



LIMERICK CITY & COUNTY COUNCIL

PLANNING AND ENVIRONMENTAL SERVICES

SECTION 5 APPLICATION

DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name: _____

Applicant's Address: _____

Telephone No. [REDACTED] _____

Name of Agent (if any): _____

Address: _____

Telephone No. _____

Address for Correspondence:

Location of Proposed development:

Description of Proposed development:

Is this a Protected Structure or within the curtilage of a Protected Structure.
YES/NO

Applicant's interest in site: _____

List of plans, drawings, etc. submitted with this application:

Have any previous extensions/structures been erected at this location YES/NO

If Yes please provide floor areas of all existing structures:

Signature of Applicant (or Agent) _____

NOTES: Application must be accompanied by:

- (a) Fee of €80
- (b) Site location map
- (c) Site layout plan
- (d) Dimensioned plans and elevations of the structure and any existing structures.
- (e) Where the declaration is in respect of a farm building, a layout identifying the use of each existing building together with floor area of each building.

Application to be forwarded to:

Limerick City & County Council,
Planning and Environmental Services,
City & County Council Offices,
Dooradoyle Road,
Limerick.

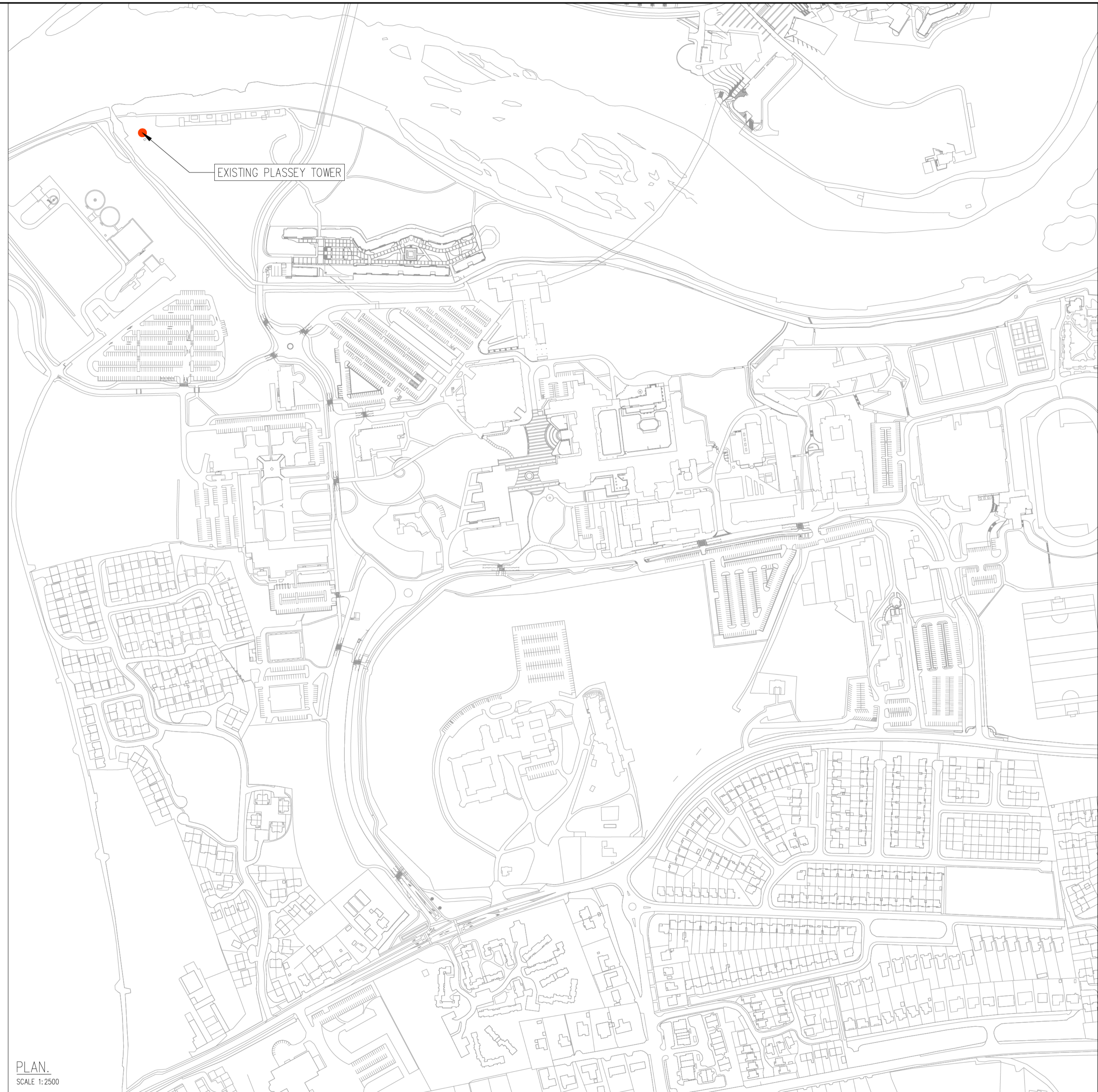
OFFICE USE ONLY

Ref. No. _____ Date Received _____

Fee Received _____ Date Due _____



KEY PLAN.
SCALE 1:5000



PLAN.
SCALE 1:2500

INFORMATION ONLY
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- NOTES**
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REV	DESCRIPTION	DRN. BY	CHK. BY	DATE
P01	ISSUED FOR INFORMATION	SC	LMN	09/02/2028

PROJECT	
CLIENT	UNIVERSITY OF LIMERICK
JOB No.	U086L
DRAWING No.	U086L_CSC-XX-ZZ-DR-C-0100
STATUS	INFORMATION
TITLE	SITE LOCATION

CS CONSULTING
Civil, Structural & Traffic Engineering

Head Office: 19-22 Dame Street, Dublin 2.
t: +353 (0)1 5400653 e: info@csconsulting.ie w: www.csconsulting.ie

DRAWN BY SC	CHECKED BY LMN	REVISION P01
SCALE 1:2500 @ A1	DATE FEB 2026	

Last saved by: Miguel Macdonald (26/02/2026) Last Printed: 26/02/2026 File Location: J:\U086L\U086L_CSC-XX-ZZ-DR-C-0100_Site Location.dwg



NK IBEX SUPREME 868 POST AND RIGID MESH PANEL SYSTEM.
SCALE N.T.S.

LEGEND:

- PROPOSED NK IBEX SUPREME 868 POST AND RIGID MESH PANEL SYSTEM
- EXISTING PALISADE FENCING TO BE REPLACED
- EXISTING FENCING TO BE RETAINED
- EXISTING WALL TO BE RETAINED



EXISTING OPENING TO BE INFILLED



PHOTO OF EXISTING OPENING TO BE INFILLED

NOTES

1. For setting out refer to Architect's drawings.
2. This drawing to be read in conjunction with all other Architectural and Engineering drawings and all other relevant drawings and Specifications.
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REV	DESCRIPTION	DRN BY	CHK BY	DATE
P01	ISSUED FOR INFORMATION	JS	GL	2020.02.26

PROJECT	Plassey Tower Safety Measures
CLIENT	University of Limerick
JOB No.	U086L
DRAWING No.	U086L-CSC-XX-DR-C-0001
STATUS	STATUS S0 - Initial Status or WIP
TITLE	Proposed Fencing and Masonry Infill Works

<p>CS CONSULTING Civil, Structural & Traffic Engineering</p> <p>Head Office: 19-22 Dame Street, Dublin 2. t: +353 (0)1 5400663 e: info@csconsulting.ie w: www.csconsulting.ie</p>	DRAWN BY	JS
	CHECKED BY	GL
REVISION	P01	
DATE	FEBRUARY 2020	

INFORMATION ONLY
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**A bat assessment of
Plassey Mill Ruin
Sreelane, Limerick
For
Brady Shipman Martin**

By Wildlife Surveys Ireland Ltd

Brian Keeley BSc Hons

Ferdia Keeley BSc

Donna Mullen M.P.P.M D.E.N.V.S. P

Maio, Tierworker, Kells Co Meath

Date 22/10/2024

www.wildlifesurveys.net

Summary of report

Significant soprano pipistrelle activity was recorded unbroken throughout the night with at least two soprano pipistrelles roosting in the Mill ruin and upwards of 5 seen to be feeding and social-calling between the Mill and the water throughout the night. Daubenton's bat activity was similarly consistent although with considerably less passes per hour.

Although the site in question is of considerable importance to both soprano pipistrelles and a Daubenton's bat, the non-intrusive nature of the proposed works will mean there should be little to no negative impact on bat roosting provided mitigation measures are followed.

Bat species found roosting

Soprano pipistrelle – *Pipistrellus pygmaeus*

Bat species found feeding and commuting

Soprano pipistrelle – *Pipistrellus pygmaeus*

Daubenton's bat - *Myotis daubentonii*

Common pipistrelle – *Pipistrellus pipistrellus*

Mitigation

The Mill ruin shall be examined by a bat specialist for the presence of bats during repair work that interferes with stonework. Should a bat be discovered in the region of the Mill that is being filled, the NPWS shall be advised of the presence of the bat immediately. Additionally, in the eventuality of a bat being noted within an area being filled, a derogation shall be acquired from NPWS following the provision of a bat conservation plan to ensure that any bat is afforded full protection from injury, that alternative roosts are provided to compensate for roost loss and that bats are removed under licence by a suitably qualified bat specialist to facilitate work on the roost. If a roost is discovered in the lower section of the Mill, no work may take place while the bats are breeding- May 1st until Sept 1st.

Desktop Survey of the existing environment

BCIreland data: search results 21 Oct 2024		
Search parameters: Roosts with observations of all species within 1000m of R615581		
Roosts		
Name	Grid reference	Species observed
Garraun Roost	R6158	<i>Plecotus auritus</i>
Plassey	R6058	<i>Pipistrellus pygmaeus</i>

Habitat Classification (Fossitt 2000)

WL2 (Treelines) semi- mature and mature trees

WL1 (Hedgerow)

GAI (Grassland)

GA2 (Amenity grassland)

BA3 (Buildings)

GS2 Dry meadows and grassy verges

WD1 (Mixed) broadleaved woodland

Date

3rd October 2024

Lux levels

0 Lux at Mill

Temperature and weather conditions

Sunset 18:55

18°C Dry, humidity 79% Wind 18 km/h

Sunrise 06:55

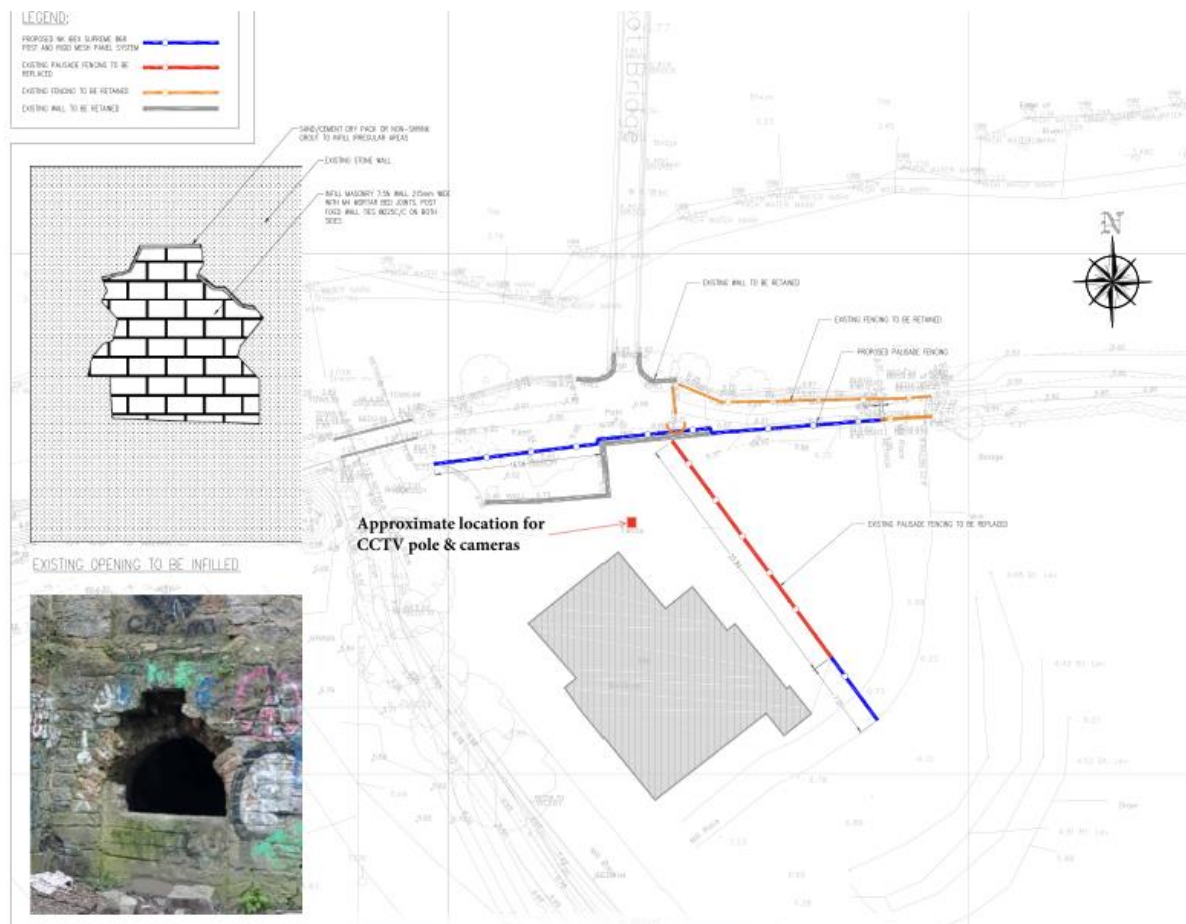
14°C Dry, humidity 87% Wind 26 km/h

Complexity of lands and ability to cover ground during surveys The area surrounding the Mill and the rear of the Mill was accessible.

Description of proposed project

The proposed works will involve:

- Removal of small amounts of vegetation along the fence line;
- Removal of old fencing to be replaced;
- Excavation and installation of paladin fencing;
- Excavation and installation of three camera pole bases;
- Installation of infill masonry.



Survey constraints

(1) Mobility of bats – Bat species are mobile and can move from roost to roost, depending on roost availability, feeding availability and weather conditions. They may move to roosts which have not been identified in this report in order to hibernate or create mating or feeding perches. A bat survey is a snapshot of bat activity over the survey time.

(2) Identification of bats- It can be difficult to differentiate *Myotis* species. For this reason, sound files are included within the report. Brown long eared bats are very quiet, and their presence can be overlooked in bat surveys as they may not register on bat detectors.

(3) Timing of survey. Bat surveys generally take place when the bats are active – May – September. A bat survey which takes place outside these dates may miss roosting activity.

Methodology

Bat Survey - Equipment

Exide Lamps

Head torch

Song Meter Mini Bat remote detector with Kaleidoscope Pro sound analysis

One thermal imager

One ladder

Echometer Touch detector

Surveys are designed with reference to the recognised documents below:

- Heritage Council's Bat Survey Guidelines for the Traditional Farm Buildings Scheme
- National Parks and Wildlife's Bat Mitigation Guidelines for Ireland
- Bat Surveys: Surveying Buildings (Including Bat Identification) Developed on behalf of the Bat Conservation Trust
- English Nature's Bat Mitigation Guidelines
- - Bat surveys for Professional Ecologists - good practice guidelines; fourth edition (2023); Bat Conservation Trust; London.
- - A conservation plan for Irish Vesper Bats , Irish Wildlife Manual No. 20; National Parks and Wildlife Service; Department of Environment, Heritage and Local Government. - The status of E.C. Protected Habitats and Species in Ireland - Conservation status in Ireland of habitats and species listed in the European Council directories on Conservation of Habitats; Flora and Fauna 92/43/EFC. (Department of Environment, Heritage and Local Government) –
- Bat Mitigation Guidelines for Ireland (Irish Wildlife Manual no.25) Department of Environment, Heritage and Local Government.

The forestry surrounding the Mill ruin was of good roosting potential with a number of Description 1-2 trees surrounding the ruin.

The ruin itself posed good potential for bat roosting, with ivy cladding and numerous suitable crevices in the stonework which would be suitable for bat roosting, particularly crevices over 3 metres high.



Plassey mill

Bat activity

On the night of October 3rd and morning of October 4th, soprano pipistrelle and a Daubenton's bat were feeding consistently close to the Mill, particularly at a height and throughout the entirety of the night.

Upwards of 5 soprano pipistrelles were seen feeding at one point between the ruin of the Mill and the river. Soprano pipistrelle activity was recorded throughout the entirety of the survey that was conducted near the Mill. This was consistently interspersed with Daubenton's bat activity, but considerably more soprano pipistrelle activity was recorded.

Daubenton's bat activity began to diminish in the morning and eventually stopped entirely at 7 am.



Area bats were seen to enter

In the 20-minute period approaching sunrise two bats were seen to enter the river facing front corner of this building. More bats were seen to circle around the building in a behaviour that would indicate roosting in the building but were not observed to enter the building.



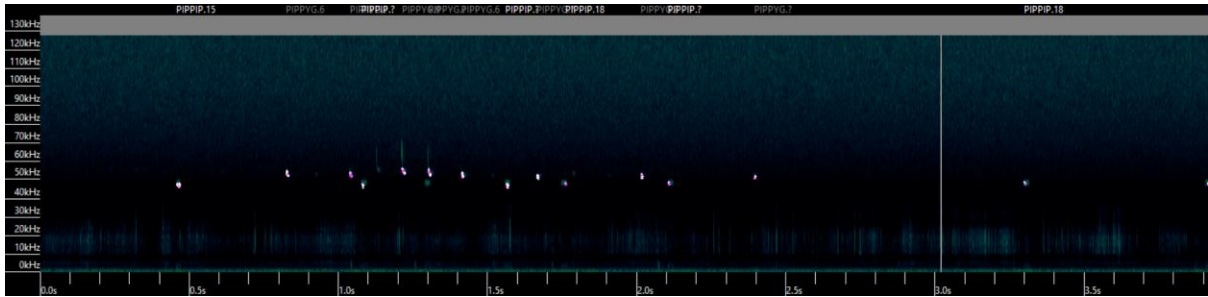
Blue - Soprano Pipistrelle

Red - Common Pipistrelle

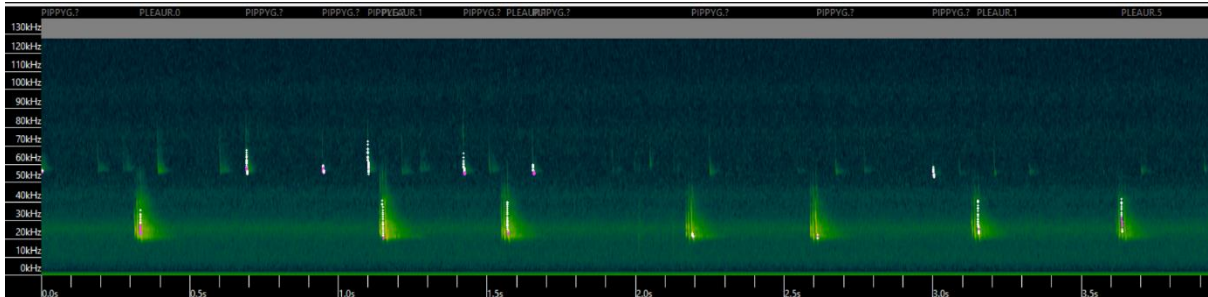
Green – Daubenton's Bat



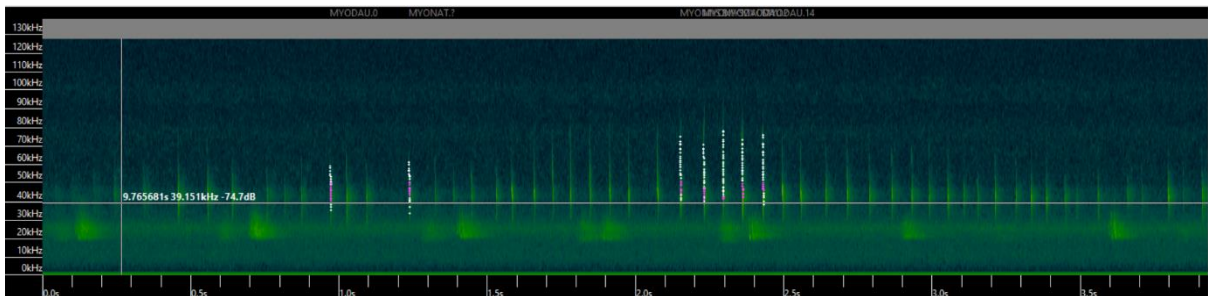
No bats were seen to enter the hole that is scheduled to be filled throughout any part of the survey. The roost found was a number of metres higher than the hole.



Common and Soprano pipistrelle signals 07:05



Common pipistrelle signal 22:33



Daubenton's bat. 22:14

Echo Meter touch data

Bat species	Bat passes per hour	8	6	7	Grand Total
	7				
Daubenton's Bat	4		1		5
Common Pipistrelle	2		2	6	10
Soprano Pipistrelle	52	11	12	26	101
Grand Total	58	11	15	32	116

Song Meter Mini Bat

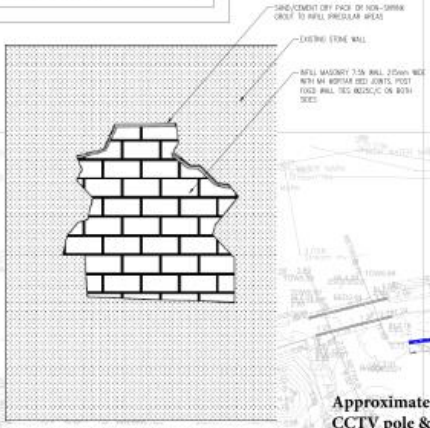
Bat species	Bat passes per hour								
		8	9	10	11	12	1	2	Grand Total
Daubenton's Bat	32	14	29	5	3	18	13	2	233
Soprano pipistrelle	247	40 5	32 6	67	16 4	15 4	82		1445
Grand Total	279	41 9	35 5	72	16 7	17 2	21 4		1678

Project Description

The proposed works will involve:

- Removal of small amounts of vegetation along the fence line;
- Removal of old fencing to be replaced;
- Excavation and installation of paladin fencing;
- Excavation and installation of three camera pole bases;
- Installation of infill masonry.

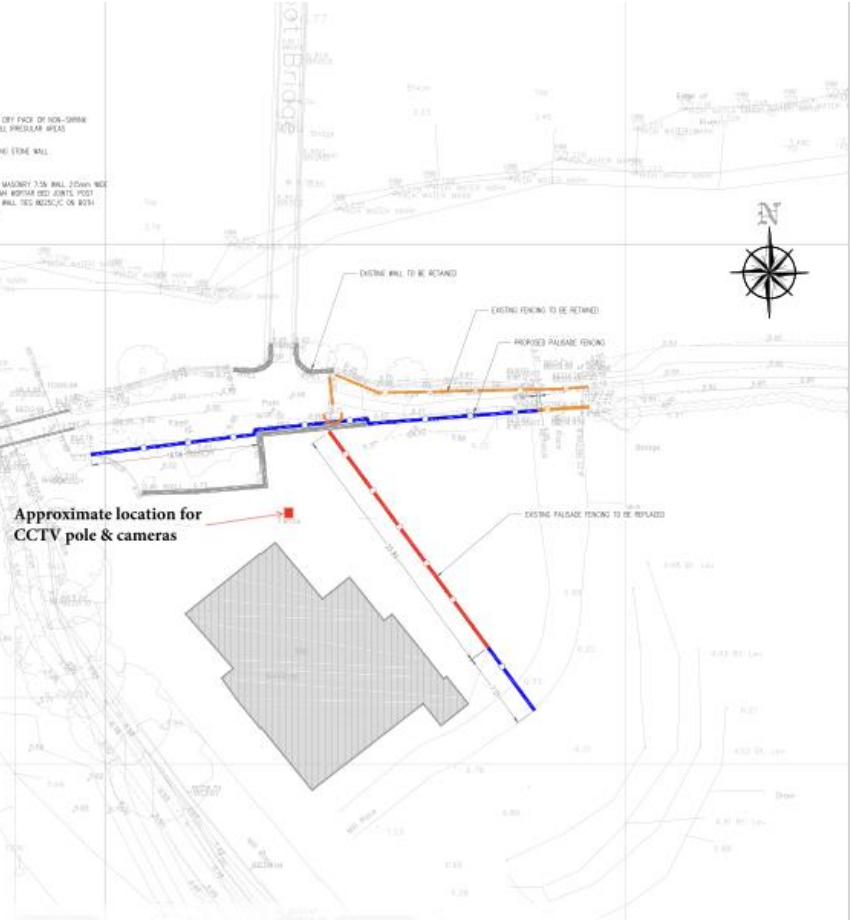
- LEGEND:**
- PROPOSED 30x60x60 SURFACE MOUNT POST AND RISE MESH PANEL SYSTEM 
 - EXISTING PALISADE FENCING TO BE REPLACED 
 - EXISTING FENCING TO BE RETAINED 
 - EXISTING WALL TO BE RETAINED 



EXISTING OPENING TO BE INFILLED



Approximate location for CCTV pole & cameras



Conclusion

Although this building is used as a roost by a minimum of 2 soprano pipistrelles for roosting, the works are proposed for a part of the building much lower than the corner area 4.5-5m high on the building, meaning works should not interfere with bat roosting. The additional fencing and CCTV pole similarly should not interfere with bat roosting or activity.

Predicted Impacts Before Mitigation

(1) Loss of feeding and commuting habitat. There will be a moderate residual long term effect on local bat populations, as it will take several years too reestablish the canopy and insect diversity which is found in the mature ivy clad trees.

(2) Loss of roosting habitat – There will be a mild long term negative effect on roosting bats.

Mitigation

The Mill ruin shall be examined by a bat specialist for the presence of bats during repair work that interferes with stonework. Should a bat be discovered in the region of the Mill that is being filled, the NPWS shall be advised of the presence of the bat immediately. Additionally, in the eventuality of a bat being noted within an area being filled, a derogation shall be acquired from NPWS following the provision of a bat conservation plan to ensure that any bat is afforded full protection from injury, that alternative roosts are provided to compensate for roost loss and that bats are removed under licence by a suitably qualified bat specialist to facilitate work on the roost. If a roost is discovered in the lower section of the Mill, no work may take place while the bats are breeding- May 1st until Sept 1st.

Predicted Impacts After Mitigation

The non-intrusive nature of the works will mean provided an ecologist is onsite to oversee the filling of the hole in the brickwork of Plassey Mill, there should be no negative impact on bat roosting, feeding or socialising in this area.

APPENDICES

Appendix I

Legislation

Bats are protected under the 1996 Wildlife Act, the 2000 Wildlife (Amendment) Act, Stat Ist 94 of 1997, Stat Ist 378 of 2005, The Habitats Directive, The Bonn and Bern Convention, and the Euro bats agreement.

The European Community (Natural Habitats) Regulations S.I. No 94 of 1997 states:

23(1) The Minister shall take the requisite measures to establish a system of strict protection for the fauna consisting of the animal species set out in Part 1 of the First Schedule prohibiting –

a) All forms of deliberate capture or killing of specimens of those species in the wild.

1. The deterioration or destruction of breeding sites or resting places of those species.

The EU Habitats Directive

Article 12(1) of the 'Council Directive 92/43/EEC on the conservation of natural habitats and wild fauna and flora (Habitats Directive) states:

“Member States shall take the requisite measures to establish a system of strict protection for the animal species listed in Annex IV(a) and their natural range, prohibiting:

a) all forms of deliberate capture or killing of specimens of these species in the wild.

b) deliberate disturbance of these species, particularly during the period of breeding, rearing, hibernation, and migration.

c) deliberate destruction or taking of eggs from the wild.

d. deterioration or destruction of breeding sites or resting places.”

The EU Habitats Directive (92/43/EEC) lists all Irish bat species in Annex IV and one Irish species, the lesser horseshoe bat (*Rhinolophus hipposideros*), in Annex II. Annex II includes animal and plant species of community interest whose conservation requires the designation of Special Areas of Conservation (SACs) because they are endangered, rare, vulnerable, or endemic. Annex IV includes various species that require strict protection. Article 11 of the Habitats Directive requires member states to monitor all species listed in the Habitats Directive and Article 17 requires States to report to the EU on the findings of monitoring schemes.

The Bern and Bonn Conventions

Ireland is also a signatory to a number of conservation agreements pertaining to bats such as the Bern and Bonn Conventions. The European Bats Agreement (EUROBATS) is an agreement under the Bonn Convention. Ireland and the UK are two of the 31 signatories. The Agreement has an Action Plan with priorities for

implementation. Devising strategies for monitoring of populations of selected bat species in Europe is among the resolutions of EUROBATS.

1.3.1 The Bern Convention

Article 6 of the ‘Convention on the Conservation of European Wildlife and Natural Habitats’ (Bern Convention) reads:

“Each Contracting Party shall take appropriate and necessary legislative and administrative measures to ensure the special protection of the wild fauna species specified in Appendix II. The following will in particular be prohibited for these species:

- a) all forms of deliberate capture and keeping and deliberate killing.
- b) the deliberate damage to or destruction of breeding or resting sites.
- c) the deliberate disturbance of wild fauna, particularly during the period of breeding, rearing and hibernation, insofar as disturbance would be significant in relation to the objectives of this Convention; ...

Appendix II lists strictly protected fauna species and this list includes “Microchiroptera, all species except *Pipistrellus pipistrelles*”.

The EUROBATS Agreement

The ‘Agreement on the Conservation of Populations of European Bats’ (EUROBATS) was negotiated under the ‘Convention for the Conservation of Migratory Wild Species’ (Bonn Convention) and came into force in January 1994. The legal protection of bats and their habitats are given in Article III as fundamental obligations:

- “1. Each Party shall prohibit the deliberate capture, keeping or killing of bats except under permit from its competent authority.
2. Each Party shall identify those sites within its own area of jurisdiction which are important for the conservation status, including for the shelter and protection, of bats. It shall, taking into account as necessary economic and social considerations, protect such sites from damage or disturbance. In addition, each Party shall endeavour to identify and protect important feeding areas for bats from damage or disturbance.”

The Agreement covers all European bat species.

APPENDIX II

Bat Biology

Female bats gather in groups known as maternity roosts in summer to have their young. They generally have one baby each year, so are slow to reproduce, and disturbance of a maternity roost can be catastrophic.

In winter bats move to old stonework, trees, and caves to hibernate. They are also found in modern buildings during building work or demolition. They are especially vulnerable here as they are slow to awaken, and if tree felling is carried out without checking for bats, they can easily be killed.

APPENDIX III

Desktop survey 10km radius results

Grid reference	Species observed	
R5148	Myotis nattereri	
R6148	Rhinolophus hipposideros	
R6163	Nyctalus leisleri	
R7060	Unidentified bat	
R6158	Plecotus auritus	
R5659	Unidentified bat	
R5353	Pipistrellus pygmaeus	
R6461	Rhinolophus hipposideros	
R5353	Plecotus auritus, Pipistrellus pygmaeus	
R6058	Pipistrellus pygmaeus	
R5757	Pipistrellus pipistrellus (45kHz)	
R5860	Myotis spp., Plecotus auritus, Rhinolophus hipposideros	
Grid reference start	Species observed	

EchoMeter Touch 2 Pro results

Date	Time	Pulses	Species
03/10/2024	19:24:43	4	Soprano Pipistrelle
03/10/2024	19:24:48	3	Soprano Pipistrelle
03/10/2024	19:29:02	3	Soprano Pipistrelle
03/10/2024	19:32:45	7	Soprano Pipistrelle
03/10/2024	19:36:33	3	Soprano Pipistrelle
03/10/2024	19:37:02	9	Soprano Pipistrelle
03/10/2024	19:38:52	4	Soprano Pipistrelle
03/10/2024	19:34:48	3	Soprano Pipistrelle
03/10/2024	19:37:21	21	Soprano Pipistrelle
03/10/2024	19:32:16	9	Soprano Pipistrelle
03/10/2024	19:36:48	11	Soprano Pipistrelle
03/10/2024	19:35:27	4	Soprano Pipistrelle
03/10/2024	19:37:31	3	Soprano Pipistrelle
03/10/2024	19:40:37	3	Soprano Pipistrelle
03/10/2024	19:41:05	10	Soprano Pipistrelle
03/10/2024	19:41:15	21	Soprano Pipistrelle
03/10/2024	19:46:22	3	Soprano Pipistrelle
03/10/2024	19:41:25	3	Daubenton's Bat
03/10/2024	19:47:18	2	Soprano Pipistrelle
03/10/2024	19:48:01	16	Soprano Pipistrelle
03/10/2024	19:47:37	7	Soprano Pipistrelle
03/10/2024	19:48:38	4	Daubenton's Bat
03/10/2024	19:51:26	4	Soprano Pipistrelle
03/10/2024	19:51:10	2	Soprano Pipistrelle
03/10/2024	19:51:18	3	Soprano Pipistrelle
03/10/2024	19:51:00	23	Soprano Pipistrelle
03/10/2024	19:52:08	11	Soprano Pipistrelle
03/10/2024	19:53:54	8	Soprano Pipistrelle
03/10/2024	19:52:59	6	Soprano Pipistrelle
03/10/2024	20:01:05	3	Soprano Pipistrelle
03/10/2024	19:54:09	7	Soprano Pipistrelle
04/10/2024	06:45:19	2	Soprano Pipistrelle
03/10/2024	20:14:23	6	Soprano Pipistrelle
03/10/2024	20:13:36	4	Soprano Pipistrelle
04/10/2024	06:53:12	2	Soprano Pipistrelle
04/10/2024	06:52:09	26	Soprano Pipistrelle
04/10/2024	06:52:41	7	Soprano Pipistrelle
04/10/2024	06:50:09	7	Soprano Pipistrelle
04/10/2024	06:57:35	26	Soprano Pipistrelle
04/10/2024	06:57:48	22	Soprano Pipistrelle
04/10/2024	06:59:15	47	Soprano Pipistrelle
04/10/2024	06:59:25	18	Common Pipistrelle
04/10/2024	07:03:13	57	Common Pipistrelle
04/10/2024	07:05:26	2	Soprano Pipistrelle

04/10/2024	07:03:38	4	Soprano Pipistrelle
04/10/2024	07:05:53	18	Common Pipistrelle
04/10/2024	07:13:17	2	Common Pipistrelle
03/10/2024	19:14:10		Soprano Pipistrelle
03/10/2024	19:18:42		Soprano Pipistrelle
03/10/2024	19:32:26		Common Pipistrelle
03/10/2024	19:30:25		Common Pipistrelle
03/10/2024	19:36:05		Soprano Pipistrelle
03/10/2024	19:37:16		Soprano Pipistrelle
03/10/2024	19:40:11		Soprano Pipistrelle
03/10/2024	19:46:29		Daubenton's Bat
03/10/2024	19:49:25		Soprano Pipistrelle
03/10/2024	19:50:45		Soprano Pipistrelle
03/10/2024	19:39:10		Soprano Pipistrelle
03/10/2024	19:48:54		Soprano Pipistrelle
03/10/2024	19:51:46		Soprano Pipistrelle
03/10/2024	19:49:51		Soprano Pipistrelle
03/10/2024	19:53:37		Soprano Pipistrelle
03/10/2024	19:50:03		Soprano Pipistrelle
03/10/2024	19:47:54		Soprano Pipistrelle
03/10/2024	19:56:13		Daubenton's Bat
03/10/2024	19:56:40		Soprano Pipistrelle
03/10/2024	19:57:30		Soprano Pipistrelle
03/10/2024	19:56:25		Soprano Pipistrelle
03/10/2024	19:48:17		Soprano Pipistrelle
03/10/2024	19:56:00		Soprano Pipistrelle
03/10/2024	19:52:18		Soprano Pipistrelle
03/10/2024	20:01:18		Soprano Pipistrelle
03/10/2024	19:54:26		Soprano Pipistrelle
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03/10/2024	20:04:19		Soprano Pipistrelle
03/10/2024	20:02:02		Soprano Pipistrelle
03/10/2024	20:02:12		Soprano Pipistrelle
03/10/2024	19:54:04		Soprano Pipistrelle
03/10/2024	20:05:41		Soprano Pipistrelle
04/10/2024	06:45:22		Soprano Pipistrelle
04/10/2024	06:49:06		Soprano Pipistrelle
04/10/2024	06:52:54		Soprano Pipistrelle
04/10/2024	06:52:51		Soprano Pipistrelle
04/10/2024	06:55:50		Daubenton's Bat
04/10/2024	06:57:45		Common Pipistrelle
04/10/2024	07:12:53		Common Pipistrelle

04/10/2024	07:14:32		Common Pipistrelle
04/10/2024	07:19:51		Soprano Pipistrelle
04/10/2024	07:20:00		Soprano Pipistrelle
04/10/2024	07:18:58		Soprano Pipistrelle
04/10/2024	07:20:12		Soprano Pipistrelle
04/10/2024	07:21:49		Soprano Pipistrelle
04/10/2024	07:18:31		Soprano Pipistrelle
04/10/2024	07:18:41		Soprano Pipistrelle
04/10/2024	07:19:12		Soprano Pipistrelle
04/10/2024	07:25:04		Soprano Pipistrelle
04/10/2024	07:26:49		Soprano Pipistrelle
04/10/2024	07:26:41		Soprano Pipistrelle
04/10/2024	07:28:05		Soprano Pipistrelle
04/10/2024	07:28:01		Soprano Pipistrelle
04/10/2024	07:27:52		Soprano Pipistrelle
04/10/2024	07:28:21		Soprano Pipistrelle
04/10/2024	07:30:25		Common Pipistrelle
04/10/2024	07:30:09		Soprano Pipistrelle
04/10/2024	07:29:45		Soprano Pipistrelle
04/10/2024	07:29:18		Soprano Pipistrelle
04/10/2024	07:29:58		Soprano Pipistrelle
04/10/2024	07:27:25		Soprano Pipistrelle
04/10/2024	07:34:06		Soprano Pipistrelle
04/10/2024	07:35:33		Soprano Pipistrelle
04/10/2024	07:08:54	27	Soprano Pipistrelle
04/10/2024	07:05:34	17	Soprano Pipistrelle

Plassey Tower Safety Measures
APPROPRIATE ASSESSMENT
SCREENING REPORT

Environmental
Assessment
**Built
Environment**

Client:

University of Limerick

Date:

05 November 2024

DOCUMENT CONTROL SHEET

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1 Introduction

1.1 Background

The University of Limerick (UL) intends to install new safety fencing and CCTV cameras at the abandoned Plassey Mill Ruins/Plassey Tower on the western side of the university campus, near the southern bank of the River Shannon. Additionally, UL plans to infill an opening in the side of the mill tower.

Brady Shipman Martin was appointed to prepare a report to assist the Competent Authority, Limerick City and County Council (LCCC), in undertaking a screening exercise for Appropriate Assessment (AA), should this be required. The purpose of the screening exercise is to assess, in view of best scientific knowledge, if the proposed works, individually or in combination with other plans or projects, are likely to have a significant effect on European sites, taking into account their conservation objectives.

This document constitutes an Appropriate Assessment Screening Report (AA Screening Report) prepared for this purpose.

A comprehensive study was undertaken and the potential for significant effects on European sites, both as a result of the proposed works and in-combination with other plans and projects, are appraised in this report.

1.2 Expertise and Qualifications

This report has been prepared by Sadye Goldfarb, Ecologist and Environmental Consultant at Brady Shipman Martin. She holds a bachelor's degree (Hons.) in Environmental Science from the University of Vermont and a master's degree in Biodiversity and Conservation from Trinity College Dublin.

A technical review of this document has been completed by Senior Ecologist and Associate, Matthew Hague BSc MSc Adv. Dip. Plan. & Env. Law CEnv MCIEEM. Matthew is a highly experienced and qualified ecologist, with a master's degree in Ecosystem Conservation and Landscape Management. He has over 20 years of experience in ecological and environmental consultancy, across a wide range of sectors. Matthew is a Chartered Environmentalist (CEnv) and a full member of the Chartered Institute of Ecology and Environmental Management (MCIEEM). Matthew has also completed an Advanced Diploma in Planning and Environmental Law, at King's Inns and is a member of the Irish Environmental Law Association (IELA).

1.3 Legal Requirement for Appropriate Assessment

European sites make up a network of sites designated for nature conservation under Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (the "Habitats Directive") and Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (the "Birds Directive"). The requirements for Appropriate Assessment are set out under Article 6 of the Habitats Directive, transposed into Irish law by the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended)¹ (the "Birds and Natural Habitats Regulations") and the Planning and Development Act, 2000 (as amended) (the "Planning Acts").

¹ SI No. 477 of 2011

European sites are also known as Natura 2000 Sites (Special Areas of Conservation (SAC) and Special Protection Areas (SPA)). As defined in section 177R of the Planning Acts “European site” means:

- (a) a candidate site of Community importance,
- (b) a site of Community importance,
- (ba) a candidate special area of conservation,
- (c) a special area of conservation,
- (d) a candidate special protection area and
- (e) a special protection area.

Article 6(3) of the Habitats Directive states that:

“(3) Any plan or project not directly connected with or necessary to the management of the site but likely to have 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 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.”

The first test is to establish whether, in relation to a particular plan or project, appropriate assessment is required. Section 177U of the Planning Acts requires that screening for appropriate assessment must be carried out:

- To assess, in view of best scientific knowledge, if the development, individually or in combination with another plan or project is likely to have a significant effect on the European site;
- An appropriate assessment is required if it cannot be excluded, on the basis of objective information, that the development, individually or in combination with other plans or projects, will have a significant effect on a European site.

The project is not required for the management of any European Site and this AA Screening Report has been prepared in accordance with the requirements of the Birds Directive, the Habitats Directive, the Planning Acts and the Birds and Natural Habitats Regulations.

2 Methodology

2.1 Guidelines

This report takes the following guidance documents into account:

- Chartered Institute of Ecology and Environmental Management (CIEEM). *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine*, September 2018, updated in September 2019 (V1.1), further updated in April 2022 (V1.2);
- Department of Environment, Heritage and Local Government (DoEHLG) (2010a). *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities*;
- DoEHLG (2010b). *Circular NPW 1/10 & PSSP 2/10: Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities*;
- European Commission (2021). *Assessment of plans and projects in relation to Natura 2000 sites- Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC*;

- European Commission (2018). *Managing Natura 2000 sites: The Provisions of Article 6 of the Habitats Directive 92/43/EEC*;
- Directorate – General for Environment (European Commission), (2021). *Guidance document on the strict protection of animal species of Community Interest under the Habitats Directive*;
- National Roads Authority (NRA)² (2009). *Guidelines for Assessment of Ecological Impacts of National Road Schemes*;
- Office of the Planning Regulator (OPR) (2021). *Practice Note PN01 Appropriate Assessment Screening for Development Management*;
- National Parks and Wildlife Services (NPWS) (2021). *Guidance for Public authorities on the Application of Articles 12 and 16 of the EU Habitats Directive to development/works undertaken by or on behalf of a Public authority*.

2.2 Baseline Data Collection and Field Visits

A desk-based assessment was undertaken between September and November 2024 of the site and its environs. The appraisal focussed on habitats and species that are listed as Qualifying Interests (QI) (in the case of SACs) and Special Conservation Interests (SCI) (in the case of SPAs) for European sites.

In order to provide a baseline on the local ecological environment, a site visit was completed by Senior Landscape Architect George Dundon of Brady Shipman Martin on 4 September 2024. A comprehensive bat survey was also undertaken at the site, by Wildlife Surveys Ireland, on 3 and 4 October 2024.

An assessment of habitat suitability for species with links to European sites was undertaken, in order to appraise the potential for *ex-situ* effects on European sites.

An examination of available information from Bat Conservation Ireland (BCI) and data from planning applications in the vicinity was also undertaken in order to compile a list of the species most likely to be present in the overall area. This included lesser horseshoe bat, a species listed as a qualifying interest in Danes Hole, Poulnalecka, SAC, which is within the potential Zone of Influence (defined in **Section 4.2**). Article 12 of the Habitats Directive requires Member States to take *requisite measures to establish a system of strict protection of animal species listed in Annex IV(a) in their natural range*.

Information was collated from the organisations and websites listed below:

- Data on European sites and rare and protected plant and animal species contained in the following databases:
 - The National Parks and Wildlife Service (NPWS) of the Department of Housing, Local Government and Heritage (www.NPWS.ie);
 - The National Biodiversity Data Centre (NDBC) (www.biodiversityireland.ie);
 - BirdWatch Ireland (www.birdwatchireland.ie);
 - Bat Conservation Ireland (www.batconservationireland.org).
- Information on land-use zoning from the online mapping of the Department of the Environment, Community and Local Government (www.myplan.ie);
- Recent and historical OSi mapping and aerial imagery, including www.geohive.ie;
- Photographs taken at the site;
- Information on local watercourses from www.catchments.ie;
- Information on water quality in the area (www.epa.ie);
- Information on soils, geology and hydrogeology in the area (www.gsi.ie);

² Now Transport Infrastructure Ireland (TII).

- Information on the Status of EU Protected Habitats and Species in Ireland (Article 17 report) (NPWS, August 2019);
- National Biodiversity Plan 2023 – 2030 (Department of Housing, Local Government and Heritage, 2024);
- Limerick Development Plan 2022-2028 (Limerick City and County Council, 2022).

This report takes full account of the proposed works, and a detailed examination of all relevant elements of the proposal as it currently stands, was undertaken.

3 Description of the Proposed Works

3.1 Site Location

The subject site (refer to **Figures 3.1** and **3.2** below) is located on the western edge of the University of Limerick campus. It comprises the historic ruins of Plassey Mill (permanently closed). Built by Thomas Maunsell, the small watermill has been on the site since the late eighteenth century.³ It is bounded to the north by the River Shannon and to the south/west by the Castletroy Wastewater Treatment Plant and the UL Western Carpark. To the east of the site is an open field and the Dromroe Student Village, intersected by Dromroe Village Road.

The site is within 50m of the Lower River Shannon SAC and is zoned as ‘University’ as per the *Limerick Development Plan 2022-2028*.

3.2 Description of the proposed works

The University of Limerick intends to install new 2.4m high paladin fencing as well as three CCTV cameras around the abandoned Plassey Mill tower to prevent unauthorised access to the structure. The cameras will be pole-mounted, and it is also proposed to infill an opening in the side of the mill tower. The works required to install the fence, cameras, and masonry infill are minimal, and comprise the following:

- Removal of small amounts of vegetation along the fence line;
- Removal of old fencing to be replaced;
- Excavation and installation of paladin fencing;
- Excavation and installation of three camera pole bases;
- Installation of infill masonry.

There will be a total of 80m of new fencing installed, and 30m of old fencing replaced. No significant sub-surface works, or drainage features are required, and no lighting is to be provided. The works are expected to take no longer than 3-4weeks to complete.

See **Figures 3.3 – 3.5**.

³ <https://www.limerickleader.ie/news/home/1016453/if-walls-could-talk-old-mill-provides-insight-into-our-industrial-heritage-of-limerick-city.html>

Figure 3.1 The location of the proposed development site at University of Limerick, Co. Limerick

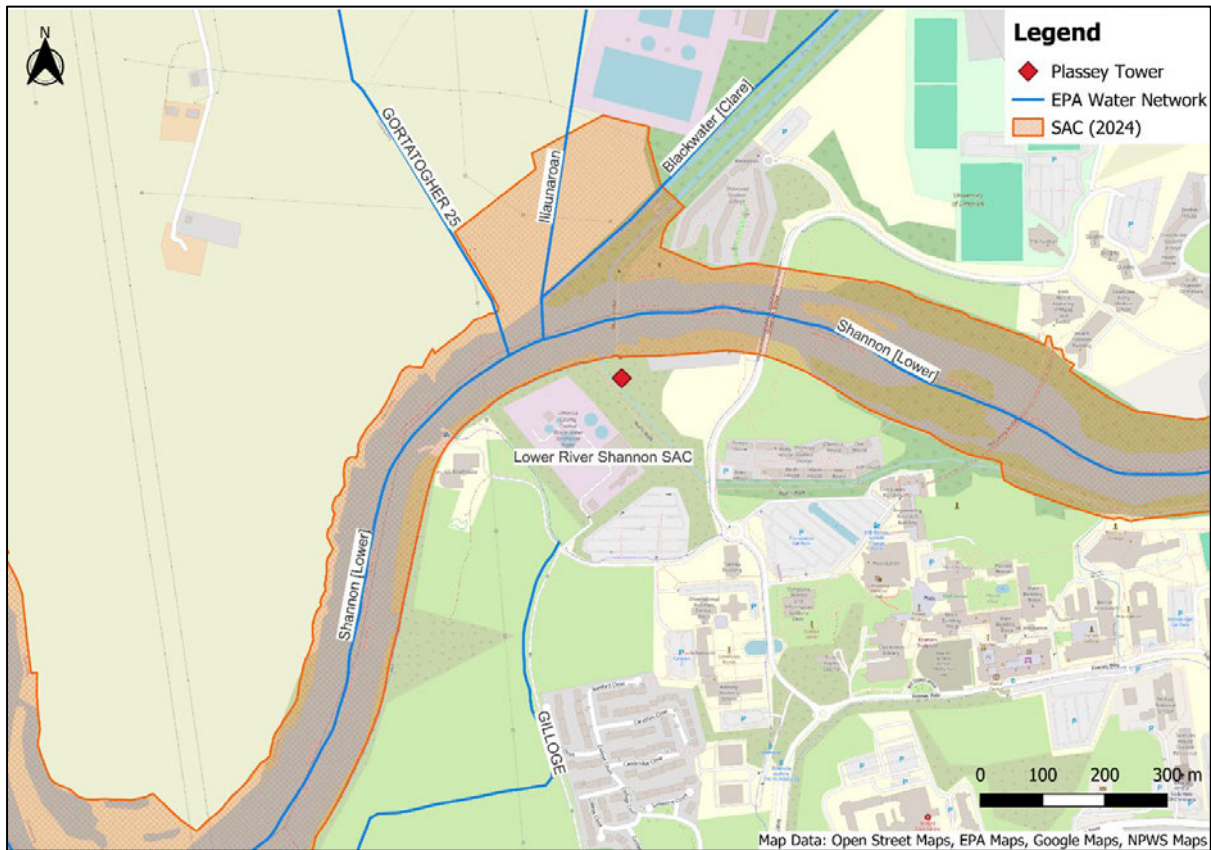


Figure 3.2 The location of the proposed development site at University of Limerick, Co. Limerick (aerial photo dated 2024)



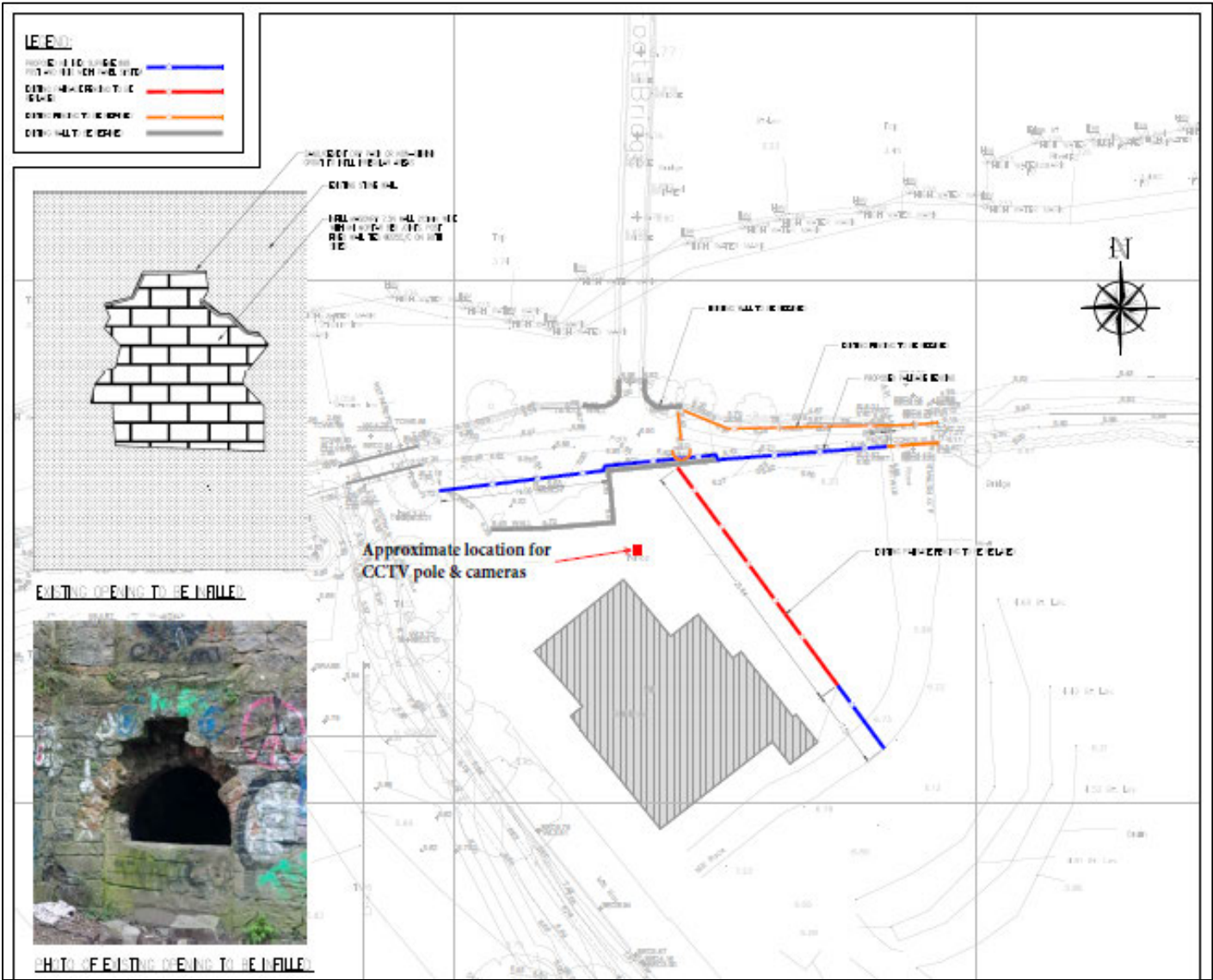
Figure 3.3 Fencing of the type proposed (example)



Figure 3.4 The hole in the wall of the tower to be infilled



Figure 3.5 Extract from the drawing prepared by UL showing the extent of the fencing proposed



4 Screening for Appropriate Assessment

4.1 Background

The first part of the AA process is the screening phase. Screening identifies the likely effects of any proposed works on European sites that could arise, either alone or in combination with other plans or projects and considers whether these impacts are likely to have a significant effect on the European site in view of the site's conservation objectives.

In accordance with sections 177U and of the Planning Acts, the AA screening test must be applied to the proposed development, as follows:

- To assess, in view of best scientific knowledge, if the development, individually or in combination with another plan or project is likely to have a significant effect on the European site;
- An Appropriate Assessment is required if it cannot be excluded, on the basis of objective information, that the development, individually or in combination with other plans or projects, will have a significant effect on a European site.

Screening must be undertaken without the inclusion of mitigation and it is in this context that this AA Screening Report is prepared.

In addition to the foregoing, OPR's Practice Note "Appropriate Assessment Screening for Development Management", dated March 2021 – also details a number of key concepts relevant to AA Screening, including "Best Scientific Knowledge/Information in the Field" (pg.5), stating:

"The screening determination must be based on scientific information relevant to the likely effects on the conservation objectives of the relevant European sites. The information should be up-to-date and based on the best available techniques and methods to estimate the presence and extent of effects. This is because if there is any scientific uncertainty as to the absence of significant effects, the project must be screened in for appropriate assessment.

In the vast majority of cases the information provided by the applicant (including the project description) and publicly available information in relation to the European sites in question and information published by the NPWS, the EPA and others in relation to such sites, should provide a sufficient level of objective scientific information to allow the planning authority to make an informed decision on screening."

Following screening therefore, if there is a possibility of there being a significant effect on a European site, this will generate the need for an appropriate assessment under section 177V of the Planning Acts for the purposes of compliance with Article 6(3) of the Habitats Directive. This means that if the conclusions at the end of the screening exercise are that significant effects on any European sites, as a result of the proposed development, either alone or in combination with other plans and projects, are likely, uncertain or unknown, then an Appropriate Assessment must be carried out. This is in accordance with established precedent and case law.

4.2 Potential Zone of Influence

This assessment is based on the source-pathway-receptor model, which dictates that, for an effect to occur, there must be a 'source' (such as a construction site); a 'receptor' (such as a designated site for nature conservation); and a 'pathway' between the two (such as a watercourse that links the construction site to the designated site). A construction site or completed development may also create

a barrier to movement, for example, by preventing the migration of fauna along a river corridor, or by obstructing the migration of birds.

Identification of a potential effect means that there is a possibility of ecological or environmental damage occurring, with the level and significance of the impact depending upon the nature and exposure to the potential effect and the characteristics of the receptor. Although there may be a risk of an impact, it may not necessarily occur, and if it does occur, it may not be significant.

There are no set recommended distances for projects to consider European sites as being relevant for assessment. In 2010, DoEHLG stated that (pp. 31 – 32):

“The approach to screening is likely to differ somewhat for plans and projects, depending on scale and on the likely effects, but the following should be included:

- 1. Any Natura 2000 sites within or adjacent to the plan or project area*
- 2. Any Natura 2000 sites within the likely zone of impact of the plan or project. A distance of 15km is currently recommended in the case of plans, and derives from UK guidance (Scott Wilson et al., 2006). For projects, the distance could be much less than 15km, and in some cases less than 100m, but this must be evaluated on a case-by-case basis with reference to the nature, size and location of the project, and the sensitivities of the ecological receptors, and the potential for in combination effects*
- 3. Natura 2000 sites that are more than 15km from the plan or project area depending on the likely impacts of the plan or project, and the sensitivities of the ecological receptors, bearing in mind the precautionary principle. In the cases of sites with water dependent habitats or species, and a plan or project that could affect water quality or quantity, for example, it may be necessary to consider the full extent of the upstream and/or downstream catchment.”*

The 2021 Office of the Planning Regulator (OPR) guidelines, *Practice Note PN01: Appropriate Assessment Screening for Development Management*, state that the Zone of Influence “should be established on a case-by-case basis using the Source-Pathway-Receptor framework and not by arbitrary distances (such as 15 km)” (p. 8).

Therefore, considering the nature, scale and location of the permitted development, and in accordance with the source-pathway-receptor model, the potential Zone of Influence for the permitted development including the proposed amendments is:

- Any site to which there is a pathway from the development site during either the construction or operational phase of the development as defined in the following sections.

4.2.1 European Sites

The nearest European sites are as follows (see **Figure 4.1**):

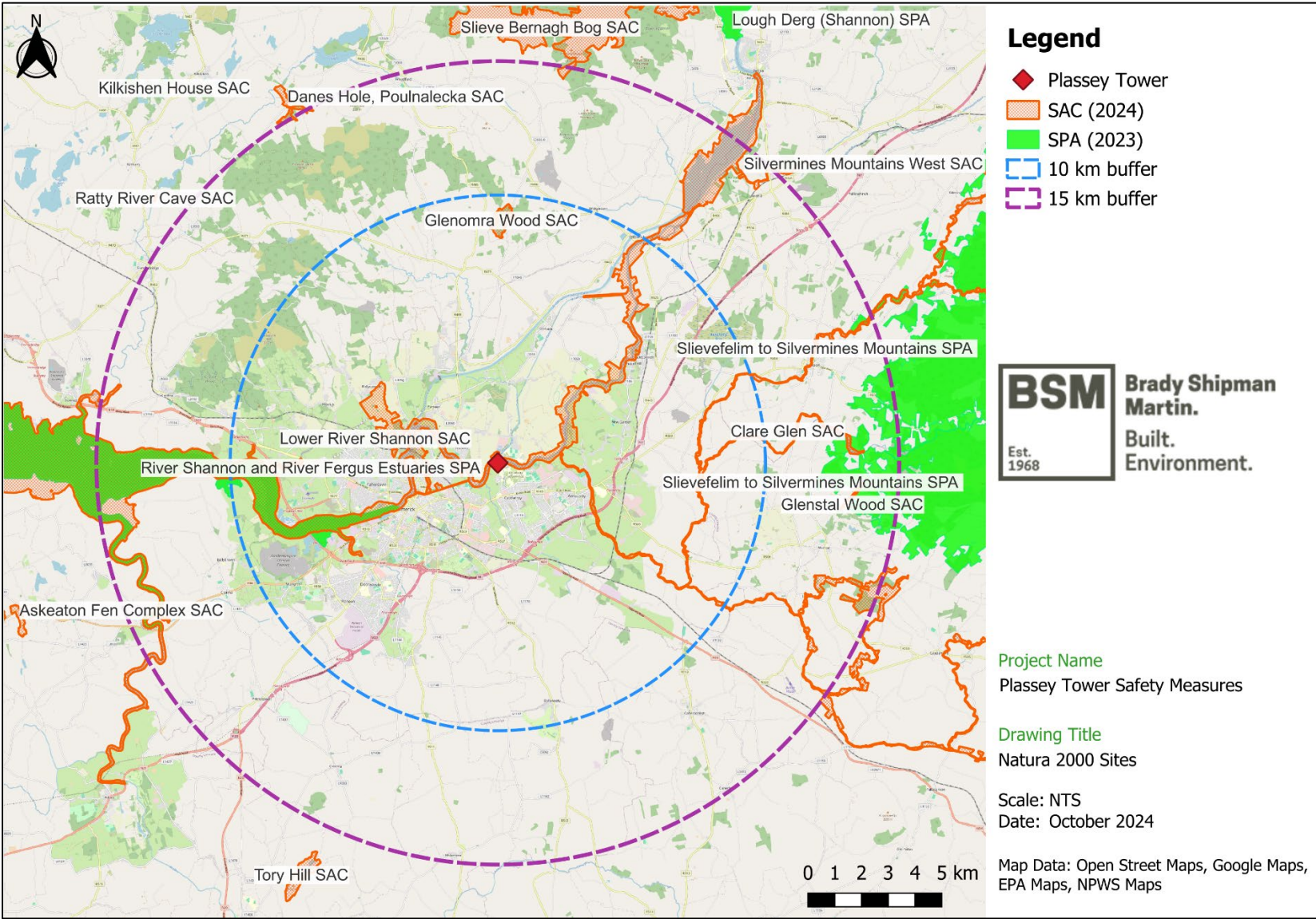
- Special Areas of Conservation (SAC):
 - Lower River Shannon SAC (site code 002165), c. 50m to the north;
 - Glenomra Wood SAC (site code 001013), c. 8.4km to the north;
 - Clare Glen SAC (site code 000930), c. 12.3km to the east;
 - Glenstal Wood SAC (site code 001432), c. 12.9km to the east;
 - Slieve Bernagh Bog SAC (site code 002312), c. 14.6km to the north;
 - Danes Hole, Poulnalecka SAC (site code 000030), c. 14.8km to the north-west.

- Special Protected Areas (SPA):
 - River Shannon and River Fergus Estuaries SPA (site code 004077), c. 4.1km to the south-west;
 - Slievefelim to Silvermines Mountains SPA (site code 004165), c. 12.0km to the east.

Note that the above-listed distances are linear (i.e. 'as the crow flies').

The Conservation Objectives of these sites are to maintain or restore the favourable conservation condition of the QIs / SCIs in question. Where specific conservation objectives have been set out by the NPWS, 'favourable conservation condition' is defined in respect of specific attributes and targets for the habitat or species in question. For further information, refer to **Appendix II**.

Figure 4.1 European sites within zone of influence of the proposed works. 10km and 15km radii are shown for scale.



4.2.2 Other Designated Areas (other than European sites)

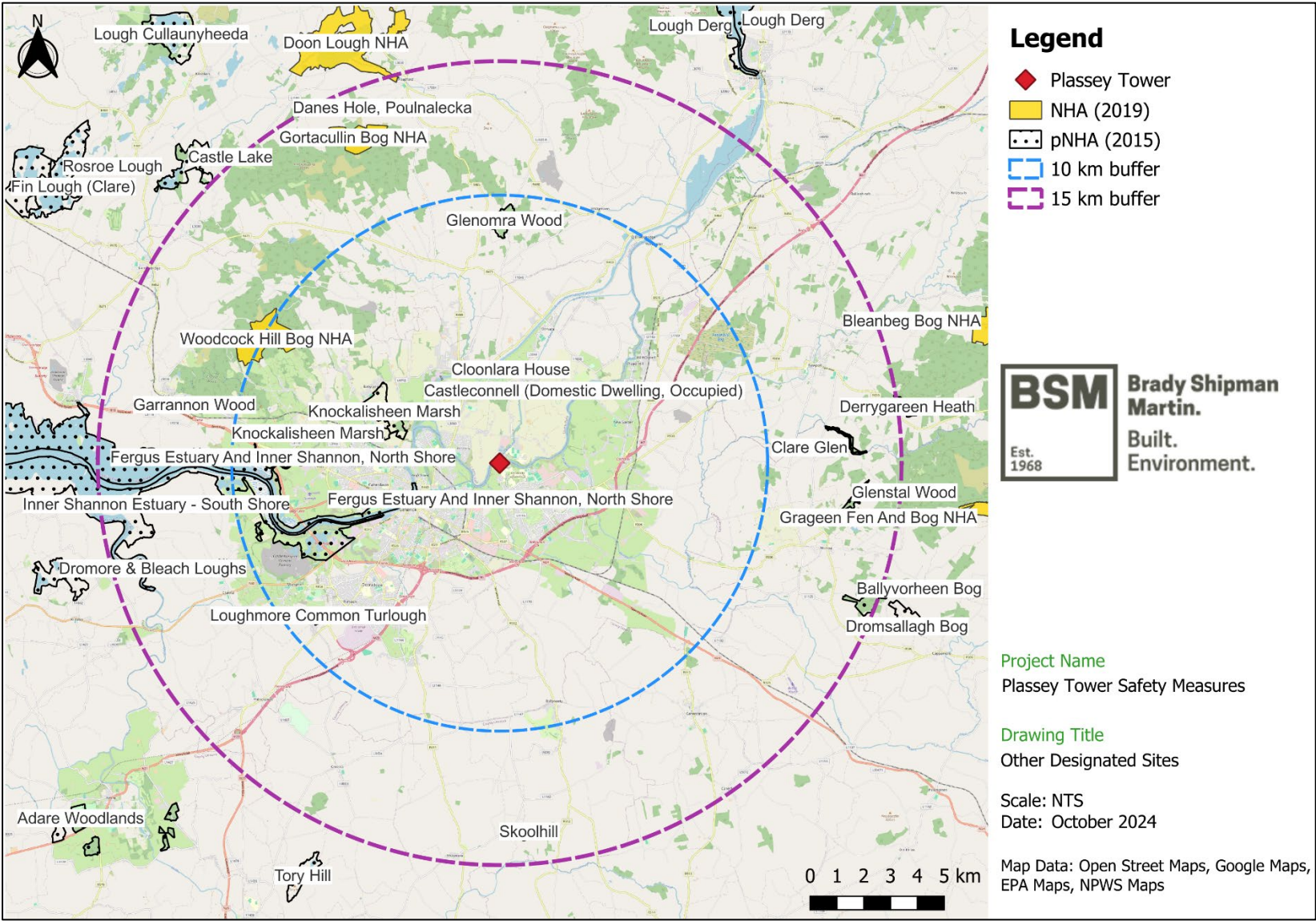
Designated sites other than European sites (i.e. proposed Natural Heritage Areas (pNHA) and designated Natural Heritage Areas (NHA)) within the potential Zone of Influence have been included in this assessment in order to address their potential to act as supporting sites for European sites. The NHA and pNHA sites within the ZoI are as follows:

- Natural Heritage Area (NHA):
 - Woodcock Hill Bog NHA (site code 002402), c. 8.3km to the north-west;
 - Gortacullin Bog NHA (site code 002401), c. 12.7km to the north-west;
 - Doon Lough NHA (site code 000337) c. 14.7km to the north-west.
- Proposed Natural Heritage Areas (pNHA):
 - Fergus Estuary and Inner Shannon, North Shore pNHA (site code 002048), c. 3.2km to the south-west;
 - Cloonlara House pNHA (site code 000028), c. 3.5km to the north;
 - Knockalisheen Marsh pNHA (site code 002001), c. 3.7km to north-west;
 - Castleconnell (Domestic Dwelling, Occupied) pNHA (site code 000433), c. 4.2km to the north-east;
 - Inner Shannon Estuary – South Shore pNHA (site code 000435), c. 4.7km to the south-west;
 - Loughmore Common Turlough pNHA (site code 000438), c. 8.4km to the south-west;
 - Glenomra Wood pNHA (site code 001013), c. 8.4km to the north;
 - Garrannon Wood pNHA (site code 001012), c. 11.1km to the north-west;
 - Clare Glen pNHA (site code 000930), c. 12.3km to the east;
 - Glenstal Wood pNHA (site code 001432), c. 12.8km to the east;
 - Skoolhill pNHA (site code 001996), c. 13.5km to the south;
 - Ballyvorheen Bog pNHA (site code 001849), c. 13.8km to the south-east;
 - Derrygareen Heath pNHA (site code 000931), c. 14.9km to the east;
 - Castle Lake pNHA (site code 000239), c. 14.9km to the north-west.

The above distances are as the crow flies (i.e. linear distances). No impacts are expected on the Fergus Estuary and Inner Shannon, North Shore pNHA, nor on any other NHA or pNHA in the zone of influence, for the reasons set out in the following sections of this report as they relate to the European sites.

Figure 4.2 illustrates all the NHA and pNHA within the potential Zone of Influence (including those which overlap with European sites).

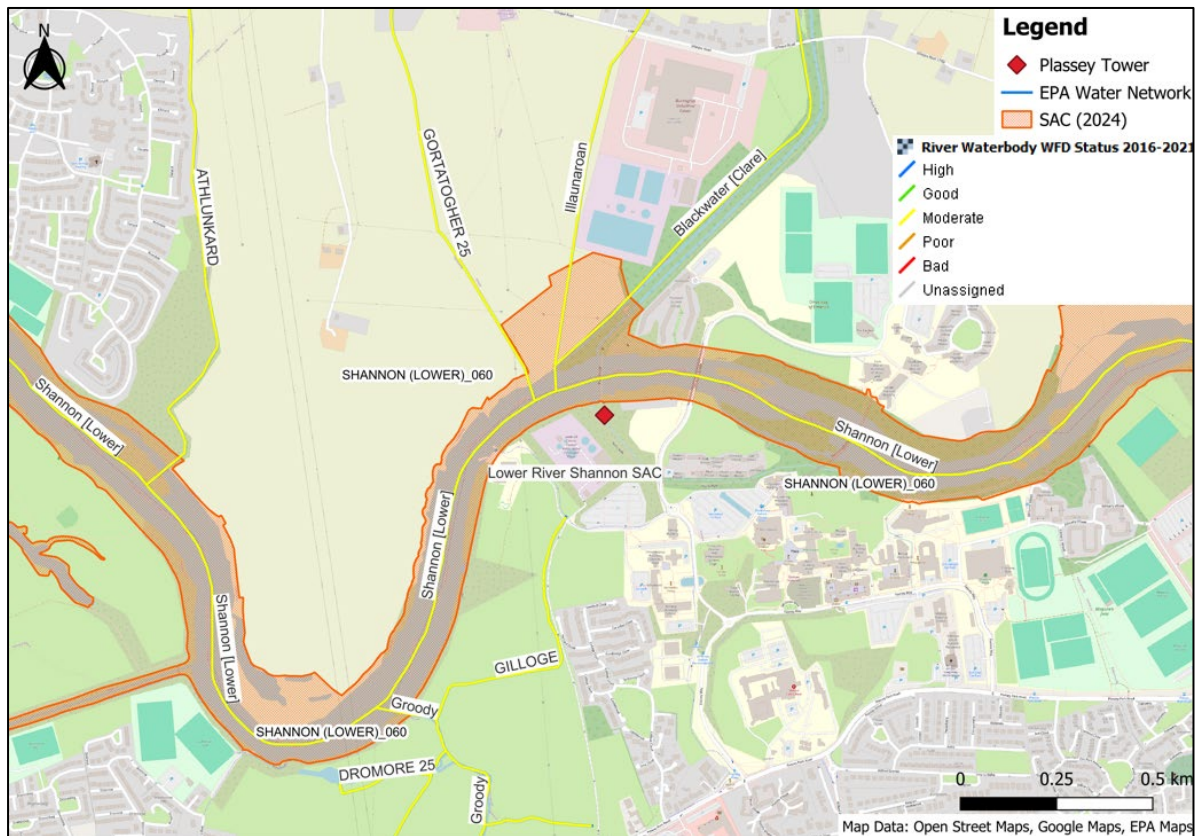
Figure 4.2 NHA and pNHA sites within zone of influence of the proposed development. 10km and 15km radii are shown for scale.



4.2.3 Watercourses, and pathways to European sites

A review of the Environmental Protection Agency (EPA) web-tool indicates that River Shannon runs in close proximity (c. 50m) to the north of the proposed development site. Because of this there exists a potential surface water link between the site of the proposed works and the Lower River Shannon SAC (and the River Shannon and River Fergus Estuaries SPA) should any surface water arising at the site discharge to the river / estuary. Refer to **Figure 4.3**.

Figure 4.3 WFD status of EPA waterbodies in the proximity of the proposed works



4.2.4 Zone of Influence

Considering the nature, scale and location of the proposed development and in accordance with the source-pathway-receptor model, the potential Zone of Influence (ZoI) for the proposed development is limited to the European sites associated with the River Shannon (as detailed in **Section 4.2.1**). These are the only sites to which there is a potential pathway from the proposed development site during either the construction or operational phase of the development.

5 Potential impacts from the proposed development including in-combination effects

5.1 European sites and habitats with links to European sites

Although close to (within 50m) the River Shannon, the subject site is not under any wildlife or conservation designation. Furthermore, no rare, threatened or legally protected plant species, as listed in the *Irish Red Data Book 1 – Vascular Plants (Curtis & McGough, 1988)*, the *Flora Protection Order, 2022* or the EU Habitats Directive, are known to occur within the site.

There are records of giant hogweed (*Heracleum mantegazzianum*) and Himalayan balsam (*Impatiens glandulifera*) from 2023 in the National Biodiversity Data Centre (NBDC) database within the 2km grid square (R65E) that covers the site, and the authors have recorded giant hogweed, Himalayan balsam, Japanese knotweed (*Reynoutria japonica*) and three-cornered leek (*Allium triquetrum*) along the banks of the River Shannon near this location. However, no such species, or any other species listed on the Third Schedule of the Habitats Regulations, have been recorded within the subject site itself.

No rare habitats or habitats of particularly high ecological value (i.e. International, National or County Importance) are present at the site, which comprises mixed broadleaved woodland (Fossitt habitat code **WD1**).

No evidence of any habitats or species with links to European sites was recorded during either the field survey or desk study undertaken and no 'reservoir' type habitats (habitats which have the potential to support Qualifying Interest / Special Conservation Interest species in any European site) are present.

Otters (protected under Article 12 of the Habitats Directive) are frequently recorded along the River Shannon, however the works area itself is unsuited to use by otters (or badgers or other protected species).

As set out in detail in the bat survey report (Wildlife Surveys Ireland) both the mill itself and the surrounding woodland have good potential for roosting bats. According to the report, soprano pipistrelle and Daubenton's bats were seen feeding consistently close to the Mill, particularly at a height, and common pipistrelle was recorded near the river. Two soprano pipistrelles were seen to enter the mill itself – the mill is therefore confirmed to be used by roosting bats. No evidence of lesser horseshoe bat (for which Danes Hole, Poulnalecka SAC is designated) was recorded.

The bat survey report concluded that *[a]lthough this building is used as a roost by a minimum of 2 soprano pipistrelles for roosting, the works are proposed for a part of the building much lower than the corner area 4.5-5m high on the building, meaning works should not interfere with bat roosting. The additional fencing and CCTV pole similarly should not interfere with bat roosting or activity.*

Overall, the proposed works area is of **local importance (higher value)** as defined by the ecological resource valuations presented in the National Roads Authority / Transport Infrastructure Ireland Guidelines for Assessment of Ecological Impacts of National Road Schemes (NRA/TII, 2009 (Rev. 2)).

The proposed safety measures will be installed as described in Section 3.2. Limited construction work is required and there will be no loss of any features of significant ecological value. Once the installation works are complete, the site will be inaccessible to the public and will only require management in terms of fence and camera maintenance.

5.1.1 Potential impacts during construction

At any development site, construction and demolition activities pose a potential risk to water as surface / ground water arising at a site may contain contaminants. The main contaminants arising from construction activities may include suspended solids, hydrocarbons and concrete / cement products. If not properly managed, such pollutants could pose a temporary risk to surface water quality in the local surface water network during construction.

The River Shannon is within c. 50m of the subject site. Given the location of the site in relation to the River Shannon there is a potential surface water link between the site of the proposed works and the two European sites associated with Shannon Estuary (i.e. the Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA).

However, considering the distance to the river, the habitats that separate the site from the river, and the limited extent of the works proposed, there is no possibility that polluted surface water could be emitted directly to it. Further, given the nature, scale and location of the proposed works there is no potential groundwater pathway between the subject site and the European sites.

Despite the presence of an indirect surface water pathway to the River Shannon, the risk of contamination of any watercourses or groundwater is extremely low and even in the event of a pollution incident on site, it is reasonable to assume that **this would not be perceptible in the nearby European sites**, for the following reasons:

- There is no direct pathway between the proposed development site and the European sites;
- Any pollution from the fence and camera pole installation works would be minimal, if not negligible, in quantity and if it flowed into the Shannon via surface run-off it would be so diluted as to be undetectable by the time it entered the river. A significant level of dilution and mixing of surface water would occur in any event. Upon reaching the river any pollutants would be even further diluted and dissipated by the receiving waters;
- In addition, the construction of the proposed development will take place over a very short period (unlikely to be longer than 3-4 weeks). There is no possibility of long-term impacts arising as a result of the security installation, given the location, nature and scale of the proposed works.

There is no possibility of any other potential direct, indirect or secondary impacts on any European site during the construction phase. For example, there will be no land-take from any European site and there will be no resource requirements such as water abstraction. Similarly, there will be no emissions to air from construction vehicles that could remotely impact any European site. Dust, noise and vibration arising during construction will similarly be entirely remote from any European site.

There will be no loss, fragmentation, disruption, disturbance or other change to any element of any European site as a result of the construction of the proposed fence and camera installations (or the blocking of the hole in the mill wall), and no interference with the key relationships that define the structure or function of any European site.

Significant effects arising as a result of the installation of the proposed safety measures, on European sites (or on proposed Natural Heritage Areas), can therefore be excluded.

5.1.2 Potential impacts during operation

There is no possibility of any potential direct, indirect or secondary impacts on any European site once the proposed fencing and cameras are installed and operational. There will be no loss, fragmentation, disruption, disturbance or other change to any element of any European site as a result of the operation

of the proposed safety measures, and no interference with the key relationships that define the structure or function of any European site. Furthermore, the fence/cameras will not be lit, and there will be no impacts from artificial lighting on bats, birds or large mammals (such as otters) once the safety measures are operational.

Significant effects arising as a result of the operation of the proposed safety measures, on European sites (or on proposed Natural Heritage Areas), can therefore be excluded.

A detailed discussion of the potential impacts of the proposed development on individual European sites within the potential Zone of Influence is presented in **Table 5.1**, below.

Table 5.1 Potential impacts on designated sites in the potential Zone of Influence

Site	Reasons for designation (information correct as of November 2024)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
Special Areas of Conservation (SAC)			
Lower River Shannon SAC (site code 002165), c. 33.9m to the north	<ul style="list-style-type: none"> ■ 1029 Freshwater Pearl Mussel (<i>Margaritifera margaritifera</i>) ■ 1095 Sea Lamprey (<i>Petromyzon marinus</i>) ■ 1096 Brook Lamprey (<i>Lampetra planeri</i>) ■ 1099 River Lamprey (<i>Lampetra fluviatilis</i>) ■ 1106 Atlantic Salmon <i>Salmo salar</i> (only in fresh water) ■ 1110 Sandbanks which are slightly covered by sea water all the time ■ 1130 Estuaries ■ 1140 Mudflats and sandflats not covered by seawater at low tide ■ 1150 *Coastal lagoons ■ 1160 Large shallow inlets and bays ■ 1170 Reefs ■ 1220 Perennial vegetation of stony banks ■ 1230 Vegetated Sea cliffs of the Atlantic and Baltic coasts ■ 1310 <i>Salicornia</i> and other annuals colonizing mud and sand ■ 1330 Atlantic salt meadows (<i>Glaucopuccinellietalia maritima</i>) ■ 1349 Bottlenose Dolphin (<i>Tursiops truncatus</i>) ■ 1355 Otter (<i>Lutra lutra</i>) ■ 1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>) 	<p>No significant effects on water quality, and therefore on the site's QIs, are predicted.</p> <p>The works associated with the proposed safety measures are very minor in nature, effectively comprising the removal of vegetation along the proposed fence line, the removal of old fencing, the excavation and installation of new fencing, and the installation of pole-mounted CCTV cameras, and the infilling of a hole in the mill wall.</p> <p>Surface/ground water arising during the works could contain pollutants (foul water, silt, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the ground or the local surface water drainage network to the Lower River Shannon SAC. However, there would be no significant effects on the conservation objectives of the European site should this occur, given the nature, size and location of the proposed development, as described in Section 5.1.1 and 5.1.2. Even in the event of a pollution incident (such as a fuel spill) significant enough to impact upon surface/ground water quality on the site itself, any pollution from the construction site would be minimal in quantity and even if it entered any watercourse it would be so diluted that it would not be perceptible in the Lower River Shannon SAC, due to the very small volumes.</p> <p>In addition, significant dilution and mixing of surface water would occur and upon reaching the river any pollutants would be even further diluted and dissipated by the receiving waters.</p> <p>There is no possibility of any operational phase impacts, either direct or indirect (such as via foul/wastewater, which will not arise). There will be no loss of habitat or species, fragmentation or disturbance to the qualifying interests of this site as a result of the proposed works.</p>	No

Site	Reasons for designation (information correct as of November 2024)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	<ul style="list-style-type: none"> ■ 3260 Water courses of plain to montane levels with the <i>Ranuncion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation ■ 6410 Molinia meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>) ■ 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>*indicates a priority habitat under the Habitats Directive</p> <p>According to this SAC's site Conservation Objectives document (Version 1, dated 07 August 2012), for each of the listed QIs, the Conservation Objective is to maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p>		
<p>Glenomra Wood SAC (site code 001013), c. 8.4km to the north</p>	<ul style="list-style-type: none"> ■ 91A0 Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles <p>According to this SAC's site Conservation Objectives document (Version 1, dated 19 June 2018), for each of the listed QIs, the Conservation Objective is to maintain the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p>	<p>There is no direct hydrological link or any other pathway between the site of the proposed safety measures and this SAC. It is over 8km distant and is completely unconnected via any pathway.</p> <p>Furthermore, there will be no loss of habitat or species, fragmentation or disturbance to the QIs of this SAC.</p>	<p>No</p>

Site	Reasons for designation (information correct as of November 2024)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
Clare Glen SAC (site code 000930), c. 12.3km to the east	<ul style="list-style-type: none"> ■ 91A0 Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles ■ 1421 Killarney Fern (<i>Trichomanes speciosum</i>) <p>According to this SAC's site Conservation Objectives document (Version 1, dated 16 May 2018), for each of the listed QIs, the Conservation Objective is to maintain the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p>	<p>There is no direct hydrological link or any other pathway between the site of the proposed safety measures and this SAC. It is over 12km distant and is completely unconnected via any pathway.</p> <p>Furthermore, there will be no loss of habitat or species, fragmentation or disturbance to the QIs of this SAC.</p>	No
Glenstal Wood SAC (site code 001432), c. 12.9km to the east	<ul style="list-style-type: none"> ■ 1421 Killarney Fern (<i>Trichomanes speciosum</i>) <p>According to this SAC's site Conservation Objectives document (Version 1, dated 15 May 2018), for each of the listed QIs, the Conservation Objective is to maintain the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p>	<p>There is no direct hydrological link or any other pathway between the site of the proposed safety measures and this SAC. It is almost 13km distant and is completely unconnected via any pathway.</p> <p>Furthermore, there will be no loss of habitat or species, fragmentation or disturbance to the QIs of this SAC.</p>	No
Slieve Bernagh Bog SAC (site code 002312), c. 14.6km to the north	<ul style="list-style-type: none"> ■ 4010 Northern Atlantic wet heaths with <i>Erica tetralix</i> ■ 4030 European dry heaths ■ 7130 Blanket bogs (* if active bog) <p>* indicates a priority habitat under the Habitats Directive</p> <p>According to this SAC's site Conservation Objectives document (Version 1, dated 18 August 2016), for each of the listed QIs, the</p>	<p>There is no direct hydrological link or any other pathway between the site of the proposed safety measures and this SAC. It is almost 15km distant and is completely unconnected via any pathway.</p> <p>Furthermore, there will be no loss of habitat or species, fragmentation or disturbance to the QIs of this SAC.</p>	No

Site	Reasons for designation (information correct as of November 2024)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	Conservation Objective is to restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.		
Danes Hole, Poulnalecka SAC (site code 000030), c. 14.8km to the north-west	<ul style="list-style-type: none"> ■ 8310 Caves not open to the public ■ 91A0 Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles ■ 1303 <i>Rhinolophus hipposideros</i> (Lesser Horseshoe Bat) <p>According to this SAC's site Conservation Objectives document (Version 1, dated 24 July 2018), for each of the listed QIs, the Conservation Objective is to maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p>	<p>There is no direct hydrological link or any other pathway between the site of the proposed safety measures and this SAC. It is almost 15km distant and is completely unconnected via any pathway. The proposed works will not impact on lesser horseshoe bats in any way.</p> <p>Furthermore, there will be no loss of habitat or species, fragmentation or disturbance to the QIs of this SAC.</p>	No
Special Protection Areas (SPA)			
River Shannon and River Fergus Estuaries SPA (site code 004077), c. 4.1km to the south-west	<ul style="list-style-type: none"> ■ A017 Cormorant (<i>Phalacrocorax carbo</i>) ■ A038 Whooper Swan (<i>Cygnus cygnus</i>) ■ A046 Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) ■ A048 Shelduck (<i>Tadorna tadorna</i>) ■ A050 Wigeon (<i>Anas penelope</i>) ■ A052 Teal (<i>Anas crecca</i>) ■ A054 Pintail (<i>Anas acuta</i>) ■ A056 Shoveler (<i>Anas clypeata</i>) ■ A062 Scaup (<i>Aythya marila</i>) ■ A137 Ringed Plover (<i>Charadrius hiaticula</i>) 	<p>No significant effects on water quality, and therefore on the site's SCIs, are predicted.</p> <p>The works associated with the proposed safety measures are very minor in nature, effectively comprising the removal of vegetation along the proposed fence line, the removal of old fencing, the excavation and installation of new fencing, and the installation of pole-mounted CCTV cameras, and the infilling of a hole in the mill wall.</p> <p>Surface/ground water arising during the works could contain pollutants (foul water, silt, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the ground or the local surface water drainage network to the River Shannon and River Fergus Estuaries SPA. However, there would be no significant effects on the conservation objectives of the European site should this occur, given the nature, size and location of the proposed development, as described in Section 5.1.1 and 5.1.2. Even in the event of a pollution incident (such as a fuel spill) significant enough to impact upon surface/ground water quality on the site itself, any pollution from the construction site would be minimal in quantity and even if it entered any</p>	No

Site	Reasons for designation (information correct as of November 2024)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	<ul style="list-style-type: none"> ■ A140 Golden Plover (<i>Pluvialis apricaria</i>) ■ A141 Grey Plover (<i>Pluvialis squatarola</i>) ■ A142 Lapwing (<i>Vanellus vanellus</i>) ■ A143 Knot (<i>Calidris canutus</i>) ■ A149 Dunlin (<i>Calidris alpina</i>) ■ A156 Black-tailed Godwit (<i>Limosa limosa</i>) ■ A157 Bar-tailed Godwit (<i>Limosa lapponica</i>) ■ A160 Curlew (<i>Numenius arquata</i>) ■ A162 Redshank (<i>Tringa tetanus</i>) ■ A164 Greenshank (<i>Tringa nebularia</i>) ■ A179 Black-headed Gull (<i>Chroicocephalus ridibundus</i>) ■ A999 Wetlands <p>According to this SPA's site Conservation Objectives document (Version 1 - dated 17 September 2012), for each of the listed SCIs, the Conservation Objective is to maintain the favourable conservation condition of the species and wetland habitat for which the SPA has been selected.</p>	<p>watercourse it would be so diluted that it would not be perceptible in the River Shannon and River Fergus Estuaries SPA, due to the very small volumes.</p> <p>In addition, significant dilution and mixing of surface water would occur and upon reaching the river any pollutants would be even further diluted and dissipated by the receiving waters.</p> <p>There is no possibility of any operational phase impacts, either direct or indirect (such as via foul/wastewater, which will not arise). There will be no loss of habitat or species, fragmentation or disturbance to the qualifying interests of this site as a result of the proposed works.</p>	
<p>Slievefelim to Silvermines Mountains SPA (site code 004165), c. 12.0km to the east</p>	<ul style="list-style-type: none"> ■ A082 Hen Harrier (<i>Circus cyaneus</i>) <p>According to this SPA's site Conservation Objectives document (Version 1 - dated 23 September 2022), for each of the listed SCIs, the Conservation Objective is to restore the favourable conservation condition of the species and wetland habitat for which the SPA has been selected.</p>	<p>There is no direct hydrological link or any other pathway between the site of the proposed safety measures and this SAC. It is approximately 12km distant and is completely unconnected via any pathway.</p> <p>Furthermore, there will be no loss of habitat or species, fragmentation or disturbance to the SCIs of this SPA.</p>	<p>No</p>

5.2 Summary of potential impacts of the proposed safety measures

There will be no loss of any habitat or species listed as a QI or SCI of any designated site as a consequence of the provision of the proposed safety measures. There is, therefore, no potential for the effects of habitat loss or fragmentation to occur.

There will also be no significant effects on any European sites as a result of:

- Habitat loss and/or fragmentation;
- Land-take;
- Resource requirements such as water abstraction;
- Impacts to habitat structure;
- Mortality to species (such as roadkill);
- Noise pollution / vibration impacts;
- Light pollution;
- Emissions to air (including dust);
- Emissions to water.

Several invasive plant species (*i.e.* those species listed on Schedule 3 of the *Birds and Habitats Regulations, 2011-2022*) are known to be present in the wider area, however none were identified on the works site itself. No such invasive species will be introduced or caused to be spread by the proposed works.

Additionally, for the reasons outlined in this report for the European sites, no impacts on any other designated sites including proposed Natural Heritage Areas, will occur.

6 Mitigation Specific to European Sites

This screening assessment is consistent with the judgment of the European Court in Case C-323/17, *People Over Wind & Sweetman v Coillte* (Judgment of the Court (Seventh Chamber) of 12 April 2018) and the recent case-law of the High Court, including *Heather Hill Management Company CLG v An Bord Pleanála* [2019] IEHC 450 and *Sweetman v An Bord Pleanála* [2020] IEHC 39.

It is also consistent with the judgment in *Eco Advocacy CLG v An Bord Pleanála* [2021] IEHC 265. In that case, Humphreys J confirmed the core legal principle, being that regard should not be had to mitigation measures at AA screening stage. Humphreys J decided in that case that clarification was required from the CJEU on the matter (as it related to the consideration of SUDs and whether these represented mitigation measures).

The CJEU, in its ruling on this case dated 15 June 2023 clarified issues defining mitigation in the context of European sites⁴. It confirmed that Article 6(3) of Directive 92/43 *must be interpreted as meaning that, in order to determine whether it is necessary to carry out an appropriate assessment of the implications of a plan or project for a site, account may be taken of the features of that plan or project which involve the removal of contaminants and which therefore may have the effect of reducing the harmful effects of the plan or project on that site, where those features have been incorporated into that plan or project as standard features, inherent in such a plan or project, irrespective of any effect on the site.*

4

<https://curia.europa.eu/juris/document/document.jsf?text=&docid=274644&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=21723482>

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In relation to European sites, there will be no impacts (such as pollution events, habitat loss, disturbance or any other impacts) capable of giving rise to any likely significant effects on European sites as a result of the development of the proposed safety measures.

As set out in this report, it is certain that likely significant effects on European sites as a result of both the construction and operation of the proposed safety measures can be excluded.

No mitigation is necessary or proposed for the protection of European sites.

7 In-combination Effects

It is a requirement of Section 177U of the Planning Acts that, when considering whether a plan or project will have a significant effect on a European site, the assessment must take into account in-combination effects with other plans and projects. The assessment should consider plans and projects that are completed, approved but uncompleted, or proposed (but not yet approved)⁵. If there are identified effects arising from the plan or project, even if they are perceived as minor and not likely to have a significant effect on the integrity of a European site alone, then these effects must be considered in combination with the effects arising from other plans and projects.

The following sources were consulted to identify relevant other plans or projects:

- Limerick Development Plan 2022-2028 (Limerick City and County Council (2022));
- Limerick City and County Council Planning Viewer (accessed October 2024);
- The National Planning Application database (www.myplan.ie - accessed October 2024);
- An Board Pleanála database (www.pleanala.ie – accessed October 2024); and
- EIA Portal (www.housinggovie.maps.arcgis.com – accessed October 2024).

Permitted and proposed projects in the immediate vicinity of the proposed works area were considered in terms of the potential for in-combination effects. No developments are proposed within the immediate vicinity of the site that would, in combination with the works under appraisal in this report, give rise to significant effects. This includes projects that are currently under construction, have recently been granted planning permission or are awaiting a decision, such as:

- **LCCC Reg. Ref.: 23316168:** the proposed upgrade of the existing Castletroy Wastewater Treatment Plant by Uisce Eireann. The application was accompanied by Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS);

The Limerick Development Plan 2022-2028 contains a section on Architectural Conservation Areas and Record of Protected Structures.⁶ An Architectural Conservation Area (ACA) is a place, area, group of structures or townscape that is of special architectural, historical, archaeological, technical, social, cultural, or scientific interest, or that contributes to the appreciation of a Protected Structure. The Plassey Tower site is within ACA 9 (Castletroy – Dromore), and it is mandated that proposals within this ACA *shall safeguard the parklands associated with Plassey House in order for the evolved university complex to retain significant tree cover, green areas and vistas down to the River Shannon*. The proposed safety measures will not impact the tree cover, green areas, or vistas down to the River Shannon. It is in compliance with all of the relevant Plan objectives.

A number of other plans were considered when assessing in-combination effects, but it was determined that there would be no in-combination effects with these:

⁵ Assessment of Plans and Projects Significantly Affecting European sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (European Commission Environment Directorate-General, 2001)

⁶ <chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.limerick.ie/sites/default/files/media/documents/2022-07/Architectural-Conservation-Areas.pdf>

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- The National Planning Framework (Project Ireland 2040);
- Climate Action Plan 2023 (CAP 23 – Changing Ireland for the Better);
- Limerick Local Authority Climate Action Plan (LACAP) (public consultation documentation July/August 2023);
- National Biodiversity Action Plan 2023 – 2030.

It is considered that significant in-combination effects on European sites are not likely to occur as a result of the proposed works in combination with other plans or projects.

8 Screening Conclusion

In view of best scientific knowledge, this report concludes that the provision of the proposed fencing, cameras, and masonry infill at this site within the University of Limerick campus, individually or in combination with another plan or project, **will not have a significant effect on any European sites**. This conclusion was reached without considering or taking into account mitigation measures or measures intended to avoid or reduce any impact on European sites.

It is considered that this report provides sufficient relevant information to allow Limerick City and County Council to carry out an Appropriate Assessment Screening, if necessary, and reach a determination **that the proposed works will not have any likely significant effects on European sites** under Article 6 of the Habitats Directive in light of their conservation objectives.

9 References

- Chartered Institute of Ecology and Environmental Management (CIEEM) (2022). *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine (Version 1.2)*.
- DoEHLG (2010a). *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities*.
- DoEHLG (2010b). Circular NPW 1/10 & PSSP 2/10: Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities.
- DoHLGH (2024). EIA Portal.
- European Commission (2021). *Assessment of plans and projects in relation to Natura 2000 sites- Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC*.
- European Commission (2018). *Managing Natura 2000 sites: The provisions of Article 6 of the ‘Habitats’ Directive 92/43/EEC*.
- European Commission Environment Directorate-General (2021). *Guidance document on the strict protection of animal species of Community Interest under the Habitats Directive*.
- NBDC (2024). Biodiversity Maps.
- NPWS (2021). Guidance for Public authorities on the Application of Articles 12 and 16 of the EU Habitats Directive to development/works undertaken by or on behalf of a Public authority.
- NPWS (2024). *Boundary data – Special Area of Conservation (SAC)*. [Update date 15/05/2024].
- NPWS (2024). *Boundary data – Special Protection Area (SPA)*. [Update date 11/01/2024].
- NPWS (2015). *Boundary data – proposed Natural Heritage Area (pNHA)*. [Update date 01/11/2015].
- NPWS (2019). *Boundary data –Natural Heritage Area (pNHA)*. [Update date 28/06/2019].
- NRA⁷ (2009). *Guidelines for Assessment of Ecological Impacts of National Road Schemes*.
- Limerick City and County Council (2022). *Limerick Development Plan 2022-2028*.
- OPR (2021). *Practice Note PN01 Appropriate Assessment Screening for Development Management*.
- Wyse Jackson, M., FitzPatrick, Ú., Cole, E., Jebb, M., McFerran, D., Sheehy Skeffington, M. & Wright, M. (2016). *Ireland Red List No. 10: Vascular Plants*. Dublin Ireland: NPWS, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.

⁷ Now Transport Infrastructure Ireland (TII).

Appendix I: Background

The European⁸ network is a Europe-wide network of ecologically important sites (SPAs and cSACs – also known as ‘European Sites’ or ‘Natura 2000 sites’) that have been designated for protection under either the EU Birds Directive (Council Directive 79/409/EEC on the Conservation of Wild Birds) or the EU Habitats Directive (Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Flora and Fauna).

The main aim of the Habitats Directive is “to contribute towards ensuring biodiversity through the conservation of natural habitats of wild fauna and flora in the European territory of the Member States to which the treaty applies”. Any actions taken must be designed to “maintain or restore, at a favourable conservation status, natural habitats and species of wild fauna and flora of Community interest”. Under Article 6 of the Habitats Directive, an assessment is required where a plan or project may give rise to significant effects upon a European site.

In addition, it is a matter of law that candidate SACs (cSACs) and Sites of Community Importance (SCI) are considered in this process;

Article 6 (paragraphs (3) and (4)) of the Habitats Directive states that:

(3) Any plan or project not directly connected with or necessary to the management of the site but likely to have 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.

(4) 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 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.

Where the site concerned hosts a priority natural habitat type and/or a priority species, the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.

The requirements of the Habitats Directive are transposed into Irish law by means of the *European Union (Birds and Natural Habitats) Regulations 2011-2015* (hereafter referred to as the *Birds and Habitats Regulations*)⁹ and by the *Planning and Development Act 2000*, as amended.

In Ireland, the statutory agency responsible for the designated areas is NPWS.

Stages in the Assessment

⁸ The EU Habitats Directive, Article 3.1, states “A Coherent European ecological network of Special Areas of Conservation and Special Protection Areas pursuant to Directive 79/409/EEC shall be set up under the title Natura 2000”

⁹ SI No. 477 of 2011 and subsequent amendments

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European Commission guidance (2021)¹⁰ sets out the principles on how to undertake decision making in applying the Habitats Directive. The requirements of the Habitats Directive comprise four distinct stages:

Stage 1: Screening is the process which initially identifies the likely significant effects upon a European site of a project or plan, either alone or in combination with other projects or plans, and considers whether these impacts may be significant. It is important to note that the burden of evidence is to show, on the basis of objective information, that there will be no significant effect; if the effect may be significant, or is not known, that would trigger the need for an Appropriate Assessment. There is European Court of Justice case law to the effect that unless the likelihood of a significant effect can be ruled out on the basis of objective information, then an Appropriate Assessment must be made.

Stage 2: Appropriate Assessment is the detailed consideration of the impact on the integrity of the European site of the project or plan, either alone or in combination with other projects or plans, with respect to the site's conservation objectives and its structure and function. This is to determine with scientific certainty whether or not there will be adverse effects on the integrity of the site in light of its conservation objectives. This stage also includes the development of mitigation measures to avoid or reduce any possible impacts.

Stage 3: Assessment of alternative solutions is the process which examines alternative ways of achieving the objectives of the project or plan that would avoid impacts on the integrity of the European site, should avoidance or mitigation measures be unable to cancel out adverse effects.

Stage 4: Assessment where no alternative solutions exist and where adverse impacts remain. At Stage 4 an assessment is made with regard to whether or not the development is necessary for imperative reasons of overriding public interest (IROPI) and, if so, of the compensatory measures needed to maintain the overall coherence of the European network.

¹⁰ European Commission (2021) *Assessment of Plans and Projects in relation to Natura 2000 sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*

Appendix II: Conservation Objectives of European Sites

The conservation objectives for a European Site are intended to represent the aims of the Habitats and Birds Directives in relation to that site. To this end, habitats and species of European Community importance should be maintained or restored to 'favourable conservation status' (FCS), as defined in Article 1 of the Habitats Directive below:

The conservation status of a natural habitat will be taken as 'favourable' when:

- Its natural range and the area it covers within that range are stable or increasing;
- The specific structure and functions which are necessary for its long term maintenance exist and are likely to continue to exist for the foreseeable future;
- Conservation status of typical species is favourable as defined in Article 1(i).

The conservation status of a species will be taken as favourable when:

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

Guidance from the European Commission¹¹ indicates that the Habitats Directive intends FCS to be applied at the level of an individual site, as well as to habitats and species across their European range. Therefore, in order to properly express the aims of the Habitats Directive for an individual site, the conservation objectives for a site are essentially to maintain (or restore) the habitats and species of the site at (or to) FCS.

The European Commission guidance recommends that screening should fulfil the following steps:

1. Determine whether the plan (or policy) is directly connected with or necessary for the management of European sites;
2. Describe the plan and describe and characterise any other plans or projects which, in combination, have the potential for having significant effects on European sites;
3. Identify the potential effects on European sites;

Assess the likely significance of any effects on European sites.

¹¹ Managing Natura 2000 sites: the provisions of Article 6 of the Habitats Directive 92/43/EEC. (European Commission November 2018)

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The Secretary

Planning Environment & Planning Making

Limerick City & County Council

Dooradoyle, Limerick

Job Ref: U086L

A – GL

Date: 27th February 2026

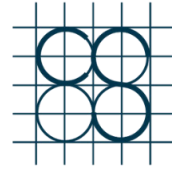
**RE: Replacement of Existing Fencing and Masonry Infill Works
To the Plassey Mill Ruins, University of Limerick - Section 5 Application**

Dear Sir/Madam

We enclose herewith Section 5 application for the replacement of an existing boundary fencing to Plassey Mill Ruin at the University of Limerick.

We are of the opinion that the proposed development is exempted development for the following reasons:

- *The development consists of the replacement and upgrade of existing boundary fencing currently protecting the Plassey Mill ruin.*
- *The block infill of the existing opening in the ruin has been discussed and agreed with the Council's Conservation Officer and is designed to prevent access into the ruin and limit any further damage to the structure.*
- *An appropriate assessment screening report carried out on the proposed fencing replacement and masonry infill works has concluded that the proposals will not have a significant effect on any European sites under Article 6 of the Habitats Directive in light of their conservation objectives, therefore a Natura Impact Assessment is not required.*



- A bat assessment carried out on the proposed fencing replacement and masonry infill, concluded that the proposed works will not have any likely significant effects on European sites under Article 6 of the Habitats Directive in light of their conservation objectives.

We therefore enclose the following:

- Application Form F7;
- Receipt of Fee Payment;
- Drawings:
 - Site Location Map & Site Plan U086L-CSC-XX-ZZ-DR-0100
 - Proposed Access Route U086L-CSC-XX-ZZ-DR-0001
- Appropriate Assessment Screening Report.
- Bat Assessment report.

We look forward to hearing from you in due course.

Yours sincerely

Gary Lindsay

Associate Director

Chartered Civil Engineer

for Cronin & Sutton Consulting

Good morning

Please see copy of receipt for payment

Regards

Mary



**LIMERICK CITY & COUNTY COUNCIL
CASH OFFICE
CIVIC OFFICES
DOORADOYLE
CO LIMERICK
27/02/2026 10:30:34**

Receipt No / Uimhir LA25/25196359
Admhála:

**Customer Address / Seoladh an
Chustaiméara:**

Abigail Tegart
19-22 Dame Street
Dublin 2
D02 E267
Ref: U068L

Account / Cuntas: PL041

PL041 **80.00 EUR**

EXEMPTION CERTIFICATES

Paid With / Íoctha Le: Credit / Debit Card

Total / Iomlán: 80.00 EUR

Tax (VAT): 0.00 EUR

Tendered / Tairgthe: 80.00 EUR

From / Ó: CASH OFFICE
HQ

**Vat reg No. / Clárúimh
CBL:** 3267368TH

Please retain this receipt for your records

Please do not reply to this email



[Limerick City & County Council Disclaimer](#)



Comhairle Cathrach
& Contae **Luimnigh**

Limerick City
& County Council

Pleanáil, Oidhreacht agus Corn Ryder
Comhairle Cathrach agus Contae Luimnigh
Bóthar Thuar an Daill
Tuar an Daill
Luimneach, V94 WV78

Planning, Heritage and Ryder Cup
Limerick City and County Council
Dooradoyle Road
Dooradoyle
Limerick, V94 WV78

t: +353 (0) 61 556 000

PLANNING, HERITAGE AND RYDER CUP

REG POST:

University of Limerick
c/o Cronin Sutton Consulting
19 - 22 Dame St,
Dublin 2

EC/036/26

25 March 2026

Re: Declaration under Section 5

Dear Sir/Madam,

I refer to the above application for Section 5 Declaration on Development and Exempted Development.

Please find herewith a copy of Council's decision on same.

Yours faithfully,

(for) Senior Planner,
Development Management

LIMERICK CITY & COUNTY COUNCIL

APPROVED OFFICER'S ORDER

SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

No. AOO/DC/2026/315

File Ref No. EC/036/26

SUBJECT: Declaration under Section 5.
Planning and Development Act 2000 as amended
Planning and Development Regulations 2001 as amended

RE: **A proposing masonry infill works to block an opening in the Plassey Mills Ruins structure and the replacement of the site's existing perimeter fencing, alongside all associated works, such as vegetation clearance and demolition of the existing fencing at Plassey Mills Ruins, Sreelane, Limerick**

ORDER: Whereas by Director General's Order No. DG/2026/031 dated 18th March 2026, Dr. Pat Daly, Director General, Limerick City & County Council did, pursuant to the powers conferred on him by Section 154 of the Local Government Act, 2001, (as amended by the Local Government Reform Act, 2014 and the Local Government (Mayor of Limerick) and Miscellaneous Provisions Act, 2024), delegate unto Grainne O'Keeffe, Senior Executive Planner the functions as defined in the Local Government Acts, 1925 to 2024.

Now therefore pursuant to the delegation of the functions aforesaid, I, Grainne O'Keeffe, Senior Executive Planner, having considered the report and recommendation of Isaac Cunningham, Graduate Planner dated 16/03/2026, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to University of Limerick, c/o Cronin Sutton Consulting, 19 - 22 Dame St, Dublin 2 to state that the works as described above is

Development and is NOT Exempt Development.

Signed



SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

Date

25/3/2026

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2026/315 dated 25/3/2026, pursuant to Section 151(7) of the Local Government Act 2001

Signed:



SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING



Comhairle Cathrach
& Contae **Luimnigh**
Limerick City
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SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

DECLARATION NO.

EC/036/26

Name and Address of Applicant: University of Limerick, Limerick

Agent: Cronin Sutton Consulting, 19 - 22 Dame St, Dublin 2

Whether the proposing masonry infill works to block an opening in the Plassey Mills Ruins structure and the replacement of the site's existing perimeter fencing, alongside all associated works, such as vegetation clearance and demolition of the existing fencing at Plassey Mills Ruins, Sreelane, Limerick is or is not Development or is or is not Exempted Development. The works as described on the plans submitted with the application on the 27th day of February 2026.

AND WHEREAS the Planning Authority has concluded that the proposing masonry infill works to block an opening in the Plassey Mills Ruins structure and the replacement of the site's existing perimeter fencing, alongside all associated works, such as vegetation clearance and demolition of the existing fencing at Plassey Mills Ruins, Sreelane, Limerick **DOES NOT** come within the scope of exempted development under Section 4 of the Planning and Development Act 2000 (as amended), and Schedule 2 and Article 9 of the Planning and Development Regulations 2001 (as amended). See Report attached.

NOW THEREFORE the Planning Authority in exercise of the powers conferred on it by Section 5(2) (a) of the Planning and Development Act 2000 (as amended) hereby decides that the said development as described above is **Development and is NOT Exempt Development.**

Signed on behalf of the said Council

Date: 25/03/2026

NOTE: A Declaration on Development or Exemption issued by Limerick City & County Council may be referred to An Coimisiún Pleanála on payment of €220 for review within 4 weeks after the issuing of the declaration.

Report on application under Section 5 of the Planning and Development Act 2000 (as amended)

File Reference number	EC-036-26
Applicant(s)	University of Limerick
Location	Plassey Mills Ruins, Sreelane, Limerick

Description of Site and Surroundings:

The application relates to the Plassey Mills Ruins site, situated to the northwest corner of the University of Limerick Campus, alongside the southern bank of the River Shannon between Plassey Bridge and the Castletroy Wastewater Treatment Plant. Plassey Mills Ruins is a protected structure (no. 1600) recorded as of regional importance on the NIAH (no. 21900504); the site is also covered by the Castletroy/Dromore ACA. The site mostly comprises dense forestry and vegetation, with mature ivy clad trees and ivy cladding on the ruin itself.

Proposal:

This is an application requesting a Section 5 Declaration on whether the following works are or are not development or are or are not exempted development:

- The applicant is proposing masonry infill works to block an opening in the Plassey Mills Ruins structure and the replacement of the site's existing perimeter fencing, alongside all associated works, such as vegetation clearance and demolition of the existing fencing
 - It is noted the above works, including the intended provision of pole-mounted CCTV cameras, are for the purposes of strengthening the security and safety of the site to prevent unauthorised access

This Section 5 declaration includes the following:

- Application form
- Site location
- Elevations
- Floor plans

Planning History:

Subject site:

None found.

Adjacent:

95949 – Conditional Permission – Construction of water engine on Mill Race.

002029 – Conditional Permission – Construction of (a) concrete bridge over Shannon (b) 210 metres of access road, cycle path & footpath (c) temporary 150m bailey bridge (d) temporary closure of right of way & provision of temporary pedestrian crossing (e) ancillary works.

23316168 – Conditional Permission – Upgrade of the existing Castletroy Wastewater Treatment Plant.

Enforcement History:

N/A.

Relevant An Coimisiún Pleanála referrals:

No relevant An Coimisiún Pleanála referrals found for the site.

Assessment:

Consideration as to whether a development constitutes exempted development or not is governed by Sections 4 and 5 of the Planning and Development Act 2000 (as amended) and Articles 5, 6, 7, 8, 9, 10 and 11 of the Planning and Development Regulations 2001 (as amended).

Is the proposal development?

Section 2(1) in this Act, except where otherwise requires –

‘works’ includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

‘structure’ as any building, structure, excavation, or other thing constructed or made on, in or under any land, or part of a structure so defined, and –

(b) in relation to a protected structure or proposed protected structure, includes—

- (i) the interior of the structure,
- (ii) the land lying within the curtilage of the structure,
- (iii) any other structures lying within that curtilage and their interiors, and
- (iv) all fixtures and features which form part of the interior or exterior of any structure or structures referred to in subparagraph (i) or (iii);

Section 3(1) defines ‘**development**’ as ‘the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land’.

The proposal concerns masonry infill works to block an opening in the Plassey Mills Ruins structure and the replacement of the site’s existing perimeter fencing, alongside all associated works, such as vegetation clearance and demolition of the existing fencing, constituting ‘works’ and ‘development’.

Is the proposal exempted development?

There is no applicable exempted development class outlined in Schedule 2 of the Planning and Development Regulations 2001 (as amended) upon which to assess the development, and it is considered the proposed development does not fall within the scope of Section 4 of the Planning and Development Act 2000 (as amended).

Section 4 (1)(h) of the Act regards development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures, as exempted development. It is noted the applicant has stated that the block infill proposal has been discussed and agreed with the council’s Conservation Officer, however no record of this agreement has been recalled or found. Following communication with the council’s Executive Architectural Conservation Officer, the proposed infill of the opening, with blockwork and cementitious mortar, is considered inappropriate and development which would materially affect the character of the Protected Structure. The proposed development is therefore not exempt.

Article 9 Restrictions

The proposed development is restricted by Article 9(1)(a)(vii) and (1)(a)(xii) of the Planning and Development Regulations 2001 (as amended), as a development proposal which infringes the preservation of a protected structure, and the exterior character of a structure in an ACA.

Appropriate Assessment

The submitted AA screening report and Bat survey has been reviewed by the relevant Heritage Officer. The officer agrees that no significant effects are likely on the SAC site, and that the works themselves are limited in scale and unlikely to have an effect beyond their immediate surroundings. The Heritage officer has also concluded that bat survey, whilst indicating the use of the ruins for roosting by bats, demonstrates this roosting area relates to a different section of the structure to the proposed opening infill, the closing of which would reduce daylight penetration and human access, positively impacting bat roosting.

Having regard to submitted documentation and the recommendation of the council’s Heritage Officer and the nature and scale of the proposed development, no Appropriate Assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects, on

a European Site. An appropriate assessment screening report and determination is attached to this report.

Environmental Impact Assessment

Having regard to the nature, size and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations it has been concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, therefore, is not required.



Conclusion/Recommendation

The proposal comprising masonry infill works to block an opening in the Plassey Mills Ruins structure and the replacement of the site's existing perimeter fencing, alongside all associated works, such as vegetation clearance and demolition of the existing fencing does not come within the scope of Section 4 of the Planning and Development Act, 2000 or the exempted development classes of Schedule 2 of the Planning and Development Regulations 2001 (as amended). Furthermore, the works would not be exempted development under Article 9(1)(a)(vii) and Article 9 (1)(a)(xii) of the Planning and Development Regulations 2001 (as amended).

Regard has been had to –

- (a) Section 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- (b) Article 6, 9 & Schedule 2 of the Planning and Development Regulations, 2001 (as amended)
- (c) The plans & particulars submitted with the application received on 27th February 2025.

It is therefore considered that the said works are development but not exempted development under Section 4 of the Planning and Development Act 2000 (as amended), and Schedule 2 and Article 9 of the Planning and Development Regulations 2001 (as amended).

Graduate Planner	Isaac Cunningham	Date: 16/03/2026
Signature:		
Senior Executive Planner	Gráinne O'Keeffe	Date: 24/03/2026
Signature		

Appendix 1: AA PN01 Screening Form

STEP 1: Description of the project/proposal and local site characteristics:	
(e) File Reference No:	EC-036-26
(e) Brief description of the project or plan:	The proposal involves masonry infill works to block an opening in the Plassey Mills Ruins structure and the replacement of the site's existing perimeter fencing, alongside all associated works, such as vegetation clearance around the boundary, and demolition of the existing fencing
(e) Brief description of site characteristics:	The application relates to the Plassey Mills Ruins site, situated to the northwest corner of the University of Limerick Campus, set back from the southern bank of the River Shannon between Plassey Bridge and the Castletroy Wastewater Treatment Plant. Plassey Mills Ruins is a protected structure (no. 1600) recorded as of regional importance on the NIAH (no. 21900504); the site is also covered by the Castletroy/Dromore ACA. The site mostly comprises dense forestry and vegetation, with mature ivy clad trees and ivy cladding on the ruin itself.
(e) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	N/A
(e) Response to consultation:	N/A

STEP 2: Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.				
European Site (code)	List of Qualifying Interest/Special Conservation Interest ¹	Distance from proposed development ² (km)	Connections (Source-Pathway-Receptors)	Considered further in screening Y/N
Lower River Shannon SAC	https://www.npws.ie/protected-sites/sac/002165	0.05	Potential	Y
River Shannon and River Fergus Estuaries SPA	https://www.npws.ie/protected-sites/spa/004077	4.1	Potential	Y

STEP 3: Assessment of Likely Significant Effects	
(a) Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:	
Impacts:	Possible Significance of Impacts: (duration/Magnitude etc)

<p>Construction phase e.g</p> <ul style="list-style-type: none"> - Vegetation clearance - Demolition - Surface water runoff from soil excavation/infill/landscaping (including borrow pits) - Dust, noise, vibration - Lighting disturbance - Impact on groundwater/dewatering - Storage of excavated/construction materials - Access to site - Pests 	<p>Potential hydrological connection to the River Shannon, however, given the minor nature and scale of the development proposed, no significant effects are predicted during construction phase.</p>
<p>Operation phase e.g.</p> <ul style="list-style-type: none"> - Direct emission to air and water - Surface water runoff containing contaminant or sediment - Lighting disturbance - Noise/vibration - Changes to water/groundwater due to drainage or abstraction - Presence of people, vehicles and activities - Physical presence of structures (e.g collision risk) - Potential for accidents or incidents 	<p>No operational phase impacts expected.</p>
<p>In-combination/Other</p>	<p>N/A, given the urban environment.</p>

<p>(a) Describe any likely changes to the European site:</p>	
<p>Examples of the type of changes to give consideration to include:</p> <ul style="list-style-type: none"> - Reduction or fragmentation of habitat area - Disturbance to QI species - Habitat or species fragmentation - Reduction or fragmentation in species density - Changes in key indicators of conservation status value (water or air quality etc) - Changes to areas of sensitivity or threats to QI - Interference with the key relationships that define the structure or ecological function of the site 	<p>No likely changes to the European sites expected.</p>

(a) (Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?)

Yes No



STEP 4: Screening Determination Statement

The assessment of significance of effects:

Describe how the proposed development alone or in-combination is/is not likely to have significant effects on European site (s) in view of its conservation objectives.

Given the minor nature and scale of development proposed and a lack of encroachment on any SAC/SPA, an AA is not required.

Conclusion: AA is not required.

	Tick as appropriate:	Recommendation:
i. It is clear that there is no likelihood of significant effects on a European Site	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate Assessment not required.
ii. It is uncertain whether the proposal will have a significant effect on a European Site	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
iii. Significant effects are likely	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
Signature and Date of Recommending Officer:	 Isaac Cunningham, Graduate Planner _____ 16/03/2026	
Signature and Date of the Decision Maker:	 _____ 24/03/2026	

Appendix 2: EIA Screening

Establishing if the proposal is a ' <i>sub-threshold development</i> ':	
Planning Register Reference:	EC-036-26
Development Summary:	The proposal involves masonry infill works to block an opening in the Plassey Mills Ruins structure and the replacement of the site's existing perimeter fencing, alongside all associated works, such as vegetation clearance around the boundary, and demolition of the existing fencing.
Was a Screening Determination carried out under Section 176A-C?	<p style="text-align: center;">Yes. no further action required</p> <p style="text-align: center;">No. Proceed to Part A</p>
A. Schedule 5 Part 1 - Does the development comprise a project listed in Schedule 5, Part 1 , of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)	
Yes. specify class: [insert here] _	EIA is mandatory No Screening required
<input checked="" type="checkbox"/> No	Proceed to Part B
B. Schedule 5 Part 2 - Does the development comprise a project listed in Schedule 5, Part 2 , of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds? (Tick as appropriate)	
<input checked="" type="checkbox"/> No. the development is not a project listed in Schedule 5, Part 2	No Screening required
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): _[specify class & threshold here]_	EIA is mandatory No Screening required
Yes the project is of a type listed but is <i>sub-threshold</i> : [insert here] _	Proceed to Part C
c. If Yes , has Schedule 7A information/screening report been submitted?	

