



N24-N74 Tipperary Town Road Improvement Scheme

Screening for Appropriate Assessment

October 2020



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1 Introduction

1.1 Project Background

Mott MacDonald Ireland have been commissioned by Tipperary County Council (TCC) to provide consultancy services for the planning, detail design and tender action, evaluation and award of the N24-N74 Tipperary Town Road Improvement Scheme (proposed development).

The proposed development is located in Tipperary Town, Co. Tipperary and comprises sections of the N24 and N74 National Roads. It extends from the N24-R515 Junction at the intersection of Church Street, O'Brien Street and Main Street at the western extent; to approximately 1km along the N74 on the Cashel Road incorporating Fr Mathew Street at the eastern extent. The scheme has a total length of approximately 1.6km.

The site has been designated as a *High Collision Site (HCL)* based on accident data made available by Transport Infrastructure Ireland (TII) Road Safety Section. Furthermore, the existing road pavement has been identified as needing rehabilitation in the *Pavement Asset Repair and Renewal (PARR)* report prepared by Mott MacDonald on behalf of TII in 2018.

In response to these existing problems on the N24 and N74 in Tipperary Town, the scheme proposes improvements to the existing road layout to promote traffic calming and greater road safety for users, the rehabilitation of road carriageway pavement for current and future traffic volumes, and the enhancement of the existing streetscape through implementation of *Design Manual for Urban Roads Streets (DMURS)* design principles.

The location of the proposed development is provided below in Figure 1.1.

Figure 1.1: Scheme Location



Further details on the project subject to this Screening for Appropriate Assessment are included in Chapter 2.

1.2 Requirement for Appropriate Assessment

Regulation 42 of the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. 437 of 2011) (as amended) transposes Article 6 of the Habitats Directive (92/43/EEC) into Irish law. The regulations require that before consent for a project is given, a screening for Appropriate Assessment of a project for which an application for consent is received (which is not directly connected with or necessary to the management of the site as a European Site), must be carried out by the public authority to assess, in view of best scientific knowledge and in view of the conservation objectives of the site, if that project, individually or in combination with other plans or projects is likely to have a significant effect on the European site.

This report is to assist Tipperary County Council in their Screening of the proposed development for the need for Appropriate Assessment.

This screening for Appropriate Assessment has been carried out in accordance with the following European Commission and national guidance:

- EC (2001) 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
- DEHLG (2009) Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities (Revised 2010)
- EC (2018) Managing Natura 2000 sites. The provisions of Article 6 of the Habitats Directive 92/43/EEC Commission Notice C(2018) 7621

2 Description of the Development

2.1 Project Overview

The proposed development is located in Tipperary Town, Co. Tipperary and comprises sections of the N24 and N74 National Roads. It extends from the N24-R515 Junction at the intersection of Church Street, O'Brien Street and Main Street at the western extent; to approximately 1km along the N74 on the Cashel Road incorporating Fr Mathew Street at the eastern extent. The scheme has a total length of approximately 1.6km.

The scheme is to include for the following;

- upgraded road layout with reduced carriageway width (approximately 6.5m along N24 Main Street/Bank Place and 6.0m along Fr Mathew Street/Cashel Road)
- widened footways with new paving along N24 Main Street/Bank Place
- widened footways with new paving along N74 Fr Mathew Street/Cashel Road including new footways between James Connelly Park and St. Michael's Avenue (West), and between St. Michael's Avenue (East) and St. Michael's Cemetery car park.
- upgraded car park at St. Michael's Cemetery with new pavement, defined spaces and improved pedestrian and vehicle access from N74 Cashel Road
- new road pavement
- upgraded public lighting along N74 Fr Mathew Street/Cashel Road
- localised drainage upgrades
- enhanced soft and hard landscaping including the provision of upgraded street furniture
- new town gateway signage at the existing 60kph speed limit on N74 Cashel Road

2.2 Assessment of Likely Effects

The likely effects of the proposed development on European sites, are assessed in Table 1 hereunder with regard to the checklist provided in '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' (European Commission, 2001).

Table 1: Potential for Effects

Characteristics	Details
Size, scale, area, land-take	<ul style="list-style-type: none"> ● The proposed development is located entirely outside of the bounds of any European Sites. The nearest European site to the proposed scheme is the Lower River Suir SAC which is located approximately 5km (straight line) at its closest point. There will be no land take as a result of the proposed works. ● The project consists of the repair of approximately 1.6km of existing pavement within an urban area in combination with improvements to the existing road layout. There will be no effects as a result of the size or scale of the proposed scheme.
Physical changes that will arise due to the project (from excavation, piling, dredging, etc.)	<ul style="list-style-type: none"> ● The project consists of alterations to the road layout and existing pavement. The scheme is located within a wider urban environment bordered by buildings and artificial surfaces (BL3) with the eastern end of the scheme bordered by agricultural grassland. The area adjacent to O' Brien St. around the old mill contained Scrub (WS1). Also present was Flower beds and borders (BC4), amenity grassland (GA2) and treelines bordering the property (WL2) The proposed development is located entirely outside of any European sites. There will be no impact to any European sites as a result of physical changes caused by the project. ● The project consists of alterations to the road layout and existing pavement. The road drainage will tie into the existing drainage network with localised improvements

	<p>proposed where capacity issues have been identified. There will be no changes in use caused by the works in the operational phase.</p>
Resource requirements (water abstraction etc.)	<ul style="list-style-type: none"> There are no resource requirements to facilitate the proposed works.
Emissions and waste (disposal to land, water or air)	<ul style="list-style-type: none"> The proposed works will require excavation and reinstatement of existing pavement and road surfaces, and alterations to drainage systems which has the potential to result in surface water emissions. The proposed works are located outside of the boundaries any European sites. There is potential for hydrological connectivity to the Lower River Suir SAC. This connectivity is via local road drainage which discharges into the River Ara. The river Ara discharges into the Lower River Suir SAC approximately 16km (hydrological route) downstream of the scheme. Given the distance between the project and the SAC there is no potential for impact as a result of emissions. The proposed construction works are likely to result in the temporary generation of dust. The Institute of Air Quality Management 'Guidance on the Assessment of the Impacts of Construction on Air Quality and the Determination of their Significance' (2014) prescribes potential dust emission risk classes to ecological receptors. The guidance specifies that the need for a detailed assessment arises "where there is an 'ecological receptor' within 50m of the works, or within 50m of the route(s) used by construction vehicles on the public highway, up to 500m from the site entrance" and that "Where the need for a more detailed assessment is screened out, it can be concluded that the level of risk is "negligible", and any effects will not be significant". The nearest European site is located outside of zone of impact for dust caused by the works. As such, there will be no impact on any European sites as a result of dust. There will be a temporary increase in noise during the construction phase of the proposed works. The nearest European site is located approximately 5.6km (straight line) from the proposed works. Given the distance between the works area and the nearest European Site there will be no impact to any European sites as a result of noise caused by the construction works The proposed works are likely to result in the generation of construction waste. Any waste generated during the proposed works will be disposed of in accordance with waste legislation. There will be no impact to any European sites as a result of waste generated by the proposed works.
Transportation requirements	<ul style="list-style-type: none"> Transportation of materials to the site will be via the existing road network. There will be no impact to any European Sites due to the transportation requirements of the scheme.
Duration of construction, operation, decommissioning, etc.	<ul style="list-style-type: none"> The proposed works will take place over a period of approximately 18-24 months. The design life of the proposed works is approximately 20 years.
Functional connectivity to European Site ¹	<ul style="list-style-type: none"> The Lower River Suir SAC is located approximately 5.6km (straight line distance) from the closest extent of the proposed development. Potential for hydrological connectivity was identified through local drainage into the River Ara which is located approximately 100m from the proposed development. The River Ara discharges into the River Suir approximately 16km downstream (hydrological route) of the proposed development. On the basis of distance, this connectivity was not identified as being "functional connectivity". No other European sites with connectivity to the proposed development were identified.

2.2.1 Summary of Potential Effects

Given that there is no functional connectivity identified to any European Sites, there is no potential for effect.

¹ Lands functionally connected with a European site, as defined in the European Communities (Birds and Natural Habitats) Regulations 2011, are lands connected by air, soil, hydrology, geology, ecology or water (including surface water, groundwater and marine water). Where functional connectivity is determined the potential for effects on the qualifying features of the European sites from the proposed works is further investigated. Where there is no functional connectivity, there can be no effects from the works on the European site.

2.2.2 Plans or Projects Which Might Act in Combination

Article 6(3) of the Habitats Directive requires that:

'Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives.'

It is therefore required that the potential impacts of the proposed works are considered in combination with any other relevant plans or projects.

Planning Applications

A search of the Tipperary County Council planning enquiry system (<https://www.tipperaryCC.ie/searchtypes>), and the EIA portal was carried out on the 17th of July 2020. Finalised applications lodged within the vicinity of the proposed development within the last 5 years were examined.

Planning applications within the last 5 years in Tipperary town consisted of applications for alterations, extensions and change of use to existing buildings, along with construction and retention of small-scale housing developments. A development application for a 50kV roof mounted solar farm was also examined. These developments are small scale in nature. In addition, no functional connectivity was identified to any European sites. There can, therefore, be no potential for cumulative effects.

Tipperary Cooperative Creamery Limited

An application was made in 2017 for a new milk evaporation and drying facility at the site of the existing milk processing plant. An appropriate assessment was carried out for this project and found that there was no potential for effects on the qualifying interests of the Natura 2000 sites within a 15km radius of the plant. Further, the report on the assessment of impact on surface waters which accompanied the application, found that discharges, even in combination with the Tipperary WWTP can be made in full compliance with the water framework directive.

Given the location of the scheme relative to the Tipperary Cooperative Creamery, the nature of the works, and the lack of functional connectivity to any European sites there is no potential for in-combination effects associated with the works.

3 Assessment of Significance

3.1 Conservation Objectives

European and national legislation places a collective obligation on Ireland and its citizens to maintain habitats and species in the Natura 2000 network at favourable conservation condition. Ireland has determined conservation objectives for European Sites which define favourable conservation condition for habitats and species protected under the Habitats Directive (i.e. qualifying interests of an SAC) and Birds Directive (special conservation interests of an SPA).

Favourable conservation status of an Annex I habitat is achieved when:

- its natural range, and area it covers within that range, are stable or increasing,
- the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and
- the conservation status of its typical species is favourable.

The favourable conservation status of an Annex II species is achieved when:

- population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats, and
- the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and
- there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

The assessment of whether a likely impact will have significant effects on a European site is based European Commission guidance (2001) which recommends the use of key indicators which can include the site's conservation objectives. This is the approach taken in this assessment.

Where it is determined that a likely impact will have a significant effect on a European site, an Appropriate Assessment must be progressed. The precautionary principle must also be applied in determining significance of an impact. Where the significance of an impact cannot definitively be ascertained based on the information available it is required to progress to Appropriate Assessment i.e. the project cannot be screened out unless there is certainty that no significant effects will occur.

4 Screening Statement

4.1 Summary

The current assessment investigates the potential for significant effects on the qualifying interests of European sites arising from the proposed development in Tipperary Town. The assessment considers whether the proposed works, either alone or in combination with other projects or plans, will have a significant effect of the European site.

Given that there is no functional connectivity to any European sites, it is concluded that there is no potential for significant effects on any European sites from the proposed repair works either alone or in-combination with other plans and/or projects. The findings of this report for screening for Appropriate Assessment are summarised in the Findings of no Significant Effects Matrix in Table 2 and are presented to aid the Competent Authority in their screening assessment.

Table 2: Findings of No Significant Effects Matrix

Name of project or plan	N24-N74 Tipperary Town Road Improvement Scheme
Name and location of European sites within 15km	<ul style="list-style-type: none"> ● River Suir SAC (002137) is located approximately 5.6km from the project ● Monour Mountain SAC (002257) is located approximately 7.2km from the project ● Galtee Mountains SAC (000646) is located approximately 8.3km from the project ● Phillipstown Marsh SAC (001847) is located approximately 10km from the project ● Lower River Shannon SAC (002165) is located approximately 13km from the project
Description of the project or plan	Pavement and Road Safety Improvements of 1.6km of National Road within Tipperary Town, Co. Tipperary
Is the project or plan directly connected with or necessary to the management of the site?	No
Are there other projects or plans that together with the project or plan being assessed could affect the site?	No
The assessment of significance of effects	
Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 site.	No likely effects were determined from the improvement works
Explain why these effects are not considered significant	No likely effects were determined therefore there can be no alteration of the conservation condition or objectives of the European Site due to the proposed works.
List of agencies consulted: provide contact name and telephone or e-mail address	None
Response to consultation.	N/A
Data collected to carry out the assessment	
Who carried out the assessment?	Erin Johnston, Ecologist with Mott MacDonald
Sources of data?	Refer to references section
Level of assessment?	Site survey and desktop assessment

5 References

- EC (2001) 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
- DEHLG (2009) Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities (Revised 2010)
- EC (2018) Managing Natura 2000 sites. The provisions of Article 6 of the Habitats Directive 92/43/EEC Commission Notice C(2018) 7621
- NPWS (2017) Conservation Objectives: Lower River Suir SAC 002137. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.

