



APPENDIX 2

Habitats Directive

Appropriate Assessment (Screening Report)
Screening for Environmental impact Assessment (EIAR)
Consenting Authority Screening Assessment



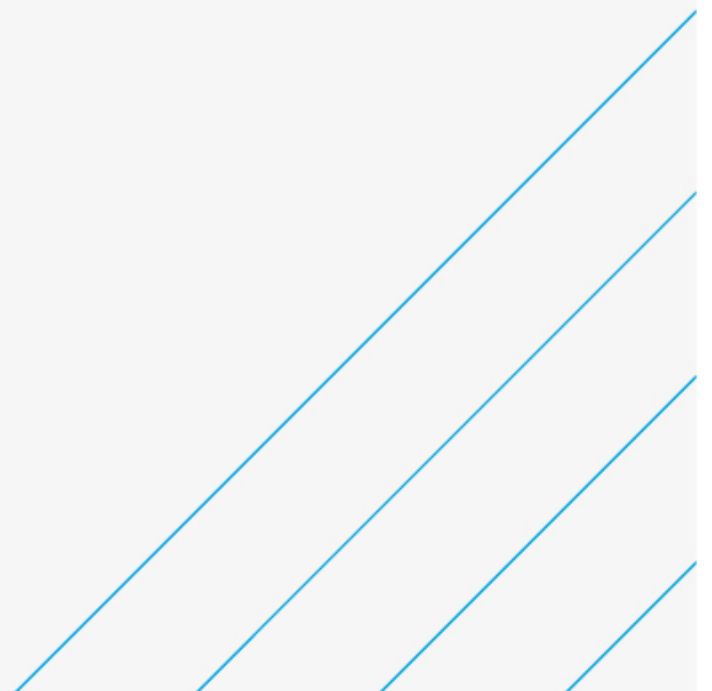
Appropriate Assessment (Screening Report)

Triogue Way, Portlaoise

Screening for Appropriate Assessment

Laois County Council

13/12/2023



Notice

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Document history

Revision	Purpose description	Originated	Checked	Reviewed	Authorised	Date
Rev 0.0	Draft for Comment	SK	SK	POD	POD	15-11-23
Rev 1.0	Final Report	SK & POD	POD	POD	POD	13-12-23

Client signoff

Client	Laois County Council
Project	Triogue Way, Portlaoise
Job number	5218136
Client signature / date	

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1. Introduction

WS Atkins Ireland Ltd (“Atkins”) was commissioned by Laois County Council (LCC) to prepare an Appropriate Assessment Screening Report in respect of a proposed cycleway scheme (“the proposed works”) known as the Triogue Way located at Portlaoise, Co. Laois. The proposed works are not directly connected with or necessary to the management of any designated sites for nature conservation.

The Portlaoise Local Area Plan 2018 – 2024 sets out a Policy Objective (NH P1) for Laois County Council stating the Council will *develop a Greenway/Blueway walking/cycling route along the River Triogue* with the aim of supporting sustainable travel patterns in Portlaoise town and to realise objectives set out in Portlaoise 2040 – A Vision for Portlaoise. The proposed development seeks to fulfil the stated policy objective.

The Triogue Way extends from the Páirc an Phobail/People’s Park to the Linear Park entrance gates (Green Mill Lane end), navigating through urban environments, streetscapes, car parks, private/public lands and woodland areas, for a total length of approximately 1.6 km (area = 1.46ha.). The development excludes any development adjacent to or under the Irish rail Bridge, identified on the Site Location Map. Where the route traverses private lands, agreements are in place with landowners to accommodate the proposed development. The development consists of a 3m wide (or as close to 3m as available) bituminous surface with associated public lighting and line marking.

This Appropriate Assessment Screening Report together with an Environmental Impact Assessment Screening Report have been prepared for the proposed development.

This report comprises the Appropriate Assessment Screening Report in respect of the proposed works and is intended to assist Laois County Council, in its capacity as the competent authority in this case, by providing it with sufficient evidence to make a properly informed determination as to whether or not Appropriate Assessment under Article 6(3) of the Habitats Directive (92/43/EEC) is required in respect of the proposed works.

1.1. Project Description

The scheme extends from Páirc an Phobail (People’s Park) to the entrance of Linear Park (at the Green Mill Lane end) and is outlined in Figure 1.1 below.

There is currently a bituminous surface walkway along a large portion of this route, through the public parks. However, the existing pathway is not wide enough to adequately accommodate cyclists and pedestrians safely. The proposed development runs close to the Triogue River in a number of areas.

The proposed works will comprise a combination of widening and painting of the existing pathways in public parks, a newly constructed cycleway through private properties and urban road environments.

The receiving environment is further described in Section 4 of this report. The proposed works are located within the Barrow WFD¹ Catchment; in places the proposed works boundary runs adjacent to the Triogue River and also crosses the river over existing bridge structures. The nearest designated European site is the River Barrow and River Nore SAC (site code: 002162), located approximately 6.6 km to the north via straight line distance and ca. 12km downstream via the Triogue River (see Figure 1.3). The Slieve Bloom Mountains SPA is located ca. 6.2km to the west of the proposed site boundary at the closest point.

The proposed works are not directly connected with or necessary to the management of any Natura 2000 site.

1.2. Development Details

A full set of Design Drawings is included in Appendix A.

- Triogue -1001-100 Scheme Overall Key Map – Part VIII

¹ WFD – Water Framework Directive.

- Triogue -1001-107 Proposed Cross Sections – Part VIII
- Triogue -1001-101 Proposed Layout Map 1
- Triogue -1001-102 Proposed Layout Map 2
- Triogue -1001-103 Proposed Layout Map 3
- Triogue -1001-104 Proposed Layout Map 4
- Triogue -1001-105 Proposed Layout Map 5
- Triogue -1001-106 Proposed Layout Map 6

The following assessment should be read in conjunction with the Drawings.

The proposed works will comprise the following elements: -

- Widen the existing 2m wide path to 3m, where possible. The path will be widened on the park side of the path, away from the river.
- Install ducting and appropriate public lighting. This was informed by a Lighting Report prepared by ASD Lighting.
- Demolition of stone wall structures where new openings are required within private lands. There is the requirement for 2 no. openings of 5m x 2.5m to be made through existing walls with a total of 24m² of material removed. This will facilitate access to 'Parish Lands' and 'Convent Lands'.
- Import granular fill to create 200mm deep formation layer for the proposed cycle lane.
- The Cycle Lane will be constructed of 40mm depth AC20 Dense bitumen macadam with a final 20mm deep wearing course of 10mm AC closed surface macadam. The proposed width of the cycle track is 3.0m. Appendix 2; Section B-B shows the proposed construction build-up of the track. There is no surface water drainage proposal for this area. Surface water will cross fall off the track and soak off into the environs as is currently in place.
- Install line marking to delineate walking and cyclist areas.
- Existing foot bridges across the Triogue River will be retained.
- Relocate the park benches and facilities where required; and,
- Trim or remove any trees if necessary to achieve head room for cyclists.
- Implementation of recommendations from *A Playful City Report* (refer to <https://www.aplayfulcity.com/>).
- Implementation of Ecological Recommendations.
- The extent of the proposed development is illustrated in Figures 1.1 below. Figure 1.2, 1.3 and 1.4 illustrates the proposed development against the backdrop of adjoining watercourses, candidate Special Areas of Conservation and Special Protection Areas respectively.

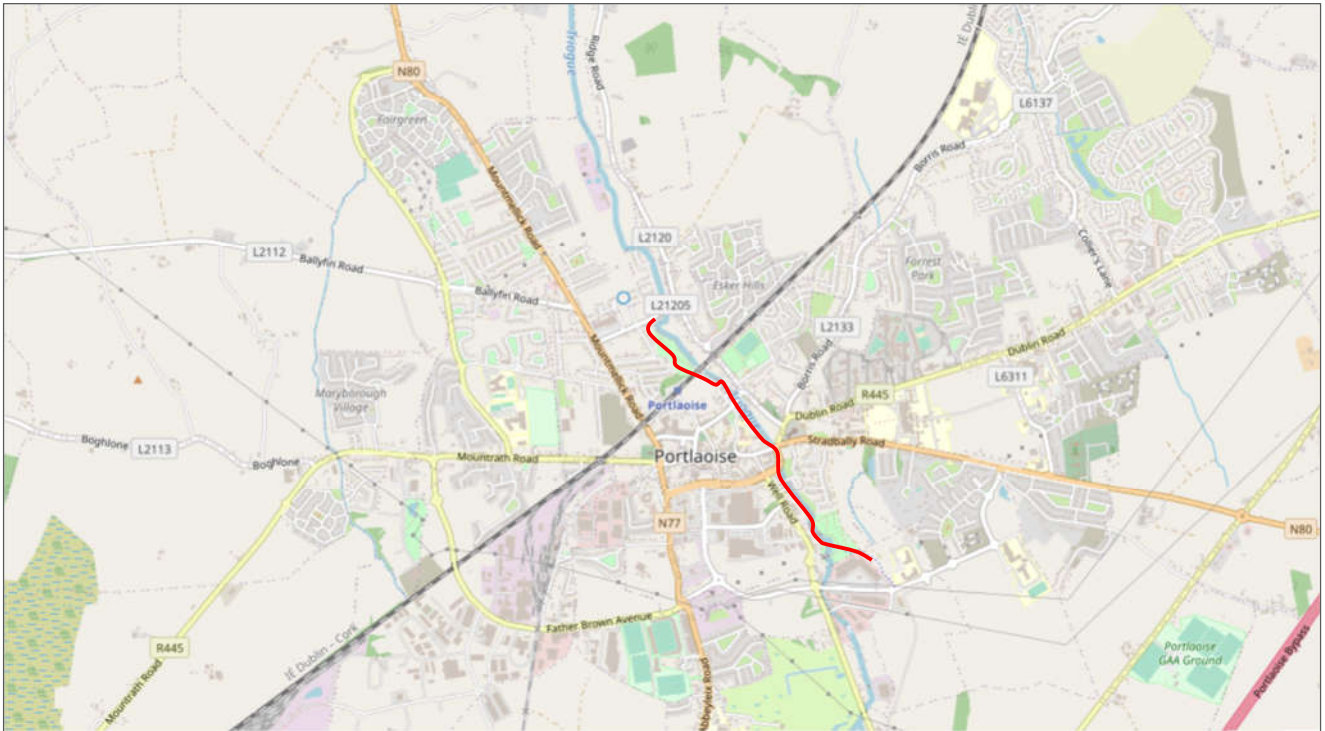


Figure 1.1 Scheme Extents for Triogue Way Greenway (red outline) (Source: EPA Mapviewer).

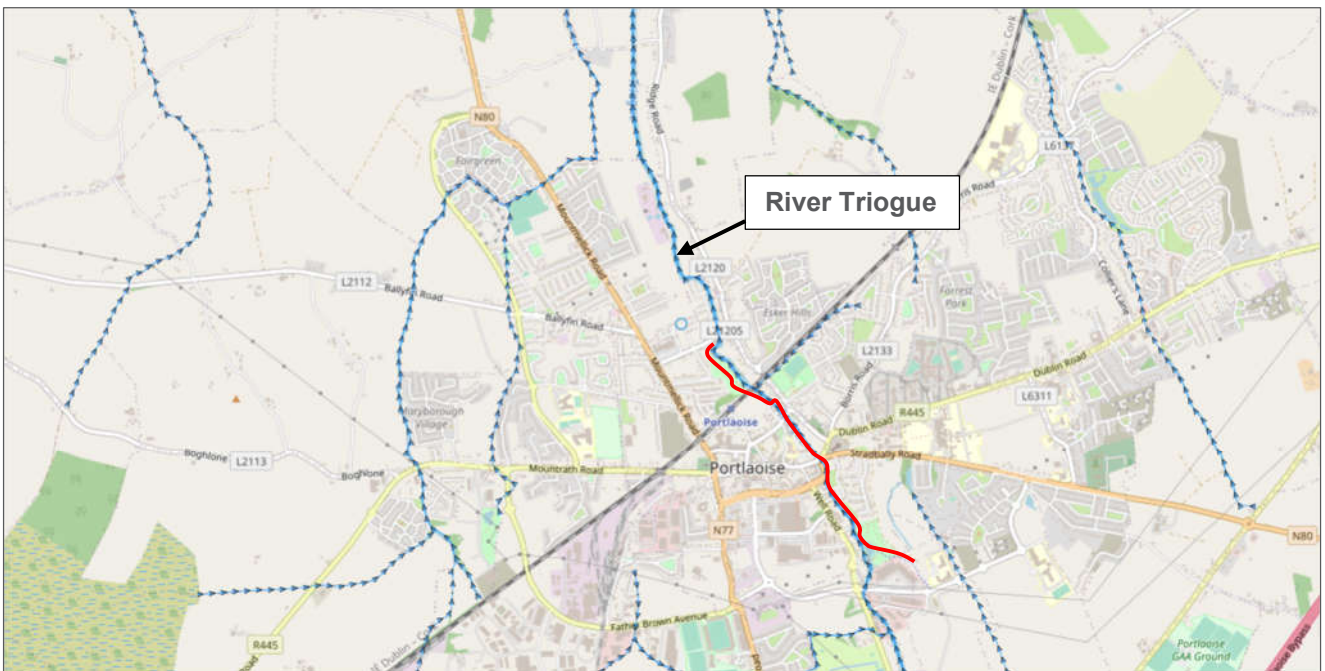


Figure 1.2 Scheme Extents for Triogue Way Greenway (red outline) and proximate watercourses (Source: EPA Mapviewer).

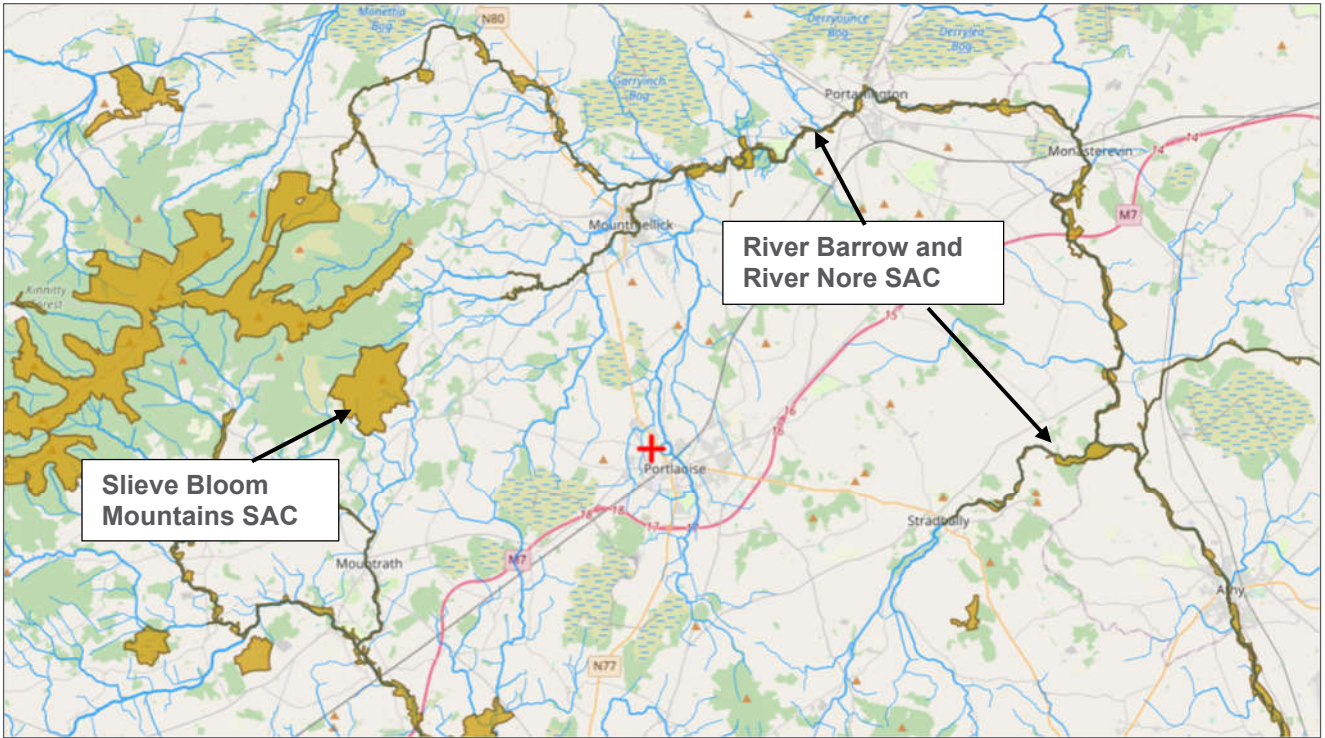


Figure 1.3 Scheme Extents for Triogue Way Greenway (red cross) in relation to proximate SACs (orange areas) (Source: EPA Mapviewer).

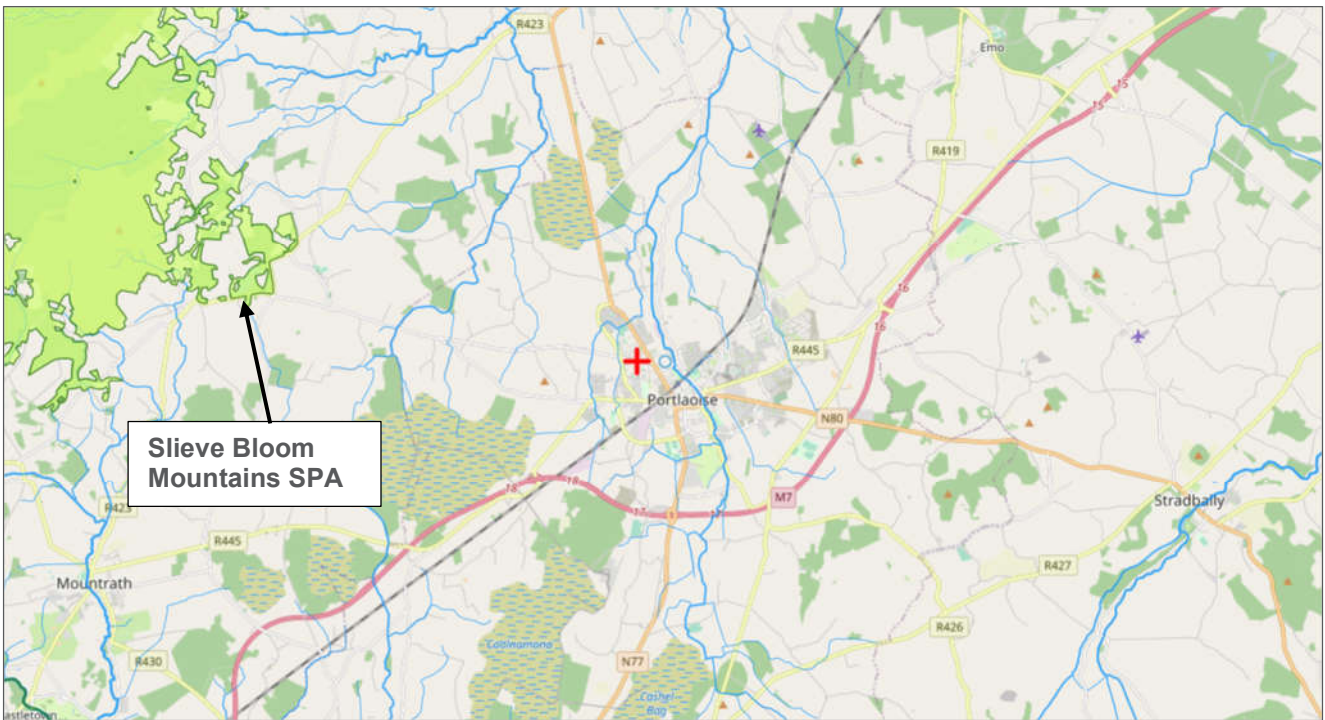


Figure 1.4 Scheme Extents for Triogue Way Greenway (red cross) in relation to proximate SPAs (yellow areas) (Source: EPA Mapviewer).

1.3. Construction Methodology

The Construction period for the proposed scheme is 12 months and can be summarised as follows. This should be read in combination with the Design Drawings which are presented in Appendix A.

1.3.1. Cycle path Construction

Works will commence with the clearance and off-site removal of redundant road signage, boundary treatment, road surface materials and topsoil. The works will be undertaken using a combination of operatives using hand tools, mechanical excavators and dumper trucks. To facilitate the main works, underground utilities which conflict with the main works will be uncovered using mechanical excavators and hand digging where appropriate. The need for significant utility diversions is not envisaged as part of the works; instead, a 'lower and protect' approach will be favoured. This is likely to be restricted to locations where the walking and cycling facilities cross or interface with public roads.

Following this, the initial pavement and cycle track construction phase will be undertaken. This will include the excavation and removal of the existing stone, soil, concrete and bitumen materials along the route followed by the installation of new path and track base materials. Excavations will be largely undertaken by mechanical means, with any spoil arisings to be removed off site or reused locally where testing confirms its suitability. The proposed project involves an anticipated maximum excavation depth of 0.7m bgl (below ground level) to facilitate the base layers for the proposed footpaths / pavements and the ducting for the signalling associated with the scheme. The base layers of the pavement and track are to be made of compacted stone materials.

The works will also involve constructing the civil engineering elements required to facilitate the commissioning of the public lighting elements at the latter stages of construction. Service chambers and underground duct sets will be laid within trenches and backfilled with granular material. Public lighting columns will be erected, and ducting connections will be made to the base of each pole unit. Following completion of the lighting elements, the final pavement surface course will be laid using an asphalt paving machine followed by compaction using a vibrating roller.

1.3.2. Road Resurfacing

The scheme also involves the resurfacing of impacted sections of the roadways and painting of new road markings within the scheme footprint. The existing road surface course layer will be planed-out where required within the scheme extents with planings being removed off site. The planed-out area will be replaced with Hot Rolled asphalt (HRA) or Stone Mastic Asphalt (SMA) surface course ca. 40mm - 60mm thick. Additional to this, and where required, additional bituminous layers may be replaced in localised areas where there is evidence of pavement failure. It is not envisaged that the foundations layers (i.e., sub-base or capping) will require replacement. Following road resurfacing new road markings will be painted on road surfaces.

1.3.3. Footpath Construction

The construction of the cycleway will also involve relocation and installation of footpaths and kerbs adjacent to the cycleway. Footpaths will be constructed similar to the cycleway; excavation of existing footpath with materials removed off site to a licenced waste facility; excavations along footpath alignment to depths of maximum 700 mm; infill of footpath subbase materials (compacted stone) and the pouring of concrete footpaths in shuttered sections. A ca. 60mm high poured concrete kerb will also be installed along the footpath edge.

1.3.4. Drainage Alterations

Drainage works, which will run in tandem with the pavement construction phase, are considered to be minimal and restricted to areas where the scheme interfaces with the public road. The drainage works at these locations are limited to the relocation of existing road gullies with the larger existing road drainage infrastructure (i.e., carrier drains) not being altered or adjusted. During these works the main carrier drains will be isolated / blocked off from works activities / work zones to facilitate the relocation of drainage gullies.

Typically, drainage will be provided using new gullies (relocated to alongside the proposed kerb positions) connecting to the existing surface water drainage infrastructure / main carrier drain. The new footpaths and cycle

tracks will generally slope towards the road in order to minimise the need for additional drainage collection measures specific to these facilities. Alternatively, and where the proposed scheme results in a marked increase in catchment area (due to an increased hard-standing area), sections of footway and/or cycle track will be constructed using either porous surfacing; or where appropriate, the cross-fall will fall towards an adjacent grass verge (thus not discharging into the surface water network). The existing surface water drainage network along the roadways of the project site are assumed to outfall to the neighbouring River Triogue.

- To ensure there is no contamination of the drainage networks (and downstream watercourses) during the course of construction works the following measures are proposed for all existing drainage gullies within 50m of the project site: -
- Drain guards' socks will be installed around all existing gully inlets within 50m of the project site (Ultra Drain Guard30 or similar).

The drain guards will be inspected regularly by the contractor during the working day and weekly during construction, and in particular following heavy rainfall to ensure they remain efficient for the duration of the project.

1.3.5. Verge Reinstatement

For soft landscaping areas topsoil profiles will be graded to tie into the new pavement levels followed by grass seeding. The top soiling and seeding will be undertaken using a combination of mechanical excavator, tractor unit drawing a rotavator / rake / seed spreader and also operatives using hand tools for areas where machinery access is unavailable.

There is the requirement for 2 no. openings of 5m x 2.5m to be made through existing walls with a total of 24m² of material removed. This will facilitate access to 'Parish Lands' and 'Convent Lands'.

1.3.6. Traffic Management

The construction of the cycleway will be carried out in short segments on one side of the roadway at a time to allow for continued traffic flow and will progress along the roadways, as such individual work zones will be relatively small.

1.3.7. Junctions

The proposed junctions are to include kerb upstands throughout (except at crossing points), providing vertical segregation and thereby increasing protection to the cycle tracks.

1.3.8. Site Compound

It will be the responsibility of the Contractor to determine a suitable location for the site compound within the proposed development area, but away from any identified environmental sensitive receptors (watercourses, designated sites etc.), so as to avoid potential impacts to the environment and the general public. The final proposed site compound location will be subject to Client approval and will not be within 25m of the Triogue River.

Appendix A which accompanies this report, includes the full-scale Design Drawing Pack, with the Proposed Layout Maps for the Triogue Way proposed works.

1.3.9. Flooding

A Strategic Flood Risk Assessment (SFRA) was undertaken as part of Portlaoise Local Area Plan 2018-2024 and states that *'The Triogue River is the main source of fluvial flooding in the town'*. There have been 14 no. historic flooding events recorded by the OPW (2023). The OPW CFRAM flood mapping indicates that there is a high probability of flooding within the proposed scheme.

All works are to existing infrastructure within the urban fabric of Portlaoise. Current Laois County Council management measures are to limit access to these areas during periods of flooding. The shared footpath and

cycleway will be finished with a bound surface and so will prevent any siltation or material being washed into the river in a flood situation. In general, there will be a vegetated verge between the river and the shared surface.

Access points from public roads or paths onto sections of the Triogue Way that may be susceptible to flooding risk will be closed and signed appropriately as is currently the situation in the existing parks when elevated water levels occur from periods of prolonged adverse wet weather or intense rainfall events.

2. Scope of Study

This report comprises the Appropriate Assessment Screening Report in respect of the proposed works intended to provide supporting information to assist Laois County Council, in its capacity as the competent authority, in making its Appropriate Assessment Screening Determination in respect of the proposed works.

2.1. Legislative Context

2.1.1. Natura 2000

Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (“the Habitats Directive”) is a legislative instrument of the European Union (EU) which provides legal protection for habitats and species of Community interest. Article 2 of the Directive requires the maintenance or restoration of such habitats and species at a favourable conservation status, while Articles 3 to 9, inclusive, provide for the establishment and conservation of an EU-wide network of special areas of conservation (SACs), known as Natura 2000, which also includes special protection areas (SPAs) designated under Article 4 of Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (“the Birds Directive”). Both SACs and SPAs are commonly referred to as “European sites” or “Natura 2000 sites”.

SACs are selected for natural habitat types listed on Annex I to the Habitats Directive and the habitats of species listed on Annex II to the Habitats Directive. SPAs are selected for species listed on Annex I to the Birds Directive and other regularly occurring migratory species. The habitats and species for which a Natura 2000 site is selected are referred to as the “qualifying interests” of that site and each is assigned a “conservation objective” aimed at maintaining or restoring its “favourable conservation condition” at the site, which contributes to the maintenance or restoration of its “favourable conservation status” at national and European levels.

2.1.2. Appropriate Assessment

Article 6 of the Habitats Directive deals with the management and protection of Natura 2000 sites. Articles 6(3) and (4) set out the decision-making process, known as “Appropriate Assessment” (AA), for plans or projects in relation to Natura 2000 sites. Article 6(3) states: -

“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. In the light of the conclusions of the assessment of the implications 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.”

The first sentence of Article 6(3) provides a basis for determining which plans and projects require AA, i.e., those “not directly connected with or necessary to the management of [one or more Natura 2000 sites] but likely to have a significant effect thereon, either individually or in combination with other plans or projects”. In *Waddenzee* (C-127/02), the Court of Justice of the European Union (CJEU) ruled that significant effects must be considered “likely” if “it cannot be excluded, on the basis of objective information”, that they would occur. This clearly sets a low threshold, such that AA is required wherever there is a reasonable possibility of significant effects on a Natura 2000 site. In the same judgment, the CJEU established that the test of significance relates specifically to the conservation objectives of the site concerned, i.e., “significant effects” are those which, “in the light, inter alia, of the characteristics and specific environmental conditions of the site”, could undermine the site’s conservation objectives. In addition to the effects of the plan or project on its own, the combined effects arising from the plan or project under consideration and other plans and projects must also be assessed (see Section 7 for more details).

The last part of the first sentence of Article 6(3) defines AA as an assessment of the “implications [of the plan or project] for the site in view of the site’s conservation objectives”. In the second sentence, Article 6(3) requires that, prior to agreeing to a plan or project, the competent authority must “ascertain” that “it will not adversely affect the integrity of the site concerned”. In *Sweetman v. An Bord Pleanála* (C-258/11), the CJEU ruled that a plan or

project “will adversely affect the integrity of that site if it is liable to prevent the lasting preservation of the constitutive characteristics of the site that are connected to the presence of a priority natural habitat whose conservation was the objective justifying the designation of the site in the list of sites”. On that basis, EC (2018) described the “integrity of the site” as “the coherent sum of the site’s ecological structure, function and ecological processes, across its whole area, which enables it to sustain the habitats, complex of habitats and/or populations of species for which the site is designated”. As such, the “integrity” of a specific site is defined by its conservation objectives and is “adversely affected” when those objectives are undermined. In *Waddenzee*, the CJEU ruled that the absence of adverse effects can only be ascertained “where no reasonable scientific doubt remains”.

The “precautionary principle” applies to all of the legal tests in AA, i.e., in the absence of objective information to demonstrate otherwise, the worst-case scenario is assumed. Where the tests established by Article 6(3) cannot be satisfied, Article 6(4) applies (see explanation in Section 2.2, below).

2.1.3. Competent authority

The requirements of Articles 6(3) and (4) are transposed into Irish law by, inter alia, Part 5 of the European Communities (Birds and Natura Habitats) Regulations, 2011 (as amended) (“the Habitats Regulations”) and Part XAB of the Planning and Development Act, 2000 (as amended) (“the Planning and Development Acts”). As per the second sentence of Article 6(3), it is the “competent national authorities” who are responsible for carrying out AA and, by extension, for determining which plans and projects require AA. The competent authority in each case is the authority responsible for consenting to or licensing a plan or project, e.g., local authorities, An Bord Pleanála, Transport Infrastructure Ireland (TII) or a Government Minister. In all cases, it is the competent authority who is ultimately responsible for determining whether or not a plan or project requires AA and for carrying out the AA, where required.

2.2. Appropriate Assessment Process

The AA process can be described as being made up of three distinct stages, as described below, the need to progress to each stage being determined by the outcome of the preceding stage.

Stage 1: Screening – This stage involves a determination by the competent authority as to whether or not a given plan or project required AA. As explained in Section 2.1, AA is required in respect of any plan or project not directly connected with or necessary to the management of a Natura 2000 site, but for which the possibility of likely significant effects on one or more Natura 2000 sites cannot be excluded. In *People Over Wind* (C-323/17), the CJEU ruled that measures intended to avoid or minimise harmful effects on a Natura 2000 site cannot be considered in making this determination. Consideration of the potential for in-combination effects is also required at this stage.

Stage 2: Appropriate Assessment – This stage involves a detailed assessment of the implications of the plan or project, individually and in combination with other plans and projects, for the integrity of the Natura 2000 site(s) concerned. This stage also involves the development of appropriate mitigation to address any adverse effects and an assessment of the significance of any residual impacts following the inclusion of mitigation. In *Kelly v. An Bord Pleanála* (IEHC 400), the High Court ruled that a lawful AA must contain complete, precise, and definitive findings based on examination and analysis, and conclusions and a final determination based on an evaluation of the findings. In the same judgment, the High Court stressed that, in order for the findings to be complete, precise, and definitive, the AA must be carried out in light of best scientific knowledge in the field and cannot have gaps or lacunae. In *Holohan v. An Bord Pleanála* (C-461/17), the CJEU clarified that AA must “catalogue the entirety of habitat types and species for which a site is protected” (i.e. the qualifying interests of the site) and assess the implications of the plan or project for the qualifying interests, both within and outside the site boundaries, and other, non-qualifying interest habitats and species, whether inside or outside the site boundaries, “provided that those implications are liable to affect the conservation objectives of the site”. The proposer of a plan or project requiring AA is furnishes the competent authority with the scientific evidence upon which to base its AA by way of a Natura Impact Statement (NIS) or Natura Impact Report (NIR). If it is not possible to ascertain that the plan or project will not adversely affect one or more Natura 2000 sites, authorisation can only be granted subject to Article 6(4).

Stage 3: Article 6(4) – If a plan or project does not pass the legal test at Stage 2, alternative solutions to achieve its aims must be considered and themselves subject to Article 6(3). If no feasible alternatives exist, authorisation can only be granted where it can be demonstrated that there are imperative reasons of overriding public interest

(IROPI) justifying its implementation. Where this is the case, all compensatory measures must be taken to protect the overall coherence of Natura 2000.

The three stages described above are illustrated in Figure 2.1.

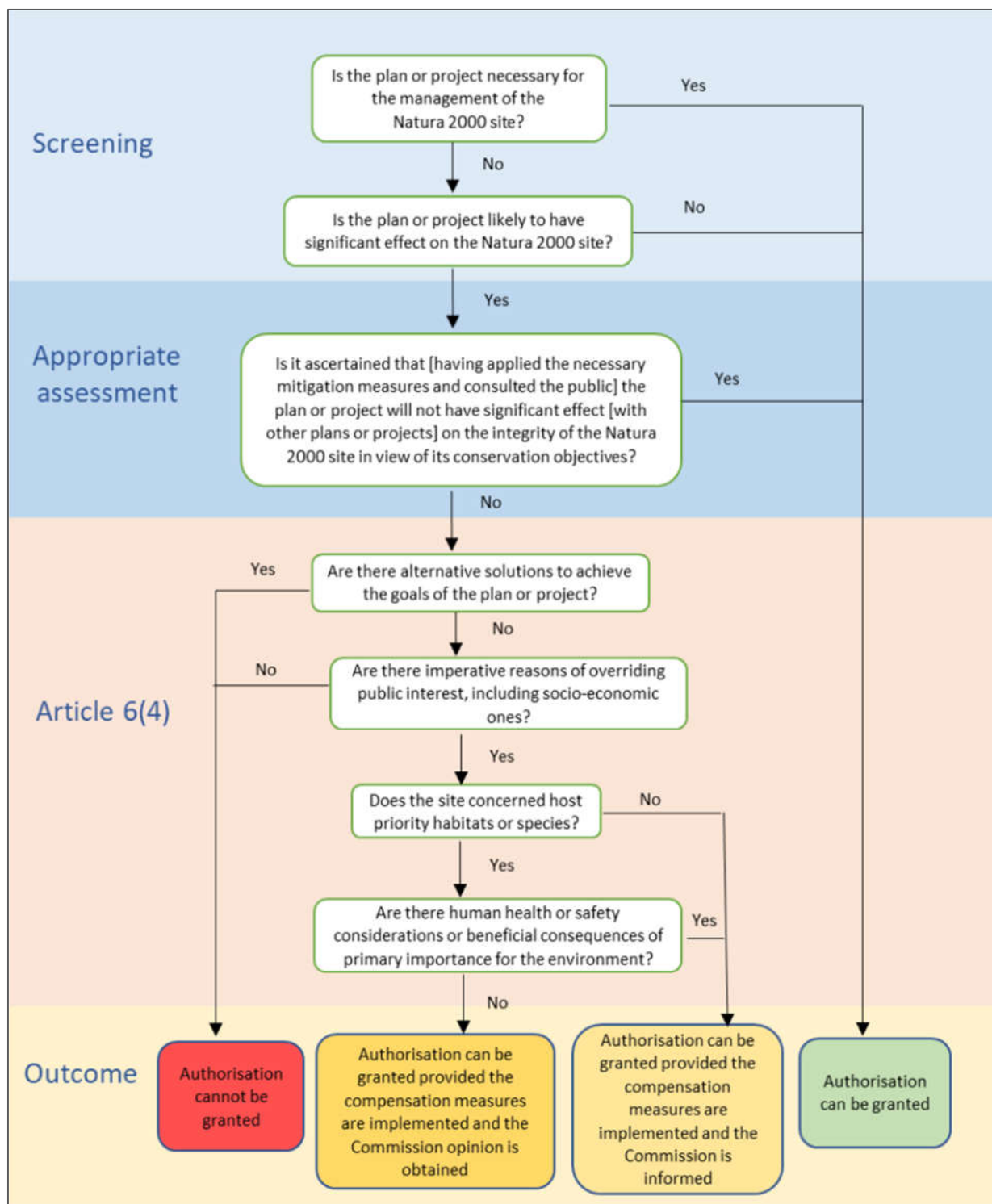


Figure 2.1 Stages of the Appropriate Assessment process (EC, 2021a).

3. Methods

3.1. Legislation and Guidance

This report was prepared with due regard to the relevant European and Irish legislation, case law and guidance, including but not limited to: -

- Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild flora and fauna. *Official Journal of the European Communities* L 206/7-50.
- Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds. *Official Journal of the European Union* L 20/7-25.
- European Communities (Birds and Natural Habitats) Regulations, 2011. *S.I. No. 77/2011* (as amended) (“the Habitats Regulations”).
- Planning and Development Act, 2000. *No. 30 of 2000* (as amended) (“the Planning and Development Acts”).
- Planning and Development Regulations, 2001. *S.I. No. 600/2001* (as amended) (“the Planning Regulations”).
- EC (2018) *Managing Natura 2000 sites: The provisions of Article 6 of the ‘Habitats’ Directive 92/43/EEC*. European Commission, Brussels.
- EC (2021a) *Assessment of plans and projects in relation to Natura 2000 sites: Methodological guidance on the provisions of Articles 6(3) and (4) of the Habitats Directive 92/43/EEC*. *C(2021) 6913*. European Commission, Brussels.
- EC (2021b) *Guidance document on the strict protection of animal species of Community interest under the Habitats Directive*. *C(2021) 7301*. European Commission, Brussels.
- DEHLG (2010a) *Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities. Revised 11/02/2010*. Department of the Environment, Heritage and Local Government, Dublin.
- DEHLG (2010b) *Circular NPW 1/10 & PSSP 2/10. Dated 11/03/2010*. Department of the Environment, Heritage and Local Government, Dublin.
- NPWS (2012a) *Marine Natura Impact Statements in Irish Special Areas of Conservation. A Working Document. April 2012*. National Parks & Wildlife Service, Department of Arts, Heritage and the Gaeltacht, Dublin.
- NPWS (2021) *Guidance on the Strict Protection of Certain Animal and Plant Species under the Habitats Directive in Ireland. National Parks & Wildlife Service Guidance Series 1*, Department of Housing, Local Government and Heritage, Dublin.
- Mullen, E., Marnell, F. and Nelson, B. (2021) *Strict Protection of Animal Species – Guidance for Public authorities on the Application of Articles 12 and 16 of the EU Habitats Directive to development/works undertaken by or on behalf of a Public authority. National Parks & Wildlife Service Guidance Series 2*, Department of Housing, Local Government and Heritage, Dublin.
- OPR (2021) *Appropriate Assessment Screening for Development Management. OPR Practice Note PN01*. Office of the Planning Regulator, Dublin.
- *Applications for Approval for Local Authority Developments made to An Bord Pleanála under 177AE of the Planning and Development Act, 2000, as amended (Appropriate Assessment) – Guidelines for Local Authorities*.

- Case law, including *Waddenzee* (C-127/02), *Sweetman v. An Bord Pleanála* (C-258/11), *Kelly v. An Bord Pleanála* (IEHC 400), *Commission v. Germany* (C-142/16), *People Over Wind* (C-323/17), *Holohan v. An Bord Pleanála* (C-461/17), *Eoin Kelly v. An Bord Pleanála* (IEHC 84) and *Heather Hill* (IEHC 450).
- Sundseth, K. and Roth, P. (2014) *Article 6 of the Habitats Directive – Rulings of the European Court of Justice*. Ecosystems LTD (N2K Group), Brussels.

3.2. Desk Study and Consultation

A desktop study was carried out to collate information available on European sites in the vicinity of the proposed project. These areas were viewed using Google Earth, Google maps and Bing maps (last accessed on the 28th of September 2023).

The National Parks and Wildlife Service (NPWS) and National Biodiversity Data Centre (NBDC) online databases were reviewed concerning European sites and their features of interest in the vicinity of the proposed project.

The locations and boundaries of Natura 2000 sites in relation to the proposed works were reviewed on the NPWS Designations Viewer (NPWS, 2023c). Information on the qualifying interests and the structures and functions of the relevant Natura 2000 sites was found in the Site Synopsis, Natura 2000 Standard Data Form, Conservation Objectives and supporting documents for each site. Reporting under Article 17 of the Habitats Directive (NPWS, 2019a-c; ETC/DB, 2023a) and Article 12 of the Birds Directive (NPWS, 2023d; ETC/BD, 2023b) provided further information on the habitats and species concerned at the national level.

Spatial and other data regarding rivers and other waterbodies were obtained from the Environmental Protection Agency (EPA) using its online facility EPA Maps: Water (EPA, 2023). Other sources consulted included the National Biodiversity Data Centre (NBDC) Biodiversity Maps (NBDC, 2023), the Ordnance Survey Ireland (OSi) GeoHive Map Viewer (OSi, 2023) and the Environmental Sensitivity Mapping Tool (ESM Webtool, 2023).

Other plans and projects in the surrounding area were identified using the Laois County Council planning enquiry system. Search criteria were implemented to identify other plans and project with potential, in combination with the proposed works, to adversely affect the integrity of European sites.

Baseline data regarding the receiving environment, including Natura 2000 sites, was gathered through desk study and consultation with relevant bodies, most importantly the National Parks & Wildlife Service (NPWS).

3.3. Site Visit

An ecological walkover survey was carried out on the proposed works on the 17th of July 2023. The survey was undertaken for the purpose of identifying ecological constraints and sensitive ecological feature within the proposed works area.

Ecological survey methods were in general accordance with those outlined in the following documents: -

- *A Guide to Habitats in Ireland* (Fossitt, 2000).
- *Best Practice Guidance for Habitat Survey and Mapping* (Smith et al., 2011).
- *Ecological Surveying Techniques for Protected Flora and Fauna during the Planning of National Road Schemes* (NRA, 2009).

Potential sensitive ecological receptors present within the survey area were recorded, including the presence of protected species and habitats or habitats that would support protected species, in addition to noting connectivity to Natura 2000 sites. Any presence of non-native invasive species was also recorded.

3.4. Statement of Authority

This report was prepared by Sinéad Kinsella. This report was authorised and reviewed by Paul O'Donoghue.

Sinéad Kinsella has a BSc in Applied Freshwater and Marine Biology. She has experience in preparing Appropriate Assessment Screening Reports, Natura Impact Statements and prepares Ecological Impact Assessment Reports and undertakes a range of ecological surveys (e.g., mammal and bat surveys) for a range of proposed developments.

Paul O'Donoghue is an Associate Director at Atkins. Paul holds a BSc (Zoology), MSc (Behavioural Ecology) and a PhD (Avian Ecology and Genetics). Paul is a Chartered member of the Society for the Environment (CEnv) and a Full Member of the Chartered Institute of Ecology and Environmental Management (MCIEEM). Paul has over 18 years' experience in ecology; including extensive experience in the preparation of Habitat Directive Assessments / Natura Impact Statements (i.e., Appropriate Assessment under Article 6(3) of the EU Habitats Directive).

4. Existing Environment

The Triogue River, located in places adjacent to the proposed works site, is a tributary of the River Barrow. It is c. 10km from the proposed works site to its confluence with the main channel of the River Barrow.

4.1. Desktop Review

The proposed path in Triogue Linear Park is within the Ridge of Portlaoise pNHA, a site of national importance (site code 000876). The proposed works are however restricted to areas of amenity grassland and not within habitats for which the pNHA has been designated.

The Triogue River is located in Hydrometric Area no.14 – the Barrow catchment and the subcatchment Barrow_SC_020.

Q-values, a biological water quality metric based on the composition of a river's macroinvertebrates community, detail the River Triogue as being of 'Poor' (Q3) ecological condition at an EPA sampling station 'Kyle Bridge' in 2020, c. 1.7km downstream of the proposed works site and also of 'Moderate' (Q3-4) ecological condition at an EPA sampling station 'Bridge 1.6km u/s Portlaoise', c. 860m upstream of the proposed works site.

As mentioned, the proposed works runs adjacent to the Triogue River and also crosses the Triogue River at points along the proposed works. The River Barrow and River Nore SAC is located c. 12.5km to the north, downstream of the proposed works site via the adjacent watercourse pathway and c. 6.8km via straight line distance to the nearest point of the SAC.

According to Article 17 data downloaded from the NPWS (last downloaded 06/12/2022), hydrophilous tall herb [6430] is located within 10km of the proposed works site (Grid Reference: N70). Distribution of this habitat in the River Barrow and River Nore SAC is currently unknown. It is considered to occur in association with some riverside woodlands, unmanaged river islands and in narrow bands along the floodplain of slow-flowing stretches of river (NPWS 2011). The NBDC database shows records for white-clawed crayfish (*Austropotamobius pallipes*) within the Triogue River, c. 2.8km upstream of the most easterly point of the proposed works site, adjacent to Portlaoise Golf Club.

Inland Fisheries Ireland conducted a catchment wide electrofishing survey in the River Barrow catchment in 2015 (Delanty *et al.*, 2017). This included four bridge locations downstream of Portlaoise on the River Triogue. Fish species encountered included brown trout (*Salmo trutta*), Atlantic salmon (*Salmo salar*), dace (*Leuciscus leuciscus*), lamprey (*Lampetra* sp.), 3 spined stickleback (*Gasterosteus aculeatus*), stone loach (*Barbatula barbatula*), European eel (*Anguilla anguilla*), minnow (*Phoxinus phoxinus*) and gudgeon (*Gobio gobio*). The survey identified that salmon and brown trout densities were poor relative to other rivers sampled in the River Barrow catchment and all sites surveyed were assigned less than "good status" (Delanty *et al.*, 2017).

Surveys conducted for lamprey species within the River Barrow and River Nore SAC during June and October 2004 yielded negative results for the main stem of the River Barrow, which the Triogue River conjoins to, with juvenile lamprey captured at four locations- two upstream of Monasterevin and two between Monasterevin and Carlow. Individual transformers of *Lampetra* were captured at two sites, one upstream of Monasterevin and one at Maganey. No ammocoetes of Petromyzon, the sea lamprey, were captured in any of the main channel sites examined (King, 2006). Gallagher *et al.* (2019) also recorded lamprey larvae (Brook / River lamprey) from the main channel of the Barrow between Portarlinton and Mountmellick which is located c. 9km to the north of the proposed works site.

Otter (*Lutra lutra*) are widespread within the Barrow catchment. NBDC data notes otter records within the proposed works area. Otter use watercourses as commuting routes and foraging areas, with their banks offering places of shelter and breeding.

The River Barrow and its tributaries, including the Triogue River, are located within the Barrow *Margaritifera*-sensitive Area, which is a 'Catchment with previous records of *Margaritifera*, but current status unknown'. The Conservation Objectives document (NPWS, 2011) states that "*The status of the freshwater pearl mussel (Margaritifera margaritifera) as a qualifying Annex II species for the River Barrow and River Nore SAC is currently under review. The outcome of this review will determine whether a site-specific conservation objective is set for*

this species". There are no Nore Freshwater Pearl Mussel (*Margaritifera durrovensis*) in the River Barrow or the Triogue River.

Triogue Linear Park is located within Ridge of Portlaoise proposed Natural Heritage Area (site code: 000876). The key habitats and species for which this site is designated include: esker ridge, ash/hazel woodland, species-rich grassland, disused gravel pits. However, the Ridge of Portlaoise pNHA has been subject to significant change, especially within Portlaoise and environs. The works area within Triogue Linear Park is characterised by amenity grassland and built lands. There will be no impact on esker ridge, ash/hazel woodland, species rich grassland or old quarry pits. The nearest habitat of note is an area of species rich calcareous grassland at the corner of Millview (L2120) / Dublin Road; Bernridge Graveyard. This is outside the works area for the Triogue Way.

There is 1 no. wetland within the immediate vicinity of the proposed scheme and 2 no. wetlands within 300m of the scheme (Wetland Surveys Ireland²): -

- Borris Little Pond (WMI_LA311), unknown importance, is located adjacent to scheme (known also as Páirc an Phobail lake);
- Esker Hill Estate Pond (WMI_LA213), unknown importance, is located ca. 100m east of scheme; and,
- Beladd Pond (WMI_LA210), local importance, is located ca. 300m east of scheme (known also as Glendowns Pond).

Due to the nature and scale of the proposed scheme, it is not anticipated that the proposed scheme will have a significant impact on these wetlands.

4.2. Previous Studies

A previous design proposal for the greenway was the subject of baseline ecology assessments. Documents prepared were as follows: -

1. Boston, E. (2020). Bat Survey Report for Phase 1, 2 and 3 of Portlaoise Blueway Cycle Scheme. Prepared for Laois County Council.
2. CAAS (2020a). Ecological Impact Assessment for Part B (Phases 2 & 3) of the proposed Triogue Blueway (Cycleway Scheme) at Portlaoise, Co. Laois. Prepared for Laois County Council.

In the southern end of the scheme (centred on Páirc an Phobail) three bat species were identified soprano pipistrelle (*Pipistrellus pygmaeus*), common pipistrelle (*Pipistrellus pipistrellus*) and Leisler's bat (*Nyctalus leisleri*) (Boston, 2020). Both soprano pipistrelle and common pipistrelle were also noted along the pathway running between Páirc an Phobail and the N80. Along the second section of the 2020 transect which began at the former Convent grounds along Ridge Road, soprano pipistrelles were heard at a bridge over the River Triogue, and common pipistrelle were noted foraging up and down the river at the entrance to the River Triogue Linear Park. Common pipistrelle and Leisler's bat were recorded within Triogue Linear Park. Daubenton's bat (*Myotis daubentonii*) have previously been recorded feeding along the River Triogue.

Ecological Recommendations with respect to bats are included in Appendix A (from Boston, 2020).

There was no evidence of otter "*including resting places, natal dens/holts or couches recorded during the course of field surveys*" undertaken by CAAS (2020a). Similarly, there was no evidence of any badger setts (CAAS, 2020a). Grey wagtail (*Motacilla cinerea*) was recorded on the Triogue near Bridge Street and the railway arch (this study) and was noted by CAAS (2020a) near the railway arch. Grey wagtail is on the red list of bird species of conservation concern (Gilbert *et al.*, 2021). Habitats on site ranged from Low Local, Lower value to Low Local, Higher value (CAAS, 2020a).

A proposal to develop a Greenway from Páirc an Phobail to Ballyfin Road was considered by CAAS in 2020. The current proposal considers a shorter stretch of path extending from Páirc an Phobail to Green Mill Lane, including

² <https://www.wetlandsurveysireland.com/index.html>

proposed improvements to section of path within both Páirc an Phobail and Triogue Linear Park (CAAS, 2020b). CAAS's assessment found that this original proposal did not Screen Out and prepared a Natura Impact Statement - *Appropriate Assessment Screening and Natura Impact Statement in support of the Appropriate Assessment for Part B (Phases 2 & 3) of proposed Triogue Blueway (Cycleway Scheme) at Portlaoise, Co. Laois*. However, one key difference between the original proposal and the current project is that the current proposal does not include for the widening of any bridges along the scheme. Such work would represent the main risk to water quality in the River Triogue. The current proposal also differs in that close to the River Triogue, the path will be preferentially widened away from the river; riverside vegetation is to be retained and where adequate width is not available the path will not be widened up to the river; rather the existing 2m width will be retained. Risks to water quality is discussed further below.

The section of path from Páirc an Phobail to the Southern Circular Road has been completed and is open to the public (see Plate 4.1).

CIEEM *Advice Note on the Lifespan of Ecological Reports and Surveys* (CIEEM, 2019) was consulted with respect to use of data collated in the above reports to inform this assessment. The site was revisited to consider whether the data could continue to be used.

4.3. Site Photos

The following section presents a photo essay of the proposed Greenway starting from Páirc an Phobail on the southern end.

4.3.1. Páirc an Phobail

See Drawing Triogue 1001-101 and Triogue 1001-102 (Appendix A).



Plate 4.1 Páirc an Phobail - Signs illustrate start of proposed development.



Plate 4.2 Páirc and Phobail (looking north) where existing footpaths to be widened/lit.



Plate 4.3 Existing foot path and cycle lane in Páirc an Phobail which is to be improved (lake is to the left of the path).



Plate 4.4 Area of managed species rich grassland, Páirc an Phobail (left).



Plate 4.5 Bat box erected on bird tree to left of existing path (going north) (middle).



Plate 4.6 Bat and bird boxes erected on a pole in the Páirc (right).



Plate 4.7 Area of managed species rich grassland close to the northern exit from Páirc an Phobail.



Figure 4.8 Pathways cut through species rich grassland.



Plate 4.9 Exit from Páirc an Phobail continuing along the existing cycle lane and footpath north.



Plate 4.10 Exit from Páirc an Phobail looking north (left).

Plate 4.11 View back south towards Páirc an Phobail (right).

4.3.2. Páirc an Phobail to N80 (Going North)

See Drawing Triogue 1001-102 and Triogue 1001-103 (Appendix A).



Plate 4.12 Pathway from Páirc an Phobail north to the N80 alongside the Triogue River.



Plate 4.13 Páirc an Phobail pathway looking northwards as one progresses to the N80.



Plate 4.14 Narrowing of Páirc an Phobail pathway to N80 existing narrow cycle lane and footpath.



Plate 4.15 Japanese knotweed growing on the opposite side of the river.



Plate 4.16 View north to along narrow path to lane at Rankin's Wood.

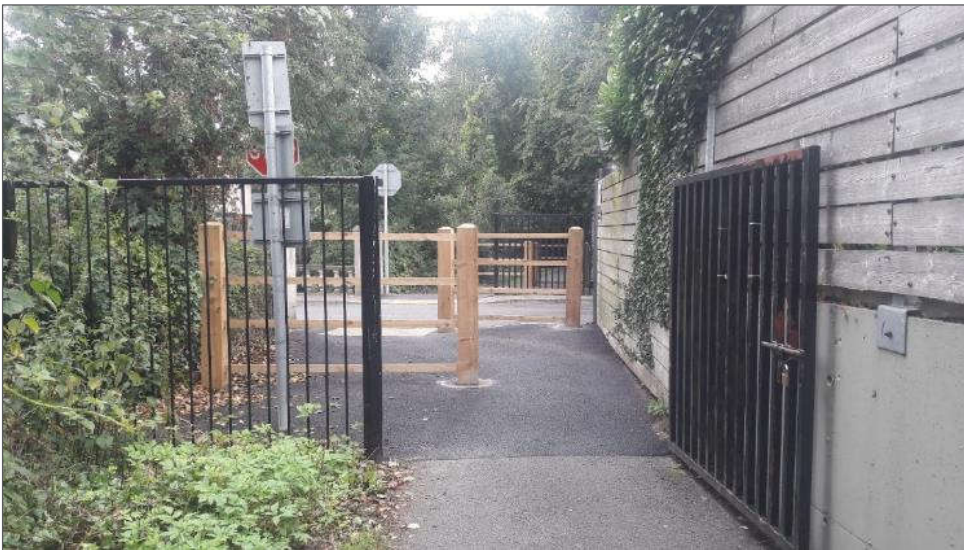


Plate 4.17 Exit from Páirc an Phobail at Rankin's Wood (looking north).



Plate 4.18 Exit from Páirc an Phobail at Rankin's Wood (looking back south).



Plate 4.19 Path between Rankin's Wood and the N80.

4.3.3. N80 to Bridge Street

See Drawing Triogue 1001-103 (Appendix A).



Plate 4.20 River Triogue bridge on the N80 at exit from Páirc an Phobail.



Plate 4.21 N80 to Bridge Street- bird box in tree on northern side of the road.



Plate 4.22 Path along the N80 to Bridge Street.



Plate 4.23 View of boundary fence woodland adjoining the N80.



Plate 4.24 Hedge, boundary fence and woodland adjoining the N80.



Plate 4.25 Bridge over the River Triogue at corner of N80 / Bridge Street.



Plate 4.26 Pedestrian crossing on the N80.



Plate 4.27 Pedestrian bridge over the River Triogue north of the N80.

4.3.4. North of the Bridge Street / N80 to Church Avenue

See Drawing Triogue 1001-103 and Triogue -1001-104 (Appendix A).



Plate 4.28 River Triogue north of the N80.



Plate 4.29 Route through back of residential property just north of the N80 (site is currently being developed).



Plate 4.30 Route through back of residential property (corner of Dunlin Rd. / Millview).



Plate 4.31 Route through back of residential property (corner of Dunlin Rd. / Millview).



Plate 4.32 View of former Convent Grounds adjoining Millrace (including old tennis courts).

4.3.5. North Church Avenue to Railway

See Drawing Triogue 1001-105 (Appendix A).



Plate 4.33 Triogue Car Park (looking south).



Plate 4.34 River Triogue at Triogue Car Park (looking south).



Plate 4.35 River Triogue north of Church Street (looking north).



Plate 4.36 Existing raised footpath alongside the River Triogue north of Church Street (looking south).



Plate 4.37 View north to pedestrian crossing of the River Triogue.



Plate 4.38 Pedestrian bridge crossing the River Triogue.



Plate 4.39 Existing path adjoined by new apartment development site and boundary fence (view north).



Plate 4.40 Existing path adjoined by new apartment development site and river (view south).

4.3.6. River Triogue Linear Park (travelling north)

See Drawing Triogue 1001-105 and Triogue 1001-106 (Appendix A).



Plate 4.43 Path entering the Linear Park from the rail bridge (looking south).

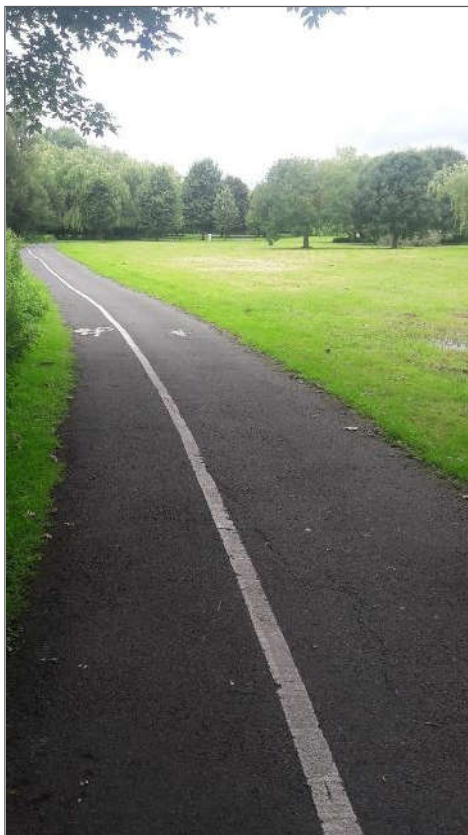


Plate 4.44 Entry to Triogue Linear Park.



Plate 4.45 Indian balsam growing on back channel at western side of Triogue Linear Park.

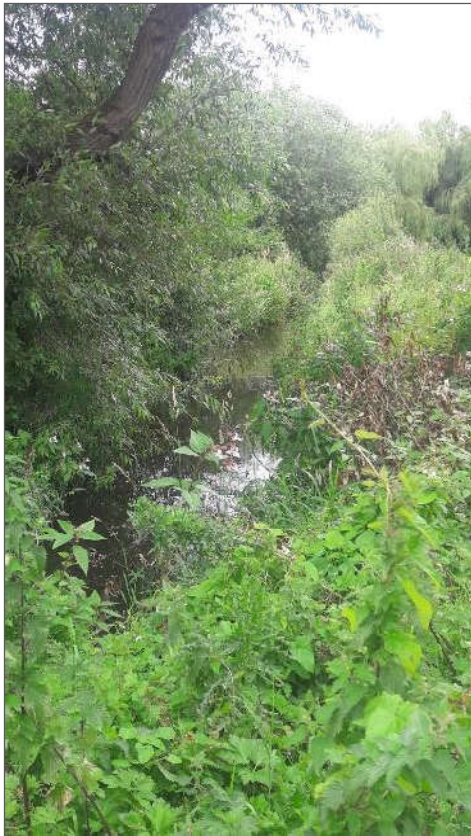


Plate 4.46 Indian balsam growing on River Triogue close to exit from the Linear Park.



Plate 4.52 **Entrance to Linear Park from Green Mill Lane.**

5. Connectivity to Natura 2000 sites

5.1. Zone of Influence

The “*zone of influence*” (Zol) of a plan or project is the area over which ecological features may be subject to significant effects as a result of the proposed plan or project and associated activities. This is likely to extend beyond the plan or project boundary, e.g., where there are ecological or hydrological links. The Zol will vary for different ecological features depending on their sensitivity to an environmental change (CIEEM, 2022).

A Zol extending to a distance of 15km is recommended in the case of plans, as derived from UK guidance (Scott Wilson *et al.*, 2006). In the case of projects, however, DEHLG (2010a) advises that the Zol should be established on a case-by-case basis, with reference to key variables including the nature, size and location of the project, the sensitivities of the ecological receptors, and the potential for in-combination effects. EC (2021) also highlights the importance of the nature of the receiving environment and the sensitivities of the receptors in determining which Natura 2000 sites to include in the assessment. OPR (2021) recommends the use of the source-pathway-receptor model for identifying potential impacts.

Therefore, given the nature, scale and location of the proposed works, the Zol was established based on their potential environmental impacts, proximity and connectivity to Natura 2000 sites, especially following hydrological pathways, and the sensitivities of the Natura 2000 sites connected to the proposed works, including the mobility of their qualifying interests and the ecological continuity within and between the sites concerned.

Due to the nature, scale and extent of the proposed works, sources of impacts include noise, human presence, movement of machinery and equipment, and works adjacent to the river channel; the Triogue River. Thus, the zone of impact is considered to be 150m for mobile species such as otter, and receptors with hydrological connectivity to the proposed works. Given that no instream works will occur, it is considered that the zone of impact for potential downstream water quality impacts is ca. 2km downstream, in the case of surface water runoff which discharge to the Triogue River, or accidental spills causing pollutants to enter the adjacent watercourse. The zone of impact in relation to disturbance to animals such as birds and other qualifying interests of Natura 2000 sites, from human presence and machinery is 500m from the proposed works site. The Zone of Influence for the proposed works for the Triogue Way is therefore, taken to be areas with potential ecological connectivity to the zones of impact of the proposed works. The Barrow Catchment, is therefore, taken to be the potential Zone of Influence for the proposed works on the Barrow.

Direct Impacts

The proposed Triogue Way Cycle Lane is located adjacent to and over the Triogue River and c. 6.8km south of the River Barrow and River Nore SAC (site code: 0002162) via straight line distance. As such, there is no risk of direct impacts on the River Barrow and River Nore SAC, e.g., loss of fragmentation, degradation, pollution or disturbance of habitats or species within this site due to machinery, human disturbance or impacts on water quality resulting from the proposed works.

Disturbance Impacts

In addition to the risk of direct impacts arising from the proposed works for the Triogue Way there is potential for disturbances to occur to animal species (potentially qualifying interests of designated Natura 2000 sites) of designated sites in the vicinity of the proposed works site.

As mentioned, the River Barrow and River Nore SAC (site code: 0002162) is located c. 6.8km from the proposed works site via straight line distance and c. 12.5km via hydrological connection. Otter have been recorded by the NBDC within the proposed works site. There is, therefore, potential for disturbance of otter as a result of the proposed works due to human presence and machinery.

The River Nore SPA (site code:004233), which is located c.12 km southwest of from the proposed works, is designated for the protection of Kingfisher. The proposed works area does not lie in the catchment of the River Nore. The proposed works site is located in an urban area and therefore is not a suitable habitat for Kingfisher. The Slieve Bloom Mountains SPA (site code: 004160) is located c. 7.5km to the west of the proposed works site and is designated for the protection of Hen Harrier. There is a potential hydrological connection between this

SPA and the proposed works site via the Triogue River and the Owenass River (c. 25km); however, the SPA is located upstream from the proposed works. Given the distance (ca 7.5km straight line distance, ca. 25km via watercourse) from this SPA to the proposed works site and that the proposed works site is not a suitable habitat for Hen Harrier, there will be no impact on the qualifying interest of this site, from the disturbances caused by the proposed works.

Water quality impacts

Given that the proposed works will be carried out adjacent to the Triogue River (Figure 1-2 above) and that surface water run-off during the construction phase will be discharged to the Triogue River, there is potential for pollutants to enter the watercourse via the surface water run-off network. Further, the River Barrow and River Nore SAC (site code: 002162) is located c. 12.5km downstream of the proposed works site via the hydrological pathway, the Triogue River, this SAC is considered to be within the zone of impact of the proposed works site and is considered in further detail below.

Indirect effects

The Zone of Influence with potential ecological connectivity to the proposed works was taken to be the Barrow Catchment. Given the hydrological connection from the proposed works site to the River Barrow and River Nore SAC (site code: 002162), that some of the qualifying interests of this site are aquatic mobile species and may use the Triogue River and that the proposed works are located upstream from this SAC, this SAC is considered to be within the wider Zol of the proposed works.

The additional Natura 2000 sites within or intersecting this Zone of Influence are Mouds Bog SAC (site code: 002331), Pollardstown Fen SAC (site code: 000396), Ballynafagh Bog SAC (site code: 000391), Ballynafagh Lake SAC (site code: 001387), Ballyprior Grassland SAC (site code: 002256), Mountmellick SAC (site code: 002256), The Long Derries, Edenderry SAC (site code: 000925), Slieve Blooms Mountains SAC (site code: 000412) and Blackstairs Mountains SAC (site code: 000770). However, given the lack of hydrological connection from these sites to the proposed works site, or the lack of dependency of the qualifying interests on the zone of impact of the works, only the River Barrow and River Nore SAC was considered further below.

In the examination of the qualifying interests of the additional Natura 2000 sites in the wider Zones of Influence, as identified in this sub-section, it was determined that none of the qualifying interests of sites excluding the River Barrow and River Nore SAC, were dependant on the ecological structures or functions of the zone of impact. Further, due to the lack of dependency of the qualifying interests on the zone of impact, the possibility of likely significant effects on the sites in the wider Zol are not considered likely.

Summary

Based on the above examination of the Zone of Influence, only one Natura 2000 site has been selected for inclusion in the screening assessment: -

- River Barrow and River Nore SAC (site code: 0002162)

Table 5.1 outlines the qualifying interests of this SAC and discusses whether further consideration is necessary in relation to the potential for likely significant effects on this SAC as a result of the proposed works.

Figures 1.3 and 1.4 above illustrate the proximity of the proposed works to nearby SACs and SPAs, respectively.

Table 5.1 SACs within the potential Zol of the proposed works.

Natura 2000 Site	Site Code	Distance	Qualifying Interests	Within Zone of Influence (Zol)
River Barrow and River Nore SAC	0002162	<p>Ca. 6.8km via straight line distance</p> <p>Ca. 12.5km via hydrological connection via the Triogue River</p>	<p>Estuaries [1130]</p> <p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Reefs [1170]</p> <p><i>Salicornia</i> and other annuals colonising mud and sand [1310]</p> <p>Atlantic salt meadows (<i>Glaucopuccinellietalia maritimae</i>) [1330]</p> <p>Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]</p> <p>Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation [3260]</p> <p>European dry heaths [4030]</p> <p>Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430]</p> <p>Petrifying springs with tufa formation (<i>Cratoneurion</i>) [7220]</p> <p>Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0]</p> <p>Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) [91E0]</p> <p><i>Vertigo moulinsiana</i> (Desmoulin's Whorl Snail) [1016]</p> <p><i>Margaritifera</i> (Freshwater Pearl Mussel) [1029]</p> <p><i>Austropotamobius pallipes</i> (White-clawed Crayfish) [1092]</p> <p><i>Petromyzon marinus</i> (Sea Lamprey) [1095]</p> <p><i>Lampetra planeri</i> (Brook Lamprey) [1096]</p> <p><i>Lampetra fluviatilis</i> (River Lamprey) [1099]</p> <p><i>Alosa fallax</i> (Twaiite Shad) [1103]</p> <p><i>Salmo salar</i> (Salmon) [1106]</p> <p><i>Lutra lutra</i> (Otter) [1355]</p> <p><i>Trichomanes speciosum</i> (Killarney Fern) [1421]</p> <p><i>Margaritifera durrovensis</i> (Nore Pearl Mussel) [1990]</p>	<p>Yes – The proposed works are located ca.12.5km upstream of this SAC, which is designated for a number of riparian habitats and aquatic mobile species. Further, surface water run-off during the construction of the proposed works will discharge to the Triogue River. Therefore, further consideration of this site is necessary.</p>

5.2. Brief Description of Natura 2000 Sites

5.2.1. River Barrow and River Nore SAC

The River Barrow and River Nore SAC is described as follows: -

“This site consists of the freshwater stretches of the Barrow and Nore River catchments as far upstream as the Slieve Bloom Mountains, and it also includes the tidal elements and estuary as far downstream as Creadun Head in Waterford. The site passes through eight counties – Offaly, Kildare, Laois, Carlow, Kilkenny, Tipperary, Wexford and Waterford. Major towns along the edge of the site include Mountmellick, Portarlinton, Monasterevin, Stradbally, Athy, Carlow, Leighlinbridge, Graiguenamanagh, New Ross, Inistioge, Thomastown, Callan, Bennettsbridge, Kilkenny and Durrrow. The larger of the many tributaries include the Lerr, Fushoge, Mountain, Aughavaud, Owenass, Boherbaun and Stradbally Rivers of the Barrow, and the Delour, Dinin, Erkina, Owveg, Munster, Arrigle and King’s Rivers on the Nore.

Good examples of alluvial forest (a priority habitat on Annex I of the E.U. Habitats Directive) are seen at Rathsnagadan, Murphy’s of the River, in Abbeyleix estate and along other shorter stretches of both the tidal and freshwater elements of the site. A good example of petrifying springs with tufa formations occurs at Dysart Wood along the Nore.

The best examples of old oak woodlands are seen in the ancient Park Hill woodland in the estate at Abbeyleix; at Kyleadohir, on the Delour, Forest Wood House, Kylecorragh and Brownstown Woods on the Nore; and at Cloghristic Wood, Drummond Wood and Borris Demesne on the Barrow, though other patches occur throughout the site. Oak woodland covers parts of the valley side south of Woodstock and is well developed at Brownsford where the Nore takes several sharp bends. On the steeply sloping banks of the River Nore, about 5 km west of New Ross, in Co. Kilkenny, Kylecorragh Woods form a prominent feature in the landscape. This is an excellent example of relatively undisturbed, relict oak woodland with a very good tree canopy. Borris Demesne contains a very good example of a semi-natural broadleaved woodland in very good condition.

*Eutrophic tall herb vegetation occurs in association with the various areas of alluvial forest and elsewhere where the floodplain of the river is intact. Floating river vegetation is well represented in the Barrow and in the many tributaries of the site. Dry heath at the site occurs in pockets along the steep valley sides of the rivers especially in the Barrow Valley and along the Barrow tributaries where they occur in the foothills of the Blackstairs Mountains. Dry heath at the site generally grades into wet woodland or wet swamp vegetation lower down the slopes on the riverbank. Salt meadows occur at the southern section of the site in old meadows where the embankment has been breached, along the tidal stretches of in-flowing rivers below Stokestown House, in a narrow band on the channel side of Common Reed (*Phragmites australis*) beds and in narrow fragmented strips along the open shoreline. In the larger areas of salt meadow, notably at Carrickcloney, Ballinlaw Ferry and Rochestown on the west bank; Fisherstown, Alderton and Great Island to Dunbrody on the east bank, the Atlantic and Mediterranean sub types are generally intermixed. At the upper edge of the salt meadow in the narrow ecotonal areas bordering the grasslands where there is significant percolation of salt water, the legally protected species Borrer’s Saltmarsh-grass (*Puccinellia fasciculata*) and Meadow Barley (*Hordeum secalinum*) are found. The very rare and also legally protected Divided Sedge (*Carex divisa*) is also found. Sea Rush (*Juncus maritimus*) is also present. Glassworts (*Salicornia spp.*) and other annuals colonising mud and sand are found in the creeks of the saltmarshes and at the seaward edges of them. The habitat also occurs in small amounts on some stretches of the shore free of stones.*

The estuary and the other E.U. Habitats Directive Annex I habitats within it form a large component of the site. Extensive areas of intertidal flats, comprised of substrates ranging from fine, silty mud to coarse sand with pebbles/stones are present. Good quality intertidal sand and mudflats have developed on a linear shelf on the western side of Waterford Harbour, extending for over 6 km from north to south between Passage East and Creadaun Head, and in places are over 1 km wide. The western shore of the harbour is generally stony and backed by low cliffs of glacial drift. At Woodstown there is a sandy beach, now much influenced by recreation pressure and erosion. Behind it a lagoonal marsh has been impounded which runs westwards from Gaultiere Lodge along the course of a slow stream. An extensive reedbed occurs here. The dunes which fringe the strand at

Duncannon are dominated by Marram (Ammophila arenaria) towards the sea. Other species present include Wild Clary/Sage (Salvia verbenaca), a rare Red Data Book species. Seventeen Red Data Book plant species have been recorded within the site, most in the recent past.

The site is very important for the presence of a number of E.U. Habitats Directive Annex II animal species including Freshwater Pearl Mussel (both Margaritifera and M. m. durrovensis), White-clawed Crayfish, Salmon, Twaite Shad, three lamprey species – Sea Lamprey, Brook Lamprey and River Lamprey, the tiny whorl snail Vertigo moulinsiana and Otter. This is the only site in the world for the hard water form of the Freshwater Pearl Mussel, M. m. durrovensis, and one of only a handful of spawning grounds in the country for Twaite Shad.

The site supports many other important animal species. Those which are listed in the Irish Red Data Book include Daubenton's Bat, Badger, Irish Hare and Common Frog. The rare Red Data Book fish species Smelt (Osmerus eperlanus) occurs in estuarine stretches of the site. In addition to the Freshwater Pearl Mussel, the site also supports two other freshwater mussel species, Anodonta anatina and A. cygnea. Three rare invertebrates have been recorded in alluvial woodland at Murphy's of the River. The site is of ornithological importance for a number of E.U. Birds Directive Annex I species, including Greenland White-fronted Goose, Whooper Swan, Bewick's Swan, Bar-tailed Godwit, Peregrine and Kingfisher. Nationally important numbers of Golden Plover and Bar-tailed Godwit are found during the winter. Wintering flocks of migratory birds are seen in Shanahoe Marsh and the Curragh and Goul Marsh, both in Co. Laois, and also along the Barrow Estuary in Waterford Harbour."

Qualifying Interests

The River Barrow and Nore SAC is designated for the following habitats and species. An asterisk (*) denotes a priority habitat under the Habitats Directive: -

- Estuaries (1130)
- Mudflats and sandflats not covered by seawater at low tide (1140)
- *Salicornia* and other annuals colonizing 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 *Callitriche-Batrachion* vegetation (3260)
- European dry heaths (4030)
- Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels (6430)
- *Petrifying springs with tufa formation (*Cratoneurion*) (7220)
- Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles (91A0)
- *Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*) (91E0)
- Desmoulin's Whorl Snail (*Vertigo moulinsiana*) (1016)
- Freshwater Pearl Mussel (*Margaritifera margaritifera*) (1029)
- White-clawed Crayfish (*Austropotamobius pallipes*) (1092)
- Sea Lamprey (*Petromyzon marinus*) (1095)

- Brook Lamprey (*Lampetra planeri*) (1096)
- River Lamprey (*Lampetra fluviatilis*) (1099)
- Twaite Shad (*Alosa fallax*) (1103)
- Atlantic Salmon (*Salmo salar*) (1106)
- Otter (*Lutra lutra*) (1355)
- Killarney Fern (*Trichomanes speciosum*) (1421)
- Nore Freshwater Pearl Mussel (*Margaritifera durrovensis*) (1990)

Due to the size and geographic range of the SAC, not all qualifying interests of the SAC are within the Zol of the proposed works of the Triogue Way. Table 5.3 details the identification of qualifying interests of the SAC that are within the Zol of the proposed works.

Thus, the qualifying interests of the SAC that are within the Zol of the proposed project are: -

- Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitriche-Batrachion* vegetation (3260)
- Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels (6430)
- White-clawed crayfish (*Austropotamobius pallipes*) (1092)
- Brook lamprey (*Lampetra planeri*) (1096)
- River lamprey (*Lampetra fluviatilis*) (1099)
- Sea Lamprey (*Petromyzon marinus*) (1095)
- Atlantic salmon (*Salmo salar*) (1106)
- Otter (*Lutra lutra*) (1355)

Conservation Objectives

The site-specific conservation objectives for the River Barrow and River Nore SAC and the specific attributes and targets defining the objectives for each qualifying interest are detailed in NPWS (2011a). The overall aim is to maintain or restore the favourable conservation status of the habitats and species of community interest, i.e., the habitats and species for which the SAC is designated.

The site-specific conservation objectives of the qualifying interests of the SAC within the Zol of the proposed works are as follows: -

- To maintain the favourable conservation condition of Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitriche-Batrachion* vegetation in the River Barrow and River Nore SAC.
- To maintain the favourable conservation condition of Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels in the River Barrow and River Nore SAC.
- To restore the favourable conservation condition of Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*) in the River Barrow and River Nore SAC.
- To maintain the favourable conservation condition of White-clawed crayfish in the River Barrow and River Nore SAC.

- To restore the favourable conservation condition of Brook lamprey in the River Barrow and River Nore SAC.
- To restore the favourable conservation condition of Sea lamprey in the River Barrow and River Nore SAC.
- To restore the favourable conservation condition of River lamprey in the River Barrow and River Nore SAC.
- To restore the favourable conservation condition of Salmon in the River Barrow and River Nore SAC.
- To restore the favourable conservation condition of Otter in the River Barrow and River Nore SAC.

Threats and Pressures

The potential threats, as identified by NPWS, for the River Barrow and River Nore SAC are given in Table 5.2 below. The Site Synopsis (NPWS, 2016) describes the land use and management within the site as follows: -

“Land use at the site consists mainly of agricultural activities – mostly intensive in nature and principally grazing and silage production. Slurry is spread over much of the area. Arable crops are also grown. The spreading of slurry and fertiliser poses a threat to the water quality of the salmonid river and to the populations of E.U. Habitats Directive Annex II animal species within the site. Many of the woodlands along the rivers belong to old estates and support many non-native species. Little active woodland management occurs. Fishing is a main tourist attraction along stretches of the main rivers and their tributaries and there are a number of Angler Associations, some with a number of beats. Fishing stands and styles have been erected in places. Both commercial and leisure fishing takes place on the rivers. There is net fishing in the estuary and a mussel bed also. Other recreational activities such as boating, golfing and walking, particularly along the Barrow towpath, are also popular. There is a golf course on the banks of the Nore at Mount Juliet and GAA pitches on the banks at Inistioge and Thomastown. There are active and disused sand and gravel pits throughout the site. Several industrial developments, which discharge into the river, border the site. New Ross is an important shipping port. Shipping to and from Waterford and Belview ports also passes through the estuary.

*The main threats to the site and current damaging activities include high inputs of nutrients into the river system from agricultural run-off and several sewage plants, over-grazing within the woodland areas, and invasion by non-native species, for example Cherry Laurel (*Prunus laurocerasus*) and Rhododendron (*Rhododendron ponticum*). The water quality of the site remains vulnerable. Good quality water is necessary to maintain the populations of the Annex II animal species listed above. Good quality is dependent on controlling fertilisation of the grasslands, particularly along the Nore. It also requires that sewage be properly treated before discharge. Drainage activities in the catchment can lead to flash floods which can damage the many Annex II species present. Capital and maintenance dredging within the lower reaches of the system pose a threat to migrating fish species such as lamprey and shad. Land reclamation also poses a threat to the salt meadows and the populations of legally protected species therein”.*

Table 5.2 Threats, pressures and activities with negative impacts on the River Barrow and River Nore SAC (NPWS, 2020a; Eionet 2022).

Rank	Threats and pressures [code]	Threats and pressures [type]	Location
High	K01.01	Erosion	inside
Medium	B07	Forestry activities not referred to above	both
Medium	C01.03	Peat extraction	outside
Low	D03.01	Port areas	inside
High	H01	Pollution to surface waters (limnic, terrestrial, marine & brackish)	both
High	J02.12.02	Dykes and flooding defence in inland water systems	inside
Medium	J03.02.01	Reduction in migration/ migration barriers	inside
Low	A10.01	Removal of hedges and copses or scrub	inside
Medium	J02.02.01	Dredging/ removal of limnic sediments	inside
Low	C01.01.01	Sand and gravel quarries	both
Medium	J02	Human induced changes in hydraulic conditions	both
High	A02.01	Agricultural intensification	both
Medium	B02	Forest and Plantation management & use	both
Medium	I01	Invasive non-native species	inside
Low	F01.01	Intensive fish farming, intensification	inside
Medium	J02.06	Water abstractions from surface waters	inside
Low	E02	Industrial or commercial areas	outside
Medium	A04.01.01	Intensive cattle grazing	inside
Low	F02.01.02	Netting	inside
Low	F02.03	Leisure fishing	inside
Medium	F02	Fishing and harvesting aquatic resources	outside
Medium	M01	Changes in abiotic conditions	inside
High	J02.05.02	Modifying structures of inland water courses	inside
Medium	B05	Use of fertilizers (forestry)	both

Table 5.3 Qualifying Interests of the River Barrow and River Nore SAC within the Zol of the proposed works.

Qualifying Interest	Comment	Within Zol
Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Reefs [1170] <i>Salicornia</i> and other annuals colonising mud and sand [1310] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) [1330] Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]	These estuarine and coastal habitats are not located in the vicinity of the proposed works. They are located along the estuarine stretches of the SAC, which is a significant distance (>80km) downstream of the proposed works. Therefore, these habitats are located outside the Zol of the proposed works.	No
Water courses of plain to montane levels with the <i>Ranunculon fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation [3260]	The reaches of the Triogue River adjacent to the proposed works site have the potential to support this habitat. This habitat is dependent on water quality parameters such as suspended solids and nutrients in the water column being sufficiently low to prevent changes in vegetation composition. Therefore, this habitat is considered to be within the Zol of the proposed works.	Yes
European dry heaths [4030]	Dry heath habitat is confined to steep valley sides of the River Barrow and its tributaries, and the foothills of the Blackstairs Mountains (NPWS, 2011). This habitat is not present in the vicinity of the proposed works and there are no hydrological pathways or other ecological connectivity to this habitat as the impact of the proposed works will be localised to ca. 2km downstream of the site boundary, given that any pollutants enter the surface water run-off network. Therefore, this habitat is not within the Zol of the proposed works.	No
Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430]	This habitat occurs in narrow bands along the floodplain of slow-flowing stretches of river. Therefore, this habitat is considered to be within the Zol of the proposed works.	Yes
*Petrifying springs with tufa formation (<i>Cratoneurion</i>) [7220]	This habitat type is known to occur in woodlands at Dysart between Thomastown and Inistioge on the River Nore (NPWS, 2011). This habitat is also a qualifying interest of Pollardstown Fen SAC (ca. 30km away). Although there is a hydrological connection, this SAC is upstream from the proposed works and will therefore not be impacted by the proposed works. Further, this habitat is not within the Zol.	No
Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0]	This habitat is not present in the vicinity of the proposed works, as confirmed by ESM ³ . Old oak woodlands are not present in the vicinity of the River Barrow (NPWS, 2011). The nearest record of this habitat is at Graiguenamanagh, c. 60km from the proposed works site. Therefore, this habitat is not within the Zol of the proposed works.	No
*Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i> , <i>Alnion incanae</i> , <i>Salicion albae</i>) [91E0]	This habitat is not present in the immediate vicinity of the proposed works, as confirmed by ESM. This habitat is recorded at Rathdowney c. 20km away, however there is no hydrological connection to this area from the proposed works site. Therefore, this habitat is not considered to be within the Zol of the proposed works.	No
<i>Vertigo moulinsiana</i> (Desmoulin's Whorl Snail) [1016]	<i>V. moulinsiana</i> 's optimal habitat includes a good distribution of tall sedges (<i>Carex</i> spp.), interspersed with Black Bog-rush (<i>Schoenus nigricans</i>) and Common Reed (<i>Phragmites australis</i>). The moisture content of the habitat is for water to rise and surround a surveyor's boot under light pressure. Therefore, sub-optimal conditions are either open water (too wet) or damp conditions (too dry) (Moorkens and Killeen, 2011).	No

³ <https://airomaps.geohive.ie/ESM/>

Qualifying Interest	Comment	Within Zol
	As the proposed works are located in an urban area, the habitats in the vicinity of the proposed project are unsuitable for whorl snails due to the combination of vegetation composition and hydrological regime being outside the snail's range of tolerance. Therefore, given the absence of suitable habitat, this species is unlikely to be present within the Zol of the proposed works.	
<i>Margaritifera</i> (Freshwater Pearl Mussel) [1029]	The Conservation Document (NPWS, 2011) states that “ <i>the status of the freshwater pearl mussel as a qualifying Annex II species for the River Barrow and River Nore SAC is currently under review. The outcome of this review will determine whether a site-specific conservation objective is set for this species</i> ”. However, this species still remains a qualifying interest of the SAC. The proposed works site is located ca. 12.5km upstream from the SAC. This qualifying interest is a mobile aquatic species which can travel through the water course to the zone of impact of the proposed works. Therefore, this species is considered to be within the Zol of the proposed works.	Yes
<i>Margaritifera durrovensis</i> (Nore Pearl Mussel) [1990]	The Nore pearl mussel is not found in the Triogue River or the River Barrow.	No
<i>Austropotamobius pallipes</i> (White-clawed Crayfish) [1092]	This species is dependent on water quality and substrate heterogeneity within the river channel. Although crayfish plague has had a negative impact on the crayfish population of the River Barrow and its tributaries including the Triogue River, in the absence of data from a crayfish survey, their presence is presumed. Given that the proposed works are located ca. 12.5km upstream from this SAC and that this species is an aquatic mobile species, this species is considered to be within the Zol of the proposed works.	Yes
<i>Petromyzon marinus</i> (Sea Lamprey) [1095] <i>Lampetra planeri</i> (Brook Lamprey) [1096] <i>Lampetra fluviatilis</i> (River Lamprey) [1099]	IFI has recorded lamprey species (river-brook lamprey species complex) in the main channel of the River Barrow (Delanty <i>et al.</i> , 2017), of which the River Triogue conjoins ca. 12.5km downstream from the proposed works site. Therefore, River and Brook Lamprey are considered to be within the Zol of the proposed works. Sea Lamprey have been recorded in the vicinity of Carlow Town, but not in the upper reaches of the River Barrow or the Stradbally River (King, 2006). Gallagher <i>et al.</i> (2019) also recorded lamprey larvae (Brook / River lamprey) from the main channel of the Barrow between Portarlinton and Mountmellick which is ca. 9km downstream of the proposed works site. However, given these records and the presence of other lamprey species in the vicinity of the proposed works, Sea Lamprey are also considered to be within the Zol of the proposed works.	Yes
<i>Alosa fallax</i> (Twaiite Shad) [1103]	Twaiite Shad is an anadromous species, with adult fish migrating from saltwater to spawn in freshwater rivers. The main spawning ground on the River Barrow is immediately upstream of the tidal limit at St Mullins, although a small number of fish may migrate further upstream. Young fish then drop down to the estuary for approximately two years before going to sea (NPWS, 2011). While the upper limit of migration in the Barrow catchment is not known, it is not likely that this species would travel as far upstream as the vicinity of the proposed works. Therefore, this species is not considered to be within the Zol of the proposed works.	No
<i>Salmo salar</i> (Salmon) [1106]	Salmon are present in almost all rivers in Ireland. Salmon also travel upstream each year to spawn. It is, therefore, highly likely that this species will travel through the proposed works site. This species is considered to be within the Zol of the proposed works.	Yes
<i>Lutra</i> (Otter) [1355]	Otters are widely distributed across freshwater habitats and are well documented along the River Barrow and its tributaries including the River Triogue (Bailey & Rochford, 2006; Reid <i>et al.</i> , 2013). Further, otters are widespread and likely to use the River Barrow and its tributaries to commute and forage. Therefore, this species is considered to be within the Zol of the proposed works.	Yes

Qualifying Interest	Comment	Within Zol
<i>Trichomanes speciosum</i> (Killarney fern) [1421]	Killarney fern is located in the environs of Graiguenamanagh and south of Inistioge within the SAC. There is no suitable habitat for this species in the vicinity of the proposed works. Therefore, this species is not considered to be within the Zol of the proposed works.	No

5.3. Likelihood of Significant Effects on Natura 2000 sites

5.3.1. Identification of Potential Impacts

The available information on Natura 2000 sites was reviewed to establish whether or not the proposed works are likely to have a significant effect on the conservation objectives of the sites concerned. The likelihood of impacts on the qualifying interests of the European sites identified in this report is based on information collated from the desk study, site visits and other available existing information.

The likelihood of impacts occurring are established in light of the nature, extent and scale of the proposed works, the location of the works with respect to Natura 2000 sites and their qualifying interests, and the conservation objectives of the European sites.

This screening report has been prepared following the source-pathway-receptor model. The potential impacts are summarised into the following categories for screening purposes.

- Direct impacts refer to habitat loss or fragmentation arising from land-take, or direct disturbance or mortality of species. Direct impacts can be as a result of a change in land use or management, such as the removal of agricultural practices that prevent scrub encroachment, or activities associated with construction.
- Indirect impacts refer to those which can arise through remote connectivity, for example by means of a watercourse, via groundwater, via air (e.g., dust) or via other emissions from a project site (e.g. noise and light). Indirect and secondary impacts do not have a straight-line route between cause and effect. It is potentially more challenging to ensure that all the possible indirect impacts of the project – in combination with other plans and projects - have been established. These can arise, for example, when a development alters the hydrology of a catchment area, which in turn affects the movement of groundwater to a site and the qualifying interests that rely on the maintenance of water levels. Deterioration in water quality can occur as an indirect consequence of development, which in turn changes the aquatic environment and reduces its capacity to support certain plants and animals. The introduction of invasive species can also be defined as an indirect impact. Disturbance to fauna can arise directly through the loss of habitat (e.g., displacement of roosting bats) or indirectly through noise, vibration and increased activity associated with construction and operation.

5.3.2. Assessment of Significance of Effects

As described in Section 1.1, the proposed works for the Triogue Way comprises of widening the existing footways on both sides of the carriageway on JFL Avenue to provide raised segregated combined pedestrian and cycle tracks. A newly constructed cycleway through private properties and also urban roadway environments will also be developed as part of the proposed works. The proposed works are located adjacent to the Triogue River which is a tributary of the River Barrow and ca. 12.5km upstream from the River Barrow and River Nore SAC.

The significance of effects on the River Barrow and River Nore SAC are evaluated in view of the relevant conservation objectives in Table 5.4 (excluding the conservation objectives for qualifying interests which were deemed to be outside the Zol of the proposed works).

Table 5-1 - Evaluation of effects on the River Barrow and River Nore SAC (LSE-likely significant effect).

Conservation objective	Habitat	Description of effects	LSE
<p><i>To maintain the favourable conservation condition of Water courses of plain to montane levels with the Ranunculus fluitantis and Callitriche-Batrachion vegetation in the River Barrow and River Nore SAC</i></p>	<p>Floating river vegetation</p>	<p>The attributes of this conservation objective relate to habitat area and distribution, hydrological regime (flow, groundwater discharge, particle size range), water chemistry (minerals), water quality (suspended sediment, nutrients), vegetation composition (typical species) and floodplain connectivity. Given the nature of the proposed works, the only attribute of this qualifying interest that may be impacted is the water quality. This is discussed in more detail below.</p> <p>The proposed works are dominated by proposals to upgrade existing paths in Páirc an Phobail and the Triogue Liner Park, as well as proposals to improve footpaths and roads within the existing urban fabric of Portlaoise. The only new area of footpath is a section of ca. 300m between Bridge Street / N80 and Church Road (see Appendix A; See Drawing Triogue 1001-103 and Triogue -1001-104). Construction methods are set out in full in Section 1.3.1 to 1.3.7.</p> <ul style="list-style-type: none"> • There will be no instream works and no loss of areas of this habitat. • The need for significant utility diversions is not envisaged as part of the works; instead, a 'lower and protect' approach will be favoured thus avoiding significant excavations and risk of surface water run-off. • Initial pavement and cycle track construction will include the excavation and removal of the existing stone, soil, concrete and bitumen materials. Any spoil arisings will be removed off site for disposal at an appropriately licenced facility or reused locally where testing confirms its suitability. It is not permitted to store any of these materials within 25m of the riverbank; where prolonged storage is required any piles must be appropriately covered to prevent any runoff. The proposed project involves an anticipated maximum excavation depth of 0.7m bgl (below ground level).The base layers of the pavement and track are to be made of compacted inert stone materials. • The scheme also involves the resurfacing of impacted sections of the roadways and painting of new road markings within the scheme footprint. The existing road surface course layer will be planed-out where required within the scheme extents with planings being removed off site for disposal at an appropriately licenced facility. The planed-out area will be replaced with Hot Rolled asphalt (HRA) or Stone Mastic Asphalt (SMA) surface course ca. 40mm - 60mm thick. Following road resurfacing new road markings will be painted on road surfaces. These works will be set back from the river at all times and where close to the river the sides of the new path will be battened in order to clearly define the works area. All machinery used on site will be of a size / scale appropriate to the works area. Removal of additional vegetation to facilitate access by machinery is not permitted. • Drainage along most of the path will be over the edge to vegetation drainage. Otherwise, the drainage works are limited to the relocation of existing road gullies with the larger existing road drainage infrastructure (i.e., carrier drains) not being altered or adjusted. During these works the main carrier drains will be isolated / blocked off from works activities / work zones to facilitate the relocation of drainage gullies. As the proposed path will not be used by vehicles there is not a risk of spillage of contaminants such as hydrocarbons. • The construction of the cycleway will also involve relocation and installation of footpaths and kerbs adjacent to the cycleway. Footpaths will be constructed similar to the cycleway; excavation of existing footpath with materials removed off site to a licenced waste facility; excavations along footpath alignment to depths of 	<p>No</p>

Conservation objective	Habitat	Description of effects	LSE
		<p>maximum 700 mm; infill of footpath subbase materials (compacted stone) and the pouring of concrete footpaths in shuttered sections. A ca. 60mm high poured concrete kerb will also be installed along the footpath edge. As above, these works will be set back from the river at all times and where close to the river the sides of the new path will be battened in order to clearly define the works area. Works will also be undertaken in short sections at a time to minimise volume of concrete being poured at any one time.</p> <ul style="list-style-type: none"> • Cement and asphalt will not be laid during adverse weather conditions. • It will be the responsibility of the Contractor to determine a suitable location for the site compound within the proposed development area, but away from any identified environmental sensitive receptors (watercourses, designated sites etc.), so as to avoid potential impacts to the environment and the general public. The final proposed site compound location will be subject to Client approval and will not be within 25m a watercourse. • While Indian balsam was noted along the river and a back channel in the Linear Park, it was not recorded within the works area. At Construction the advice of an ecologist will be sought to ensure no changes in its distribution. • No new bridges are proposed at this time. Apart from the addition of some safety railings no alteration to current bridges is proposed. • The proposed works do not include any new barriers between the river and its floodplain. They will not lead to any change in the frequency of flooding. Therefore, there will be no significant effect. <p>Thus, given the scale of the proposed works and the methods which will be employed, any contaminants or pollutants that enter the surface water network and the river will be small in scale, very localised and, therefore, not have a significant effect on the River Barrow and River Nore SAC.</p>	
<p><i>To maintain the favourable conservation condition of Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels in the River Barrow and River Nore SAC</i></p>	<p>Hydrophilous tall herb fringe communities</p>	<p>The attributes of this conservation objective relate to habitat area and distribution, hydrological regime (flooding depth/height of water table), vegetation structure (sward height) and vegetation composition (broadleaf herb to grass ratio, typical species, negative indicator species). Given the nature of the proposed works and the absence of this habitat type from their immediate vicinity, the only attribute potentially affected is negative indicator species.</p> <p>With regard to negative indicator species, particularly non-native invasive species are under control, include: - balsam (<i>Impatiens glandulifera</i>), monkeyflower (<i>Mimulus guttatus</i>), Japanese knotweed (<i>Fallopia japonica</i>) and giant hogweed (<i>Heracleum mantegazzianum</i>).</p> <p>There will be no instream works and therefore, there will be no significant effect on riverbanks that might support this habitat or invasive species.</p> <p>While Indian balsam was noted along the river and a back channel in the Linear Park, it was not recorded within the works area. At Construction the advice of an ecologist will be sought to ensure no changes in its distribution.</p> <p>Thus, given the scale of the proposed works and the methods which will be employed, it is predicted that the proposed works will not have a significant effect on Hydrophilous tall herb fringe communities within the River Barrow and River Nore SAC.</p>	No
<p><i>To maintain the favourable conservation condition of White-clawed crayfish in the</i></p>	<p>White-clawed crayfish</p>	<p>The attributes of this conservation objective relate to distribution, population structure (recruitment), negative indicator species, disease, water quality, and habitat quality (heterogeneity). There are no instream works. Given the location, scale and nature of the proposed works, it is predicted that these will not affect the distribution, habitat</p>	No

Conservation objective	Habitat	Description of effects	LSE
<p><i>River Barrow and River Nore</i> SAC</p>		<p>quality or population structure of crayfish and there is not considered to be any risk of the introduction of any negative indicator species, i.e., non-native/invasive crayfish species.</p> <p>The proposed works are dominated by proposals to upgrade existing paths in Páirc an Phobail and the Triogue Liner Park, as well as proposals to improve footpaths and roads within the existing urban fabric of Portlaoise. The only new area of footpath is a section of ca. 300m between the N80 and Church Road (see Appendix A; See Drawing Triogue 1001-103 and Triogue -1001-104).</p> <p>Construction methods are set out in full in Section 1.3.1 to 1.3.7 – and can be summarised as follows: -</p> <ul style="list-style-type: none"> • There will be no instream works and no loss of areas of this habitat. • The need for significant utility diversions is not envisaged as part of the works; instead, a 'lower and protect' approach will be favoured thus avoiding significant excavations and risk of surface water run-off. • Initial pavement and cycle track construction will include the excavation and removal of the existing stone, soil, concrete and bitumen materials. Any spoil arisings will be removed off site for disposal at an appropriately licenced facility or reused locally where testing confirms its suitability. It is not permitted to store any of these material within 25m of the riverbank; where prolonged storage is required any piles must be appropriately covered to prevent any runoff. The proposed project involves an anticipated maximum excavation depth of 0.7m bgl (below ground level).The base layers of the pavement and track are to be made of compacted inert stone materials. • The scheme also involves the resurfacing of impacted sections of the roadways and painting of new road markings within the scheme footprint. The existing road surface course layer will be planed-out where required within the scheme extents with planings being removed off site for disposal at an appropriately licenced facility. The planed-out area will be replaced with Hot Rolled asphalt (HRA) or Stone Mastic Asphalt (SMA) surface course ca. 40mm - 60mm thick. Following road resurfacing new road markings will be painted on road surfaces. These works will be set back from the river at all times and where close to the river the sides of the new path will be battened in order to clearly define the works area. All machinery used on site will be of a size / scale appropriate to the works area. Removal of additional vegetation to facilitate access by machinery is not permitted. • Drainage along most of the path will be over the edge to vegetation drainage. Otherwise, the drainage works are limited to the relocation of existing road gullies with the larger existing road drainage infrastructure (i.e., carrier drains) not being altered or adjusted. During these works the main carrier drains will be isolated / blocked off from works activities / work zones to facilitate the relocation of drainage gullies. As the proposed path will not be used by vehicles there is not a risk of spillage of contaminants such as hydrocarbons. • The construction of the cycleway will also involve relocation and installation of footpaths and kerbs adjacent to the cycleway. Footpaths will be constructed similar to the cycleway; excavation of existing footpath with materials removed off site to a licenced waste facility; excavations along footpath alignment to depths of maximum 700 mm; infill of footpath subbase materials (compacted stone) and the pouring of concrete footpaths in shuttered sections. A ca. 60mm high poured concrete kerb will also be installed along the footpath edge. As above, these works will be set back from the river at all times and where close to the river the sides of the new path will be battened in order to clearly define the works area. Works will also be undertaken in short sections at a time to minimise volume of concrete being poured at any one time. 	

Conservation objective	Habitat	Description of effects	LSE
		<ul style="list-style-type: none"> It will be the responsibility of the Contractor to determine a suitable location for the site compound within the proposed development area, but away from any identified environmental sensitive receptors (watercourses, designated sites etc.), so as to avoid potential impacts to the environment and the general public. The final proposed site compound location will be subject to Client approval and will not be within 25m a watercourse. No new bridges are proposed at this time. Apart from the addition of some safety railings no alteration to current bridges is proposed. As there will be no in-stream works and no access for machinery or personnel to the adjacent river, there is considered to be no potential for the introduction of spread of crayfish diseases, including aphanomycosis (crayfish plague). Given the scale and duration of the works, that no instream works will occur and the routine biosecurity practices to be followed, this risk is considered to be adequately controlled and does not constitute a likely significant effect. <p>Furthermore, the target for this attribute relates to the Q-values at sample sites. Given that the only potential impact on water quality is from pollutants or contaminants accidentally entering the surface water run-off network and the distance from the proposed works to this SAC (ca. 12.5km) they would be very unlikely to affect the Q-value at any location. Thus, given the scale of the proposed works and the methods which will be employed, it is predicted that the proposed works will not have a significant effect on white-clawed crayfish within the River Barrow and River Nore SAC.</p>	
<i>To restore the favourable conservation condition of Sea lamprey in the River Barrow and River Nore SAC</i>	Lamprey sp.	The attributes of these three conservation objectives are the same and have similar targets across the three species. The attributes relate to distribution (extent of migration), population structure of juveniles, juvenile density in fine sediment, extent and distribution of spawning habitat, and availability of juvenile habitat. Given the location, scale and nature of the proposed works, the only attribute potentially affected is distribution.	No
<i>To restore the favourable conservation condition of Brook lamprey in the River Barrow and River Nore SAC</i>		The proposed works are dominated by proposals to upgrade existing paths in Páirc an Phobail and the Triogue Liner Park, as well as proposals to improve footpaths and roads within the existing urban fabric of Portlaoise. The only new area of footpath is a section of ca. 300m between the N80 and Church Road (see Appendix A; See Drawing Triogue 1001-103 and Triogue -1001-104).	No
<i>To restore the favourable conservation condition of River lamprey in the River Barrow and River Nore SAC</i>		<p>Construction methods are set out in full in Section 1.3.1 to 1.3.7 – and can be summarised as follows: -</p> <ul style="list-style-type: none"> Brook / River lamprey have been recorded by Atkins spawning in the feeder stream to the nearby Glendowns Pond, so lamprey are known to be present in the Triogue. There will be no instream works and no loss of areas of this habitat. The need for significant utility diversions is not envisaged as part of the works; instead, a 'lower and protect' approach will be favoured thus avoiding significant excavations and risk of surface water run-off. Initial pavement and cycle track construction will include the excavation and removal of the existing stone, soil, concrete and bitumen materials. Any spoil arisings will be removed off site for disposal at an appropriately licenced facility or reused locally where testing confirms its suitability. It is not permitted to store any of these material within 25m of the riverbank; where prolonged storage is required any piles must be appropriately covered to prevent any runoff. The proposed project involves an anticipated maximum excavation depth of 0.7m bgl (below ground level).The base layers of the pavement and track are to be made of compacted inert stone materials. 	No

Conservation objective	Habitat	Description of effects	LSE
		<ul style="list-style-type: none"> • The scheme also involves the resurfacing of impacted sections of the roadways and painting of new road markings within the scheme footprint. The existing road surface course layer will be planed-out where required within the scheme extents with planings being removed off site for disposal at an appropriately licenced facility. The planed-out area will be replaced with Hot Rolled asphalt (HRA) or Stone Mastic Asphalt (SMA) surface course ca. 40mm - 60mm thick. Following road resurfacing new road markings will be painted on road surfaces. These works will be set back from the river at all times and where close to the river the sides of the new path will be battened in order to clearly define the works area. All machinery used on site will be of a size / scale appropriate to the works area. Removal of additional vegetation to facilitate access by machinery is not permitted. • Drainage along most of the path will be over the edge to vegetation drainage. Otherwise, the drainage works are limited to the relocation of existing road gullies with the larger existing road drainage infrastructure (i.e., carrier drains) not being altered or adjusted. During these works the main carrier drains will be isolated / blocked off from works activities / work zones to facilitate the relocation of drainage gullies. As the proposed path will not be used by vehicles there is not a risk of spillage of contaminants such as hydrocarbons. • The construction of the cycleway will also involve relocation and installation of footpaths and kerbs adjacent to the cycleway. Footpaths will be constructed similar to the cycleway; excavation of existing footpath with materials removed off site to a licenced waste facility; excavations along footpath alignment to depths of maximum 700 mm; infill of footpath subbase materials (compacted stone) and the pouring of concrete footpaths in shuttered sections. A ca. 60mm high poured concrete kerb will also be installed along the footpath edge. As above, these works will be set back from the river at all times and where close to the river the sides of the new path will be battened in order to clearly define the works area. Works will also be undertaken in short sections at a time to minimise volume of concrete being poured at any one time. • It will be the responsibility of the Contractor to determine a suitable location for the site compound within the proposed development area, but away from any identified environmental sensitive receptors (watercourses, designated sites etc.), so as to avoid potential impacts to the environment and the general public. The final proposed site compound location will be subject to Client approval and will not be within 25m a watercourse. • No new bridges are proposed at this time. Apart from the addition of some safety railings no alteration to current bridges is proposed. • The proposed works do not include any new barriers between the river and its floodplain. They will not lead to any change in the frequency of flooding. Therefore, there will be no significant effect. <p>Given that the proposed works site is located ca. 12.5 km upstream of this SAC, there is potential for downstream impacts to occur from the proposed works via the surface water run-off network. Given that these qualifying interests are aquatic mobile species there is potential for them to travel to the zone of impact of the proposed works and therefore, potential for the distribution of these species to be impacted.</p> <p>However, given the nature and scale of the proposed works and that no in-stream works will occur, the potential for pollutants and chemicals to enter the watercourse is low. Therefore, the distribution of these species will not be affected by the proposed works. Thus, given the scale of the proposed works and the methods which will be employed, it is predicted that the proposed works will not have a significant effect on lamprey species within the River Barrow and River Nore SAC.</p>	

Conservation objective	Habitat	Description of effects	LSE
<p><i>To restore the favourable conservation condition of Salmon in the River Barrow and River Nore SAC</i></p>	<p>Salmon</p>	<p>The attributes of this conservation objective relate to distribution (extent of anadromy), adult spawning fish, fry and out-migrating smolt abundance, number and distribution of redds, and water quality. Given the location, scale and nature of the proposed works, the only attribute potentially affected is water quality.</p> <p>The proposed works are dominated by proposals to upgrade existing paths in Páirc an Phobail and the Triogue Liner Park, as well as proposals to improve footpaths and roads within the existing urban fabric of Portlaoise. The only new area of footpath is a section of ca. 300m between the N80 and Church Road (see Appendix A; See Drawing Triogue 1001-103 and Triogue -1001-104).</p> <p>Construction methods are set out in full in Section 1.3.1 to 1.3.7 – and can be summarised as follows: -</p> <ul style="list-style-type: none"> • There will be no instream works and no loss of areas of this habitat. • The need for significant utility diversions is not envisaged as part of the works; instead, a ‘lower and protect’ approach will be favoured thus avoiding significant excavations and risk of surface water run-off. • Initial pavement and cycle track construction will include the excavation and removal of the existing stone, soil, concrete and bitumen materials. Any spoil arisings will be removed off site for disposal at an appropriately licenced facility or reused locally where testing confirms its suitability. It is not permitted to store any of these material within 25m of the riverbank; where prolonged storage is required any piles must be appropriately covered to prevent any runoff. The proposed project involves an anticipated maximum excavation depth of 0.7m bgl (below ground level).The base layers of the pavement and track are to be made of compacted inert stone materials. • The scheme also involves the resurfacing of impacted sections of the roadways and painting of new road markings within the scheme footprint. The existing road surface course layer will be planed-out where required within the scheme extents with planings being removed off site for disposal at an appropriately licenced facility. The planed-out area will be replaced with Hot Rolled asphalt (HRA) or Stone Mastic Asphalt (SMA) surface course ca. 40mm - 60mm thick. Following road resurfacing new road markings will be painted on road surfaces. These works will be set back from the river at all times and where close to the river the sides of the new path will be battened in order to clearly define the works area. All machinery used on site will be of a size / scale appropriate to the works area. Removal of additional vegetation to facilitate access by machinery is not permitted. • Drainage along most of the path will be over the edge to vegetation drainage. Otherwise, the drainage works are limited to the relocation of existing road gullies with the larger existing road drainage infrastructure (i.e., carrier drains) not being altered or adjusted. During these works the main carrier drains will be isolated / blocked off from works activities / work zones to facilitate the relocation of drainage gullies. As the proposed path will not be used by vehicles there is not a risk of spillage of contaminants such as hydrocarbons. • The construction of the cycleway will also involve relocation and installation of footpaths and kerbs adjacent to the cycleway. Footpaths will be constructed similar to the cycleway; excavation of existing footpath with materials removed off site to a licenced waste facility; excavations along footpath alignment to depths of maximum 700 mm; infill of footpath subbase materials (compacted stone) and the pouring of concrete footpaths in shuttered sections. A ca. 60mm high poured concrete kerb will also be installed along the footpath edge. As above, these works will be set back from the river at all times and where close to the river the sides of the new 	<p>No</p>

Conservation objective	Habitat	Description of effects	LSE
		<p>path will be battened in order to clearly define the works area. Works will also be undertaken in short sections at a time to minimise volume of concrete being poured at any one time.</p> <ul style="list-style-type: none"> It will be the responsibility of the Contractor to determine a suitable location for the site compound within the proposed development area, but away from any identified environmental sensitive receptors (watercourses, designated sites etc.), so as to avoid potential impacts to the environment and the general public. The final proposed site compound location will be subject to Client approval and will not be within 25m a watercourse. No new bridges are proposed at this time. Apart from the addition of some safety railings no alteration to current bridges is proposed. The proposed works do not include any new barriers between the river and its floodplain. They will not lead to any change in the frequency of flooding. Therefore, there will be no significant effect. <p>There is limited potential for pollutants and chemicals to enter the surface water run-off network from the proposed works adjacent to the Triogue River. However, given the scale and duration of the works (see Section 1.2), and that the path is to be constructed in sections the risk is predicted to be low. Furthermore, pouring of concrete, use of asphalt and application of road markings would be applied during periods of dry weather. As such the probability of negative impacts on water quality occurring is low. Further, given the distance (ca. 12.5km) from the proposed works site to this SAC, it is not likely that the attributes of this conservation objective for salmon will be impacted.</p> <p>Thus, given the nature and scale of the proposed works and that no in-stream works will occur, the potential for pollutants and chemicals to enter the watercourse is low. Therefore, the distribution of these species will not be affected by the proposed works.</p>	
<p><i>To restore the favourable conservation condition of Otter in the River Barrow and River Nore SAC</i></p>	<p>Otter</p>	<p>The attributes of this conservation objective relate to distribution, extent of terrestrial, marine and freshwater habitats, couching sites and holts, and fish biomass available.</p> <ul style="list-style-type: none"> Given that the proposed works are located in a terrestrial area and that no in-stream works will occur, there will be no impact to instream otter habitats. Otters have a broad diet that varies locally and seasonally, but dominated by fish, in particular salmonids, eels and sticklebacks in fresh water (Bailey & Rochford, 2006). Where available, crayfish can also form a substantial part of this species' diet. As noted above, there will be no significant effect on crayfish, lampreys or salmon as a result of the proposed works and therefore no negative impact on food availability. There was no evidence of otter "<i>including resting places, natal dens/holts or couches recorded during the course of field surveys</i>" undertaken by CAAS (2020a). There will be no negative impacts from proposed works to any of these structures. No new bridges are proposed at this time. Apart from the addition of some safety railings no alteration to current bridges is proposed. The proposed works do not include any new barriers between the river and its floodplain. They will not lead to any change in the frequency of flooding. Therefore, there will be no significant effect to the hydrology of the river. Otters are sensitive to noise and visual disturbance. However, works will all be during daylight hours. No overnight lighting is proposed. There will be no deep excavation and no barriers to otter continuing to move 	<p>No</p>

Conservation objective	Habitat	Description of effects	LSE
		<p>upstream / downstream on the Triogue. Furthermore, works are within the urban fabric of Portlaoise with associated levels of disturbance</p> <p>Thus, given the scale of the proposed works and the methods which will be employed, it is predicted that the proposed works will not have a significant effect on Otter within the River Barrow and River Nore SAC.</p>	

5.4. Potential In-combination Effects

Potential in-combination effects with the following plans and projects were considered during the preparation of this report. The search of Laois County Council was based on a map-based search (MyPlan.ie).

The Laois County Development Plan 2017-2023⁴ sets out strategies and objectives to provide sustainable development within Co. Laois. In the case of the proposed works for the Triogue Way, it is noted that encroachment on the SAC will be avoided, a buffer area shall be implemented and that there shall be no loss of bankside vegetation. Road developments that involve crossing Natura 2000 sites will ensure that alternative routes have been considered to minimise the impact on the Natura 2000 site. The Plan also identifies the need for flood defence works or river channel maintenance to be assessed according to Article 6 of the Habitats Directive, i.e., Appropriate Assessment.

The Plan contains a number of Biodiversity objectives, which includes the maintenance and protection of the River Barrow and River Nore SAC and to preserve ecological linkages or stepping-stone habitats and landscape features. A Natura Impact Report was prepared for the Plan, which assessed the Plan regarding its potential to adversely affect the integrity of European sites. The findings of the AA were integrated into the Plan, ensuring that potential adverse effects have been and will be avoided, reduced or offset (CAAS, 2017). Thus, an AA determination was made by Laois County Council that the Plan is not foreseen to have any likely significant effects on the ecological integrity of any European Site (CAAS, 2017). As outlined in the Plan, this AA Screening report is being prepared to ensure that the proposed works will not have likely significant effects on European sites. Given the elements outlined above, the Laois County Development Plan 2017-2023 is not anticipated to have any significant effect in combination with the proposed works.

Farmers and landowners may also undertake general agricultural operations in areas adjacent to the proposed works and along the river, which could potentially give rise to impacts of a similar nature to those arising from the proposed works. This could potentially result in additional an increased risk to water quality. Many agricultural operations are periodic, not continuous in nature, and qualify as Activities Requiring Consent (ARCs) that require consultation with the NPWS in advance of the works, e.g., reclamation, infilling or land drainage within 30m of the river, removal of trees or any aquatic vegetation within 30m of the river, and harvesting or burning of reed or willow (NPWS, 2022a). Agricultural operations must also comply with the European Communities (Environmental Impact Assessment) (Agriculture) Regulations, 2011 (as amended) in relation to:

- Restructuring of rural land holdings,
- Commencing use of uncultivated land or semi-natural areas for intensive, and
- Land drainage works on lands used for agriculture.

A Natura Impact Statement (NIS) is required under Regulation 9 if it is likely to have a significant effect on a Natura 2000 site. The drainage or reclamation of wetlands is controlled under the Planning and Development (Amendment) (No. 2) Regulations, 2011 and the European Communities (Amendment to Planning and Development) Regulations, 2011. Therefore, the in-combination effects of agricultural operations and the proposed works are not likely to be significant.

Near the proposed works, projects that have been granted planning permission include retention of existing developments, typically extensions to domestic dwellings, or the construction of new domestic dwellings or extensions to such dwellings. Regarding potential impacts to water quality, these projects will have to comply with the EPA's Code of Practice for Wastewater Treatment Systems for Single Houses (EPA, 2009, 2018). These developments have conditions attached to their planning permission relating to sustainable development, such as siting of septic tanks, foul surface water and effluent drainage facilities, and clean surface water run-off drainage facilities. Therefore, it is not anticipated that the developments that have been granted permission will have any significant effects in combination with the proposed works.

⁴ Laois County Development Plan 2017-2023: <https://laois.ie/departments/planning/development-plans/draft-laois-county-development-plan-2017-2023/>

A number of recent development applications / decisions along the proposed route are listed in Table 5.5. Due to either timing or nature of proposed work A It is not anticipated that these would act in combination with the proposed project

Table 5-2 - Planning applications in the immediate environs.

Ref. No.	Location	Application	Status
23/60095	Ridge Road , Portlaoise, Co. Laois	For retail building containing 2 large retail units with a separate enclosed service area and one restaurant with drive through facility. The proposed development will include the demolition of two residential bungalows and garden walls, partial demolition of the existing boundary wall to the Dublin Road to form a new pedestrian access/plaza to the development and erection of a new railing boundary treatment to the Dublin Road frontage, demolition of the existing boundary wall along Ridge Road and replaced with a new retaining boundary wall with railings along Ridge Road. Site works will comprise of; (a) provision of a new access road/entrance to the north east of the development off Ridge road; (b) provision of 90 no. car parking spaces (including 7 no. accessible parking spaces); (c) installation of signage on the buildings external elevations and provision of two totem signs adjacent to the proposed development along the Dublin Road and Ridge Road Elevations; (d) provision of landscaping, drainage systems, footpaths, boundary treatments, lighting and all ancillary works necessary to facilitate the proposed development; (f) the proposal facilitates an area required for the future construction of the Triogue Blueway Part B (Phase 2) by Laois County Council.	Incomplete Application
22/60005	Green Mill Lane, Portlaoise, Co. Laois, R32T263	Construction of 49 nr. residential units consisting of 15 nr. terraced, two-storey houses (1 nr. 4-bedroom house and 14 nr. 3-bedroom houses) and 34 nr., two bed apartments arranged in 2-storey blocks of 12 apartments (1 nr. block), 8 apartments (2 nr. blocks) and 6 apartments (1 nr. block). Proposed access will be through the existing entrance (serving Mill Court) off Green Mill Lane and works will include new estate roads, parking courts, boundaries, landscaping, a play area, related and ancillary services including bin storage and cycle shelters along with the demolition/removal of the existing boundary wall fronting Green Mill Lane and all associated site-works at Green Mill Lane, Portlaoise.	Conditional Permission granted.
21/885	Greenville House (RPS 461), Mountmellick Road, Portlaoise	a) change of use from dwelling house (record of protected structure no. 461) to 2 one-bedroom apartments, b) construct 4 two-bedroom apartments and 2 one-bedroom apartments, c) demolish existing outhouse, d) reconfigure site entrance and associated parking, e) bin shelter, covered bicycle rack, ESB sub-station with own access and all associated site works. All works are in the curtilage of protected structure No. 461	Following receipt of further information, decision due in 22/11/2022. Conditional permission granted.
18/220	Green Mill Lane, Portlaoise, Co. Laois	Extend time on planning permission 13/43. replace existing 2 storey fire damaged house with new 2 storey house to include all associated ancillary works.	Permission originally granted - 22/02/2013. Extension granted in 2018.

6. Conclusion

This Appropriate Assessment Screening Report has examined the details of the proposed works for the Triogue Way, Portlaoise, and the Natura 2000 sites in the Zone of Influence. It has analysed the potential impacts of the proposed works on the receiving natural environment and evaluated their effects, both individually and in combination with other plans and projects, in view of the conservation objectives of the relevant Natura 2000 sites. This report has been prepared in line with the Habitats Directive, as transposed into Irish Law by the European Communities (Birds and Natural Habitats) Regulations, 2011 (as amended), relevant case law and guidance from the European Commission, the Department of the Environment, Heritage and Local Government and the Office of the Planning Regulator, on the basis of objective information and adhering to the precautionary principle.

Following the assessment detailed in this report, it can be concluded beyond reasonable scientific doubt that the proposed project will not, either individually or in combination with other plans or projects, give rise to any impacts which would constitute significant effects on the River Barrow and River Nore Special Area of Conservation (site code: 002162) or any other Natura 2000 site, in view of their conservation objectives. Therefore, it is the recommendation of the authors of this report that Laois County Council, as the competent authority in this case may determine that Appropriate Assessment is not required in respect of the proposed works. Should the scope of the proposed works change, a new Appropriate Assessment Screening Report and final determination will be required.

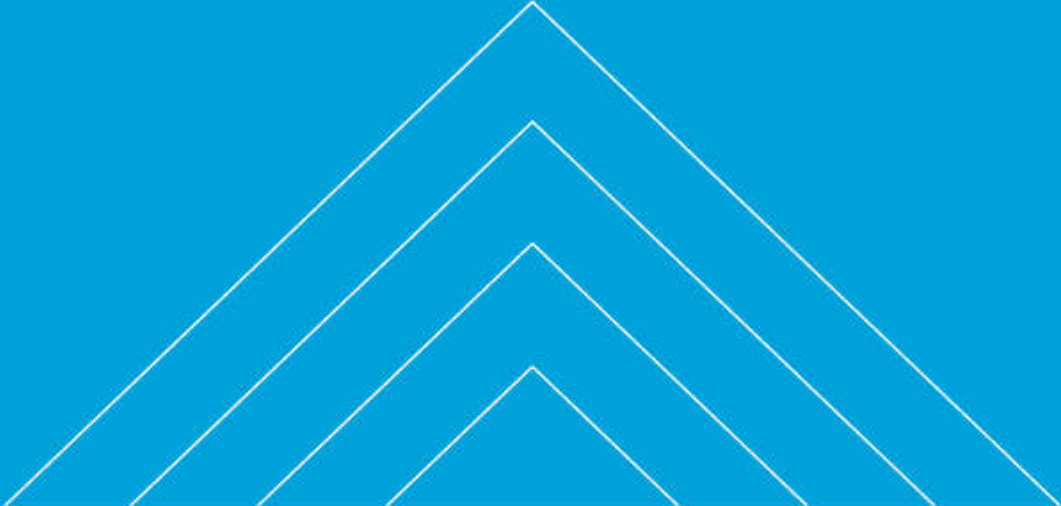
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Appendices



Appendix A. Ecological Recommendations

A.1. Bats

From CAAS (2020a).

Boston, E. (2020). *Bat Survey Report for Phase 1, 2 and 3 of Portlaoise Blueway Cycle Scheme*. Prepared for Laois County Council.

Ecological Recommendations: Bats

Boston, E. (2020). *Bat Survey Report for Phase 1, 2 and 3 of Portlaoise Blueway Cycle Scheme*. Prepared for Laois County Council.

The proposed public lighting should be designed to minimise light spill on to habitat features, such as the River Triogue or the bat boxes present on site, and concentrate artificial light only where required. Where public lighting is to be installed along the proposed scheme, the following recommendations are proposed (following BCT 2009, ILP 2011): —

- Lighting should be minimised wherever possible in terms of number of lights, the power of the lights (lux level), as well as the UV content. Using powerful lighting on wildlife corridors can, for some species, effectively sever connectivity; and
- Directional lighting, facing and located away from the surrounding vegetation should be used, e.g. the use of hoods, cowls.

In addition to measures to avoid impacts, there is opportunity for ecological enhancement for bats as part of the proposed development. Given lack of roosting opportunities available to local bat populations at present, the addition of bat boxes, in a variety of designs suitable for bats with differing roosting habits could be installed on mature trees within the Ridge of Portlaoise pNHA, the Peoples Park and River Triogue Linear Park to supplement those already present.

Bat boxes should be installed on mature trees, positioned to face south, south east, or south west and at heights no less than 4m above ground level. Suitably experienced ecologists must oversee the installation of the boxes. All personnel should wear gloves to reduce transmission of human pheromones, which may reduce or delay uptake of boxes by bats.

Bat boxes are available commercially from a variety of suitable outlets (e.g. NHBS website <http://www.nhbs.com>).

A.2. Proposed Enhancement Measures

From CAAS (2020a).

CAAS (2020a). *Ecological Impact Assessment for Part B (Phases 2 & 3) of the proposed Triogue Blueway (Cycleway Scheme) at Portlaoise, Co. Laois*. Prepared for Laois County Council.

1. Wildflower/Butterfly Meadow Creation

Suitable habitat for wildflower meadow creation occurs where the proposed cycle track adjoins an area of dry meadows and grassy verges (GS2) at the Old Portlaoise Convent Grounds which is currently unmanaged (refer to Figure 8 and (see Appendix B, below). Mowing of the grassland area should be carried out annually after the main flowering season, in late August / September to increase plant species diversity. This would allow an increase in habitat for the growth of wild flowers and in turn provide important food and nectar sources for invertebrates (e.g. butterfly, bees, beetles), and feeding areas for birds and bats. Grassland management will involve cutting the area of dry meadows and grassy verge (GS2) habitat at least once per year (end of the growing season in August/September) and cuttings removed. The use of fertilisers, herbicides or pesticides should be avoided. Similar to sections of Páirc and Phobail (People's Park), this area should be included and managed as part of the All Ireland Pollinator Plan. The wildflower meadow will also serve as an aesthetic feature from a landscape point of view, offering a rich diversity of colour where the proposed cycle track adjoins this meadow and a section of broadleaved woodland. Other opportunities to manage wildflower meadows in line with the All Ireland Pollinator Plan include the River Triogue Linear Park (if not managed as part of the plan already and where dry meadows are present).

2. Nesting Opportunities for Freshwater Specialists

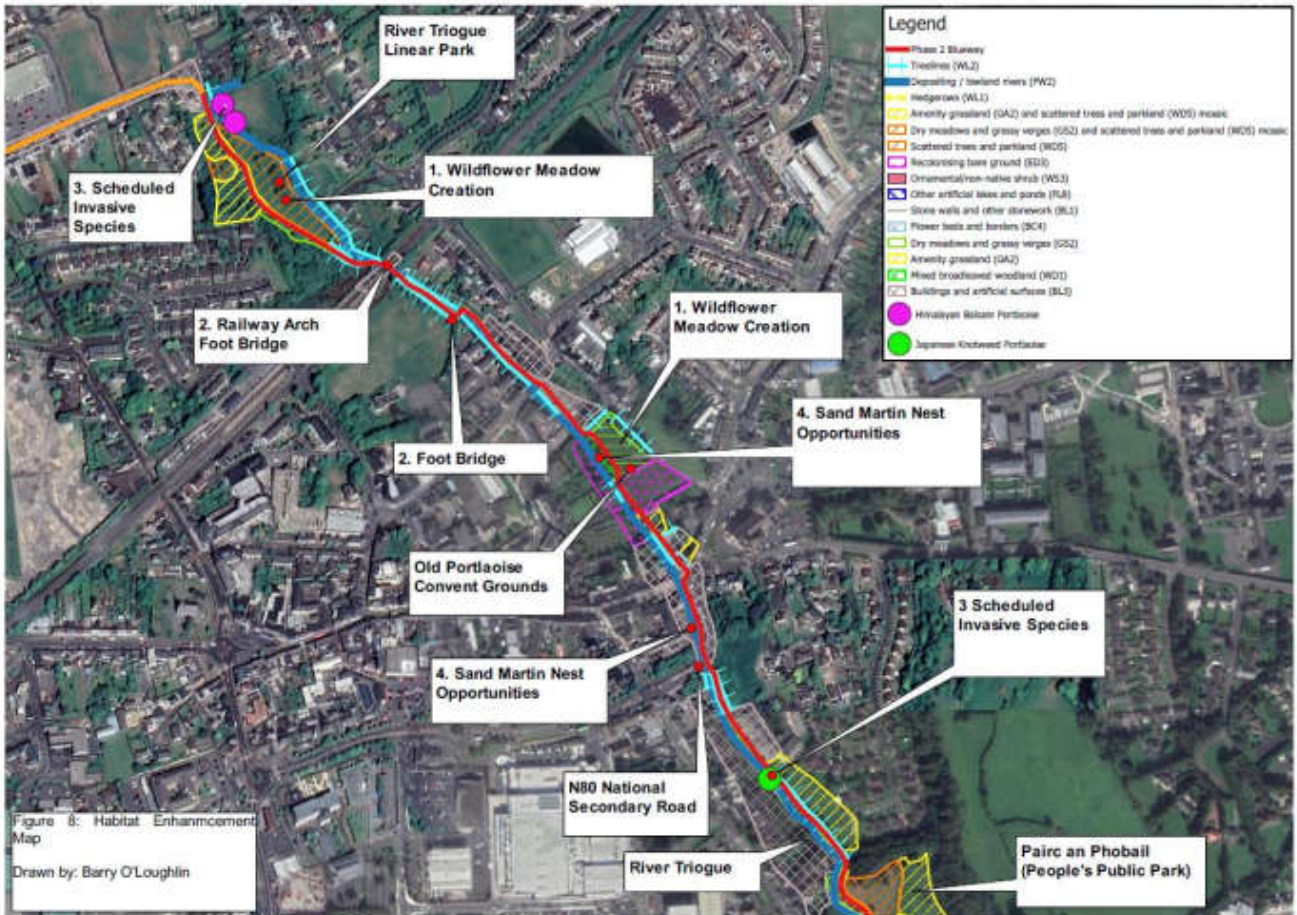
The proposed development requires the possible upgrade of two foot bridges along phase 2 of the scheme. The project design could adopt bridge structures built to include either, in-built dipper/Grey Wagtail (recorded during field surveys) boxes or a suitable panel/bracket for boxes to be fitted in retrospect. This is an important design feature to include and would be very easy and cost effective. This will provide nest opportunities for riverine specialist bird species such as dipper and grey wagtail which will add to the local biodiversity of phase 2 of the scheme.

3. Eradication of Scheduled Invasive Species

While the proposed development avoids disturbance of scheduled invasive species such as Japanese knotweed and Himalayan balsam along phase 2 of the scheme, a program to eradicate this species from the town should be considered. Specialist advice should be sought on appropriate eradication techniques which will likely involve the preparation and implementation of an Invasive Species Management Plan.

4. Sand Martin nest opportunities

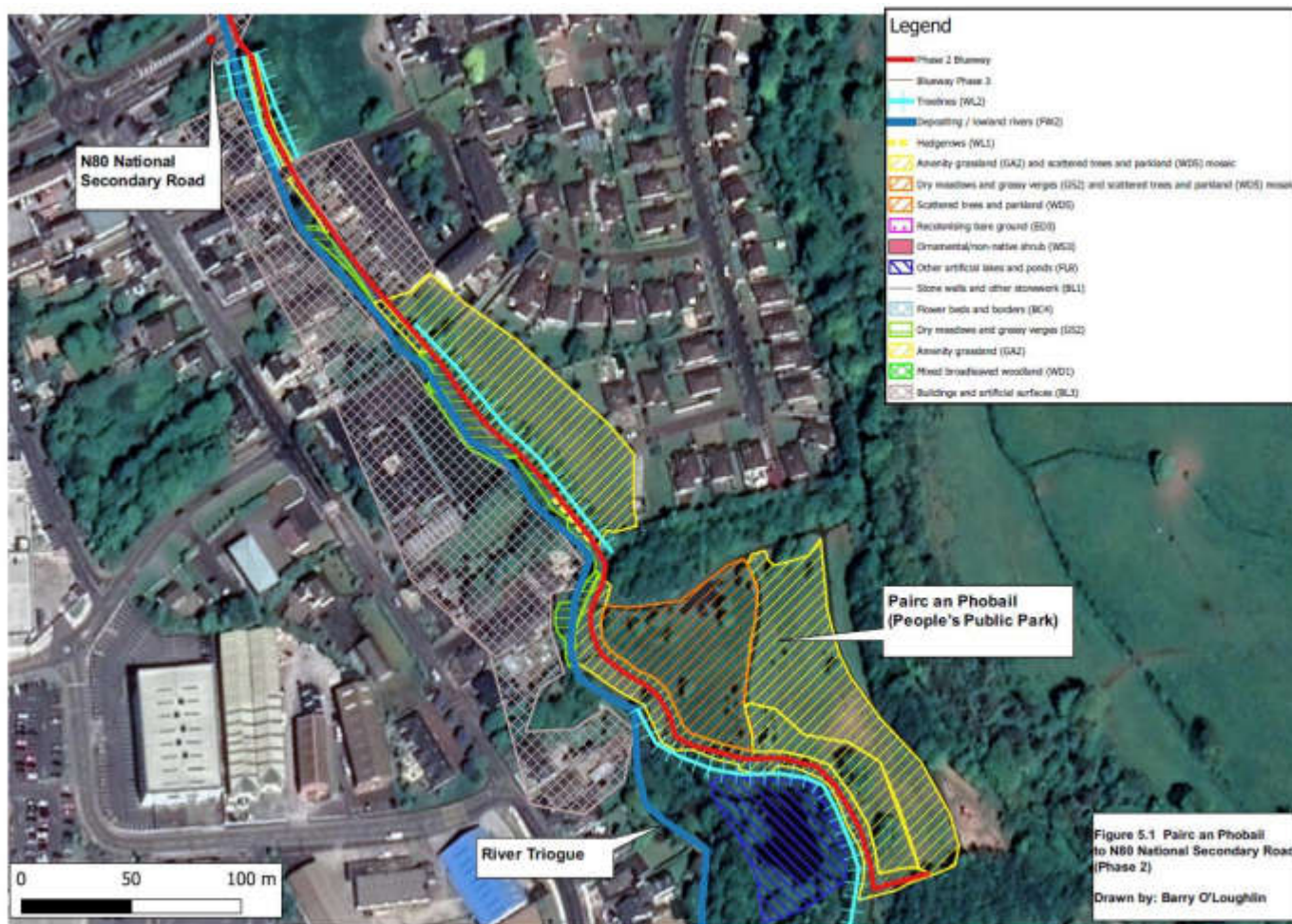
There is potential for the creation of sand martin nest sites along the River Triogue which would enhance bird species diversity within the urban environs of Portlaoise town. The provision of nesting opportunities may take the form of an artificial nest wall to support a sand martin colony or the installation of sand martin nest boxes at suitable locations along the River Triogue. Specialist advice should be sought from BirdWatch Ireland and input required from an Ecologist for appropriate site selection (in suitable habitat and at inaccessible locations from general public to avoid nest damage/destruction) and installation of artificial nests.



Appendix B. Habitat Maps

From CAAS (2020a).

CAAS (2020a). *Ecological Impact Assessment for Part B (Phases 2 & 3) of the proposed Triogue Blueway (Cycleway Scheme) at Portlaoise, Co. Laois.* Prepared for Laois County Council.



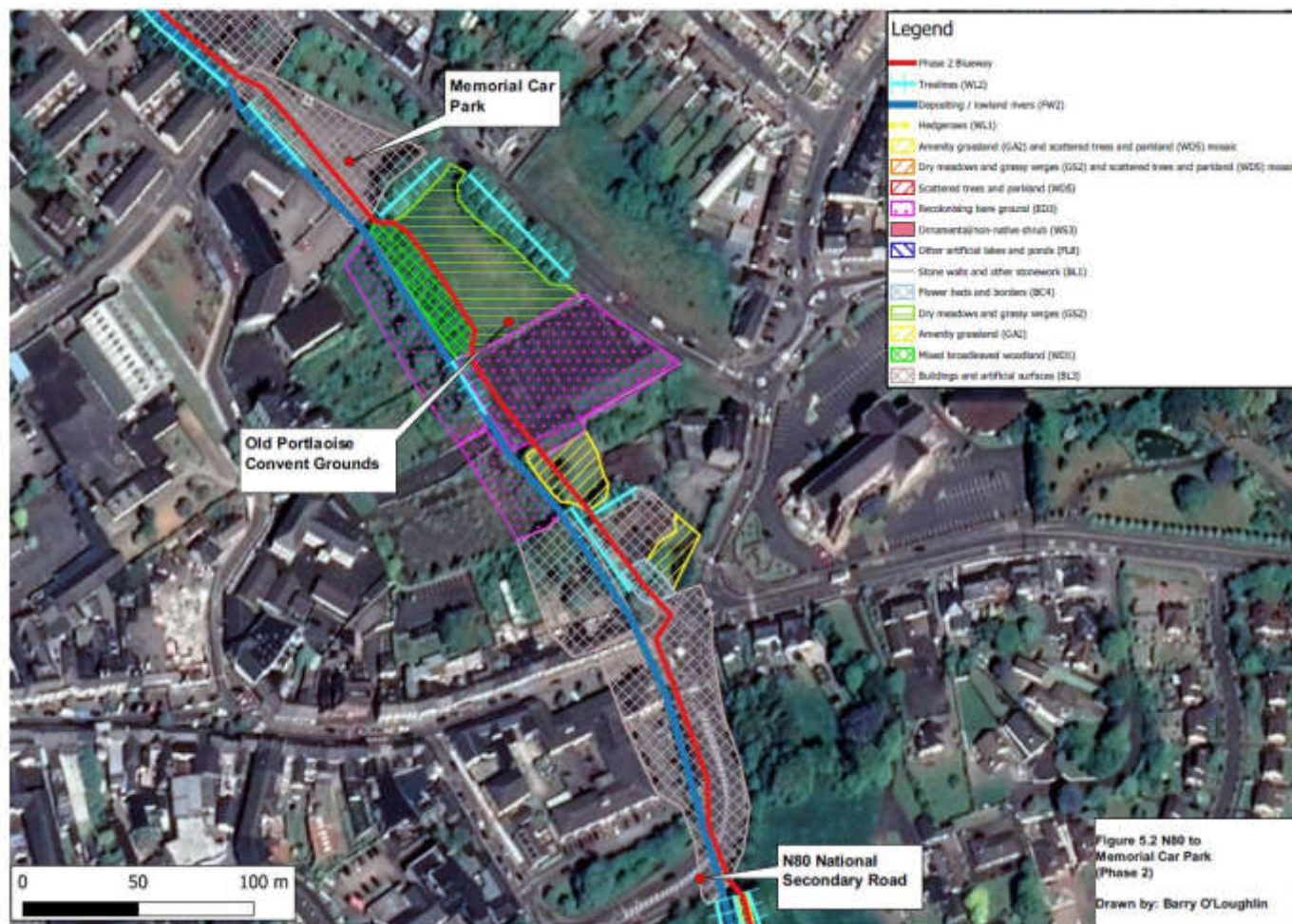


Figure 5 N80 to Memorial Car Park (Phase 2)

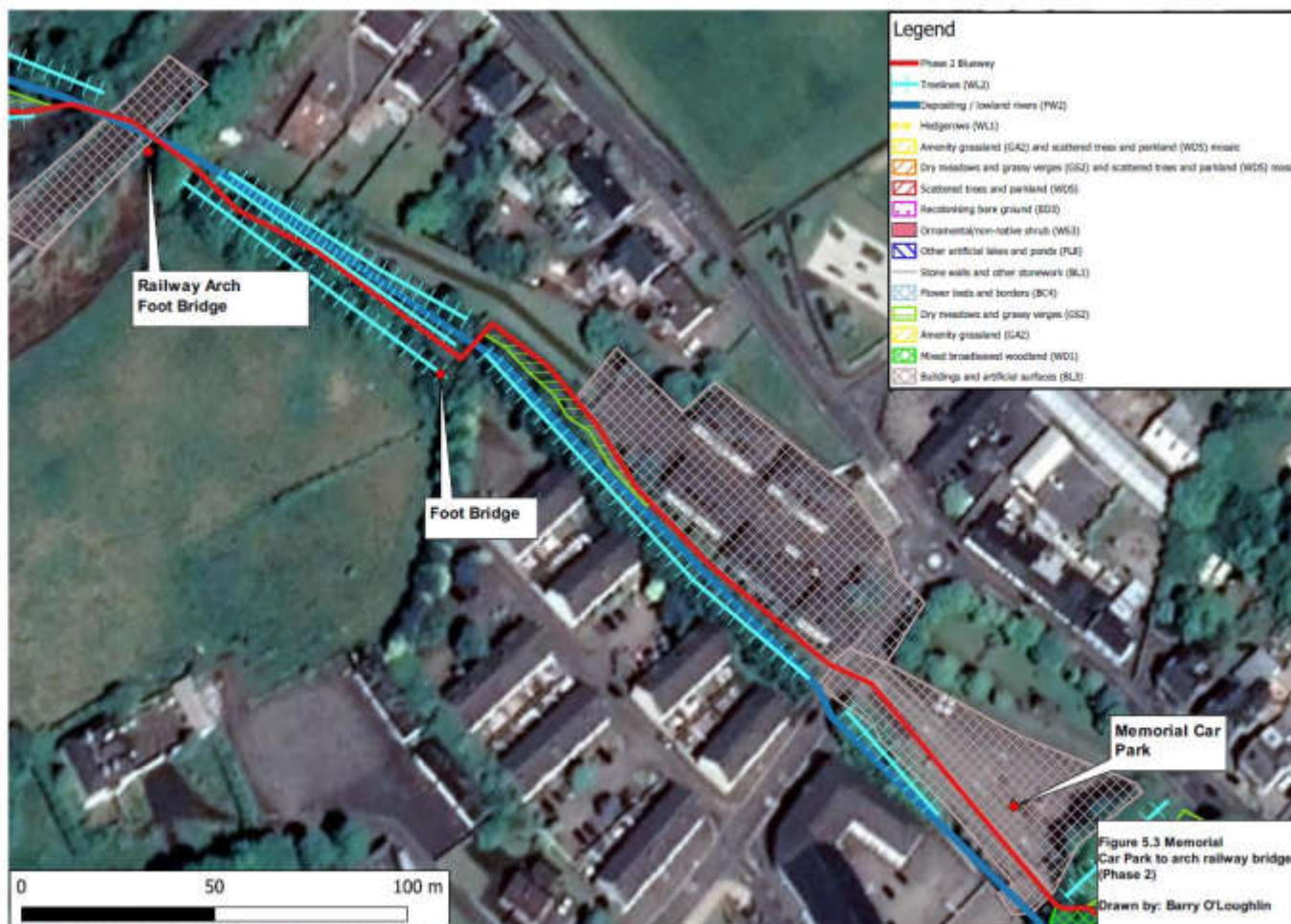


Figure 6 Memorial Car Park to arch railway bridge (Phase 2)

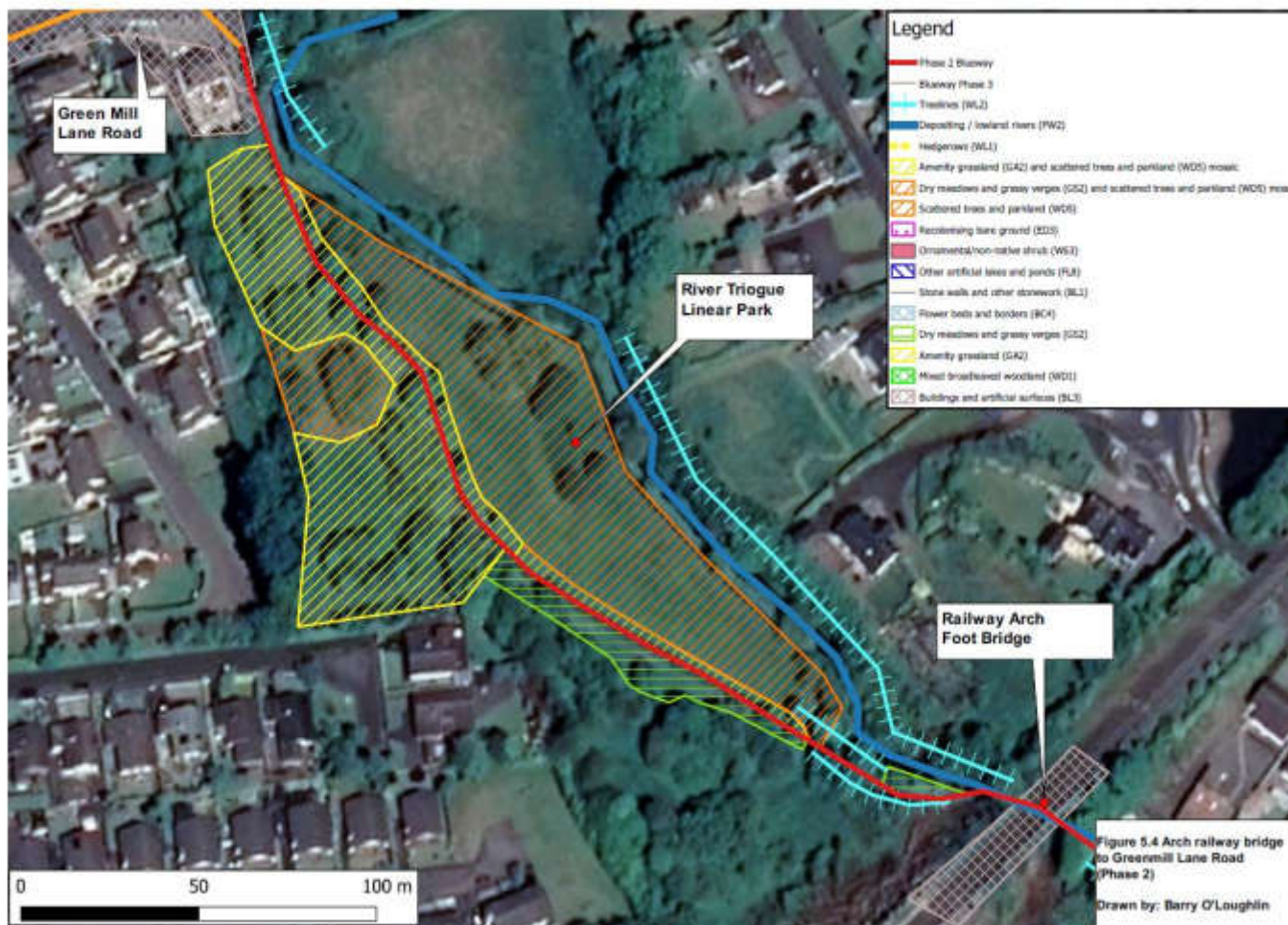
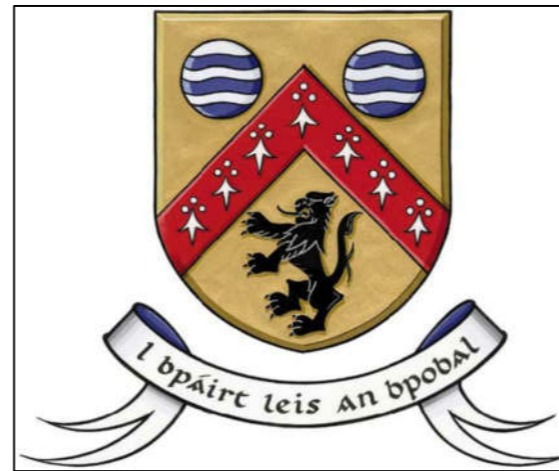


Figure 7 Arch railway bridge to Greenhill Lane Road (Phase 2)

Appendix C. Triogue Way Design Drawings



PORTLAOISE TRIOGUE WAY

Portlaoise People's Park to the Linear Park

Part VIII Drawings

LAOIS COUNTY COUNCIL COMHAIRLE CHONTAE LAOISE

Mr. Paul McLoughlin,
Senior Engineer,
Roads, Transportation &
Capital Projects.

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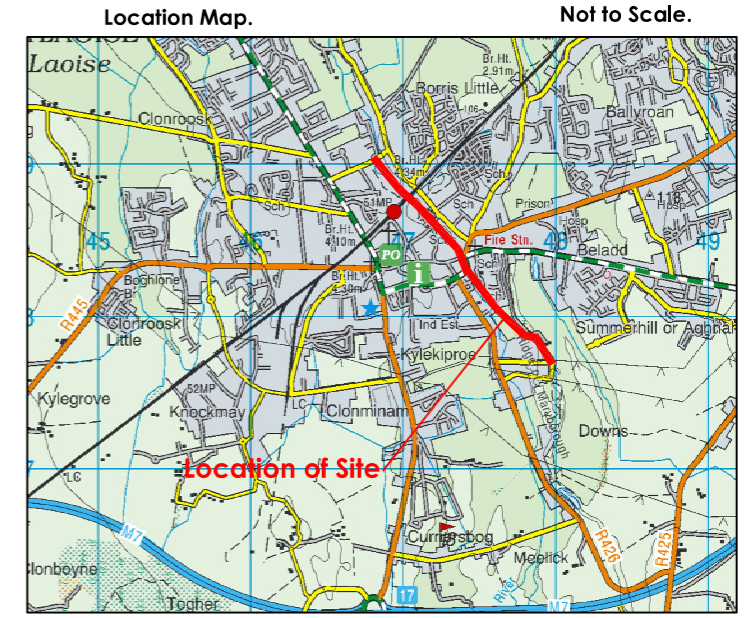
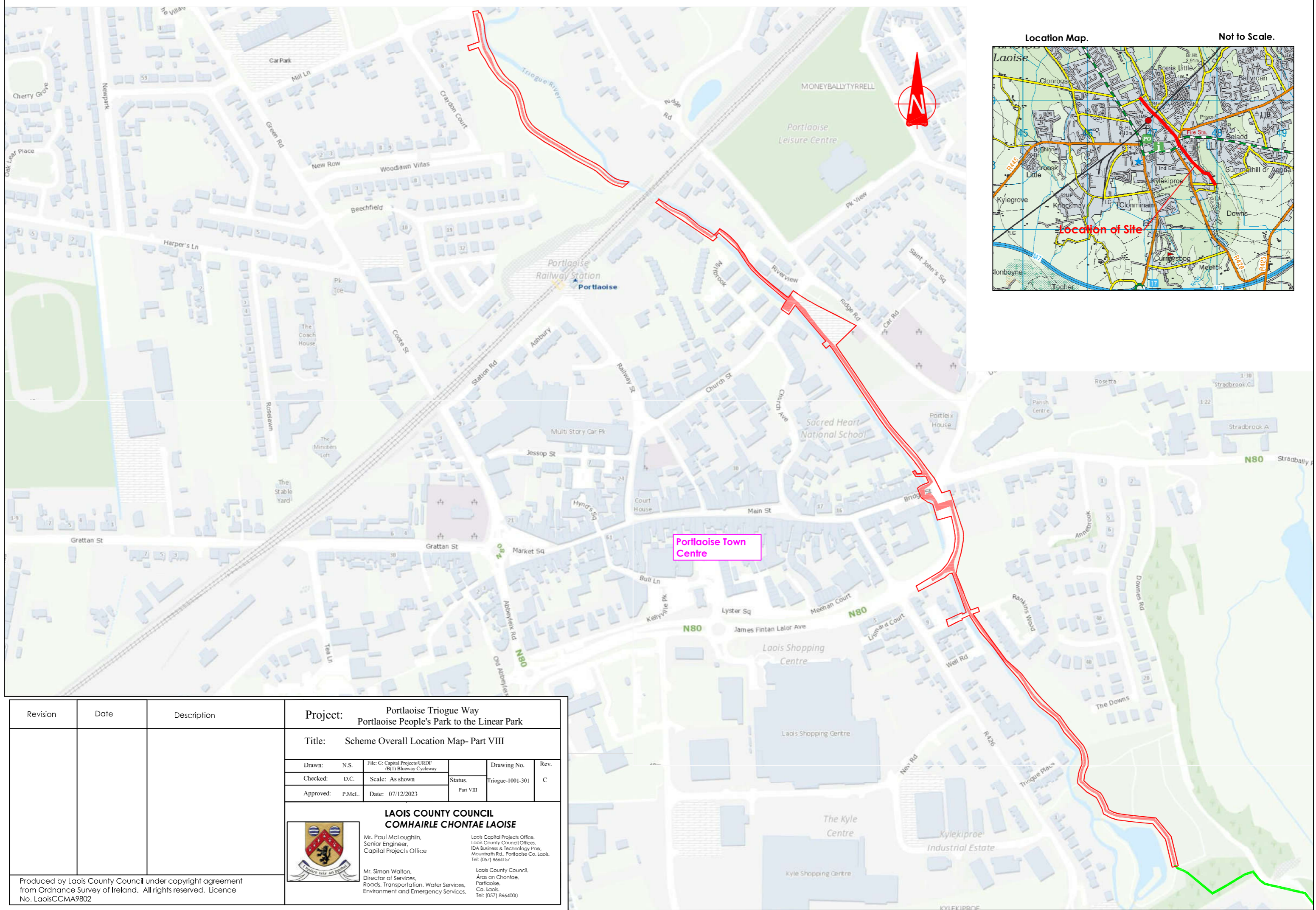
Mr. Simon Walton,
Director of Services,
Roads, Transportation, Environment,
Water Services & Emergency Services.

Drawings are for illustration purposes only

PORTLAOISE TRIOGUE WAY

Drawing Schedule

Drawing No.	Drawing Title
Triogue-1001-100	Scheme Overall Key Map
Triogue-1001-101	Proposed Layout Map 1
Triogue-1001-102	Proposed Layout Map 2
Triogue-1001-103	Proposed Layout Map 3
Triogue-1001-104	Proposed Layout Map 4
Triogue-1001-105	Proposed Layout Map 5
Triogue-1001-106	Proposed Layout Map 6
Triogue-1001-107	Proposed Cross Sections
Triogue-1001-201	Scheme Location Map



Location Map.

Not to Scale.

Revision	Date	Description

Project: Portlaoise Triogue Way
Portlaoise People's Park to the Linear Park

Title: Scheme Overall Location Map- Part VIII

Drawn:	N.S.	File: G: Capital Projects\URDF\BK(1) Blawney Cycleway	Drawing No.	Triogue-1001-301	Rev.	C
Checked:	D.C.	Scale: As shown	Status:	Part VIII		
Approved:	P.McL.	Date: 07/12/2023				

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COMHAIRE CHONTAE LAOISE**

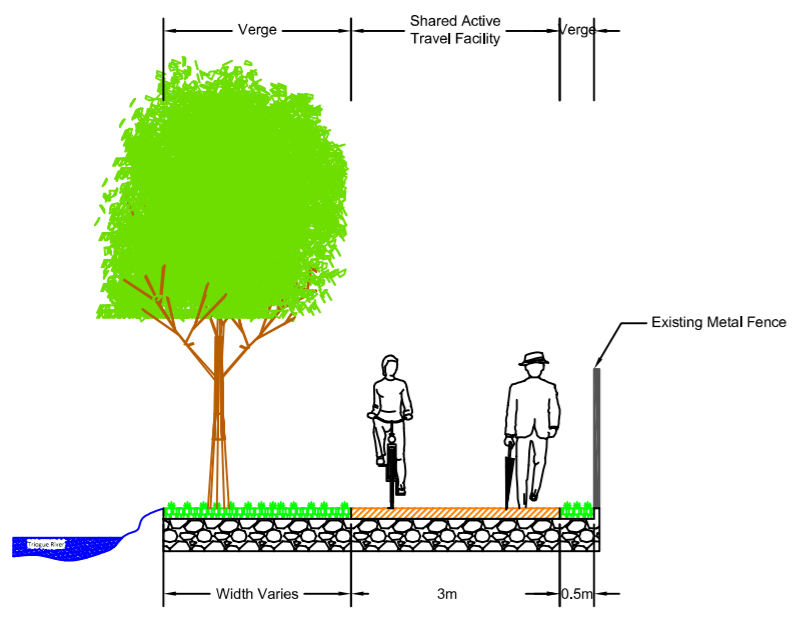
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Senior Engineer,
Capital Projects Office

Mr. Simon Walton,
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Roads, Transportation, Water Services,
Environment and Emergency Services.

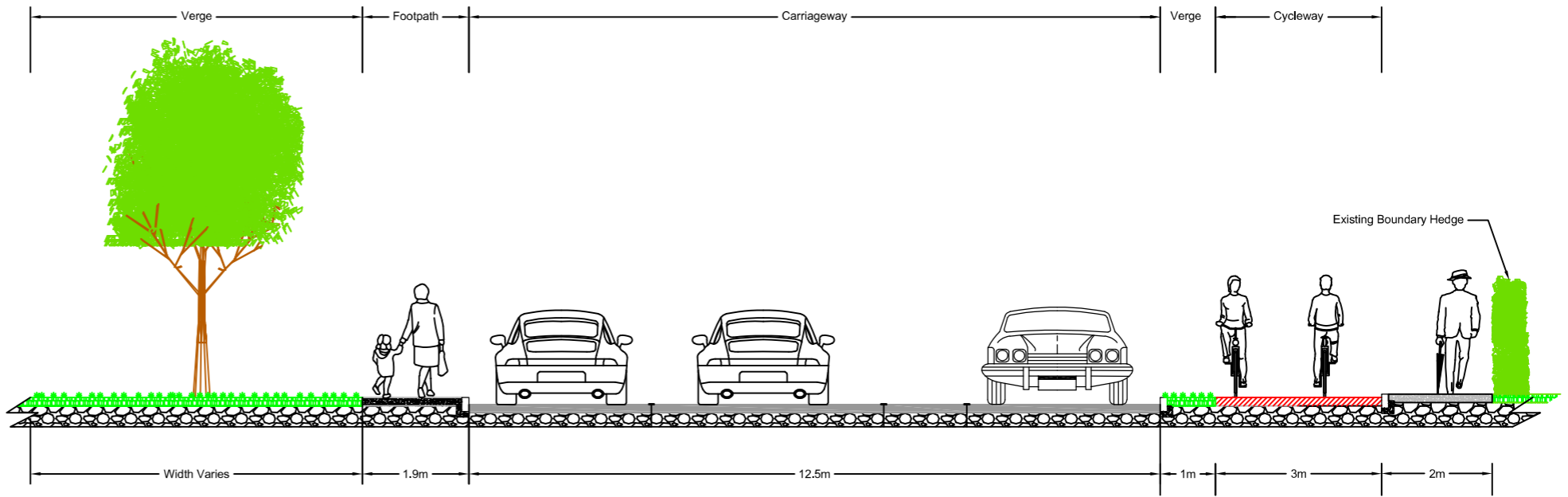
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Laois County Council,
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Co. Laois,
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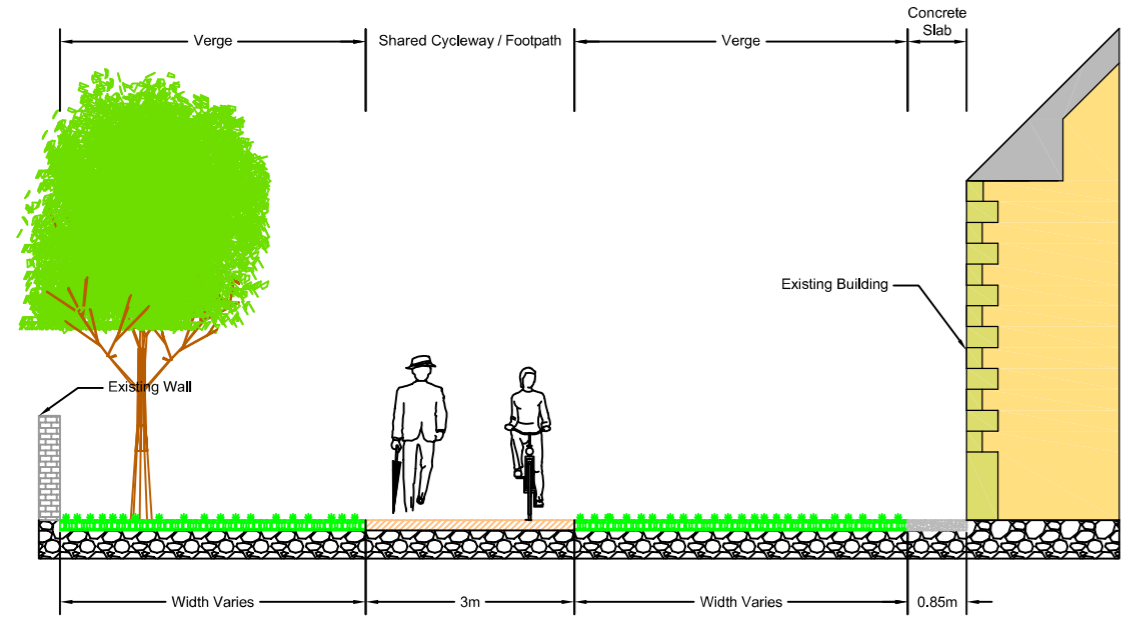
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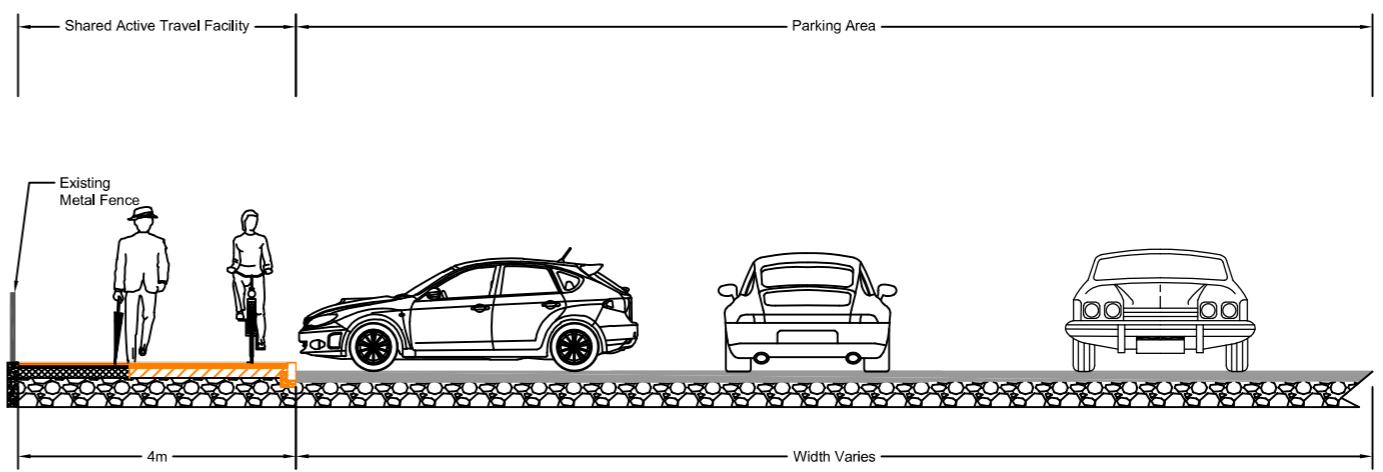
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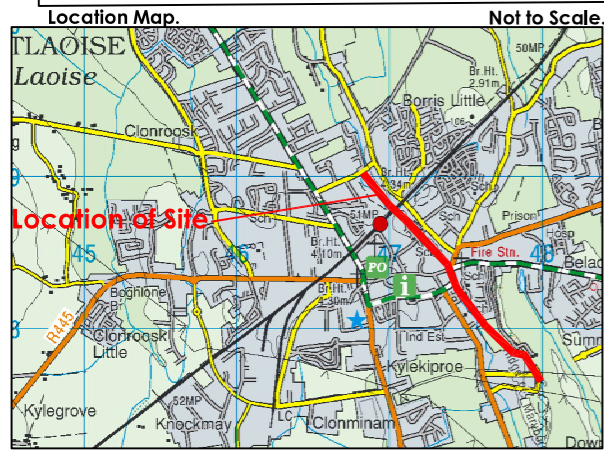
Cross Section 2



Cross Section 3



Cross Section 4



Revision	Date	Description

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Checked: D.C.	Scale: NTS	Status: Part VIII	Triogue-1001-107	C
Approved: P.McL.	Date: 07/12/2023			

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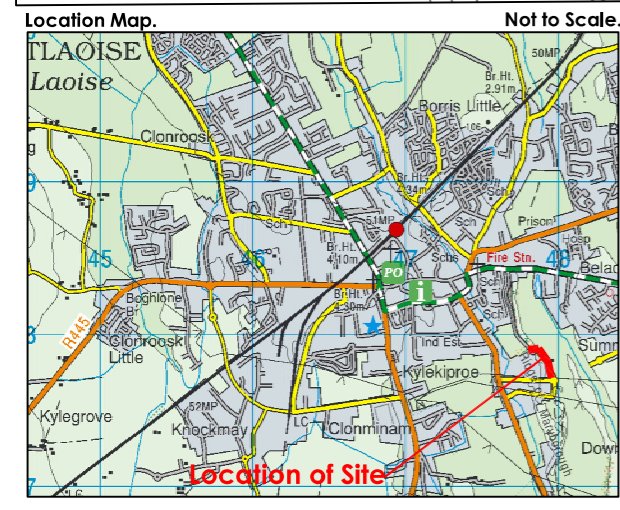
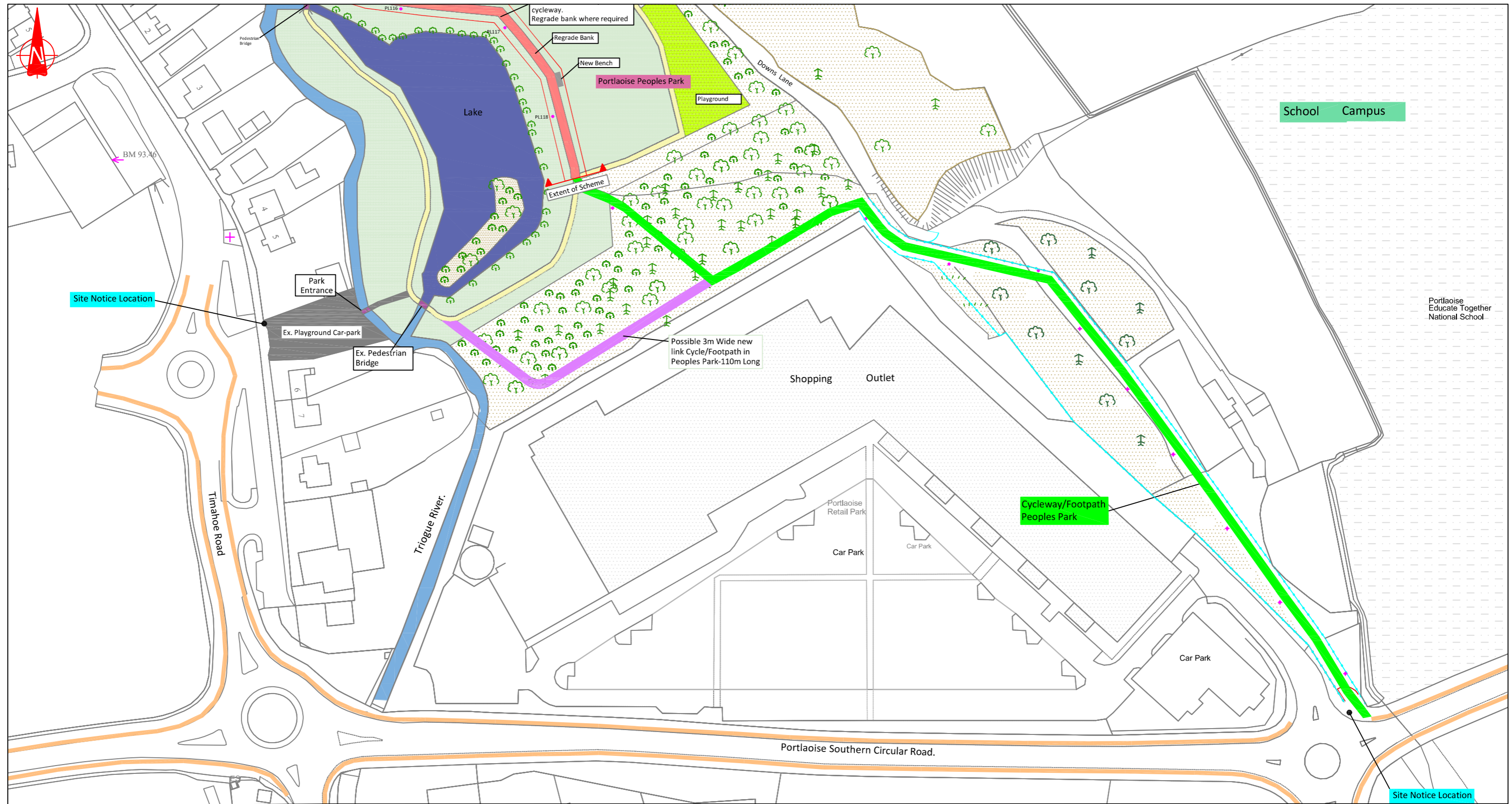
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Proposed Layout Plan



LEGEND

Existing Cycleway/ Footpath	
Portlaoise Triogue Way - Proposed	
Existing Cycleway/ Footpath	
Proposed at Grad Protected Cycle Lane	
Grassed area	
Woodland Area	
Playground	
Triogue River	
Road/Car-Park	
Proposed 4m high Public light	
Site Boundary	

Revision	Date	Description

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Project: Portlaoise Triogue Way
Portlaoise People's Park to the Linear Park

Title: Proposed Layout Map 1-Part VIII

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Approved:	P.McL.	Date: 07/12/2023	Part VIII	C

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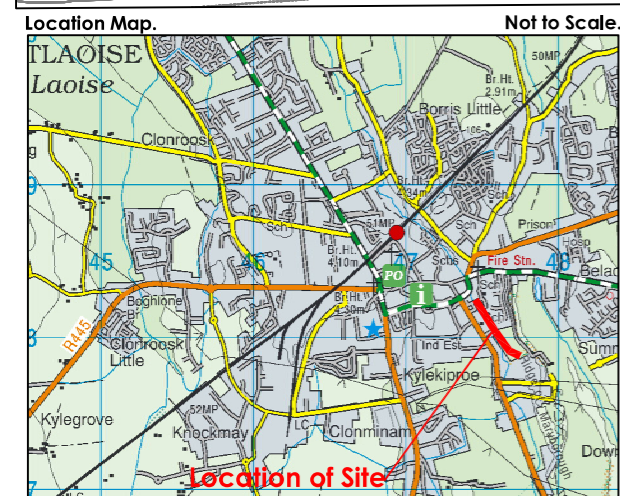
Mr. Paul McLoughlin,
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Capital Projects Office

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Proposed Layout Plan



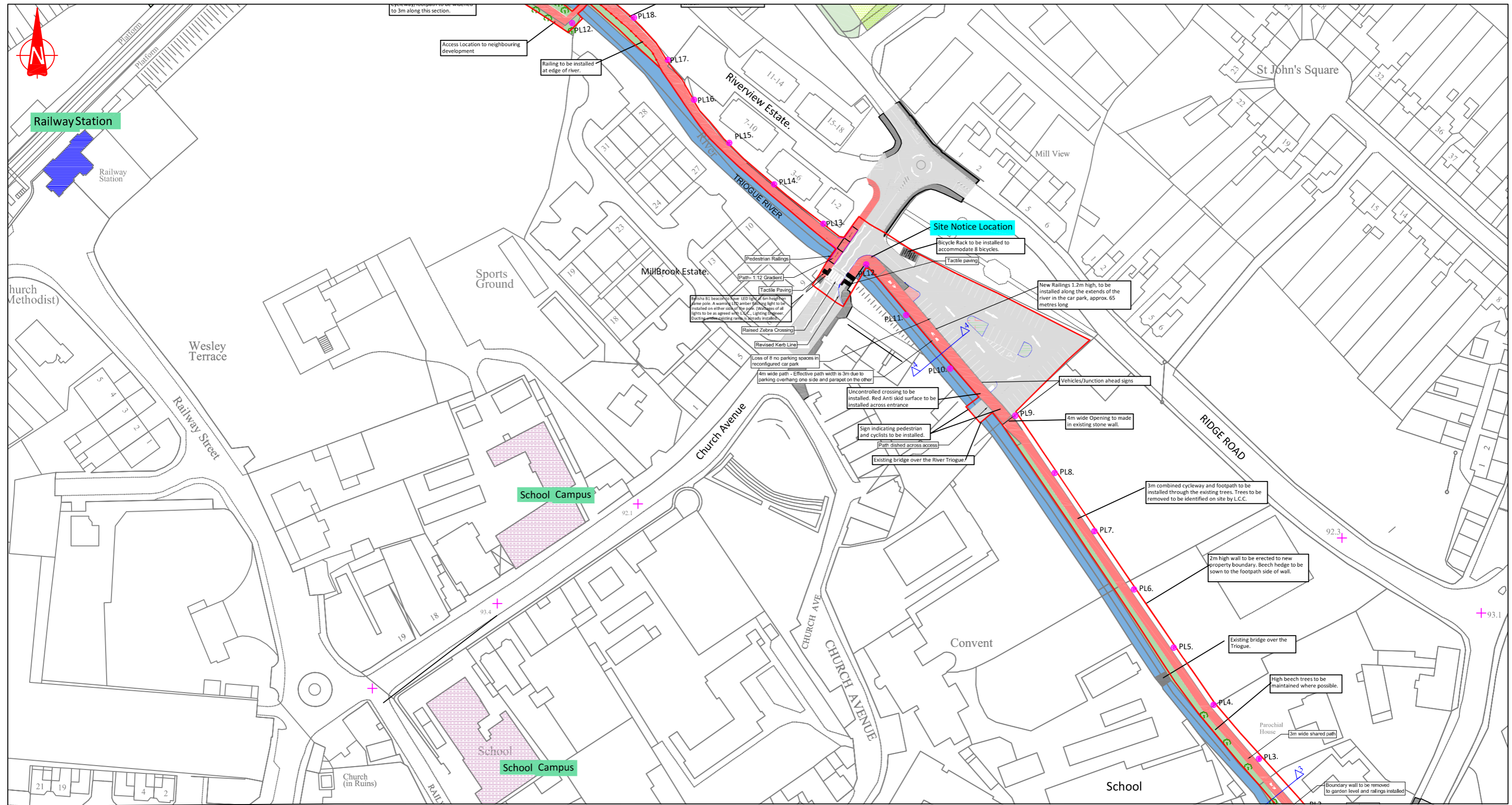
LEGEND

Existing Cycleway/ Footpath	
Portlaoise Triogue Way - Proposed	
Existing Cycleway/ Footpath	
Proposed at Grad Protected Cycle Lane	
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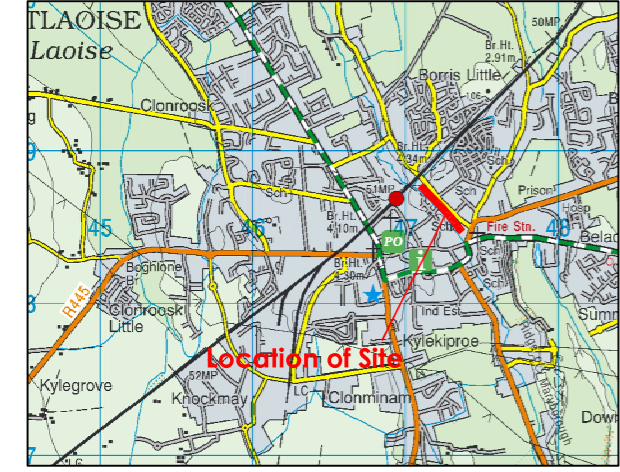
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Approved: P.McL.	Date: 07/12/2023
Status: Part VIII	Drawing No. Triogue-1001-102
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Proposed Layout Plan



Location Map. Not to Scale.



LEGEND

Existing Cycleway/ Footpath	
Portlaoise Triogue Way - Proposed	
Existing Cycleway/ Footpath	
Proposed at Grad Protected Cycle Lane	
Grassed area	
Woodland Area	
Playground	
Triogue River	
Road/Car-Park	
Proposed 4m high Public light	
Site Boundary	

Revision	Date	Description

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Project: Portlaoise Triogue Way
Portlaoise People's Park to the Linear Park

Title: Proposed Layout Map 4-Part VIII

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Checked:	D.C.	Scale:	NTS	Triogue-1001-104	C
Approved:	P.McL.	Date:	07/12/2023	Part VIII	

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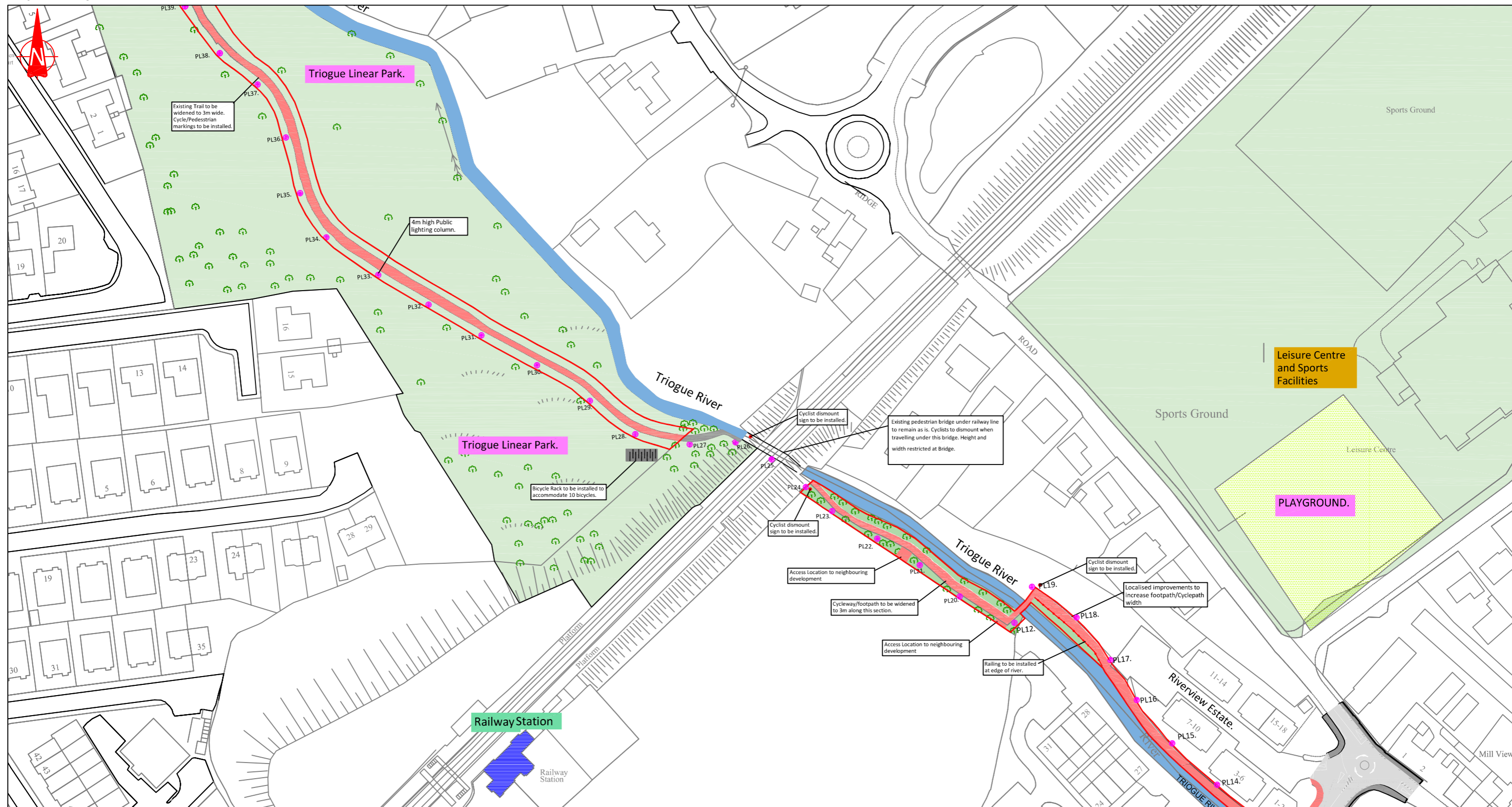
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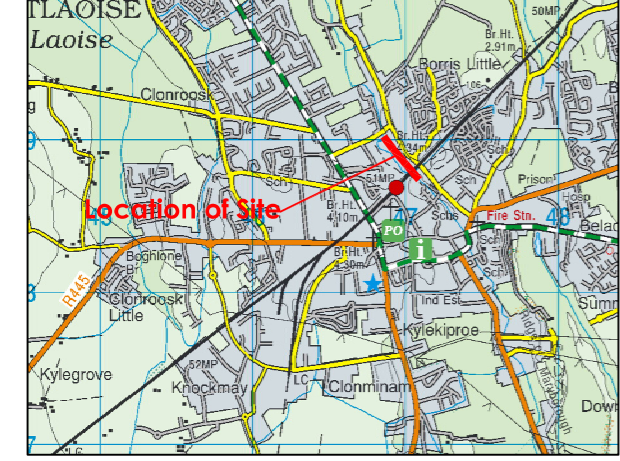
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Proposed Layout Plan



Location Map. Not to Scale.



LEGEND

Existing Cycleway/ Footpath	
Portlaoise Triogue Way - Proposed	
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Proposed at Grad Protected Cycle Lane	
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Revision	Date	Description

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Project: Portlaoise Triogue Way
Portlaoise People's Park to the Linear Park

Title: Proposed Layout Map 5-Part VIII

Drawn:	N.S.	File:	G: Capital Projects/URDF B(1) Blauway Cycleway	Drawing No.	Rev.
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Approved:	P.McL.	Date:	07/12/2023	Part VIII	C

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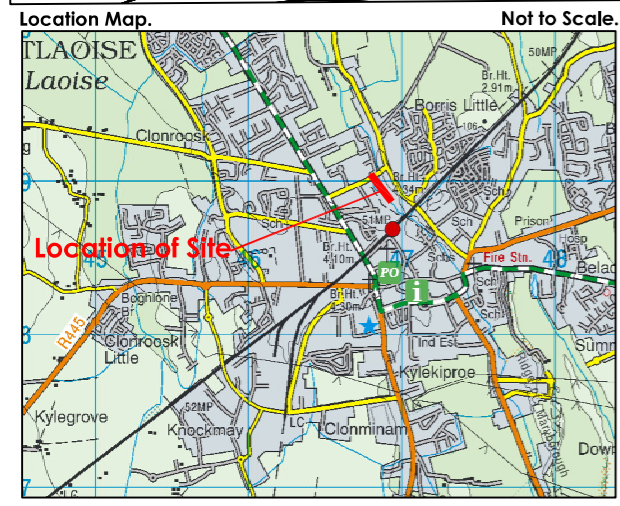
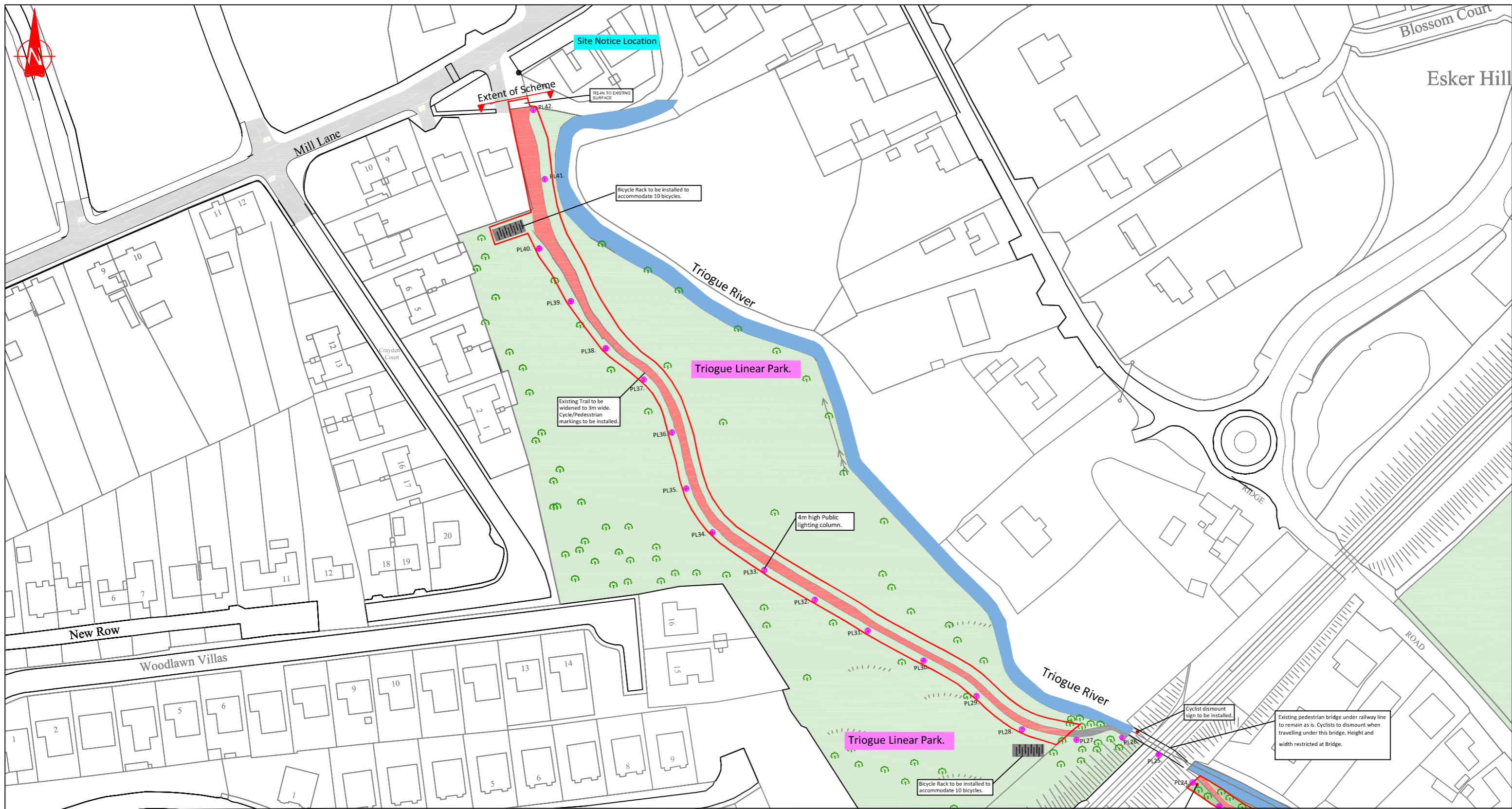
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Proposed Layout Plan



LEGEND

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Project: Portlaoise Triogue Way
Portlaoise People's Park to the Linear Park

Title: Proposed Layout Map 6-Part VIII

Drawn:	N.S.	File: G: Capital Projects/URDF (B1) Blueway Cycleway	Drawing No.	Rev.
Checked:	D.C.	Scale: NTS	Status:	Triogue-1001-106
Approved:	P.McL.	Date: 07/12/2023	Part VIII	C

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Screening for Environmental Impact Assessment Report

Triogue Way, Portlaoise

Environmental Impact Assessment Screening Report

Laois County Council

December 2023



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1. Introduction

WS Atkins Ireland Ltd (“Atkins”) was commissioned by Laois County Council (LCC) to prepare an Environmental Impact Assessment (EIA) Screening Report for the construction of a proposed cycleway scheme known as the Triogue Way, located at Portlaoise, Co. Laois. The EIA Screening Report will be submitted as part of the Part 8 planning documents for the proposed works.

The Portlaoise Local Area Plan 2018 – 2024 sets out a Policy Objective (NH P1) for Laois County Council stating the Council will *develop a Greenway/Blueway walking/cycling route along the River Triogue* with the aim of supporting sustainable travel patterns in Portlaoise town and to realise objectives set out in Portlaoise 2040 – A Vision for Portlaoise. The proposed development seeks to fulfil the stated policy objective.

The Triogue Way extends from the Páirc an Phobail/People’s Park to the Linear Park (Green Mill Lane end), navigating through urban environments, streetscapes, car parks, private/public lands and woodland areas, for a total length of approximately 1.6 km. The development excludes any development adjacent or under the Irish Rail bridge. Where the route traverses private lands, agreements are in place with landowners to accommodate the proposed development. The development consists of a 3m wide (or as close to 3m as available) tarmacked surface with associated public lighting.

This EIA Screening Report has been prepared for the Triogue Way scheme. Refer to Figure 1.1 for the location of the proposed scheme.

1.1. Project Overview

The Scheme extends from Páirc an Phobail (People’s Park) as far as the Green Mill Lane Road (see Figure 1.1 below). There is currently a macadam surface walkway along this route through the public parks. However, the existing pathway is not wide enough to accommodate both cyclists and pedestrians safely.

The Scheme runs alongside the Triogue River, navigating through urban road sections and back into the River Triogue Linear Park. The proposed works will comprise a combination of widening and painting of the existing pathways in public parks, a newly constructed cycleway through private properties and also urban roadway environments.

1.2. Purpose of this Report

This report has been prepared to support the Part 8 proposal, by Laois County Council, in relation to the Triogue Way. The purpose of this report is to determine whether the scheme requires the preparation of an Environmental Impact Assessment Report (EIAR). The project has been screened to generate a summarised overview of the potential impacts on the receiving environment, and in the context of relevant statutory requirements.

A Stage 1 Screening for Appropriate Assessment has also been prepared (Atkins, 2023). The project has been assessed with regards to the likely significant effects of the project on European sites within the zone of influence of the proposed scheme. The AA Screening Report concluded that *‘it can be concluded beyond reasonable scientific doubt that the proposed scheme will not, either individually or in combination with other plans or projects, give rise to any impacts which would constitute significant effects on the River Barrow and River Nore Special Area of Conservation (site code: 002162) or any other Natura 2000 site, in view of their conservation objectives. Therefore, it is the recommendation of the authors of this report that Laois County Council, as the competent authority in this case may determine that Appropriate Assessment is not required in respect of the proposed works. Should the scope of the proposed works change, a new Appropriate Assessment Screening Report and final determination will be required.’*

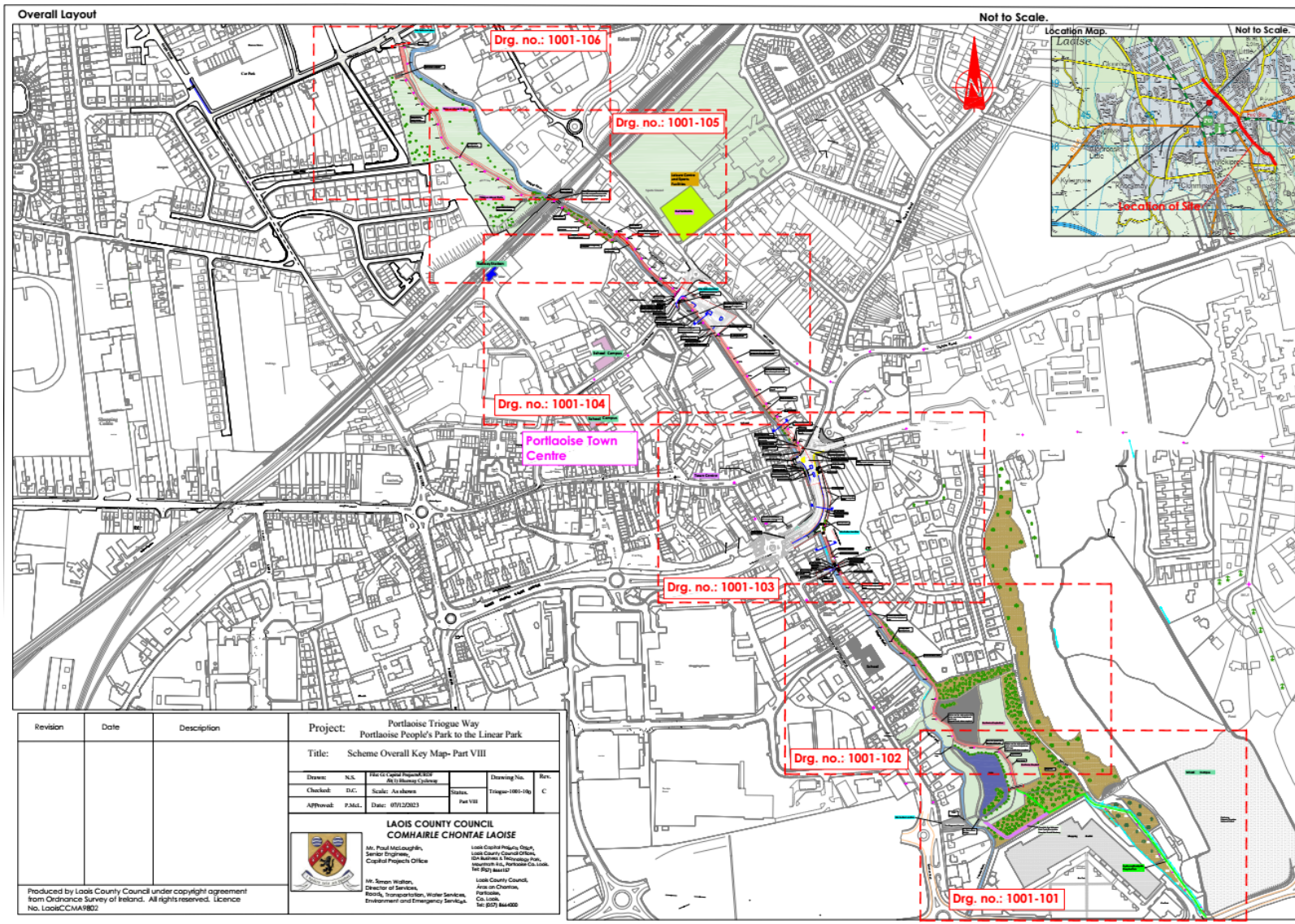


Figure 1-1 - Site Location

2. Methodology

The Environmental Impact Assessment (EIA) screening has been undertaken for this project based on the following methodology. This project has been screened in accordance with Section 3.2 of the 'Guidelines on the Information to be contained in Environmental Impact Assessment Reports' (EPA, 2022), the Environmental Impact Directive (85/337/EEC) and all subsequent relevant amendments, Planning and Development regulations (2001-2023), including S.I. No. 296 of 2018 - European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018, which came into operation on 1st September 2018. The project has also been screened in accordance with the Roads Act, 1993-2021 and the European Union (Roads Act 1993) (Environmental Impact Assessment) (Amendment) Regulation 2019 S.I. No. 279 of 2019.

As set out under the relevant legislation (detailed further in Section 2.1 of this report), the following steps are involved when carrying out EIA screening for a particular project: -

- **Step 1** is to determine if the proposed infrastructure works represent a project as understood by the Directive and if a mandatory EIAR is required. Such projects are defined in Article 4 of the EIA Directive and set out in Annexes I and II. Projects requiring a mandatory EIAR are included under Section 50 of the Roads Act (1993-2021), S.I. No. 279 of 2019 amendments and the prescribed projects listed in Section 8 of the Roads Regulations, 1994 (S.I. No. 119 of 1994).
- **Step 2** is to determine if the project is likely to have significant effects on the receiving environment. Section 50 (1)(b) of the Roads Act (1993-2021) states that *'if An Bord Pleanála considers that any road development proposed (other than development to which paragraph (a) applies) consisting of the construction of a proposed public road or the improvement of an existing public road would be likely to have significant effects on the environment it shall direct that the development be subject to an environmental impact assessment.'*

Section 50 (1)(c) of the Roads Act (1993-2021) states that *'where a road authority or, as the case may be, the Authority considers that a road development that it proposes (other than development to which paragraph (a) applies) consisting of the construction of a proposed public road or the improvement of an existing public road would be likely to have significant effects on the environment, it shall inform An Bord Pleanála in writing prior to making any application to the Bord for an approval referred to in section 51(1) in respect of the development.'*

Section 50 (1)(e) of the Roads Act (1993-2021) states *'where a decision is being made pursuant to this subsection on whether a road development that is proposed would or would not be likely to have significant effects on the environment, An Bord Pleanála, or the road authority or the Authority concerned (as the case may be), shall take into account the relevant selection criteria specified in Annex III.'* Annex III as has been transposed into Irish Legislation via Schedule 7 of the Planning and Development Regulations 2001-2023.

There are no exacting rules as to what constitutes "*significant*" in terms of environmental impacts. The responsibility is on Planning Authorities to carefully examine every aspect of a development in the context of characterisation of the project, location of the project and type and characteristics of potential impacts. It is generally not necessary to provide specialist studies or technical reports to complete this screening process, rather to investigate where further studies may be required, and where risks, if any, to the integrity of the receiving environment may lie.

For the purposes of screening sub-threshold development for EIA, all of the relevant information as presented within EIA Planning and Development Regulations 2018 (Schedule 7A) has been provided on behalf of the applicant, Laois County Council (LCC). The potential for the project to pose a significant impact to the receiving environment has also been evaluated in accordance with criteria listed in the Planning & Development Regulations, 2001 - 2023 (Schedule 7).

The findings of the EIA screening assessment prepared for the project has informed our professional opinion as to whether an EIAR is warranted for the proposed scheme, with due regard to all relevant statutory requirements and technical guidance. However ultimately it is the responsibility of the relevant planning authority to make a determination as to whether an EIAR is required for a particular project, based on screening conducted by the planning authority.

Figure 2-1 provides a summary of the main steps involved in the EIA screening process.

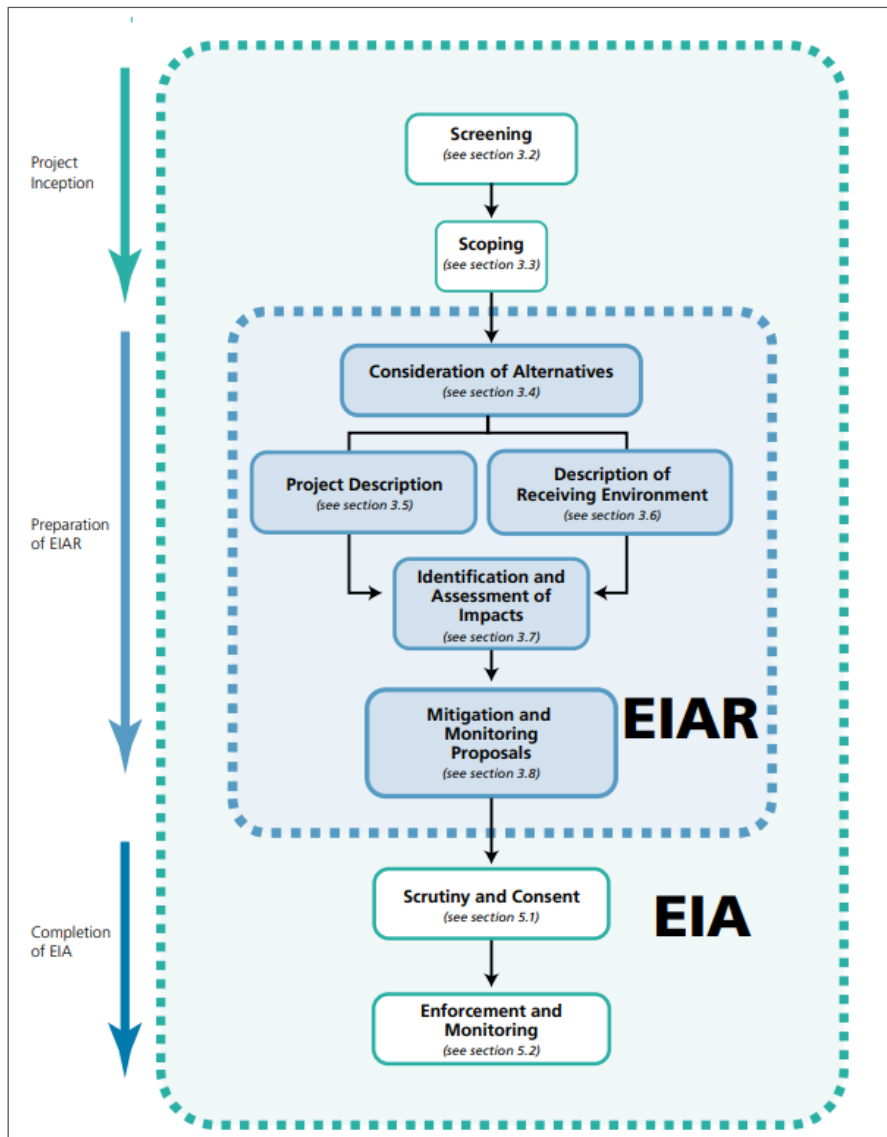


Figure 2-1 - EIA Screening Process (Source: 'Guidelines on the Information to be contained in Environmental Impact Assessment Reports' (EPA, 2022)).

2.1. Relevant Legislation

The Environmental Impact Directive (85/337/EEC) was brought into force in 1985. Subsequent amendments were made with the following pieces of legislation - 97/11/EC, 2003/35/EC, 2009/31/EC, 2011/92/EU and 2014/52/EU. The Directive was originally transposed into Irish Law by the European Communities (Environmental Impact Assessment) Regulations, 1989 (S.I. No. 349/1989). This amended the Local Government (Planning and Development Act) 1963 and introduced the requirement for an Environmental Impact Assessment in certain specified circumstances. The most recent amendment to the Directive is focused on clarifying and simplifying the process of EIA. The screening criteria have been updated, and Member States have a mandate to simplify their assessment procedures. EIA reports are to be made more readily understandable to members of the general public. Section 50 of the Roads Acts 1993 and the 2021 amended Regulation outlines certain categories of roads projects which require an EIAR.

New EIA Regulations ((Planning and Development) Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018)) transposing the 2014 EIA Directive were recently adopted and came into operation on 1st September 2018. These regulations amend the Planning and Development Regulations 2001 (S.I. No.600 of 2001); they seek to transpose EIA Directive 2014/52/EU and to give further effect to the 2011 Directive, as follows: -

- An EIAR is required as a matter of course on specified large-scale projects which have a high likelihood of impacting on the receiving environment. These projects are listed in full within the

Planning & Development Regulations (2001-2023), Schedule 5, Part 1 – Development for the purposes of Part 10.

- Each EU Member State has discretionary consideration for the requirement of an EIA in relation to various processes and activities. These projects are listed in full within the Planning & Development Regulations (2001-2023), Schedule 5, Part 2 – Development for the purposes of Part 10. If the proposed scheme is listed under Schedule 5, Part 2, but does not exceed the relevant stated thresholds, it is considered to be sub-threshold. Part 10, article 92 of the Planning & Development Regulations, 2001 as amended states “sub-threshold development’ means development of a type set out in Part 2 of Schedule 5, which does not equal or exceed, as the case may be, a quantity, area or other limit specified in that Schedule in respect of the relevant class of development”. Any sub-threshold developments should be evaluated to determine if the project is likely to have a significant impact on the environment.
- Criteria to evaluate whether significant impacts on the receiving environment will arise from a proposed scheme are listed under Schedule 7 of the relevant Planning & Development Regulations (2001-2023). A list of the relevant information to be provided by the applicant or developer for the purposes of sub-threshold EIA screening is presented in Schedule 7A of the Regulations, and summarised below: -
 1. A description of the proposed scheme, including in particular: -
 - a. a description of the physical characteristics of the whole proposed scheme and, where relevant, of demolition works; and,
 - b. a description of the location of the proposed scheme, with particular regard to the environmental sensitivity of geographical areas likely to be affected.
 2. A description of the aspects of the environment likely to be significantly affected by the proposed scheme.
 3. A description of any likely significant effects, to the extent of the information available on such effects, of the proposed scheme on the environment resulting from: -
 - a. the expected residues and emissions and the production of waste, where relevant: and,
 - b. the use of natural resources, in particular soil, land, water and biodiversity.
 4. The compilation of the information at paragraphs 1 to 3 shall take into account, where relevant, the criteria set out in Schedule 7.

Also, the National Transport Authority (2023) ‘*Guidance for EIA and AA Screening of Active Travel Projects Funded by the NTA*’ were reviewed when completing this EIA Screening report.

3. Environmental Impact Assessment Screening

3.1. Step 1 – Mandatory Screening for EIA

The scheme has been screened against the criteria outlined in Section 50(1)(a) of the Roads Act 1993-2021¹, Article 8 of S.I. No. 119/1994- Roads Regulations, 1994² and Schedule 5 Part 1 of the Planning and Development Regulations 2001-2023³. This project does not fall within any category of development requiring a mandatory EIA; hence the preparation of an EIAR is not required under Section 50 (1)(a) of the Roads Act or 1993-2021 or Schedule 5 Part 1 of the Planning and Development Regulations 2001-2023.

3.1.1. Sub-threshold Development Likely to have Significant Effects on the Environment

The scheme has been screened against the criteria outlined in Section 50(1)(b) and 50(1)(c) of the Roads Act, 1993-2021, as follows: -

Section 50(1)(b) – *'If An Bord Pleanála considers that any road development proposed (other than development to which paragraph (a) applies) consisting of the construction of a proposed public road or the improvement of an existing public road would be likely to have significant effects on the environment it shall direct that the development be subject to an environmental impact assessment.'*

Section 50(1)(c) – *'Where a road authority or, as the case may be, the Authority considers that a road development that it proposes (other than development to which paragraph (a) applies) consisting of the construction of a proposed public road or the improvement of an existing public road would be likely to have significant effects on the environment, it shall inform An Bord Pleanála in writing prior to making any application to the Bord for an approval referred to in section 51(1) in respect of the development.'*

Therefore, it is considered that the scheme should undergo an EIA screening (with respect to the potential for significant effects on the environment) to determine if an EIAR would be required in accordance with Section 50(1)(b) and 50(1)(c) of the Roads Act 1993-2021.

Additionally, the scheme has been screened against the criteria outlined in Schedule 5 Part 2 of the Planning and Development Regulations 2001-2023, as follows: -

10. Infrastructure projects

(b)

(iv) urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.

14. Works of Demolition

Works of demolition carried out in order to facilitate a project listed in Part 1 or Part 2 of this Schedule where such works would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.

15. Any project listed in this Part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development, but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.

The proposed scheme is not of a type identified within Schedule 5, Part 2 as: -

- The location of the Triogue Way Cycleway Scheme is located within a built-up area and is 1.46 hectares (ha) in total (total length – 1.6km). Triogue Way Cycleway Scheme does not involve an area greater than 10 hectares in a built-up area. Therefore, this scheme does not require an EIAR to be produced in accordance with Schedule 5 Part 2 (10)(iv).

¹ <http://www.irishstatutebook.ie/eli/2021/si/12/made/en/print>

² <http://www.irishstatutebook.ie/eli/1994/si/119/made/en/print>

³ <https://www.irishstatutebook.ie/eli/2022/si/493/made/en/print>

- Triogue Way Cycleway Scheme does not meet the criteria listed in Schedule 5 Part 1 or Schedule 5 Part 2 and therefore does not require further consideration under Category 14, Works of demolition. The requirement to set back up to 35m² of existing boundary walls and create 2no. openings in existing walls (24m²) is not likely to have significant effects on the environment and therefore, this scheme does not require an EIAR to be produced in accordance with Schedule 5 Part 2 (14).
- Triogue Way Cycleway Scheme does not fall under projects listed in Schedule 5 Part 1 or Schedule 5 Part 2 and is not likely to have significant effects on the environment with regard to the criteria set out in Schedule 7. Having regard to the scale and nature of the project and based on the above information, the overall probability of significant impacts on the receiving environment arising from the proposed scheme is considered to be low.

3.2. Step 2- Determining if the project is likely to have significant effect on the receiving environment.⁴

All relevant information as required under Schedule 7A has been provided on behalf of Laois County Council and is presented within this screening report. The potential for this project to pose a significant impact to the receiving environment has also been evaluated in accordance with criteria listed in the Planning & Development Regulations, 2001-2023 (Schedule 7), as presented within this screening report. A full set of Design Drawings is included in Appendix A.

3.2.1. Description of the Proposed scheme (Schedule 7A (1))

A description of the Physical Characteristics of the Whole Proposed scheme and Where Relevant of Demolition Works (Schedule 7A (1) (a))

The scheme extends from Páirc an Phobail (People's Park) as far as the Green Mill Lane Road. Refer to Figure 1.1. There is currently a macadam surface walkway along this route through the public parks. However, the existing pathway is not wide enough to accommodate both cyclists and pedestrians to use safely. This phase runs alongside the Triogue River navigating through urban road sections and back into the River Triogue linear park. The proposed works for the scheme will comprise of a combination of widening and painting of the existing pathways in public parks, a newly constructed cycleway through private properties and also urban roadway environments.

Páirc an Phobail (People's Park) as far as the Green Mill Lane

The proposed works will comprise the following elements:

- Widen the existing 2.0m wide path to a total of 3.0m width. The path will be widened on the park side of the path away from the river.
- Install ducting and appropriate public lighting.
- Demolition of stone wall structures.
- Import granular fill to create 200mm deep formation layer for the proposed cycle lane.
- The Cycle Lane will be constructed of 40mm depth AC20 Dense bitumen macadam with a final 20mm deep wearing course of 10mm AC closed surface macadam. The proposed width of the cycle track is 3.0m. There is no surface water drainage proposal for this area. Surface water will cross fall off the track and soak off into the environs as is currently in place.
- Install line marking to delineate walking and cyclist areas.
- Relocate the park benches and facilities where required; and,
- Trim or remove any trees if necessary to achieve head room for cyclists.

⁴ Pursuant to Schedule 7(A) of the Planning and Development Regulations as amended 2001-2023

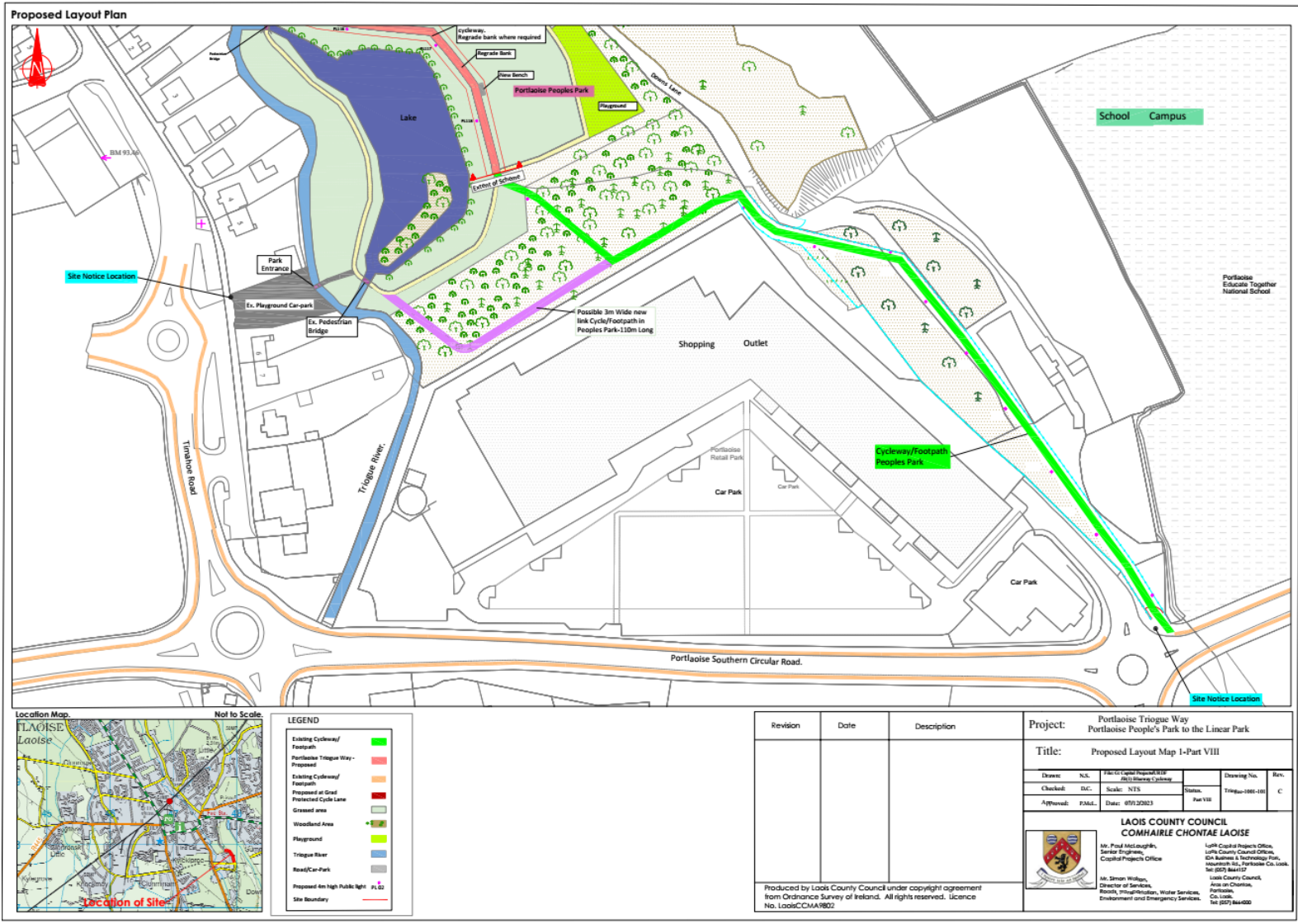


Figure 3-1 - Proposed Scheme Layout (1 of 6)

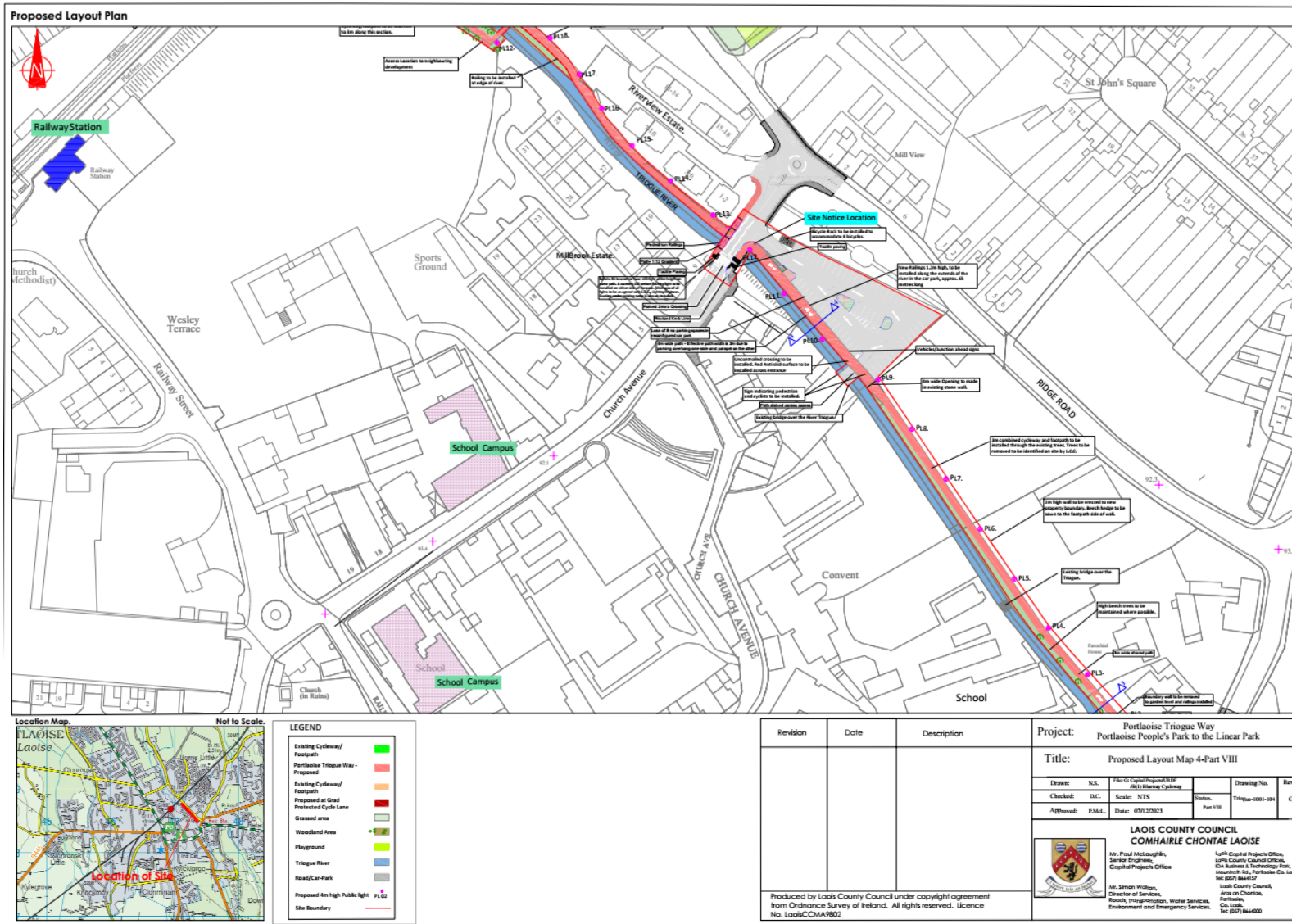


Figure 3-4 - Proposed Scheme Layout (4 of 6)

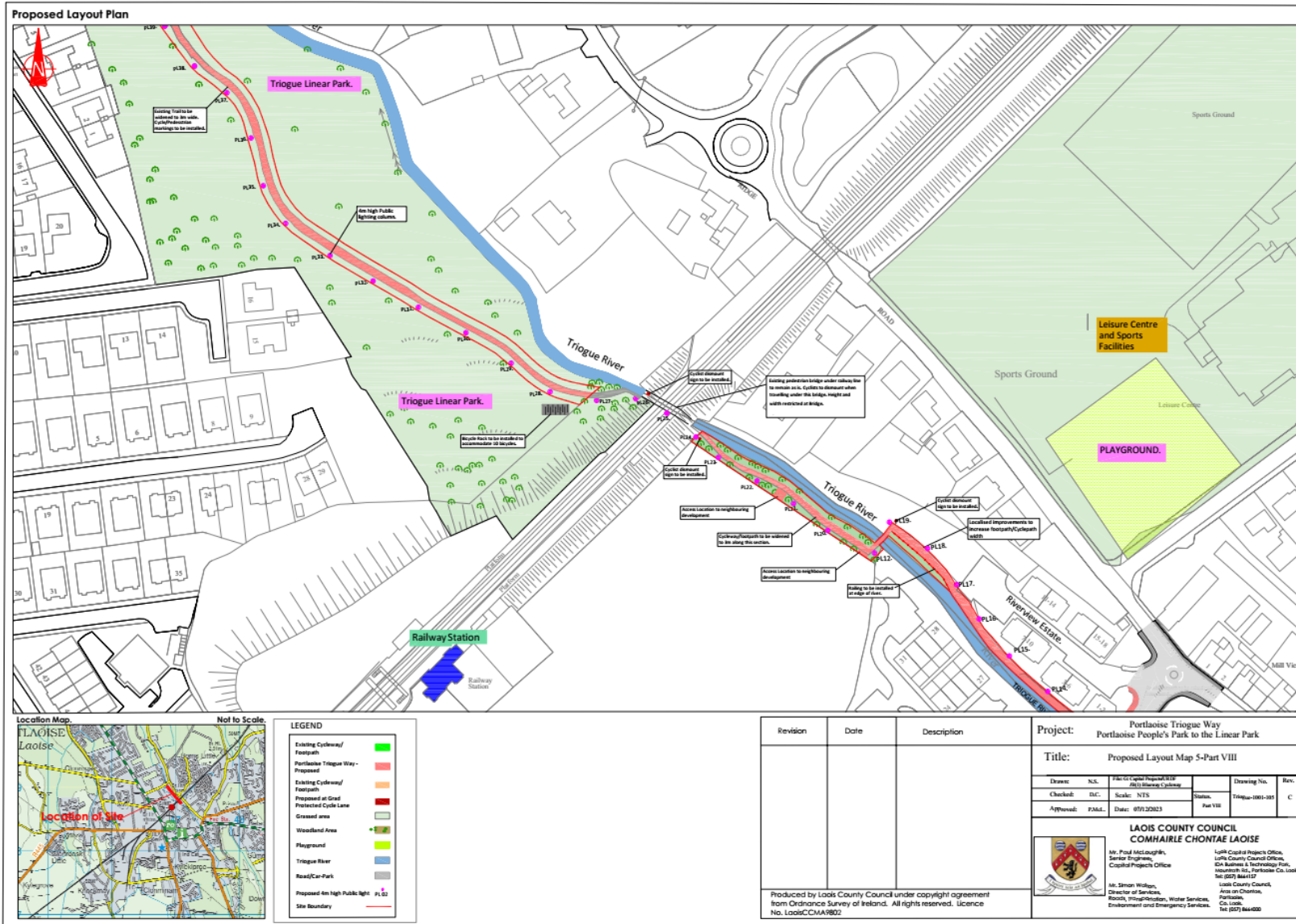


Figure 3-5 - Proposed Scheme Layout (5 of 6)

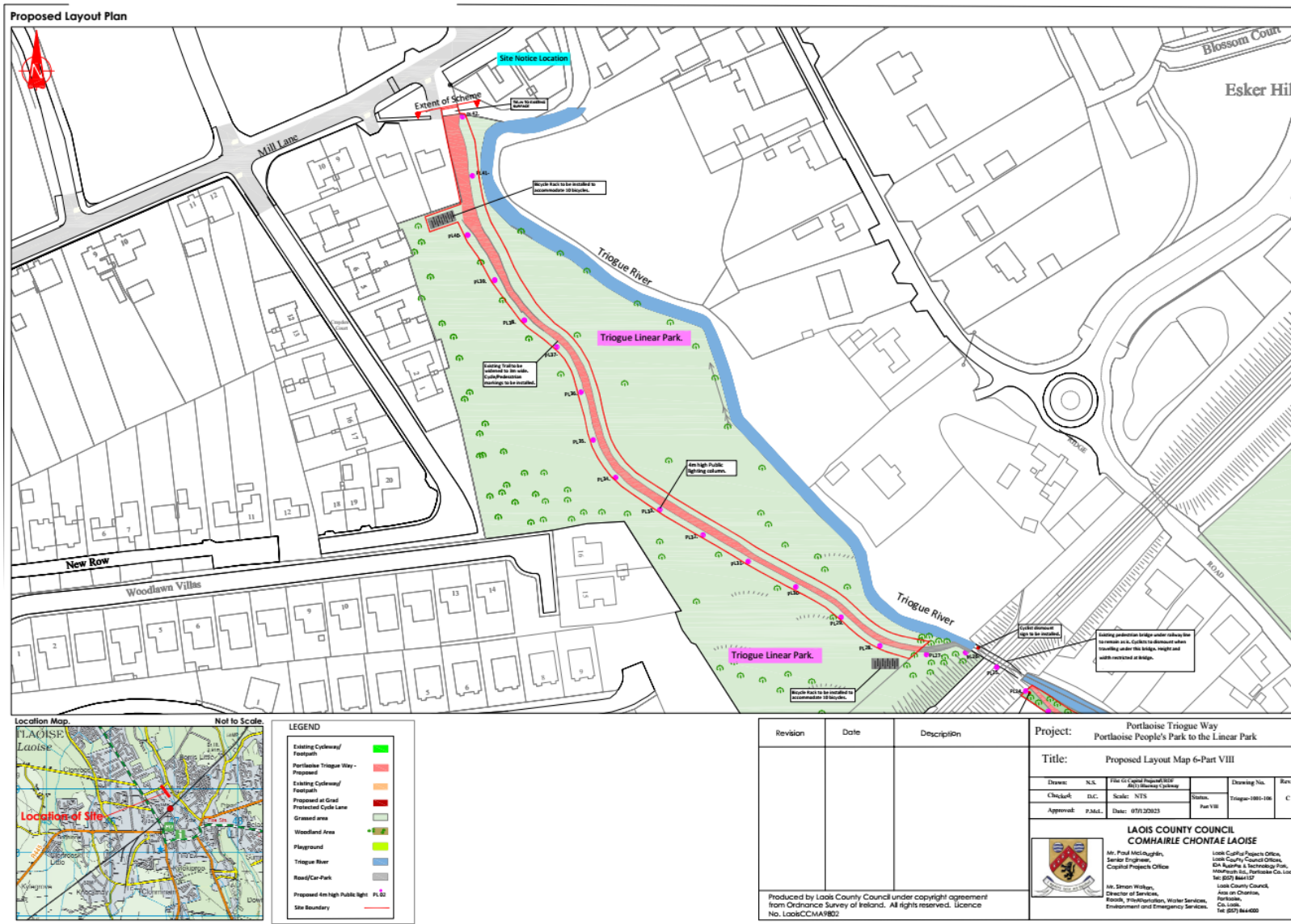


Figure 3-6 - Proposed Scheme Layout (6 of 6)

Construction Methodology

The Construction period for the proposed scheme is 12 months and can be summarised as follows.

Cycle path Construction

Works will commence with the clearance and off-site removal of redundant road signage, boundary treatment, road surface materials and topsoil. The works will be undertaken using a combination of operatives using hand tools, mechanical excavators and dumper trucks. To facilitate the main works, underground utilities which conflict with the main works will be uncovered using mechanical excavators and hand digging where appropriate. The need for significant utility diversions is not envisaged as part of the works; instead, a 'lower and protect' approach will be favoured. This is likely to be restricted to locations where the walking and cycling facilities cross or interface with public roads.

Following the diversion of utilities, the initial pavement and cycle track construction phase will be undertaken. This will include the excavation and removal of the existing stone, soil, concrete and bitumen materials along the route followed by the installation of new path and track base materials. Excavations will be largely undertaken by mechanical means, with any spoil arisings to be removed off site or reused where testing confirms its suitability. The proposed scheme involves an anticipated maximum excavation depth of 0.70m bgl (below ground level) to facilitate the base layers for the proposed footpaths / pavements and the ducting for the signalling associated with the scheme. The base layers of the pavement and track are to be made of compacted stone materials.

The works will also involve constructing the civil engineering elements required to facilitate the commissioning of the public lighting elements at the latter stages of construction. Service chambers and underground duct sets will be laid within trenches and backfilled with granular material. Public lighting columns will be erected, and ducting connections will be made to the base of each pole unit. Following completion of the lighting elements, the final pavement surface course will be laid using an asphalt paving machine followed by compaction using a vibrating roller.

Road Resurfacing

The construction of the cycleway will also involve relocation and installation of footpaths and kerbs adjacent to the cycleway. Footpaths will be constructed similar to the cycleway; excavation of existing footpath with materials removed off site to a licenced waste facility; excavations along footpath alignment to depths of maximum 700 mm; infill of footpath subbase materials (compacted stone) and the pouring of concrete footpaths in shuttered sections. A ca. 60mm high poured concrete kerb will also be installed along the footpath edge.

Footpath Construction

The construction of the cycleway will also involve relocation and installation of footpaths and kerbs adjacent to the cycleway. Footpaths will be constructed similar to the cycleway; excavation of existing footpath with materials removed off site to a licenced waste facility; excavations along footpath alignment to depths of maximum 700 mm; infill of footpath subbase materials (compacted stone) and the pouring of concrete footpaths in shuttered sections. A ca. 60mm high poured concrete kerb will also be installed along the footpath edge.

Drainage Alterations

Drainage works, which will run in tandem with the pavement construction phase, are considered to be minimal and restricted to areas where the scheme interfaces with the public road. The drainage works at these locations are limited to the relocation of existing road gullies with the larger existing road drainage infrastructure (i.e., carrier drains) not being altered or adjusted. During these works the main carrier drains will be isolated / blocked off from works activities / work zones to facilitate the relocation of drainage gullies.

Typically, drainage will be provided using new gullies (relocated to alongside the proposed kerb positions) connecting to the existing surface water drainage infrastructure / main carrier drain. The new footpaths and cycle tracks will generally slope towards the road in order to minimise the need for additional drainage collection measures specific to these facilities. Alternatively, and where the proposed scheme results in a marked increase in catchment area (due to an increased hard-standing area), sections of footway and/or cycle track will be constructed using either porous surfacing; or where appropriate, the cross-fall will fall towards an adjacent grass verge (thus not discharging into the surface water network). The existing surface water drainage network along the roadways of the proposed scheme outfalls to the neighbouring River Triogue.

- To ensure there is no contamination of the drainage networks (and downstream watercourses) during the course of construction works the following measures are proposed for all existing drainage gullies within 50m of the project site; and,
- Drain guards socks will be installed around all existing gully inlets within 50m of the project site (Ultra Drain Guard30 or similar).

The drain guards will be inspected regularly by the contractor during the working day and weekly during construction, and in particular following heavy rainfall to ensure they remain efficient for the duration of the project.

Verge Reinstatement

For soft landscaping areas topsoil profiles will be graded to tie into the new pavement levels followed by grass seeding. The top soiling and seeding will be undertaken using a combination of mechanical excavator, tractor unit drawing a rotavator / rake / seed spreader and also operatives using hand tools for areas where machinery access is unavailable.

Demolition Works

There is the requirement for 2 no. openings of 5m x 2.5m to be made through existing walls with a total of 24m² of material removed. Also with setting back an existing boundary wall. This will facilitate access to 'Parish Lands' and 'Convent Lands'.

Traffic Management

The construction of the cycleway will be carried out in short segments on one side of the roadway at a time to allow for continued traffic flow and will progress along the roadways, as such individual work zones will be relatively small.

Junctions

The proposed junctions are to include kerb upstands throughout (except at crossing points), providing vertical segregation and thereby increasing protection to the cycle tracks.

Site Compound

It will be the responsibility of the Contractor to determine a suitable location for the site compound within the proposed scheme area, but away from any identified environmental sensitive receptors (watercourses, designated sites etc.), so as to avoid potential impacts to the environment and the general public. The final proposed site compound location will be subject to Client approval and will not be within 25m of the Triogue River.

3.2.2. A Description of the Location of the Proposed scheme, with Particular Regard to the Environmental Sensitivity of Geographical Areas Likely to be Affected (Schedule 7A(1)(b)).

The proposed cycleway will be constructed within Portlaoise, predominantly along existing footpaths and within park land.

Under the Laois County Development Plan 2021-2027 (LCC, 2021), the following zoning objectives have been identified adjacent to the proposed scheme:

- *Town / Village Centre: To protect and enhance the special physical and social character of the existing town centre and to provide for and improve retailing and commercial activities.*
- *Residential 1: To protect and enhance the amenity of developed residential communities.*
- *Community, Educational and Institutional: To protect and provide for local neighbourhood, community, ecclesiastical, recreational and educational facilities.*
- *Open Space and Amenity: To preserve, provide for and improve active and passive recreational public and private open space.*
- *Transport and Utilities: To provide for the needs of all transport users and other utility providers.*

Hydrology and European Sites

The Triogue River is located within the proposed scheme, as the proposed cycle lane will run adjacent to the river. The Triogue River is a tributary of the River Barrow. The Pallas Stream (also named: Kylegrove_Stream_010 by the EPA) is located west of the proposed scheme and is a tributary of the Triogue River and River Barrow (EPA, 2023).

The Triogue River is located in Hydrometric Area no.14 – the Barrow Water Framework Directive Catchment (WFD) area and the subcatchment Barrow_SC_020 (EPA, 2023). The Triogue River is crossed in 5 no. locations via existing structures throughout the proposed scheme. The proposed Triogue Way Cycle Lane is located adjacent to and over the Triogue River and is located ca. 6.8km south of the River Barrow and River Nore SAC (site code: 0002162) via straight line distance. As such, there is no risk of direct impacts on the River Barrow and River Nore SAC, e.g., loss of fragmentation, degradation, pollution or disturbance of habitats or species within this site due to machinery, human disturbance or impacts on water quality resulting from the proposed works.

The Zone of Influence with potential ecological connectivity to the proposed works was taken to be the Barrow Catchment. Given the hydrological connection from the proposed scheme to the River Barrow and River Nore SAC (site code: 002162), that some of the qualifying interests of this site are aquatic mobile species and may use the Triogue River and that the proposed works are located upstream from this SAC, this SAC is considered to be within the wider Zol of the proposed works.

The additional Natura 2000 sites within or intersecting this Zone of Influence are Mouds Bog SAC (site code: 002331), Pollardstown Fen SAC (site code: 000396), Ballynafagh Bog SAC (site code: 000391), Ballynafagh Lake SAC (site code: 001387), Ballyprior Grassland SAC (site code: 002256), Mountmellick SAC (site code: 002256), The Long Derries, Edenderry SAC (site code: 000925), Slieve Blooms Mountains SAC (site code: 000412) and Blackstairs Mountains SAC (site code: 000770). However, given the lack of hydrological connection from these sites to the proposed scheme, or the lack of dependency of the qualifying interests on the zone of impact of the works, only the River Barrow and River Nore SAC was considered.

In the examination of the qualifying interests of the additional Natura 2000 sites in the wider Zones of Influence, as identified in this sub-section, it was determined that none of the qualifying interests of sites excluding the River Barrow and River Nore SAC, were dependant on the ecological structures or functions of the zone of impact. Further, due to the lack of dependency of the qualifying interests on the zone of impact, the possibility of likely significant effects on the sites in the wider Zol are not considered likely.

The proposed scheme is located within the Ridge of Portlaoise proposed Natural Heritage Areas. Laois County Council Development Plan 2021 – 2027 states the following Policy Objectives for developments in proximity to pNHA: -

- *DM BNH 1: Where a development is of a significant scale or in close proximity to a pNHA, the Council will require an Ecological Impact Assessment to determine the impact of the proposed development on the designated site or natural heritage.*

Previous studies have been completed for the proposed scheme and within the vicinity of the proposed scheme. In the southern end of the scheme (centred on Páirc an Phobail) three bat species were identified soprano pipistrelle (*Pipistrellus pygmaeus*), common pipistrelle (*Pipistrellus pipistrellus*) and Leisler's bat (*Nyctalus leisleri*) (Boston, 2020). Both soprano pipistrelle and common pipistrelle were also noted along the pathway running

between Páirc an Phobail and the N80. Along the second section of the 2020 transect which began at the former Convent grounds along Ridge Road, soprano pipistrelles were heard at a bridge over the River Triogue, and common pipistrelle were noted foraging up and down the river at the entrance to the River Triogue Linear Park. Common pipistrelle and Leisler's bat were recorded within Triogue Linear Park. Daubenton's bat (*Myotis daubentonii*) have previously been recorded feeding along the River Triogue. There was no evidence of otter "including resting places, natal dens/holts or couches recorded during the course of field surveys" undertaken by CAAS (2020a). Similarly, there was no evidence of any badger setts (CAAS, 2020a). Grey wagtail (*Motacilla cinerea*) was recorded on the Triogue near Bridge Street and the railway arch (this study) and was noted by CAAS (2020a) near the railway arch. Grey wagtail is on the red list of bird species of conservation concern (Gilbert *et al.*, 2021). Habitats on site ranged from Low Local, Lower value to Low Local, Higher value (CAAS, 2020a).

Triogue Linear Park is located within Ridge of Portlaoise proposed Natural Heritage Area (site code: 000876). The key habitats and species for which this site is designated include: esker ridge, ash/hazel woodland, species-rich grassland, disused gravel pits. However, the Ridge of Portlaoise pNHA has been subject to significant change, especially within Portlaoise and environs. The works area within Triogue Linear Park is characterised by amenity grassland and built lands. There will be no impact on esker ridge, ash/hazel woodland, species rich grassland or old quarry pits. The nearest habitat of note is an area of species rich calcareous grassland at the corner of Millview (L2120) / Dublin Road; Bernridge Graveyard. This is outside the works area for the Triogue Way.

There will be no land take from any of the designated sites within 15km of the proposed scheme and, based on the findings of the Appropriate Assessment Screening Report (Atkins, 2023), there will be no potential significant adverse effects to European sites arising from the proposed cycleway.

Hydrogeology

There are 2no. wells within the vicinity of the proposed scheme, a borehole (2319SEW071) in the northernmost end of the scheme and a borehole (2319SEW012) in the southern end of the scheme, both of unknown use (GSI, 2023).

There are no Public or Group Drinking Water Supply Source Protection Zones within the vicinity of the proposed scheme (GSI, 2023). The closest Source Protection Zone is Meelick Public Supply Source Protection Area which is located ca. 0.5km south of the scheme (GSI, 2023).

The proposed scheme is underlain by a local important bedrock aquifer which is moderately productive only in local zones and a regionally important aquifer – karstified (diffuse) (GSI, 2023). The proposed scheme is underlain by locally important gravel aquifer (GSI, 2023). Groundwater vulnerability beneath the proposed scheme is predominantly 'moderate' with a small portion of 'high' at the southern end of the scheme (GSI, 2023). The proposed scheme is within Portlaoise Groundwater Body (EPA Code: IE_SE_G_107) and Portlaoise – Mountmellick Gravels Groundwater Body (EPA Code: IE_SE_G_170) (EPA, 2023).

Geology

The proposed cycleway is underlain by dark muddy limestone and shale of the Ballysteen Formation in the north and thick-bedded limestone, locally peloidal of the Allenwood Formation in the south (GSI, 2023). There are no karst features within the vicinity of the proposed scheme (GSI, 2023). The closest karst feature is a spring located 1.4km south of the proposed scheme. There are no recorded landslide events within 10km of the proposed scheme. Landslide susceptibility is typically 'low' in the vicinity of the proposed scheme. There are no historic mines reported within the vicinity of the proposed scheme (GSI, 2023).

There is 1no. County Geological Site (CGS) within the proposed scheme: Ridge of Portlaoise (site code: LS029) described by GSI (2023) as 'a long, sinuous accumulation of sands and gravels deposited under the icesheet and at its margin as the ice withdrew northwards across central Laois at the end of the last Ice Age'. From the Laois County Geological Site Report the main geological or geomorphological interests of the Ridge of Portlaoise is 'where present the esker ridge is a striking feature, standing proud of the flat landscape of till (boulder clay) upon which it was deposited. Intact portions along Downs Road, southeast of the town, and within Portlaoise Town itself (particularly at the Ridge Graveyard), are especially impressive. In both localities the esker is comprised of a raised, steep-sided, elevated ridge of sands and gravels'. Laois County Council Development Plan 2021 – 2027 states the following 'Policy Objectives Geology':

- *GEO 1: Work with stakeholders to protect, preserve, enhance, maintain, manage, conserve, recognise and, where appropriate, restore the character conservation value and integrity of these sites for their amenity, scientific, heritage and historic values (including County Geological Sites listed in Table 11.8, proposed NHA's, areas near site and areas of geomorphological interest.*
- *GEO 3: Promote and encourage, where practicable and when not in conflict with ownership rights, access to geological and geomorphological features.*

- *GEO 4: Encourage and facilitate the development of geo-tourism by conserving and managing geological resources, and by the development of a Rock Trail (named), Geoparks or other similar geo-tourism initiatives.*

Within Table 11.8 of the Laois Development Plan 2021 – 2027 Ridge of Portlaoise is listed and is described as ‘a glacial esker ridge. It has a road on top. This long, narrow ridge is an excellent example of a straight, uncomplicated esker which does not have a complex topography. It lies 90 degrees to the Kinnity-Clonaslee esker but was formed in the same tunnel system’.

Flooding

A Strategic Flood Risk Assessment (SFRA) was undertaken as part of Portlaoise Local Area Plan 2018-2024 and states that ‘The Triogue River is the main source of fluvial flooding in the town’. There have been 14 no. historic flooding events recorded by the OPW (2023). The OPW CFRAM flood mapping indicates that there is a high probability of flooding within the proposed scheme.

All works are to existing infrastructure within the urban fabric of Portlaoise. Current Laois County Council management measures are to limit access to these areas during periods of flooding. The shared footpath and cycleway will be finished with a bound surface and so will prevent any siltation or material being washed into the river in a flood situation. In general, there will be a vegetated verge between the river and the shared surface.

Access points from public roads or paths onto sections of the Triogue Way that may be susceptible to flooding risk will be closed and signed appropriately as is currently the situation in the existing parks when elevated water levels occur from periods of prolonged adverse wet weather or intense rainfall events.

Archaeology and Cultural Heritage

A portion of the proposed scheme is located within the Archaeological Significance Zone. According to the Laois Development Plan; *Portlaoise is an area within the historic boundaries, which is known as Zones of Archaeological Potential*. Zones of Archaeological Potential have been identified by the Department of the Environment, Heritage and Local Government. Laois County Council Development Plan 2021 – 2027 states the following ‘Policy Objectives Archaeological Heritage’:

- *AH 1: Manage development in a manner that protects and conserves the integrity and character of archaeological heritage of the county which avoids adverse impacts on sites, monuments, settings, features or objects of significant historical or archaeological interest and secure the preservation in-situ or by record of all sites and features of historical and archaeological interest.*
- *AH 2: Support the preservation or conservation of historically significant street patterns, building lines and plot widths in its towns and villages as well as the preservation of features such as town walls, historic revetments, and public realm features such as granite kerbing, historic drinking fountains, cobbles, vent pipes whether or not they benefit from protection in their own right.*
- *AH 3: Protect the intrinsic value, character, integrity and settings of monuments and places in the Record of Monuments and Places (RMPs) and any forthcoming statutory register and protect Zones of Archaeological Potential against inappropriate development.*
- *AH4: In areas of archaeological potential, where groundworks are proposed, ensure that all works are undertaken to the highest standard and the resultant information made publicly available. Developers will be required to have regard to Archaeology and Development: Guidelines for Good Practice for Developers (ICOMOS, 2000) in planning and executing development in sensitive areas. The Council favours the preservation in-situ of archaeological remains, where areas of archaeological potential are located in town centres or villages, preservation of archaeological remains by record will be considered.*

According to the Laois County Council Development Plan ‘in areas of archaeological potential, where groundworks are proposed, the Council favours the preservation in-situ of archaeological remains, where areas of archaeological potential are located in town centres or villages, preservation of archaeological remains by record will be considered. Where it is proposed to undertake groundworks to lands within an area of archaeological potential or in the vicinity of Recorded Monuments or Zones of Archaeological Potential, the Council will require the preparation of an archaeological field evaluation by a licensed archaeologist, the details of which will be submitted with a planning application. Such development shall be assessed in the context of the following documents:-

- *Accord with the Framework and Principles for the Protection of Archaeological Heritage (DoAHG, 1999).*
- *The National Monuments Acts 1934-1994; and,*
- *Heritage Council’s Archaeology and Archaeology and Development Guidelines for Good Practice for Developers (2000).*

Laois County Council Development Plan states that ‘any proposed development (due to its location, size or nature) with the potential to affect the archaeological heritage resource will be subject to an Archaeological Impact Assessment’.

Laois County Council commissioned Horizon Archaeology to undertake an Archaeological Impact Assessment of the proposed scheme (refer to Horizon Archaeology, 2023 which accompanies this application). The assessment concluded the following:

“The archaeological assessment concludes that the proposed development does not directly impact on any known archaeology. The development is partly situated within the archaeological zone of notification for one known archaeological site that is contained in the Record of Monuments and Places (RMP) and are therefore protected by law under the National Monuments Acts (1930-2014). This known archaeological site is the Historic Town of Portlaoise RMP No LA013- 041. There are a number of known archaeological sites in the wider vicinity of the proposed development.

Much of the development site has been subject to previous ground disturbance activities, related to the construction of existing 20th century buildings and infrastructure. The extant buildings on the development site are modern and are not of archaeological heritage value. However, it is possible that the development area contains subterranean (unknown) archaeological features and artefacts. Therefore, the following archaeological mitigation measures are recommended.

- *A pre-construction wade survey / riverbank survey of the relevant riverbank of the Triogue Way Project, is recommended. This survey should take place following correspondence with the NMS, and under archaeological licence issued by the NMS.*
- *Archaeological monitoring of any groundworks for the Triogue Way which are within the zone of notification for the Historic Town of Portlaoise (LA013-041), is recommended.*
- *Should archaeological material be identified as a result of the works, further archaeological mitigation measures may be required.”*

The impact assessment found:

“The proposed Triogue Way Project will take place in a brownfield and greenfield works area that is partially within the historic town (LA013-041) of Portlaoise, County Laois. The closest known archaeological site to the development is the site of Castle – tower house (LA013-041003) which is 23 located 60m to the southwest. Furthermore, the proposed Triogue Way Project is situated near the conjectural route of the 16th century town defences (LA013-041006). There are five more known archaeological sites within study area of 100m. The development works will result in the widening of existing paths, creating new openings in existing walls and construction of underground services and associated infrastructure of a linear pedestrian and cycle route. Historic mapping indicates that the proposed development area comprised dwellings, gardens and agricultural land in the 18th and 19th centuries. The site inspection identified that the proposed development site includes existing linear park and hedgerows of back gardens of 20th century houses. Much of the proposed development site is comprised of lands which are depicted as gardens or agricultural land on historic mapping of the area. The proposed development will not impact on any known archaeological sites or features. However, any of the ground works, risk impacting on any unknown subterranean archaeology. This risk of impact is adjudged to be low. Consequently, the proposed development of the Triogue Way Project, Portlaoise presents an imperceptible risk of impact on the archaeological heritage of the area”.

There are 2no. reported National Inventory of Architectural Heritage (NIAH) sites adjacent to, but outside, the proposed scheme as follows:

- 4th battalion Leinster Regiment Memorial: Monument – Reg no. 12504171, located to the west of the scheme; and,
- House – Reg no. 12507025, located to the east of the scheme.

Landscape

According to the Laois Development Plan 2021 – 2027 within the Landscape Character Assessment, the proposed development is within the ‘Urban Fringe Area’. Urban Fringe Area have a ‘low sensitivity’ and is described as ‘areas with the capacity to generally accommodate a wide range of uses without significant adverse effects on the appearance or character of the area’ (LCC, 2021).

3.2.3. Description of Aspects of the Environment Likely to be Significantly affected by the Proposed scheme (Schedule 7A (2)).

The proposed scheme does not lie within any European sites or natures reserves. An Appropriate Assessment Screening Report (AA) has also been prepared (Atkins, 2023). The AA Screening report concluded that *'the proposed scheme will not, either individually or in combination with other plans or projects, give rise to any impacts which would constitute significant effects on the River Barrow and River Nore Special Area of Conservation (site code: 002162) or any other Natura 2000 site, in view of their conservation objectives. Therefore, it is the recommendation of the authors of this report that Laois County Council, as the competent authority in this case may determine that Appropriate Assessment is not required in respect of the proposed works. Should the scope of the proposed works change, a new Appropriate Assessment Screening Report and final determination will be required.'*

The proposed path in Triogue Linear Park is within the Ridge of Portlaoise pNHA, a site of national importance (site code 000876). The proposed works are however restricted to areas of amenity grassland and not within habitats for which the pNHA has been designated. The proposed works are dominated by proposals to upgrade existing paths in Páirc an Phobail and the Triogue Liner Park, as well as proposals to improve footpaths and roads within the existing urban fabric of Portlaoise. The only new area of footpath is a section of ca. 300m between Bridge Street / N80 and Church Road.

As outlined previously in Section 3.2.2, a portion of the project is within a Zones of Archaeological Potential. According to the Laois Development Plan (Figure 12-1, Portlaoise Archaeological Significance Zone⁵), any proposed scheme (due to its location, size or nature) with the potential to affect the archaeological heritage resource will be subject to an Archaeological Impact Assessment. An Archaeological Impact Assessment has been prepared for the proposed development (see Horizon Archaeology, 2023 which accompanies this application). Archaeological recommendations are set out above in Section 3.2.2.

It will be the responsibility of the Contractor to determine a suitable location for the site compound within the proposed scheme area away from any identified environmental sensitive receptors (watercourses etc) so as to avoid potential impacts to the environments and the general public. The final proposed site compound location will be subject to Client approval and will not be within 25m of the Triogue River.

The other relevant aspects of the environment (including human health), which could potentially be significantly affected by the proposed scheme are receiving groundwater environment, surface water environment, air quality environment, the receiving noise and vibration environment, and the receiving traffic environment, during the construction phase.

The proposed scheme is within 1 no. CGS; Ridge of Portlaoise (site code: LS029). However given the fact that Ridge of Portlaoise CGS is designated as *'esker ridge, standing proud of the flat landscape of till (boulder clay) upon which it was deposited'*, and the fact there will be no impact to bedrock as part of the proposed works, due to the maximum excavations depth of 0.70m bgl, which is predominantly within hardstanding areas and some park lands, there will be no anticipated likely effects on the Ridge of Portlaoise. Also the Ridge of Portlaoise pNHA has been subject to significant change, especially within Portlaoise and environs. The works area within Triogue Linear Park is characterised by amenity grassland and built lands. There will be no impact on esker ridge, ash/hazel woodland, species rich grassland or old quarry pits. The nearest habitat of note is an area of species rich calcareous grassland at the corner of Millview (L2120) / Dublin Road; Bernridge Graveyard. This is outside the works area for the Triogue Way. Given the shallow excavation depths proposed, it is unlikely that groundwater will be intercepted and accordingly no significant adverse impacts are anticipated with respect to groundwater quality, resources or flow.

Drainage works for the proposed scheme will be minimal and restricted to areas where the scheme interfaces with the public road. The Triogue River is crossed in 7no. locations via existing structures throughout the proposed scheme. All construction activities at Triogue River crossing points will be along the existing path network. There will be no instream works and no loss of areas of this habitat. The construction of the cycleway will also involve relocation and installation of footpaths and kerbs adjacent to the cycleway. Footpaths will be constructed similar to the cycleway; excavation of existing footpath with materials removed off site to a licenced waste facility; excavations along footpath alignment to depths of maximum 700 mm; infill of footpath subbase materials (compacted stone) and the pouring of concrete footpaths in shuttered sections. A ca. 60mm high poured concrete kerb will also be installed along the footpath edge. As above, these works will be set back from the river at all times and where close to the river the sides of the new path will be battened in order to clearly define the works area. Works will also be undertaken in short sections at a time to minimise volume of concrete being poured at any one time. Cement and asphalt will not be laid during adverse weather conditions. Due to the nature and scale of the project and existing drainage infrastructure it is anticipated that the construction and operation

⁵ Laois County Development Plan, 2021-2027.

of the proposed scheme will not have a significant impact on surface water quality. Accordingly, no significant adverse impacts are anticipated with respect to surface water quality, levels or flow.

The proposed scheme lies within an urban area and there are sensitive receptors adjacent to the scheme, i.e., residential properties along the proposed scheme. Dust may be generated during the construction phase. Construction will require the use of machinery such as dump trucks, mechanic excavators etc. The presence of such machines may result in a temporary increase in noise and dust. Regional air quality in the vicinity of the proposed scheme is 'good' (EPA, 2023). However, management of dust will be in line with relevant best practice measures such as those set out in 'Guidelines for the Treatment of Air Quality During the Planning and Construction of National Road Schemes' (NRA, 2011). Due to the nature and scale of the scheme it is anticipated that the construction works will not have a significant impact on air quality. It is anticipated that the operational phase will likely have a positive impact on air quality.

Noise levels will not exceed the indicative levels of acceptability for construction noise in an urban environment as set out in the NRA guidance "Good Practice Guidance for the Treatment of Noise during the Planning of National Road Schemes" (NRA, 2014). It is anticipated that the works will be scheduled during day-time hours. Construction contractors will be required to comply with the requirements of the European Communities (Construction Plant and Equipment) (Permissible Noise Levels) Regulations, 1988 as amended in 1990 and 1996 (S.I. No. 320 of 1988, S.I. No. 297 of 1990 and S.I. No. 359 of 1996), and the Safety, Health and Welfare at Work (Control of Noise at Work) Regulations, 2006 (S.I. No. 371 of 2006). Due to the nature and scale of the project it is anticipated that the construction works, and operation of the proposed scheme will not have a significant impact with regards to noise.

Excavation works will be monitored and in the unlikely event that contaminated materials are encountered these will need to be segregated from all uncontaminated soils, temporarily stored (any stockpiles should be lined and covered by heavy duty 1000-gauge plastic), sampled and analysed for relevant parameters (Waste Acceptance Criteria suite e.g., Rilta Disposal Suite). Any contaminated soils must be characterised as per the requirements of the relevant Waste Acceptance Criteria (WAC) under the relevant European Communities Council Decision (EC) (92003/33/EC) and classified in accordance with the requirements of the EPA as set out in the following documents 'Waste Classification List of Waste & Determining if Waste is Hazardous or Non-hazardous' (EPA, 2018). Any contaminated soils must be transported by appropriately permitted hauliers and disposed of to an appropriate EPA licensed Waste Facility in accordance with all relevant waste management legislation.

Due to the scale and nature of the proposed scheme it is anticipated that there may be impacts on traffic volumes during the construction phase of the project. An appropriate traffic management system will be put in place so it is expected that there will be no significant impact associated with traffic due to the proposed scheme.

3.2.4. A Description of Any Likely Significant Effects (To the Extent of The Information Available on Such Effects) of The Proposed scheme on The Environment (Schedule 7A(3)).

The Expected Residues and Emissions and the Production of Waste where relevant (Schedule 7A (3)(a)).

The proposed scheme may give rise to air, noise, water emissions and waste. However, the proposed scheme will be designed in order to minimise any potential impacts as a result of these emissions during the operational phase. Standard mitigation measures will be implemented by the Contractor to address potential air and noise emissions during the construction phase. The Contractor will ensure that onsite storm water management during the construction phase is carried out in accordance with relevant best practice measures as set out in Construction Industry Research and Information Association (CIRIA) guidance 'C532 - Control of Water Pollution from Construction Sites'.

The AA Screening Report states that *'it can be concluded beyond reasonable scientific doubt that the proposed scheme will not, either individually or in combination with other plans or projects, give rise to any impacts which would constitute significant effects on the River Barrow and River Nore Special Area of Conservation (site code: 002162) or any other Natura 2000 site, in view of their conservation objectives'* (Atkins, 2023).

Given the scale and nature of the proposed scheme any waste is likely to be generated in very minor volumes. During the demolition phase a minor volume of construction and demolition (C&D) will be generated. During the construction phase the following waste streams will be generated: construction and demolition (C&D) waste including footways and asphalt / road surface, mixed municipal waste (MMW), recyclables such as plastic wrapping, wooden pallets and paper. All waste will be removed on a regular basis to a designated area in the proposed site compound where it will be segregated and temporarily stored before being recycled or disposed of by the Contractor to an appropriately licenced waste recovery or waste disposal facility. All waste generated will be disposed of by the Contractor in accordance with all relevant waste management legislation. The Contractor will be responsible for segregating each waste type as per the relevant List of Waste (LoW) (also referred to European Waste Catalogue (EWC) code). All waste materials must be removed offsite by a suitably permitted

waste haulage contractor who holds a current valid waste collection permit issued by the National Waste Collection Permit Office (NWCPO).

Excavation works will be monitored and in the unlikely event that contaminated materials are encountered these will need to be segregated from all uncontaminated soils, temporarily stored (any stockpiles should be lined and covered by heavy duty 1000-gauge plastic), sampled and analysed for relevant parameters (Waste Acceptance Criteria suite e.g., Rilta Disposal Suite). Any contaminated soils must be characterised as per the requirements of the relevant Waste Acceptance Criteria (WAC) under the relevant European Communities Council Decision (EC) (92003/33/EC) and classified in accordance with the requirements of the EPA as set out in the following documents 'Waste Classification List of Waste & Determining if Waste is Hazardous or Non-hazardous' (EPA, 2018). Any contaminated soils must be transported by appropriately permitted hauliers and disposed of to an appropriate EPA licensed Waste Facility in accordance with all relevant waste management legislation.

The relevant Waste Management policies and objectives of the Laois County Development Plan 2021-2027 are as follows: -

- *'ES1: Implement and support the strategic objectives of the Waste Action Plan for a Circular Economy – Ireland's National Waste Policy 2020-2025*
- *ES2: Implement and support the strategic objectives of the Eastern Midlands Regional Waste Management Plan 2015-2021 and any subsequent Waste Management Plan adopted during the current development plan period.*
- *ES3: Promote circular economy principles, prioritising prevention, reuse, recycling and recovery, and to sustainably manage residual waste. New developments will be expected to take account of the provisions of the Waste Management Plan for the Region and observe those elements of it that relate to waste prevention and minimisation, waste recycling facilities and the capacity for source segregation.*
- *ES4: Implement the provisions of the Waste Management Act, 1996, as amended and associated Waste Regulations.*
- *ES11: Require Construction and Environmental Management Plans (CEMPs) to be prepared for larger scale projects and this requirement shall be assessed on a case-by-case basis as part of the development management process.*
- *ES12: Require that all construction projects are carried out in accordance with Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects.*

The operational phase of the scheme should be accompanied by an increase in cyclists and an associated reduction in vehicular traffic. The proposed scheme is not likely to have a significant environmental effect with regard to expected residues and emissions and the production of waste.

[The Use of Any Natural Resources in particular soil, land, water and biodiversity \(Schedule 7A \(3\)\(b\)\).](#)

Natural resources in the area will be required to facilitate the development. The proposed works are dominated by proposals to upgrade existing paths in Páirc an Phobail and the Triogue Liner Park, as well as proposals to improve footpaths and roads within the existing urban fabric of Portlaoise. The only new area of footpath is a section of ca. 300m between Bridge Street / N80 and Church Road. The grass verges within these parks will be removed for the widening of the existing path. 12 no. Beech trees will be removed and replaced on Ballyfin road and a number of trees will require crown clearance / ivy removal etc. The majority of works will be constructed within existing hardstanding areas. Soft landscaping areas within the proposed scheme encompasses the grading of topsoil profiles to tie into pavement levels followed by grass seeding.

The project is not located within or in proximity to any European site. The proposed path in Triogue Linear Park is within the Ridge of Portlaoise pNHA, a site of national importance (site code 000876). The proposed works are however restricted to areas of amenity grassland and not within habitats for which the pNHA has been designated. The construction of the cycleway will also involve relocation and installation of footpaths and kerbs adjacent to the cycleway. Footpaths will be constructed similar to the cycleway; excavation of existing footpath with materials removed off site to a licenced waste facility; excavations along footpath alignment to depths of maximum 700 mm; infill of footpath subbase materials (compacted stone) and the pouring of concrete footpaths in shuttered sections. A ca. 60mm high poured concrete kerb will also be installed along the footpath edge. As above, these works will be set back from the river at all times and where close to the river the sides of the new path will be battened in order to clearly define the works area. Works will also be undertaken in short sections at a time to minimise volume of concrete being poured at any one time. Cement and asphalt will not be laid during adverse weather conditions.

The maximum excavation depth for the removal of the existing hardcore material and made ground will be ca. 0.70m bgl. The material that will require disposal offsite will require waste classification in accordance with EPA requirements as set out in the documents 'Waste Classification List of Waste & Determining if Waste is

Hazardous or Non-hazardous' (EPA, 2015), and 'Determining if waste is hazardous or non-hazardous' (EPA, 2018), and all relevant waste management legislation. In addition to screening against relevant WAC, the preparation of a waste classification tool (hazwaste online / EPA paper tool or similar etc.) will be required to be carried out in order to determine the relevant LoW / EWC code for the transport of any waste soils which require offsite removal and disposal.

Construction waste generation will be minimised during the proposed construction works. Engineering grade fill material (CL804) will be imported to the site during the proposed construction.

Therefore, based on the environmental setting, and taking account of the nature, scale and location of the proposed scheme other than standard construction materials, the proposed scheme (during both construction and operational phases) will not have a significant impact on natural resources.

3.2.5. The Compilation of The Information at Paragraphs 1 To 3 Shall Take into Account, where Relevant, the Criteria set out in Schedule 7 (Schedule 7A(4)).

All relevant criteria set out in Schedule 7 of the Regulations is presented in Section 3.3 ('Criteria for Determining Whether Development Listed in Part 2 of Schedule 5 Should be subject to an EIA') of this screening report.

During the preparation of Sections 3.4.1 to 3.4.3 (i.e., Schedule 7A (1) to (3)) all pertinent Schedule 7 information has been taken account of as required, with specific details presented in the following section of this report (Section 3.5 and 3.6).

3.3. Criteria for Determining Whether Development Listed in Part 2 of Schedule 5 Should be subject to an EIA

3.3.1. Characteristics of proposed scheme (Schedule 7(1))

The size and design of the whole of the proposed scheme (Schedule 7(1)(a))

Refer to Section 3.3.1 under 'A description of the Physical Characteristics of the Whole Proposed scheme and Where Relevant of Demolition Works (Schedule 7A (1) (a))'.

Cumulation with other existing development and/or development the subject of a consent for proposed scheme for the purposes of section 172(1A)(b) of the Act and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment (Schedule 7(1) (b))

Committed Development

A search of Laois County Council Planning records has been undertaken for the application submitted within the past 5 years in the vicinity of the proposed scheme (last reviewed: 04/09/2023). Some of the granted applications have already been completed and of those which are not completed, most are generally small scale in nature (i.e., residential extension works, or property improvement works). Completed or granted applications of such small scale (such as residential improvements) have not been considered further in terms of potential for cumulative impacts.

2 no. projects are committed developments, which have not yet been build or are currently under construction. These developments have been further evaluated for the potential of cumulative impacts and are presented below: -

- **John Fingleton, Green Mill Lane, Portlaoise, Co. Laois, R32T263 (2260005) Granted 28/08/2023**

Construction of 49 no. residential units consisting of 15 no. terraced, two-storey houses (1 no. 4-bedroom house and 14 no. 3-bedroom houses) and 34 no., two bed apartments arranged in 2-storey blocks of 12 apartments (1 no. block), 8 apartments (2 nr. blocks) and 6 apartments (1 no. block). Proposed access will be through the existing entrance (serving Mill Court) off Green Mill Lane and works will include new estate roads, parking courts, boundaries, landscaping, a play area, related and ancillary services including bin storage and cycle shelters along with the demolition/removal of the existing boundary wall fronting Green Mill Lane and all associated site-works at Green Mill Lane, Portlaoise.

- **Shane Reilly, Greenville House (RPS 661), Mountmellick Road, Portlaoise (21885) Granted 13/01/2023**

a) change of use from dwelling house (record of protected structure no. 461) to 2 one-bedroom apartments, b) construct 4 two-bedroom apartments and 2 one-bedroom apartments, c) demolish existing outhouse, d) reconfigure site entrance and associated parking, e) bin shelter, covered bicycle rack, ESB sub-station with own access and all associated site works. All works are in the curtilage of protected structure No. 461.

Given the nature, scale and location of these granted developments and the proposed scheme, no significant impacts are anticipated. It is considered the proposed scheme will not act in combination to give rise to any cumulative impacts.

3.3.1.1. The nature of any associated demolition works (Schedule 7(1)(c))

Refer to Section 3.3.1 under 'A description of the Physical Characteristics of the Whole Proposed scheme and Where Relevant of Demolition Works (Schedule 7A (1) (a))'.

3.3.1.2. The use of natural resources, in particular land, soil, water and biodiversity (Schedule 7(1)(d))

Refer to Section 3.3.3 under 'The Use of Any Natural Resources in particular soil, land, water and biodiversity (Schedule 7A (3)(b)).

3.3.1.3. The production of waste (Schedule 7(1)(e))

Refer to Section 3.3.3 under 'The Expected Residues and Emissions and the Production of Waste where relevant (Schedule 7A (3)(a)).' The proposed scheme is not likely to have a significant environmental effect with regard to the production of waste. All waste will be removed to an appropriately licenced/ permitted waste disposal/ recovery facility.

3.3.1.4. Pollution and nuisances (Schedule 7(1)(f))

Refer to Section 3.2.2 under 'Description of Aspects of the Environment Likely to be Significantly affected by the Proposed scheme (Schedule 7A (2))'.

The AA Screening report concluded that *'it can be concluded beyond reasonable scientific doubt that the proposed scheme will not, either individually or in combination with other plans or projects, give rise to any impacts which would constitute significant effects on the River Barrow and River Nore Special Area of Conservation (site code: 002162) or any other Natura 2000 site, in view of their conservation objectives. Therefore, it is the recommendation of the authors of this report that Laois County Council, as the competent authority in this case may determine that Appropriate Assessment is not required in respect of the proposed works. Should the scope of the proposed works change, a new Appropriate Assessment Screening Report and final determination will be required.'*

During the excavation phase a small volume soil will be generated. The demolition phase will generate C&D waste; 59m² of material will be removed. The construction phase of the project may generate waste such as metals, asphalt, construction and demolition waste, plastic wrapping, wooden pallets or soil arisings. As outlined previously (under 'The production of waste (Schedule 7(1)(e))', appropriately robust waste management procedures will be implemented by the Contractor to ensure that any minimal volumes of waste which will be generated during the construction phase do not pose a pollution / nuisance risk to the receiving environment.

In the event that any excavated soils need to be disposed of offsite as part of the proposed scheme, such soils/waste material will require waste classification in accordance with EPA requirements as set out in the documents 'Waste Classification List of Waste & Determining if Waste is Hazardous or Non-hazardous' (EPA, 2015), and 'Determining if waste is hazardous or non-hazardous' (EPA, 2018), and all relevant waste management legislations. In addition to screening against relevant WAC, the preparation of a waste classification tool (hazwaste online / EPA paper tool or similar etc.) will be required to be carried out in order to determine the relevant LoW / EWC code for the transport of any waste soils/material which require offsite removal and disposal.

There are numerous dwellings located along the proposed scheme, which would be considered sensitive receptors in terms of potential dust or noise nuisance. Dust may be generated during the construction phase. However, management of dust will be in line with best practice such as that set out in 'Guidelines for the Treatment of Air Quality During the Planning and Construction of National Road Schemes' (NRA, 2011).

Construction will require the use of machinery such as excavators etc. and the presence of such machines may result in a temporary increase of noise. The contractor will be required to avoid leaving machinery idling and required to change reverse indicators beepers. Noise levels will not exceed the indicative levels of acceptability for construction noise in an urban environment as set out in the NRA guidance 'Good Practice Guidance for the Treatment of Noise during the Planning of National Road Schemes' (NRA, 2014). The majority of the works will be carried out during daytime hours.

No significant impacts from pollution or nuisances are anticipated from the proposed scheme.

3.3.1.5. The risk of major accidents, and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge (Schedule 7(1)(g))

There are no Upper or Lower Tier Seveso sites within Laois County. Due to the distance of the proposed scheme from Seveso sites, the proposed scheme is not located in a high-risk area with respect to major accidents / disasters.

With reference to the OPW CFRAM flood mapping and Portlaoise Local Area Plan Flood Risk Assessment, the proposed scheme is at high risk of flooding (OPW, 2023). There will be no changes to the flood management in this area. Due to the low lying nature of the ground LCC currently close the paths on this route when flooding occurs. Access points from public roads or paths onto sections of the Triogue Way that may be susceptible to flooding risk will be closed and signed appropriately as is currently the situation in the existing parks when elevated water levels occur from periods of prolonged adverse wet weather or intense rainfall events.

The contractor will be required to design and implement traffic plans as required in accordance with the 'Guidance for the Control and Management of Traffic at Road Works' (TII, 2010).

Due to the nature and scale of the works, the site setting of the proposed scheme, it is considered that the overall risk of major accidents and / or disasters associated with the proposed scheme is extremely low and does not warrant further consideration.

3.3.1.6. The risks to human health (for example, due to water contamination or air (Schedule 7(1)(h)) pollution)

Refer to section 3.5.2 *Description of Aspects of the Environment Likely to be Significantly affected by the Proposed scheme (Schedule 7A (2))*.

There are no reported public drinking water supplies within the vicinity of the scheme (GSI, 2023). Due to the nature and scale of the project it is not anticipated to have a significant impact on groundwater. Given the location, nature and scale of the proposed scheme, the overall risk to human health is very low.

3.3.2. Location of proposed scheme - The environmental sensitivity of geographical areas likely to be affected by the proposed scheme (Schedule 7(2))

The existing and approved land use (Schedule 7(2)(a))

The project will be constructed within an urban setting of Portlaoise. The location of the proposed scheme has been detailed previously in Section 3.5.1 under Schedule 7A (1)(a).

The relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground (Schedule 7(2)(b))

Refer to Section 3.3.3 under *The Use of Any Natural Resources in particular soil, land, water and biodiversity (Schedule 7A (3)(b))*.

The absorption capacity of the natural environment, paying particular attention to the following areas (Schedule 7 (2)(c)):

(i) Wetlands, riparian areas, river mouths

There is 1 no. wetland within the immediate vicinity of the proposed scheme and 2 no. wetlands within 300m of the scheme: -

- Borris Little Pond (WMI_LA311), unknown importance, is located adjacent to scheme (known also as Páirc an Phobail lake);
- Esker Hill Estate Pond (WMI_LA213), unknown importance, is located ca. 100m east of scheme; and,
- Beladd Pond (WMI_LA210), local importance, is located ca. 300m east of scheme (known also as Glendowns Pond).

Due to the nature and scale of the proposed scheme, it is not anticipated that the proposed scheme will have a significant impact on these wetlands.

(ii) Coastal zones and the marine environment

The proposed scheme is located ca. 84km from the Irish Sea. Therefore, there will be no impacts on the coastal zone or marine environment.

(iii) Mountain and forest areas

There are no mountain or forest areas within 2km of the proposed scheme and therefore no impacts on this habitat type.

(iv) Nature reserves and parks

The proposed scheme is not located within any nature reserves or parks.

(v) Areas classified or protected under legislation, including Natura 2000 areas designated pursuant to the Habitats Directive and the Birds Directive

Refer to Section 3.4.3 under ‘*The Use of Any Natural Resources in particular soil, land, water and biodiversity (Schedule 7A (3)(b))*’ A Screening for Appropriate Assessment (AA) has also been prepared (Atkins, 2023). The AA Screening report concluded that ‘*it can be concluded beyond reasonable scientific doubt that the proposed scheme will not, either individually or in combination with other plans or projects, give rise to any impacts which would constitute significant effects on the River Barrow and River Nore Special Area of Conservation (site code: 002162) or any other Natura 2000 site, in view of their conservation objectives. Therefore, it is the recommendation of the authors of this report that Laois County Council, as the competent authority in this case may determine that Appropriate Assessment is not required in respect of the proposed works. Should the scope of the proposed works change, a new Appropriate Assessment Screening Report and final determination will be required.*’ (Atkins, 2023).

It is considered that due to the nature and scale of the works there will be no significant impact on areas classified or protected under legislation from the proposed scheme.

(vi) Areas in which there has already been a failure to meet the environmental quality standards laid down in legislation of the European Union and relevant to the project, or in which it is considered that there is such a failure.

The proposed scheme lies within the Portlaoise groundwater body (EPA Code: IE_SE_G_107) and the Portlaoise–Mountmellick Gravels groundwater body (EPA Code: IE_SE_G_170). Both groundwater bodies are classed as having ‘good’ water quality status for the period of 2016-2021 and are currently ‘not at risk’ of failing to meet relevant WFD objectives by 2027. Due to the nature and scale of the works, the proposed scheme is not anticipated to significantly impact groundwater quality.

The proposed scheme is within the Barrow Water Framework Directive (WFD) catchment area and Barrow_SC_020 sub catchment area. The Triogue River has been assigned ‘poor’ water quality status under the WFD for the period of 2016-2021 and is ‘at risk’ of failing to achieve the relevant WFD objectives by 2027 (EPA, 2023).

It is considered that due to the nature and scale of the project the works will not have a significant impact on baseline surface water quality.

Regional air quality in the area is reported as ‘good’ (EPA, 2023). Dust may be generated during the construction phase which has the potential to impact on human health. However, management of dust will be in line with best practice such as that set out in ‘*Guidelines for the Treatment of Air Quality During the Planning and Construction of National Road Schemes*’ (NRA, 2011). Due to the nature and scale of the project it is anticipated that there will be no significant impact on air quality.

It is anticipated that during construction there may be an increase in noise volumes. Noise levels shall not exceed the indicative levels of acceptability for construction noise in a rural environment as set out in the TII guidance ‘*Good Practice Guidance for the Treatment of Noise during the Planning of National Road Schemes*’ (TII, 2014).

It is considered that due to the nature and scale of the works there will be no significant impact on baseline air and water quality from the proposed scheme.

(vii) Densely populated areas

The proposed scheme is within Portlaoise town. Portlaoise had a population of 91,877 in 2022 (CSO, 2022). It is anticipated that there will be no significant negative impact on densely populated areas during construction. The creation of the cycle scheme will reduce the volume of vehicular traffic within the vicinity of the proposed scheme. The proposed scheme will provide additional social and recreational infrastructure within the town. It is considered therefore that the proposed scheme will potentially have a positive impact on this densely populated area during the operational phase.

(viii) Landscapes and sites of historical, cultural or archaeological significance

Refer to Section 3.3 under ‘*A Description of the Location of the Proposed scheme, with Particular Regard to the Environmental Sensitivity of Geographical Areas Likely to be Affected (Schedule 7A(1)(b)).*’

It is considered that due to the nature and scale of the works there will be no significant impact on landscapes and sites of historical, cultural, or archaeological significance from the proposed scheme (see e.g. Horizon Archaeology, 2023 that accompanies this application).

3.3.3. Types and characteristics of potential impacts (Schedule 7(3))

The likely significant effects on the environment of the proposed scheme have been evaluated taking into account the following specific criteria.

The magnitude and spatial extent of the impact (for example, geographical area and size of the population likely to be affected) (Schedule 7(3)(a))

The spatial extent of potential impacts is limited to the localised footprint of the proposed scheme. Based on the location, current site setting, and the nature of the proposed scheme, any potential impacts (during the demolition, construction and operational phases) are not likely to be significant in magnitude.

The nature of the impact (Schedule 7(3)(b))

There will be no significant impact on the receiving environment arising from the proposed scheme (during the demolition, construction or operational phases).

The transboundary nature of the impact (Schedule 7(3)(c))

There is no potential for transboundary impacts as a result of the proposed scheme (during the demolition, construction or operational phases).

The intensity and complexity of the impact (Schedule 7(3)(d))

There will be no significant impact on the receiving environment arising from the proposed scheme (during the demolition, construction or operational phases).

The probability of the impact (Schedule 7(3)(e))

The probability of impacts on the receiving environment is low given the following considerations:

- The receiving environment is not considered to be at risk of significant impact due to the nature and scale of the proposed scheme; and,
- The Contractor will be obliged to implement standard best practice procedures prior to commencement of the proposed scheme including all environmental control measures for the onsite management of any pollution / nuisance issues which could arise during the construction phase.

The expected onset, duration, frequency, and reversibility of the impact (Schedule 7(3)(f))

The probability of impacts on the receiving environment is considered to be low, as previously outlined. Therefore, there shall be no requirement for the reversibility of the impacts caused by this project (during the demolition, construction or operational phases).

The cumulation of the impact with the impact of other existing and/or development the subject of a consent for proposed scheme for the purposes of section 172(1A)(b) of the Act and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment (Schedule 7(3)(g))

As previously detailed no significant cumulative impacts associated with the project (during the demolition, construction or operational phases) have been identified, arising from other existing and/or approved projects. Refer to Section 3.4.1 under '*Cumulation with other existing development and/or development the subject of a consent for proposed scheme for the purposes of section 172(1A) (b) of the Act and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment (Schedule 7(1) (b)).*

The possibility of effectively reducing the impact (Schedule 7(3)(h))

Significant effects on the receiving environment are not anticipated as a result of the provision of the proposed scheme (during the demolition, construction or operational phases).

3.4. Potential for Significant Effects on the Receiving Environment

All relevant information as required under Schedule 7A has been provided on behalf of Laois County Council and is presented within Section 3.3 of this screening report. The potential for this project to pose a significant impact to the receiving environment has also been evaluated in accordance with criteria listed Planning and Development Regulations (2001-2023) (Schedule 7), as presented within Section 3.3 of this screening report.

Based on the information provided within Section 3.2 and 3.3 of this report, and summarised below, it is considered that due to the size, nature, and characteristics of the proposed scheme, no significant effects on the receiving environment are expected; hence the preparation of a sub-threshold EIAR is not required.

3.5. Screening Conclusion

This EIA screening report has been carried out in accordance with the Planning and Development Regulations as amended 2001- 2023 (which give effect to the provisions of EU Directive 2014/52/EU), and the Roads Acts 1993-2021. The report assessed the impact of the proposed scheme in conjunction with committed developments in the surrounding area.

Based on all available information, and taking account of the scale, nature and location of the proposed scheme it is our opinion that the preparation of an EIAR is not a mandatory requirement (under Section 50 of the Roads Acts 1993-2021). The project is deemed a sub-threshold development; hence the potential for significant environmental effects arising as a result of the proposed scheme has been evaluated, in accordance with the requirements of Schedule 7A and Schedule 7 of the Planning and Development Acts 2001-2023.

Key findings are summarised as follows: -

- Due to the limited nature of the works, it is considered that there will be no significant cumulative impacts with other developments in the general area;
- Limited noise, vibration and dust emissions may be generated during construction; however, this is anticipated to be minimal in effect and will cause no significant impacts;
- There will be no significant impact on biodiversity, groundwater, surface water or traffic; and,
- There will be no significant impacts on recorded monuments or historic features.

In summary, no significant adverse impacts to the receiving environment will arise as a result of the proposed scheme.

Accordingly, we consider that the preparation of an EIAR is not required for the proposed Triogue Way. However, the competent authority will ultimately determine whether an EIA is required or not.

4. References

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- NRA (2009). *Guidelines for Assessment of Ecological Impacts on national road schemes*. Published by National Roads Authority.
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Portlaoise Local Area Plan (2018) Strategic Flood Risk Assessment (SFRA) 2018-2024.

Statutory Instrument S.I. No. 296 of 2018. European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018.

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Consenting Authority Screening Determination

**APPROPRIATE ASSESSMENT SCREENING REPORT
AND
DETERMINATION**

(A) Project Details

Applicant name	Laois County Council
Development Location	People's Park to Linear Park, Triogue Way, Portlaoise
Application accompanied by an EIS (Yes/NO)	No
Distance from Natura 2000 site in km	The nearest designated European site is the River Barrow and River Nore SAC (site code: 002162), located approximately 6.6 km to the north via straight line distance and ca. 12km downstream via the Triogue River. The Slieve Bloom Mountains SPA is located ca. 6.2km to the west of the proposed site boundary at the closest point.

Description of the project/proposed development

Development of the Triogue Way to include the widening of the existing 2m wide path to 3m, where possible. The path will be widened on the park side of the path, away from the river and

- Install ducting and appropriate public lighting.
- Demolition of stone wall structures where new openings are required within private lands. There is the requirement for 2 no. openings of 5m x 2.5m to be made through existing walls with a total of 24m² of material removed. This will facilitate access to 'Parish Lands' and 'Convent Lands'.
- Import granular fill to create 200mm deep formation layer for the proposed cycle lane.
- The Cycle Lane will be constructed of 40mm depth AC20 Dense bitumen macadam with a final 20mm deep wearing course of 10mm AC closed surface macadam. The proposed width of the cycle track is 3.0m.
- Install line marking to delineate walking and cyclist areas.
 - Existing foot bridges across the Triogue River will be retained.
 - Relocate the park benches and facilities where required; and,
 - Trim or remove any trees if necessary to achieve head room for cyclists.
 - Implementation of recommendations from A Playful City Report (refer to <https://www.aplayfulcity.com/>).

(B) Identification of Natura 2000 sites which may be impacted by the proposed development

	<p>Yes/No</p> <p>If answer is yes, identify list name of Natura 2000 site likely to be impacted.</p>
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1	Impacts on sites designated for freshwater habitats or species. <u>Sites to consider:</u> River Barrow and Nore	<i>Is the development within a Special Area of Conservation whose qualifying interests include freshwater habitats and/or species, or in the catchment (upstream or downstream) of same?</i>	No
2	Impacts on sites designated for wetland habitats - bogs, fens, marshes and heath. <u>Sites to consider:</u> River Barrow and Nore	<i>Is the development within a Special Area of Conservation whose qualifying interests include wetland habitats (bog, marsh, fen or heath)</i>	No
3	Impacts on designated terrestrial habitats. <u>Sites to consider:</u> River Barrow and Nore	<i>Is the development within a Special Area of Conservation whose qualifying interests include woodlands, dunes or grasslands, or within 100m of same?</i>	No
4	Impacts on birds in SPAs <u>Sites to consider:</u> River Nore Slieve Bloom SPA	<i>Is the development within a Special Protection Area?</i>	No

Conclusion:

If the answer to all of the above is **No**, significant impacts can be ruled out for habitats and bird species.

No further assessment in relation to habitats or birds is required.

If the answer is **Yes** refer to the relevant sections of **C**.

(G) SCREENING CONCLUSION STATEMENT		
<i>Selected relevant category for project assessed by ticking box.</i>		
1	AA is not required because the project is directly connected with/necessary to the conservation management of the site	
2	No potential significant affects/AA is not required	X
3	Significant effects are certain, likely or uncertain. Seek a Natura Impact Statement Reject proposal. (Reject if potentially damaging/inappropriate)	
Justify why it falls into relevant category above (based on information in above tables)		
The Planning Authority has examined the AA screening report in respect of the proposed development carried out on behalf of Laois County by Atkins Consultants.		
The report has been prepared in line with the Habitats Directive, as transposed into Irish Law by the European Communities (Birds and Natural Habitats) Regulations, 2011 (as amended), relevant case law and guidance from the European Commission, the		

Department of the Environment, Heritage and Local Government and the Office of the Planning Regulator, on the basis of objective information and adhering to the precautionary principle.

It concludes inter alia as follows:

Following the assessment above, it can be concluded beyond reasonable scientific doubt that the proposed development will not, either individually or in combination with other plans or projects, give rise to any impacts which would constitute

significant effects on the River Barrow and River Nore Special Area of Conservation (site code: 002162) or any other Natura 2000 site, in view of their conservation objectives.

Therefore, it is recommended that Laois County Council, as the competent authority in this case, may determine that Appropriate Assessment is not required in respect of the proposed works.

The Planning Authority concurs with those findings.

The Planning Authority therefore advises that the proposed development, either individually or in combination with other plans and projects, will not have a significant effect on any European Site, in view of their conservation objectives.

The Planning Authority has no objection to the works being carried out as proposed.

Name:	Donal Kiely
Position:	Senior Executive Planner
Date:	10/01/2024

A. Screening Report for EIAR for Part 8 Active Travel Project at Triogue Way, Portlaoise, County Laois.

Proposed Development

The construction of a proposed cycleway scheme known as the Triogue Way, located at Portlaoise, County Laois.

The Triogue Way extends from the Páirc an Phobail/People's Park to the Linear Park (Green Mill Lane end), navigating through urban environments, streetscapes, car parks, private/public lands and woodland areas, for a total length of approximately 1.6 kms.

The development consists of a 3m wide (or as close to 3m as available) tarmacked surface with associated public lighting. There is currently a macadam surface walkway along this route through the public parks. However, the existing pathway is not wide enough to accommodate both cyclists and pedestrians.

The development excludes any development adjacent to or under the Irish Rail bridge. Where the route traverses private lands, agreements are in place with landowners to accommodate the proposed development.

Site Location

The subject site is located in Portlaoise.

The Scheme extends from Páirc an Phobail (People's Park) on the south-east of the town centre north-westwards for a distance of 1.6 kms to as far as the Green Mill Lane Road.

The Scheme runs alongside the Triogue River, navigating through urban road sections and back into the River Triogue Linear Park.

Site Size

The subject site is 1.46 hectares in size.

Specification

The proposed works will comprise the following elements:

- Widen the existing 2.0m wide path to a total of 3.0m width. The path will be widened on the park side of the path away from the river.
- Install ducting and appropriate public lighting.
- Demolition of stone wall structures.

- Import granular fill to create 200mm deep formation layer for the proposed cycle lane.
- The Cycle Lane will be constructed of 40mm depth AC20 Dense bitumen macadam with a final 20mm deep wearing course of 10mm AC closed surface macadam. The proposed width of the cycle track is 3.0m. There is no surface water drainage proposal for this area. Surface water will cross fall off the track and soak off into the environs as is currently in place.
- Install line marking to delineate walking and cyclist areas.
- Relocate the park benches and facilities where required; and,
- Trim or remove any trees if necessary to achieve head room for cyclists.

Floor area of proposed development

Not applicable.

Identification of nearby Natura 2000 site(s)

The proposed Triogue Way Cycle Lane is located adjacent to and over the Triogue River and is located ca. 6.8km south of the River Barrow and River Nore SAC (site code: 0002162) via straight line distance.

As such, there is no risk of direct impacts on the River Barrow and River Nore SAC, e.g., loss of fragmentation, degradation, pollution or disturbance of habitats or species within this site due to machinery, human disturbance or impacts on water quality resulting from the proposed works.

The Planning Authority considers that the proposed development, either individually or in combination with other plans and projects, will not have a significant effect on any European Site, in view of their conservation objectives.

EIAR Methodology

The Environmental Impact Assessment (EIA) screening has been undertaken for this project based on the following methodology. This project has been screened in accordance with Section 3.2 of the '*Guidelines on the Information to be contained in Environmental Impact Assessment Reports*' (EPA, 2022), the Environmental Impact Directive (85/337/EEC) and all subsequent relevant amendments, Planning and Development regulations (2001-2023), including S.I. No. 296 of 2018 - European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018, which came into operation on 1st September 2018. The project has also been screened in accordance with the Roads Act, 1993-2021 and the European Union (Roads Act 1993) (Environmental Impact Assessment) (Amendment) Regulation 2019 S.I. No. 279 of 2019.

As set out under the relevant legislation (detailed further in Section 2.1 of this report), the following steps are involved when carrying out EIA screening for a particular project: -

- **Step 1** is to determine if the proposed infrastructure works represent a project as understood by the Directive and if a mandatory EIAR is required. Such projects are defined in Article 4 of the EIA Directive and set out in Annexes I and II. Projects requiring a mandatory EIAR are included under Section 50 of the Roads Act (1993-2021), S.I. No. 279 of 2019 amendments and the prescribed projects listed in Section 8 of the Roads Regulations, 1994 (S.I. No. 119 of 1994).

- **Step 2** is to determine if the project is likely to have significant effects on the receiving environment. Section 50 (1)(b) of the Roads Act (1993-2021) states that *‘if An Bord Pleanála considers that any road development proposed (other than development to which paragraph (a) applies) consisting of the construction of a proposed public road or the improvement of an existing public road would be likely to have significant effects on the environment it shall direct that the development be subject to an environmental impact assessment.’*

Schedule 7 of the relevant Planning & Development Regulations 2001 as amended

Criteria to evaluate whether significant impacts on the receiving environment will arise from a proposed scheme are listed under Schedule 7 of the relevant Planning & Development Regulations (2001-2023). A list of the relevant information to be provided by the applicant or developer for the purposes of sub-threshold EIA screening is presented in Schedule 7A of the Regulations, and summarised below: -

- A description of the proposed scheme, including in particular: - a description of the physical characteristics of the whole proposed scheme and, where relevant, of demolition works; and a description of the location of the proposed scheme, with particular regard to the environmental sensitivity of geographical areas likely to be affected.
- A description of the aspects of the environment likely to be significantly affected by the proposed scheme.
- A description of any likely significant effects, to the extent of the information available on such effects, of the proposed scheme on the environment resulting from: - the expected residues and emissions and the production of waste, where relevant: and the use of natural resources, in particular soil, land, water and biodiversity.

The compilation of the information at paragraphs 1 to 3 shall take into account, where relevant, the criteria set out in Schedule 7.

Also, the National Transport Authority (2023) 'Guidance for EIA and AA Screening of Active Travel Projects Funded by the NTA' were reviewed when completing this EIA Screening report.

Screening for EIA

This project does not fall within any category of development requiring a mandatory EIA; hence the preparation of an EIAR is not required under Section 50 (1)(a) of the Roads Act or 1993-2021 or **Schedule 5 Part 1** of the Planning and Development Regulations 2001 as amended.

Additionally, the scheme has been screened against the criteria outlined in **Schedule 5 Part 2** of the Planning and Development Regulations 2001-2023, as follows: -

10. Infrastructure projects

(b)

(iv) urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.

14. Works of Demolition

Works of demolition carried out in order to facilitate a project listed in Part 1 or Part 2 of this Schedule where such works would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.

15. Any project listed in this Part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development, but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.

The proposed scheme is not of a type identified within Schedule 5, Part 2 as: -

- [a] The location of the Triogue Way Cycleway Scheme is located within a built-up area and is 1.46 hectares (ha) in total (total length – 1.6km). Triogue Way Cycleway Scheme does not involve an area greater than 10 hectares in a built-up area. Therefore, this scheme does not require an EIAR to be produced in accordance with Schedule 5 Part 2 (10)(iv).
- [b] Triogue Way Cycleway Scheme does not meet the criteria listed in Schedule 5 Part 1 or Schedule 5 Part 2 and therefore does not require further consideration under Category 14, Works of demolition. The requirement to set back up to 35m² of existing boundary walls and create 2no. openings in existing walls (24m²) is not likely to have significant effects on the environment and therefore, this scheme does not require an EIAR to be produced in accordance with Schedule 5 Part 2 (14).

- [c] Triogue Way Cycleway Scheme does not fall under projects listed in Schedule 5 Part 1 or Schedule 5 Part 2 and is not likely to have significant effects on the environment with regard to the criteria set out in Schedule 7. Having regard to the scale and nature of the project and based on the above information, the overall probability of significant impacts on the receiving environment arising from the proposed scheme is considered to be low.

Determining if the project is likely to have significant effect on the receiving environment

There will be no land take from any of the designated sites within 15km of the proposed scheme and, based on the findings of the Appropriate Assessment Screening Report (Atkins, 2023), there will be no potential significant adverse effects to European sites arising from the proposed cycleway.

There are no Public or Group Drinking Water Supply Source Protection Zones within the vicinity of the proposed scheme (GSI, 2023). The closest Source Protection Zone is Meelick Public Supply Source Protection Area which is located ca. 0.5km south of the scheme (GSI, 2023). Due to the nature and scale of the project it is not anticipated to have a significant impact on groundwater. Given the location, nature and scale of the proposed scheme, the overall risk to human health is very low.

There are no karst features within the vicinity of the proposed scheme (GSI, 2023).

All works are to existing infrastructure within the urban fabric of Portlaoise. Current Laois County Council management measures are to limit access to these areas during periods of flooding. The shared footpath and cycleway will be finished with a bound surface and so will prevent any siltation or material being washed into the river in a flood situation. In general, there will be a vegetated verge between the river and the shared surface.

Access points from public roads or paths onto sections of the Triogue Way that may be susceptible to flooding risk will be closed and signed appropriately as is currently the situation in the existing parks when elevated water levels occur from periods of prolonged adverse wet weather or intense rainfall events.

Laois County Council commissioned Horizon Archaeology to undertake an Archaeological Impact Assessment of the proposed scheme (refer to Horizon Archaeology, 2023 which accompanies this application). The assessment concluded the following:

“The archaeological assessment concludes that the proposed development does not directly impact on any known archaeology. The development is partly situated within the archaeological zone of notification for one known archaeological site that is contained in the Record of Monuments and Places (RMP) and are therefore protected by law under the National Monuments Acts (1930-2014). This known archaeological

site is the Historic Town of Portlaoise RMP No LA013- 041. There are a number of known archaeological sites in the wider vicinity of the proposed development.

According to the Laois Development Plan 2021 – 2027 within the Landscape Character Assessment, the proposed development is within the ‘Urban Fringe Area’. Urban Fringe Area have a ‘low sensitivity’ and is described as ‘*areas with the capacity to generally accommodate a wide range of uses without significant adverse effects on the appearance or character of the area*’.

The proposed path in Triogue Linear Park is within the Ridge of Portlaoise pNHA, a site of national importance (site code 000876). The proposed works are however restricted to areas of amenity grassland and not within habitats for which the pNHA has been designated. The proposed works are dominated by proposals to upgrade existing paths in Páirc an Phobail and the Triogue Liner Park, as well as proposals to improve footpaths and roads within the existing urban fabric of Portlaoise. The only new area of footpath is a section of ca. 300m between Bridge Street / N80 and Church Road.

Drainage works for the proposed scheme will be minimal and restricted to areas where the scheme interfaces with the public road.

Due to the nature and scale of the scheme it is anticipated that the construction works will not have a significant impact on air quality. It is anticipated that the operational phase will likely have a positive impact on air quality.

Noise levels will not exceed the indicative levels of acceptability for construction noise in an urban environment as set out in the NRA guidance ‘*Good Practice Guidance for the Treatment of Noise during the Planning of National Road Schemes*’ (NRA, 2014). It is anticipated that the works will be scheduled during day-time hours.

During the excavation phase a small volume soil will be generated. The demolition phase will generate C&D waste; 59m² of material will be removed. The construction phase of the project may generate waste such as metals, asphalt, construction and demolition waste, plastic wrapping, wooden pallets or soil arisings. As outlined previously (under ‘*The production of waste (Schedule 7(1)(e))*’), appropriately robust waste management procedures will be implemented by the Contractor to ensure that any minimal volumes of waste which will be generated during the construction phase do not pose a pollution / nuisance risk to the receiving environment.

There are no Upper or Lower Tier Seveso sites within Laois County. Due to the distance of the proposed scheme from Seveso sites, the proposed scheme is not located in a high-risk area with respect to major accidents / disasters.

The creation of the cycle scheme will reduce the volume of vehicular traffic within the vicinity of the proposed scheme. The proposed scheme will provide additional social and recreational infrastructure within the town. It is considered therefore that the proposed scheme will potentially have a positive impact on this densely populated area during the operational phase.

Screening Conclusion

This EIA screening report has been carried out in accordance with the Planning and Development Regulations as amended 2001- 2023 (which give effect to the provisions of EU Directive 2014/52/EU), and the Roads Acts 1993-2021.

The report assessed the impact of the proposed scheme in conjunction with committed developments in the surrounding area.

Based on all available information, and taking account of the scale, nature and location of the proposed scheme it is considered that the preparation of an EIAR is not a mandatory requirement (under Section 50 of the Roads Acts 1993-2021).

The project is deemed a sub-threshold development; hence the potential for significant environmental effects arising as a result of the proposed scheme has been evaluated, in accordance with the requirements of Schedule 7A and Schedule 7 of the Planning and Development Acts 2001-2023.

Key findings are summarised as follows: -

- Due to the limited nature of the works, it is considered that there will be no significant cumulative impacts with other developments in the general area;
- Limited noise, vibration and dust emissions may be generated during construction; however, this is anticipated to be minimal in effect and will cause no significant impacts;
- There will be no significant impact on biodiversity, groundwater, surface water or traffic; and,
- there will be no significant impacts on recorded monuments or historic features.

In summary, no significant adverse impacts to the receiving environment will arise as a result of the proposed scheme.

It is considered that the preparation of an EIAR is not required for the proposed Triogue Way project.

Donal Kiely, SEP, 11th January 2024