

APPROPRIATE ASSESSMENT CONCLUSION STATEMENT

FOR THE NEWCASTLE WEST LOCAL AREA PLAN 2023-2029

for: Limerick City and County Council

City Hall
Merchant's Quay
Limerick
County Limerick



Comhairle Cathrach
& Contae **Luimnigh**

Limerick City
& County Council

by: CAAS Ltd.

1st Floor
24-26 Ormond Quay Upper
Dublin 7



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Section 1 Introduction and Background

1.1 Introduction

This is the Appropriate Assessment (AA) Conclusion Statement for the Newcastle West Local Area Plan. The obligation to undertake AA derives from Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC as transposed into Irish legislation by, inter alia, the Planning and Development Act 2000, as amended. AA is a focused and detailed impact assessment of the implications of a strategic action (such as a plan or programme) or project, alone and in combination with other strategic actions and projects, on the integrity of any European Site in view of its conservation objectives. This AA Conclusion Statement should be read in conjunction with the Plan and associated documents including the AA Natura Impact Report (NIR).

1.2 Legislative Requirements in relation to AA

In carrying out the AA for the Plan, Planning and Development Act 2000, as amended, requires, inter alia, that the Council considers the matters arrayed in the first column on Table 1.1 below. The second column identifies how these issues have been addressed.

Table 1.1 Matters taken into account by the AA

Matter specified by the Regulations	How addressed by AA
(a) the Natura Impact Report	An AA NIR accompanies this AA Conclusion Statement and the Plan.
(b) any supplemental information furnished in relation to any such report	This AA Conclusion Statement accompanies the NIR that provides additional detail on European Sites.
(c) if appropriate, any additional information sought by the authority and furnished by the applicant in relation to a Natura Impact Report	
(d) any information or advice obtained by the public authority	Submissions made during the Plan preparation/AA process that were relevant to the AA were taken into account by the AA.
(e) if appropriate, any written submissions or observations made to the public authority in relation to the application for consent for proposed plan or project	Proposed Material Alterations were screened for the need to undertake Stage 2 AA (Stage 2 AA was required for the Alterations).
(f) any other relevant information	

In addition to the above, the Regulations require that the Council makes available for inspection a determination regarding the outcome of the assessment with respect to whether or not the Plan would adversely affect the integrity of a European site (a copy of this determination is provided at Section 4).

1.3 AA Conclusion Statement

Non-Statutory AA guidance (Department of Environment, Heritage and Local Government, 2009) states that (Section 4.14) it *"is recommended that planning authorities include a clear and discrete AA Conclusion Statement as a distinct section in the written statement of the plan separate to the SEA statement."* This guidance recommends that the following issues are addressed by the AA Conclusion Statement:

- Summary of how the findings of the AA were factored into the Plan (see Section 2);
- Reasons for choosing the Plan as adopted, in the light of other reasonable alternatives considered as part of the AA process (see Section 3);
- A declaration that the Plan as adopted will not have an adverse effect on the integrity of European Sites (provided at Section 4); and
- The NIR (the AA NIR is accompanied by this AA Conclusion Statement and has informed the AA Determination – see Section 4).

Furthermore, as stated in the Draft "Development Plans Guidelines for Planning Authorities" (Department of Housing, Local Government and Heritage, 2021):

"...There is a similar requirement to publish a determination relating to the AA that may have been undertaken. Under Article 6.3 of the Habitats Directive the determination (often termed an 'AA Conclusion Statement') must state as to whether or not the Draft Plan would adversely affect the integrity of a European site. However as stated in Section 3.5, this determination must have been made prior to the adoption of the Draft Plan."

This AA Conclusion Statement addresses the above issues, including the signed AA Determination included at Section 4.

Section 2 How the findings of the AA were factored into the Plan

The SEA and AA team worked with the Plan-preparation team at the Council in order to integrate requirements for environmental protection and management into the Plan. The Plan was prepared in an iterative manner whereby the Plan and AA documents have informed subsequent versions of the other. The findings of the AA were integrated into the Plan through mitigation measures. These mitigation measures ensure that the Plan will not affect the integrity of the European Sites, alone or in combination with other plans or projects.¹

Various text-based provisions have been integrated into the text of the Local Area Plan relevant to the protection of European sites through the Plan-preparation and AA and Strategic Environmental Assessment processes. In addition to the individual provisions integrated into the text of the Local Area Plan, individual provisions relating to the protection of European sites have been integrated into the existing Limerick Development Plan 2022-2028. The most relevant text-based mitigation measures from both the Local Area Plan and the Limerick Development Plan 2022-2028 are identified in Table 2.1 below.

Table 2.1 Measures that will protect European sites and their sustaining resources

Component ²	Development Objectives/Mitigation Measure(s)
Alignment with Limerick Development Plan	Section 10.1 of the Draft Plan This Local Area Plan outlines specific policies and objectives for the development of Newcastle West. The overarching policies and objectives of the Limerick Development Plan 2022 - 2028 and any replacement thereof also apply. All development requiring planning permission must adhere to the Policies, Objectives, Development Management Standards and other requirements of the Limerick Development Plan 2022 - 2028, or any replacement thereof.
Natural Heritage and Biodiversity	Objectives CIO4 Walkways, Cycleways and the Limerick Greenway d) Proposals for new Walkways/Cycleways, Greenways and Blueways will be subject to appropriate environmental assessments. Any development which would have adverse effect on the integrity of European sites or cause a net loss of bio-diversity will not be permitted. Objectives CIO5 Parks, Open Space and Recreation Examine the feasibility of blue-way opportunities along the River Arra and River Daar in Newcastle West, subject to appropriate ecological assessments. Objective TO1 Tourism d) Require tourism projects to adhere to appropriate environmental and ecological assessment and to mitigate any adverse environmental, biodiversity and ecological impacts. Objective CHO2 Blue Green Infrastructure b) Promote connecting corridors for the movement of species and encourage the retention and creation of features of biodiversity value, ecological corridors and networks that connect areas of high conservation value, such as woodlands, hedgerows, earth banks, watercourses, wetlands and designated sites where possible. In this regard, new infrastructural projects and linear developments in particular, will have to demonstrate at design stage, sufficient measures to assist in the conservation of and dispersal of species. c) Protect existing ecosystems and biodiversity assets, such as natural woodland, natural watercourses and riparian habitats, layered ecosystems supporting flora, fauna, pollinators, invertebrates, micro-organisms and mycelium, where possible.
Peatlands, wetlands and surface water courses (WFD)	Objective CHO2 Blue Green Infrastructure d) Protect the Watercourses in Newcastle West by ensuring the provision of adequate riparian buffer zones. Policy CHP2 Water Framework Directive Implement changes to the management of water bodies, taking account of all aspects of the Water Cycle in accordance with the Water Framework Directive and the principal objective of the Water Framework Directive to achieve at least good status in all waters and to ensure that status does not deteriorate in any waters.
Water services, groundwater and water quality	Objective DS05 Development Strategy - Placemaking Objective b) Public realm provisions shall reflect high quality, easily maintained street furniture, soft landscaping and drainage solution shall adhere to best practice principles, designed on the principles of SuDS. Objective EDO1 Enterprise and Employment Objective g) Early engagement with all utilities providers, including Uisce Eireann is strongly advised. Policy CHP2 Water Framework Directive Implement changes to the management of water bodies, taking account of all aspects of the Water Cycle in accordance with the Water Framework Directive and the principal objective of the Water Framework Directive to achieve at least good status in all waters and to ensure that status does not deteriorate in any waters. Objective IUO1 Water Supply Infrastructure a) Ensure compliance for infrastructure led-growth in accordance with the DHPLG Water Services Guidelines for Planning Authorities. b) Facilitate improvements to the existing water supply system to cater for the needs of an expanding population. c) Ensure that development proposals provide adequate water infrastructure to facilitate proposed developments. Evidence of consultation by developers with Uisce Eireann prior to submitting planning applications will be required. d) Ensure future development protects existing wayleave and buffer zones around public water services infrastructure. e) Promote water conservation and demand management measures among all water users, and to support Uisce Eireann in implementing water conservation measures such as leakage reduction and network improvements, including innovative solutions in specific situations.

¹ Except as provided for in Article 6(4) of the Habitats Directive, viz. There must be: (a) no alternative solution available, (b) imperative reasons of overriding public interest for the plan to proceed; and (c) adequate compensatory measures in place.

² The measures generally benefit multiple environmental components i.e., a measure providing for the protection of water could beneficially impact upon the protection of biodiversity, flora and fauna, for example. All of the measures included in this table would benefit the protection of European sites.

Component ²	Development Objectives/Mitigation Measure(s)
	<p>f) Proposals for abstractions of water will be subject to the appropriate environmental assessments and demonstrate compliance with the requirements of Article 6 of the Habitats Directive and the Water Framework Directive.</p> <p>Objective IUO2 Wastewater Infrastructure</p> <p>a) Support the implementation of the Uisce Eireann Investment Plans, in accordance with the settlement strategy of the RSES and Development Plan.</p> <p>b) Ensure adequate wastewater infrastructure is available to cater for existing and proposed development, in collaboration with Uisce Eireann, avoiding any deterioration in the quality of receiving waters and ensuring discharge meets the requirements of the Water Framework Directive. This includes the separation of foul and surface water through the provision of separate networks and nature-based rainwater management measures. Applications for development under the Draft Plan must demonstrate that the proposal for development would not adversely affect a water body's ability to meet its objectives under the Water Framework Directive, individually as a result of the proposed development or cumulatively, in combination with other developments. Evidence of consultation by developers with Uisce Eireann, prior to submitting a planning application will be required.</p> <p>(c) Ensure compliance for infrastructure led-growth in accordance with the DHPLG Water Services Guidelines for Planning Authorities.</p> <p>(d) Facilitate improvements to the existing wastewater system to cater for the needs of an expanding population.</p> <p>(e) Ensure future development protects existing wayleave and buffer zones around public water services infrastructure.</p> <p>Objective IUO3 Surface Water and SUDs</p> <p>a) Maintain, improve and enhance the environmental and ecological quality of surface waters and groundwater, including reducing the discharges of pollutants or contaminants to waters in accordance with the Draft River Basin Management Plan for Ireland 2022-2027 (DHPLG) and associated Programme of Measures.</p> <p>b) Require all planning applications to include surface water design calculations to establish the suitability of drainage between the site and the outfall point.</p> <p>c) Require all new developments to include Sustainable Urban Drainage Systems (SuDS) to control surface water outfall and protect water quality.</p> <p>d) Require applicants to investigate the potential for the provision of porous surfaces, where car parking and hard landscaping is proposed.</p> <p>e) Protect the surface water resources of the plan area and in individual planning applications request the provision of sediment and grease traps, and pollution control measures, where deemed necessary.</p>
Tourism	<p>Policy TP1 Tourism Strategic Policy</p> <p>Support the long-term sustainable growth of appropriate tourism opportunities in Newcastle West, in accordance with Proposed Limerick Development Plan 2022 – 2028, the National Planning Framework and the Regional Spatial and Economic Strategy for the Southern Region and the Limerick Tourism Development Strategy 2019 – 2023 and any subsequent replacement strategy.</p> <p>Objective TO1 Tourism</p> <p>d) Require tourism projects to adhere to appropriate environmental and ecological assessment and to mitigate any adverse environmental, biodiversity and ecological impacts.</p>
Built environment	<p>Objective DSO1 Sustainable Residential Growth</p> <p>(b) Ensure that at least 30% of all new housing development is delivered within existing built-up areas and on infill, brownfield and backland sites.</p> <p>(c) Consolidate existing development and increase existing residential density, through a range of measures including reductions in vacancy, re-use of existing buildings and infill development schemes.</p> <p>Policy TCFP2 Town Centre First and '10 Minute' Town Concept</p> <p>b) Prioritise the town centre as the most appropriate location for future development of the town. Planning applications for future development will be assessment as per the zoning objectives of this Plan and considered sequentially in relation to the town centre zoning.</p> <p>Policy TCFP3 Vacancy</p> <p>Promote and facilitate the re-use of under-utilised or vacant lands/buildings in Newcastle West through the active land management mechanisms, under the Derelict Sites Act, 1990 (as amended), Residential Zoned Land Tax and also guided by key Government policies, such as Town Centre First, Our Rural Future, and Housing for All and any replacements thereof. The Council will engage with property owners to advise on remedial measures and give guidance on schemes and supports available to bring vacant and derelict buildings back into productive use.</p> <p>Objective EDO1 Enterprise and Employment</p> <p>Encourage the redevelopment of vacant commercial units, brownfield, derelict, and infill sites for local enterprise development subject to the normal planning criteria</p> <p>Objective SMT04 National and Regional Roads</p> <p>b) Transport infrastructure projects that are not already permitted or provided for by existing plans/programmes, shall be subject to the undertaking of feasibility assessment, taking into account planning need and the policies and objectives of the Draft Plan relating to sustainable mobility. Where feasibility is established, a Corridor and Route Selection Process will be undertaken, where relevant appropriate, in two stages: Stage 1 – Route Corridor Identification, Evaluation and Selection; and Stage 2 – Route Identification, Evaluation and Selection. New transport infrastructure will be considered subject to environmental constraints as identified in the SEA Environmental Report, including those related to habitats and potential impacts (e.g., disturbance from lighting). This will include minimising river crossings, avoiding sensitive habitats, not increasing barriers to flood waters and sustainable design and construction techniques.</p>
Invasive species	<p>The management of invasive species' occurrence and risk where required is provided for via alignment with and adherence to the current Limerick Plan 2022-2028 policies and objectives via the following statement in Section 10.1 of the Draft Plan:</p> <p>This Local Area Plan outlines specific policies and objectives for the development of Newcastle West. The overarching policies and objectives of the Limerick Development Plan 2022 - 2028 and any replacement thereof also apply. All development requiring planning permission must adhere to the Policies, Objectives, Development Management Standards and other requirements of the Limerick Development Plan 2022 - 2028, or any replacement thereof.</p> <p>This statement therefore renders any development or project resulting from the implementation of this Draft Plan subject to compliance with Objective EH 011 Invasive Species of the current Limerick Development Plan 2022-2028.</p>
Agriculture	<p>Objective CHO2 Blue Green Infrastructure</p> <p>Protect the Watercourses in Newcastle West by ensuring the provision of adequate riparian buffer zones.</p> <p>Policy CHP2 Water Framework Directive Policy</p> <p>Implement changes to the management of water bodies, taking account of all aspects of the Water Cycle in accordance with the Water Framework Directive and the principal objective of the Water Framework Directive to achieve at least good status in all waters and to ensure that status does not deteriorate in any waters.</p> <p>The management of sustainable agricultural practices where required is provided for via alignment with and adherence to the current Limerick Plan 2022-2028 policies and objectives via the following statement in Section 10.1 of the Draft Plan:</p>

Component ²	Development Objectives/Mitigation Measure(s)
	<p>This Local Area Plan outlines specific policies and objectives for the development of Newcastle West. The overarching policies and objectives of the Limerick Development Plan 2022 - 2028 and any replacement thereof also apply. All development requiring planning permission must adhere to the Policies, Objectives, Development Management Standards and other requirements of the Limerick Development Plan 2022 - 2028, or any replacement thereof.</p> <p>This statement therefore renders any development or project resulting from the implementation of this Draft Plan subject to compliance with Objective ECON O35 Rural Development, and Objective IN O20 Agricultural Waste, of the current Limerick Development Plan 2022-2028.</p>
Water abstraction	<p>Objective IUO1 Water Supply Infrastructure f) Proposals for abstractions of water will be subject to the appropriate environmental assessments and demonstrate compliance with the requirements of Article 6 of the Habitats Directive and the Water Framework Directive.</p>
Flood Risk Management	<p>Objective IUO4 Flood Risk Management Objectives a) Manage flood risk in accordance with the requirements of "The Planning System and Flood Risk Management Guidelines for Planning Authorities", DECLG and OPW (2009) and any revisions thereof and consider the potential impacts of climate change in the application of these guidelines. b) Ensure development proposals within the areas outlined as being at risk of flooding are subject to Site Specific Flood Risk Assessment as outlined in "The Planning System and Flood Risk Management Guidelines", DECLG and OPW (2009). These Flood Risk Assessments shall consider climate change impacts and adaptation measures including details of structural and non-structural flood risk management measures, such as those relating to floor levels, internal layout, flood-resistant construction, flood-resilient construction, emergency response planning and access and egress during flood events. c) Ensure that future developments in flood prone areas is generally limited to minor developments in line with the Circular PL 02/2014 and the Flood Risk Management 89 Guidelines for Planning Authorities and ensure future development of lands within Flood Risk Zone A/B is in accordance with the plan-making Justification Tests in the SFRA. d) Developments on lands benefitting from Arterial Drainage Schemes shall ensure that adequate lands are preserved to allow for maintenance and access to these drainage channels. Land identified as benefitting from these systems may be prone to flooding, as such site-specific flood risk assessments will be required as appropriate, at planning application stage. f) Ensure the protection of a 20m riparian buffer free from development, on greenfield lands, in particular the lands zoned Enterprise and Employment and Residential Serviced Sites by the River Daar south east of the Limerick Greenway and north west and south east of the N21. g) Ensure that zoning or development proposals allow for the protection, and the need for maintenance of the existing flood relief scheme and do not impede or prevent the progression of the proposed development flood relief scheme in Newcastle West. h) Prepare a register of key flood relief infrastructure in Newcastle West.</p>
Light, air & noise pollution	<p>Objective SMT04 National and Regional Roads e) Adhere to the requirements of S.I. No. 140 of 2006 Environmental Noise Regulations by requesting the implementation of noise mitigation measures when introducing noise sensitive uses in the environs of existing and planned national roads. h) Transport infrastructure projects that are not already permitted or provided for by existing plans/programmes, shall be subject to the undertaking of feasibility assessment, taking into account planning need and the policies and objectives of the Draft Plan relating to sustainable mobility. Where feasibility is established, a Corridor and Route Selection Process will be undertaken, where relevant appropriate, in two stages: Stage 1 – Route Corridor Identification, Evaluation and Selection; and Stage 2 – Route Identification, Evaluation and Selection. New transport infrastructure will be considered subject to environmental constraints as identified in the SEA Environmental Report, including those related to habitats and potential impacts (e.g., disturbance from lighting). This will include minimising river crossings, avoiding sensitive habitats, not increasing barriers to flood waters and sustainable design and construction techniques.</p>
Extractive Industry	<p>There are no extractive / mining industries current within the Plan area. However, the Plan does acknowledge the possibility of extractive activities occurring within agriculture. For which, the Plan states that this possibility is: "for consideration by the Council and the Council may permit where it is satisfied that the suggested form of development will be compatible with the policies and objectives for the zone, will not conflict with existing uses or the proper planning and sustainable development of the area."</p>
Climate and Sustainable Transport	<p>Overall Strategic Development Objective i) Ensure the future development of Newcastle West supports the just transition a low carbon society and economy, implementing national policy to reduce gas emissions, improve environmental quality and contribute to national targets for climate change.</p> <p>Policy CHP1 Climate Change Strategic Protect and enhance environmental quality and implement the climate action measures through the planning process to help tackle climate change.</p> <p>Objective CHO1 Climate Change (a) Ensure climate-proofing measures are incorporated into the design, planning and construction of all developments, including utilities and their networks. The use of green infrastructure as a mechanism for carbon offsetting and surface water management is encouraged. (b) Ensure that all residential and commercial developments are designed to take account of the impacts of climate change, including the installation of rainwater harvesting systems, and that energy efficiency and renewable energy measures are incorporated. In the case of large industrial, commercial or newly constructed public buildings, the incorporation of renewable technologies, such as solar energy in the design will be encouraged, subject to compliance with all relevant planning criteria. c) Support and promote climate smart and the NZEB standard of building or equivalent for all new developments. d) Promote and support development of renewable energy sources, which will achieve low carbon outputs and promote Newcastle West as a low carbon area. e) Support the development of low carbon and green technological businesses and industries. f) Promote responsible development and management of land, drainage systems and natural habitats and encourage development at appropriate locations, which minimise the use of fossil fuels and maximises the use of local or renewable resources. g) Promote the appropriate adaption of built heritage to respond to the effects of climate change. h) Protect and enhance environmental quality and implement current and future climate action measures and guidance that may be published during the life time of the plan through the planning process to help address climate change</p> <p>Objective DSO2 New Residential Development c) Ensure all new residential layouts prioritise walking and cycling, are fully permeable for pedestrians and cyclists to access a range of local services and enable the efficient provision of public transport services.</p> <p>Policy SMT P1 Integration of Land Use and Transport Support and facilitate the integration of land use and transportation policies for Newcastle West, as a means of reducing the impact on climate change. The Council will ensure the delivery of a sustainable compact settlement, which can be served by sustainable modes of transport with a focus on reducing the need to travel.</p>

Component ²	Development Objectives/Mitigation Measure(s)
	<p>Policy SMTP2 Promotion of Sustainable Patterns of Transport Seek to implement in a positive manner, in cooperation with other relevant stakeholders and agencies, including the Nation Transport Authority (NTA), the policies of the NPF, RSES and the Department of Transport’s Active Travel publications and the National Sustainable Mobility Policy (2022), to encourage more sustainable patterns of travel and greater use of sustainable forms of transport in Newcastle West, including public transport, cycling and walking.</p> <p>Objective SMT03 a) Enhance the walking and cycling networks through the town within the lifetime of the Plan and seek to improve direct pedestrian linkages, cycle networks and infrastructure throughout the town and improve connectivity to the town centre and existing services. b) Incorporate Sustainable Travel measures in all new developments in the town.</p>
Renewable Energy	<p>Objective CHO1 Climate Change b) Ensure that all residential and commercial developments are designed to take account of the impacts of climate change, including the installation of rainwater harvesting systems, and that energy efficiency and renewable energy measures are incorporated. In the case of large industrial, commercial or newly constructed public buildings, the incorporation of renewable technologies, such as solar energy in the design will be encouraged, subject to compliance with all relevant planning criteria.</p> <p>Objective IU05 Energy Generation, Telecommunications and Digital Infrastructure Objectives e) Facilitate delivery of E-Charge Points for electric vehicles at suitable locations and in new developments in line with the Limerick Development Plan. f) Promote and encourage the use of renewable energy sources, technologies, including district heating schemes and alternative energy retrofitting in existing and proposed developments, subject to consideration of environmental, conservation, residential and visual amenity. In the event of grid connection to the national road network proposals should demonstrate an assessment of all alternative grid connection route options have been undertaken by the developer as part of planning application process.</p>
Green/Blue Infrastructure	<p>Objectives CIO4 Walkways, Cycleways and the Limerick Greenway d) Proposals for new Walkways/Cycleways, Greenways and Blueways will be subject to appropriate environmental assessments. Any development which would have adverse effect on the integrity of European sites or cause a net loss of bio-diversity will not be permitted.</p> <p>Objectives CIO5 Parks, Open Space and Recreation a) Examine the feasibility of blue-way opportunities along the River Arra and River Daar in Newcastle West, subject to appropriate ecological assessments.</p> <p>Objective SMT03 Walking and Cycling b) Support the progression of enhancing connectivity between the Limerick Greenway and the town centre by safe walkway/cycleway route, subject to the necessary environmental assessments.</p> <p>Objective CHO2 Blue Green Infrastructure Develop and enhance blue and green infrastructure opportunities in accordance with Our Green Region – a Blue Green Infrastructure and Nature-based Solutions Framework for the Southern Region and The Best Practice Interim Guidance Document ‘Nature-based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas’ – Inclusion of SuDS and green infrastructure, throughout Newcastle West and in line with the detail set out in Tables 8.1 and 8.2.</p>
Waste Management	<p>Objective IU07 – Waste Management a) Support the Regional Waste Management Office in implementation of the Regional Waste Management Plan and the EU Action Plan for the Circular Economy – Closing the Loop, to ensure sustainable patterns of consumption and production. b) Require all commercial and residential development to provide an adequate internal and external space for the correct storage of waste and recyclable materials.</p>

Section 3 Consideration of Alternatives

This section summarises the alternatives considered for the Plan during the preparation process. These alternatives have been incorporated into the Plan having regard to both:

1. The environmental effects (including those related to ecology and European sites) which are identified by the SEA (informed by the AA) and are summarised below; and
2. Planning - including social and economic - effects that also were considered by the Council.

3.1 Limitations in Available Alternatives

The Plan is required to be prepared by the existing, already in force, Limerick Development Plan 2022-2028 and the Planning and Development Act 2000 (as amended), which specifies various types of objectives that must be provided for by the Plan.

The alternatives available for the Plan are guided by the provisions of higher-level planning objectives, including those of the National Planning Framework, the Regional Spatial and Economic Strategy for the Southern Region and the Development Plan. These documents set out various requirements for the content of the Plan including on topics such as land use zoning and the sustainable development of settlements.

3.2 Land Use Zoning Alternatives

Limerick City and County Council in preparing a Draft Plan for public display developed the following alternatives for land use zoning in Newcastle West (there are various alternative components under each heading):

Land Use Zoning Alternative 1 "More Consolidated, More Compact"

Population growth targets for Newcastle West are already provided for under the Core Strategy of the Limerick Development Plan 2022-2028. The Local Area Plan is required to provide for the zoning of sufficient lands in order to meet this target. Land Use Zoning Alternative 1 "More Consolidated, More Compact" would zone sufficient lands to allow Newcastle West to reach population allocation, resulting in balanced orderly development and implementation of the core strategy as contained in Chapter 2 of the Limerick Development Plan 2022-2028.

The more compact, serviced/serviceable land and infrastructure assessment approach under this alternative would allow for water supply, waste water, compact growth, public transport and co-ordinated development considerations to be integrated into the Plan to the highest degree. Gaps in infrastructure are identified and new development must ensure appropriate protection of the environment.

Less new infrastructure would be required than would be the case for Alternative 2 "Less Consolidated, Less Compact" – reducing the occurrence of potential direct impacts from new infrastructure and potential shortfalls.

The development of the Town Centre would be more compact and more sustainable under this scenario and would support the longer-term viability of the settlement. At least 30% of all new housing development is delivered within existing built-up areas and on infill, brownfield and backland sites. The quantum of New Residential lands would be significantly lower than would be the case under Land Use Zoning Alternative 2 "Less Consolidated, Less Compact". Furthermore, Enterprise and Employment zoned lands would be more compact and would be closer to existing infrastructure. The approach would avoid unnecessary greenfield development (and associated effects on components including soil, ecology, water and the landscape) in more peripheral locations and help to maximise opportunities for sustainable mobility (reducing emissions to air).

Opportunity sites would be identified with clear guidance on design and proposed uses identified – making successful applications for the sustainable, compact development of the town more likely.

The approach under Land Use Zoning Alternative 1 “More Consolidated, More Compact” would benefit the protection and management of various environmental components. Although potentially adverse effects associated with land use development would exist, they would be mitigated to a significant degree.

Land Use Zoning Alternative 2 “Less Consolidated, Less Compact”

Population growth targets for Newcastle West are already provided for under the Core Strategy of the Limerick Development Plan 2022-2028. The Local Area Plan is required to provide for the zoning of sufficient lands in order to meet this target. Land Use Zoning Alternative 2 “Less Consolidated, Less Compact” would zone excess lands, allowing Newcastle West to reach the population target; however, the over provision of zoned lands would be likely to result in less balanced and less orderly development.

By not following a more compact, serviced/serviceable land and infrastructure assessment approach, this alternative would not allow for water supply, waste water, compact growth, public transport and co-ordinated development considerations to be integrated into the Plan to the highest degree. More new infrastructure would be required than would be the case for Alternative 1 “More Consolidated, More Compact” – increasing the occurrence of potential direct impacts from new infrastructure and potential shortfalls.

The development of the Town Centre would be less compact and less sustainable under this scenario and would not optimally support the longer-term viability of the settlement to the same degree as would be the case with Land Use Zoning Alternative 1. At least 30% of all new housing development within existing built-up areas and on infill, brownfield and backland sites would be less likely to be achieved. The quantum of New Residential lands would be significantly higher than would be the case under Land Use Zoning Alternative 1. The additional New Residential lands would be on more peripheral, less well serviced lands. Furthermore, Enterprise and Employment zoned lands would be less compact, including additional lands to the north west of the town. The approach would provide for unnecessary greenfield development (and associated effects on components including soil, ecology, water and the landscape) in more peripheral locations and help to maximise opportunities for sustainable mobility (reducing emissions to air).

The approach under Land Use Zoning Alternative 2 “Less Consolidated, Less Compact” would miss an opportunity to mitigate potentially adverse effects on various environmental components arising from land use development in Newcastle West.

The Selected Land Use Zoning Alternative for the Draft Plan and the adopted Plan is Land Use Zoning Alternative 1 “More Consolidated, More Compact”.

3.3 Transport Infrastructure Alternatives

Limerick City and County Council in preparing a Draft Plan for public display developed the following alternatives for focusing on mitigation with respect to new transport infrastructure and services in Newcastle West:

Transport Alternative 1 “Preparation of a Local Transport Plan and integrating a Focus on Mitigation at Plan and Project level”

Transport Alternative 1 would involve the preparation of a Local Transport Plan that would be integrated into the Local Area Plan to provide for the planning and delivery of in the town. The

preparation and integration into the Local Area Plan of a Local Transport Plan would provide a more coordinated and more orderly provision of transport infrastructure and services with delivery of projects, and associated benefit with respect to sustainable mobility, emissions and compact development, more likely.

Alternative 1 would require transport infrastructure projects that are not already permitted or provided for by existing plans/ programmes to be subject to feasibility assessment and, where feasibility is established, a Corridor and Route Selection Process. Under Alternative 1 new transport infrastructure would be considered subject to environmental constraints, including those related to habitats and potential impacts (e.g. disturbance from lighting). This would include minimising river crossings, avoiding sensitive habitats, not increasing barriers to flood waters and sustainable design and construction techniques. By focusing on mitigation at both plan and project levels, Alternative 1 would offer the most certainty for environmental protection and management and would be more likely to result in important individual projects (relating to sustainable mobility and emissions/energy objectives) receiving permission.

Transport Alternative 2 "Focus on Mitigation at Project level only"

Transport Alternative 2 would not involve the preparation of a Local Transport Plan that would be integrated into the Local Area Plan to provide for the planning and delivery of transport infrastructure and services in the town. Not preparing and integrating a Local Transport Plan into the Local Area Plan would provide a less coordinated and less orderly provision of transport infrastructure and services with delivery of projects, and associated benefit with respect to sustainable mobility, emissions and compact development, less likely.

The provision of new transport infrastructure, with all additional environmental mitigation left to be defined in the future, at project level (Alternative 2) would offer the least certainty for environmental protection and management and would be more likely to result in important individual projects (relating to sustainable mobility and emissions objectives) not been given permission.

The Selected Transport Alternative for the Draft Plan and the adopted Plan is Transport Alternative 1 "Focus on Mitigation at Plan and Project level".

Section 4 AA Determination

Appropriate Assessment Determination

under
Section 177V of the Planning and Development Act 2000, as amended,
for the

Newcastle West Local Area Plan 2023-2029

In order to comply with the requirements of Section 177V of the Planning and Development Act 2000, as amended, and pursuant to Article 6(3) of the Habitats Directive as to whether or not a plan or project would affect the integrity of any European site(s), this Appropriate Assessment determination is being made by Limerick City and County Council relating to the potential for the Newcastle West Local Area Plan 2023-2029 that is being adopted¹ to have effects on the integrity of European sites.

In carrying out this Appropriate Assessment (AA), the Council is taking into account the matters specified under Part XAB of the Planning and Development Act 2000 (as amended), including the following²:

- The Natura Impact Report prepared for the Draft Plan;
- The Natura Impact Report prepared for the Proposed Material Alterations;
- Written submissions made during the Plan preparation process; and
- Ongoing advice on AA from the Council's agents, including on further modifications.

As part of the AA, it was identified that the Plan may, if unmitigated, have significant effects on one (no.) European site. Factors that could potentially affect the integrity of European sites include:

- Provisions for sectors such as housing, sustainable communities, economic development and tourism, sustainable mobility, climate action, environment and heritage and infrastructure and utilities; and
- Loading pressures from the operational phase of developments – these sources could result in disturbance effects and interactions with water quality.

The undersigned, having carefully considered the information referred to above agrees with and adopts the reasoning and conclusions presented and determines that:

- Implementation of the Plan would have had the potential to result in effects to the integrity of European sites, if unmitigated.
- The risks to the safeguarding and integrity of the qualifying interests, special conservation interests and conservation objectives of the European sites have been addressed by the inclusion of mitigation measures into the Plan that will, in addition to the measures already in force through the Limerick Development Plan 2022-2028, prioritise the avoidance of effects in the first place and reliably mitigate effects where these cannot be avoided. In addition, any lower-level plans and projects arising

¹ Incorporating: the Draft Plan; all and any alterations; and all and any further modifications considered by the AA process.

² A consolidated Natura Impact Report has also been made available, integrating relevant elements of these matters into one document.

through the implementation of the Plan will themselves be subject to AA when further details of design and location are known.

- In-combination effects from interactions with other plans and projects have been considered in this assessment and the mitigation measures have been incorporated into the Plan – these measures are robust and will ensure there will be no effects on the integrity of European sites as a result of the implementation of the Plan either alone or in-combination with other plans/projects.
- Having incorporated mitigation measures³ and taking into account the measures already in force through the Limerick Development Plan 2022-2028⁴, the Plan is not foreseen to give rise to any effect on the integrity of any European site, alone or in combination with other plans or projects⁵. This evaluation is made in view of the conservation objectives of the habitats or species, for which these sites have been designated.

Signed: 

Date: 15th November 2023

Signatory: Vincent Murray

Director Planning, Environment and Place - Making