



Tipperary County Council
c/o Gillian Flynn
Civic Offices
Clonmel
Co. Tipperary

Date: 09 July 2024

Re: Proposed road development at The Quay, Quay Street, Suir Island and Raheen Road
The Quay, Quay Street, Suir Island and Raheen Road, Clonmel County Tipperary

Dear Sir / Madam,

I refer further to the above mentioned proposed road development.

Please be advised that the Board, in accordance with section 51(4) of the Roads Act 1993, as amended, hereby requires you to furnish the following additional information in relation to the likely effects on the environment of the proposed road development:

1. Public Participation

- a) Details of the proposed development should be made available on the public website as advertised.
- b) The consultation website should be updated to include for an electronic copy of all EIAR documentation including the EIAR Non-Technical Summary.
- c) The EIAR has referenced documentation applicable to the proposed development, including the Suir Island Masterplan, approved Part 8 developments (Suir Island Gardens, Town Centre Enhancement Scheme, Clonmel Urban Design Project) and these have not been included in the application nor identified on the Council website.

To enable consideration of the proposal and adequate public participation, the above issues should be addressed and the applicant should give consideration to the proposed development being re-advertised.

2. The Clonmel and Environs Local Area Plan 2024-2030.

a) An addendum report should be submitted to address the provisions of The Clonmel and Environs Local Area Plan 2024-2030 which came into effect on 25th March 2024. This should address policy requirements in the LAP including Policy 6.2 and key planning criteria for the two regeneration sites (Site 3 – Quay Street, Sarsfield Street, and Site 11 - Suir Island Gardens, Suir Island) applicable to the proposed development site.

3. EIAR

a) Population and Human Health

(i) Chapter 4 should be updated to include for a cumulative assessment of the proposal with other permitted developments at construction stage.

(ii) Consideration should also be given to potential noise impacts arising at construction stage, as outlined in b) Noise and Vibration.

b) Noise and Vibration

(i) There EIAR outlines there is a potential for very significant noise impacts to arise at nearest sensitive locations (NSLs) at the construction stage. Mapping should be submitted indicating the expected worst case noise levels arising at the construction stage at noise sensitive receptors in the immediate vicinity of the site (including residential properties at The Quays, Sarsfield Street, Raheen Road), with the application of noise mitigation measures.

(ii) Clarity should be provided on the application of proposed binding noise limits at the construction stage and adherence to same should be outlined.

(iii) Chapter 10 should be revised to include for a detailed cumulative noise assessment of the proposal with other approved developments at construction stage.

c) Biodiversity

(i) The EIAR outlines there will be no in-stream works and no direct loss or disturbance to instream habitats. However, the proposed development includes for the construction of temporary access ramp and installation of a pre-cast box culvert at the site area of a back-water flood channel to the south of Pier 1 which conveys water during flood events, with sheet piling proposed at this location. From application drawings submitted, the ground level of the culvert corresponds to the approx. base flow as indicated on plans (drawing no.2460) and is below the 1%, 10% and 50% AEP. It is also noted that proposed piers and abutment works located within the flood barriers/defences are below the level of AEPs, which is particularly the case for the proposed southern bridge (drawing no.2260). While it is noted that works will be timed to avoid flooding and will be temporary in nature, given the levels outlined and potential for flooding, consideration should be given to the potential impacts arising from instream works, and from instream works arising in periods of increased base flow and flooding. In the event of

potential impacts being identified, appropriate mitigation measures addressing same are to be outlined, where applicable.

(ii) Furthermore, having regard to the sensitive nature of the site and the potential for the development at this location to give rise to impacts on habitats, water quality and subsequent impacts on aquatic and otter species, consideration should also be given to potential impacts arising from enabling in-stream works and any machinery movements that may effect the river channels and/or river banks. In the event of potential impacts being identified, appropriate mitigation measures addressing same are to be outlined.

(iii) Consideration should be given to the potential impact of lighting on otter species at construction and operational stages.

d) Lands, Soils, Geology and Hydrogeology (Chapter 6), Hydrology (Chapter 7)

(i) Consideration should be given to the potential impacts arising from instream works, and from instream works arising in periods of increased base flow and flooding. In the event of potential impacts being identified, appropriate mitigation measures addressing same are to be outlined, where applicable.

(ii) The EIAR references proposed demolition works. Clarification on proposed demolition works and the removal of structures should be outlined.

e) Traffic and Transportation

(i) Chapter 12 should be revised to include for a detailed cumulative assessment for the construction stage.

f) Air Quality

(i) Clarification as to whether Mary Street and Raheen Road Schools fall within the TII guidance (2022a Air Quality Assessment of Specified Infrastructure Projects PE-ENV-01-106) distance for sensitive receptors from where traffic changes are proposed should be outlined. The air modelling assessment should be revised to include these sensitive receptors, if applicable.

g) Interactions

(i) Chapter 16 Interactions should be updated to take into account all of the above.

4. Appropriate Assessment

a) Figure 5.6 in the NIS which is stated to include details of proposed habitat loss (permanent and temporary) has not been identified in the NIS. Habitat mapping including for details of proposed habitat loss along with an overlay of the proposed development site relative to the Lower River Suir SAC (002137) at a scale of 1/250 should be submitted. The area of habitat being lost relative to the overall SAC should be calculated.

b) The importance/biodiversity richness of the habitat areas to be permanently and temporary removed, their functions, and their importance for QI habitats and species, should be clearly outlined and evaluated. This should include for consideration being given to Conservation Objective and Qualifying

Interest 3260 *Water courses of plain to montane levels with the Ranunculus fluitantis and Callitriche-Batrachion vegetation* and its attributes and targets.

c) The NIS outlines the project will not involve any instream works that could result in the loss of instream habitats. However, the proposed development includes for the construction of temporary access ramp and installation of a pre-cast box culvert at the site area of a back-water flood channel to the south of Pier 1 which conveys water during flood events, with sheet piling proposed at this location. From application drawings submitted, the ground level of the culvert corresponds to the approx. base flow as indicated on plans (drawing no.2460) and is below the 1%, 10% and 50% AEP. It is also noted that proposed piers and abutment works located within the flood barriers/defences are below the level of AEPs, which is particularly the case for the proposed southern bridge (drawing no.2260). While it is noted that works will be timed to avoid flooding and will be temporary in nature, given the levels outlined and potential for flooding, consideration should be given to the potential impacts arising from instream works, and from instream works arising in periods of increased base flow and flooding. In the event of potential impacts being identified, appropriate mitigation measures addressing same are to be outlined, where applicable.

d) Having regard to the sensitive nature of the site and the potential for the development at this location to give rise to impacts on habitats/QI species, consideration should also be given to potential impacts arising from enabling in-stream works and any machinery movements that may effect the river channels habitat and/or river banks habitat. In the event of potential impacts being identified, appropriate mitigation measures addressing same are to be outlined.

e) The Conservation Objective for Otter (1355) in the Lower River Suir SAC (002137) seeks to maintain the favourable conservation condition. The NIS should outline if likely significant effects will arise on foraging otter by way of general noise and lighting impacts at both construction and operational stages, having regard to appropriate mitigation measures.

f) The site layout plans include for paths to the eastern area within the site on Suir Island and to the east of the site on Suir Island. Clarification on any proposed paths at these locations should be outlined. The applicant is advised that should consent be sought for same, these would be subject to the provisions of the Planning and Development Act 2000, as amended.

g) Details of the Part 8 schemes referenced in the NIS are not available on the Council website and these should be outlined/made available to enable consideration of in-combination effects.

5. Documentation

a) The above points of further information should be addressed in addendum format and the EIAR Non-Technical Summary and Outline CEMP should also be revised to take these into account.

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Glao Áitiúil	LoCall	1800 275 175
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Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
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Should the Board consider that additional information furnished in accordance with this request contains significant additional data in relation to the effects on the environment of the proposed road development it will, in accordance with section 51(4A) of the Roads Act 1993, as amended, require you to:

(a) publish in one or more newspapers circulating in the area in which the proposed road development would take place a notice stating that significant additional information in relation to the said effects has been furnished to the Board, that the additional information will be available, for inspection or for purchase (on payment of a specified fee not exceeding the reasonable cost of making a copy), at a specified place and at specified times during a specified period, and that submissions or observations in relation to the additional information may be made in writing to the Board before a specified date, and

(b) send notice of the furnishing to the Board of significant additional information, and a copy of the additional information, to the bodies and persons and the authority (where appropriate) referred to in section 51(3)(b) and (c) of the Roads Act 1993, as amended, and to indicate to such bodies and persons and the authority (where appropriate) that submissions or observations in relation to the additional information may be made in writing to the Board before a specified date.

Your response to this letter should be received not later than **5.30 p.m. on the 20th of August 2024**.

In this regard, please submit 2 hard copies and one electronic copy of the above information.

If you have any queries in relation to this matter please contact the undersigned officer of the Board at laps@pleanala.ie Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,


Kevin McGettigan
Executive Officer
Direct Line: 01-8737263

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