



An  
Bord  
Pleanála

## Inspector's Report ABP 309557

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<b>Development</b>	Construction of a mixed development including 253 no. residential units.
<b>Location</b>	Townland Dromdarrig at Mungret County Limerick.
<b>Planning Authority</b>	Limerick County Council
<b>Type of Application</b>	EIA Screening Determination
<b>Applicants</b>	Michael & Fiona Doyle O'Connor
<b>Date of Site Inspection</b>	11 <sup>th</sup> May 2021.
<b>Inspector</b>	Sarah Lynch

## 1.0 Introduction

- 1.1. Under the provisions of Article 120(3)(b) of the Planning and Development Regulations 2001, as amended, Michael & Fiona Doyle O'Connor are seeking a determination from An Bord Pleanála, as to whether or not the proposal to construct a mixed development including 253 no. residential units would be likely to give rise to significant effects on the environment, and thereby require the preparation of an Environmental Impact Assessment Report (EIAR). Limerick County Council are of the opinion that the works do not require an EIAR and has 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.
- 1.2. There is a concurrent request for the Board to make a screening determination under Article 250 of the Planning and Development Regulations 2001, as amended, as to whether the development application would be likely to have significant effects on a European site requiring Appropriate Assessment (ABP-309556-21).

## 2.0 Site Location and Description

- 2.1. The site is located largely within the townland of Dromdarraig and encroaches into Caherdanardrish to the west and Baunacloka to the east, and Loughmore Common and Lurraga to the south.
- 2.2. Mungret College is located directly to the north of the site which is a protected structure encompassing the following protected structures: Church/Chapel NIAH Ref: 21901313 and Stables NIAH Ref: 21901312. The lands directly south of this building which are within the proposed development site boundary consist of unmanaged agricultural lands, some of the lands to the east of the development site, where the proposed community building is to be located, are currently accommodating temporary classroom buildings and playground associated with a school.
- 2.3. Lands to the extreme south of the proposed development site are under grass and appear to be used as grazing. Two Recorded Monuments are located to the south west of lands, Ringfort, SMR no. LI013-007 and an Enclosure SMR no. LI013-008.
- 2.4. The site also bounds Mungret Woods housing development to the east of Mungret College. Lands at this location rise up from the housing development and are

unmanaged. The remains of an old folly (Mungret Observatory RPS 1658, NIAH ref 21901314) which is also a protected structure is present within this section of the lands. This area appears to be frequented by walkers.

- 2.5. The general topography of the lands is gently rolling with lands rising up to the rear of Mungret Woods and rolling towards Loughmore Common to the south. The surrounding area is residential in character with the provision of a large community park and playground to the north of Mungret College.
- 2.6. The site is easily accessed from the surrounding road network and is zoned for residential and mixed use development.

### 3.0 Proposed Development

The site area of the proposed development is 7.2 hectares, the proposed development comprises the following:

- 253 no. residential units including 36 no. two bed houses; 110 no. three bed houses; 26 no. four bed houses; 2 no. six bed community dwellings; 37 no. two bed apartment units; and 42 no. one bed apartment units, with renewable energy design measures (which may be provided externally) for each housing unit.
- The residential units are structured such that (a) 146 no. houses and apartments are intended for private sale/rental; (b) 50 no. houses and apartments are affordable units intended for private sale/rental; (d) 2 no. detached units are intended as community dwellings; and (e) 55 no. apartments are intended as Independent Living for Older Persons of which 25 no. apartments intended as Social – Rental units;
- A crèche facility with capacity to accommodate 70 no. children;
- A community facility with ancillary café of 35sqm net floor area;
- 2 no. local retail and retail service units, of 80sqm net floor area situated fronting the public square and positioned within the Independent Living for Older Persons complex;
- Public toilet;

- Landscaping works including (a) provision of playground and kick about areas; (b) new pedestrian and cycle connections; and (c) public square;
- Associated site and infrastructural works including provision for (a) water services, foul and surface water drainage and associated connections and (b) attenuation proposals including permeable paving and swales; (c) 4 no. ESB substations; (d) external plant and services; (e) car and bicycle parking; and all associated site development works.
- A total of 372 car parking spaces are proposed.

#### 4.0 Request for Direction and Submitted Documents

- 4.1. A request was submitted by Michael & Fiona Doyle O'Connor seeking a determination by the Board as to whether EIA would be required for the proposed development. The following summarises the content of these submissions.
- 4.2. In a letter received by the board on February 14<sup>th</sup>, 2021 Michael & Fiona Doyle O'Connor raised concerns regarding the authenticity of Limerick County Council's screening process.
- 4.3. They considered that the proposed development would be likely to have significant effects on the environment for the following reasons:
- The proposed development is within the below approximate distances from areas of ecological significance:
    - SAC – 2.1km Lower River Shannon
    - SPA – 1.9km River Shannon and River Fergus Estuary
    - pNHA – 1.4km Inner Shannon Estuary south shore
    - pNHA – 0.3km Loughmore common Turlough.
- 4.4. Concerns are raised within the submission in relation to a number of issues which are summarised as follows:
- A rock breaker of 13-20 tonne and a hording will be utilised which will reduce the noise levels by 10dB, the submitters question how this can be assured.

- It is stated within the information submitted that species have the capability to habituate to regular anthropogenic noises and others will remove themselves from it. This is considered an impact.
- There are barn owls present on site.
- Red list bird species are present on site.
- There is a hydrological and hydrogeological connection to the River Shannon and River Fergus Estuaries SPA and Lower River Shannon SAC.
- Site provides suitable wintering habitat for Lapwing and Golden Plover
- Sediment fences and silt traps will be provided at locations where surface water run off may enter/leave working areas.
- Area 2 has not been adequately designated and is a superior habitat.
- In relation to AA, screening conclusions must be definitive, the screening must disregard measures intended to avoid or reduce impacts. Reference is made to a number of cases. The submitters do not believe that all scientific doubt as to whether there will be a significant effect on any European site have been removed at the screening stage.

4.5. In response to correspondence from the Board dated 3<sup>rd</sup> March 2021, Limerick Country Council confirmed that the development would be subject to the process set out at Part XI of the Planning and Development Act, 2000, as amended and Part 8 of the Planning and Development Regulations, 2001, as amended. The submission which was sent to the Board on 15<sup>th</sup> March 2021 included the information specified in Schedule 7A for the purposes of the screening determination. It also includes the following documents:

- EIA Preliminary examination
- Appropriate Assessment Screening
- Location Map
- Site Plan
- Site Sections
- Site Layout

- Construction Environmental Management Plan
- Ground Investigation Geophysical Survey
- Baseline ecology report.

The Local Authority submission requests the Board to consider the submission invalid as the submitter has failed to indicate the class in Schedule 5 within which the development is considered to fall.

In response to these concerns the referrer was requested to indicate the class in Schedule within which they considered the development to fall. A response was submitted on the 14<sup>th</sup> May 2021 in which reference is made to Schedule 5 Part 2 (10) 'Infrastructure'.

## 5.0 Policy Context

### **Regional Spatial and Economic Strategy for the Southern Regional Assembly 2020**

Section 2.1 Limerick City - The Limerick Shannon Metropolitan Area includes Limerick City Centre at the core and the continuous built-up area of Limerick City and Suburbs (as defined by the CSO).

The MASP supports the following key infrastructure and transformative projects within Limerick City:

- Progressing the sustainable phased development of areas for housing and the development of support public transport and infrastructure, in areas such as Mungret.

5.1. To achieve the vision of the Limerick Shannon Metropolitan Area the MASP has identified several Guiding Principles for its sustainable development:

- Accelerate housing delivery – Activate strategic residential development areas such as Mungret and support the steady supply of sites to accelerate housing supply, supported by better services and public transport.
- Section 4 – National Enablers - Progressing the sustainable development of new greenfield areas for housing and the development of supporting public transport and infrastructure, such as at Mungret.

## **Limerick County Development Plan 2016-2022**

- 5.2. It is important to note that in accordance with the provisions of section 28 of the Electoral, Local Government and Planning and Development Act 2013, a decision has been made not to commence the review of the Limerick County and Limerick City Development Plans 2010-2016. The Plans will therefore continue to have effect until a new Development Plan for Limerick City and County is prepared in accordance with the requirements of Section 11B of the Planning and Development Acts 2000, as amended. This review is currently at pre-draft stage.
- 5.3. Under the provisions of the Limerick County Development Plan 2010-2016, Mungret is located within the tier 1 Limerick Gateway (City Environs). The City Environs accommodate a wide range of services, employment, leisure and retail facilities of Regional significance for the surrounding catchment area. Such areas are identified for growth within the development plan.
- 5.4. As Gateways are the prime focus of growth, it is reasonable to assume that their growth should take place at a higher rate than that of other towns.
- 5.5. Policy SS P6: It is policy of the Council to ensure that sufficient land is zoned within the city environs so that, as part of the Limerick Gateway, they will act as the primary focus for investment in infrastructure, housing, transport, employment, education, shopping, health facilities and community.

## **Southern Environs Local Area Plan 2011-2017 (extended until May 2021)**

Section 2.4.3 Land Currently Available for Housing Development and proposed alteration to lands available for housing.

- 5.6. The lands are subject to a number of zoning objectives as follows:
- R2 - Existing residential
  - R2 – New / proposed residential
  - C1 – Commercial retail
  - S5 – Mixed community services

## **Limerick 2030**

Masterplan for the future development of Limerick, which includes lands at Mungret.

## 6.0 Planning History

6.1. The current Part 8 application in relation to the subject development is registered as 218000.

6.2. A number of previous permissions relate to temporary buildings within the existing school building to the north of the site, the following of which is of relevance to the proposed development, the section of the development which is currently occupied by the school will not proceed until the expiration of the following permission:

**17357** – permission granted for 5 No. temporary modular buildings for use as classrooms and 1 No. temporary building for use as a toilet block in a Temporary Secondary School. Also, Retention Planning Permission for 7 No. temporary buildings for use as classrooms and 1 No. temporary building for use as a toilet block as previously granted permission under 14/911 and 15/236, along with all other ancillary site works. The Site is in the curtilage of Mungret College which is a protected structure. No work is proposed to the projected structure as part of this application.

Permission was also granted for the following:

**198011**- Construction of a new 1700-metre length of road with verge, footpaths, cycleway, on-street parking, public lighting and associated services. The proposed development comprises:-surface water drainage/sustainable urban drainage; foul water drainage connection into Limerick Main Drainage Scheme; water mains; telecommunications and utility services; street lighting and landscaping

## 6.3. Natural Heritage Designations

6.4. There are no Natura 2000 sites within the development site. The closest sites are River Shannon and River Fergus Estuary SPA and Lower River Shannon SAC which are located c. 1.9km north of the site.

## 6.5. Legislation and Guidelines

### 6.6. Planning and Development Act 2000 (as amended)

**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.

#### 6.7. **Planning and Development Regulations 2001 (as amended)**

6.7.1. **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.

6.7.2. **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.

6.7.3. **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 –Sets out 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.

6.7.4. **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.

6.8. **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 1<sup>st</sup> September 2018.

## 7.0 **Assessment**

7.1. The proposal is to develop a scheme of 253 no. dwellings, retail units, community centre, open space and associated site works and services at Dromdarrig Mungret Co. Limerick. The question for determination by the Board is whether the proposed development requires environmental impact assessment to be carried out. An Environmental Impact Assessment Screening Report supports the planning authority's submission, which concludes that the potential for significant effects is negligible and that an EIAR is not required in respect of the proposed development.

7.2. The following matters are considered relevant in the assessment of the requirement for the submission of an EIAR in this case.

- Assessment of project type/class of development under Schedule 5 of the Regulations relevant to the proposed development.
- Assessment of relevant thresholds under Part 2 of Schedule 5 of the Planning and Development Regulations, 2001, as amended.
- Assessment of proposal under the criteria set out Schedule 7 of the Planning and Development Regulations 2001, as amended/Annex 111 of the EIA Directive 2014/52/EU.

### 7.3. **Relevant project types/class of development**

7.3.1. The referrers' have indicated that they believe the development to fall under class 10 infrastructure in Schedule 5 Part 2 of the Planning and Development Regulations, 2001.

7.3.2. Having reviewed the particulars of the development and carried out a detailed site inspection I consider that the project type falls under the following: infrastructure comprising the construction of dwelling units and also urban development due to the location of the site in a developed area and on zoned lands within the identified development boundary of Limerick as set out in the Limerick County Development

Plan 2010-2016 (as extended). The relevant classes of development applicable to the proposed project which is the subject of this referral are as follows:

- Class 10(b)(i) of Part 2 of the Fifth Schedule of the Planning and Development Regulations, 2001, as amended (Construction of dwelling units)
- Class 10(b)(iv) of Part 2 of the Fifth Schedule of the Planning and Development Regulations, 2001, as amended (Urban development).

7.3.3. It is therefore my opinion that the proposed project involves development that is of a class for the purposes of Environmental Impact Assessment.

**7.4. Relevant threshold under Class 10(b)(i) and Class 10 (b)(iv) of Part 2 of Schedule 5 of the Planning and Regulations, as amended.**

7.5. The threshold cited under Class 10(b)(i) in the Regulations is the 'construction of more than 500 dwellings. The proposal involves the construction of 253 dwelling units. The proposed development is therefore listed in Part 2 of the Fifth Schedule and is of a Class, but is sub-threshold for the purposes of mandatory EIA, comprising fewer than 500 dwellings.

7.6. The threshold cited under Class 10(b)(iv) in the Regulations is 'urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built up area and 20 hectares elsewhere'. The proposed development would be accommodated on a site of 7.2ha. Therefore, while the proposed development is of a Class listed in Part 2 it is sub-threshold for mandatory EIA.

7.7. An assessment as to whether the project would be subject to EIA having regard to the criteria set out Schedule 7 of the Planning and Development Regulations 2001, as amended, is set out below.

**7.8. Assessment of the development under the criteria set out in Schedule 7 of the Regulations**

Schedule 7 lists the criteria for determining whether a development would or would not be likely to have significant on the environment under the following headings:

- Characteristics of proposed development
- Location of proposed development

- Types and characteristics of potential impacts

#### 7.8.1. **Characteristics of proposed development**

##### Size and scale of proposed development

- 7.9. The proposal is for a scheme of 253 no. dwellings and associated mixed use development on a site of 7.2ha. It comprises an infill development in an urban location on zoned lands, which will be connected to existing infrastructure. The site is surrounded by medium density residential developments which are predominantly two-storey in scale and Mungret College which is a three storey 18<sup>th</sup> Century building. The proposal will introduce a similar residential density of development into the site of similar height to existing residential properties in the area with the exception of a number of apartments and a creche building which will extend to 3 storeys in height but of smaller scale than that of Mungret College.
- 7.10. It is considered that the site, given its surrounds, has the capacity to accommodate the development and that the proposal would not be significantly at variance with the established pattern of development in this suburban area.
- 7.11. Having regard to the nature and size/scale of the proposed development, which is below the thresholds set out in Part 2 of the Fifth Schedule of the Regulations, I do not consider that a requirement for EIA arises.

##### Potential for cumulative impacts with other existing and/or approved projects

- 7.12. The development site is bounded to the north and east by established residential development and a school to the north west. The development site is subject to a mix of zoning objectives which include, existing residential development, residential development area, education and community facilities and retail and commercial development. The lands to the south and east of the development site are zoned for new residential development, lands to the north are zoned as open space and recreation.
- 7.13. To the south and south west of the site, lands are zoned and currently undeveloped to cater for a medium density residential development of up to 33 units per hectare. Limerick 2030 identified a number of infrastructure projects including a road link from the city to lands at Mungret. This was subject to LIAH funding and has been progressed through the Part VIII process. Mungret is identified as an area of growth

which has the capacity to accommodate housing to cater for population growth in the future. Four projects have been identified which have the potential for cumulative effects on the environment when considered together with the proposed project.

- Mungret Link Streets Project
- Mungret Residential development
- Post Primary School at Caheranardish
- Irish Cement Alternative fuels project.

7.14. Should the construction of the proposed development occur in tandem with other urban development such as the type for which lands to the south and south west are zoned, there is potential for cumulative impacts to arise including traffic, noise, dust and visual impacts and loss of biodiversity. However, these impacts would be temporary and short-term and in terms of biodiversity these projects include extensive replanting plans thus resulting in a short term impact.

7.15. With regard to Irish Cement, the potential for cumulative effects relate to surface water, all surface water from Irish Cement passes through settling tanks and oil interceptors prior to discharge at Bunlicky Clayfield Pond which discharges to the river Shannon and is controlled by a weir and flap valve.

7.16. Based on the information available, the existing site context and available infrastructure, it is considered unlikely that these impacts would be of a magnitude that would generate the need for EIA. It is important to note that surface water arising from the development site will not give rise to pollution or sedimentation of watercourses and mitigation measures to protect watercourses directly connected to the site are proposed. Such mitigation measures are intended to protect the directly connected watercourses and are not intended nor required to protect the River Shannon. Given the distance of the site from the river Shannon and the number of watercourses present between the development site and the river Shannon, it is has been demonstrated by the Council that any release of pollutant or sediment would be significantly dispersed and diluted to such a degree that impacts to the River Shannon would be imperceptible.

Nature of any demolition works, use of natural resources, production of waste, pollution and nuisances

- 7.17. There are no buildings/structures on the site that require demolition. The nature and scale of the development, which comprises a large scale mixed use and predominantly residential scheme, would not result in a significant use of natural resources. The development will be connected to existing public infrastructure.
- 7.18. I note that stormwater will be managed on site to mimic greenfield run-off rates.
- 7.19. Production of waste will arise in relation to the excavated material from the site which will be removed by a licenced waste management operator.
- 7.20. The potential for pollution and nuisance arising from an urban development of this scale would be limited. The construction phase will result in noise, dust, and traffic related impacts with the potential to cause nuisance and impact on the amenities of adjoining dwellings. However, these impacts will be temporary and short lived and will be controlled as part of the standard construction management plan.
- 7.21. I consider that an edge of centre project of the scale proposed has limited potential for significant effects arising from the use of natural resources, the production of waste or the generation of pollution and nuisance to warrant EIA.

Risk of major accidents and/or disasters including those caused by climate change

- 7.22. Having regard to the location, nature, scale and characteristics of the proposed development, comprising an average sized residential and mixed use scheme and associated infrastructure, it is considered that there is negligible risk of a major accident and/or disaster.

Risk to human health

- 7.23. There are no significant risks to human health associated with the proposed development. The risk to human health arising from water contamination, air pollution, noise etc is considered to be negligible and not of a magnitude to generate a requirement for EIA.

**7.24. Location of proposed development**

Existing and approved land use

- 7.25. The site is currently vacant but is zoned for residential use. It is enclosed by a hedgerow and treeline which is unmanaged and of limited amenity value. The lands are used as grazing for cattle and sheep and is of local importance due to the low

species diversity. The proposed residential development would complement the pattern of development in the area and not result in any significant adverse impacts on land use.

Relative abundance, availability, quality and regenerative capacity of natural resources

- 7.26. The site in its existing state is a resource in that it is an undeveloped area within the built environment that is potential habitat for flora and fauna. Some vegetation on the site will be removed to make way for the development, which will result in habitat loss and disturbance/displacement of any wildlife that currently uses the site.
- 7.27. It is of note however that surveys conducted on the site reveal that the habitats are of low to moderate ecological value and no protected mammals were recorded within the site. It is stated within the Winter Bird Survey carried out in 2018 that no species of Annex I of the EU Birds Directive were recorded. The birds recorded were typical of the grassland mosaic and hedgerow habitat within the study site.
- 7.28. It is stated within the Environmental report that the site does not appear to be an important feeding or roosting site for qualifying interests of the River Shannon and River Fergus Estuaries SPA.
- 7.29. A suitable Barn Owl roosting site was found within a stone archway within Mungret College, this is outside the development site and will remain unaltered and available to such species.
- 7.30. Suitable Bat roosting sites were considered to be available within Mungret College, these buildings will be unaltered by the proposed development. Trees within the site are to be largely retained and bolstered by new planting. No bats were recorded within the development site.
- 7.31. A number of butterfly species were recorded on site. It is stated that the proposed development is phased and significant replanting is proposed within the plan. Thus, any removed habitat will be replaced with a better quality habitat resulting in a short term impact to such species.
- 7.32. I note that the referrers were concerned about noise emissions from rock breaking activities within the site. These activities will be short term and carried out during daytime hours, thus avoiding impacts to nocturnal animals. Given the status of the

habitat and the status of species being of local importance within it I consider that such impacts will be short in duration and will not give rise to significant effects.

- 7.33. In terms of natural resources, the nature of the proposed development is such that the natural resources used in the proposed development are limited and there would be minimal ongoing use of natural resources from the proposed use of the site for residential purposes. There is no potential for significant effects.

#### The absorption capacity of the existing environment

- 7.34. The site is located at the edge of the built-up area of the Limerick Southern Environs and is surrounded by residential property, school and community buildings. It is connected to the River Shannon via a network of watercourse c. 7km long. The ecological value of existing habitats within the site is assessed as low to moderate and there is no indication that the site is a habitat for any protected or rare species. The site has been screened for appropriate assessment and this matter is considered in more detail under the AA Screening determination (ABP 309556-21). There are no designated landscapes, Mungret College and its associated buildings are Protected Structures and of historical significance as are the Recorded Monuments within and adjacent to the site. Archaeological test trenching was carried out by Aegis on behalf of the Council. Test trenches did not identify any features of archaeological interest.

- 7.35. Works to upgrade the existing observatory are proposed as are works to maintain and upgrade existing stone walls within the site. Such works will prolong the life of the structure and will have a positive impact on the historical significance of the site.

- 7.36. The immediate environment associated with the site is not considered sensitive and has the capacity to absorb the proposed development without generating significant effects on the environment and the requirement for EIA.

#### **7.37. Types and Characteristics of the Potential Impact**

##### Nature, magnitude and extent of the impact

- 7.38. The extent of the impact in terms of geographical area and the size of the population likely to be impacted is limited to the immediate area of Mungret where the development will be located. The construction stage will result in impacts on the local population arising from dust, noise and traffic. These will be of short duration and



capable of effective mitigation by normal good construction and best practice methodologies.

- 7.39. The development of the site will have generally positive visual impacts for the area. While there are trees on the site, these are unmanaged and in an overgrown setting and do not contribute to the visual or residential amenities of the area. The proposed development will not impact on any protected views identified in the development plan.
- 7.40. In terms of *biodiversity*, the proposed development will result in the loss of habitats that existing on site. The habitats which were recorded during the site visit and classified (Fossit, 2000), were rated of low to moderate ecological value. The site was categorised into three main habitat types:
- a) Improved Grassland
  - b) Scrub
  - c) Mixed broadleaf woodland and scrub

No rare or protected species were recorded on the site and there were no records of third schedule invasive species.

- 7.41. A mammal survey was also undertaken and no protected mammals (otter, badger, bats) or signs of protected mammals were recorded. The bird species recorded within the site are common in the Irish landscape with the exception of one Annex listed species and one red book species mentioned above.
- 7.42. The existing habitats would produce refuge and foraging habitat for the species of birds and mammals that may use the site and removal would result in their displacement. These impacts are not considered to be significant having regard to the ecological value of existing habitats and the species of birds and mammals that may use the site. The retention of a significant number of trees and hedges and the replanting of 500m of trees and hedging will maintain adequate corridor for different species using the site.
- 7.43. The proposed development will result in limited impacts on land and soil which will be negligible having regard to the limited size of the site. Subject to best practice construction methodologies and environmental controls, there is no significant risk to ground or surface *water quality*.

- 7.44. There is potential for impacts on *air and climate* and *noise and vibration* to occur during the construction phase. Having regard to the temporary nature of the works, these impacts would be short term and capable of effective mitigation through good construction practice.
- 7.45. The site is directly adjacent to a built-up residential area and is removed from any protected structures with the exception of Mungret Observatory. There are no known archaeological monuments within the site monuments proximate to the site will be unaffected by the proposed development. As outlined above archaeological test trenching has been carried out and no potential significant impacts on cultural heritage have been identified.
- 7.46. Arising from these limited impacts, the nature and scale of the development and its relationship with the surrounding land uses, it is not considered that the proposed development would not have a significant impact on material assets in the locality. The proposed development will be connected to the public water main and public sewer.
- 7.47. There is potential for interactions between various environmental factors, notably between land and biodiversity, population and materials assets. Subject to the identified mitigation measures, significant interactions are not considered likely or such that would give rise to significant additional environmental impacts.

Probability, intensity and complexity of impacts

- 7.48. The proposal will result in the loss of a moderate area of habitat. Having regard to the scale of the proposal, the nature of the environmental impacts are not complex or intense.

Expected onset, duration, frequency and reversibility of the impact

- 7.49. Having regard to the residential nature of the development, it is expected that the impacts will be on-going, long term and only reversible if the housing scheme is removed and the site is reinstated to its pre-development state.

Transboundary nature of impact

- 7.50. There will be no transboundary impacts associated with the proposed development.

Cumulative

7.51. The site is zoned for residential purposes in the development plan. The adopted plan has been subject to Strategic Environmental Assessment which concludes that the adopted development scenario is the optimal solution having regard to environmental and planning effects. The Ecological Impact Assessment submitted states that no in-combination effects are expected. I have had regard to the status of the surrounding lands which is largely for residential purposes and note that no substantial developments have been referred to within the information submitted which would give rise to concerns in relation to cumulative effects.

#### 7.52. **Recommendation**

Having regard to the above assessment, I consider that the proposed development of 253 no. residential units and associated mixed use units and all associated site development works would not be likely to have significant effects on the environment. I therefore recommend that Limerick County Council be advised that the preparation and submission of an environmental impact assessment report is not required in respect of the proposed development.

### 8.0 **Reasons and Considerations**

Having regard to the following:

- (a) The criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended
- (b) The nature and scale of the proposed development which is under the threshold in respect of Class 10(b)(i) (Infrastructure – Dwelling Units) and Class 10b(iv) (Infrastructure -Urban Development) of the Planning and Development Regulations 2001(as amended).
- (c) The location of the site on lands that are zoned for residential use under the provisions of the Limerick County Development Plan 2010-2016 (as extended) and the Southern Environs Local Area Plan 2011-2017 (as extended), and the results of the strategic environmental assessment of these Plans undertaken in accordance with the SEA Directive (2001/42/EC),
- (d) The nature and scale of the development,

(e) The location of the site directly adjacent to a built-up area served by public infrastructure and the existing pattern of development in the vicinity,

(f) The submission of the planning authority

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

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Sarah Lynch  
Senior Planning Inspector

20<sup>th</sup> May 2021.