



An
Bord
Pleanála

Inspector's Report

ABP-306348-20

Development	Proposed new canal bridge to provide two-way traffic flow.
Location	Canal Bank, Park Road and Lower Park Road, Limerick.
Planning Authority	Limerick City and County Council
Applicant(s)	Brian Hodkinson
Type of Application	EIS Direction under Article 120(3)A of the Planning and Development Regulations 2001, as amended
Date of Site Inspection	19/02/2020
Inspector	Gillian Kane

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1.0 Introduction

- 1.1. Under the provisions of Article 120 (3)(b) of the Planning and Development Regulations 2001, as amended, Brian Hodkinson is seeking a determination from An Bord Pleanála, as to whether or not the proposed new canal bridge to provide two-way traffic flow, at Canal Bank, Park Road and Lower Park Road, Limerick would be likely to give rise to significant effects on the environment, and thereby require the preparation of an Environmental Impact Assessment Report (EIAR).
- 1.2. Limerick City and County Council are of the opinion that the works do not require an EIAR and have initiated the process set out in Part XI of the Planning and Development Act 2000, as amended and Part 8 of the Planning and Development Regulations, 2001, as amended.

2.0 Site Location and Description

- 2.1.1. The subject site is located in Limerick City centre, and refers to a stretch of canal, railway bridge, humpback bridge and adjoining roadways on both sides.
- 2.1.2. The subject section of the Park Canal is found between the Ennis / Lower Park roads to the north and the Rhebogue / Pa Healy Roads to the south. An Irish Rail bridge (UBE6) forms the eastern boundary of the area and a humpback vehicle / pedestrian bridge forms the western boundary. The Ennis road runs under the Irish Rail bridge and turns westwards with a two-lane carriage way as far as the road bridge. The bridge is single carriage and leads southwards on to the Pa Healy road and also provides a single-lane stretch of road along the south canal road as far as the rail bridge where it turns south to Rhebogue. This southern canal road has a cycle track which continues under the rail bridge and forms a cyclepath to University of Limerick. A similar cycle path runs along the northern bank from the Ennis road.
- 2.1.3. To the west of the road-bridge, a footpath runs along the northern canal leading to a green open space. On the southern side, a footpath and cycle path lead to the city centre. There are a number of dwellings backing on to the north canal road, however only one has a vehicular entrance directly on to the canal. On the southern side, a number of the dwellings and at least two large sheds have vehicular access onto the south canal road.

3.0 Proposed Development

- 3.1. The proposed development, as per the published notices is described as “a new canal bridge, to provide two-way traffic flow between Canal Bank, Park Road and Lower Park Road”.
- 3.2. The development comprises a new bridge crossing over the canal, to the east of the current Park Road bridge. It will connect Lower Park Road with Canal Bank. South Canal Road (currently single lane with a cycle path) will be widened to allow for two-way vehicular traffic. The existing Park Road Bridge (currently single lane vehicular with a very narrow footpath) will be retained as pedestrian / cycle only. The proposed development will involve new road surfacing, LED public lighting, surface water drainage and the demolition of an existing out-building on the corner of Park Road and Canal Bank.

4.0 Request for Direction and Submitted Documents

- 4.1.1. On the 8th January 2020, Brian Hodkinson of Reboge, Limerick requested the Board to “conduct a full and proper Environmental Impact Assessment on the proposed new Park Bridge, Limerick”.
- 4.1.2. The grounds of the request can be summarised as follows:
 - The EIA screening by the Planning Authority omitted several pertinent built and proposed developments and guidelines.
 - The road is currently used as a rat-run through a residential area, connecting Corbally Road to the Dublin Road. The Pa Healy road is for this purpose and should have led to the closure of the present route to motorised traffic. It is submitted that the Council seeks to upgrade a route it has previously wanted to downgrade to pedestrian / cycle use only.
 - European funding was used to introduce traffic calming and make the pedestrian / cycle way from the city to the University and make the southern canal bank one-way. The proposal to introduce two-way traffic is contrary to the provisions of the Smarter Travel initiative.
 - Consideration has not been given to the proposed Distributor Road running from Coonagh, via Parteen (Corbally Road) and the University to the M7. This road is to provide a northern distributor road around the city, improve accessibility from

Co. Clare and relieve pressure on the existing river crossings. The proposed road will have a two-fold effect – intercept and distribute inbound traffic from Clare and reverse the flow on Corbally Road. Traffic on the current route should drop considerably.

- The National Cycle Manual has not been consulted.
- There is no mention of the two pinch points caused by the railway on the present route – a level crossing on the northern side and the Rhebogue overbridge on the southern side.
- There has been no justification for the proposed development.
- Traffic volumes have not been taken into account. The first options report suggested that traffic figures should be acquired. There is no cost-benefit analysis or accident statistics of the proposed development.
- The environmental screening carried out was cursory – no bat survey, no consideration of the wildlife corridor that is the canal. The possibility that two bridges in close proximity and at different levels might form a barrier for wildlife / birds was not considered.
- No input from Waterways Ireland, notwithstanding that the new bridge will lower headroom on the canal to below that recommended.
- The EIS screening report states that the proposed bridge project will create a link between the city centre and the university. It is submitted that the direct route is straight out the Dublin Road. The shortest route using the new bridge is via the Pa Healy road then cut off through residential estates. The Pa Healy road goes directly to the canal bridge without a detour.
- The proposed design is dangerous for pedestrians and cyclists. Sightlines for cyclists will be blocked.
- The proposed development raises the road level under the railway bridge. This lowers the maximum height of vehicle permitted under the bridge, preventing emergency service vehicles accessing the area between the canal and the railway crossing to the north when the gates are closed.

- The elevation drawings show tow paths under the new bridge but these are not shown on the plan. The northern tow-path does not extend under the bridge.
- The public display of the proposed development was inadequate.
- The Board is requested to take a look at a proposal which is not needed.
- Noting that the proposed development type is not a class under Schedule 5 of the Planning and Development Regulations, 2001 as amended, the Board is requested to consider the submission in the context of section 3(a) of the Planning and Development Act 2000, as amended.

5.0 Planning Authority Response

5.1.1. The Planning Authority responded to the letter of An Bord Pleanála on the 5th February 2020. They note that the Part 8 procedure was lodged on the 13th December 2019 and advertised in the Limerick Leader on the 14th of December.

5.1.2. The response includes the following:

- Part 8 Planning Drawings
- Copy of Limerick Leader ad
- Copy of site notice
- EIA screening report
- AA screening report

5.2. Response to Brian Hodkinson Submission

5.2.1. The Planning Authority's response to the submission of Brian Hodkinson can be summarised as follows:

- The proposed development is designed to improve the current 'rat-run'.
- Circumstances have changed since the previous decision to close the route. An SHD application has been lodged within 800m of the site. Increasing the permeability of the area is a necessity.
- The current bridge is hump-backed and narrow, being associated with the canal and tow-path. Its ability to cater for traffic volumes, type and capacity is limited. Hence the proposed development.

- The proposed development will not interfere with the routes along the canal. The proposed development will complement the pedestrian links, with pedestrian and cycle traffic linked to both the canal path and the Park Bridge.
- The existing park bridge which was originally constructed for pedestrian and horse traffic, will be restricted to pedestrian and cycle traffic only.
- The Limerick Northern Distributor Road is a large-scale project to address traffic around the city. The scale and function of the proposed development is designed to increased permeability in this part of the city only.
- The proposed development seeks to incorporate cycling and pedestrian traffic.
- The pinch points referred to by the submitter are outside the scope of the proposed development. The two pinch-points at the existing Park Bridge and the Irish Rail bridge will be upgraded.
- There is a need to update the traffic infrastructure in the area to increase permeability and efficiency. The Part 8 will allow more efficient traffic flows in an area that has suffered from under-investment in infrastructure.
- The environmental screening report identified the need for pre-construction surveys. It found that there are no habitats of concern in the vicinity of the proposed development. The AA screening indicated that there would be no significant effects on the Lower River Shannon SAC.
- The established flyways lie along the main river channel of the Shannon and along the Abbey river to a lesser extent.
- Waterways Ireland were consulted prior to the Part 8 process, to determine the required clearance for any future navigations. The proposed bridge will have a headroom clearance and navigation width to match the existing. Towpaths are provided at each abutment of the bridge to allow for any future canal navigation proposals.
- The proposed development is designed to reduce demand on the Dublin Road by increasing the efficiency of overall transport links between the city and the university, particularly those along the Park Canal.

- The alignment of the Lower Park Road will not be altered from the current arrangement. Pedestrian and cycle safety will be improved as it will be segregated from the motorised traffic and accommodated on a separate deck structure to the south of the rail bridge pier.
- A widening of the junction to the east of the rail bridge and realignment of the Lower Park Road is required to allow emergency vehicle access.
- Limerick City and County Council have followed all Part 8 procedures in relation to public consultation.

5.3. **Schedule 7a Information**

1(a) A new bridge is proposed 140m to the east of the existing Park bridge, adjacent to the existing railway bridge. The southern end of Lower Park Road, on the northern side, where it passes under the existing railway bridge will be connected to the southern canal road. The northern canal road will be maintained as pedestrian and cycle way, with local access for residents. The southern junction will be widened to accommodate traffic travelling towards Rhebogue Road. The existing Park Bridge will be closed to vehicular traffic and retained as a pedestrian and cycle route.

The new bridge will consist of reinforced concrete abutments supported on piles on each canal bank. The proposed bridge will have a skew span of 17.6m – maintaining the existing navigable canal width. The deck width is 13m, sufficient for two lanes of traffic and combined pedestrian / cycleway raised verges to the east and west sides of the deck. Towpaths will be built on both abutments.

The proposed works also include new road surfacing, installation of LED public lighting, surface water drainage and demolition of an existing out-building.

1(b) The subject site is located within the Lower River Shannon SAC (002165) and 1.5km from the River Shannon and River Fergus Estuaries SPA (004077). The project is located within an urban area, bound to the north and south by residential. The land to the east and west in public open space and sports ground.

- 2 No aspects of the environment are likely to be significantly affected by the proposed development. EIA Screening Report and AA Screening report submitted.
- 3 There are no likely significant effects resulting from the expected residues and emissions and the production of waste and the use of natural resources, in particular soil, land, water and biodiversity. EIA Screening report submitted.

6.0 Policy Context

6.1. Limerick City and County Development Plan 2010-2016 (as extended)

Policies of note include:

- 6.1.1. **Policy LBR.16:** It is the policy of Limerick City Council to develop a network of high quality amenity walkway routes, particularly along waterways, linking existing parks and public open spaces and providing for strategic creation of new public open spaces.

6.2. Natural Heritage Designations

- 6.2.1. The subject site is within the Lower River Shannon SAC (002165) and approx. 1.5km from the River Shannon and River Fergus Estuaries SPA (004077).

7.0 Legislation and Guidelines

7.1. Planning and Development Act 2000 (as amended)

- 7.1.1. **Section 172(1)** states that an EIA shall be carried out in respect of certain applications for consent for proposed development. This includes applications for 'sub-threshold' development, namely those which are of a Class specified in Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended, but do not exceed the relevant quantity, area or other limit specified and the competent authority determines that the proposed development would be likely to have significant effects on the environment.

Section 172(1A) specifies that the above is relevant to development that may be carried out by the local authority under Part X.

7.2. **Planning and Development Regulations 2001 (as amended)**

- 7.2.1. **Article 120(3)(b)** states that any person at any time before the expiration of 4 weeks beginning on the date of publication of the notice may apply to the Board for a screening determination as to whether a development proposed to be carried out by a local authority would be likely to have significant effects on the environment.
- 7.2.2. **Article 120(3)(c)** indicates that such applications for screening determination shall state the reasons for the forming of the view that the development would be likely to have significant effects on the environment and shall indicate the class in Schedule 5 within which the development is considered to fall.
- 7.2.3. **Schedule 5** of the Regulations sets out the classes of development where EIA is required.
- Part 1 – Sets out the development classes which are subject to mandatory EIA.
- Part 2 – Development classes subject to EIA where they exceed a certain threshold in terms of scale or where the development would give rise to significant effects on the environment.
- 7.2.4. **Schedule 7** – Sets out the criteria for determining whether a development would, or would not be likely to have significant effects on the environment, under three headings:
1. Characteristics of the proposed development.
 2. Location of the proposed development.
 3. Types and characteristics of potential impacts.
- 7.2.5. **Schedule 7A** - relates to information to be provided by the applicant or developer for the screening of sub-threshold development for the purposes of EIA. The requirement for the submission of this information in the case of requests to the Board for a determination under Article 120(3) of the Regulations arises on foot of revisions to Article 120(3) introduced by the EU (Planning and Development) (Environmental Impact Assessment) Regulations, 2018. The changes to Article 120(3) introduced by these regulations came into effect on 1st September 2018

7.3. EIA Directive 2014/52/EU

7.3.1. EU Directive 2014/52/EU of 16th April 2014, amending Directive 2011/92/EU (the EIA Directive) on the Assessment of the Effects of Certain Public and Private Projects on the Environment, entered into force on 15th May 2014. The EIA Directive 2014/52/EU reaffirms that 'Annex I projects' shall be subject to EIA and that for 'Annex II projects', Member States shall determine whether the project should be subject to EIA on a case-by-case basis or subject to thresholds or other criteria set by the Member State. The screening determination must be based on the information provided by the developer and if mitigation measures are influential to a screening determination, these must be stated by An Bord Pleanála, as the competent authority, in a screening determination.

7.3.2. Annex III of the EIA Directive sets out the revised criteria for determining whether projects should be subject to an EIA, under three headings as follows:

1. Characteristics of projects:

- (a) the size and design of the whole project;
- (b) cumulation with other existing and/or approved projects;
- (c) the use of natural resources, in particular land, soil, water and biodiversity;
- (d) the production of waste;
- (e) pollution and nuisances;
- (f) the risk of major accidents and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge;
- (g) the risks to human health (for example due to water contamination or air pollution).

2. Location of projects:

- (a) the existing and approved land use;
- (b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground;

- (c) the absorption capacity of the natural environment, paying particular attention to the following areas:
- (i) wetlands, riparian areas, river mouths;
 - (ii) coastal zones and the marine environment;
 - (iii) mountain and forest areas;
 - (iv) nature reserves and parks;
 - (v) areas classified or protected under national legislation; Natura 2000 areas designated by Member States pursuant to Directive 92/43/EEC and Directive 2009/147/EC;
 - (vi) areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation and relevant to the project, or in which it is considered that there is such a failure;
 - (vii) densely populated areas;
 - (viii) landscapes and sites of historical, cultural or archaeological significance.

3. Type and characteristics of the potential impact:

- (a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);
- (b) the nature of the impact;
- (c) the transboundary nature of the impact;
- (d) the intensity and complexity of the impact;
- (e) the probability of the impact;
- (f) the expected onset, duration, frequency and reversibility of the impact;
- (g) the cumulation of the impact with the impact of other existing and/or approved projects;
- (h) the possibility of effectively reducing the impact.

7.4. Relevant Guidance

- 7.4.1. Following transposition by the EU of Directive 2014/52/EU, guidance document 'EIA of Projects - Guidance on Screening' (2017) and other documents were prepared on behalf of the European Commission to assist competent authorities, developers and EIA practitioners in the EU Member States. The 'Guidance on Screening' document outlines a stepped approach to the screening process for competent authorities, as well as two checklists to assist in case-by-case screening.
- 7.5. The 'Environmental Impact Assessment Guidance for Consent Authorities regarding Sub-threshold Development' published in 2003 by the Department of the Environment, Heritage and Local Government, provides guidance on the criteria to be assessed when deciding whether or not a proposed development is likely to have significant effects on the environment. More recent guidance is also provided in the 'Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment' published in 2018 by the Department of Housing, Planning and Local Government

8.0 Assessment

8.1. Requirement for EIA

- 8.1.1. The proposed development is not listed as infrastructure development under Part 1 or Part 11 of Schedule 5 of the Planning and Development Regulations, 2001 (as amended)
- 8.1.2. Section 50(1)(a) (iv) of the Roads Act, 1993 (as amended), lists road developments for which there is a mandatory requirement to carry out environmental impact assessment for any prescribed type of proposed road development consisting of the construction or improvement of a public road.
- 8.1.3. Section 50(1)(a) of the Roads Act lists the following forms of road development in respect of which there is a mandatory requirement to carry out EIA:
- (i) the construction of a motorway;
 - (ii) the construction of a busway;
 - (iii) the construction of a service area, or;

(iv) any prescribed type of proposed road development consisting of the construction of a proposed public road or the improvement of any existing public road.

8.1.4. The proposed development does not fall into the mandatory EIA categories (i), (ii) or (iii), as listed above, as it does not include the construction of a motorway, busway or service area. With regard to category (iv), I note that article 8 of the Roads Regulations 1994 (S.I. 119 of 1994) outlines the following:

“The prescribed types of proposed road development for the purpose of subsection (1)(a)(iv) of Section 50 of the Act shall be -

(a) the construction of a new road of four or more lanes, or the realignment or widening of an existing road so as to provide four or more lanes, where such new, realigned or widened road would be eight kilometres or more in length in a rural area, or 500m or more in length in an urban area;

(b) the construction of a new bridge or tunnel which would be 100m or more in length.”

8.1.5. The proposed development does not comprise a road with four or more lanes or include the construction of a new bridge or tunnel of 100m or more in length and does not, therefore, fall within category (iv).

8.1.6. It can be concluded, therefore, that the proposed development does not require mandatory EIA.

8.2. EIA Screening Criteria

8.2.1. In accordance with Article 109 (4) (a) the Board shall, in making its screening determination as to whether there is no real likelihood of significant effects on the environment arising from a proposed development or there is a real likelihood of significant effects on the environment arising from the proposed development, have regard to -

- The criteria set out in Schedule 7,
- The information submitted pursuant to Schedule 7A,
- Any further information submitted,
- The results from other assessments (e.g. SEA), and

- The location of the project in a sensitive site (e.g. pNHA),

8.3. **Schedule 7 Assessment**

8.3.1. The proposed development will be assessed against the Schedule 7 criteria, having regard to the information submitted pursuant to Schedule 7A and the location of the site in a sensitive location, under the following headings:

- Characteristics of proposed development
- Location of proposed development
- Characteristics of potential impacts

8.4. **Characteristics of Proposed Development**

8.4.1. **Size and Design of the Proposed Development**

The proposed canal bridge and accompanying two-lane roadway is described in detail in the schedule 7a information submitted to the Board and in the EIA screening assessment carried out by the Planning Authority. The proposed bridge with a span of 17.6m and a width of 13m lies 140m east of the existing railway bridge. The reinforced concrete bridge deck will have a steel bridge parapet with a steel cycleway / walkway running parallel. Towpaths will be constructed at both abutments. The scale and design of the project, in the context of the existing environment is not considered significant.

8.4.2. **Cumulation with Other Projects**

Planning permission has been sought for an SHD development comprising a mixed-use development of 18 no. houses, 363 no. apartments, 189 no. student bedspaces, childcare facility and associated site works to the west of the subject site (ABP-306451-20 refers). A decision on same is due from the Board in May 2020.

A third-party appeal of the decision of the Planning Authority for a “small detached dwelling” (ABP-306319-20) is also due in May 2020.

I note that the EIA request applicant noted the proposed Distributor Road running from Coonagh and the University to the M7. The separation distance of the subject proposal from the Distributor road and the nature and scale of traffic for which each is designed is such that no cumulative impacts will occur. Should permission be granted for the proposed SHD to the west and should the construction phases

overlap (stated to be 4-6months for the proposed development), it is likely that cumulative impacts would be arise in terms of noise, traffic and visual impacts within the urban area. It is considered that these impacts would not be of a magnitude that would generate the need for an EIAR.

8.4.3. Use of Natural Resources, Waste, Pollution, Nuisances, Accident Risk and Impact on Human Health

The proposed development involves the demolition of an existing outbuilding on the corner of Park Road and Canal Bank, the repair of the existing bridge and the construction of a new bridge of 17.6m span. The scale and extent of the proposed development is such that no significant use of natural resources or no significant generation of pollution, waste or other use would occur. The proposed development seeks to improve the flow of traffic – vehicular, pedestrian and cyclist. The risk of accident and the impact to human health are considered low.

8.4.4. Conclusion: Having regard to the nature, scale and location of the proposed development along an existing canal and bridge, it is unlikely that the characteristics of the proposed development are such that there would be significant adverse impacts on the environment.

8.5. Location of Proposed Development

8.5.1. Existing and Approved Land Use

The proposed development is in accordance with the policies of the Limerick City and County Development Plan 2010-2016. The need for improvement of links between the city centre and the University of Limerick is acknowledged in the Economic & Spatial Plan Limerick 2030 (November 2014).

8.5.2. Relative Abundance, Availability, Quality and Regenerative Capacity of Natural Resources

The receiving environment is highly modified. The small scale of the proposed development, its location between two existing bridges and two existing roadways is such that there will be a limited use of natural resources.

8.5.3. The Absorption Capacity of the Natural Environment

A Screening for AA was carried out on behalf of the Planning Authority. The report notes the location of the proposed development in the Lower River Shannon SAC (002165) and therefore a direct source-pathway-receptor link exists. 2km west of the proposed development is the River Shannon and River Fergus Estuaries SPA. The AA screening report screens out the SPA on the grounds of distance and that the existing canal is not an essential habitat for the maintenance of the population associated with the SPA. The report finds that there is no viable ecological connectivity to the SPA. Regarding impacts on the SAC, the report provides a detailed description of the proposed development, construction phase (4-6months) and a brief description of the operational phase (120 years). In terms of predicted impacts, the screening report notes that the proposed works are small scale in nature, will not require any instream works and there will be no land take from the SAC. The qualifying interests for the SAC are:

- Sandbanks which are slightly covered by sea water all the time [1110]
- Estuaries [1130]
- Mudflats and sandflats not covered by seawater at low tide [1140]
- Coastal lagoons [1150]
- Large shallow inlets and bays [1160]
- Reefs [1170]
- Perennial vegetation of stony banks [1220]
- Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]
- Salicornia and other annuals colonising mud and sand [1310]
- Atlantic salt meadows (*Glaucopuccinellietalia maritima*) [1330]
- Mediterranean salt meadows (*Juncetalia maritimi*) [1410]
- Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitriche-Batrachion* vegetation [3260]
- *Molinia* meadows on calcareous, peaty or clayey-silt-laden soils (*Molinion caeruleae*) [6410]
- Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*) [91E0]
- *Margaritifera margaritifera* (Freshwater Pearl Mussel) [1029]
- *Petromyzon marinus* (Sea Lamprey) [1095]

- Lampetra planeri (Brook Lamprey) [1096]
- Lampetra fluviatilis (River Lamprey) [1099]
- Salmo salar (Salmon) [1106]
- Tursiops truncatus (Common Bottlenose Dolphin) [1349]
- Lutra lutra (Otter) [1355]

The screening report concludes that there is no potential for significant effects on the qualifying interests. Cumulative impacts are not expected from the adjoining SHD proposal or the mixed-use development at Singland (1.6km south-east).

There are no landscapes of historical, cultural or archaeological significance in the vicinity of the subject site.

8.5.4. **Conclusion**

Having regard to the nature, scale and location of the proposed development along an existing canal and roadway and the absence of sensitive natural heritage features within the footprint of the works, significant adverse impacts are unlikely in terms of the absorption capacity of the natural environment or built heritage.

8.6. **Characteristics of the Potential Impact**

8.6.1. **Nature, Magnitude and Extent of the Impact:**

The construction phase is likely to generate some localised noise, dust and traffic impacts. The proposed construction phase at 4-6months is not significant.

8.6.2. **Land & soils, water quality, air & climate, noise & vibration and material assets**

Having regard to the nature and scale of the proposed development, the impact on land and soils is likely to be negligible. The proposed development will not give rise to a significant risk to water quality, subject to adherence to best construction practices. In relation to air and climate, and noise and vibration, there is potential for impacts during the construction phase however given the nature and scale of the proposed development, it is considered that subject to the use of good construction practices, environmental impacts under these headings will not be significant. Given these limited impacts, and the design and layout of the proposed development, and the relationship to surrounding properties and lands, it is not considered that the proposed development would have a significant negative impact in terms of material assets.

8.6.3. **Landscape and visual amenity**

Having regard to the nature, scale and location of the proposed development within the footprint of two existing bridges and canal, the proposed development would have an overall neutral / moderate effect on landscape quality and visual amenity.

8.6.4. **Potential interactions**

There is some limited potential for interactions between environmental factors, mainly between water and ecology, air and climate and noise and vibration. Subject to best practice methodologies during the construction phase significant interactions are not considered likely or such as would give rise to likely significant additional environmental impacts.

8.6.5. **Probability, Intensity and Complexity of Impacts**

Having regard to the nature, scale and location of the proposed development along an existing canal with two bridges, it is likely that the existing habitats will not be substantially lost or modified.

8.6.6. **Duration, Frequency and Reversibility**

Having regard to the nature, scale and location of the proposed development along an existing canal with bridge, it is predicted that the impacts will be short term and that the works will be readily reversible.

8.6.7. **Transfrontier Nature of the Impact**

No trans frontier impacts would arise as result of the proposed development.

8.6.8. **Conclusion**

Having regard to the nature, scale and location of the proposed development within an existing canal and between two bridges, and to all of the foregoing, the characteristics of the potential impacts would not be likely to have significant effects on the environment and would not justify the need for an environmental impact assessment.

9.0 **Recommendation**

9.1.1. Having regard to the nature and scale of the proposed development and the nature and characteristics of the receiving environment, I consider that the proposed

development is not likely to have significant impacts on the environment and therefore an Environmental Impact Assessment is not required.

9.1.2. I would therefore recommend that Limerick City and County Council be advised that an Environmental Impact Assessment report is not required in respect of the proposed development.

10.0 Reasons and considerations

10.1.1. Having regard to the following:

- a) The criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended and the limited nature and scale of the proposed development,
- b) The location of the site and the existing pattern of development in the vicinity.
- c) The limited potential for significant impacts arising from the proposed development,
- d) The submission of the planning authority
- e) the guidance set out the '*Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development*' issued by the Department of the Environment, Heritage and Local Government,
- f) to the criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended), and
- g) to the report and recommendation of the Inspector,

It is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact report is not therefore required.

Gillian Kane
Senior Planning Inspector

03 March 2020