

Appropriate Assessment Screening Report
Proposed Variation No. 2 to Limerick Development Plan
2022 – 2028 (as varied)

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Limerick City and County Council

Forward Planning

Planning, Heritage & Ryder Cup

Merchants Quay

Limerick



Comhairle Cathrach
& Contae **Luimnigh**

Limerick City
& County Council

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1 Introduction

This Screening report to inform the Appropriate Assessment (AA) process has been prepared by Limerick City and County Council (LCCC) with regard to the Proposed Variation No. 2 to Limerick Development Plan 2022 – 2028 (as varied).

The report comprises information in support of the Screening of the proposal in line with the requirements of Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC) on the Conservation of Natural Habitats and of Wild Fauna and Flora (hereafter referred to as the Habitats Directive).

The evaluations presented in this Screening report have been completed by a qualified and competent ecologist utilising current guidance and scientific information, as well as ecological survey data on the ground. The baseline environment and assessment of significance of effects is informed through consultation with NPWS.

The purpose of this Screening report is to inform the Appropriate Assessment (AA) process to determine, based on objective scientific information, whether the proposal, alone and in combination with other plans or projects, has the potential for significant effects on any designated European Site in view of the site's conservation objectives. The Screening conclusion statement is determined based on the description of the proposed measures provided herein. It is considered full and complete. Local ecological interests separate to any Natura 2000 designation were identified within the study area but are not evaluated or assessed in the context of the current document, which is restricted to the requirements for AA reporting with regard to the Habitats Directive requirements under Article 6(3).

This Screening Report complies with the requirements of Article 6 of the EC Habitats Directive (1992) transposed in Ireland principally through the Planning and Development Act 2024 (as amended) and the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended) (referred to as the Habitats Regulations herein). In the context of the proposed project, the appropriate legislation is the Birds and Natural Habitats Regulations (2011) and the 'public authority' is the relevant local authority, in this case Limerick City and County Council. As the author of the County Development plan, L.C.C. has prepared this report to inform the Appropriate Assessment process to be undertaken in accordance with the requirements of Article 42 of the Habitats Regulations, which states as follows:

"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 study area, 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".

The purpose of the proposed variation No. 2 to Limerick Development Plan 2022 – 2028 (as varied) is to alter part of Policy TR P11 Road Safety and Carrying Capacity of the non-national Road Network by removing part b of objective TR O37. Below is a description of the proposed change. The proposed edit is in the form of removal of text. The text proposed for removal is shown in red with strike through.

Proposed text changes to Section 7.9 Protection of Road Hierarchy:

The road network also plays a vital part of Limerick's transport infrastructure to support economic development as well as for social journeys. Proper management of use, maintenance of roads and improvements to the network is vital.

A hierarchy of roads exist in Limerick, including sections of motorway, national roads, regional roads, local roads and urban roadways. There has been significant investment in road infrastructure and therefore it is important to protect and maintain the carrying capacity of the road network within Limerick.

Policy TR P11 Road Safety and Carrying Capacity of the Road Network

It is a policy of the Council to safeguard the carrying capacity and safety of the road network throughout Limerick.

In implementing the above policy, the Council will have regard to the following objectives:

Objective TR O37

Land Uses and Access Standards

It is an objective of the Council to:

- a. Ensure that any development involving new access to a non-national public road, or the intensification of use of an existing access onto a non-national public road meets the appropriate design and safety standards.
- b. ~~Ensure that on roads that are sub-standard, either in terms of their width, (less than 3m), alignment, surface condition or junction with the nearest main road, development for one off rural housing will only be considered in exceptional circumstances. This includes applicants who have a demonstrable social need to live on the particular road, where no alternative site is available, or where the only alternative access available is onto a strategic regional road as designated in the Development Plan.~~

2 THE APPROPRIATE ASSESSMENT PROCESS

2.1 Legislative Context

European and national legislation places a collective obligation on Ireland and its citizens to maintain habitats and species in the Natura 2000 network at favourable conservation condition. The Government and its agencies are responsible for the implementation and enforcement of regulations (in particular XAB of the Planning and Development (Amendment) Act 2010 as superseded by the Planning and Development 2024, the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. 477) (referred to as the Habitats Regulations herein) to ensure the ecological integrity (i.e. Conservation Objectives) of these sites. The Birds Directive (2009/147/EC) seeks to protect birds of special importance by the designation of Special Protection Areas (SPAs) for bird species and their habitats listed on Annex I of the Directive. Similarly, the Habitats Directive (92/43/EEC) designates Special Areas of Conservation (SACs) for habitats and species listed in Annex I and Annex II of that Directive.

Ireland has obligations under EU law to protect and conserve biodiversity. This relates to habitats and species both within and outside designated sites. Nationally, Ireland has developed a National Biodiversity Plan to address issues and halt the loss of biodiversity, in line with international commitments. The vision for biodiversity is outlined: “That biodiversity and ecosystems in Ireland are conserved and restored, delivering benefits essential for all sectors of society and that Ireland contributes to efforts to halt the loss of biodiversity and the degradation of ecosystems in the EU and globally”.

Ireland aims to conserve habitats and species, through designation of conservation areas under both European and Irish law. The focus of this Screening is on those habitats and species designated pursuant to the EU Birds and EU Habitats Directives in the first instance, however it is recognised that wider biodiversity features have a supporting role to play in many cases where the Conservation Objectives of designated sites is to be maintained/restored.

Appropriate Assessment (AA) is an assessment of 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. The requirement of AA is outlined in Article 6(3) and 6(4) of the Habitats Directive (1992). Article 6(3) of the Habitats Directive requires that:

“Any plan or project not directly connected with or necessary to the management of the 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 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.”

Furthermore, Article 6(4) of the Habitats Directive requires that:

“If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.”

Over time legal interpretation has been sought on the practical application of the legislation concerning AA, as some terminology has been found to be unclear. European and National case law has clarified a number of issues and some aspects of European Commission (EC) published guidance documents have been superseded by case law. Appropriate Assessment is required to utilise best scientific knowledge in the field, as determined in case law. Competent Authorities must ensure that scientific data (ecological and hydrological expertise) is utilised as appropriate. This report presents a Screening to inform the AA process, which is finalised by a determination for Appropriate Assessment, to be completed by the appropriate Competent Authority (i.e. the local authority), in compliance with their obligations under Article 42 (sub-sections 1, 6, 7, 16 and 18) of the Birds and Natural Habitats Regulations, 2011 (as amended).

2.2 Appropriate Assessment Methodology

The AA process follows a step-based approach, commencing with a Screening Assessment to determine whether Appropriate Assessment is required; progression through the AA process is contingent on the potential for adverse effects on European Sites (SAC/SPA).

Screening Assessment – This process identifies the likely significant impacts upon a European site from a proposed project or plan. Its purpose is to determine, on the basis of a preliminary assessment and objective criteria, whether a plan or project which is not directly connected with or necessary to the management of the site as a European Site, individually or in combination with other plans or projects is likely to have a significant effect upon the European site. A project may be “screened-in” if there is a possibility or uncertainty of significant effects upon the European site, thus requiring AA. If there is no evidence to suggest significant effects due to the proposed plan or development the project is “screened-out” and AA is not required.

Appropriate Assessment – Consideration of the project or plan with regard to adverse effects on the integrity of designated European Sites, either alone or in combination with other projects or plans, with respect to the site’s structure and function and its conservation objectives. Additionally, where adverse impacts have been identified, an assessment of the potential mitigation to reduce/minimise/avoid such impacts is required. The AA statement is the responsibility of the appropriate Competent Authority; this decision making is informed by a Natura Impact Statement (NIS). Such an assessment is required where uncertainty of the significance of effect arises or a

potential effect has been defined which requires further procedures / mitigation to remove uncertainty of a defined impact.

Assessment of Alternative Solutions – Where adverse effects on a European Site are identified in the AA process (detailed in the NIS), despite the prescription of mitigation, this third stage examines alternative ways of achieving the objectives of the project or plan that avoid adverse impacts on the integrity of the European Site.

Assessment Where Adverse Impacts Remain - The fourth and final stage is required where an alternative solution is not available. In this situation, the project can only proceed for Imperative Reasons of Overriding Public Interest (IROPI), despite the plan or project resulting in adverse effects on European Site(s). This stage provides for an assessment of compensation measures to maintain or enhance the overall coherence of the Natura 2000 network.

2.3 Guidance Followed

This report has been carried out using the following guidance:

- Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities. Circular NPW 1/10 & PSSP 2/10.¹
- Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities. (Department of Environment, Heritage and Local Government, 2010)².
- Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC, Office for Official Publications of the European Communities, Luxembourg (EC 2021) .
- Guidance document on Article 6(4) of the 'Habitats Directive' 92/43/EEC – Clarification of the concepts of: alternative solutions, imperative reasons of overriding public interest, compensatory measures, overall coherence, opinion of the commission. Office for Official Publications of the European Communities, Luxembourg (EC 2007)³.
- Office of the Planning Regulator. Appropriate Assessment Screening for Development Management. OPR Practice Note PN01. (OPR 2021).⁴

¹ NPWS (2010). Legislation Unit, NPWS Department of Environment, Heritage and Local Government, Dublin.

² National Parks and Wildlife Services (2010):

http://www.npws.ie/sites/default/files/publications/pdf/NPWS_2009_AA_Guidance.pdf

³ European Commission (2007)

http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/guidance_art6_4_en.pdf

⁴ <https://www.opr.ie/wp-content/uploads/2021/03/9729-Office-of-the-Planning-Regulator-Appropriate-Assessment-Screening-booklet-15.pdf>

3 Description of the proposal

3.0 Proposal Description

The proposed variation No. 2 to Limerick Development Plan 2022 – 2028 (as varied) is a proposed edit to the text in part of Policy TR P11 Road Safety and Carrying Capacity of the non-national Road Network by removing part B of objective TR O37. This text which currently reads as follows; “Ensure that on roads that are sub-standard, either in terms of their width, (less than 3m), alignment, surface condition or junction with the nearest main road, development for one off rural housing will only be considered in exceptional circumstances. This includes applicants who have a demonstrable social need to live on the particular road, where no alternative site is available, or where the only alternative access available is onto a strategic regional road as designated in the Development Plan”.

The development plan covers the entirety of the City and County of Limerick. The area over which the proposed variation would concern is the land area within the remit of the county development plan which policy TR P11 and Objective TR O37 applies.

The proposed plan is a high-level plan from which, no material change to structures or habitats will arise. Any project or proposal arising within the area of the plan coverage will be subject to planning permission and/or the appropriate level of environmental and ecological assessment in that regard, at individual project level.

4 Overview of the Receiving Environment

4.1 Existing Environment Description

The entirety of the county and the city of Limerick is the area concerning the Limerick Development Plan 2022 – 2028 (as varied). All the habitats and species contained therein and any habitats that have demonstrable ecological connectivity to those in Limerick are considered to be within the remit of the Limerick Development Plan 2022 – 2028 (as varied).

This report will assess the potential for impacts to European sites arising directly as a result of the proposed variation to the plan. Any future developments within or close to the area assessed in this report will be subject to AA during the development of that same project, and so any potential impacts to European sites will also be assessed at that stage. Furthermore, the particular impacts associated with a specific development cannot be assessed until such a time as a detailed plan for that development exists. Therefore, no effective AA can be completed in advance of the planning stage of any development. The proposed variation to the Limerick Development Plan 2022 – 2028 (as varied) plan of itself, will result in no material change within or outside the plan footprint. As a result, there is no source pathway for potential impacts on European sites arising due to this plan.

5 Screening Assessment

5.1 Introduction

This stage of the process identifies any likely significant effects upon European Sites from the proposal, either alone or in combination with other projects or plans. The Screening Assessment is progressed in order to determine:

- Whether the proposal can be excluded from AA requirements because it is directly connected with or necessary to the management of a European site; and
- Whether the proposal has the potential to give rise to significant effects on a European site, either alone or in combination with other projects or plans, in view of the site's conservation objectives or conversely, that the potential for significant effects cannot be excluded.

In the instance of this proposal, it is not directly connected to or necessary for the management of any European site, therefore the potential for significant effects must be evaluated, as per the second test.

5.2 Identification of Relevant Natura 2000 Sites

A standard source-receptor-pathway conceptual model was used to identify a preliminary list of 'relevant' European sites (i.e. those which could be potentially affected due to connectivity via impact pathways). This conceptual model is a standard tool in environmental assessment. In order for an effect to occur, all three elements of this mechanism must be in place. The absence or removal of one of the elements of the mechanism means there is no likelihood for the effect to occur. In the context of the proposal, the model comprises:

- Source(s) – e.g. noise disturbance, habitat loss, pollution.
- Pathway(s) – e.g. drains and streams connecting to European Sites; increased human activity; creation of barriers to movement/migration.
- Receptor(s) – Qualifying habitats and species of European Sites.

The designated European Sites identified in the wider study area of the proposal are detailed in Table 1, showing the designated site name, code and distance of separation. Designated European Sites were considered within the zone of influence of the proposal, in line with published guidance (NPWS, 2010); these are identified in Figures 1 and 2. For the purpose of this report, the zone of influence of the proposal was considered to be any site with downstream ecological connectivity to the area of County Limerick, or those terrestrial sites within a 10Km buffer.

All sites which were considered are shown in Table 1; no additional SPA or SAC sites were screened in following this process. It is vital that an assessment of potential source-pathway-receptor links is undertaken to assess potential impact links between the receptor (European Sites) and source (proposed development) to establish the risk of any likely significant effects.

Information collected on the sensitivity of the Qualifying Interests (i.e. the stated Conservation Objectives) of each European Site identified was assessed with reference to the proposal, with regard to any likely or potential significant effects.

The potential for hydrological pathways to connect potential impacts arising from the proposal with European Sites downstream have been examined, with regard to the potential for significant effects in the absence of protective measures or measures intended as mitigation for the avoidance of impacts on the sensitivities of a European Site.

As outlined in Table 1, numerous European sites identified within the zone of influence of the proposal have been evaluated in terms of potential connectivity to the proposed development by reason of proximity, hydrological pathways, supporting features of importance to qualifying interests' structure and function, etc.

Fig. 2. SPA sites relative to footprint of proposal study area

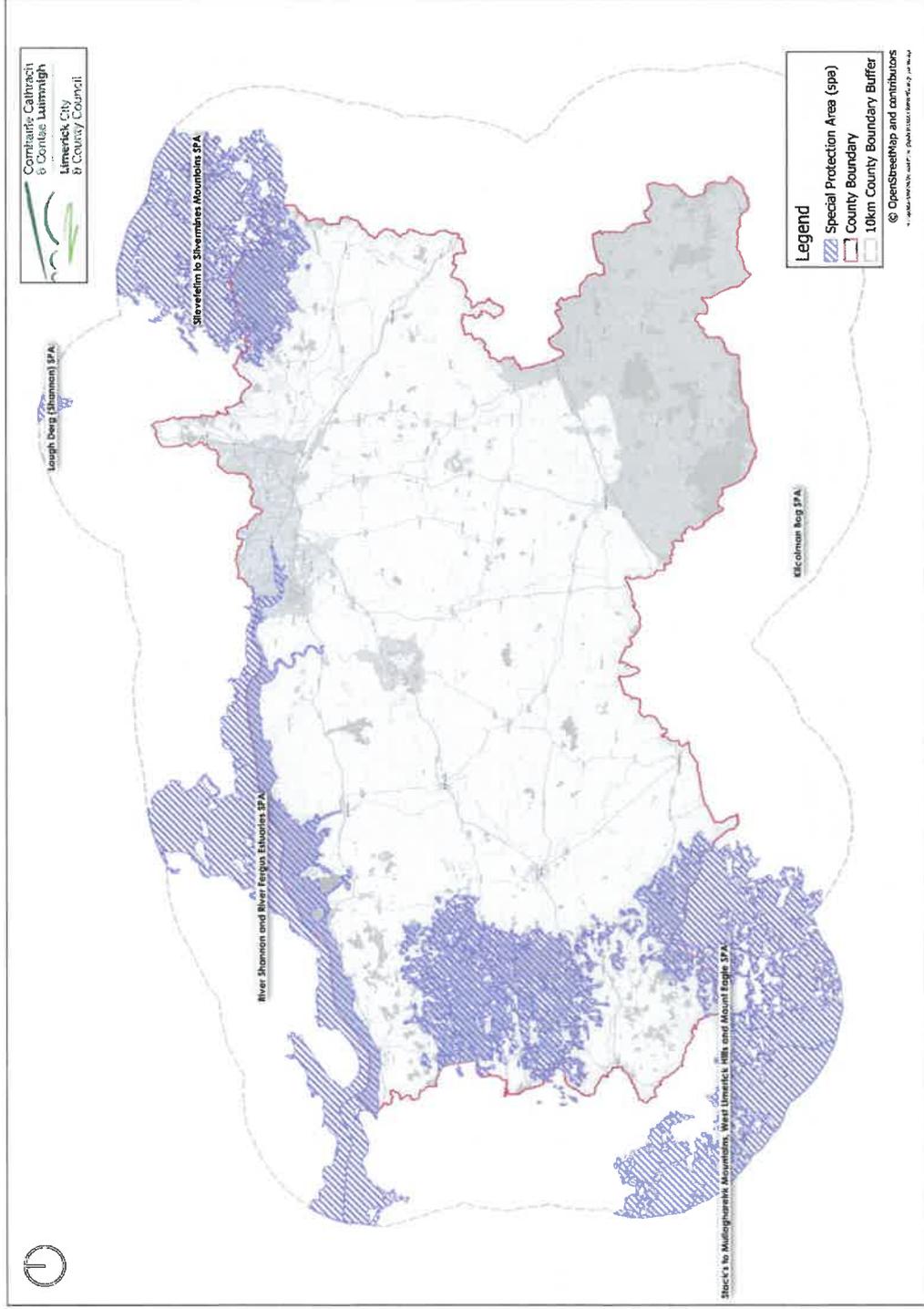


Table 1: List of designated European Sites identified within the zone of influence of the study area

European Site	Site code	Distance from area of proposed variation to development plan	Qualifying interests of the European site	Identification of potential source pathway receptors for potential significant impacts	Pathway for Significant Effects	Potential for In-Combination Effects
Special Areas of Conservation						
Lower River Shannon SAC	002165	Within	<p>[1110] Sandbanks which are slightly covered by sea water all the time</p> <p>[1130] Estuaries</p> <p>[1140] Mudflats and sandflats not covered by seawater at low tide</p> <p>[1150] Coastal lagoons</p> <p>[1160] Large shallow inlets and bays</p> <p>[1170] Reefs</p> <p>[1220] Perennial vegetation of stony banks</p> <p>[1230] Vegetated sea cliffs of the Atlantic and Baltic coasts</p> <p>[1310] Salicornia and other annuals colonising mud and sand</p> <p>[1330] Atlantic salt meadows (Glauco-Puccinellietalia maritimae)</p> <p>[1410] Mediterranean salt meadows (Juncetalia maritimi)</p> <p>[3260] Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation</p> <p>[6410] Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae)</p> <p>[91E0] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae)</p>	<p>As the SACs listed fall within the potential Zol of the proposal these sites have been assessed in this document.</p> <p>Regarding the potential for the opening up of planning permission consideration for the development of one-off housing to a larger potential applicant population. Numerous planning requirements must be satisfied at each proposed site in order to acquire planning permission. For example, sight line distances, road safety compliance, compliance with the water framework directive, potential ribbon development, rural and local need requirements (see Policy HO P1, objectives HO O20 and HO O21 in the current Limerick Development Plan 2022-2028 (as varied)). As a result, the amount of additional land made available for development by the proposed variation will be of sufficiently small quantity</p>	No	No

	<p>[1029] <i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel) [1095] <i>Petromyzon marinus</i> (Sea Lamprey) [1096] <i>Lampetra planeri</i> (Brook Lamprey) [1099] <i>Lampetra fluviatilis</i> (River Lamprey) [1106] <i>Salmo salar</i> (Salmon) [1349] <i>Tursiops truncatus</i> (Common Bottlenose Dolphin) [1355] <i>Lutra lutra</i> (Otter)</p>		<p>that potential significant impacts to European sites are not considered likely. Furthermore, there will be no direct effects on the habitats or species within this SAC as the proposed variation to the Limerick Development Plan 2022 – 2028 (as varied) is a high-level plan and will not directly result in any material change to any Q.I. species or habitats within the SAC. Any project arising in future, falling within the remit of the Limerick Development Plan 2022 – 2028 (as varied) will be subject to the planning permission process and AA using the details of the projects plans at that stage. As such, in the absence of any mitigation, there is no potential for any significant effect on the Q.I. receptors within this SAC arising due to the proposed variation to the Limerick Development Plan 2022 – 2028 (as varied)</p>	<p>No</p>
<p>Askeaton Fen Complex SAC</p>	<p>002279</p>	<p>Within</p>	<p>[7210] Calcareous fens with <i>Cladium mariscus</i> and species of the Caricion davallianae [7230] Alkaline fens</p>	<p>No</p>
<p>Barrigone SAC</p>	<p>000432</p>	<p>Within</p>	<p>[5130] <i>Juniperus communis</i> formations on heaths or calcareous grasslands [6210] Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [8240] Limestone pavements [1065] <i>Euphydryas aurinia</i> (Marsh Fritillary)</p>	<p>No</p>
<p>Curraghchase Woods SAC</p>	<p>000174</p>	<p>Within</p>	<p>[91E0] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) [91J0] <i>Taxus baccata</i> woods of the British Isles [1016] <i>Vertigo moulinsiana</i> (Desmoulin's Whorl Snail) [1303] <i>Rhinolophus hipposideros</i> (Lesser Horseshoe Bat)</p>	<p>No</p>
<p>Tory Hill SAC</p>	<p>000439</p>	<p>Within</p>	<p>[6210] Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [7210] Calcareous fens with <i>Cladium mariscus</i> and species of the Caricion davallianae [7230] Alkaline fens</p>	<p>No</p>
<p>Glen Bog SAC</p>	<p>001430</p>	<p>Within</p>	<p>[91E0] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae)</p>	<p>No</p>

Ballyhoura Mountains SAC	002036	Within	[4010] Northern Atlantic wet heaths with Erica tetralix [4030] European dry heaths [7130] Blanket bogs (* if active bog)	No	No
Carrigeenamronety Hill SAC	002037	Within	[4030] European dry heaths [6985] Vandemboschia speciosa (Killarney Fern)	No	No
Glenstal Wood SAC	001432	Within	Vandemboschia speciosa (Killarney Fern) [6985]	No	No
Lough Gash Turlough SAC	000051	Within 10Km radius	[3180] Turloughs [3270] Rivers with muddy banks with Chenopodium rubri p.p. and Bidentation p.p. vegetation	No	No
Ratty River Cave SAC	002316	Within 10Km radius	[8310] Caves not open to the public [1303] Rhinolophus hipposideros (Lesser Horseshoe Bat)	No	No
Glenomra Wood SAC	001013	Within 10Km radius	[91A0] Old sessile oak woods with Ilex and Blechnum in the British Isles	No	No
Clare Glen SAC	000930	Within	[91A0] Old sessile oak woods with Ilex and Blechnum in the British Isles [6985] Vandemboschia speciosa (Killarney Fern)	No	No
Silvermine Mountains SAC	000939	Within 10Km radius	[4010] Northern Atlantic wet heaths with Erica tetralix [6230] Species-rich Nardus grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe)	No	No
Bolingbrook Hill SAC	002124	Within 10Km radius	[4010] Northern Atlantic wet heaths with Erica tetralix [4030] European dry heaths [6230] Species-rich Nardus grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe)	No	No
Anglesey Road SAC	002125	Within 10Km radius	[6230] Species-rich Nardus grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe)	No	No
Philipston Marsh SAC	001847	Within 10Km radius	[7140] Transition mires and quaking bogs	No	No
Moanour Mountain SAC	002257	Within 10Km radius	[4010] Northern Atlantic wet heaths with Erica tetralix	No	No

Galtee Mountains SAC	000646	Within 10Km radius	<p>[4030] European dry heaths</p> <p>[4010] Northern Atlantic wet heaths with <i>Erica tetralix</i></p> <p>[4030] European dry heaths</p> <p>[4060] Alpine and Boreal heaths</p> <p>[6230] Species-rich <i>Nardus</i> grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe)</p> <p>[7130] Blanket bogs (* if active bog)</p> <p>[8110] Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Galeopsietalia ladani</i>)</p> <p>[8210] Calcareous rocky slopes with chasmophytic vegetation</p> <p>[8220] Siliceous rocky slopes with chasmophytic vegetation</p> <p>[1130] Estuaries</p> <p>[1140] Mudflats and sandflats not covered by seawater at low tide</p> <p>[1220] Perennial vegetation of stony banks</p> <p>[1310] <i>Salicornia</i> and other annuals colonising mud and sand</p> <p>[1330] Atlantic salt meadows (<i>Glaucopuccinellietalia maritimae</i>)</p> <p>[1410] Mediterranean salt meadows (<i>Juncetalia maritimi</i>)</p> <p>[3260] Water courses of plain to montane levels with the <i>Ranunculus fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation</p> <p>[91A0] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles</p> <p>[91E0] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>)</p> <p>[1029] <i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel)</p> <p>[1092] <i>Austropotamobius pallipes</i> (White-clawed Crayfish)</p> <p>[1095] <i>Petromyzon marinus</i> (Sea Lamprey)</p> <p>[1096] <i>Lampetra planeri</i> (Brook Lamprey)</p> <p>[1099] <i>Lampetra fluviatilis</i> (River</p>	No	No
Blackwater River (Cork/Waterford) SAC	002170	Within	<p>[1130] Estuaries</p> <p>[1140] Mudflats and sandflats not covered by seawater at low tide</p> <p>[1220] Perennial vegetation of stony banks</p> <p>[1310] <i>Salicornia</i> and other annuals colonising mud and sand</p> <p>[1330] Atlantic salt meadows (<i>Glaucopuccinellietalia maritimae</i>)</p> <p>[1410] Mediterranean salt meadows (<i>Juncetalia maritimi</i>)</p> <p>[3260] Water courses of plain to montane levels with the <i>Ranunculus fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation</p> <p>[91A0] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles</p> <p>[91E0] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>)</p> <p>[1029] <i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel)</p> <p>[1092] <i>Austropotamobius pallipes</i> (White-clawed Crayfish)</p> <p>[1095] <i>Petromyzon marinus</i> (Sea Lamprey)</p> <p>[1096] <i>Lampetra planeri</i> (Brook Lamprey)</p> <p>[1099] <i>Lampetra fluviatilis</i> (River</p>	No	No

				<p>[1099] Lampetra fluviatilis (River Lamprey)</p> <p>[1103] Alosa fallax fallax (Twaité Shad)</p> <p>[1106] Salmo salar (Salmon)</p> <p>[1355] Lutra lutra (Otter)</p>			
Special Protection Area							
River Shannon and Fergus estuaries SPA	004077	Within	<p>[A017] Cormorant (Phalacrocorax carbo)</p> <p>[A038] Whooper Swan (Cygnus cygnus)</p> <p>[A046] Light-bellied Brent Goose (Branta bernicla hrota)</p> <p>[A048] Shelduck (Tadorna tadorna)</p> <p>[A050] Wigeon (Anas penelope)</p> <p>[A052] Teal (Anas crecca)</p> <p>[A054] Pintail (Anas acuta)</p> <p>[A056] Shoveler (Anas clypeata)</p> <p>[A062] Scaup (Aythya marila)</p> <p>[A137] Ringed Plover (Charadrius hiaticula)</p> <p>[A140] Golden Plover (Pluvialis apricaria)</p> <p>[A141] Grey Plover (Pluvialis squatarola)</p> <p>[A142] Lapwing (Vanellus vanellus)</p> <p>[A143] Knot (Calidris canutus)</p> <p>[A149] Dunlin (Calidris alpina)</p> <p>[A156] Black-tailed Godwit (Limosa limosa)</p> <p>[A157] Bar-tailed Godwit (Limosa lapponica)</p> <p>[A160] Curlew (Numenius arquata)</p> <p>[A162] Redshank (Tringa totanus)</p> <p>[A164] Greenshank (Tringa nebularia)</p> <p>[A179] Black-headed Gull (Chroicocephalus ridibundus)</p>	<p>As the SPAs listed fall within the potential Zol of the proposal these sites have been assessed in this document.</p> <p>Regarding the potential for the opening up of planning permission consideration for the development of one-off housing to a larger potential applicant population. Numerous planning requirements must be satisfied at each proposed site in order to acquire planning permission. For example, sight line distances, road safety compliance, compliance with the water framework directive, potential ribbon development, rural and local need requirements (see Policy HO P1, objectives HO O20 and HO O21 in the current Limerick Development Plan 2022-2028 (as varied)). As a result, the amount of additional land made available for development by the proposed variation will be of sufficiently small quantity that potential significant impacts to European sites are not considered likely. Furthermore, there will be no direct effects on the habitats or species within this SAC as the proposed variation to the Limerick</p>	No	No	

Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA	004161	Within	[A082] Hen Harrier (<i>Circus cyaneus</i>)	Development Plan 2022 – 2028 (as varied) is a high-level plan and will not directly result in any material change to any Q.I. species or habitats within the SAC. Any project arising in future, falling within the remit of the Limerick Development Plan 2022 – 2028 (as varied) will be subject to the planning permission process and AA using the details of the projects plans at that stage.	No	No
Kilcolman Bog SPA	004095	Within 10Km radius	[A038] Whooper Swan (<i>Cygnus cygnus</i>) [A052] Teal (<i>Anas crecca</i>) [A857] Shoveler (<i>Spatula clypeata</i>) [A999] Wetland and Waterbirds	As such, in the absence of any mitigation, there is no potential for any significant effect on the Q.I. receptors within this SAC arising due to the proposed variation to the Limerick Development Plan 2022 – 2028 (as varied).	No	No
Lough Derg (Shannon) SPA	004058	Within 10Km radius	[A017] Cormorant (<i>Phalacrocorax carbo</i>) [A061] Tufted Duck (<i>Aythya fuligula</i>) [A067] Goldeneye (<i>Bucephala clangula</i>) [A193] Common Tern (<i>Sterna hirundo</i>) [A999] Wetland and Waterbirds		No	No
Slievefelim to Silvermines Mountains SPA	004165	Within	[A082] Hen Harrier (<i>Circus cyaneus</i>)		No	No

5.3 Potential Cumulative and In-combination Effects

5.3.1 Other Plans and Programs

Article 6(3) of the Habitats Directive requires an assessment of a plan or project to consider other plans or programs that might, in combination with the plan or project, have the potential to adversely impact upon European Sites. The characteristics of the proposed variation to Limerick Development Plan 2022 – 2028 (as varied) are foreseen to have no effects to any European Sites. It is thought that the proposed variation to Limerick Development Plan 2022 – 2028 (as varied) in-combination with the project listed below are not likely to have significant effects on any European Site. However, following a precautionary approach relevant plans and projects have been assessed. A list of the plans and projects considered are as follows:

- Limerick Shannon Metropolitan Area Transport Strategy;
- Smarter Travel: A Sustainable Transport Future, A new Transport policy for Ireland, 2009 –2020;
- Abbeyfeale Local Area Plan 2023-2029;
- Adare Local Area Plan 2024 – 2030;
- Caherconlish Local Area Plan 2023 – 2029;
- Castleconnell Local Area Plan 2023 – 2029;
- Croom Local Area Plan 2020 – 2026 as extended to December 2028
- Kilmallock Local Area Plan 2019-2026 as extended to December 2029;
- Newcastle West Local Area Plan 2023 – 2029;
- Patrickswell Local Area Plan 2024 – 2030;
- Rathkeale Local Area Plan 2023 – 2029;

Table 2. Outlines plans or projects that were considered under the precautionary principle with regards to possible interaction with the LAP to cause in-combination effects to European Sites.

Plan or project	Status	Overview	Possible significant effects from plan or project	Possible significant in-combination effects	Risk of significant in-combination effects with the proposed extension of IUS
Smarter Travel: A Sustainable Transport Future, A new Transport policy for Ireland, 2009 – 2020;	Published	A framework for actions aimed at ensuring that alternatives to the car are more widely available, mainly through a radically improved public transport service and through investment in cycling and walking. Actions aimed at improving the fuel efficiency of motorised transport through improved fleet structure, energy efficient driving and alternative technologies, and actions aimed at strengthening institutional arrangements to deliver the targets.	No Stage 1 Appropriate Assessment carried out	None	The overarching aim of this document is the reduction of travel and the associated emissions through the reduction of private transport. No potential cumulative impacts can arise as a result of this.
Abbeyfeale Local Area Plan 2023-2029	Published	The overall purpose of this Local Area Plan is to set out a strategy for the proper planning and sustainable development of the Abbeyfeale area.	No AA was undertaken.	No	No impacts are foreseen as arising as a result of the proposed variation to the Limerick Development Plan due to the conceptual nature of the plan. Any projects that occur within the footprint of this plan in the future will be subject to AA and potential impacts should be and can only be assessed then. As the Abbeyfeale Local Area plan contains similar high level concepts and information to the County Development Plan, in-combination impacts through material change of habitats or species will not arise. Thus,

<p>Adare Local Area Plan 2024 - 2030</p>	<p>Published</p>	<p>The overall purpose of this Local Area Plan is to set out a strategy for the proper planning and sustainable development of the Adare area.</p>	<p>No AA was undertaken.</p>	<p>No No impacts are foreseen as arising as a result of the proposed variation to the Limerick Development Plan due to the conceptual nature of the plan. Any projects that occur within the footprint of this plan in the future will be subject to AA and potential impacts should be assessed then. As the Adare Local Area plan contains similar high level concepts and information to the County Development Plan, in-combination impacts through material change of habitats or species will not arise. Thus, in-combination effects cannot arise. Therefore, no in-combination effects are foreseen.</p>	<p>in-combination effects cannot arise. Therefore, no in-combination effects are foreseen.</p>
<p>Caherconlish Local Area Plan 2023 – 2029</p>	<p>Published</p>	<p>The overall purpose of this Local Area Plan is to set out a strategy for the proper planning and sustainable development of the Caherconlish area.</p>	<p>No AA was undertaken.</p>	<p>No No impacts are foreseen as arising as a result of the proposed variation to the Limerick Development Plan due to the conceptual nature of the plan. Any projects that occur within the footprint of this plan in the future will be subject to AA and potential impacts should be assessed then. As the Caherconlish Local Area plan contains similar high level concepts and information to the County Development Plan, in-combination impacts through material change of habitats or species will not arise. Thus, in-combination effects cannot arise. Therefore, no in-combination effects are foreseen.</p>	<p>Therefore, no in-combination effects are foreseen.</p>

	are foreseen.				
<p>Castleconnell Local Area Plan 2023 – 2029;</p>	<p>No impacts are foreseen as arising as a result of the proposed variation to the Limerick Development Plan due to the conceptual nature of the plan. Any projects that occur within the footprint of this plan in the future will be subject to AA and potential impacts should be and can only be assessed then. As the Castleconnell Local Area plan contains similar high level concepts and information to the County Development Plan, in- combination impacts through material change of habitats or species will not arise. Thus, in- combination effects cannot arise. Therefore, no in- combination effects are foreseen.</p>	<p>No</p>	<p>No AA was undertaken.</p>	<p>Published</p> <p>The overall purpose of this Local Area Plan is to set out a strategy for the proper planning and sustainable development of the Castleconnell area.</p>	
<p>Croom Local Area Plan 2020 – 2026 as extended to December 2028</p>	<p>No impacts are foreseen as arising as a result of the proposed variation to the Limerick Development Plan due to the conceptual nature of the plan. Any projects that occur within the footprint of this plan in the future will be subject to AA and potential impacts should be and can only be assessed then. As the Croom Local Area plan contains similar high level concepts and information to the County Development Plan, in- combination impacts through material change of habitats or species will not arise. Thus, in- combination effects cannot arise. Therefore, no in- combination effects are foreseen.</p>			<p>Published</p> <p>The overall purpose of this Local Area Plan is to set out a strategy for the proper planning and sustainable development of the Croom area.</p>	

Kilmallock Local Area Plan 2019-2026 as extended to December 2029	Published	The overall purpose of this Local Area Plan is to set out a strategy for the proper planning and sustainable development of the Kilmallock area.	No AA was undertaken.	No impacts are foreseen as arising as a result of the proposed variation to the Limerick Development Plan due to the conceptual nature of the plan. Any projects that occur within the footprint of this plan in the future will be subject to AA and potential impacts should be and can only be assessed then. As the Kilmallock Local Area plan contains similar high level concepts and information to the County Development Plan, in- combination impacts through material change of habitats or species will not arise. Thus, in- combination effects cannot arise. Therefore, no in- combination effects are foreseen.
Newcastle West Local Area Plan 2023 – 2029;	Published	The overall purpose of this Local Area Plan is to set out a strategy for the proper planning and sustainable development of the Newcastle West area.	No AA was undertaken.	No impacts are foreseen as arising as a result of the proposed variation to the Limerick Development Plan due to the conceptual nature of the plan. Any projects that occur within the footprint of this plan in the future will be subject to AA and potential impacts should be and can only be assessed then. As the Newcastle West Local Area plan contains similar high level concepts and information to the County Development Plan, in- combination impacts through material change of habitats or species will not arise. Thus, in- combination effects cannot arise. Therefore, no in- combination effects are foreseen.

<p>Patrickswell Local Area Plan 2024 – 2030;</p>	<p>Published</p>	<p>The overall purpose of this Local Area Plan is to set out a strategy for the proper planning and sustainable development of the Patrickswell area.</p>	<p>No AA was undertaken.</p>	<p>No</p>	<p>are foreseen.</p>
<p>Rathkeale Local Area Plan 2023 – 2029;</p>	<p>Published</p>	<p>The overall purpose of this Local Area Plan is to set out a strategy for the proper planning and sustainable development of the Rathkeale area.</p>	<p>No AA was undertaken.</p>	<p>No</p>	<p>No impacts are foreseen as arising as a result of the proposed variation to the Limerick Development Plan due to the conceptual nature of the plan. Any projects that occur within the footprint of this plan in the future will be subject to AA and potential impacts should be and can only be assessed then. As the Patrickswell Local Area plan contains similar high level concepts and information to the County Development Plan, in- combination impacts through material change of habitats or species will not arise. Thus, in- combination effects cannot arise. Therefore, no in- combination effects are foreseen.</p> <p>No impacts are foreseen as arising as a result of the proposed variation to the Limerick Development Plan due to the conceptual nature of the plan. Any projects that occur within the footprint of this plan in the future will be subject to AA and potential impacts should be and can only be assessed then. As the Rathkeale Local Area plan contains similar high level concepts and information to the County Development Plan, in- combination impacts through material change of habitats or species will not arise. Thus, in- combination effects cannot arise. Therefore, no in- combination effects are foreseen.</p>

						in- combination effects cannot arise. Therefore, no in- combination effects are foreseen.
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From an evaluation of the nature of the proposed variation to the Limerick Development Plan 2022 – 2028 (as varied), no European Sites were considered to be subject to potential cumulative or in-combination impacts which may lead to likely significant effects. As there is no potential for the proposal to result in any individual effect on any European Site, therefore it cannot contribute to any cumulative effect. There are no likely significant residual effects and no significant cumulative and/or in-combination effects on any of the QIs within the European sites identified with regard to the proposed IUS.

6 Conclusion

The proposed variation to the Limerick Development Plan 2022 – 2028 (as varied) will benefit the lands under the remit of the Limerick Development Plan 2022 – 2028 (as varied) through the provision of a strategy for future sustainable development.

From an evaluation of the proposal description, and the consideration of potential impact pathways with connectivity to the wider environment, there are no pathways for impacts are identified whereby direct or indirect effects may occur affecting other European sites at a distance from the proposed variation to the Limerick Development Plan 2022 – 2028 (as varied).

On the basis of the description of the proposed variation to the Limerick Development Plan 2022 – 2028 (as varied) and taking account of the ecological information and data provided to inform this assessment, it has been evaluated that the potential for likely significant effects on the special conservation interests of SACs and SPAs within the zone of influence of this proposal can be excluded in the absence of protective measures or mitigation measures to avoid significant effects, and in view of best scientific evidence in the field.

This Screening for AA report has determined that there is no potential for significant direct, indirect or cumulative impacts which could affect the qualifying interests/special conservation interests of the European sites within the study area. It is therefore concluded, beyond reasonable scientific doubt, that the proposal will not give rise to significant effects, either individually or in combination with other plans and projects, within the identified European Site(s).

On the basis of objective scientific information, this Screening has therefore excluded the potential for the proposed variation to the Limerick Development Plan 2022 – 2028 (as varied), individually or in combination with other plans or projects, to give rise to any significant effect on a European site. Consequently, it is concluded that the proposed variation to the Limerick Development Plan 2022 – 2028 (as varied), does not require Appropriate Assessment.

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7 Appendix 1. AA Determination

Appropriate Assessment Screening Determination

under

Section 202 of the Planning and Development Act 2024,

for the

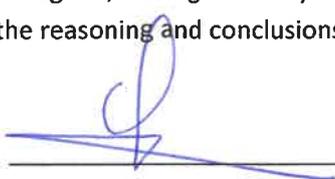
The proposed variation to the Limerick Development Plan 2022 – 2028 (as varied)

In order to comply with the requirements of Section 202 of the Planning and Development Act 2024, and pursuant to Article 6(3) of the Habitats Directive as to whether or not a plan or project would adversely 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 proposed variation to the Limerick Development Plan 2022 – 2028 (as varied) to have any likely significant effects on any European Sites.

The proposed variation to the Limerick Development Plan 2022 – 2028 (as varied) amounts to the change is a high level, conceptual objective within a development plan, directly giving rise to no material change of environment and so is not of a nature, which could have a likely significant effect on the Natura 2000 Network. In-combination effects from interactions with other plans and projects were considered in this assessment.

The conclusion of the AA Screening Process is "This Screening for AA report has determined that, in the absence of mitigation, there is no potential for significant direct, indirect or cumulative impacts on the qualifying interests/special conservation interests of any European sites. It is therefore concluded, beyond reasonable scientific doubt, that the proposal will not give rise to significant effects, either individually or in combination with other plans and projects, within designated European Site(s)." As such, a Stage 2 Appropriate Assessment / Natura Impact Report is not required.

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

Signed:  _____

Position: Director of Services

