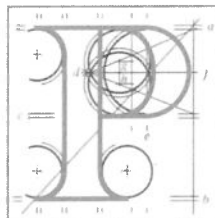


Our Case Number: ACP-323410-25



**An
Coimisiún
Pleanála**

The Manager DAU
Development Applications Unit (DAU)
Government Offices
Newtown Road
Wexford
Y35 AP90

Date: 13 October 2025

Re: Proposed Limerick City Greenway (UL to NTP)
Within the townlands of Dromroe, Sreelane, Newcastle and Castletroy, Co. Limerick.

Dear Sir / Madam,

An Coimisiún Pleanála has received your recent submission in relation to the above mentioned proposed road development and will take it into consideration in its determination of the matter.

Please note that the proposed road development shall not be carried out unless the Commission has approved it or approved it with modifications.

If you have any queries in relation to this 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

HA03

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Baile Átha Cliath 1
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64 Marlborough Street
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Attachments:

ACP-323410-25 Limerick City Greenway SID-LK-2025-019.pdf

From: Housing Manager DAU <Manager.DAU@npws.gov.ie>**Sent:** Thursday 9 October 2025 16:39**To:** LAPS <laps@pleanala.ie>**Cc:** Bord <bord@pleanala.ie>**Subject:** ACP-323410-25

Caution: This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

A Chara,

Attached please find the Heritage observations/recommendations of the Department in relation to the Strategic Infrastructure Development under the LA Road Development.

Can you please confirm receipt of same?

Kind Regards,
Diarmuid

Diarmuid Buttimer
Executive Officer

An Roinn Tithíochta, Rialtais Áitiúil agus Oidhreachta
Department of Housing, Local Government and Heritage
Aonad na nIarratas ar Fhorbairt
Development Applications Unit

Oifigi an Rialtais
Government Offices

Bóthar an Bhaile Nua, Loch Garman, Contae Loch Garman, Y35 AP90
Newtown Road, Wexford, County Wexford, Y35 AP90

Diarmuid.Buttimer@npws.gov.ie
Manager.DAU@npws.gov.ie



Your Ref: **ACP-323410-25**
Our Ref: **SID-LK-2025-019**

9 October 2025

The Secretary
An Coimisiun Pleanála
64 Marlborough Street
Dublin 1
D01 V902

Via email to laps@pleanala.ie ; bord@pleanala.ie

Strategic Infrastructure Development (SID) Application: Limerick City and County Council: Limerick City Greenway (UL to NTP: Within the townlands of Dromroe, Sreelane, Newcastle and Castletroy, Co. Limerick.

A chara

I refer to correspondence in connection with the above. Outlined below are heritage-related observations/recommendations coordinated by the Development Applications Unit under the stated headings

Archaeology – Underwater Unit

The following submission by the Underwater Archaeology Unit of the Department provides An Coimisiún Pleanála with observations and recommendations that seek to align the proposed development described above with State policies and legal codes for the protection of archaeological heritage. This submission comments solely on the underwater archaeological aspects of the proposal; its terrestrial archaeological heritage is the subject of a separate submission.

Planning Submission, Cultural Heritage

It is noted that the EIAR submitted as part of the planning application incorporates a desk-based Archaeological Impact Assessment (AIA) which was carried out in relation to the proposed development by Ryan Hanley (EIAR Chapter 12; date July 2025). Regarding potential impacts on underwater cultural heritage and mitigation proposals the EIAR notes that 'No in-channel works are anticipated, however where bank stabilization works are proposed and installation of bridge and platform structures there is moderate potential to impact on the underwater archaeological resource. Finalised designs and construction measures required at these locations to be further archaeologically assessed in advance of works. It is important to note that if future works incorporate instream works, then there is potential for a direct impact on riverine underwater cultural heritage and advance consultation with the Underwater Archaeological Unit of the Department will be required. Suitable



mitigation options such as licensed underwater archaeological dive surveys would need to be considered in this scenario’.

Legal Codes and Policy Context

Archaeological monuments are afforded statutory protection in the Record of Monuments and Places (RMP) established under section 12 (Recorded Monuments) of the National Monuments (Amendment) Act 1930-2014. The *Frameworks and Principles for the Protection of the Archaeological Heritage* (Department of Arts, Heritage and the Gaeltacht and the Islands 1999, see section 3.6.1(3) and 3.6.4) sets out national policy on the protection of the archaeological heritage in the course of development. It includes emphasis on the non-renewable nature of the archaeological heritage, the need to always consider its preservation in-situ as the first option, and also the need to carry out appropriate levels and forms of archaeological assessment in advance of development.

Section 3 of the National Monuments (Amendment) Act 1987 is the primary piece of legislation for the protection of wrecks over 100 years old and archaeological objects underwater, irrespective of age. Wrecks that are less than 100 years old and archaeological objects underwater or the potential location of such a wreck or archaeological object can also be protected under Section 3 of the 1987 (Amendment) Act. Underwater Cultural Heritage also encompasses a broad range of saltwater and freshwater heritage, the protection of which is provided for in legal codes. The Wreck Inventory of Ireland Database (WIID) is the official register of historic shipwrecks protected under the National Monuments Acts. All wrecks over 100-years old are protected under the 1987 and 1994 (Amendment) Acts of the National Monuments Acts. Over 18,000 wrecks have been recorded to date, ranging from small fishing boats, dugout canoes and coastal traders to steamships and ocean going ships. Though earlier sources have been included where obtainable, the Inventory is largely based on documentary sources available from after 1700 AD. As such, previously unrecorded wreck sites, including those dating to earlier periods, may await discovery in the marine area under consideration here.

The assessment of the project that has been undertaken facilitates the Department to determine its likely significant effects on archaeological including underwater cultural heritage, resulting from the construction of the project and whether the proposed mitigation measures would adequately allow for the avoidance, reduction or offsetting of significant effects. Whilst the Department broadly concurs with the proposed mitigation measures as set out in the EIAR (Ryan Hanley, EIAR Chapter 12; date July 2025), in order to ensure the project aligns with statutory obligations, policy and guidelines for the protection of the State’s archaeological heritage, as set out above, it is recommend the following CONDITIONS are attached to any approval that may issue from An Coimisiún Pleanála. Note these recommended conditions align with Sample Conditions C5 and C6 as set out in OPR Practice Note PN03: Planning Conditions (October 2022), with appropriate site-specific additions/adaptations based on the particular characteristics of this development and informed by the findings of the archaeological assessment.



Archaeological Recommendations:

Archaeological Assessment Mitigation

1. All recommendations and mitigation measures pertaining to the protection of underwater cultural heritage as set out in EIAR Chapter 12 shall be implemented in full, except as may otherwise be required in order to comply with the conditions of this Order.

Underwater Archaeological Impact Assessment

2. Prior to the commencement of any construction activities an Underwater Archaeological Impact Assessment (UAIA) report shall be submitted to the Department for approval and shall include the results of the following:
 - a. Desk based assessment that addresses the recorded and potential underwater cultural heritage (including historic wrecks, archaeological objects, terrestrial archaeological heritage, built heritage and industrial heritage) of the proposed development area, to include a full inventory, mapping and surveys (photographic, descriptive, photogrammetric, as appropriate) of all such features and structures identified by field inspections, cartographic analysis, historical and archival research and prior archaeological investigations.
 - b. Wade/dive survey, accompanied by a hand-held metal detection survey, centred on (but not confined to) the area(s) where in stream/river/stream margin works are proposed, including the proposed locations of any enabling works, coffer dams and any machinery movements that may affect the riverine environment. The wade/dive assessment and metal detection survey shall be undertaken by a suitably licenced and experienced underwater archaeologist. All identified and potential underwater cultural heritage shall be surveyed (photographic, descriptive, photogrammetric) in detail as part of the assessment and shall include detailed assessment of each of the wrecks it is proposed to remove from the harbour area.
 - c. A Dive/Survey licence (Section 3 1987 National Monuments Act) and a Detection Device consent (Section 2 1987 National Monuments Act) shall be required for the dive/wade survey and metal detection, respectively.
 - d. The UAIA report shall contain a detailed Archaeological Impact Statement that addresses all identified or potential impacts on identified or potential underwater cultural heritage and shall also make recommendations on measures to avoid (through the institution of Archaeological Exclusion Zones) or, where necessary, mitigate (by archaeological dive surveys/archaeological test excavations/archaeological geophysical surveys/archaeological monitoring/preservation by record or any other means as may recommended by the Department) all potential/identified impacts and effects on underwater cultural heritage. The Developer shall be prepared to be advised by the Department in this regard or in regard to any subsequent recommendations that may issue. No construction works shall be undertaken until formal approval of the UAIA in writing from the Department has been received by the Developer.



Archaeological Monitoring (Underwater)

3. Archaeological monitoring of in stream / river/stream margin construction works shall be undertaken as follows:
 - a. The services of a suitably qualified and experienced, to the satisfaction of the Department, maritime/underwater archaeologist shall be engaged to carry out full-time archaeological monitoring of all in stream / river/stream construction activities or works with the potential to impact on underwater cultural heritage.
 - b. The archaeological monitoring shall be carried out by a suitably qualified and experienced, to the satisfaction of the Department, maritime/underwater archaeologist, under a Section 26 (National Monuments Act 1930) excavation licence and in accordance with an approved method statement.
 - c. A Finds Retrieval Strategy shall be implemented and agreed with the Department, as part of the archaeological licence application. This shall include for the systematic spreading of all dredged material at a suitable repository to facilitate hand-searching and metal detection for finds retrieval, to be undertaken by a suitably qualified and experienced archaeologist working under a Detection Device consent (Section 2 1987 National Monuments Act). All monitoring works that have the potential to uncover human skeletal remains shall be undertaken in conjunction with a suitably qualified and experienced osteoarchaeologist. Secure finds storage that ensures the protection and conservation of wet and dry finds, including human skeletal remains, shall be provided within the construction site compound. The Finds Retrieval Strategy shall address the likely post-excavation requirements for all archaeological objects, including those from an underwater environment, including recording, finds processing, analysis and long-term conservation of material recovered during the project.
 - d. Sufficient, suitably experienced and qualified, to the satisfaction of the Department, underwater archaeologists shall be in place to ensure continuous archaeological monitoring works. An archaeological team shall be on standby to deal with any rescue excavation and may be augmented as required. An archaeological dive team shall be on standby in the event that underwater archaeological inspection is required by means of archaeological diving. All dive surveys shall be licenced (Section 3 1987 National Monuments Act) and shall include handheld metal detection survey, which shall also be licenced (Section 2 1987 National Monuments Act).
 - e. In order to ensure full communication is in place between the monitoring archaeologist(s) and the works contractor(s) at all times, a communication strategy shall be implemented that facilitates direct archaeological monitoring of all in-stream / river/stream margin construction activities or works with the potential to impact on underwater cultural heritage. The monitoring archaeologist shall be provided with adequate notice (minimum four weeks) of all forthcoming works that require their attendance.



- f. Should suspected/verified archaeological structures, features, deposits or sites and/or archaeological objects, including wrecks, be identified during the course of the archaeological monitoring activities, the monitoring archaeologist shall be authorised by the Developer to suspend all construction activities on the affected area (as defined by the monitoring archaeologist). The Developer shall immediately institute a Temporary Archaeological Exclusion Zone (TAEZ) to the proposed find location and its environs (as defined by the monitoring archaeologist) and all construction activities shall immediately cease within the TAEZ in order to facilitate investigative assessment, protection and prompt notification to the Department and other statutory authorities, as required.
- g. Following assessment of the newly discovered archaeological materials, the Developer shall undertake any ensuing mitigating action as is required by the Department. Mitigation shall prioritise redesign or partial redesign to facilitate full or partial preservation in situ. Mitigation may also include archaeological excavations ('preservation by record'), archaeological test-excavations, stabilisation/conservation works and/or archaeological monitoring, underwater archaeological inspection by means of archaeological diving, underwater archaeological surveys, or any combination of the above or any other mitigation measures as may be recommended by the Department. No construction activities shall recommence within the Temporary Archaeological Exclusion Zone until formally agreed in writing with the Department. Where ensuing mitigation is required, no archaeological works shall be undertaken until after an amended method statement that describes the mitigation strategy has been submitted, reviewed and agreed in writing by the Department. All resulting and associated archaeological costs shall be borne by the Developer.
- h. The planning authority and the Department shall be furnished with a final archaeological report describing the results of all archaeological monitoring and any archaeological investigative work/excavation required, following the completion of all archaeological works and any post-excavation analysis, scientific dating programmes, palaeoenvironmental analysis, geoarchaeological analysis, conservation of archaeological objects, as required by the Department and the National Museum of Ireland. Where significant archaeological discoveries are made, they shall be fully published in an appropriate academic format. All post excavation and publication costs shall be borne by the Developer.

Construction Environment Management Plan

- 4. The Construction Environment Management Plan (CEMP) shall be updated to include the location of any and all underwater cultural heritage constraints relevant to the proposed development. The CEMP shall clearly describe all identified likely archaeological impacts, both direct and indirect, and all mitigation measures to be employed to protect the archaeological or underwater cultural heritage environment during all phases of site preparation and construction activity.



Archaeology – Terrestrial

It is noted that the EIAR submitted as part of the planning application incorporates a desk-based Archaeological Impact Assessment (AIA) which was carried out in relation to the proposed development by Ryan Hanley (EIAR Chapter 12; date July 2025). The Department has reviewed the EIAR and is broadly in agreement with the findings in relation to Archaeology and Cultural Heritage as set out therein.

Therefore, the Department of Housing, Local Government and Heritage advises that the following should be included as a condition of any grant of permission. Note these recommended conditions align with Sample Conditions C4 and C5 as set out in *OPR Practice Note PN03: Planning Conditions* (October 2022), with appropriate site-specific additions/adaptations based on the particular characteristics of this development and informed by the findings of the EIAR.

Archaeological Requirements:

1. All mitigation measures in relation to archaeology and cultural heritage as set out in Chapter 12 of the EIAR (date July 2025) shall be implemented in full, except as may otherwise be required in order to comply with the conditions of this Order.
2. A Project Archaeologist shall be appointed to oversee and advise on all aspects of the scheme from design, through inception to completion.
 - a. The Project Archaeologist shall liaise with the Department and the Planning Authority to agree in advance an overall strategy for archaeological works to be carried out both in advance of and in parallel with construction of the development.
 - b. This shall include the scope of any Advance Archaeological Geophysical Survey, Advance Test Excavation and Archaeological Monitoring as well as any additional mitigation measures that may be required to protect archaeological heritage.
 - c. This shall include the location, extent and method of demarcation for any Exclusion Zones around the external-most elements of vulnerable Heritage Assets that are to be preserved in situ (as identified in Chapter 20 of the EIAR or by any subsequent investigations associated with the project).
3. The Construction Environment Management Plan (CEMP) shall include the location of any and all archaeological or cultural heritage constraints relevant to the proposed development as set out in Chapter 12 of the EIAR (date July 2025) and by any subsequent archaeological investigations associated with the project. The CEMP shall clearly describe all identified likely archaeological impacts, both direct and indirect, and all mitigation measures to be employed to protect the archaeological or cultural heritage environment during all phases of site preparation and construction activity.



4. The planning authority and the Department shall be furnished with a final archaeological report describing the results of all archaeological monitoring and any archaeological investigative work/excavation required, following the completion of all archaeological work on site and any necessary post-excavation specialist analysis. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation (either *in situ* or by record) of places, caves, sites, features or other objects of archaeological interest.

Nature Conservation

The Department considers that there is insufficient evidence contained in the NIS to support its conclusion that the proposed works will not adversely affect the integrity of the Lower River Shannon SAC. It is the view of the Department that the proposed development as outlined is likely to have a significant adverse effect on the integrity of the SAC, particularly with regard to the conservation objectives for the priority Annex I qualifying interest habitat Alluvial Woodland, and the Annex II qualifying interest species Otter.

In addition, the Department considers that the proposed development has the potential to have a significant negative impact on the ecological quality and availability of the riparian habitat for foraging and commuting bat species, including Annex II Lesser Horseshoe Bats, and that this has not been adequately addressed by the proposed mitigation.

Alluvial woodland (QI and Annex I priority habitat)

The extent of woodland loss as a result of the proposed development has been calculated as 0.6ha of riparian woodland and 0.5ha of mixed broadleaved woodland. However the extent of *alluvial woodland* loss has been expressed only in terms of the number of trees to be removed (12) within and adjacent to the mapped alluvial woodland area. This does not take into account the entire alluvial woodland habitat and its associated vegetation community at all structural levels.

It is not appropriate to consider the core (mapped) alluvial woodland area in isolation when assessing the potential impacts of the proposed works. The Conservation Objectives for the Lower river Shannon SAC emphasise that the mapped area and distribution is not definitive, and in the proposed works area, the close association and overlap of alluvial woodland with the riparian woodland (WN5) habitat means that it forms a single functional unit of core (mapped) alluvial woodland and contiguous supporting habitat also containing elements of alluvial woodland. This woodland is also supported by mixed broadleaved woodland, providing continuity of woodland cover for faunal and floral woodland communities including the alluvial woodland community. This is important in maintaining the functionality of a larger woodland size, as outlined in the Conservation Objectives document. Therefore overall woodland habitat loss, and particularly loss of riparian woodland, has the potential to affect the ecological condition of the alluvial woodland.



There is also the significant issue of fragmentation of the woodland habitat; the significant widening of the existing path and clearance of a further buffer area on either side, together with the proposed clearance of overhanging canopy from the proposed route, will create an abrupt break in woodland cover. This break will extend from canopy down to ground level, where the raised greenway and tarmacadam surface present an artificial barrier to habitat continuity at and underneath the ground surface. This will decrease the woodland “interior” referred to above, and expose the newly created edges to environmental stresses such as wind and temperature extremes to which the associated communities may not be adapted.

The medium to long-term effect of a change in the local ground hydrology as a result of the proposed drainage system is unknown, but the disruption or alteration of the appropriate hydrological regime necessary to maintain the alluvial nature of the vegetation cannot be ruled out. The hydrological conditions may also be affected by the proposed underground ducting of cabling associated with the lighting system, especially as this is proposed to be up 60cm deep in woodland areas to avoid tree roots. In that regard, it is unclear how complete avoidance of roots can be ensured during the ducting process.

The Department has significant concerns about the impact of the proposed works on the condition and integrity of the priority Annex I alluvial woodland habitat, including for the above reasons, and considers that these concerns have not been satisfactorily addressed in the NIS. It is acknowledged that “compensatory” planting has been included as mitigation, and, while the additional planting is welcome, in most of the proposed planting locations, the location and species composition preclude it from developing into alluvial woodland. While the proposed planting adjacent to Plassey Beach contains the appropriate tree species composition (although due to its location, woodland establishment may be impaired in the early years due to flooding damage to young trees); as discussed above there are other components to the alluvial woodland habitat including a well-developed herb layer, and the deadwood component which in turn supports specialist communities; these will take many years to establish in the newly planted area (and due to its location, woodland establishment may in fact be impaired by flood damage while the trees are young), and the Department does not consider it to be appropriate mitigation against negative impacts on well-established priority woodland habitat.

Otter (QI and Annex II species)

The standard Otter survey methodology outlined in Irish Wildlife Manual 76 was designed to maximise national coverage, using a large number of survey squares, and was based on a presence/absence survey to establish Otter distribution at a national scale. The proposed works area contains prime Otter foraging, resting and commuting habitat, including sheltered areas with good connectivity to the river and well-developed ground vegetation. Otter usage of the area has been confirmed by the cited record from the NBDC database. Spraints were observed at two widely separated locations along the proposed route by the Department in June 2025. The EIAR notes the presence of likely Otter trails, and given the quality and suitability of the riparian habitat corridor, Otter activity throughout the entire section of the



route area parallel to the river cannot be ruled out. The islands in particular provide completely undisturbed options for couches and holts; however, suitable habitat for resting places also exists in the woodland area around the proposed route.

Due to the significant potential for noise and vibration disturbance of the riparian area during the construction phase, it would be very important to establish the presence and location of any holts or resting places, and a 25m buffer (the survey area) is not considered sufficient for survey in this regard. The proposed mitigation to avoid works within 150m of any holt cannot be effectively implemented unless it can be established definitively that there is no holt within 150m of the proposed works area. This would clearly necessitate a survey of at least 150m on either side of the proposed route, including on the islands and on the opposite side of the river.

It would also be important to ensure that connectivity between any couch/holt (including if located to the south of the proposed greenway route) and the river is maintained, and that a sheltered commuting corridor of effective width adjacent to the river is maintained. Due to the extent of vegetation clearance required along the route corridor, and also the proposed introduction of lighting, there is the potential for such connectivity to be interrupted; again, therefore, a thorough targeted survey of the entire riparian woodland area for Otter resting places (ideally augmented by the use of trail cameras to establish activity levels and commuting routes), is needed in order to inform more targeted and robust mitigation.

The level and frequency of lighting proposed is of concern with regard to Otters. While they are known to use built-up and artificially lit areas, the proposed development is situated within currently unlit and high-quality Otter habitat, in which it is likely that (due to the level of daytime recreational disturbance) they are more constrained to nocturnal usage than they may be in other locations where such high quality habitat occurs. Therefore the introduction of artificial lighting represents a significant change to the nocturnal environment, and may in fact have a barrier effect along the proposed route, as well as being visible from the riparian area due to its lower elevation, and the proposed height of the standards. The Department also has significant concerns about the increased recreational use of the area at night as a result of the introduction of lighting, and consequent risk of disturbance to nocturnally-active Otters, particularly by dogs.

It is recommended that a detailed and targeted assessment of the effects of the proposed development on Otters, to include a survey as outlined above, and recommendations for appropriate mitigation where necessary, is carried out by an expert. The resulting survey report, to be submitted to the planning authority and NPWS, should also address the potential need for a Regulation 54 derogation licence.

Lesser Horseshoe Bat (Annex II species)

The importance of maintaining a functional riparian corridor along the proposed greenway route for commuting and foraging Lesser Horseshoes cannot be overemphasised, given their recorded occurrence at this location and the existence of known roosts in close proximity to



the river to the west and east, and the habitat constraints in the wider area. The species is known to avoid artificially lit areas, and the proposed greenway lighting in this currently unlit area has significant potential to affect Lesser Horseshoe movement through the riparian woodland, and the apparent lack of any dark area along the route while the lighting is switched on effectively fragments the available habitat for the bats. The tendency for Lesser Horseshoes to fly at a low height means that the luminaire design, avoiding any upward light spill, has limited benefits given the proposed height of the poles.

The proposed time period for the lighting to be operational (between dusk and 2300hrs) can constitute a significant part of the foraging period for Lesser Horseshoes, particularly for autumn foraging and winter dispersal movements – and in winter its effects are likely to be exacerbated due to the lack of foliage cover. Lesser Horseshoes are known to be active throughout the year in suitable weather conditions, and also move seasonally between summer and winter roosts which may be some distance away, and therefore lack of foliage cover in combination with the early switch on time in winter could have a serious effect on landscape connectivity for the species.

The Department considers that the proposed lighting design, layout and spacing is not conducive to maintaining a viable corridor for Lesser Horseshoes and is therefore not in keeping with the objectives of the Limerick Development Plan. Proposals for more effective mitigation, which should be targeted and location-specific where necessary, should be informed by a detailed and comprehensive study of year-round Lesser Horseshoe use of the entire riparian area, and associated habitat features. The Department is available for further discussion in relation to this, if necessary, as indicated previously (response to consultation enquiry in June 2025).

You are requested to send any further communications to this Department's Development Applications Unit (DAU) at manager.dau@npws.gov.ie :

The Manager
Development Applications Unit (DAU)
Government Offices
Newtown Road
Wexford
Y35 AP90

Is mise le meas,

Julie Sullivan
Development Applications Unit
Administration