FLYNN FURNEY
ENVIRONMENTAL CONSULTANTS

Appropriate Assessment Stage 1: Screening

Newport Ball Ally Footbridge, Newport, Co. Tipperary

Document Details

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Contents

1 Introduction

1.1. Background

Flynn Furney Environmental Consultants have been appointed to provide the information necessary to allow the competent authority to conduct an Article 6(3) Screening for Appropriate Assessment for the proposed construction of a footbridge over the Small River, linking the Newport Ball Ally Park to Pound Street L2110 in Newport, Co. Tipperary. A full description of the proposed works is given in Section 2 below.

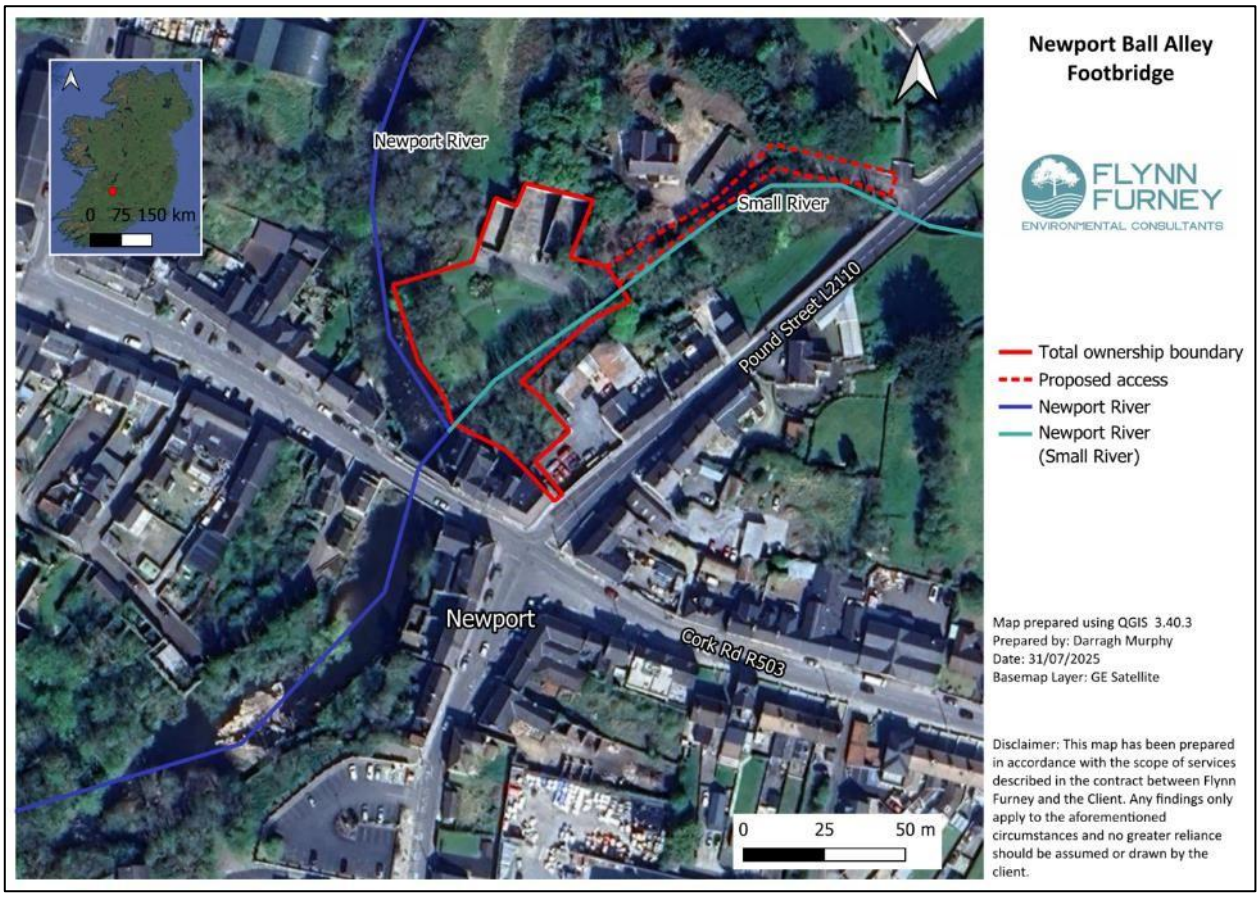

Figure 1 Site of proposed footbridge works over the Small River in the vicinity of the Newport Ball Alley, Newport, Co. Tipperary. Inset: Site location

Screening for Appropriate Assessment is required under Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive). This Appropriate Assessment Screening Report has been prepared in accordance with the European Commission's Assessment of Plans and Projects Significantly affecting Natura 2000 Sites: Methodological Guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC (EC, 2021) and Managing Natura 2000 Sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC (EC, 2018) as well

as the Department of the Environment's Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities (DoEHLG, 2010).

1.2. Relevant Legislation and Overall Screening Methodology

The methodology for this screening statement is set out in a document prepared for the Environment DG of the European Commission entitled 'Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6*(3)* and 6*(4)* of the Habitats Directive 92/43/EEC' *(European Commission, 2019, amended 2021)*. This report and any contributory fieldwork were carried out in accordance with guidelines given by the Department of Environment, Heritage and Local Government *(2009, amended 2010)*.

The process is given in Articles 6*(3)* and 6*(4)* of the Habitats Directive and is commonly referred to as 'Appropriate Assessments' *(which in fact refers to Stage 2 in the sequence under the Habitats Directive Article 6 assessment)*. Article 6 of the Habitats Directive sets out provisions which govern the conservation and management of Natura 2000 sites. Articles 6*(3)* and 6*(4)* of the Habitats Directive set out the decision-making tests for plans and projects likely to affect Natura 2000 sites *(Annex 1.1)*. Article 6*(3)* establishes the requirement for Appropriate Assessment:

"Any plan or project not directly connected with or necessary to the management of the (Natura 2000) site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subjected to appropriate assessment of its implications for the site in view of the site's conservation objectives. In light of the conclusions of the assessment of the implication for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public."

Article 6*(4)* of the same directive states:

"If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of social or economic nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of the Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted. Where the site concerned hosts a priority natural habitat type and/or a priority species the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission to other imperative reasons of overriding public interest."

It is the responsibility of the proponent of the plan or project to provide the relevant information *(ecological surveys, research, analysis etc.)* for submission to the 'competent national authority'. Having satisfied itself that the information is complete and objective, the competent authority will use this information to screen the project, i.e. to determine if an AA is required and to carry out the AA, if one is deemed necessary. The competent authority shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned. The appropriate assessment process has four stages. Each stage determines whether a further stage in the process is required. If, for example, the conclusions at the end of Stage One are that there will be no significant impacts on the Natura 2000 site, there is no requirement to proceed further. The four stages are:

1. Screening to determine if an appropriate assessment is required.
2. Appropriate assessment
3. Consideration of alternative solutions
4. Imperative Reasons of Overriding Public Interest/Derogation

Table 1 The stages of the Appropriate Assessment (AA)

Stage 1: Screening for AA
The aim of screening is to assess firstly if the plan or project is directly connected with or necessary to the management of Designated Site*(s)*; or in view of best scientific knowledge, if the plan or project, individually or in combination with other plans or projects, is likely to have a significant effect on a Designated Site. This is done by examining the proposed plan or project and the conservation objectives of any Designated Sites that might potentially be affected. If screening determines that there is potential for significant effects or there is uncertainty regarding the significance of effects, then it will be recommended that the plan or project is brought forward to the next stage of the AA process.
Stage 2: Appropriate Assessment
The aim of stage 2 of the AA process is to identify any adverse impacts that the plan or project might have on the integrity of relevant Designated Sites. As part of the assessment, a key consideration is 'in combination' effects with other plans or projects. Where adverse impacts are identified, mitigation measures can be proposed that would avoid, reduce or remedy any such negative impacts and the plan or project should then be amended accordingly, thereby avoiding the need to progress to Stage 3.
Stage 3: Assessment of Alternative Solutions
If it is not possible during Stage 2 of the AA process to conclude that there will be no adverse effects on site integrity, Stage 3 of the process must be undertaken which is to objectively assess whether alternative solutions exist by which the objectives of the plan or project can be achieved. Explicitly, this means alternative solutions that do not have adverse impacts on the integrity of a Designated Site. It should also be noted that EU guidance on this stage of the process states that, 'other assessment criteria, such as economic criteria, cannot be seen as overruling ecological criteria' *(EC, 2002)*. In other words, if alternative solutions exist that do not have adverse impacts on Designated Sites; they should be adopted regardless of economic considerations. This stage of the AA process should result in the identification of the least damaging options for the plan or project.
Stage 4: Imperative Reasons of Overriding Public Interest (IROPI)/Derogation
This stage of the AA process is undertaken when it has been determined that a plan or project will have adverse effects on the integrity of a Designated Site, but that no alternatives exist. At this stage of the AA process, it is the characteristics of the plan or project itself that will determine whether or not the competent authority can allow it to progress. This is the determination of 'overriding public interest'. It is important to note that in the case of Designated Sites that include

in their qualifying features 'priority' habitats or species, as defined in Annex I and II of the Directive, the demonstration of 'overriding public interest' is not sufficient and it must be demonstrated that the plan or project is necessary for 'human health or safety considerations'. Where plans or projects meet these criteria, they can be allowed, provided adequate compensatory measures are proposed. Stage 4 of the process defines and describes these compensation measures.

1.3. Appropriate Assessment Screening Report

This report provides stage one: screening for appropriate assessment. It aims to establish whether a plan or project is likely to have any significant effects on any Natura 2000 sites. The study is based on a preliminary impact assessment using both publicly available data and data collected during site visits and ecological surveys. This is followed by a determination of whether there is a risk that the effects identified could significantly impact any Natura 2000 sites, and if so, an AA is required. The need to apply the precautionary principle in making any key decisions in relation to the tests of AA has been confirmed by the European Court of Justice case law. Therefore, where significant effects are likely, possible or uncertain at the screening stage, AA will be required.

1.4. Reference Documents

The following relevant documents were considered in preparation of this report.

Table 2 Reference Documents

Name / Number	Description
Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities	National guidance on Appropriate Assessment for planning authorities. Department of Environment, Heritage and Local Government, (2010 revision)
Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities	Circulars issued by the Department of Environment, Heritage and Local Government with guidance relating to Appropriate Assessment. Circular NPWS 1/10 & PSSP 2/10 (2010)
Assessment of Plans and Projects Significantly Affecting Natura 2000 sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC	The guidance within this document provides a non-mandatory methodology for carrying out assessments required under Articles 6(3) and (4) of the Habitats Directive European Commission Environment Directorate-General, (2001 and updates April 2015 and September 2021).
Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitats Directive 92/43/EEC	Publication to the Member States with an interpretation of certain concepts in Article 6 of the Habitats Directive. EC Environment Directorate-General (2018)
Communication from the Commission on the precautionary principle.	Publication relating to the use of the precautionary principle. European Commission (2000)

1.5. Statement of Authority

Flynn Furney Environmental Consultants (FFEC) have more than 20 years of experience in ecological surveying and management. The company has detailed knowledge on the principles and implementation of both Irish and European environmental legislation. FFEC has worked closely with statutory bodies including the National Parks and Wildlife Service and Waterways Ireland on habitat management and protection projects. Other expertise includes Ecological Impact Assessment, Habitat and Floral Surveys, Bird Surveying, Bat Surveying, Fish and Waterways surveys.

The surveying and reporting were carried out by qualified ecologists of Flynn Furney Environmental Consultants. A field assessment survey was undertaken by Claudia Pascali (BSc) and Darragh Murphy (PhD) on 14 July 2025, and again on 16 July 2025 by Claudia Pascali and Jason Nash (BSc, MIFM, MCIEEM). This report has been prepared by Darragh Murphy and reviewed by Jason Nash.

2 Description of Proposed Work

The development will consist of the construction of a footbridge across a minor tributary of the Newport River, the Small River to link the park at the Newport Ball Alley to Pound Street L2110 in the town of Newport (Fig. 1, 2). The proposed bridge is approximately 20 m in length, 1.8 m width, spanning the Small River in a North-South orientation between a wooded area at the southern bank to a raised area of parkland on the northern bank (Fig. 2). Mid-Range Future Scenario (MRFS) water level at the proposed bridge deck location is 52.939mOD, accounting for 1:100-year (1% AEP). The works also include the installation of a broadly circular path extending from the northern end of the bridge into the adjoining park, and a new path linking the bridge to Pound Street to the south. Associated drainage and lampposts will also be installed along the pathways. The footbridge and adjoining paths will be illuminated by 3 no. wildlife-friendly down-lamps, fitted with cowls to limit light-spill, and LED bulbs with illuminance <0.1lx and colour of <2700K.

The works are likely to necessitate the removal of a small number of trees growing on both riverbanks. No in-stream works are envisaged. The bridge will fully span the river with the excavation and formation of bridge abutments c. 2 m back from the channel and built to engineers' specification and details. Proposed access to the site is along the trackway to the east of the park that runs broadly parallel and to the north of the Small River to where it joins Pound Street via a bridge over the river (Fig. 1). No vegetation clearance around or amendments to this track are anticipated to conduct the works.

Works are proposed to take place over 3 – 6 months, beginning in Spring.

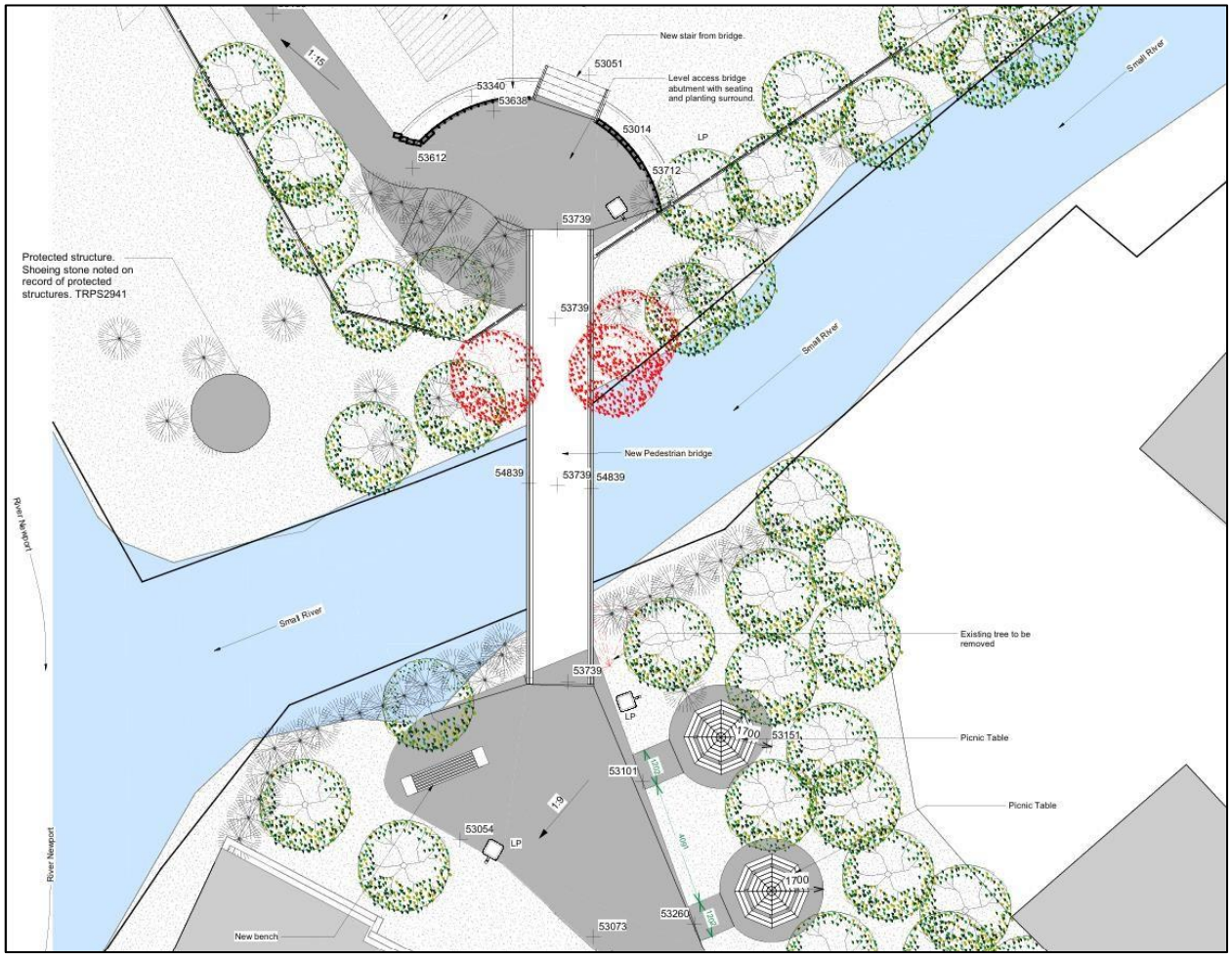

Figure 2 Drawings for proposed footbridge and walkways at Newport Ball Alley. Prepared by Will McGarry & Associates Consulting Engineers.

3 Methodology

3.1 Desk Study

A desktop study was carried out as part of this screening process in July 2025. This included a review of available literature on the site and its immediate environs. Sources of information included the National Parks and Wildlife Service databases on protected sites and species data, and from the Environmental Protection Agency on watercourses.

3.2 Data Used to Carry Out the Assessment

The following sources of data were employed:

- Environmental Protection Agency (Appropriate Assessment Tool)
- EPA Maps (to identify watercourses, hydrology and Natura 2000 site boundaries)
- NPWS protected species database and online maps
- National Biodiversity Data Centre
- Inland Fisheries Ireland
- An Bord Pleanála's online database
- OPW Flood Maps

3.3 SPR Model

This assessment was carried out with regard to the source-pathway-receptor *(SPR)* approach, a standard tool in environmental assessment. The SPR concept in ecological impact assessment relates to the idea that for the risk of an impact to occur, a source is needed *(a development site)*; an environmental receptor is present *(a lake)*; and finally, there must be a pathway between the source and the receptor *(a watercourse linking the development site to the lake)*. Even though there might be a risk of an impact occurring, that does not necessarily mean that it will occur, and even if it does occur, it may not be significant. Identification of a risk means that there is a possibility of ecological or environmental damage occurring, with the level and significance of the impact depending upon the nature and exposure to the risk and the characteristics of the receptor.

In this instance, the most relevant receptors are any relevant Natura 2000 sites with connectivity to the proposed works. These were considered during the desktop study stage of this screening assessment in order to assess the potential for significant effects upon their Qualifying Interests *(QIs)*, Sites of Community Importance *(SCIs)* and Conservation Objectives *(COs)*. This stage of the process is

used to determine whether any of the Natura sites may be 'screened out'. That is, that they can be regarded as not being relevant to the process, having no potential to be significantly affected or impacted upon.

3.4 Field Survey

The field survey was carried out on 14th July 2025. Baseline ecological conditions were assessed. Habitats were classified according to Fossitt *(2000)*. Where applicable, the habitat types and species usage were recorded *(Smith et al. 2011; Scannell and Synnott, 1987; Wyse Jackson et al. 2016)*. Habitats were classified and dominant plant species were noted according to the guidelines given by the JNCC *(2010)* with reference to Smith et al. *(2011)* & Scannell and Synnott *(1987)*.

4 Results

4.1 Desk Study

4.1.1 Surface Water

The proposed footbridge crosses a minor tributary of the Newport River (European Code: IE_SH_25N020330; NEWPORT (TIPPERARY)_010), the Small River (IE_SH_25N020330; SMALL (TIPPERARY)_010) 15 m upstream of its confluence with the Newport River (Fig. 3). These rivers are within the Lower Shannon hydrometric area. Both rivers have a "Good" water quality status (WFD SW 2016-2021). At this location, both rivers are within the Lower Shannon SAC (Site code 002165). The Newport River joins the Mulkear River (IE_SH_25M040590) c. 12.6 km downstream of the site, which flows into the Lower Shannon Estuary (IE_SH_25S012600) a further 8.2 km downstream (Fig. 3 inset).

At the crossing location, the river channel is c. 5 m wide. The river channels are highly modified in places with sections of stone embankments occurring throughout the surveyed area. These embankments reduces the flood zone of the < 1-in-100 year flood events, confining such flows to the channel. The Newport and Small Rivers are eroding in nature at this location. Evidence of high in-channel discharges is indicated by substantial scour along the channel banks and the lack of fine sediments or gravels within the channels throughout the area. The park area around the ball alley is elevated out of the flood level (MRFS 1: 100 year flood). Few surface drains were evident in the area although sewerage drains from dwellings and businesses were evident along the channels.

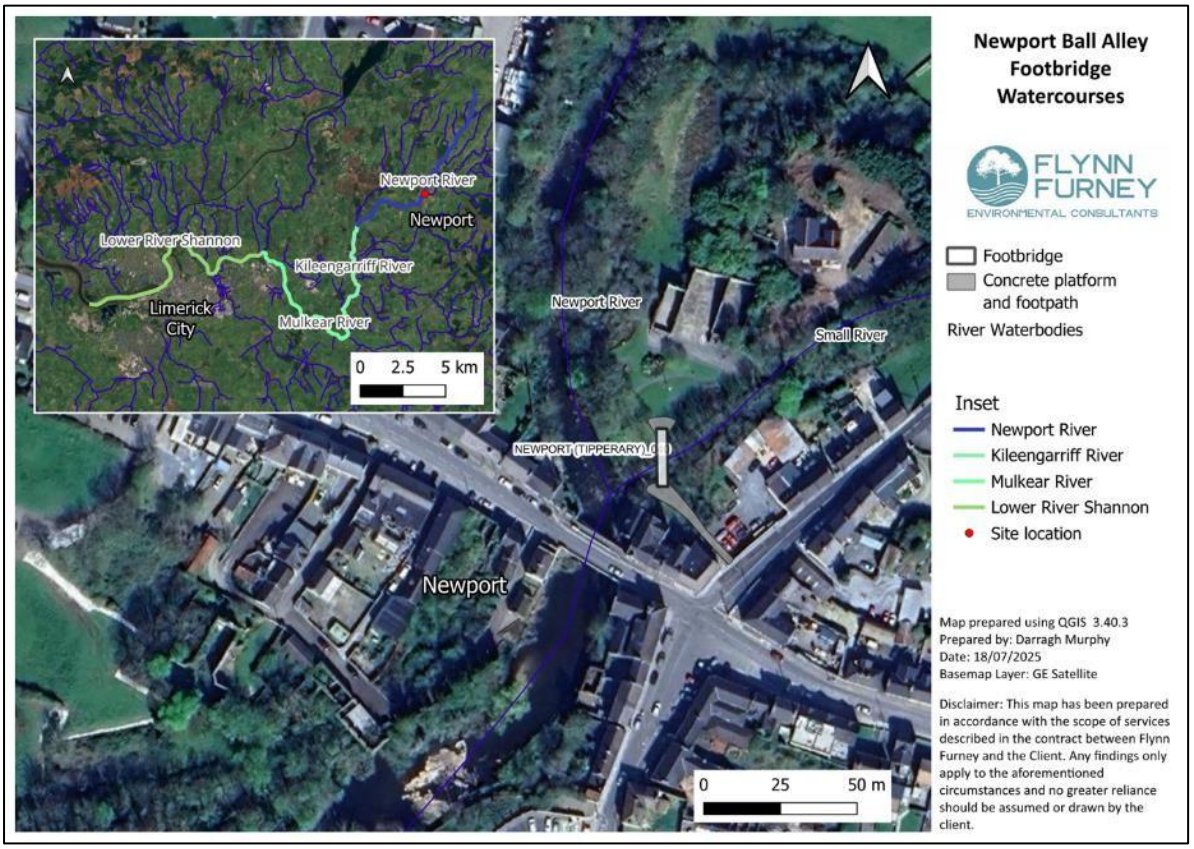

Figure 3 Watercourses in the vicinity of the proposed footbridge works. The Small River (a tributary of the Newport River) rises to the north east of the site and flows beneath the proposed bridge and joins the Newport River 10 m downstream. Inset: part of the lower River Shannon basin illustrating the contiguous Newport, Kileengarriff and Mulkear rivers

4.1.1.1 Ground Water

The proposed works fall within the WFD Lower Shannon Catchment (25D). Groundwater within this catchment was found to be of good status as of the 2nd cycle of the WFD 2016-2021. In terms of groundwater vulnerability, the proposed development lays within an area with High vulnerability (Fig. 4) with areas of Rock at or near Surface a short distance upstream and downstream of the works on the Newport River. Works at depth will include the excavation for and pouring of bridge abutments near the Small River.

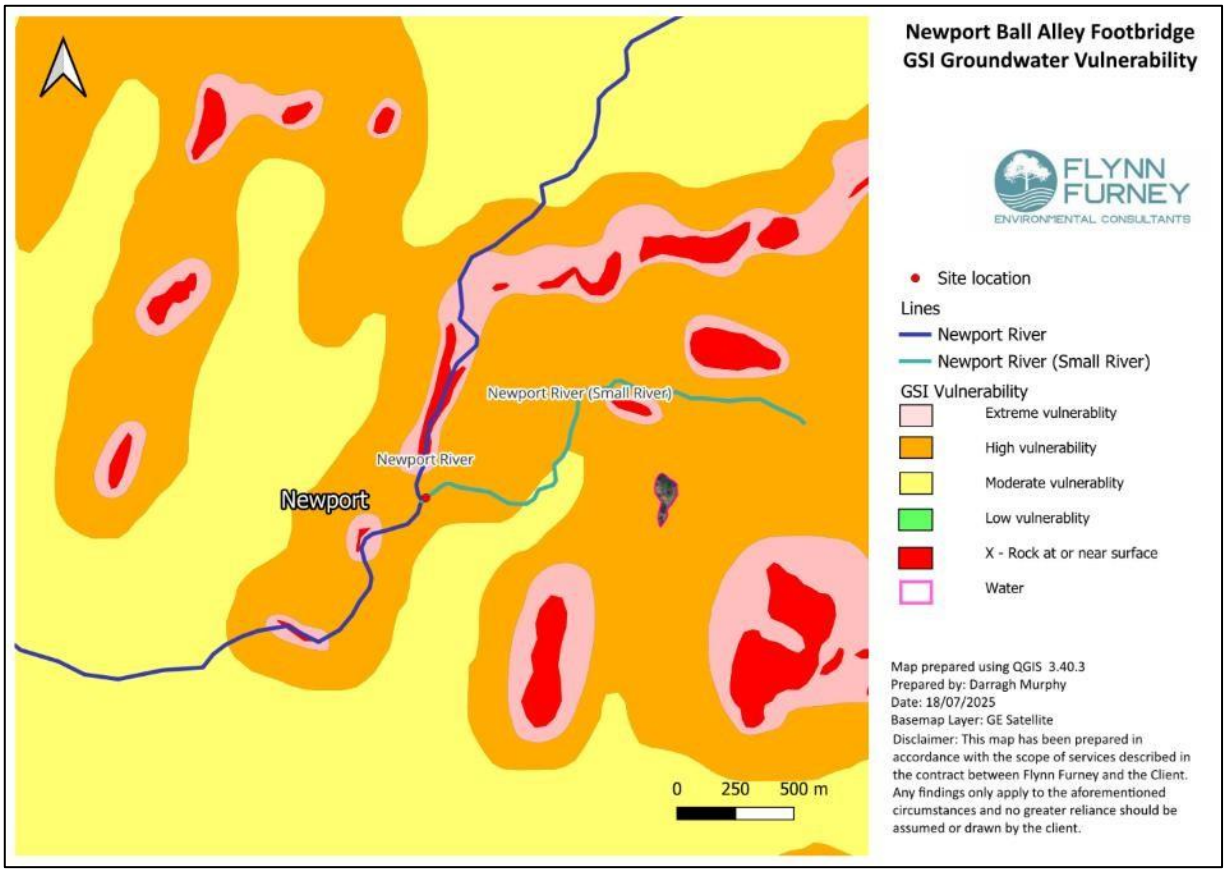

Figure 4 Geological Survey Ireland (GSI) groundwater vulnerability.

4.1.2 Invasive Species Records

The only First Schedule Invasive Alien Plant Species (IAPS) recorded within 1 km of the proposed works on the National Biodiversity Database was Japanese Knotweed (*Fallopia japonicum*) which was recorded on the grounds of Mulcair Manor in August 2018 (National 1km Grid R7261). Other plant species such as Himalayan Knotweed and Giant Hogweed were recorded within 5km of the site but these area unlikely to pose a risk to the works.

4.2 Field Study Results

4.2.1 Habitat Assessment

The following section describes the habitats found within the proposed project site. Photos of the habitats within the footprint of the proposed works and in the surrounding area are available in the Appendix.

4.2.2 Habitats Description

Several habitats were recorded at the proposed works. Their locations are outlined in fig. 5 and a brief description of the habitats is listed below:

BL3 – Buildings and Artificial Surfaces

This category refers to artificial and modified surfaces such as roads, pathways and buildings. This category includes the roadways and buildings in the Newport area as well as the Ball Alley within the site.

BL1 – Stonewalls and other stonework

This category refers to areas of stonework within and adjacent to the site. In a number of locations along the Newport River and the Small River, stone bank revetments are present. Many of these are within the flood zone of the river although a small stone doorway/opening upstream of the proposed footbridge location along the Small River is likely out of the flood zone in all but very high-flow events and may offer bat roosting habitat. A partial bridge spur is present along the Newport River just at the North-western side of the current bridge over the Newport River. This belongs to the old stone bridge and was noted to offer some habitat for roosting bats or birds during surveying. Much of the other stonework along the river is likely within the <1-in-10 year flood zone. As such stone work at the site are of low to moderate habitat value.

WD5 - Scattered trees and parkland

The park area surrounding much of the handball alley and adjacent to the proposed footbridge is categorised as Scattered Trees and Parkland. It is represented by mature non-native trees such as Chinese Photinia (*Stranvaesia davidiana*), Sycamore (*Acer pseudoplatanus*), Willow (*Salix* spp.), birch (*Betula* spp.), horse-chestnut (*Aesculus hippocastanum*), eucalyptus and cabbage tree (*Cordyline austrlis*). It is bordered by riparian woodland lining both the Newport and Small Rivers.

WN5 - Riparian woodland

This habitat lines much of the Newport River and the Small River in the area and is represented primarily by alder (*Alnus glutinosa*), although sycamore, ash (*Fraxinus excelsior*), beech (*Fagus sylvatica*) and willow are also frequent along the rivers. Stands of Giant Hogweed (*Heracleum mantegazzianum*), Japanese Knotweed (*Fallopia japonicum*) and *Rhododendron ponticum* were also present along the riparian zone. These will be discussed further in Section 4.2.9.

BC4 - Flowerbeds and borders

This category should be used for areas that are dominated by ornamental and nonnative shrubs. This category refers to an area along the eastern bank of the Newport River, directly to the west of the proposed footbridge. The area comprises amenity grassland and a number of small flowerbeds and ornamental borders along the bank. Species included Montbretia (*Crocosmia* Spp.), Hydrangea, Creeping St. John's Wort (*Hypericum calycinum*), heather (*Caluna* spp), David's Viburnum (*Viburnum davidii*). Due to the extent of non-native ornamental plants this area is of low ecological value.

WD1 - Mixed broadleaved

This habitat was present at the north-eastern area of the site and is represented by the similar species present along the riparian margin, but with higher proportion of sycamore, and reduced occurrence of alder and willow. Numerous trackways, likely of fox and otter, were observed in these areas, but no setts or burrows were found. Given the high-proportion of non-native trees and the lack of dead wood, hollows or ivy cover, this is not deemed to be of high ecological value.

Figure 5 Habitats present in the surveyed area. Habitats classified according to Fossitt (2000)

4.2.3 Annex I Habitats

Annex I habitats, identified as of utmost conservation importance under the Habitats Directive, receive legal protection within the Irish framework through the transposition of the Directive into national law, primarily under the European Communities (Natural Habitats) Regulations (S.I. 94 of 1997), which mandates the designation and conservation of Special Areas of Conservation to safeguard these critical habitats. **Table 3** assesses whether any habitat found during ground surveys has links with any of these habitat types.

Table 3 Summary of the habitats recorded on and surrounding the proposed project site

Habitat Recorded	Fossitt Code	Links with Annex I Habitats
Buildings and Artificial Surfaces	BL3	No
Stonewalls and other stonework	BL1	No
Scattered trees and parkland	WD5	No
Riparian woodland	WN5	No
Flowerbeds and borders	BC4	No
Mixed broadleaved woodland	WD1	No

4.2.4 Significance of Habitats

The majority of the habitat types found within the site are those associated with urban areas and are of low ecological significance. There are no habitats listed on Annex I of Directive 92/43/EEC (Habitats Directive) within the survey area. No species of rare, threatened or protected species of plants as per the Red Data List (Wyse Jackson et al., 2016) and no species listed on the Flora (Protection) Order 2022 were present. The footbridge development is confined to an area of low ecological value.

4.2.5 Birds

A dedicated bird survey was not carried out, however, during the survey the majority of birds seen and heard were typical of species within an urban setting. No nesting was recorded at the site.

4.2.6 Mammals

Most terrestrial mammals enjoy some level of legal protection in Ireland, with 13 listed on the EU Habitats Directive, 22 on national legislation in the Republic of Ireland, and 18 on national legislation in Northern Ireland. It is an offence to intentionally kill or injure a protected species or to wilfully interfere with or destroy the breeding site or resting place of a protected wild animal.

Some mammal paths were located at the site which were likely from otter and fox, which are known to utilise waterways and riparian zones throughout the lower Shannon. Otter spraints were found at 2No. locations along the Newport River (Fig. 6). Dedicated otter surveys, in accordance with NRA guidelines, were conducted on 14th and 16th July. These spanned 150m upstream and downstream of the works area along the Newport River and Small River. No holts were identified along the survey area. As noted previously, the banks of both rivers are highly modified in sections. Vertical stonework revetments are common in the area, constructed to enhance conveyance of water through the area and to prevent overbank flooding. This is reflected in the flood maps for the area which show a narrow zone of flooding in the areas upstream of the works – indicating confinement of high flows within the channel across a range of peak flows (<100-year recurrence interval). The presence of stone-work throughout the area and the frequent inundations of the upper areas of the bank are likely to limit otter holt habitat. Nonetheless, the area is likely to be important for foraging otters as large numbers of trout were visible within the Newport River during surveying on 14th July 2025 and there are few barriers to flow or migration in the area.

No other signs of mammal activity or habitation were located at the site.

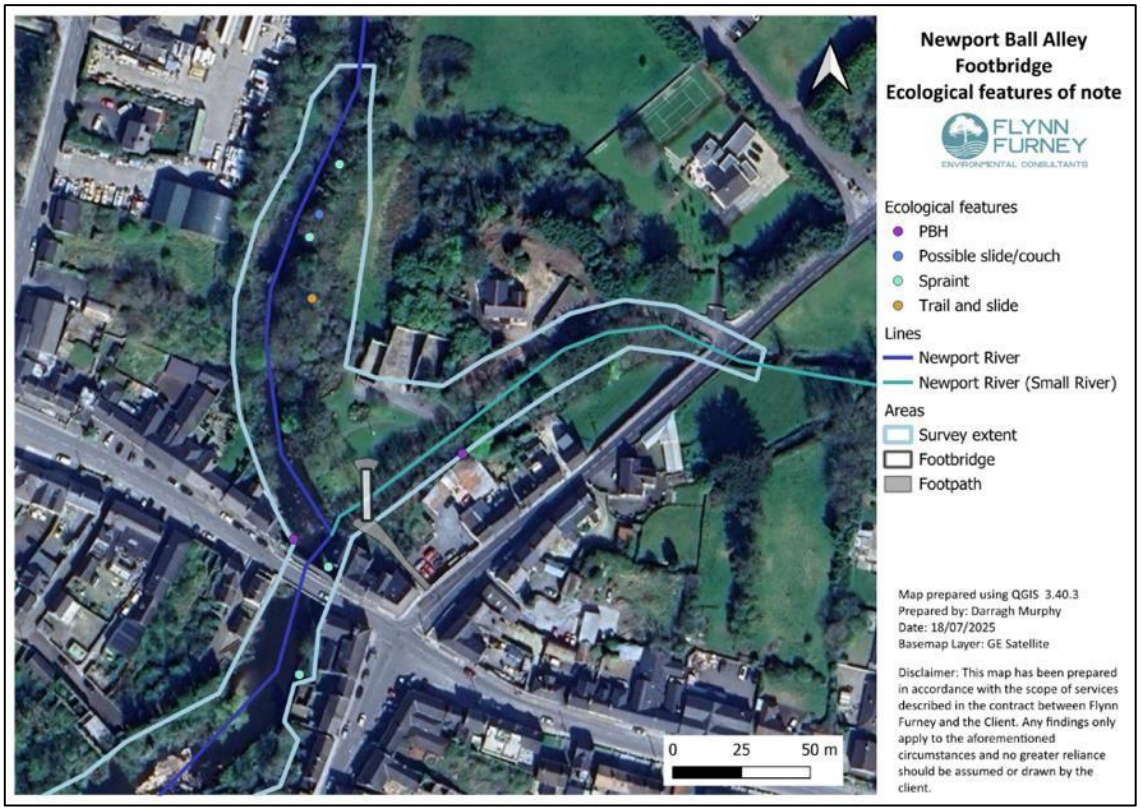

Figure 6 Ecological features of note within the area surveyed on 14th July 2025 around the proposed footbridge works in Newport, Co. Tipperary. Potential bat habitats (PBH) were noted within the old bridge structure over the Newport River and within a stone opening/doorway on the southern bank of the Small River c. 50 m upstream of the works. Signs of otter included spraint, slides and trails along the main channel of the Newport River.

4.2.7 Bats

All bat species in Ireland are protected under the Wildlife Act 1976 and the EU Habitats Directive (92/43/EEC). The lesser horseshoe bat which is found in the Republic of Ireland only is listed in Annex II of the EU Habitats Directive, while all bat species are listed in Annex IV of the same Directive. Bat roosts are also protected, meaning it's illegal to disturb or destroy them. It is illegal to intentionally kill, injure, or take a bat, possess a bat (alive or dead), or disturb its roost.

Table 4 Bat suitability index for the area surrounding the proposed works

Common name	Scientific name	Suitability index
All Bats		34
Soprano pipistrelle	*Pipistrellus pygmaeus*	47
Brown long-eared bat	*Plecotus auritus*	47
Common pipistrelle	*Pipistrellus pipistrellus*	52
Lesser horseshoe bat	*Rhinolophus hipposideros*	4
Leisler's bat	*Nyctalus leisleri*	46
Whiskered bat	*Myotis mystacinus*	33
Daubenton's bat	*Myotis daubentonii*	36
Nathusius' pipistrelle	*Pipistrellus nathusii*	1
Natterer's bat	*Myotis nattereri*	40

The area surrounding the proposed works has an overall bat suitability index of 34 and is high for species associated with linear features (treelines, hedgerows) such as long-eared bat, pipistrelles and Leisler's bat, and relatively high for Daubenton's Bat, which feeds and commutes over rivers.

As mentioned above, the stone-work of the old bridge and in the old doorway along the Small River were noted as potential bat habitats (PBHs; Fig. 6) during surveying on 16th July. The consistently wooded riparian margin along the waterways are likely to offer good foraging corridors for bats in the area. Good ivy cover on trees in the area was noted, including an alder that is within the zone of works for the proposed footbridge. This tree was relatively small and offers only moderate bat habitat potential.

A dedicated bat survey was carried out on 16th July in which numerous bats were observed along the

riparian corridor and within the park area of the handball alley. No emergences of bats from the PBHs in the area was observed. The area is likely to be important for bat foraging, but bat roosts within the zone of influence (ZoI) are unlikely. No obvious cavities were observed on mature trees at the site.

4.2.8 Amphibians

All species of Irish amphibians are legally protected under the Wildlife Act 1976, along with its amendments, and under Annex V of the EU Habitats Directive (92/43/EEC), which prohibits the intentional killing, injuring, or disturbing of frogs, and also protects their breeding sites.

The area does not offer good habitat for amphibians due to the topography of the ground and the erosive nature of the rivers. No evidence of amphibians was located during surveys.

4.2.9 Invasive Species

In July 2024, new regulations were enacted to address the shortcomings of previous legislation on Invasive Alien Species. The European Union (Invasive Alien Species) Regulations 2024 (S.I. No. 374 of 2024) introduce significant measures aimed at tackling the issue of invasive species. These regulations establish a list of Invasive Alien Species of National Concern, referred to as First Schedule List. The regulations specify various offenses under section 17(1), which prohibit individuals from engaging in certain activities. These activities include the introduction of invasive species into the State, breeding, importing, exporting, or transporting these species within the State—except when such transportation is part of an eradication effort. Additionally, the regulations forbid placing these species on the market, using, exchanging, or offering them for exchange, allowing them to reproduce or cultivate, and releasing them into the environment. It is important to note that if an invasive species listed on the schedules of the 2011 Regulations has been positively identified on a works site it is not an option to do nothing. This means that action of some form must be taken to address the invasive species to comply with environmental legislation (the European Communities (Birds and Natural Habitats) Regulations 2011 (SI 477).

Invasive species can have significant and detrimental impacts on Natura 2000 sites, which are designated to protect habitats and species of European importance. The introduction and spread of invasive species can disrupt ecosystems, threaten native biodiversity, and compromise the achievement of conservation objectives.

Four regulated Schedule 1 invasive species were recorded within and adjacent to the site and their

locations are highlighted in fig. 7:

- Giant hogweed (*Heracleum mantegazzianum*)

Giant hogweed is present at numerous locations throughout the surveyed area, including in the immediate vicinity of the proposed footbridge on the north and south banks of the Small River (Fig. 7, 8). Giant hogweed was present in small stands of 3 or fewer plants. Mature plants bear bristles on the leaves and stems. The sap is toxic, causing severe acute reactions upon exposure. The plant's presence in the immediate vicinity of the works poses a risk to project personnel. Plants may produce over 50,000 viable seed heads which are dispersed by wind or via streams and rivers. Substantial seed-bases of Giant hogweed may be present around mature plants, potentially necessitating the excavation ground in the vicinity of plants as well as treatment of individual plants to achieve eradication. Disturbance of plants may further increase its presence in the area. Plants upstream may continue to act as a source during the works period, especially where there are exposed areas of ground. An invasive species management plan is recommended to effectively control the plant prior to the proposed works occurring and to limit its spread thereafter.

Figure 7 First schedule invasive alien plant species in the vicinity of the works area as observed during surveying on 14th July 2025

Figure 8 Pinnate leaves of Giant hogweed (Heracleum mantegazzianum) on the north bank of the Small River close to the proposed footbridge

- Japanese knotweed (*Fallopia japonicum*)

Japanese knotweed is present in two locations on the banks of the main channel of the Newport River (Fig. 7, 9). This plant can spread via seeds, horizontally through rhizomes or if plant fragments or rhizomes are disturbed and scattered. In this manner, the plant is common along many waterways and roads across Ireland as soil and plant fragments are dislodged and carried along streams and roads. The plant is not present in the immediate vicinity of the proposed works, being confined to the banks upstream and downstream along the Newport River. It is not deemed necessary that these stands are treated but its presence throughout the area does pose a risk to exposed ground where it may more easily propagate.

Figure 9 Large infestation of Japanese Knotweed on the main channel of the Newport River, c. 100 m upstream of the proposed footbridge

- *Rhododendron ponticum*

R. ponticum is present c. 100 m upstream of the proposed works area along the Small River. The works are not likely to disturb the plant but exposed ground created by the works may encourage propagation of seeds carried by wind or along the Small River during the works period. *R. ponticum* produces many thousands of seeds and, once established, can outcompete native flora.

- Himalayan knotweed (*Persicaria walliichii*)

This species is present along the southern bank of the Newport River, c. 80 m downstream of the works. It does not pose any immediate risk to the works.

5 Identification of the European Sites within the Likely Zone of Impact

The following methodology was used to establish which European Sites are within the Likely Zone of Impact of the proposed development:

- The most recent Geographic Information System (GIS) spatial datasets for designated European sites and water catchments were acquired from the National Parks and Wildlife Service (NPWS) website (www.npws.ie) and the Environmental Protection Agency (EPA) website (www.epa.ie). These datasets were employed to discern European Sites susceptible to potential impacts from the Proposed Development.
- The extent and frequency of damaging floods in the area based on data provided by the Office of Public Works (OPW) via Flood Maps on floodinfo.ie
- An investigation into the work site characteristics and the risks to the environment with consideration for the potential zone of impact was carried out to determine all probable pathways and risks to site conservation.
- A source-pathway-receptor model was utilised to identify European Sites within a 15km radius of the development site, providing contextual information on these sites based on site-specific conservation objectives. The assessment also considered European Sites beyond the 15km radius, employing a source-pathway-receptor approach to identify potential impacts. Hydrological catchment mapping facilitated the evaluation of potential hydrological connectivity between the Proposed Development site and European Sites.
- For Special Protection Areas (SPAs), lacking specific European or Irish guidance, the 'Assessing Connectivity with Special Protection Areas (SPA)' guidance from Scottish Natural Heritage (SNH) (2016) was consulted.

All pertinent European Sites are considered, identifying those within the likely Zone of Impact. This screening assessment evaluates direct and indirect impacts of the Proposed Development, considering size and scale, land-take, distance, resource requirements, emissions, excavation, transportation, and construction/operation duration. Site synopses and conservation objectives from the NPWS website were reviewed as of the report's preparation.

5.1 Works, Site Characteristics and Risks to the Environment

The principal risks posed from the project relate to surface water discharge from the site during the proposed works that may impact the water quality of the receiving environment, leading to likely significant effects (LSE) on any QIs or Site(s) of Community Importance (SCI) species.

Table 5 Potential impacts, effects and their zone of influence.

Potential Impact and Effect	Description	Zone of Influence
Construction/Installation of Infrastructure and potential QI habitat loss	The permanent loss of the habitats is present in the footprint of the proposed works.	Lands within the proposed footprint of works and access routes.
Changes in water quality and quantity/distribution resulting in habitat loss or degradation.	Reduction in the quality of retained habitat or loss of habitat from surrounding areas as a result of surface water or groundwater pollution.	Changes in surface water quality within the local water courses or surface water bodies including the rivers in close proximity associated with the proposed development.
Noise, dust, vibration and or human presence resulting in disturbance.	Direct impact on species reducing their ability to forage or breed.	Within or adjacent to the works area for birds and 150m upstream and downstream for Otters.
Invasive Species	The spread of invasive species within designated sites as a result of this project.	Assessed based on the presence of invasive species stands within or surrounding the works area.

5.2 Designated Sites within the Zone of Influence (ZoI)

The Designated Sites within a 15km radius of the proposed works are illustrated in Fig. 10. The Designated Sites within the zone of influence, i.e. Lower River Shannon SAC – 002165 and the River Shannon and River Fergus Estuaries SPA – 004077, are outlined in table 6. Other designated sites shown in fig. 10 are not deemed likely to be affected by the proposed works due to lack of hydrological pathway, distance from the works site or the degree of dilution between the proposed works area and the potential receptor.

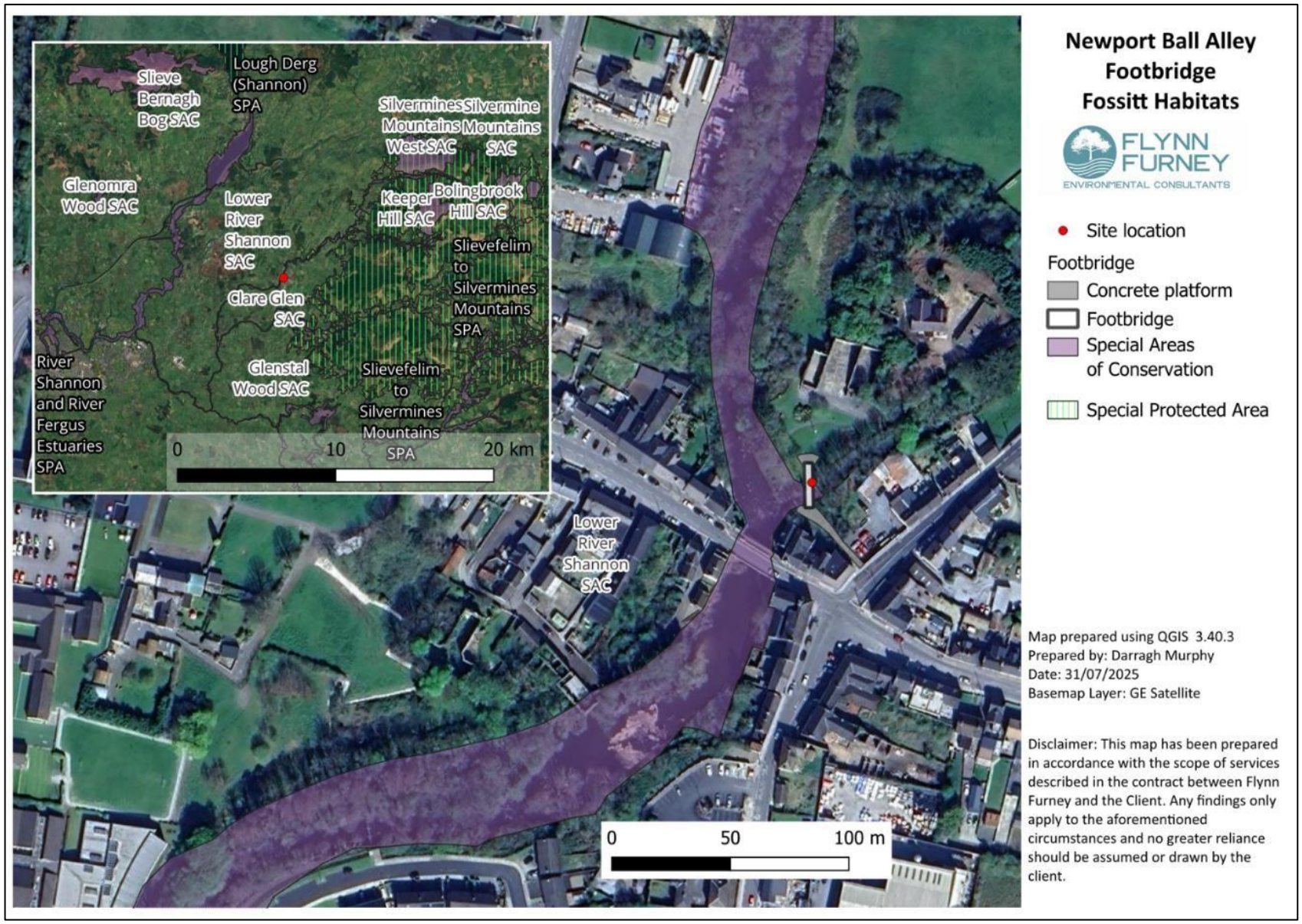

Figure 10 Locations of closest designated sites in relation to the proposed works

Table 6 Potential Impacts, Effects and their zone of influence.

Site Name and Code	Qualifying Interests *= priority	Distance from Proposed Works	Conservation Objectives	Likely Impact Determination
Lower River Shannon SAC - 002165	• Sandbanks which are slightly covered by sea water all the time [1110] • Estuaries [1130] • Mudflats and sandflats not covered by seawater at low tide [1140] • Coastal lagoons [1150] • Large shallow inlets and bays [1160] • Reefs [1170] • Perennial vegetation of stony banks [1220] • Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] • Salicornia and other annuals colonising mud and sand [1310] • Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] • Mediterranean salt meadows (Juncetalia maritimi) [1410] • Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation [3260] • Molinia meadows on calcareous, peaty or clayey-silt-laden soils	Site is directly connected to the SAC via the Small River which joins the Newport River < 10 m downstream of the works. The Newport River is within the Lower River Shannon SAC.	Detailed conservation objectives for this site were reviewed as part of the assessment and are available at https://www.npws.ie/protected-sites/sac/002165	Given the works' proximity to the Small River and the downstream Lower River Shannon SAC, silt and other pollution arising from the works may pose a risk to the following Qualifying Interests: *Petromyzon marinus* (Sea Lamprey) [1095]; *Lampetra planeri* (Brook Lamprey) [1096]; *Lampetra fluviatilis* (River Lamprey) [1099]; *Salmo salar* (Salmon) [1106]. Given the eroding nature of the Small and Newport Rivers at this location, habitats which support lamprey and salmonid spawning sites are unlikely to occur within the environs of the works. Release of silt from the works area has the potential to affect spawning gravels and impede foraging of otters immediately downstream of the works. Substantial dilution by the Newport River is likely to mitigate the effects of works beyond the immediate downstream habitat. There are minimal risks to groundwater as no deep excavations are planned. Foundations will be screw-piled with non-ferrous coated piles, removing the need for excavation. Other QIs of the SAC are unlikely to experience negative impacts from works due

	(Molinion caeruleae) [6410] • Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0] • Margaritifera margaritifera (Freshwater Pearl Mussel) [1029] • Petromyzon marinus (Sea Lamprey) [1095] • Lampetra planeri (Brook Lamprey) [1096] • Lampetra fluviatilis (River Lamprey) [1099] • Salmo salar (Salmon) [1106] • Tursiops truncatus (Common Bottlenose Dolphin) [1349] • Lutra lutra (Otter) [1355]			to lack of connection between the works and where they occur, or due to substantial dilution between the works area and the relevant downstream aquatic habitats or species therein. In the case of otters in the immediate vicinity of the works, construction activities and construction-derived siltation of the waters may impair foraging and commuting activities during and immediately following the construction phase. The scale of the works is limited to the areas extending from the banks of the Small River and in-stream works are not envisaged. In the absence of appropriate mitigation, the works are deemed likely to disturb and enhance the risk of further colonisation by Giant hogweed. Additionally, the presence of Giant hogweed at the site poses a risk to project personnel and the plants should be controlled prior to the commencement of works according to the Invasive Species Management Plan. Due to the aforementioned risks to QIs in the adjacent SAC and the presence of First Schedule IAPS at the site, Phase II AAS (Natura Impact Statement) and an Invasive Species Management Plan are recommended.
River Shannon	• Cormorant (Phalacrocorax carbo) [A017]	Site is directly connected to	Detailed conservation	The works are not anticipated to lead to any deterioration or reduction in the habitat or

and River Fergus Estuaries SPA - 004077	• Whooper Swan (Cygnus cygnus) [A038] • Light-bellied Brent Goose (Branta bernicla hrota) [A046] • Shelduck (Tadorna tadorna) [A048] • Wigeon (Anas penelope) [A050] • Teal (Anas crecca) [A052] • Pintail (Anas acuta) [A054] • Shoveler (Anas clypeata) [A056] • Scaup (Aythya marila) [A062] • Ringed Plover (Charadrius hiaticula) [A137] • Golden Plover (Pluvialis apricaria) [A140] • Grey Plover (Pluvialis squatarola) [A141] • Lapwing (Vanellus vanellus) [A142] • Knot (Calidris canutus) [A143] • Dunlin (Calidris alpina) [A149] • Black-tailed Godwit (Limosa limosa) [A156] • Bar-tailed Godwit (Limosa lapponica) [A157] • Curlew (Numenius arquata) [A160] • Redshank (Tringa totanus) [A162] • Greenshank (Tringa nebularia) [A164] • Black-headed Gull (Chroicocephalus ridibundus) [A179] • Wetland and Waterbirds [A999]	the SAC via the Small River which joins the Newport River < 10 m downstream of the works. The Newport River is within the Lower River Shannon SAC.	objectives for this site were reviewed as part of the assessment and are available at https://www.npws.ie/protected-sites/spa/004077	breeding capacity of any QIs in the River Shannon and River Fergus Estuaries SPA – 0040777. Works will not occur within any habitat that me be acting as key supporting habitat of any species of this SPA. The works are not deemed likely to affect any QIs e.g. through construction-related noise of vibration, due to substantial distance between the works and the QIs/the habitats which host the QIs of the SPA.

5.3 European Sites with the Potential to be Significantly Affected by the Proposed Development

The findings of this Screening Assessment are presented following the European Commission's Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites: Methodological Guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC (EC, 2001) and Managing Natura 2000 Sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC (EC, 2018) as well as the Department of the Environment's Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities (DoEHLG, 2010).

Initial screening has identified one designated European site requiring further consideration in this assessment: The Lower River Shannon SAC 002165. All other Designated Sites in the area are at a sufficient remove from the site and lack identifiable connectivity with the proposed works to discount them from further consideration.

6 Article 6 (3) Screening Assessment

This screening assessment questionnaire (EC, 2001) is used to assess the whether the Proposed Development has the potential to impact upon Natura 2000 sites. The consideration criteria of potential for impacts on Natura 2000 sites is detailed below. Section 5.5 of this report excluded any direct impacts or pathways for impacts on all but one Natura 2000 site. The potential for impacts on the Lower River Shannon SAC require further screening.

6.1 Is the Project Necessary to the Management of the Designated Site(s)?

The proposed project has the potential to pose risks to water quality of the Lower River Shannon SAC through loss of soil, other organic materials or other potentially polluting materials used during construction and through the use of machinery.

6.2 Possible Direct, Indirect or Secondary Impacts

Any likely direct, indirect or secondary impacts of the Proposed Development, both alone and incombination with other plans or projects, on the SPA by virtue of the following criteria: size and scale, land take, distance from the Natura 2000 site or key feature thereof, resource requirements, emissions, excavation requirements, transportation requirements and duration of construction, operational and decommissioning phases of the works are detailed in Table 7 below.

Table 7 Assessment of Likely Impacts

Assessment of Likely Impacts		
	Construction phase impacts	**Operational phase impacts**
Size and scale	The proposed pedestrian bridge is approximately 20 m in length, 1.8 m width, spanning the Small River in a North-South orientation between a wooded area at the southern bank to a raised area of parkland on the northern bank. Mid-Range Future Scenario (MRFS) water level at the proposed bridge deck location is 52.939mOD, accounting for 1:100-year (1% AEP). The works also include the construction of	The minor loss of trees which may aid in bat commuting and the potential spread of First Schedule IAPS from the site to adjacent/downstream areas. Lighting may affect foraging of bats and otters in the area. No effects on QIs are anticipated during the operational phase.

	concrete path ways on either end of the bridge and associated drainage and lampposts. The bridge will fully span the river with the placement of bridge abutments and > 2 m back from the channel and built to engineers' specification and details.	
Land-take	The works are likely to necessitate the removal of a small number of trees growing on both riverbanks of the Small River.	The works are likely to necessitate the removal of a small number of trees growing on both riverbanks.
Distance from the Natura 2000 site or key features of the site;	The project works are <10m away from the nearest Natura 2000 site – the Lower River Shannon SAC 002165.	
Resource requirements (water abstraction etc.);	There will be no resource requirement from any Natura 2000 site. Water will be utilised from the local network.	N/A
Emissions (disposal to land, water or air);	There will be no additional emissions to land, air or water beyond those typical of any small-scale maintenance project. Emissions from the project to the Small River have low potential to impact upon the local environment and QIs of the Lower Shannon SAC.	N/A
Excavation requirements;	This project will not require an excavation within a Natura 2000 site but the excavation of banks of the Small River, adjacent to the Lower Shannon SAC will be required for the construction of bridge abutments and the walkways associated with the bridge.	

Transportation requirements;	No transportation requirements are required which may impact upon any Natura 2000 site.	
Duration of construction, operation, etc.;	Unknown at time of writing	
Timing of works	Unknown at time of writing	Works are proposed to take place over 3 – 6 months, beginning in Spring.
Cumulative or In-combination Impacts with other Projects and Plans	Due to reasons listed in Table 6 above, the proposed works are predicted to have cumulative or in combination effects with other projects or plans, on the nearest Natura site.	

6.3 Cumulative and In-Combination Impacts

A number of other projects have been considered as part of the screening process. A review of planning applications submitted within the past ten years was undertaken using the Tipperary County Council planning website, with a focus on developments upstream and downstream of the proposed works area on the River Small and the Newport River. Upstream of the works, relevant applications included: App. 18600458 (2018), for the demolition of part of an existing dwelling and construction of a single- and two-storey extension with associated site works; App. 23145 (2023), for the erection of a steel frame sensory room and associated site development; App. 10510480 (2016), which proposed 15 dwellings forming part of a larger residential development originally approved for 95 houses, 39 apartments and a crèche, including roads, footpaths, cycle lanes, and services; and App. 19600386 (2019), for the installation of four floodlights and green mesh perimeter fencing at an existing sportsfield approximately 0.5 km from the proposed works. Downstream, on the Newport River, App. 201447 (2020) was noted for the interconnection of two existing buildings to extend a pharmacy and create a two-bedroom apartment.

None of the developments reviewed are deemed likely to create in-combination effects with the Newport Footbridge Scheme, either during the construction or operational phases.

6.4 Conclusion

This report presents the information for the relevant authority, Tipperary County Council, to carry out a screening for AA. Impacts to the Lower River Shannon SAC as a result of the Proposed Development construction cannot be definitively ruled out and for this reason "screening in" is recommended. The rationale for this is down to the potential risks arising from construction-related release of silt and other pollutants to the Small River, as well as the risk of spread of Schedule One IAPS to downstream areas of the Lower River Shannon SAC.

It is therefore concluded that a full Appropriate Assessment is conducted.

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8 Appendix – 1. Site Photos

Figure 11 View of the Newport River (left channel) and the Small River (right smaller channel) looking upstream from bridge over the Newport. Proposed foot bridge is c. 10m upstream of confluence on the Small River.

Figure 12 Stone revetments of Small River upstream of proposed footbridge

Figure 13 Looking at southern bank of Small River near bridge location. Protected structure in foreground. Giant hogweed highlighted within red circle

Figure 14 Small River looking upstream from close to bridge location. Note steep banks, evidence of storm-throw woody debris indicating high storm discharges