



An  
Bord  
Pleanála

## Note to Inspector ABP- 306704A-20

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<b>Development</b>	River Ara walkway and 'ecological reanimation' of the Ara River
<b>Location</b>	Townlands of Collegeland and Knocknarawley, Tipperary Town, Co. Tipperary
<b>Applicant</b>	Tipperary County Council (177AE)
<b>Further Information Request</b>	Response to An Bord Pleanála requests for further information (5 <sup>th</sup> June 2020)
<b>Topic</b>	Support for:  (1) Appropriate Assessment: Clarification on proposed works and mitigation measures.  (2) Ecological assessment of proposed works on the River Ara
<b>Ecologist</b>	Dr Maeve Flynn

## Contents

1.0 Proposed Development .....	3
2.0 Request for further Information .....	3
3.0 Submission in response to RFI .....	4
3.1. Query 1 .....	<b>Error! Bookmark not defined.</b>
3.2. Query 2 .....	5
3.3. Query 3 .....	6
4.0 Conclusion.....	7

## 1.0 Proposed Development

- 1.1. Tipperary County Council is seeking planning permission for the development of a 1km walkway along the River Ara in Tipperary Town. The proposal includes ecological enhancement of the River Ara and the installation of a small wetland habitat adjacent to the river.
- 1.2. The planning application was supported by a Natura Impact Statement (February 2020) prepared by Open Field Ecological Services on behalf of Tipperary County Council.
- 1.3. The proposal is not located within or adjacent to any European Site, however the River Ara is a tributary of the River Aherlow, part of the Lower River Suir SAC. The screening report for Appropriate Assessment concluded that in the absence of mitigation, there was the potential for significant effects on the Lower River Suir SAC in view of the conservation objectives of that site and that Appropriate Assessment was required.

## 2.0 Request for further Information

The Board made a request for further information to Tipperary County Council dated 5<sup>th</sup> June 2020. The proposed River Ara walkway and ecological enhancement of a stretch of highly modified river channel for the benefit of biodiversity is very much a positive development. However, the detail provided in the NIS and the drawings did not provide an accurate description of the development and there were some discrepancies in terms of mitigation measures proposed. The potential adverse effects of the construction works associated proposed walkway, in particular the release of sediment and disturbance to qualifying interest species that occur outside of the boundary of the Lower River Suir SAC, are subject to Appropriate Assessment and additional information was sought by the Board to undertake its duties in this regard. In addition, further information was sought on the potential impacts on local biodiversity, the rationale behind the proposed riparian enhancement measures including detail on consultation with Inland Fisheries Ireland which was not included in the application documentation.

### 3.0 Submission in response to RFI

Following on from the An Bord Pleanála request for further information, Vesil Environmental consulting on behalf of Tipperary County Council submitted a detailed response (dated 25<sup>th</sup> August) related to the River Ara Walkway. The submission included the following:

- Response document to An Bord Pleanála Information request (Items 1-5)  
Including Appendix A- Inland Fisheries Ireland, and Appendix B- OPW drawings of Deflectors and Rubble mats
- Ecological Assessment August 2020
- Revised Natura Impact Statement August 2020
- Underwater Archaeological impact Assessment
- Landscape drawings
  - 17257\_3\_12 Existing Trees
  - 17257\_3\_13 Landscaping Plan
  - 17257\_3\_14 Locations of reprofiling and cleaning on the River Embankment

This note to the Senior Planning Inspector is a written record of my review of the submitted information as it relates to the Appropriate Assessment (AA) and Ecological assessment only. This note does not comprise the AA, rather it is a professional opinion as to adequateness of the submitted information for the purpose of AA and for the ecological assessment.

#### 3.1. Item 1: Detailed description of the development

The information provided greater clarity on the proposed River Ara walkway project and the scale of the works along the riparian edge and within the river channel itself. The project is modest in scale and greater clarity has been provided in relation to the extent of riparian bankside clearance and reprofiling and the level of instream works.

This was unclear in the NIS submitted in February 2020 which detailed the risk of significant levels of silt infiltration from the proposed works. Notwithstanding the risk of sediment ingress to the aquatic environment and to protected aquatic species from any ground clearance works or bankside alterations, it is clear that the proposed works associated with this proposal are relatively minor and will be of short duration, with the correct application of mitigation measures adverse effects can be avoided.

The rationale and proposed composition of the rubble mats and instream deflectors intended to provide enhanced and more natural riffle and glide conditions in the river channel is presented. The correspondence included from Inland Fisheries Ireland and the OPW in this regard is most informative also.

### **3.2. Item 2 Ecological Assessment**

The NIS submitted with the application (February 2020) was the only document detailing and assessing ecological impacts. The NIS correctly focused on assessment of potential effects on the conservation interests of the Lower River Suir SAC only. The proposed development has been designed to include an ecological enhancement of a 1km stretch of the Ara River however, there was little information on the local scale effects (positive and negative) on biodiversity.

In response to the request for further information, an ecological assessment was prepared by Ecologist, Roger Goodwillie.

The Ecological assessment provided detail on the hydrogeomorphology and riparian habitat including vegetation along the stretch of the River Ara that is affected by the proposal. The survey showed that the length of river studied is eutrophic due to nutrient enrichment. Sampling was not conducted for current water quality status and reference was made to the EPA water quality records.

The site visit was conducted on the 29<sup>th</sup> July which is outside of the main breeding bird survey, however bird species observable or audible on the day of survey were noted and the likely occurrence of other waterbirds such as kingfisher, Grey wagtail and Dipper considered.

Information on the fish species supported in the River from sampling undertaken by Inland Fisheries is presented (this information was also referenced in the original NIS). I note that this data is somewhat dated (2010) however, given the poor water quality and condition of the River it is unlikely to have improved in terms of species present.

I accept the evidence that given the limited quality of habitat and the organic and sediment load of the River Ara at this location at present, any measures to increase diversity and improve aeration would be a positive effect on the biodiversity of this stretch of river.

### **3.3. Item 3 Mitigation measures**

Some additional clarity has been provided in terms of mitigation measures aimed at protecting the River Ara and sensitive receptors downstream and that this has been referenced in an updated NIS.

A revised drawing with the correct application of silt curtains has been supplied and clarification as to the absence of any instream silt barriers.

I note that method statements have not been provided. It is stated that they will be developed and agreed with the relevant parties in conjunction with Inland Fisheries Ireland. Where a project requires AA, there can be no reasonable scientific doubt as to the effectiveness of any mitigation measures required to avoid or reduce adverse effects. The assessment also needs to be proportionate to the likely significant effects identified in the screening stage. From the additional information supplied in relation to the scale of the proposal and the current status of the River Ara, I consider that it is unlikely that it could generate levels of siltation (or other construction related pollutants) that could have a measurable effect on the conservation objectives of the Lower River Suir and that with the application of any standard siltation prevention measures, appropriate timing and supervision, harmful effects can be avoided.

The measures proposed include providing drainage and management of site runoff in appropriate sediment traps, such as silt curtains and fences adjacent to the river. There is clarification that this will include the installation of a robust silt curtain along the riverbank. Works will only take place behind this curtain and any run-off from works away from the river's edge will be channelled to a suitably constructed silt trap or percolation area.

Mitigation measures also include the following:

- No in-stream features or barriers to trap sediment will be placed in the river, which might limit flow and potentially allow sediment to accumulate. The river itself is already naturally heavy in alluvial sediment.
- If any temporary sediment management features are required these will be installed with consultation and agreement with the project ecologist and IFI and will be placed for the minimal time required. However, this is not expected provided that the method statement and project plan is implemented and followed.
- The only stream works is the placement of the deflectors and possible rubble mats. Deflectors will be installed with onsite soils and built from the embankment side into the river channel. These works will be short in timescale (1-2 days)

#### **4.0 Conclusion**

Following an examination and evaluation of the material submitted as part of the request for further information, my findings are that the information addresses the queries raised. I consider that the information provided is sufficient to address the queries of the Board and ensures that all aspects of the project can be assessed to provide for complete, precise, and definitive findings for the purpose of Appropriate Assessment.

The proposed works on the River the Ara have been clarified as relatively low impact and combined with the application of sediment control measures, supervision of

works by an appropriately experienced ecologist and in consultation with the local Inland Fisheries Ireland office, negative effects on the downstream SAC, or qualifying interest species occurring outside of the SAC (within the River Ara) will be avoided.

The Ecological assessment provided information on the ecological baseline and greater clarity on the overall aim of the proposal in terms of riparian enhancement. Overall, I consider that the proposal will have a positive effect on the local biodiversity of this stretch of the River Ara.



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Dr Maeve Flynn  
Inspectorate Ecologist

15<sup>th</sup> September 2020