165)	2.4 km north straight-line distance. 3.7km downstream distance, assuming the stream along the eastern Site boundary joins the Groody River south of the Site.	**Habitats** 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 (Glauco-Puccinellietalia maritimae) [1330] Mediterranean salt meadows (*Juncetalia maritimi*) [1410] Water courses of plain to montane levels with the *Ranunculion fluitantis* and Callitricho-Batrachion vegetation [3260]	• **Habitat loss –** The Site does not overlap with the SAC. Therefore, there is no potential for direct habitat loss within the SAC. • **Release of suspended solids and/or other pollution into waterways –** The stream located along the eastern Site boundary is not included on the EPA waterways map. Therefore, it may join the Groody River south of the Site, resulting in a direct, downstream surface water connection between the Site and the SAC. This results in a potential pathway for LSE on the aquatic habitats and species listed as QIs for the SAC. • **Disturbance due to machinery usage and presence of construction workers -** The Site is considered to be sufficiently distant from the SAC to exclude the possibility of LSE from disturbance. **Dust emissions –** The Site is located over 500m from the SAC. Therefore, it is sufficiently distant to exclude any LSE from dust emissions (IAQM, 2014).	**Y**

[7] When measured in a straight line over the shortest distance between the site and Natura 2000 site.

[8] For SPAs, the bird species that are the reason for designation are Species of Conservation Interest (SCIs) and for SACs the habitats and species that are the reason for designation are its Qualifying Interests (QIs). For convenience, the term qualifying interest or QI is used here for both SPAs and SACs.

[9] Protected Sites in Ireland | National Parks & Wildlife Service (npws.ie)

Natura 2000 Site	Distance[7]	Qualifying Interests[8] and Conservation Objectives	Connections (Source-Pathway-Receptor)	Considered Further in Screening (Y/N)
		Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410] Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (Alno-Padion, Alnion incanae, Salicion albae) [91E0] **Species** *Margaritifera margaritifera* (Freshwater Pearl Mussel) [1029] *Petromyzon marinus* (Sea Lamprey) [1095] *Lampetra planeri* (Brook Lamprey) [1096] *Lampetra fluviatilis* (River Lamprey) [1099] *Salmo salar* (Salmon) [1106] *Tursiops truncatus* (Common Bottlenose Dolphin) [1349] *Lutra lutra* (Otter) [1355] https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002165.pdf	• **Noise and vibration –** The Site is considered to be sufficiently distant from the SAC to exclude the possibility of LSE from noise and vibration. • **Vehicle emissions -** The Site is considered to be sufficiently distant from the SAC to exclude the possibility of LSE from increased vehicle emissions on the Site. • **Increased recreational pressure –** The Site is considered to be sufficiently distant from the SAC to exclude the possibility of LSE from increased recreational pressure on the Site.	
Gleonmra Wood SAC (001013)	11 km north	**Habitats** Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles [91A0] https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO001013.pdf	• **Habitat loss –** The Site does not overlap with the SAC. Therefore, there is no potential for direct habitat loss within the SAC. • **Release of suspended solids and/or other pollution into waterways –** There is no surface water hydrological connection between the Site and the SAC. The SAC is located on a different WFD sub-catchment to the Site. Additionally, water quality is not	**N**

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Natura 2000 Site	Distance[7]	Qualifying Interests[8] and Conservation Objectives	Connections (Source-Pathway-Receptor)	Considered Further in Screening (Y/N)
			listed as a conservation objective for this SAC. Therefore, there is no potential for LSE as a result of potential water pollution during the proposed development. • **Disturbance due to machinery usage and presence of construction workers -** The Site is considered to be sufficiently distant from the SAC to exclude the possibility of LSE from disturbance. **Dust emissions –** The Site is located over 500m from the SAC. Therefore, it is sufficiently distant to exclude any LSE from dust emissions (IAQM, 2014). • **Noise and vibration –** The Site is considered to be sufficiently distant from the SAC to exclude the possibility of LSE from noise and vibration. • **Vehicle emissions -** The Site is considered to be sufficiently distant from the SAC to exclude the possibility of LSE from increased vehicle emissions on the Site. • **Increased recreational pressure –** The Site is considered to be sufficiently distant from the SAC to exclude the possibility of LSE from increased recreational pressure on the Site.	
Clare Glen SAC (000930)	11.5 km north-east	**Habitats** Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles [91A0]	• **Habitat loss –** The Site does not overlap with the SAC. Therefore, there is no potential for direct habitat loss within the SAC.	**N**

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Natura 2000 Site	Distance[7]	Qualifying Interests[8] and Conservation Objectives	Connections (Source-Pathway-Receptor)	Considered Further in Screening (Y/N)
		Species *Trichomanes speciosum* (Killarney Fern) [1421] https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000930.pdf	• **Release of suspended solids and/or other pollution into waterways –** There is no surface water hydrological connection between the Site and the SAC. The SAC is located on a different WFD sub-catchment to the Site. Therefore, there is no potential for LSE as a result of potential water pollution during the proposed development. • **Disturbance due to machinery usage and presence of construction workers -** The Site is considered to be sufficiently distant from the SAC to exclude the possibility of LSE from disturbance. **Dust emissions –** The Site is located over 500m from the SAC. Therefore, it is sufficiently distant to exclude any LSE from dust emissions (IAQM, 2014). • **Noise and vibration –** The Site is considered to be sufficiently distant from the SAC to exclude the possibility of LSE from noise and vibration. • **Vehicle emissions -** The Site is considered to be sufficiently distant from the SAC to exclude the possibility of LSE from increased vehicle emissions on the Site. • **Increased recreational pressure –** The Site is considered to be sufficiently distant from the SAC to exclude the possibility of LSE from increased recreational pressure on the Site.	

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Natura 2000 Site	Distance[7]	Qualifying Interests[8] and Conservation Objectives	Connections (Source-Pathway-Receptor)	Considered Further in Screening (Y/N)
Tory Hill SAC (000439)	14.3 km south-west	**Habitats** Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210] Calcareous fens with *Cladium mariscus* and species of the Caricion davallianae [7210] Alkaline fens [7230] https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000439.pdf	• **Habitat loss –** The Site does not overlap with the SAC. Therefore, there is no potential for direct habitat loss within the SAC. • **Release of suspended solids and/or other pollution into waterways –** There is no surface water hydrological connection between the Site and the SAC. The SAC is located on a different WFD catchment to the Site. Therefore, there is no potential for LSE as a result of potential water pollution during the proposed development. • **Disturbance due to machinery usage and presence of construction workers -** The Site is considered to be sufficiently distant from the SAC to exclude the possibility of LSE from disturbance. **Dust emissions –** The Site is located over 500m from the SAC. Therefore, it is sufficiently distant to exclude any LSE from dust emissions (IAQM, 2014). • **Noise and vibration –** The Site is considered to be sufficiently distant from the SAC to exclude the possibility of LSE from noise and vibration. • **Vehicle emissions -** The Site is considered to be sufficiently distant from the SAC to exclude the possibility of LSE from increased vehicle emissions on the Site.	

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Natura 2000 Site	Distance[7]	Qualifying Interests[8] and Conservation Objectives	Connections (Source-Pathway-Receptor)	Considered Further in Screening (Y/N)
			• **Increased recreational pressure –** The Site is considered to be sufficiently distant from the SAC to exclude the possibility of LSE from increased recreational pressure on the Site.	
River Shannon and River Fergus Estuaries SPA (004077)	5 km west straight-line distance. 11.3km downstream distance, assuming the stream along the eastern Site boundary joins the Groody River south of the Site.	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]	• **Habitat loss –** The Site does not overlap with the SPA. Therefore, there is no potential for direct habitat loss within the SPA. Golden plover, lapwing, curlew, and black-headed gull may use farmland for foraging during winter. This is a potential pathway for impacts on these species due to habitat loss. • **Release of suspended solids and/or other pollution into waterways –** The stream located along the eastern Site boundary is not included on the EPA waterways map. Therefore, it may join the Groody River south of the Site, resulting in a direct, downstream surface water connection between the Site and the SAC. This results in a potential pathway for LSE on the species listed as QIs for the SPA. • **Disturbance due to machinery usage and presence of construction workers -** The Site is considered to be sufficiently distant from the SPA to exclude the possibility of LSE from disturbance. **Dust emissions –** The Site is located over 500m from the SPA. Therefore, it is sufficiently distant to exclude any LSE from dust emissions (IAQM, 2014).	**Y**

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Natura 2000 Site	Distance[7]	Qualifying Interests[8] and Conservation Objectives	Connections (Source-Pathway-Receptor)	Considered Further in Screening (Y/N)
		Black-headed Gull (*Chroicocephalus ridibundus*) [A179] Wetland and Waterbirds [A999] https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004077.pdf	• **Noise and vibration –** The Site is considered to be sufficiently distant from the SPA to exclude the possibility of LSE from noise and vibration. • **Vehicle emissions -** The Site is considered to be sufficiently distant from the SPA to exclude the possibility of LSE from increased vehicle emissions on the Site. • **Increased recreational pressure –** The Site is considered to be sufficiently distant from the SPA to exclude the possibility of LSE from increased recreational pressure on the Site.	
Slievefelim to Silvermines Mountains SPA (004165)	10.8 km north-east	Hen Harrier (*Circus cyaneus*) [A082] https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004165.pdf	• **Habitat loss –** The Site does not overlap with the SPA. Therefore, there is no potential for direct habitat loss within the SPA. The SPA is over 10km from the Site. Therefore, it is outside the maximum foraging range of hen harrier during the breeding season (SNH, 2016). • **Release of suspended solids and/or other pollution into waterways –** There is no surface water hydrological connection between the Site and the SPA. The SPA is located on a different WFD sub-catchment to the Site. Therefore, there is no potential for LSE as a result of potential water pollution during the proposed development. • **Disturbance due to machinery usage and presence of construction workers -** The Site is considered to be sufficiently	**N**

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Natura 2000 Site	Distance[7]	Qualifying Interests[8] and Conservation Objectives	Connections (Source-Pathway-Receptor)	Considered Further in Screening (Y/N)
			distant from the SPA to exclude the possibility of LSE from disturbance. **Dust emissions –** The Site is located over 500m from the SPA. Therefore, it is sufficiently distant to exclude any LSE from dust emissions (IAQM, 2014). • **Noise and vibration –** The Site is considered to be sufficiently distant from the SPA to exclude the possibility of LSE from noise and vibration. • **Vehicle emissions -** The Site is considered to be sufficiently distant from the SPA to exclude the possibility of LSE from increased vehicle emissions on the Site. • **Increased recreational pressure –** The Site is considered to be sufficiently distant from the SPA to exclude the possibility of LSE from increased recreational pressure on the Site.	

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3.5 Step Four: Likely Significant Effects

3.5.1 For the Project Alone

Two potential source-receptor-pathway links were identified for the European sites listed in **Table 3-1.** These potential pathways are addressed in further detail below:

Golden plover, lapwing, curlew, and black-headed gull may use farmland for foraging during winter months. This is identified as a potential pathway or link for LSE on the River Shannon and River Fergus Estuaries SPA. Golden plover has not been recorded on-site or in the vicinity of the Site, potentially since 1984, according to the NBDC records. Black-headed gull, lapwing, and curlew have been recently (within the last 3 years) recorded within the 2km grid squares surrounding the Site. These species typically prefer a short grass sward for foraging, such as those found in arable fields. Although the improved grassland on-site appears to be grazed, the grass sward was moderately tall, approximately 20-30cm in height. The area of recolonising bare ground on-site is small and would be of limited to negligible use to these species. Therefore, the Site would be of limited use to these species for foraging and LSE can be excluded for this pathway for the Project alone.

The potential release of suspended solids and/or other pollution into the stream on the eastern Site boundary is considered a potential pathway for LSE on the Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA. Unmitigated, the project may result in the introduction of pollutants into the stream which subsequently may enter the Natura 2000 sites above. Therefore, LSE cannot be excluded for the Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA for the Project alone and unmitigated.

3.5.2 For the Project in Combination

In combination, or cumulative, effects can result from individually insignificant but collectively significant actions taking place over a period of time or concentrated in a location. Cumulative effects can occur where a proposed development results in individually insignificant impacts that, when considered in-combination with impacts of other proposed or permitted plans and projects, can result in significant effects.

Other plans and projects that should be considered when establishing cumulative effects are:

- proposals for which consent has been applied but which are awaiting determination;
- projects which have been granted consent, but which have not yet been started or which have been started but are not yet completed (i.e., under construction);
- proposals which have been refused permission, but which are subject to appeal, and the appeal is undetermined;
- constructed developments whose full environmental effects are not yet felt and therefore cannot be accounted for in the baseline; or
- developments specifically referenced in a National Policy Statement, a National Plan or a Local Plan.

There are no policies or objectives within the Limerick Development Plan 2022-2028 that when considered with the proposed project could give rise to cumulative effects on European sites.

A search of recent (within the last five years) planning applications was carried out in the vicinity of the Site. The majority of recent planning applications within the vicinity of the Site are for small-scale developments and extensions to already existing domestic buildings. These planning applications are sufficiently small in scale to not result in any significant adverse cumulative effects in combination with the project and have been scoped out of further consideration in this report.

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Four recent planning applications have been identified as being sufficiently large-scale to require further assessment for cumulative effects. These applications are considered in **Table 3-2**.

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Table 3-2: Recent Planning Applications in the Vicinity of the Site

Planning Ref. Number	Development Description	Assessment of In Combination LSE
217039	extension of duration for 18/7010 for - Extension of Permission from Planning File Ref. No.'s 04/612 and 14/7009: demolition of existing derelict farm building and the construction of an entrance, 198 houses, 51 apartments, 1 no creche and associated site works	The site of this planning application is located directly adjacent to the Site with the eastern boundary stream flowing between the Site and this planning application site. However, a habitats directive assessment report (Appropriate Assessment) is available for this application. This report concluded that the proposed development would not result in a significant effect on the conservation status of any Natura 2000 sites and that a Stage 2 AA would not be necessary. Therefore, in combination LSE can be excluded.
191037	demolition of an existing haybarn and construction of a residential development comprising 6 units (2 block of 3 terrace houses), with site entrance, and all ancillary site development works. Ancillary site development works include a new connection to the public water main, foul and surface water drainage, access roads, footpaths, vehicle parking, landscaping, boundary treatments and site development works above and below ground	No AA Screening report available. The site of this planning application is located approximately 200m northwest of the Site. There are no known surface water connections that may result in cumulative effects. No other potential pathways for LSE were identified. Therefore, in combination LSE can be excluded.
18711	the construction of a two-storey dwelling house, an entrance, connection to public foul and storm water sewers and all associated site development works	No AA Screening report available. The site of this planning application is located approximately 100m north of the Site. There are no known surface water connections that may result in cumulative effects. No other potential pathways for LSE were identified. Therefore, in combination LSE can be excluded.
16705	the construction of 53 no. residential units and a crèche as phase 3 of the Evanwood development presently under construction. The development is for 17 no. 4-bed detached units, 26 no. 4-bed semi-detached units, 10 no. 3-bed semi-detached units, a crèche with car parking and ancillary site works	The site of this planning application is located directly to the south of the Site. The stream along the eastern boundary of the Site would also flow directly adjacent to this planning application site. However, a habitats directive assessment report (Appropriate Assessment) is available for this application. This report concluded that the proposed development would not result in a significant effect on the conservation status of any Natura 2000 sites and that a Stage 2 AA would not be necessary. Therefore, in combination LSE can be excluded.

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Therefore, the risk for significant in combination, or cumulative, effects as a result of the proposed development can be excluded.

3.6 Stage One: Conclusions and Recommendations

This AA Screening has identified that there are two Natura 2000 sites, Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA, subject to potential LSEs arising from the proposed housing development. In the absence of a more detailed assessment or consideration of mitigation, LSEs on these sites cannot be excluded. As such, the assessment must proceed to Stage 2: Appropriate Assessment. The Natura Impact Statement is presented in subsequent sections.

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4.0 STAGE TWO: APPROPRIATE ASSESSMENT

4.1 Step One, Part One: Information on the Project

4.1.1 The Project

Philip Collins intends to apply for permission for a Large-Scale Residential Development (LRD) at Golf Links Road, Newtown, Monaleen, Co. Limerick. The development will consist of the provision of 122 residential house and apartment units on a site of 3.2ha.

The site is generally greenfield land with one existing residential dwelling which is to be retained and integrated into the new development. The site is bound by the Kylemore Estate to the east, Evanwood Estate to the south and south-west, Ashfort Estate to the north-west and open land to the north which contains a ring fort. Access to the site is off School House Road.

The proposed development will provide as follows;

- Demolition of existing agriculture buildings on site.
- 65 no. housing units comprising a variety of forms to include detached, semi-detached and terraced houses, all two storey in height. The mix of proposed houses include 6 no. four bedroom units and 59 no. three bedroom units to provide a total of 6,280.8m^2 gross floor area;
- 57 no. apartment units across 7 no. 3 storey blocks throughout the development. The apartment units provide a mix of one, two and three bedroom units, comprising 29 no. one bedroom units, 26 no. two bedroom units, and 2 no. three bedroom units to provide a total of 4,929.1m^2 gross floor area.

The proposed development also includes;

- A childcare facility measuring 352.2m^2, providing 58 childcare places, located at the northern most edge of the development.
- The provision of 114 no. car parking spaces within the curtilage of the proposed dwelling houses and 89 no. public car parking spaces and 311 no. bicycle parking spaces.
- The provision of 1 no. ESB sub-station, ancillary services and infrastructure works including foul and surface water drainage, blue roofs, landscaped public open spaces (approximately .5 ha or 15.9% of the overall site area), landscaping, lighting, internal roads, cycle paths, footpaths.

In total, the proposed development would provide a total residential gross floor area of 11,749.9m^2.

4.1.2 The Project Site

4.1.2.1 Habitats (Annex I)

No Annex I habitats were identified on-site during the field survey. There are no records of Annex I habitats located within 2km of the Site[9].

4.1.2.2 Species

No notable Annex species were identified on-site during the field survey.

[9] https://airomaps.geohive.ie/ESM/ (last accessed August 2023)

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Black-headed gull, Eurasian curlew, and northern lapwing have been recorded within the 2km NBDC grid squares surrounding the Site. These species are listed as SCIs for the River Shannon and River Fergus Estuaries SPA.

Common kingfisher, pine marten, and freshwater white-clawed crayfish have also been recorded within the 2km grid squares. These species are protected under the EU Habitats and Birds Directives. However, these species are not listed as QIs for the Lower River Shannon SAC or the River Shannon and River Fergus Estuaries SPA. Therefore, they can be excluded from further assessment in this report.

4.1.2.3 Environmental connections

The stream located along the eastern Site boundary is not included on the EPA waterways map. Therefore, it may join the Groody River south of the Site, which would result in a direct, downstream surface water connection between the Site and the Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA. The downstream distance between the Site and these Natura 2000 sites would be approximately 3.8km and 11.3km respectively.

4.1.2.4 Ecological Connections

There is potential for the mobile species listed as QIs for the Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA to migrate upstream towards the Site.

4.2 Step One, Part Two: Information on European Sites

4.2.1 Lower River Shannon SAC (002165)

4.2.1.1 Brief Description

This very large site 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 Glenacarney. Rivers within the sub-catchment of the Mulkear include the Killeenagarriff, Annagh, Newport, the Dead River, the Bilboa, Glashacloonaraveela, Gortnageragh and Cahernahallia.

…

Domestic and industrial wastes are discharged into the Shannon, but water quality is generally satisfactory, except in the upper estuary where it reflects the sewage load from Limerick City. Analyses for trace metals suggest a relatively clean estuary with no influences of industrial discharges apparent. Further industrial development along the Shannon and water polluting operations are potential threats.

…

This site is of great ecological interest as it contains a high number of habitats and species listed on Annexes I and II of the E.U. Habitats Directive, including the priority habitats lagoon and alluvial woodland, the only known resident population of Bottle-nosed Dolphin in Ireland and all three Irish lamprey species. A good number of Red Data Book species are also present, perhaps most notably the thriving populations of Triangular Club-rush. A number of species listed on Annex I of the E.U. Birds Directive are also present, either wintering or breeding. Indeed, the Shannon and Fergus Estuaries form the largest estuarine complex in Ireland and support more wintering wildfowl and waders than any other site in the country. Most of the estuarine part of the site has been designated a Special Protection Area (SPA), under the E.U. Birds Directive, primarily to protect the large numbers of migratory birds present in winter.

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4.2.1.2 Qualifying/Special Conservation Interests

The qualifying interests relevant to this NIS are listed below. All other qualifying interests listed for the Lower River Shannon SAC have been scoped out of further consideration in this report as changes in water quality are not considered to have a direct or indirect impact on their conservation objectives.

Coastal lagoons [1150]

- Four coastal lagoons are identified in the conservation objectives: Quayfield and Poulaweala Loughs, Shannon Airport Lagoon, Scattery Lagoon, and Cloonconeen Pool.
- Conservation objective: To restore the favourable conservation condition of Coastal lagoons in the Lower River Shannon SAC.
    - Attributes and targets relevant to this NIS: water quality.

Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitricho-Batrachion* vegetation [3260]

- Instances of this habitat are located downstream of the Site adjacent to Limerick City.
- Conservation objective: To maintain the favourable conservation condition of Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitricho-Batrachion* vegetation in the Lower River Shannon SAC.
    - Attributes and targets relevant to this NIS: water quality.

Freshwater pearl mussel [1029]

- The Cloon freshwater pearl mussel catchment is not connected to the Site by a downstream surface water connection from the Site to the catchment. Therefore, there is no potential for direct impacts of water quality on freshwater pearl mussel. However, it cannot be ruled out that there may be potential impacts on the host fish of freshwater pearl mussel downstream of the Site.
- Conservation objective: To restore the favourable conservation condition of freshwater pearl mussel in the Lower River Shannon SAC.
    - Attributes and targets relevant to this NIS: host fish.

Sea lamprey [1095]

- Conservation objective: To restore the favourable conservation condition of sea lamprey in the Lower River Shannon SAC.
    - Attributes and targets relevant to this NIS: extent and distribution of spawning habitat, availability of juvenile habitat.

Brook lamprey [1096]

- Conservation objective: To maintain the favourable conservation condition of brook lamprey in the Lower River Shannon SAC.
    - Attributes and targets relevant to this NIS: extent and distribution of spawning habitat, availability of juvenile habitat.

River lamprey [1099]

- Conservation objective: To maintain the favourable conservation condition of river lamprey in the Lower River Shannon SAC.
    - Attributes and targets relevant to this NIS: extent and distribution of spawning habitat, availability of juvenile habitat.

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Atlantic salmon [1106]

- Conservation objective: To maintain the favourable conservation condition of Atlantic salmon in the Lower River Shannon SAC.
    - Attributes and targets relevant to this NIS: water quality.

Otter [1355]

- Conservation objective: To restore the favourable conservation condition of otter in the Lower River Shannon SAC.
    - Attributes and targets relevant to this NIS: fish biomass available.

4.2.2 River Shannon and River Fergus Estuaries SPA (004077)

4.2.2.1 Brief Description

The estuaries of the River Shannon and River Fergus form the largest estuarine complex in Ireland. The site comprises the entire estuarine habitat from Limerick City westwards as far as Doonaha in Co. Clare and Dooneen Point in Co. Kerry.

…

The River Shannon and River Fergus Estuaries SPA is an internationally important site that supports an assemblage of over 20,000 wintering waterbirds. It holds internationally important populations of four species, i.e. Light-bellied Brent Goose, Dunlin, Black-tailed Godwit and Redshank. In addition, there are 17 species that have wintering populations of national importance. The site also supports a nationally important breeding population of Cormorant. Of particular note is that three of the species which occur regularly are listed on Annex I of the E.U. Birds Directive, i.e. Whooper Swan, Golden Plover and Bar-tailed Godwit. Parts of the River Shannon and River Fergus Estuaries SPA are Wildfowl Sanctuaries.

4.2.2.2 Qualifying/Special Conservation Interest

The special conservation interests relevant to this NIS are listed below. All other special conservation interests listed for the River Shannon and River Fergus Estuaries SPA have been scoped out of further consideration in this report as changes in water quality are not considered to have a direct or indirect impact on their conservation objectives. This is because their principal supporting habitat(s) do not have water quality listed as an attribute/target for their conservation objectives for the Lower River Shannon SAC, which overlaps with the SPA.

Cormorant [A017]

- The SPA supports a nationally important population of cormorant in both the breeding and non-breeding seasons.
- Conservation objective: To maintain the favourable conservation condition of cormorant in the River Shannon and River Fergus Estuaries SPA.
    - Attributes and targets relevant to this NIS: prey biomass available.

Whooper swan [A038]

- The SPA supports a nationally important population of wintering whooper swan.
- Conservation objective: To maintain the favourable conservation condition of whooper swan in the River Shannon and River Fergus Estuaries SPA.
    - Attributes and targets relevant to this NIS: distribution.
    - Lagoons and associated habitats are listed as a principal supporting habitat for whooper swan. These habitats may be impacted by changes in water quality.

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4.3 Step Two, Part One: Effects of the Project Alone

The potential introduction of suspended solids and/or pollutants into the stream flowing along the Site boundary may result in changes in water quality downstream of the Site. Potential sources of water pollution during the proposed development include:

- dust arising from the demolition of existing agricultural buildings, construction, and operation of machinery;
- introduction of soil into the waterway during construction;
- fuel or oil spills from construction machinery; and
- surface run-off from hard surfaces during the construction and operational phases of the project.

The potential surface water connection between the Site and the European sites, as identified in **Section 3.3** means that the above may result in impacts on the conservation objectives of the QIs/SCIs listed in **Section 4.2**.

4.4 Step Two, Part Two: Effects of the Project in Combination

The risk for significant in combination, or cumulative, effects as a result of the proposed development can be excluded, as considered in **Section 3.5.2.**

4.5 Step Four: Mitigation Measures

The following mitigation measures are proposed to avoid adverse impacts on the conservation objectives of the QIs/SCIs identified in **Section 4.2**:

4.5.1 Site Preparation Works:

Initially the site will be securely fenced, and a construction compound will be established. Topsoil will be stripped back and either stockpiled on site for pending re-use where feasible in landscaped areas or removed off site to a permitted or licensed facility as part of a recovery operation. This will be done in accordance with all relevant statutory requirements.

Site stripping will be kept to a minimum in line with the phasing plan. A project programme will be developed for each phase of the project.

- Site clearance not to be undertaken during wet conditions when rainfall of more than 1mm/hr is forecast within the next 24-hour period.
- Erosion and sediment traps to be provided as detailed in the CEMP prior to outfall to the Public Sewer. These sediment traps will be appropriately sized and located to capture excess run-off from the development site. Under no circumstances will sediment-laden water be allowed to escape to surface water receptors.
- Fuels, Lubricants, hydraulic fluid, solvents and oils to be stored in a bunded area, carefully handled and spill kits provided.
- Accidental spillages to be immediately contained and contaminated soil removed from site.
- Waste fluids to be collected and removed from site by a suitably licenced contractor.
- Dedicated wash down area to be provided for concrete trucks. This will be bunded to prevent escape of wash water to the environment. Wash water which is potentially contaminated with concrete will be stored and treated off-site by a suitably licenced contractor.

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- All surface water from the site compound to pass through an oil/grit trap for the removal of Hydrocarbon and grit prior to discharge.

4.5.2 Site Construction Compound

The site compound will be developed, comprising of offices and welfare facilities for the contractors on site. The temporary construction compound will include a site office for the CMT and site facilities for the construction staff. The compound will be serviced with electrical power, water supply and toilet facilities. If not, electrical power will be supplied from a low noise, double bunded diesel generator sited within the compound. If water is not sourced from the local network, then water will be delivered to the site by bowser and sewerage/effluent will be stored in designated tanks and removed from site periodically by a licensed waste transport haulier to a Local Authority treatment plant for treatment.

The compound will be used as a storage area for the various components, fuels and materials required for construction. Any fuels will be stored in self-bunded tanks. The compound will be fenced off to ensure site security is maintained. The compound may be situated in an area of future landscaping within the proposed development so as not to interfere with the areas where housing/roads are to be constructed.

4.5.3 Foul Sewer

As part of the new development a new foul water drainage system will be constructed to collect and convey the foul water flow generated by the development. The network will consist of 100mm diameter uPVC SN8 sewers from individual houses laid to falls of minimum 1:40 and connected to 225mm uPVC SN8 sewers to be within the estate roads or areas proposed for Taking in Charge.

All foul water will discharge to the existing gravity network located within the adjacent Evanwood Estate.

4.5.4 Storm Sewer

All surface waters from the development will be conveyed via the existing gravity collection network and discharged to the public storm sewer at a controlled rate which will assimilate the predevelopment run-off rate in accordance with the current principals of stormwater management. All surface waters are to be treated for the removal of contaminates such are floating debris, suspended solids and hydrocarbons prior to eventual discharge. Further detailed explanation of the system is contained within the PHM Services Report.

The storm sewer will consist of a 100mm diameter pipe collection network around each house in accordance with TGD part H discharging to 225mm diameter uPVC sewer or larger under the estate roads or areas proposed for Taking in Charge.

The final discharge of all generated surface waters will be to the existing surface water network located in the adjacent Evanwood Estate.

All foul and surface water sewers and manholes will be tested for infiltration through air testing and hydraulic testing prior to commissioning, in accordance with Irish Water Code of Practice.

4.5.5 Water Main

A mains water connection will be made to the construction compound for staff welfare facilities and other uses associated with the compound. It is proposed that the watermain connection will be taken from the existing 150mm watermain located within the at the entrance to the site. This existing watermain is in the charge of Irish Water.

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4.5.6 Proposed Noise Control Measures

Regarding construction activities, reference will be made to *BS5228: Noise Control on Construction and Open Sites*, which offers detailed guidance on the control of noise and vibration from demolition and construction activities. It is proposed that various practices be adopted during construction, including:

- Hours will be limited during which noisy site activities are permitted.
- Channels of communication will be established between the Contractor/Developer, Local Authority and residents.
- A Site Representative will be appointed responsible for matters relating to noise.
- Typical levels of noise will be monitored during critical periods and at sensitive locations.
- Plant will be selected with low inherent potential for the generation of noise.
- All site roads will be kept even so as to mitigate the potential for vibration from lorries.
- Barriers will be erected as necessary around items such as generators or high duty compressors.
- Noisy plant will be sited as far away from sensitive properties as permitted by site constraints.
- Engines, vehicles and equipment will be switched off when not in use.
- Significant sources of noise will be enclosed.
- Plant will be used and serviced regularly in accordance with manufacturer's instructions.
- Cranes will be shut down during work periods / throttled to minimum when not in use.
- Machinery having rotating parts will be serviced according to supplier recommendations to prevent friction induced sound.
- Materials should be lowered, not dropped, insofar as practicable and safe.
- All personnel must be made aware that noisy construction activities resulting in significant noise levels must be minimised and made aware of the above control measures.

4.5.7 Dust Generating Activities

Construction activities have the potential to generate some dust emissions. Construction activities are likely to generate some dust emissions, particularly during the site clearance and excavation stages. The following avoidance, remedial or reductive measures will be implemented as part of the dust minimisation plan:

- During very dry periods when dust generation is likely, construction areas will be sprayed with water.
- Exhaust emissions from vehicles operating within the site, including trucks, excavators, diesel generators or other plant equipment, will be controlled by the contractor through regular servicing of machinery.
- Vehicle speeds will be limited in the construction site.
- Surrounding roads used by trucks to access to and egress from the site will be cleaned regularly using an approved mechanical road sweeper. Roads will be

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cleaned subject to local authority requirements. Site roads will be cleaned on a daily basis, or more regularly, as required.

- Wheel-wash facilities will be provided with rumble grids to remove excess mud from wheels. These facilities will be located at the exit from the site and away from sensitive receptors, where possible.
- The technique adopted for all works shall minimise the release of dust into the atmosphere.
- Daily visual inspections will be carried out at locations around the site boundary as required.
- These inspections will monitor the effectiveness of dust mitigation measures.

4.5.8 Potential Impacts on Soils, Groundwater and Surface Water

There is an open drain water course within the boundary of the site which discharges into third party lands to the east. During the construction phase, control measures will be put in place to mitigate against surface water contamination, nuisance and protect the environment. This open drain eventually discharges to the Groody River, a tributary of the River Shannon.

The employment of good construction management practices will minimise the risk of pollution of soil, storm water run-off or groundwater. The Construction Industry Research and Information Association (CIRIA) in the UK has issued a guidance note on the control and management of water pollution from construction sites, Control of Water Pollution from Construction Sites, guidance for consultants and contractors (Masters-Williams et al 2001). The guide is written for project promoters, design engineers and site and construction managers. It addresses the main causes of pollution of soil, groundwater and surface waters from construction sites and describes the protection measures required to prevent pollution of groundwater and surface waters and the emergency response procedures to be put in place so that any pollution, which occurs, can be remedied. The guide addresses developments on green field and potentially contaminated brownfield sites.

The construction management of the site will take account of the recommendations of the CIRIA guidance to minimise as far as possible the risk of soil, groundwater and surface water contamination. The Guidelines on Protection of Fisheries during Construction Works in and Adjacent to Waters from Inland Fisheries Ireland 2016 will also be followed. Site activities considered in the guidance include the following:

- Silt control
- Surface water detention
- Temporary crossings
- Haul roads

Additional specific guidance is provided in the CIRIA technical guidance on Control of Water Pollution from Linear Construction Projects (Murnane et al 2006).

Surface run-off from wheel washing areas can contain pollutants such as:

- detergents
- oil and fuel
- suspended solids
- grease

Measures, as recommended in the guidance above, that will be implemented to minimise the risk of spills and contamination of soils and waters include:

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- Careful consideration will be given to the location of any fuel storage facilities. These will be designed in accordance with guidelines produced by CIRIA, and will be fully bunded.
- All vehicles and plant will be regularly inspected for fuel, oil and hydraulic fluid leaks. Suitable equipment to deal with spills will be maintained on site.
- Where at all possible, soil excavation will be completed during dry periods and undertaken with excavators and dump trucks. Topsoil and subsoil will not be mixed together.
- Ensure that all areas where liquids are stored or cleaning is carried out are in a designated impermeable area that is isolated from the surrounding area, e.g. by a roll-over bund, raised kerb, ramps or stepped access.
- Use collection systems to prevent any contaminated drainage entering surface water drains, watercourses or groundwater, or draining onto the land.
- Minimise the use of cleaning chemicals.
- Use trigger-operated spray guns, with automatic water-supply cut-off.
- Use settlement lagoons or suitable absorbent material such as flocculent to remove suspended solids such as mud and silt.
- Ensure that all staff are trained and follow vehicle cleaning procedures. Post details of the procedures in the work area for easy reference.
- The above measures will be implemented, as appropriate along with the following site specific measures:
  - Fuel, oil and chemical storage on site will be secure.
  - Site storage will be on an impervious base within a secondary containment system such as a bund
  - A spill kit with sand, earth or commercial products that are approved for the stored materials will be kept close to the storage area. Staff will be trained on how to use spill kits correctly.
  - Damaged, leaking or empty drums will be removed from site immediately and disposed of via a registered waste disposal contractor.
  - Mobile plant will be refuelled in a designated area, on an impermeable base away from drains or watercourses.
  - A wheel wash will be installed for use by all construction vehicles leaving site.
  - A road sweeper will be used to remove dirt and debris from roads.
  - Silt traps will be located around the site to collect run off, with settled solids removed regularly and water recycled and reused where possible.

4.5.9 Invasive Species Management

A site survey will be undertaken by a suitably qualified Ecologist prior to commencement for the presence of alien invasive species.

In the event that invasive species are present of accidentally imported the following procedures will be adopted:

- A risk assessment and method statement must be provided by the Contractor prior to commencing works.
- Fences will be erected around areas of infestation, as confirmed by test pits and warning signs shall be erected.

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- A designated wash-down area will be created, where power-washed material from machinery can be contained, collected and disposed of with other contaminated material. This area will contain a washable membrane or hard surface.
- Stockpile areas will be chosen to minimise movement of contaminated soil.
- Stockpiles will be marked and isolated.
- Contaminated areas which will not be excavated will be protected by a root barrier membrane if they are likely to be disturbed by machinery. Root barrier membranes will be protected by a layer of sand above and below and topped with a layer of hardcore.
- The use of vehicles with caterpillar tracks within contaminated areas will be avoided to minimise the risk of spreading contaminated material.
- A suitably qualified ecologist will be on site to monitor and oversee the implementation of invasive species management plans.

Plant and equipment which is operated within an area for the management of materials in contaminated areas will be decontaminated prior to relocating to a different works area. The decontamination procedures should take account of the following:

- Personnel may only clean down if they are familiar with the plant and rhizome material and can readily identify it.
- Decontamination will only occur within designated wash-down areas.
- Vehicles will be cleaned using stiff-haired brush and pressure washers, paying special attention to any areas that might retain rhizomes e.g. wheel treads and arches.
- All run-off will be isolated and treated as contaminated material. This will be disposed of in already contaminated areas.

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5.0 CONCLUSION

The NIS concludes that, based on the best available scientific information, and provided that the works are undertaken in accordance with the proposed design and mitigation measures that are outlined in this report are properly implemented, the proposed development will not have an adverse effect on the integrity or pose a risk of likely significant effects on any European site.

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6.0 REFERENCES

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DoEHLG (2010) Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities. National Parks and Wildlife Service, Department of the Environment, Heritage and Local Government. Dublin.

European Commission (2018) Managing Natura 2000 Sites: The Provisions of Article 6 of the 'Habitats Directive' 92/43/EEC.

European Commission (2021) Assessment of Plans and Projects in relation to Natura 2000 sites – Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC.

European Union Habitats Directive, (1992) Council Directives 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.

Inland Fisheries Ireland (2016) Guidelines on Protection of Fisheries During Construction Works in or Adjacent to Waters

Institute of Air Quality Management – IAQM (2014) Guidance on the assessment of dust from demolition and construction.

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NPWS (2014) *Site synopsis for Lower River Shannon SAC 002165.* National Parks and Wildlife Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.

NPWS (2015) *Site synopsis for River Shannon and River Fergus Estuaries SPA [004077].* National Parks and Wildlife Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.

NPWS (2017) *Natura 2000 Standard Data Form for Lower River Shannon SAC 002165.* National Parks and Wildlife Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.

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DRAWINGS

Figure 1: Site Location

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N

0 2 4 km

NOTES

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Site Boundary



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RW NOLAN AND ASSOCIATES

AA Screening Report

PROPOSED RESIDENTIAL DEVELOPMENT

Monaleen, Co. Limerick

Site Location

FIGURE 1

Scale: 1:80000 @ A3

Date: NOVEMBER 2023

SLR Projects\914600 RW Nowlan & Associates\065195 Monaleen Ecology_Tree Survey

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Figure 2: Location of The Site Relative to Natura 2000 Sites

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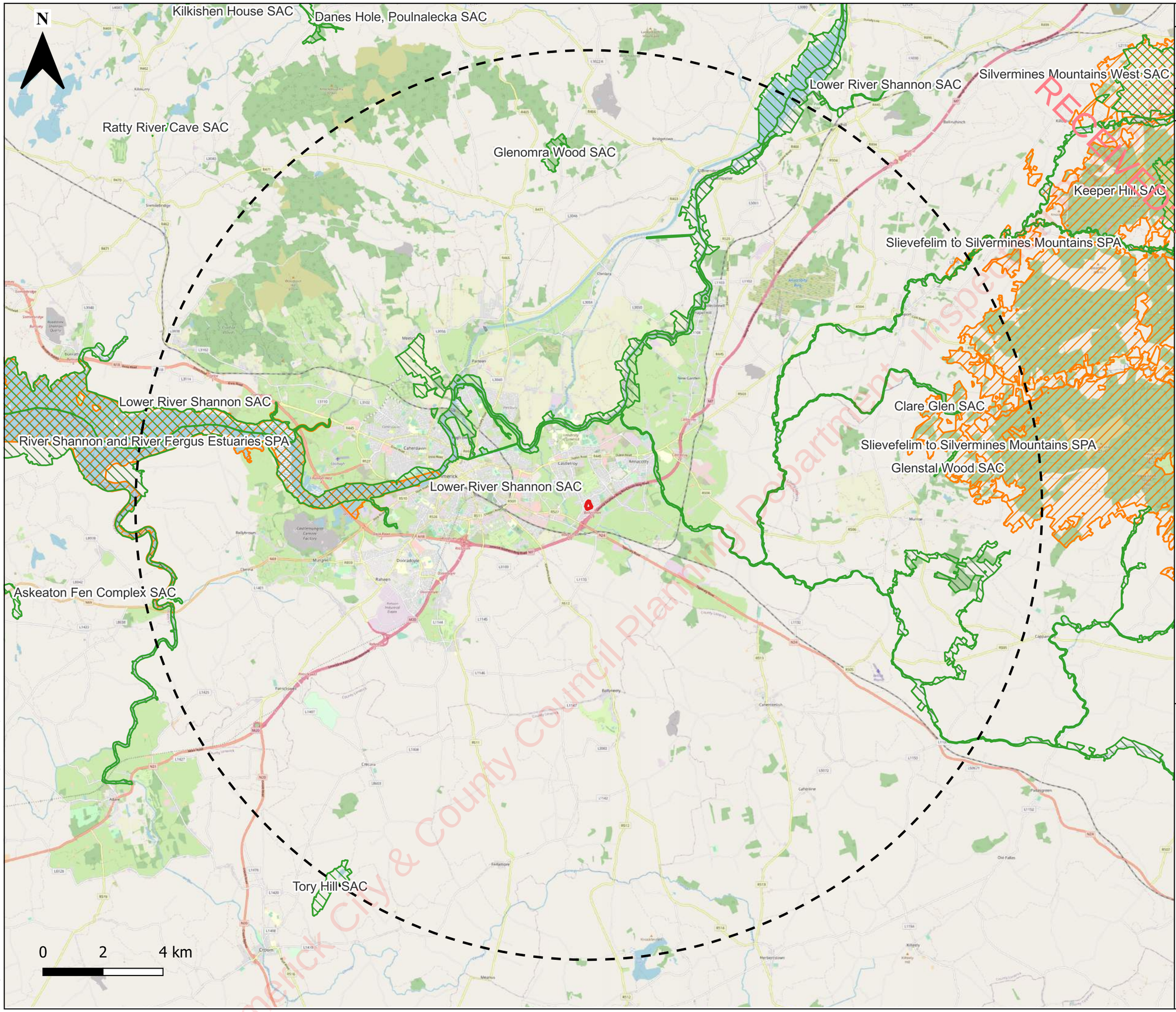

NOTES

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- 15km Site Buffer
- Site Boundary
- Special Areas of Conservation (SAC)
- Speciel Protection Areas (SPA)

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RW NOLAN AND ASSOCIATES

AA SCREENING REPORT

PROPOSED RESIDENTIAL DEVELOPMENT

Monaleen, Co. Limerick

Natura 2000 Map

FIGURE 2

Scale	Date
1:120000 @ A3	NOVEMBER 2023

SLR Projects\914600 RW Nowlan & Associates\065195 Monaleen Ecology_Tree Survey

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Appendix A Relevant Legislation and Policy

AA Screening and Natura Impact Statement

Proposed Large Scale Residential Development (LRD)

RW Nowlan and Associates

SLR Project No.: 501.065195.00001

15 November 2023

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A.1 Relevant Legislation and Policy

A.1.1 Habitats and Birds Directives

The Habitats Directive (Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora) forms the basis for the designation of Special Areas of Conservation (SACs) and a precursor designation Sites of Community Interest (SCI). Similarly, Special Protection Areas (SPAs) are classified under the Birds Directive (Council Directive 2009/147/EEC on the Conservation of Wild Birds). Collectively, SACs, SCIs and SPAs are referred to as the Natura 2000 network. The Natura 2000 Network is the minimum required to conserve certain habitats and species which are listed in the Directives.

Under Article 6(3) of the Habitats Directive, an Appropriate Assessment (AA) must be undertaken for any plan or project that is not directly connected with or necessary to the management of a Natura 2000 site but is likely to have a significant effect thereon, either alone or in combination with other plans or projects. An AA is an evaluation of the adverse effects of a plan or project, alone or in combination with other plans or projects, on the integrity of a Natura 2000 site, and the identification, where necessary, of avoidance or mitigation measures to preclude adverse effects on the integrity of the site.

Article 6, paragraph 3 the Habitats Directive states that:-

"*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 or projects, shall be subject to appropriate assessment of its implications for the [Natura 2000] site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public*".

Article 6, paragraph 4 goes on to deal with the special circumstances for the granting of consent for plans and projects which would have an adverse effect the integrity of the site(s) concerned.

A.1.2 European Communities (Birds and Natural Habitats) Regulations 2011

Pursuant to the Habitats Directive, Part 5 of the European Communities (Birds and Natural Habitats) Regulations 2011, as amended, similarly sets out the requirements for screening assessments, the circumstances under which an AA is required and the further implementation of Article 6(3) and 6(4) of the Habitats Directive.

It defines a "European Site" as (a) a candidate site of Community importance, (b) a site of Community importance, (c) a candidate special area of conservation, (d) a special area of conservation, (e) a candidate special protection area, or (f) a special protection area. European sites may therefore include sites which may intended to become part of the Natura 2000 network as well as those already within that network.

Regulation 42 has 22 paragraphs, with selected text provided below.

Regulation 42(1) requires that '*a screening for Appropriate Assessment of a plan or project for which an application for consent is received, or which a public authority wishes to undertake or adopt, and which is not directly connected with or necessary to the management of the site as a European Site, shall be carried out by the public authority to assess, in view of best scientific knowledge and in view of the conservation objectives of the site, if that plan or project, individually or in combination with other plans or projects is likely to have a significant effect on the European site*.'

Regulation 42(2) expands on this, stipulating that a public authority must carry out a screening for AA before consent for a plan or project is given, or a decision to undertake or adopt a plan or project is taken.

Regulation 42(6) requires that '*the public authority shall determine that an Appropriate Assessment of a plan or project is required where the plan or project is not directly connected with or necessary to the management of the site as a European Site and if it cannot be excluded, on the basis of objective scientific information following screening under this Regulation, that the plan or project, individually or in combination with other plans or projects, will have a significant effect on a European site*'.

Regulation 42(3)(a) gives the public authority the power to direct a third party to provide a Natura Impact Statement (NIS) and Regulation 42(3)(b) allows it to request any additional information that it needs to complete the screening assessment or AA. Regulation 42(5) goes on to make clear that the NIS should include such information as the public authority considers necessary to enable it to undertake the AA and to ascertain if a project or plan will affect the integrity of a Natura 2000 site. In addition to the information, Regulation 2(1) provides a definition of a Natura Impact Statement as "*a report comprising the scientific examination of a plan or project and the relevant European Site or European Sites, to identify and characterise any possible implications of the plan or project individually or in combination with other plans or projects in view of the conservation objectives of the site or sites, and any further information including, but not limited to, any plans, maps or drawings, scientific information or data required to enable the carrying out of an Appropriate Assessment*".

Regulation 42(11) makes clear that the AA must be carried out by the public authority and that it must include its conclusion as to whether the project or plan would adversely affect the integrity of a Natura 2000 site, and that this must be done prior to consenting the project. Regulation 42 (12) makes clear that the competent authority should, *inter alia*, consider the Natura Impact Statement when undertaking the AA.

Regulations 43 and45 then go on to deal with Article 6(4) of the Habitats Directive.

A.1.3 Planning and Development Act 2000 (as amended)

These processes have been further enshrined in the Planning and Development Act 2000 (as amended), in sections 177T, 177U and 177V.

177T states that:

(1) (a) A Natura impact report means a statement for the purposes of Article 6 of the Habitats Directive, of the implications of a Land use plan, on its own or in combination with other plans or projects, for one or more than one European site, in view of the conservation objectives of the site or sites.

(b) A Natura impact statement means a statement, for the purposes of Article 6 of the Habitats Directive, of the implications of a proposed development, on its own or in combination with other plans or projects, for one or more than one European site, in view of the conservation objectives of the site or sites.

(2) Without prejudice to the generality of subsection (1), a Natura impact report or a Natura impact statement, as the case may be, shall include a report of a scientific examination of evidence and data, carried out by competent persons to identify and classify any implications for one or more than one European site in view of the conservation objectives of the site or sites.

(3) …..

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(4) The applicant for consent for proposed development may, or if directed in accordance with subsection (5) by a competent authority, shall furnish a Natura impact statement to the competent authority in relation to the proposed development.

(5) At any time following an application for consent for proposed development a competent authority may give a notice in writing to the applicant concerned, directing him or her to furnish a Natura impact statement.

(6) ….

(7) a) …… a Natura impact report or a Natura impact statement shall include all information prescribed by regulations under section 177AD.

(b) Where appropriate, a Natura impact report or a Natura impact statement shall include such other information or data as the competent authority considers necessary to enable it to ascertain if the draft Land use plan or proposed development will not affect the integrity of the site.

177U states that:

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

(2)….

(3) in carrying out screening for appropriate assessment of a proposed development a competent authority may request such information from the applicant as it may consider necessary to enable it to carry out that screening….

(4) The competent authority shall determine that an appropriate assessment of a draft Land use plan or a proposed development, as the case may be, is required if it cannot be excluded, on the basis of objective information, that the draft Land use plan or proposed development, individually or in combination with other plans or projects, will have a significant effect on a European site.

(5) [the vice versa of (4)]

(6) ….

(7) ….

(8) ….

(9) ….

(10) ….

177V. states that:

(1) An appropriate assessment carried out under this Part shall include a determination by the competent authority under Article 6.3 of the Habitats Directive as to whether or not a draft Land use plan or proposed development would adversely affect the integrity of a European site and an appropriate assessment shall be carried out by the competent authority, in each case where it has made a determination under section 177U(4) that an appropriate assessment is required, before — ...

(a) the draft Land use plan is made including, where appropriate, before a decision on appeal in relation to a draft strategic development zone is made, or

(b) consent is given for the proposed development

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(2) In carrying out an appropriate assessment under subsection (1) the competent authority shall take into account each of the following matters:

(a) the Natura impact report or Natura impact statement, as appropriate

(b)….

(3) ……a competent authority shall make a Land use plan or give consent for proposed development only after having determined that the Land use plan or proposed development shall not adversely affect the integrity of a European site

(4)

(5)

(6)

The Act then goes on to deal with Article 6(4) of the Habitats Directive.

A.1.4 National Planning Framework

National Policy Objective 59 Enhance the conservation status and improve the management of protected areas and protected species by

- Implementing relevant EU Directives to protect Ireland's environment and wildlife;
- Integrating policies and objectives for the protection and restoration of biodiversity in statutory development plans;
- Developing and utilising licensing and consent systems to facilitate sustainable activities within Natura 2000 sites;
- Continued research, survey programmes and monitoring of habitats and species.

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Appendix B Appropriate Assessment Process

AA Screening and Natura Impact Statement

Proposed Large Scale Residential Development (LRD)

RW Nowlan and Associates

SLR Project No.: 501.065195.00001

15 November 2023

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B.1 Appropriate Assessment Process

B.1.1 Stage One: AA Screening

Stage One is a preliminary assessment, the purpose of which is to determine whether a plan or project requires more detailed assessment including the identification of mitigation measures.

There are two principal tests. The first considers whether the plan or project is needed for the management of a European site for the purpose of maintaining or restoring its conservation interest. Any such plans or projects can usually be screened out of further assessment.

The second test considers whether the plan or project, without specific mitigation measures, would be likely to have a significant effect on any European Site. This requires consideration of the project on its own and in combination with other plans or projects. A project can only be screened out of further assessment if it is certain (beyond reasonable scientific doubt and on the basis of the best scientific knowledge) that there would be no significant effects on any European site without detailed scientific investigation or mitigation designed specifically to address potential impacts on the qualifying interest of such sites. Significant effects in this assessment are those which could undermine the conservation objective(s) of a qualifying interest feature of a European site and therefore of the site itself. The process is used to determine which European Sites should be included in the later stages of the assessment. It can also be used to determine which qualifying interest features require further assessment.

The objective of the screening stage is to determine, on the basis of a preliminary assessment and objective criteria, whether a plan or project, alone and in-combination with other plans or projects, could have significant effects on a European site in view of the site's conservation objectives.

There is no necessity to establish such an effect; it is merely necessary for the competent authority to determine that there may be such an effect. The need to apply the precautionary principle in making any key decisions in relation to the tests of Appropriate Assessment (AA) has been confirmed by the case law of the Court of Justice of the European Union (CJEU). Plans or projects that have no appreciable effect on a European site may be excluded. The threshold at this first stage is a very low one and operates as a trigger in order to determine whether a Stage Two AA must be undertaken by the competent authority on the implications of the proposed development for the conservation objectives of a European site. Therefore, where significant effects are likely, uncertain or unknown at screening stage, a second stage AA will be required.

Since the screening assessment must be completed by the competent authority, this report is intended to provide the competent authority the information it requires following the same steps.

Measures intended to avoid or reduce the harmful effects of the proposed development on European sites (i.e. "mitigation measures") or best practice measures have not been taken into account in the screening stage appraisal.

B.1.2 Stage Two: Appropriate Assessment

Stage Two is a more detailed assessment, known as an "Appropriate Assessment" due to the terminology in the legislation. This essentially repeats the second test of the screening assessment but in more detail and considering mitigation measures before reaching a conclusion.

At this stage, the test is whether the project or plan will have an adverse effect on the integrity of any European site. This must be done in the light of the conservation objectives for each of the sites and qualifying interest features that have been 'screened in' by the earlier stage of

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assessment. Any effect which could undermine the conservation objectives is considered an adverse effect on the integrity of the site, and vice versa. If the project, with mitigation included, is predicted to lead to adverse effects upon the integrity of the site, further stages of assessment are required before the project can be authorise.

A Stage Two AA is a focused and detailed examination, analysis and evaluation carried out by the competent authority of the implications of the plan or project, alone and in-combination with other plans and projects, on the integrity of a European site in view of that site's conservation objectives. Case law has established that such an Appropriate Assessment, to be lawfully conducted, in summary:

(i) must identify, in the light of the best scientific knowledge in the field, all aspects of the proposed development which can, by itself or in-combination with other plans or projects, affect the conservation objectives of the European site;

(ii) must contain complete, precise and definitive findings and conclusions and may not have lacunae or gaps; and

(iii) may only include a determination that the proposed development will not adversely affect the integrity of any relevant European site where the competent authority decides (on the basis of complete, precise and definitive findings and conclusions) that no reasonable scientific doubt remains as to the absence of the identified potential effects. If adverse impacts can be satisfactorily avoided or successfully mitigated at this stage, so that no reasonable doubt remains as to the absence of the identified potential effects, then the process is complete. If the assessment is negative, i.e. adverse effects on the integrity of a site cannot be excluded, then the process must proceed to stage three and, if necessary, stage four.

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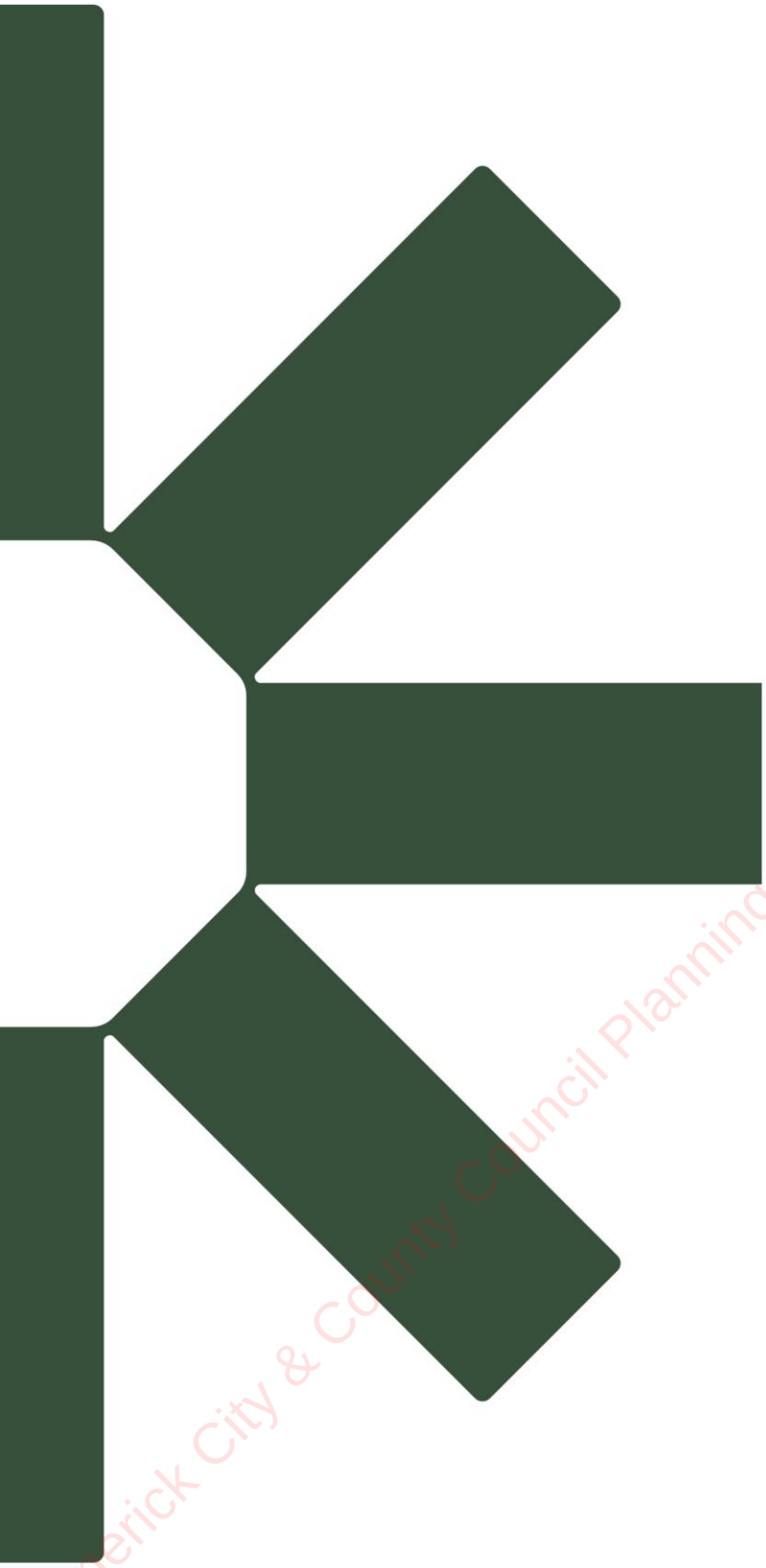

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