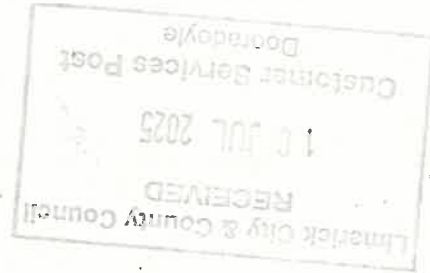


Limerick City & County Council
Travel & Transport Strategy
Transportation and Mobility Directorate
Merchant's Quay
Limerick
V94 EH90



Date: 14 July 2025

Re: Proposed rehabilitation works on Park Road Bridge, Limerick
at Park Road Bridge, between Canal Bank and Lower Park Road, Limerick.

Dear Sir / Madam,

I have been asked by An Coimisiún Pleanála to refer further to the above-mentioned proposed development which is before the Commission for consideration.

Please be advised that the Commission, in accordance with section 177AE(5) of the Planning and Development Act, 2000, as amended, hereby requires you to furnish the following further information in relation to the effects of the environment of the proposed development:

1. Information to Address Section 177AE(6)(a)

Section 177AE of the Planning and Development Act 2000, as amended requires at subsection (6) that the Commission in their consideration of the application for approval, take the following into account:

- (i) *The likely effects on the environment,*
- (ii) *the likely consequences for the proper planning and sustainable development of the area, and,*
- (iii) *the likely significant effects of the proposed development on any European sites.*

(a) The application documentation submitted to the Commission fails to satisfactorily address parts (i), (ii) and (iii) above and you are requested to provide information to facilitate the Commission in its consideration of this requirement of the approval application. Parts (i) and (iii) may be adequately addressed in responding to Question no. 2-5 below.

(b) Documentation in relation to Part (ii) should include reference to the historical significance of the structure to be repaired and any other matters relating to the proper planning and sustainable development of the area which may be relevant.

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64 Sráid Maoilbhríde	64 Marlborough Street
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D01 V902	D01 V902

2. Submissions and Observations

- (a) All submissions received by An Coimisiún Pleanála on the case have been previously forwarded to yourselves. You are invited to make a response to all submissions made from the Development Applications Unit, on behalf of the Department of Housing, Local Government and Heritage, the Inland Fisheries Ireland, and the observation from Cáit Ní Cheallacháin.
- (b) Your response should address the following concerns raised by the Development Applications Unit in their submission dated the 19th June 2005:

Archaeology (Underwater Unit)

The proposed development area may be considered an area of high underwater cultural heritage potential, as evidenced by it incorporating canal and related structures and features (e.g. historic weirs, revetments), artefact-bearing alluvial deposits and other structures and features.

- Requests that an Underwater Archaeological Impact Assessment is carried out at the earliest opportunity to include a desk-based assessment, a field/boat based survey and visual inspection of canal banks, structures, canal bed and other waterbodies, and a detailed Archaeological Impact Statement.

Nature Conservation

- Insufficient information has been included with the application to determine that the proposed rehabilitation works, with the described mitigation, will not adversely affect the integrity of the Lower River Shannon Special Area of Conservation.
- Recommends a detailed otter survey is carried out over a distance of 200 meters on sides of the bridge, including where vegetation is proposed to be removed. The report should address the potential impacts on the local otter population. If breeding or resting site for otter are found, a Regulation 54 Derogation Licence must be obtained.
- The use of a scaffolding crash deck to collect solid debris would not appear to mitigate against the risk to water quality from freshly poured concrete during the curing process, entering the canal.
- A protected plant species, Opposite-leaved Pondweed (*Groenlandia densa*), a high conservation value sub-type of the Qualifying Interest Habitat Water courses of plain to montane levels has been recorded in the canal. This species is listed on the Flora Protection Order (2022). As the supports for the crash deck will be placed within the canal and with potential for instream vegetation clearance, it is recommended that a specific survey for *Groenlandia densa* is carried out for a distance of 20 meters upstream and downstream of the bridge. If it is found to be present, a Section 21 licence must be obtained.
- A satellite lesser horseshoe roost is located a short distance to the west of the bridge, and lesser horseshoes have previously been recorded along the canal. The proposed removal of vegetation is of concern, as there is the potential for increased light spill onto the canal corridor which may affect lesser horseshoes and other bats. Requests that an Ecological Impact Assessment is undertaken. The scope of the assessment should include the likely effects of the proposed vegetation removal and any resulting increase in lighting, as well as any proposed overnight construction site lighting, on lesser horseshoes. Mitigation measures should also be proposed.

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Construction Environmental Management Plan (CEMP)

- Any changes to mitigation measures or methodology proposed as a result of additional surveys undertaken should be incorporated into the CEMP.

3. Cumulative Impact/In-combination Effects

The application (and associated reports) does not adequately consider/assess the cumulative impact/in-combination effects of the following projects and plan:

- ABP-309360-21: Approval granted for a proposed new bridge development between South Canal Bank and Lower Park Road, Limerick.
- It is noted that Waterways Ireland intends to seek permission for Limerick Navigation and Park Canal 5-year Maintenance Works along the Abbey River and Shannon River Navigation from Quay Lock to Ardnacrusha Tail Race junction and the Park Canal which consists of essential maintenance works along the Shannon Navigation and Park Canal.

You are therefore requested to address this matter by submitting a response which considers the extent of all projects/plans in the vicinity and which may give rise to cumulative or in-combination effects. An addendum to the Appropriate Assessment Screening/Natura Impact Statement document may be appropriate.

4. Description of Works

In preparing a Natura Impact Statement (NIS) and when describing a project, it is necessary to identify all aspects that have a potential to affect the Natura 2000 site, either alone or in combination with other plans or projects.

- (a) The NIS and outline CEMP do not refer to vegetation clearance, while the cover letter to prescribed bodies does. Clarify the extent of vegetation clearance.
- (b) The cover letter to prescribed bodies also refers to roadside drainage. Clarify proposals for roadside drainage.
- (c) Submit a methodology for the installation of the crash deck, having regard to the permanent concrete wall which is located across the width of the canal underneath the bridge.
- (d) Having regard to the forgoing, update the NIS (by way of Addendum) and CEMP and accordingly, having regard to the clarifications sought in above, it may be necessary to submit additional drawings to supplement your response.

5. Natura Impact Statement (NIS)

- (i) In addition to the foregoing (questions 2, 3 & 4 relate), the NIS must address the correct Appropriate Assessment test, the conclusion of which should enable the Commission to ascertain whether the projects would adversely affect the integrity of the site concerned having regard to the Sites conservation objectives. Article 6(3) of the Habitat's Directive requires that the assessment undertaken addresses if the project will 'adversely affect' the integrity of the European Sites in view of the Sites' conservation objectives.

The concluding paragraph of the NIS states that the proposal "will not cause any significant negative impacts upon the integrity of any sites that are part of the Natura 2000 network." This is not the correct test for stage 2 Appropriate Assessment which requires consideration of 'adverse affects' on the integrity of the European Sites in view of the Sites' conservation objectives. Submit an addendum to the NIS which applies the correct test for Stage 2 Appropriate Assessment.

- (ii) The NIS considers 5 of the 21 Qualifying Interests which are screened in for appropriate assessment. I note that section 3 of the NIS (in the screening section) screens out the remaining Qualifying Interests for various reasons, including Otter and Estuaries. In line with best practice, the NIS/Stage 2 Appropriate Assessment should consider each Qualifying Interests in light of its conservation objectives. Having regard to the foregoing, please submit an addendum to the NIS which assesses the full suite of Qualifying Interests for the Lower River Shannon Special Area of Conservation.

6. Additional Consultation

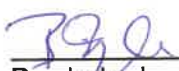
Documentation submitted with the application indicates that two watermain pipes will have to be diverted, one a cast iron pipe, the other an asbestos pipe and following completion of works, will be re-attached to the bridge. Uisce Eireann have not been consulted in respect of the proposals. Having regard to the foregoing, it is considered appropriate that you consult with Uisce Eireann with respect to your proposals. Evidence of this consultation should be submitted with your response. You are requested to forward a complete set of application documents to Uisce Eireann for submissions/observations. As well as responding to this request from An Coimisiún Pleanála the applicant is also requested to send any further communications to Uisce Eireann.

The further information referred to above should be received by the Commission **within 3 months** from the date of this notice **(i.e. no later than 5.30 p.m. on the 13th October 2025)**.

Please note that following its examination of any information lodged in response to this request for additional information, the Commission will then decide whether or not to invoke its powers under section 177AE(5)(d) of the Planning and Development Act, 2000, as amended, requiring you to publish notice of the furnishing of any additional information and to allow for inspection or purchase of same and the making of further written submissions in relation to same to the Commission.

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

Yours faithfully,


Breda Ingle
Executive Officer
Direct Line: 01-8737291

AA09

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