

21013-01-102

# N77 ABBEYLEIX ROAD REHABILITATION AND ENHANCEMENT SCHEME, CO. LAOIS

## Part 8 Explanatory Report

prepared pursuant to the requirements of Part XI, Section  
179 of the Planning and Development Act 2000 as amended  
and Part VIII, Article 80 & 81 of the Planning and  
Development Regulations 2001 as amended

December 2021



Tionscadal Éireann  
Project Ireland  
**2040**

**ROADPLAN**

CONSULTING

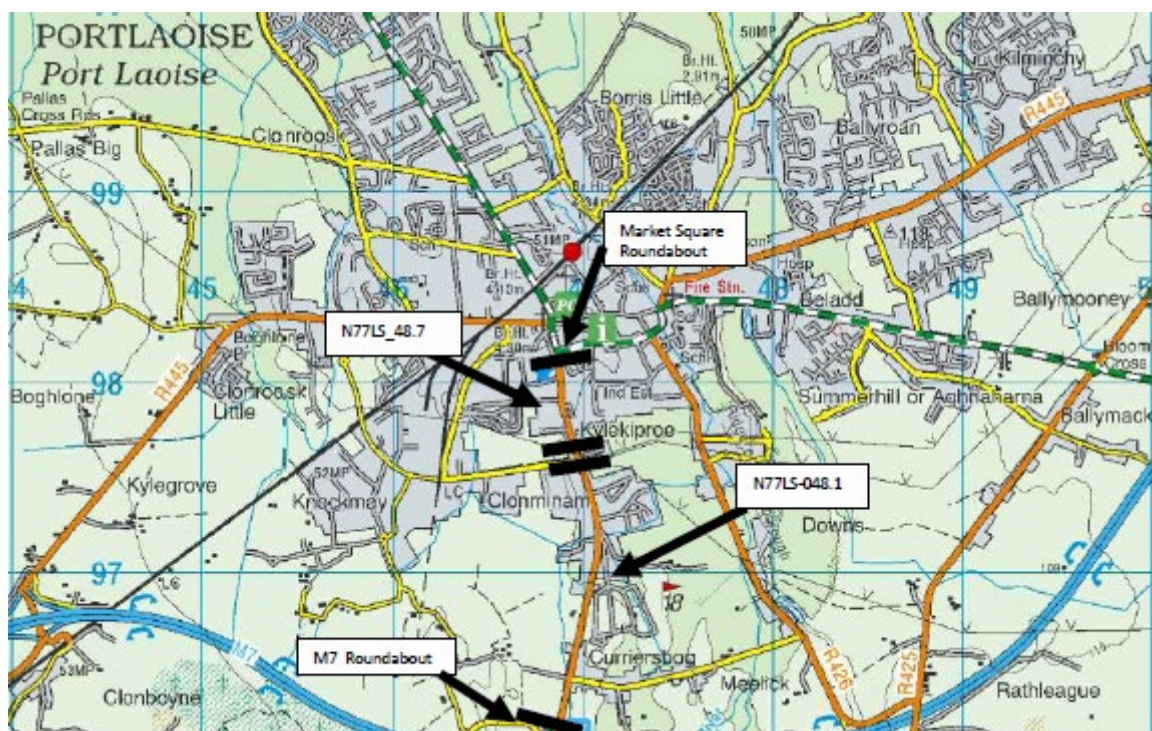
7, Ormonde Road  
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## 1 Introduction

In accordance with Part XI, Section 179 of the Planning and Development Act 2000 as amended, and Part VIII, Article 80 & 81 of the Planning and Development Regulations 2001 as amended, Laois County Council has given notice of its intention to carry out a rehabilitation and enhancement scheme on the N77 Abbeyleix Road, Portlaoise as shown in Figure 1.1 below comprising improvement works to the N77 National Road between the Market Square roundabout and the M7 motorway, south of Portlaoise.



*Figure 1.1 Scheme Extents*

This report is prepared for inclusion with the Plans and Particulars being made available for public inspection in accordance with the above Act and Regulations. It describes the need for and objectives of the Proposed Scheme and provide a detailed description of it. This report is to be read in conjunction with the following drawings included in Appendix A which show details of the Proposed Scheme and which, along with this Report, will also be made available for public inspection:

Drawing number	Rev	Drawing Title
21013-01-0010	B	Proposed Layout – Sheet 1 of 3
21013-01-0011	-	Proposed Layout – Sheet 2 of 3
21013-01-0012	-	Proposed Layout – Sheet 3 of 3
21013-01-0013	-	Landscaping – Sheet 1 of 3
21013-01-0014	-	Landscaping – Sheet 2 of 3
21013-01-0015	-	Landscaping – Sheet 3 of 3

## 2 Need for Scheme

Under TII GE-STY-01022 Network Safety Analysis, N77LS\_048.1 was identified as a High Collision Location for the past three successive analyses. In addition, N77LS\_048.1 and N77LS\_048.7 were identified by TII as requiring pavement improvements in 2020/2021. As the pavement scheme extends as far as the Market Square Roundabout, it was felt that the potential for safety improvements on N77LS\_048.7 should also be examined.

According to the available collision data, there have been a number of minor injury and material damage collisions along this stretch of the N77. A high proportion of these collisions were rear-end and side-impact collisions which resulted from vehicles emerging from various side roads and junctions into oncoming traffic on the N77. A high concentration of these collisions were located near the Father Brown Avenue roundabout and the Meelick Road Junction. The Father Brown Avenue roundabout has recently been upgraded to resolve the specific issues at this location however issues remain elsewhere. There are a number of specific safety issues identified which need to be addressed including:

- The width of the N77 along this stretch varies from 9.1m to 12.1m and includes wide hard shoulders which are conducive to the development of inappropriate speed.
- The existing uncontrolled pedestrian crossing point close to the Meelick Junction is a very wide uncontrolled junction and is located in an area where traffic speeds can be high.
- There are no pedestrian crossing facilities on the Meelick road. Pedestrian movements would benefit from some form of crossing at this location.
- Insufficient public lighting exists along this stretch of the N77. In certain locations it is impaired by vegetation and at other locations it is not fully illuminating the road. Public lighting maintenance has also indicated that existing lighting does not have ducting and is not in accordance with current safety standards.
- The existing pavement requires resurfacing.

### **3 Scheme Objectives**

TII DN-GEO-03030 states that the following are the primary objectives of Road Safety Improvement Schemes:

*“The objective of a Road Safety Improvement Scheme is to achieve a reduction in the frequency, and severity of collision. Road Safety Improvement Schemes should be appropriate to and consistent with the characteristics of the adjacent sections of the route having regard to collision history, road user demand collision history and design speed.”*

*“Road Safety Improvement Schemes should be designed to improve road safety and make better use of the existing road network.”*

## **4 Design Standards**

The initial section of the scheme within the 60km/hr speed limit has been designed in accordance with TII Publications (Standards) DN-GEO-03084 The Treatment of Transition Zones to Towns and Villages on National Roads while the remaining section of the N77 scheme within the 50km/hr speed limit has been designed in accordance with the Design Manual for Urban Roads and Streets (DMURS). The DMURS provides guidance relating to the design of urban roads and streets.

Redesign of public lighting in accordance with European and Irish Standards for Public Lighting on National Roads, provision of new ducting and replacement of existing lighting poles, where required will be incorporated into the scheme.

## **5 Principal features of the Scheme**

The main elements of the proposed scheme are:

- Reduction in road width and hard shoulders by the provision/improvement of footpaths and cycle lanes on both sides of the road to encourage reduction in speed and to reduce crossing distances at pedestrian crossings.
- Provision of pedestrian crossings to ensure that safe pedestrian crossings exist which are fully accessible to all users.
- Redesign of public lighting to improve visibility for all road users.
- Resurfacing of existing pavement surface.



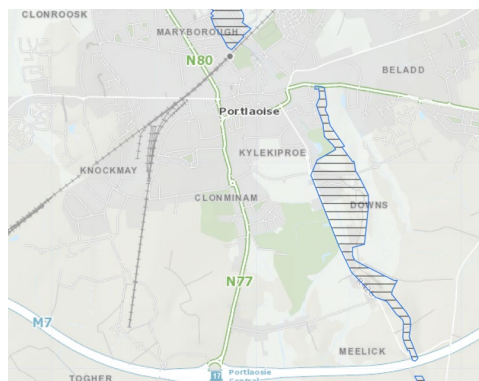
## 6 Environmental Assessment

### 6.1 APPROPRIATE ASSESSMENT

A report for the purposes of Appropriate Assessment Screening was carried out for the Project by Moore Group Environmental Services. It was the view of the Author that the proposed scheme would have no significant impacts on the surrounding environment and that it was not necessary to undertake any further stage of the Appropriate Assessment process. A copy of the report is provided in Appendix B.

### 6.2 ECOLOGICAL ASSESSMENT

The following information was sourced from Geohive database <http://map.geohive.ie/>.



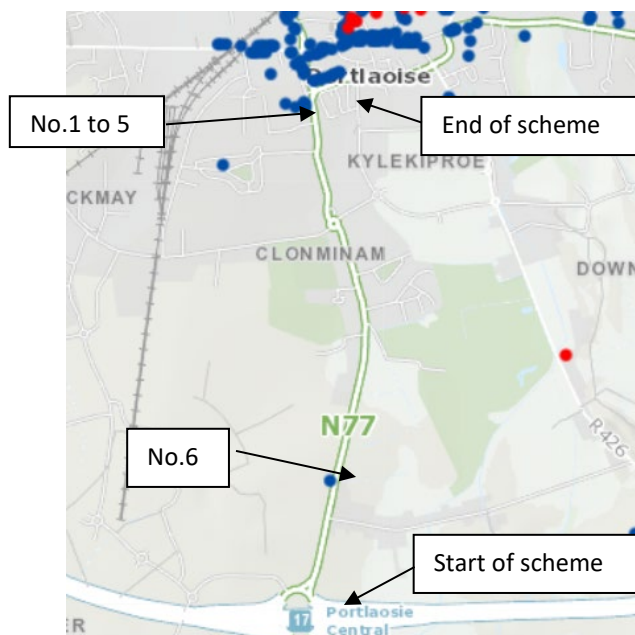
**Figure 5.1 Ecology Constraints (source: Geohive Map)**

The ecological site shown in the image above is Proposed Natural Heritage area named Ridge of Portlaoise, Site Code 000876. There are no Natural Heritage Areas, Special Protection Areas or Special Area of Conservation within the site extents nor in its vicinity.

It can be concluded that the proposed scheme, individually or in combination with other plans or projects, will have no effect on any of the ecological site.

### 6.3 ARCHAEOLOGICAL CONSTRAINTS

The following information was sourced from Geohive database <http://map.geohive.ie/>.



*Figure 5.2 National Inventory of Architectural Heritage,  
The Department of Arts, Heritage and the Gaeltacht*

The National Monuments Service of the Department of Arts Culture Heritage and the Gaeltacht electronic database, viewable at [webgis.archaeology.ie](http://webgis.archaeology.ie) shows the following archaeological sites shown on Figure 5.4 above. In table below sites are listed and described.

	Reg No	Name	Description
1	12506349	Portlaoise Garda Síochána Station; previous name - Maryborough Barracks; In use as Garda station/ constabulary barracks	Attached single-bay single-storey guard house with short screen wall containing stone doorcase attached to gateway, dated 1932, with stone and brick lean-to to north gable, built c. 1950.
2	12506163	Portlaoise Garda Síochána Station Gates/railings/walls	Attached limestone vehicular entrance, flanked by pedestrian gates, dated 1832. Replacement steel gates and chrome raised lettering to parapet block "GARDA".
3	12506348	Garda station/ constabulary barracks	Attached single-bay single-storey former guard house, dated 1832, attached to north of entrance to former military barracks, set behind screen wall with pair of lean-to structures to either end, now part of Garda station.

<b>4</b>	<b>12506160</b>	Portlaoise Garda Síochána Station	Detached nine-bay two-storey limestone former military barracks, built c. 1808, now in use as Garda station. Composed of five bays, flanked by two-bay advanced projections with lean-to porch between. Yellowbrick two-storey extension attached to rear c.1980.
<b>5</b>	<b>12506162</b>	Portlaoise Garda Síochána Station; Original use: hall/centre/gymnasium	Detached multi-bay two-storey gymnasium, built c.1910, now disused.
<b>6</b>	<b>12509999</b>	House; original use as barracks	Detached five-bay single-storey former barracks hut, built c. 1925, formerly in the Curragh Camp and relocated to the Abbeyleix Road c. 1970.

A desktop review concluded that above archaeological sites are in the proximity of the scheme, but none within the scheme extents. Given the nature and extent of the proposed works, there are no archaeological constraints to the project.

## **7 Public Display Periods**

A copy of the Public Notice is contained in Appendix E to this Explanatory Report.

## **8 Submissions**

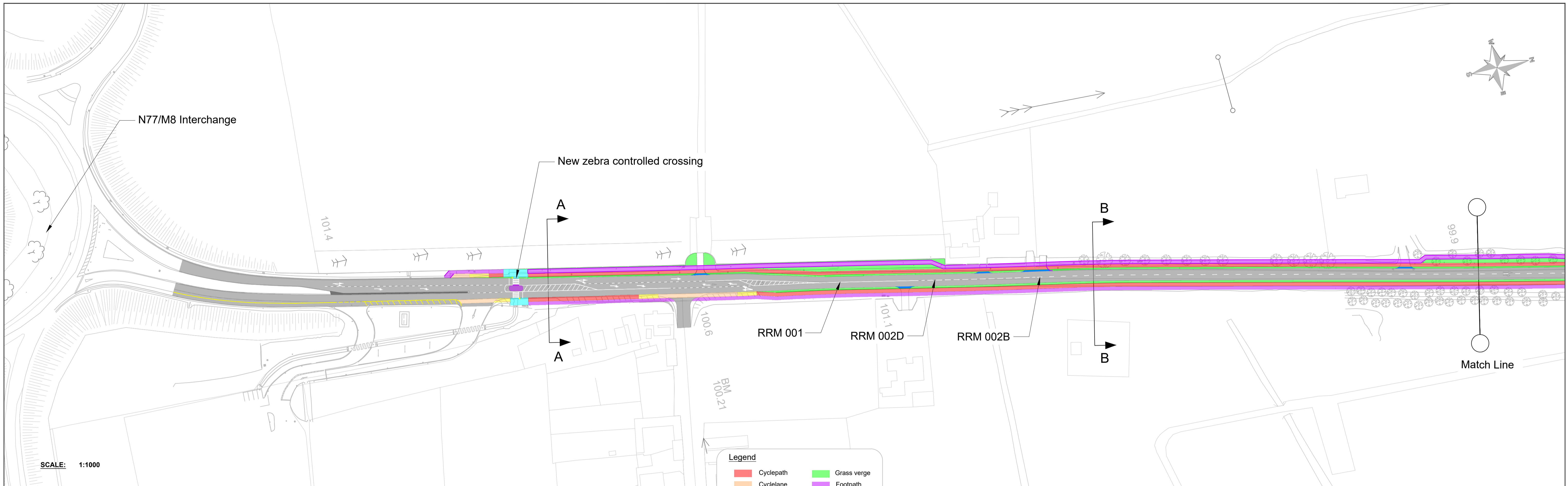
Written submissions or observations on the proposed development, with respect to the proper planning and sustainable development of the area in which the development will be carried out, may be made in writing to:

**Simon Walton,  
Director of Services,  
Laois County Council,  
Aras an Chontae,  
JFL Avenue,  
Portlaoise,  
Co. Laois.**

to be received on or before **5 p.m. Thursday 10th February 2022**

Submissions should be clearly marked **N77 Abbeyleix Road Rehabilitation and Enhancement Scheme**.

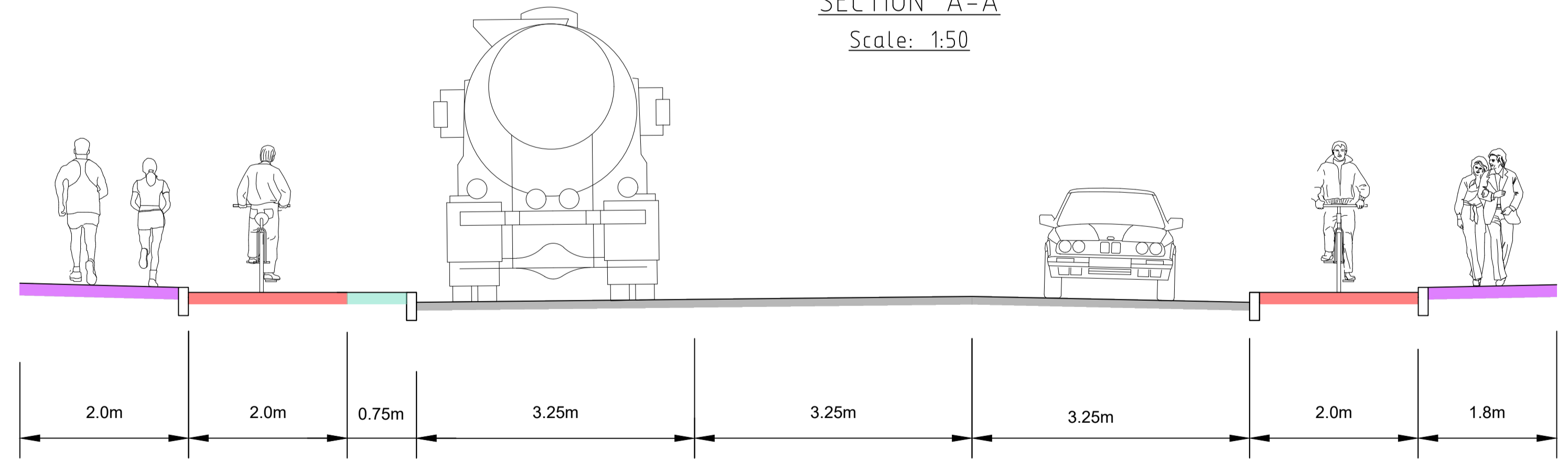
## **APPENDIX A – DRAWINGS**



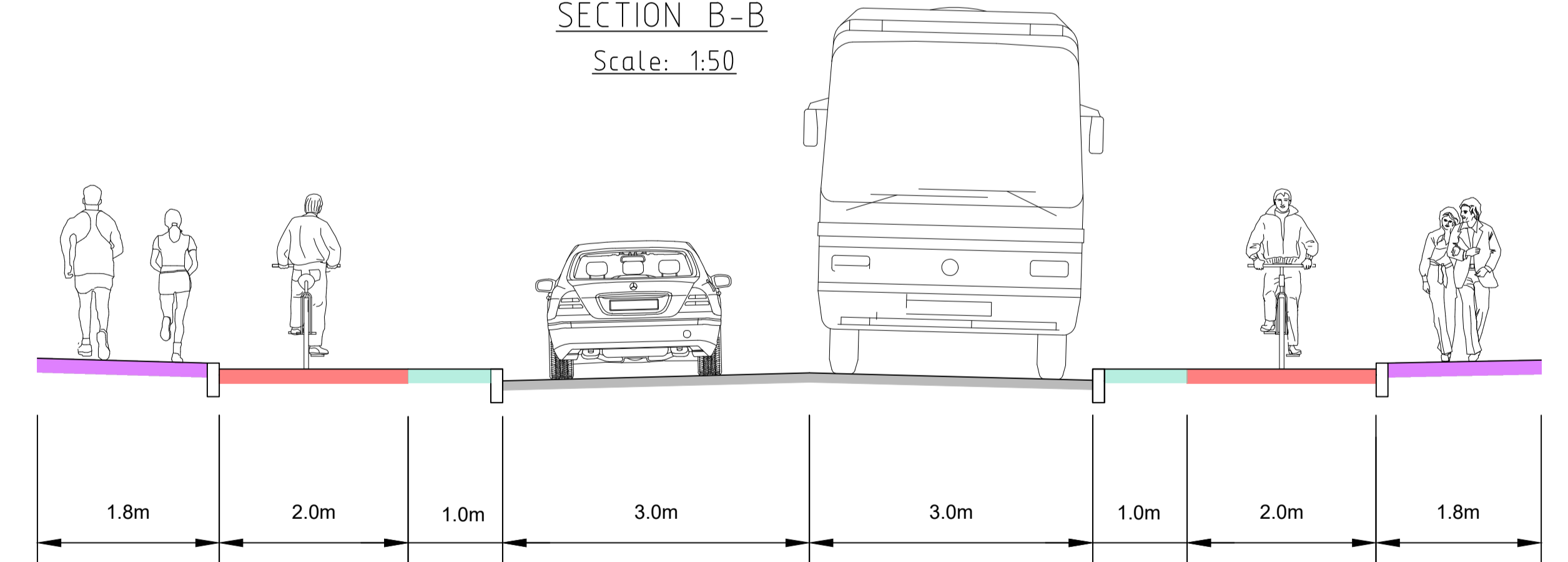
**Legend**

Cyclepath	Grass verge
Cyclelane	Footpath
Shared surface	Carriageway
Cycle ramp	Ramp
Pedestrian Crossing Beacon	

**SECTION A-A**  
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**SECTION B-B**  
Scale: 1:50



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**NOTES**

**LEGEND**

No.	Revision	Date	By	Chk'd	App'd
B	Cyclist facilities updated	3/12/2021	VD	GF	DD
A	Scheme extent updated; zebra pedestrian crossing added	1/12/2021	VD	GF	DD

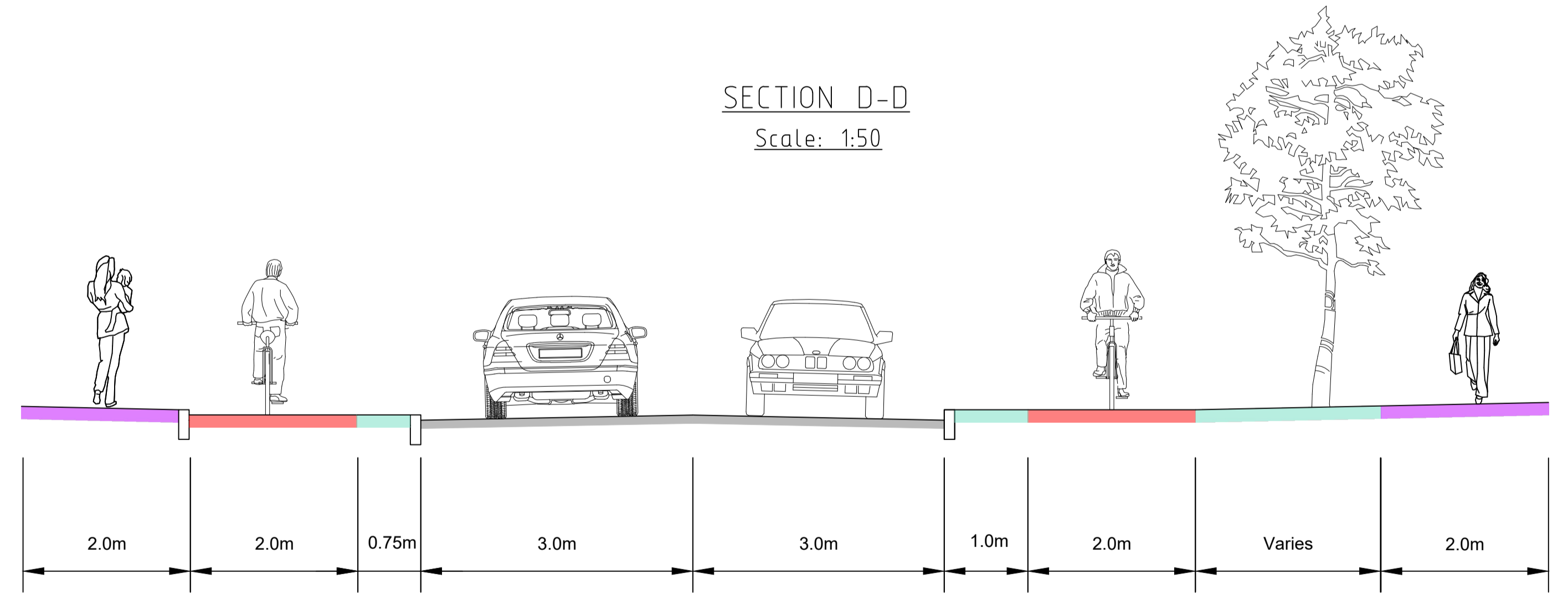
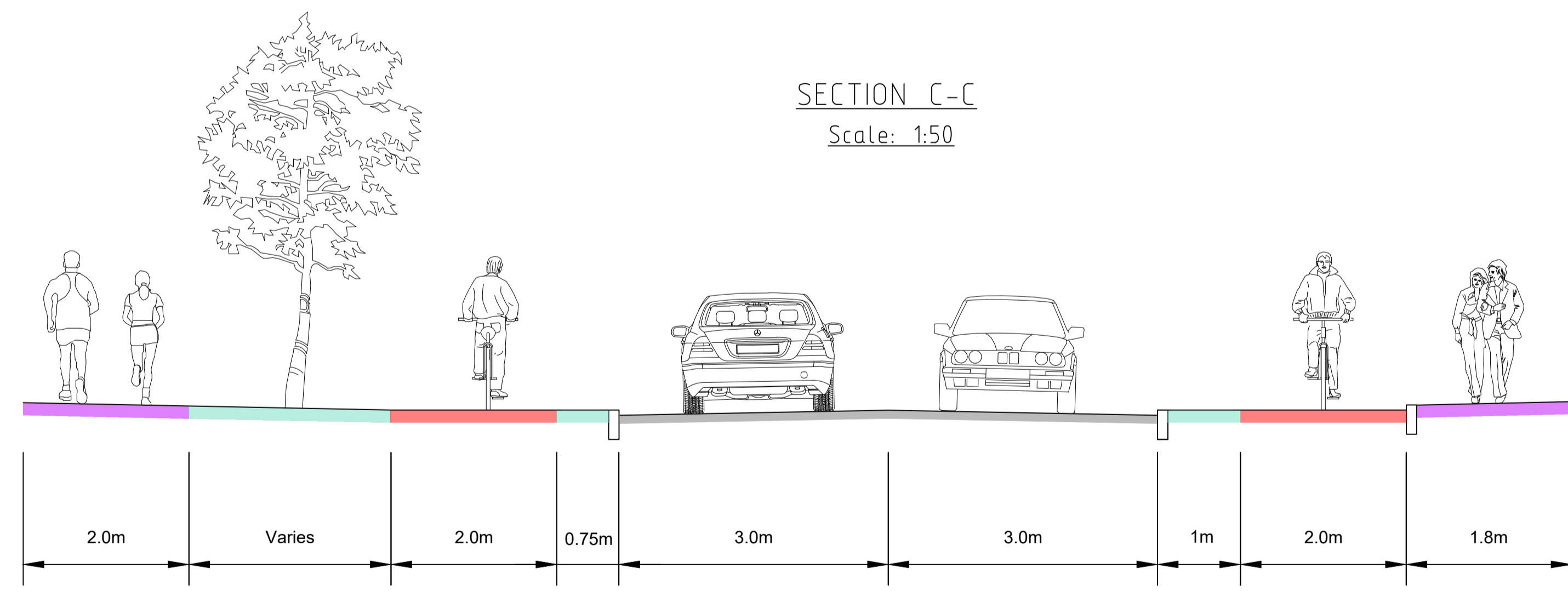
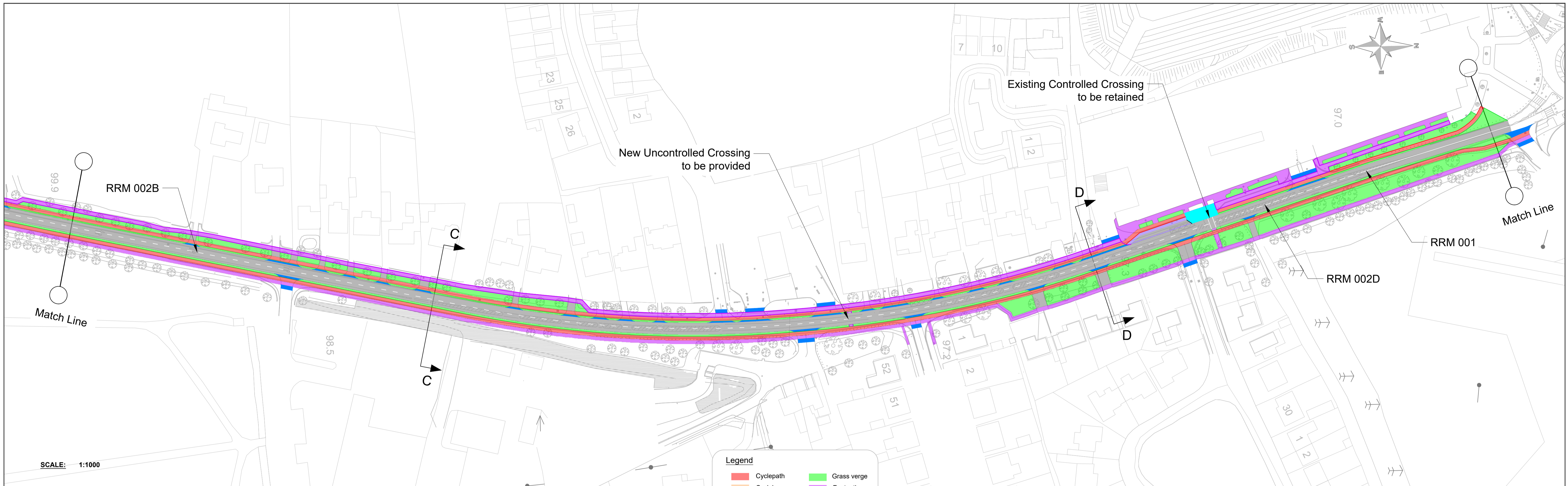
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**Drawing Title:** Proposed Layout - Sheet 1 of 3

Drawn by: VD    Sheet Size: A1    Scale: As shown    Date: Oct '21

Drawing Number: 21013-01-0010    Revision: B



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NOTES

LEGEND

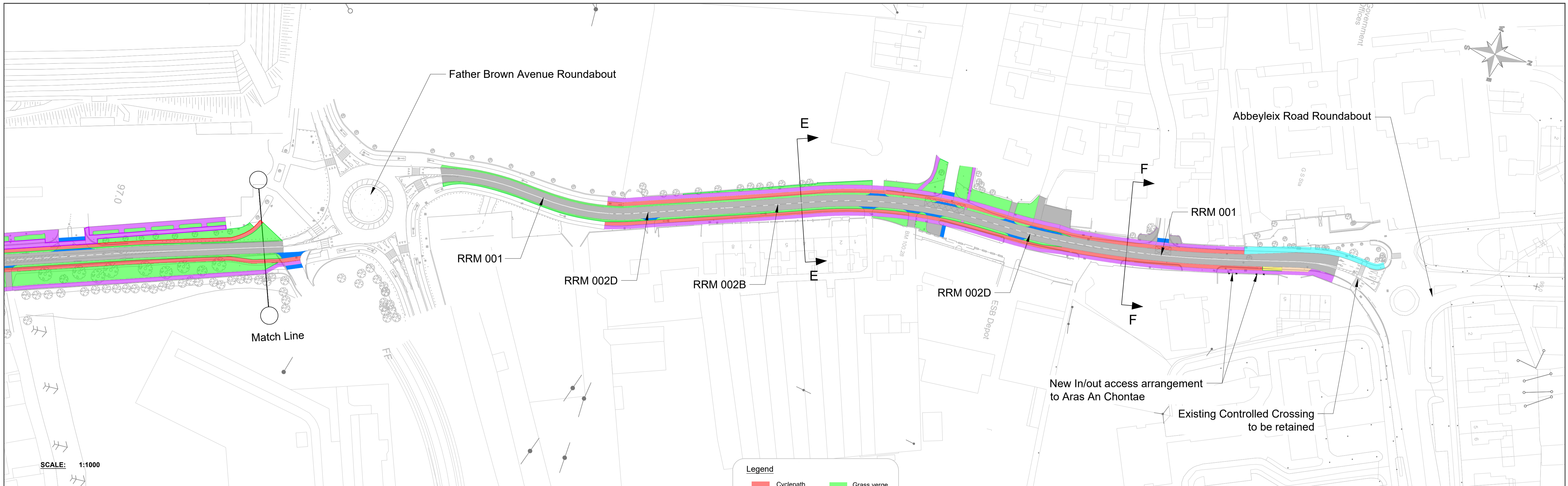
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Approved:			DD		

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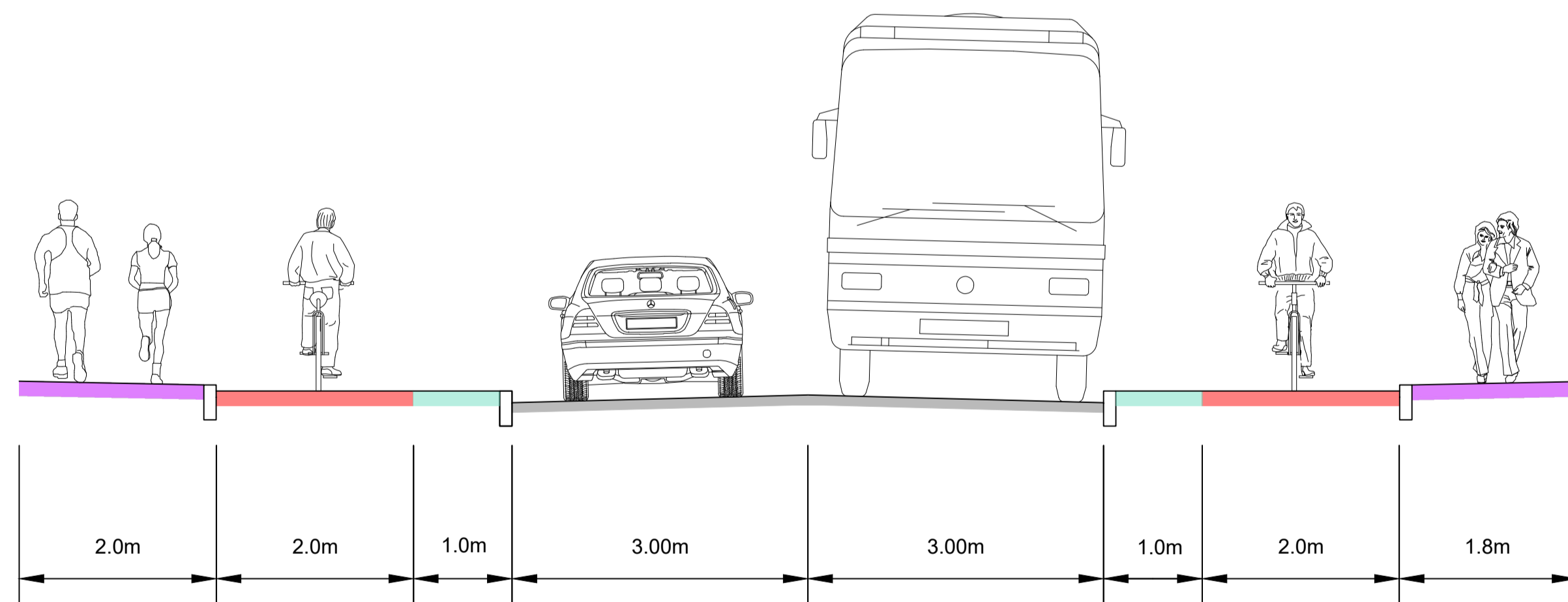
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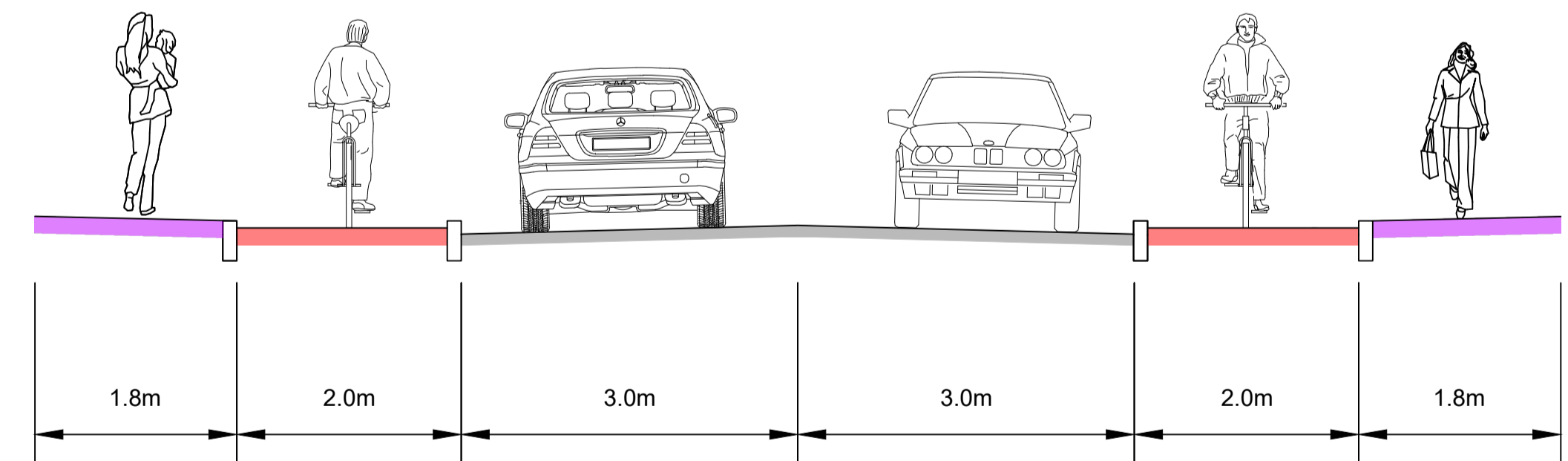
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SECTION F-F  
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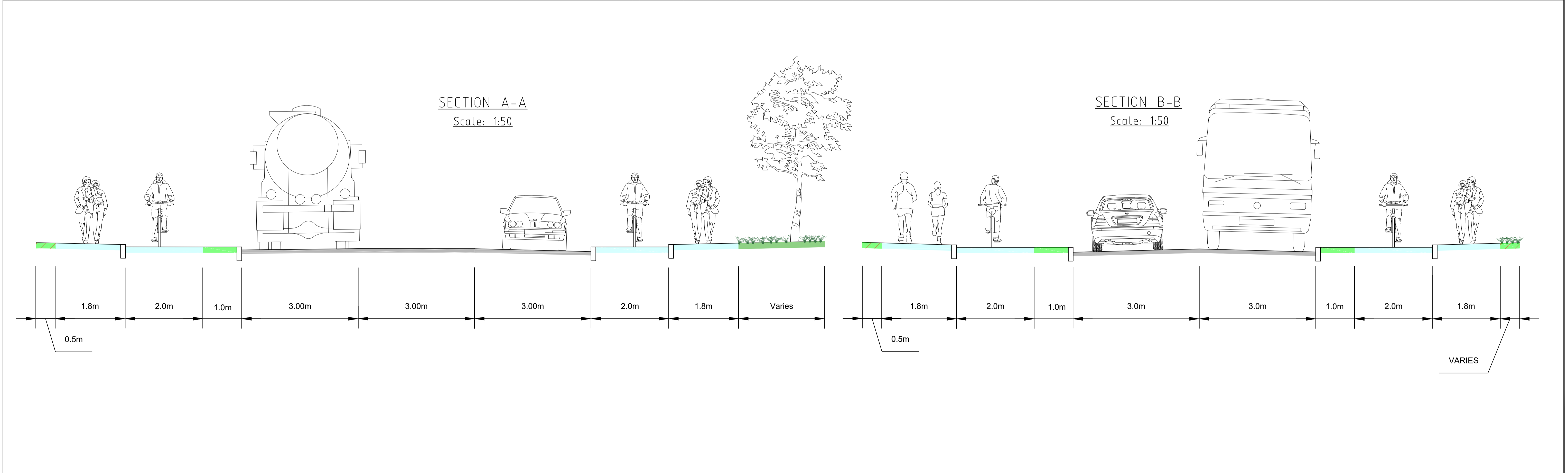
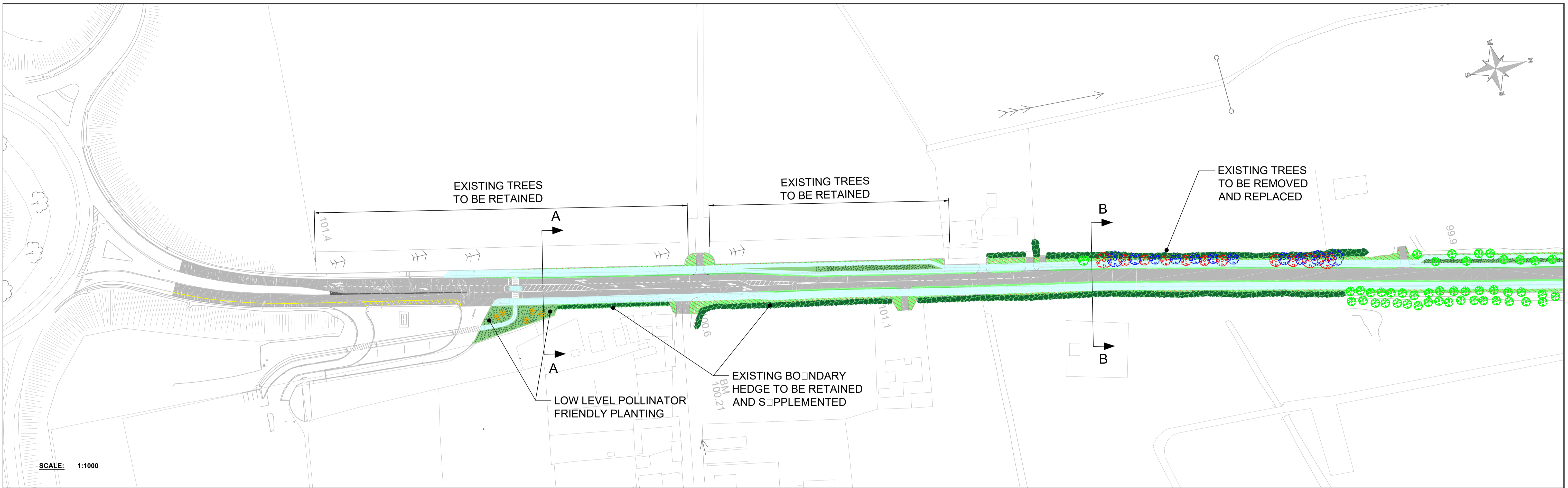
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LEGEND

No.	Revision	Date	By	Chk'd	App'd
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Drawing Title: <b>Proposed Layout - Sheet 3 of 3</b>			
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Drawing Number: 21013-01-0012		Revision: -	





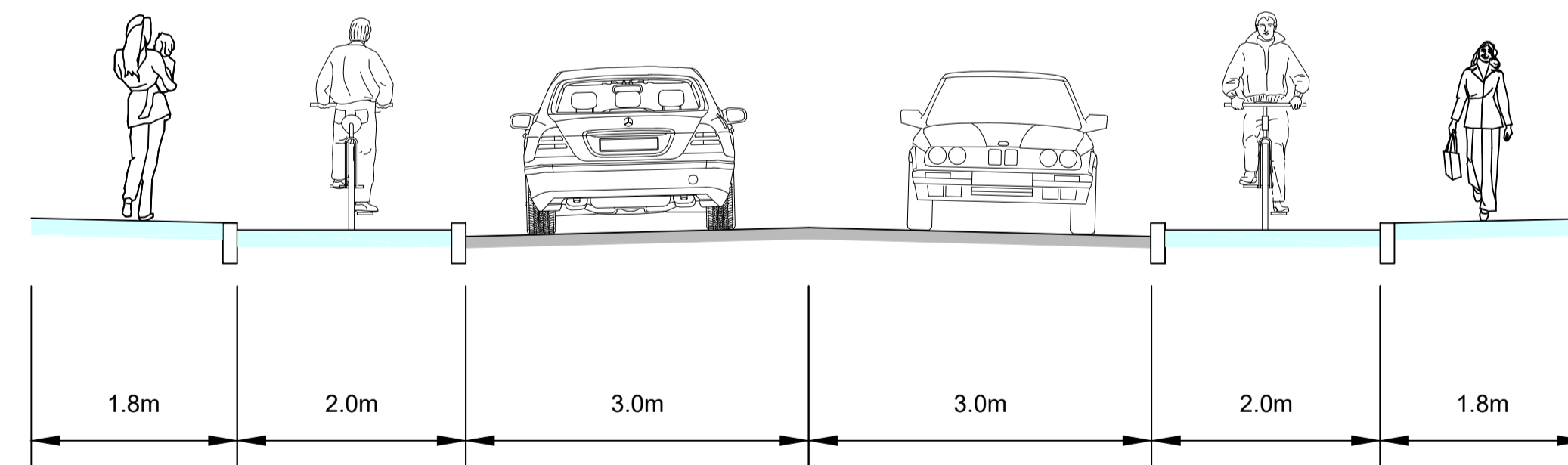
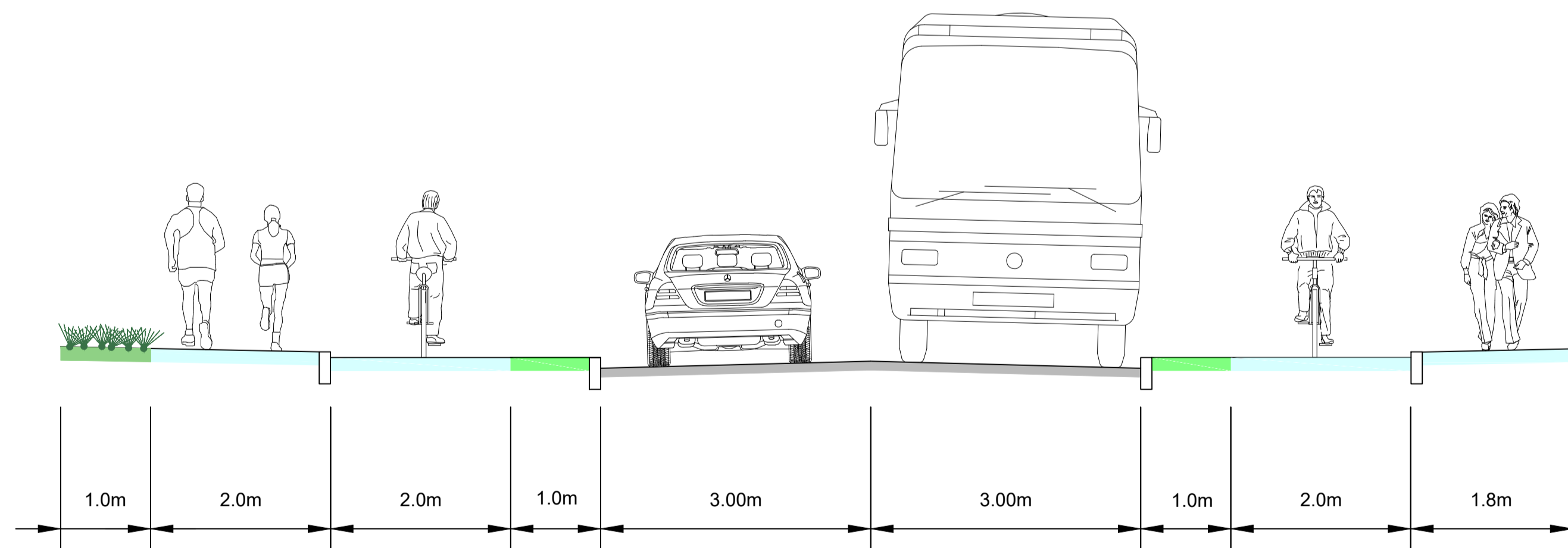
<p>7 Ormonde Road, Kilkenny Tel: +353(0)567795800 e-mail: info@roadplan.ie</p>	<p><b>NOTES</b></p>	<p><b>LEGEND</b></p> <ul style="list-style-type: none"> <li> VR Facility</li> <li> Existing tree to be removed</li> <li> Proposed medium sized pollinator-friendly tree</li> <li> Existing tree to be retained</li> <li> Existing hedge to be retained</li> <li> Carriageway</li> <li> Low level pollinator friendly planting</li> <li> Proposed grass verge</li> <li> Existing grass verge to be reinstated</li> </ul>	<table border="1"> <tr> <th>No.</th> <th>Revision</th> <th>Date</th> <th>By</th> <th>Chk'd</th> <th>App'd</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>	No.	Revision	Date	By	Chk'd	App'd							<p>Project Title: <b>N77 Abbeyleix Road - Cycle and Pedestrian Improvement Scheme</b></p> <p>Drawing Title: <b>Landscaping- Sheet 1 of 3</b></p>
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Drawing Number: 21013-01-0013			Revision: -													





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NOTES

LEGEND

- VR Facility
- Existing tree to be removed
- Proposed medium sized pollinator-friendly tree
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- Carriageway
- Low level pollinator friendly planting
- Proposed grass verge
- Existing grass verge to be reinstated

No.	Revision	Date	By	Chk'd	App'd
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Project Title: <b>N77 Abbeylex Road - Cycle and Pedestrian Improvement Scheme</b>			
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**APPENDIX B – APPROPRIATE ASSESSMENT (SCREENING REPORT)**

# Report for the purposes of Appropriate Assessment Screening

as required under Article 6(3) of the Habitats Directive  
(Council Directive 92/43/EEC)

## N77 Portlaoise Pavement Renewal


Prepared by: Moore Group – Environmental Services

7 October 2021



On behalf of Laois County Council

<b>Project Proponent</b>	Roadplan
<b>Project</b>	Portlaoise Pavement
<b>Title</b>	Report for the purposes of Appropriate Assessment Screening Portlaoise Pavement

<b>Project Number</b>	21234	<b>Document Ref</b>	21234 N77 Portlaoise Pavement AAS1 Rev0
<b>Revision</b>	<b>Description</b>	<b>Author</b>	<b>Date</b>
Rev0	Issued to Client	G. O'Donohoe 	7 October 2021
<b>Moore Archaeological and Environmental Services Limited</b>			

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### Appendix A – Finding of No Significant Effects Report

## Abbreviations

AA	Appropriate Assessment
EEC	European Economic Community
EPA	Environmental Protection Agency
EU	European Union
GIS	Geographical Information System
LAP	Local Area Plan
NHA	Natural Heritage Area
NIS	Natura Impact Statement
NPWS	National Parks and Wildlife Service
OSI	Ordnance Survey Ireland
pNHA	proposed Natural Heritage Area
SAC	Special Area of Conservation
SPA	Special Protection Area
SuDS	Sustainable Drainage System
WFD	Water Framework Directive



# 1. Introduction

## 1.1. General Introduction

This report for the purposes of Appropriate Assessment (AA) Screening has been prepared to support a Planning Application for the Proposed Development (described in Section 3 below). This report contains information required for the competent authority to undertake screening for Appropriate Assessment (AA) on the potential renewal of pavements at N77 Abbeyleix Road, Portlaoise, Co. Laois (hereafter referred to as the Proposed Development) to significantly affect European sites.

Screening is the process that addresses the first two tests of Article 6(3) of Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (as amended) (referred to as the Habitats Directive):

- I). whether a plan or project is directly connected to or necessary for the management of the site, and
- II). whether a plan or project, alone or in combination with other plans and projects, is likely to have significant effects on a Natura 2000 site in view of its conservation objectives.

Having regard to the provisions of the Planning and Development Act 2000 (section 177U and 177V), the purpose of a screening exercise under section 177U of the PDA 2000 is to assess, in view of best scientific knowledge, if the proposed development, individually or in combination with another plan or project is likely to have a significant effect on a European site.

If it cannot be *excluded* on the basis of objective information that the proposed development, individually or in combination with other plans or projects, will have a significant effect on a European site then it is necessary to carry out a Stage 2 appropriate assessment.

When screening the project, there are two possible outcomes:

- the project poses no risk of a significant effect and as such requires no further assessment; and
- the project has potential to have a significant effect (or this is uncertain) and AA of the project is necessary.

This report has been prepared by Moore Group - Environmental Services to support an application for planning permission for the Proposed Development to allow Laois County Council to carry out AA screening in relation to the Proposed Development. The report was compiled by Ger O'Donohoe (B.Sc. Applied Aquatic Sciences (GMIT, 1993) & M.Sc. Environmental Sciences (TCD, 1999)) who has 25 years' experience in environmental impact assessment and has completed numerous Appropriate Assessment Screening Reports and Natura Impact Statements on terrestrial and aquatic habitats for various development types.

## 1.2. Legislative Background - The Habitats and Birds Directives

It is necessary that the Proposed Development has regard to Article 6 of the Habitats Directive. This is transposed into Irish Law by the European Communities (Birds and Natural Habitats) Regulations, 2011 to 2015 (referred to as the Habitats Regulations). The Planning and Development Act 2000 (section 177U and 177V) govern the requirement to carry out appropriate assessment per Section 1.1 above.

The Habitats Directive is the main legislative instrument for the protection and conservation of biodiversity in the European Union (EU). Under the Habitats Directive, Member States are obliged to designate Special Areas of Conservation (SACs) which contain habitats or species considered important for protection and conservation in a EU context.

The Birds Directive (Council Directive 2009/147/EC on the Conservation of Wild Birds), transposed into Irish law by the Habitats Regulations 2011, is concerned with the long-term protection and management of all wild bird species and their habitats in the EU. Among other things, the Birds Directive requires that Special Protection Areas (SPAs) be established to protect migratory species and species which are rare, vulnerable, in danger of extinction, or otherwise require special attention.

SACs designated under the Habitats Directive and SPAs, designated under the Birds Directive, form a pan-European network of protected sites known as Natura 2000. The Habitats Directive sets out a unified system for the protection and management of SACs and SPAs. These sites are also referred to as European sites.

Articles 6(3) and 6(4) of the Habitats Directive set out the requirement for an assessment of proposed plans and projects likely to affect Natura 2000 sites.

Article 6(3) establishes the requirement to screen all plans and projects and to carry out a further assessment if required (Appropriate Assessment (AA)). Article 6(4) establishes requirements in cases of imperative reasons of overriding public interest:

**Article 6(3):** *“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 subjected to an appropriate assessment of its implications for the site in view of the site’s conservation objectives. In light of the conclusions of the assessment of the 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.”*

**Article 6(4):** *“If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, Member States shall take all*

*compensatory measures necessary to ensure that the overall coherence of the Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted. Where the site concerned hosts a priority natural habitat type and/or a priority species the only considerations which may be raised are those relating to human health or public safety, to the beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.”*

## 2. Methodology

The Commission’s methodological guidance (EC, 2002 & 2018, see Section 2.1 below) promotes a four-stage process to complete the AA and outlines the issues and tests at each stage. An important aspect of the process is that the outcome at each successive stage determines whether a further stage in the process is required.

Stages 1 and 2 deal with the main requirements for assessment under Article 6(3). Stage 3 may be part of Article 6(3) or may be a necessary precursor to Stage 4. Stage 4 is the main derogation step of Article 6(4).

**Stage 1 Screening:** This stage examines the likely effects of a project either alone or in combination with other projects upon a Natura 2000 site and considers whether it can be objectively concluded that these effects will not be significant. In order to screen out a project, it must be excluded, on the basis of objective information, that the Proposed Development, individually or in combination with other plans or projects, will have a significant effect on a European site.

**Stage 2 Appropriate Assessment:** In this stage, there is a consideration of the impact of the project with a view to ascertain whether there will be any adverse effect on the integrity of the Natura 2000 site either alone or in combination with other projects or plans, with respect to the site’s structure and function and its conservation objectives. Additionally, where there are predicted impacts, an assessment of the potential mitigation of those impacts is considered.

**Stage 3 Assessment of Alternative Solutions:** This stage examines alternative ways of implementing the project that, where possible, avoid any adverse impacts on the integrity of the Natura 2000 site.

**Stage 4 Assessment where no alternative solutions exist and where adverse impacts remain:** Where imperative reasons of overriding public interest (IROPI) exist, an assessment to consider whether compensatory measures will or will not effectively offset the damage to the sites will be necessary.

To ensure that the Proposed Development complies fully with the requirements of Article 6 of the Habitats Directive and all relevant Irish transposing legislation, Moore Group compiled this report to support an application for planning permission for the Proposed Development to allow Laois County Council to carry out AA screening in relation to the Proposed Development to determine whether the Proposed Development, individually or in combination with another plan or project will have a significant effect on a Natura 2000 site.

## 2.1. Guidance

This report has been compiled in accordance with guidance contained in the following documents:

- OPR Practice Note PN01 Appropriate Assessment Screening for Development Management (OPR, 2021).
- Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities. (Department of Environment, Heritage and Local Government, 2010 rev.).
- Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities. Circular NPWS 1/10 & PSSP 2/10.
- Assessment of Plans and Projects Significantly Affecting Natura 2000 sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (European Commission Environment Directorate-General, 2001); hereafter referred to as the EC Article Guidance Document.
- Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC (EC Environment Directorate-General, 2000); hereafter referred to as MN2000.
- Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC (EC, 2018).

## 2.2. Data Sources

Sources of information that were used to collect data on the Natura 2000 network of sites, and the environment within which they are located, are listed below:

- The following mapping and Geographical Information Systems (GIS) data sources, as required:
  - National Parks & Wildlife (NPWS) protected site boundary data;
  - Ordnance Survey of Ireland (OSI) mapping and aerial photography;
  - OSI/Environmental Protection Agency (EPA) rivers and streams, and catchments;
  - Open Street Maps;
  - Digital Elevation Model over Europe (EU-DEM);
  - Google Earth and Bing aerial photography 1995-2021;
- Online data available on Natura 2000 sites as held by the National Parks and Wildlife Service (NPWS) from [www.npws.ie](http://www.npws.ie) including:
  - Natura 2000 - Standard Data Form;
  - Conservation Objectives;
  - Site Synopses;
- National Biodiversity Data Centre records;
  - Online database of rare, threatened and protected species;
  - Publicly accessible biodiversity datasets.
- Status of EU Protected Habitats in Ireland. (National Parks & Wildlife Service, 2019); and
- Relevant Development Plans;
  - Laois County Development Plan 2017-2023

### 3. Description of the Proposed Development

The Proposed Development consists of the renewal of pavements and all associated and ancillary development along a stretch of the N77 Abbeyleix Road, in Portlaoise, Co. Laois. This is to consist of:

- Reduction in road width, where required. Resurfacing/reconstruction of the road, where required.
- Refurbishment of existing footpaths and cycle tracks and the provision of new footpaths and cycle tracks on both sides of the road where required.
- Upgrading existing uncontrolled pedestrian crossings and provision of new controlled crossings, where required.
- Removal of hard shoulders, where required.
- Redesign of public lighting, provision of new ducting and replacement of existing lighting poles, where required.
- Completion of all associated kerbing and drainage and any works required to resolve existing drainage issues. (See below in relation to drainage proposals)
- Development of landscaping plans.
- Selection of appropriate bus-stops locations along this route.

On the northern half of the scheme there is currently a positive drainage system (gullies and closed drainage pipes) which will be utilised. There are existing gullies along one side of the carriageway on the southern half of the scheme. The existing gullies will be used to drain the narrowed carriageway and a new drainage system outfalling to the nearby stream will not be required.

Figure 1 shows the Proposed Development location and Figure 2 shows a detailed view of the Proposed Development boundary on recent aerial photography. Figure 3 shows the layout of the Proposed Development.

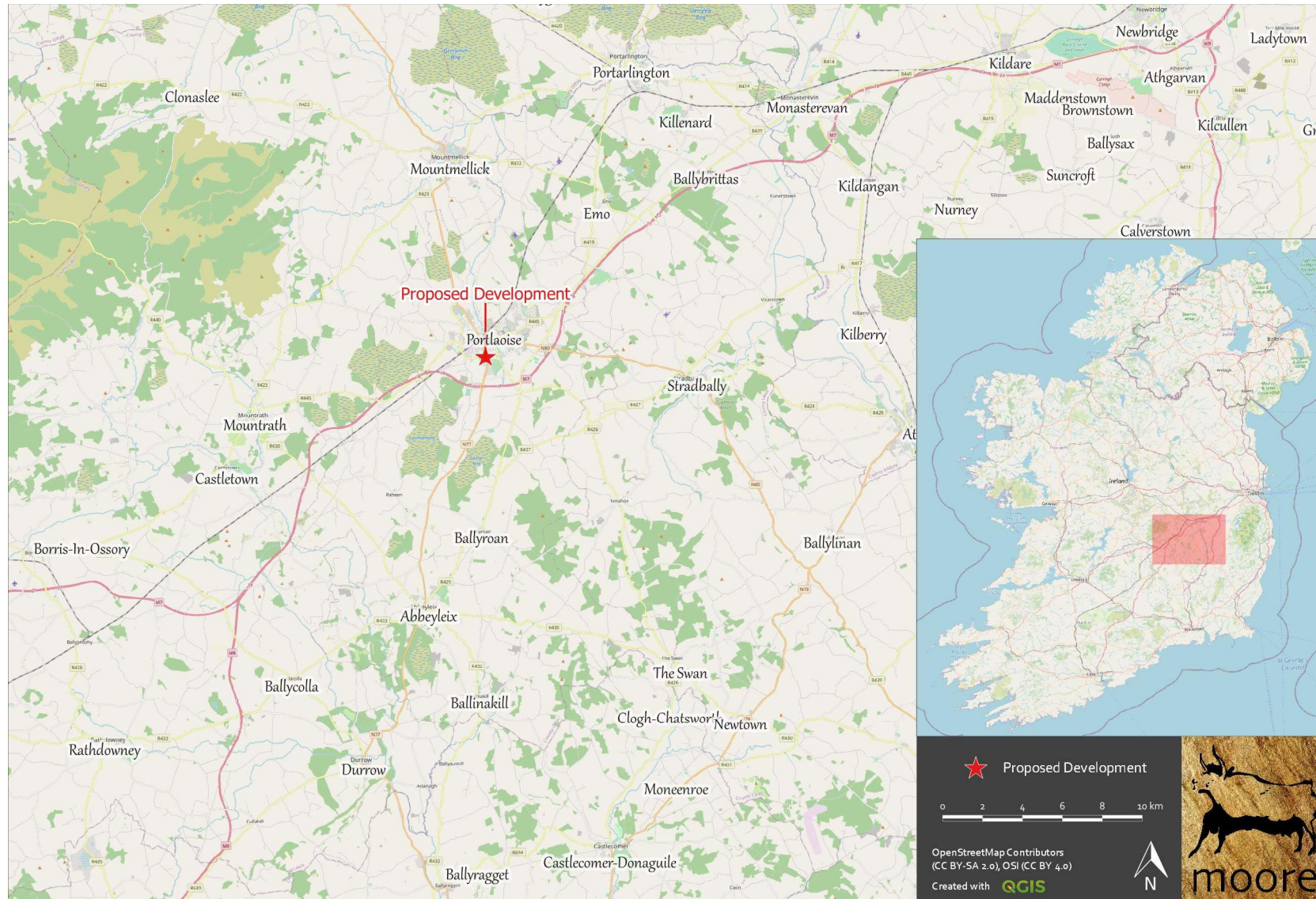


Figure 1. Showing the Proposed Development location at the N77, Abbeyleix Road, Portlaoise, Co. Laois.



Figure 2. Showing the Proposed Development boundary on recent aerial photography.



Figure 3. Plan of the Proposed Development.



## 4. Identification of Natura 2000 Sites

### 4.1. Description of Natura Sites Potentially Affected

The Department of Housing, Planning and Local Government (previously DoEHLG)'s Guidance on Appropriate Assessment (2009) recommends an assessment of European sites within a Zone of Influence (ZoI) of 15km. This distance is a guidance only and a potential Zone of Influence of a proposed development is the geographical area over which it could affect the receiving environment in a way that could have significant effects on the Qualifying Interests of a European site. This should be established on a case-by-case basis using the Source-Pathway-Receptor framework and not by arbitrary distances (such as 15km).

The Zone of Influence may be determined by connectivity to the Proposed Development in terms of:

- Nature, scale, timing and duration of works and possible impacts, nature and size of excavations, storage of materials, flat/sloping sites;
- Distance and nature of pathways (dilution and dispersion; intervening 'buffer' lands, roads etc.); and
- Sensitivity and location of ecological features.

The potential for source pathway receptor connectivity is firstly identified and detailed information is then provided on sites with connectivity. European sites that are located within the potential Zone of Influence of the Proposed Development are listed in Table 1 and presented in Figures 4 and 5, below. Spatial boundary data on the Natura 2000 network was extracted from the NPWS website ([www.npws.ie](http://www.npws.ie)) on the 10<sup>th</sup> September 2021.

*Table 1 European Sites located within the potential Zone of Influence<sup>1</sup> of the Proposed Development.*

Site Code	Site name	Distance (km) <sup>2</sup>
000412	Slieve Bloom Mountains SAC	10.33
002141	Mountmellick SAC	10.44
002162	River Barrow And River Nore SAC	8.22
002256	Ballyprior Grassland SAC	11.24
004160	Slieve Bloom Mountains SPA	8.18
004233	River Nore SPA	10.54

The nearest European sites to the Proposed Development are River Barrow and River Nore SAC located c.8.2km to the northwest of the Proposed Development, and Slieve Bloom Mountains SPA located c. 8.2km to the northwest of the Proposed Development.

<sup>1</sup> All European sites potentially connected irrespective of the nature or scale of the Proposed Development.

<sup>2</sup> Distances indicated are the closest geographical distance between the Proposed Development and the European site boundary, as made available by the NPWS. Connectivity along hydrological pathways may be significantly greater.

The Proposed Development is located within the hydrological catchment of the Triogue River, approximately 200m to the west of the River, and on the southern outskirts of Portlaoise. A review of aerial photography, Ordnance Survey Ireland (OSI) mapping and OSI Geographical Information System (GIS) data for rivers and streams indicates that the scheme crosses watercourses at two points; the Curriersbog stream just north of the M7, and the Golf Club stream at Abbey Court.

However the scheme will use existing gullies and closed drainage pipes, and there is therefore no direct connectivity to any watercourse within or outside the potential zone of influence.

The Qualifying Interests (QIs) and Special Conservation Interests (SCIs) of the European sites in the vicinity of the Proposed Development are provided in Table 2 below.

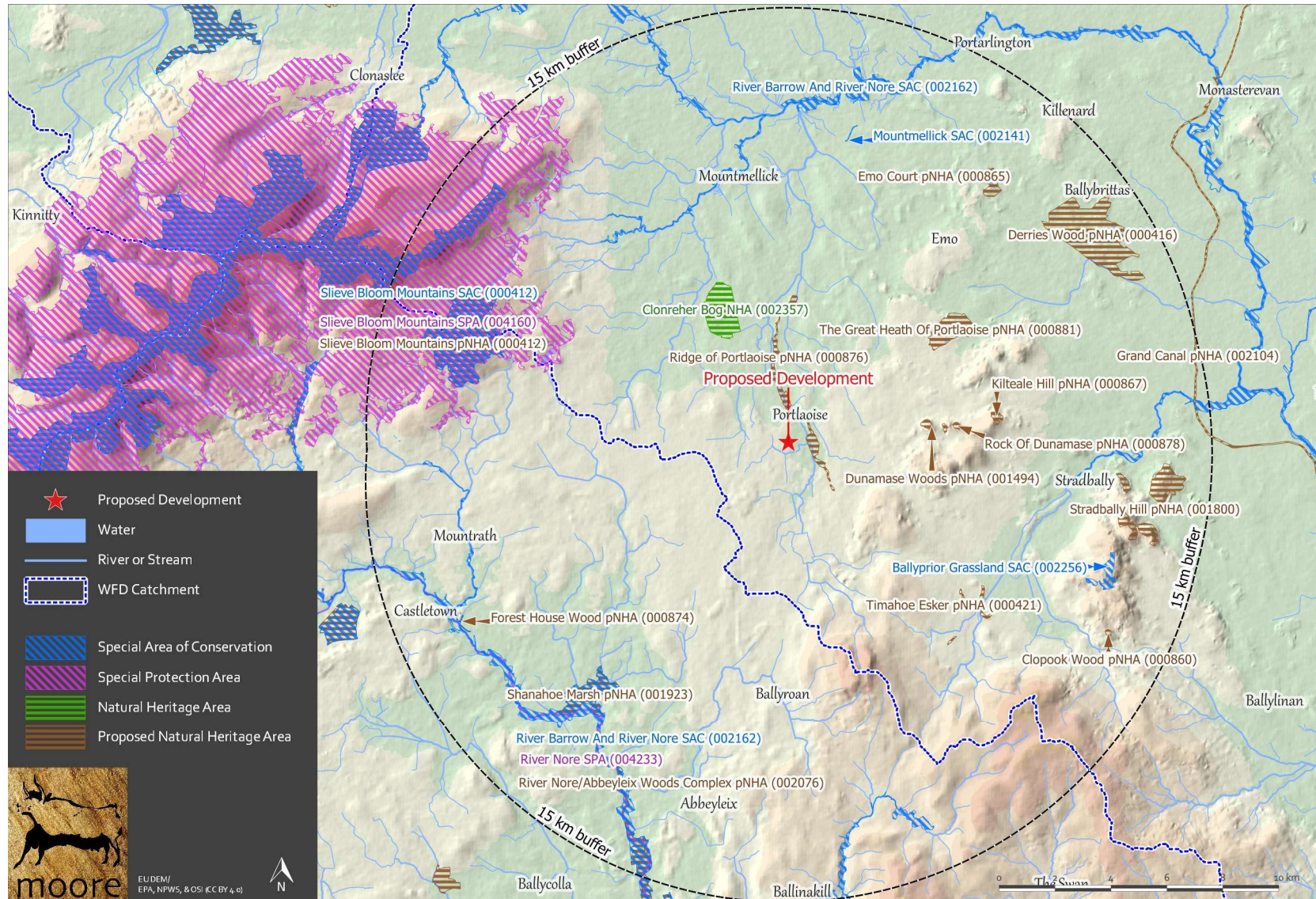


Figure 4. Showing European sites and NHAs/pNHAs within the wider Potential Zone of Influence of the Proposed Development.

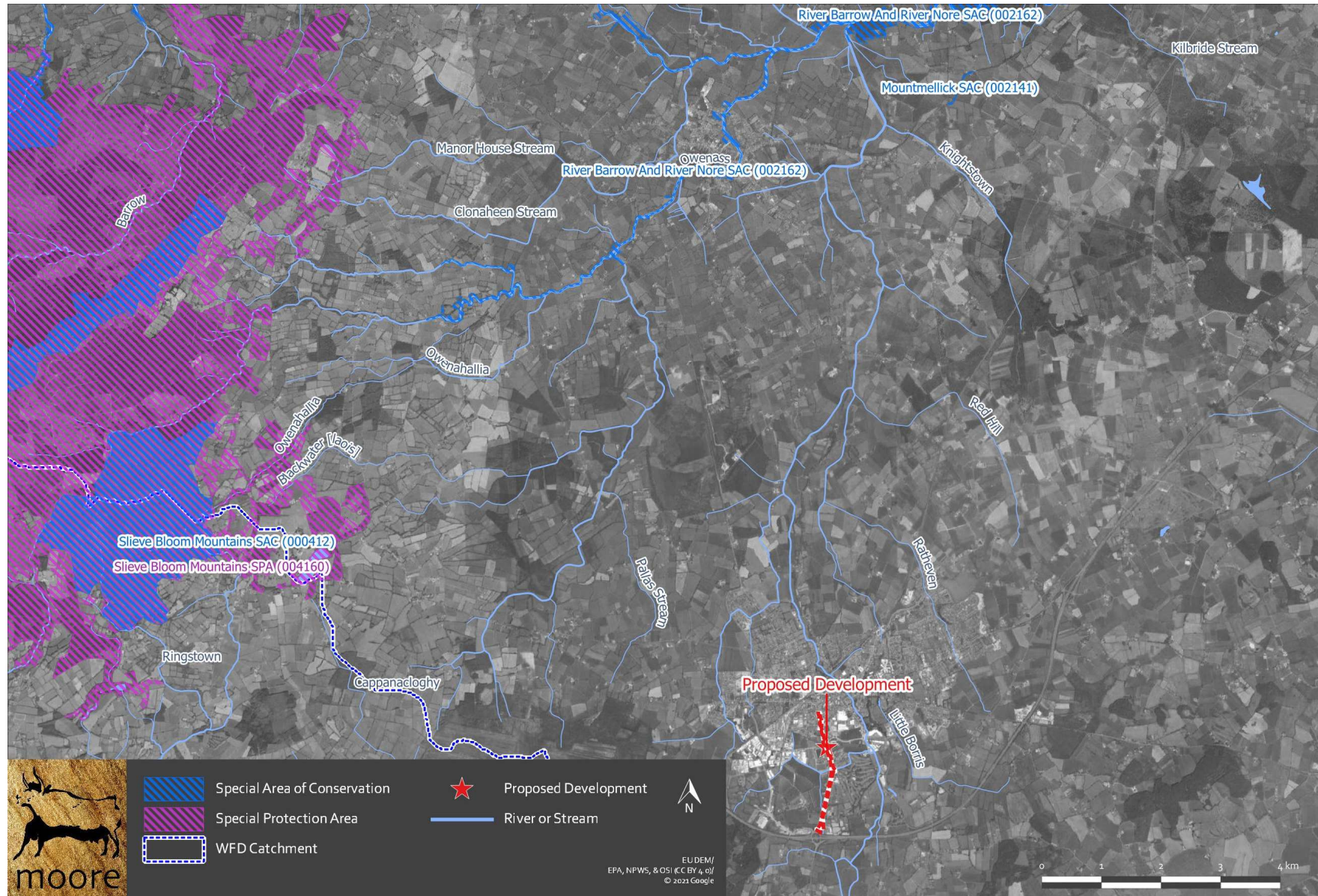


Figure 5. Detailed view of European sites in the closer Potential Zone of Influence of the Proposed Development.

Table 2 Identification of relevant European sites using Source-Pathway-Receptor model and compilation of information QIs and conservation objectives.

European site name & Site code	Location Relative to the Proposed Development Site	Connectivity – Source-Pathway-Receptor	Considered further in Screening – Y/N
<p><b>Slieve Bloom Mountains SAC (000412)</b></p> <p>3 Qualifying Interests</p> <p>Including Priority Habitats: Blanket bogs (* if active bog) 7130, Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) 91E0</p> <p><a href="https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000412.pdf">https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000412.pdf</a></p>	10.33km to the west of the Proposed Development	No There are no pathways or connectivity to the habitats or species of this site.	N
<p><b>Mountmellick SAC (002141)</b></p> <p>1 Qualifying Interest</p> <p><a href="https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002141.pdf">https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002141.pdf</a></p>	10.44km to the north of the Proposed Development	No There are no pathways or connectivity to the habitats or species of this site.	N
<p><b>River Barrow And River Nore SAC (002162)</b></p> <p>23 Qualifying Interests</p> <p>Including Priority Habitats: Petrifying springs with tufa formation (Cratoneurion) 7220, Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) 91E0</p> <p><a href="https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002162.pdf">https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002162.pdf</a></p>	8.22km to the northwest of the Proposed Development	No There are no pathways or connectivity to the habitats or species of this site. The existing gullies will be used to drain the narrowed carriageway and a new drainage system outfalling to the nearby stream will not be required.	N
<p><b>Ballyprior Grassland SAC (002256)</b></p> <p>1 Qualifying Interest</p> <p>Including Priority Habitat: Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco Brometalia) (* important orchid sites)* 6210</p> <p><a href="https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002256.pdf">https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002256.pdf</a></p>	11.24km to the east of the Proposed Development	No Due to distance and the lack of any relevant ex-situ factors of significance to these species or habitat.	N
<p><b>Slieve Bloom Mountains SPA (004160)</b></p>	8.18km to the northwest of	No	N

European site name & Site code	Location Relative to the Proposed Development Site	Connectivity – Source-Pathway-Receptor	Considered further in Screening – Y/N
1 Species of Conservation Interest : Hen Harrier <i>Circus cyaneus</i>  <a href="https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004160.pdf">https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004160.pdf</a>	the Proposed Development	Due to distance and the lack of any relevant ex-situ factors of significance to these species or habitat.	
<b>River Nore SPA (004233)</b>  1 Qualifying Interest  <a href="https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004233.pdf">https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004233.pdf</a>	10.54km to the southwest of the Proposed Development	No  Due to distance and the lack of any relevant ex-situ factors of significance to these species or habitat.  The existing gullies will be used to drain the narrowed carriageway and a new drainage system outfalling to the nearby stream will not be required.	N

#### 4.2. Ecological Network Supporting Natura 2000 Sites

An analysis of the proposed Natural Heritage Areas (pNHA) and designated Natural Heritage Areas (NHA) in terms of their role in supporting the species using Natura 2000 sites was undertaken. It was assumed that these supporting roles mainly related to mobile fauna such as mammals and birds which may use pNHAs and NHAs as “stepping stones” between Natura 2000 sites.

Article 10 of the Habitats Directive and the Habitats Regulations 2011 place a high degree of importance on such non-Natura 2000 areas as features that connect the Natura 2000 network. Features such as ponds, woodlands and important hedgerows were taken into account during the preparation of this AA Screening report .

There are no other areas of conservation concern that would be affected by the Proposed Development.

The NHAs and pNHAs identified in Figure 4 are located outside the Zone of Influence. There are no areas of supporting habitat that will be affected by the Proposed Development.

## 5. Identification of Potential Impacts & Assessment of Significance

The Proposed Development is not directly connected with or necessary to the management of the sites considered in the assessment and therefore potential impacts must be identified and considered.

## 5.1. Assessment of Likely Significant Effects

The Proposed Development lies within the hydrological catchment of the Triogue River, a tributary of the River Barrow. A review of aerial photography, Ordnance Survey Ireland (OSI) mapping and OSI Geographical Information System (GIS) data for rivers and streams indicates that the scheme crosses watercourses at two points; the Curriersbog stream just north of the M7, and the Golf Club stream at Abbey Court. However the scheme will use existing gullies and closed drainage pipes, and there is therefore no direct connectivity to any watercourse within or outside the potential zone of influence.

There is no direct connectivity to the River Barrow or to any European sites within or outside the potential Zone of Influence.

The consideration of all potential direct and indirect impacts that may result in significant effects on the conservation objectives of a European site, taking into account the size and scale of the Proposed Development are presented in Table 3.

*Table 3 Assessment of Likely Significant Effects.*

<b>Identification of all potential direct and indirect impacts that may result in significant effects on the conservation objectives of a European site, taking into account the size and scale of the project.</b>	
<b>Impacts:</b>	<b>Significance of Impacts:</b>
<b>Construction phase e.g.</b> Vegetation clearance Demolition Surface water runoff from soil excavation/infill/landscaping (including borrow pits) Dust, noise, vibration Lighting disturbance Impact on groundwater/dewatering Storage of excavated/construction materials Access to site Pests	None  The Proposed Development site is located within the boundary of the existing road.  The existing gullies will be used to drain the narrowed carriageway and a new drainage system outfalling to the nearby stream will not be required.

<p><b>Operational phase e.g.</b></p> <p>Direct emission to air and water</p> <p>Surface water runoff containing contaminant or sediment</p> <p>Lighting disturbance</p> <p>Noise/vibration</p> <p>Changes to water/groundwater due to drainage or abstraction</p> <p>Presence of people, vehicles and activities</p> <p>Physical presence of structures (e.g. collision risks)</p> <p>Potential for accidents or incidents</p>	<p>None</p> <p>The Proposed Development site is located within the boundary of the existing road.</p> <p>The existing gullies will be used to drain the narrowed carriageway and a new drainage system outfalling to the nearby stream will not be required.</p> <p>There is no real likelihood of any significant effects on European Sites in the wider catchment area.</p> <p>The facility is located at a distance of removal such that there will be no disturbance to qualifying interest species in any European sites.</p>
<p><b>In-combination/Other</b></p>	<p>No likely significant in-combination effects are identified.</p>
<p><b>Describe any likely changes to the European site:</b></p>	
<p><b>Examples of the type of changes to give consideration to include:</b></p> <p>Reduction or fragmentation of habitat area</p> <p>Disturbance to QI species</p> <p>Habitat or species fragmentation</p> <p>Reduction or fragmentation in species density</p> <p>Changes in key indicators of conservation status value (water quality etc.)</p> <p>Changes to areas of sensitivity or threats to QI</p> <p>Interference with the key relationships that define the structure or ecological function of the site</p> <p>Climate change</p>	<p>None.</p> <p>The Proposed Development site is not located adjacent or within a European site, therefore there is no risk of habitat loss or fragmentation or any effects on QI habitats or species directly or ex-situ.</p>



<b>Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?</b>	
No	While best practice construction methods may be included these are not required to avoid or reduce any effects on a European site. These measures are not relied upon to reach a conclusion of no likely significant effects on any European site.

On the basis of the information supplied, which is considered adequate to undertake a screening determination and having regard to:

- the nature and scale of the proposed development,
- the intervening land uses and distance from European sites,
- the lack of direct connections with regard to the Source-Pathway-Receptor model,

It may be concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' conservation objectives.

## 5.2. Assessment of Potential In-Combination Effects

In-combination effects are changes in the environment that result from numerous human-induced, small-scale alterations. In-combination effects can be thought of as occurring through two main pathways: first, through persistent additions or losses of the same materials or resource, and second, through the compounding effects as a result of the coming together of two or more effects.

As part of the Screening for an Appropriate Assessment, in addition to the Proposed Development, other relevant plans and projects in the area must also be considered at this stage. This step aims to identify at this early stage any possible significant in-combination effects of the Proposed Development with other such plans and projects on European sites.

A review of the National Planning Application Database was undertaken. The first stage of this review confirmed that there were no data outages in the area where the Proposed Development is located. The database was then queried for developments granted planning permission within 100m of the Proposed Development within the last three years, these are presented in Table 4 below.

Table 4. Planning applications granted permission in the vicinity of the Proposed Development.

Planning Ref.	Description of development	Comments
17538	Construct a new filling station consisting of ; (1) Retail unit adjoining existing foodcourt (240.5 sq.m gfa) with net retail area of 88.23sq.m (including 0.88 sq.m) back of house area of 62.5sq.m and circulation area of 89.79sq.m (including new glazed lobby to facilitate access to and from the foodcourt and internal connections). The building will measure 8.86m at highest point. The building will contain 3 no. signs on the facade. (2) 4 no. pump islands with branded canopy over (signage to 3 no. sides). (3) New Access road for deliveries to hotel and foodcourt. (4) New Vehicular entrance and egress point. (5) Replacement totem sign at entrance (9.5m high) to Midway (adjoining Abbeyleix Road). (6) All associated site works including hard and soft landscaping, car boundary treatment, car parking, cycle stands, refuelling point, vents and underground tank farm. For clarity, no HGV fuel or HGV parking facilities are provided as part of this application	No potential for in-combination effects given the scale and location of the project.
18216	A motorway service area and rest area adjacent to Junction 17 of the M7 at Togher, Portlaoise, Co. Laois. The development will consist of (a) new vehicular entrance and egress road, secondary egress only point, with improvement works to existing road network at Togher, (b) provision of a two storey building with retail unit, roof top solar panels, a foodcourt and associated drive thru, communal seating area, office, wc facilities, kitchen and food preparation and storage areas, storage, staff facilities, plant room, substation and associated illuminated signage (floor area: 1220 sq. m. ) ; (c) 6 no. petrol/diesel filling pumps with overhead canopy, (d) 2. no. illuminated totem pole with associated signage (e) pumping stations and associated access road (f) all associated site works including hard and soft landscaping, boundary treatment, car parking, HGV and coach parking, lighting, rain water harvesting system and underground rain water harvesting tanks, electric car charging points, storm water runoff petrol inceptor and attenuation system, cycle stands, HGV refuelling point, fuel vents and underground fuel tanks	As above. No potential for in-combination effects given the scale and location of the project.
18316	Change use of existing apartment to shed/storage and recreation area for the enjoyment of the existing dwelling house	No potential for in-combination effects given the scale and location of the project.
18378	Construct a new dwelling house, garage and all associated site works	No potential for in-combination effects given the scale and location of the project.
18446	Change use from comparison goods to spin/gymnasium studio and associated site works	No potential for in-combination effects given the scale and location of the project.
18462	Retain a car valeting service area, car wash area and silt trap compound. Permission is sought for a new sign on Abbeyleix Road elevation and all site works	No potential for in-combination effects given the scale and location of the project.
1921	Retain a 24 hour fuel card dispensing pump and all associated site works	No potential for in-combination effects given the scale and location of the project.
19424	Change use from office to general practitioner surgery, construction of access ramp to the side and rear of property, new signage over main door and to gable of adjacent office unit and all ancillary and associated works	No potential for in-combination effects given the scale and location of the project.

Planning Ref.	Description of development	Comments
19567	Construct a new commercial storage building with all ancillary site works	No potential for in-combination effects given the scale and location of the project.
2070	Change use of the existing 7 no. retail units (permitted under Reg. Ref. 04142) at Block B Plaza Level, to 13 no. apartment units (including 3 no. one bedroom, 9 no. two bedroom & 1 no. three bedroom units) and associated alterations to the front and rear elevations at plaza level and site works	No potential for in-combination effects given the scale and location of the project.
20142	Change of use of Block A from a licensed premises including bar, lounge, restaurant & ancillary accommodation situated at ground level, plaza level and 1st, 2nd, 3rd & 4th Floor Level (permitted under planning permission Reg. Ref. 04142) to retail/office use situated at ground level and 10 no. apartment units (including 5 no. two bedroom & 5 no. three bedroom units) situated at plaza level, 1st, 2nd, 3rd & 4 floor level, alterations to the drum elevations to allow for external balconies, new windows to the East & West facing elevations and associated site works.	No potential for in-combination effects given the scale and location of the project.
20357	Construct new domestic garage and all associated site works	No potential for in-combination effects given the scale and location of the project.
21236	Alter location of signage from that previously granted under planning ref 17/632, together with all ancillary site services and associated site works	No potential for in-combination effects given the scale and location of the project.

There are no predicted in-combination effects given that the reasons discussed in the 'Comments' column of Table 4 above and given that the Proposed Development is unlikely to have any adverse effects on any European sites.

The Laois County Development Plan in complying with the requirements of the Habitats Directive requires that all Projects and Plans that could affect the Natura 2000 sites in the same potential Zone of Influence of the Proposed Development site would be initially screened for Appropriate Assessment and if requiring Stage 2 AA, that appropriate employable mitigation measures would be put in place to avoid, reduce or ameliorate negative impacts. In this way any, in-combination impacts with Plans or Projects for the proposed development area and surrounding townlands in which the proposed development site is located, would be avoided.

The listed developments have been granted permission in most cases with conditions relating to sustainable development by the consenting authority in compliance with the relevant Local Authority Development Plan and in compliance with the Local Authority requirement for regard to the Habitats Directive. The development cannot have received planning permission without having met the consenting authority requirement in this regard. There are no predicted in-combination effects given that it is predicted that the Proposed Development will have no effect on any European site.

Any new applications for the Proposed Development area will be assessed on a case by case basis *initially* by Laois County Council which will determine the requirement for AA Screening as per the requirements of Article 6(3) of the Habitats Directive.

## 6. Conclusion

There is no direct connectivity to the River Barrow or to any European sites within or outside the potential Zone of Influence. The Proposed Development site is located within the boundary of the existing road. The existing gullies will be used to drain the narrowed carriageway and a new drainage system outfalling to the nearby stream will not be required.

There are no predicted effects on any European sites given:

- The distance between the Proposed Development and any European Sites, approximately 8km;
- The lack of direct connectivity between the Proposed Development and any hydrological pathways; there is no direct connectivity between the Proposed Development site and any watercourses that lead to the River Barrow;
- There are no predicted emissions to air, water or the environment during the construction or operational phases that would result in significant effects.

It has been objectively concluded by Moore Group Environmental Services that:

1. The Proposed Development is not directly connected with, or necessary to the conservation management of the European sites considered in this assessment.
2. The Proposed Development is unlikely to either directly or indirectly significantly affect the Qualifying interests or Conservation Objectives of the European sites considered in this assessment.
3. The Proposed Development, alone or in combination with other projects, is not likely to have significant effects on the European sites considered in this assessment in view of their conservation objectives.
4. It is possible to conclude that significant effects can be excluded at the screening stage.

It can be *excluded*, on the basis of objective information, that the Proposed Development, individually or in combination with other plans or projects, will have a significant effect on a European site.

An appropriate assessment is not, therefore, required.

A finding of no significant effects report is presented in Appendix A in accordance with the EU Commission's methodological guidance (European Commission, 2002).

## 7. References

Department of the Environment, Heritage and Local Government (2010) Guidance on Appropriate Assessment of Plans and Projects in Ireland (as amended February 2010).

European Commission (2000) Managing Natura 2000 sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC.

European Commission Environment DG (2002) Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC. European Commission, Brussels.

European Commission (2007) Guidance document on Article 6(4) of the 'Habitats Directive' 92/43/EEC: Clarification of the concepts of: alternative solutions, imperative reasons of overriding public interests, compensatory measures, overall coherence and opinion of the Commission. European Commission, Brussels.

European Commission (2018) Managing Natura 2000 sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC.

NPWS (2019) The Status of EU Protected Habitats and Species in Ireland. National Parks and Wildlife Service, Department of the Environment, Heritage and Local Government, Dublin.

NPWS (2021) National Parks and Wildlife Service Metadata available online at <https://www.npws.ie/maps-and-data>

Office-of-the-Planning-Regulator (2021) Appropriate Assessment Screening for Development Management OPR Practice Note PN01. March 2021

# Appendix A

## FINDING OF NO SIGNIFICANT EFFECTS REPORT

### Finding no significant effects report matrix

**Name of project or plan**

N77 Portlaoise Pavement Renewal Scheme

**Name and location of the Natura 2000 site(s)**

The nearest European sites to the Proposed Development are the River Barrow And River Nore SAC located c. 8.2km to the northwest of the Proposed Development, and the Slieve Bloom Mountains SPA located c. 8.2km to the northwest of the Proposed Development.

The Proposed Development is located within the hydrological catchment of the Triogue River, approximately 200m to the west of the River and on the outskirts of Portlaoise. A review of aerial photography, Ordnance Survey Ireland (OSI) mapping and OSI Geographical Information System (GIS) data for rivers and streams indicates that the scheme crosses watercourses at two points; the Curriersbog stream just north of the M7, and the Golf Club stream at Abbey Court.

However the scheme will use existing gullies and closed drainage pipes, and there is therefore no direct connectivity to any watercourse within or outside the potential zone of influence.

**Description of the project or plan**

The Proposed Development consists of the renewal of pavements along the N77 Abbeyleix Road in Portlaoise, Co. Laois, and all ancillary development.

- Reduction in road width, where required. Resurfacing/reconstruction of the road, where required.
- Refurbishment of existing footpaths and cycle tracks and the provision of new footpaths and cycle tracks on both sides of the road where required.
- Upgrading existing uncontrolled pedestrian crossings and provision of new controlled crossings, where required.
- Removal of hard shoulders, where required.
- Redesign of public lighting, provision of new ducting and replacement of existing lighting poles, where required.
- Completion of all associated kerbing and drainage and any works required to resolve existing drainage issues. (See below in relation to drainage proposals)
- Development of landscaping plans.
- Selection of appropriate bus-stops locations along this route.

On the northern half of the scheme there is currently a positive drainage system (gullies and closed drainage pipes) which will be utilised. There are existing gullies along one side of the carriageway on the southern half of the scheme. The existing gullies will be used to drain the narrowed carriageway and a new drainage system outfalling to the nearby stream will not be required.

**Is the project or plan directly connected with or necessary to the management of the site(s)**

No

**Are there other projects or plans that together with the projects or plan being assessed could affect the site**

A review of the National Planning Application Database was undertaken. The first stage of this review confirmed that there were no data outages in the area where the Proposed Development is located. The database was

then queried for developments granted planning permission within 100m of the Proposed Development within the last three years, these are presented in the Table below.

*Planning applications granted permission in the vicinity of the Proposed Development.*

Planning Ref.	Description of development	Comments
17538	Construct a new filling station consisting of ; (1) Retail unit adjoining existing foodcourt (240.5 sq.m gfa) with net retail area of 88.23sq.m (including 0.88 sq.m) back of house area of 62.5sq.m and circulation area of 89.79sq.m (including new glazed lobby to facilitate access to and from the foodcourt and internal connections). The building will measure 8.86m at heightist point. The building will contain 3 no. signs on the facade. (2) 4 no. pump islands with branded canopy over (signage to 3 no. sides). (3) New Access road for deliveries to hotel and foodcourt. (4) New Vehicular entrance and egress point. (5) Replacement totem sign at entrance (9.5m high) to Midway (adjoining Abbeyleix Road). (6) All associated site works including hard and soft landscaping, car boundary treatment, car parking, cycle stands, refuelling point, vents and underground tank farm. For clarity, no HGV fuel or HGV parking facilities are provided as part of this application	No potential for in-combination effects given the scale and location of the project.
18216	A motorway service area and rest area adjacent to Junction 17 of the M7 at Togher, Portlaoise, Co. Laois. The development will consist of (a) new vehicular entrance and egress road, secondary egress only point, with improvement works to existing road network at Togher, (b) provision of a two storey building with retail unit, roof top solar panels, a foodcourt and associated drive thru, communal seating area, office, wc facilities, kitchen and food preparation and storage areas, storage, staff facilities, plant room, substation and associated illuminated signage (floor area: 1220 sq. m. ) ; (c) 6 no. petrol/diesel filling pumps with overhead canopy, (d) 2. no. illuminated totem pole with associated signage (e) pumping stations and associated access road (f) all associated site works including hard and soft landscaping, boundary treatment, car parking, HGV and coach parking, lighting. rain water harvesting system and underground rain water harvesting tanks, electric car charging points, storm water runoff petrol inceptor and attenuation system, cycle stands, HGV refuelling point, fuel vents and underground fuel tanks	As above. No potential for in-combination effects given the scale and location of the project.
18316	Change use of existing apartment to shed/storage and recreation area for the enjoyment of the existing dwelling house	No potential for in-combination effects given the scale and location of the project.
18378	Construct a new dwelling house, garage and all associated site works	No potential for in-combination effects given the scale and location of the project.
18446	Change use from comparison goods to spin/gymnasium studio and associated site works	No potential for in-combination effects given the scale and location of the project.
18462	Retain a car valeting service area, car wash area and silt trap compound. Permission is sought for a new sign on Abbeyleix Road elevation and all site works	No potential for in-combination effects given the scale and location of the project.
1921	Retain a 24 hour fuel card dispensing pump and all associated site works	No potential for in-combination effects given the scale and location of the project.

Planning Ref.	Description of development	Comments
19424	Rchange use from office to general practitioner surgery, construction of access ramp to the side and rear of property, new signage over main door and to gable of adjacent office unit and all ancillary and associated works	No potential for in-combination effects given the scale and location of the project.
19567	Construct a new commercial storage building with all ancillary site works	No potential for in-combination effects given the scale and location of the project.
2070	Change use of the existing 7 no. retail units (permitted under Reg. Ref. 04142) at Block B Plaza Level, to 13 no. apartment units (including 3 no. one bedroom, 9 no. two bedroom & 1 no. three bedroom units) and associated alterations to the front and rear elevations at plaza level and site works	No potential for in-combination effects given the scale and location of the project.
20142	Change of use of Block A from a licensed premises including bar, lounge, restaurant & ancillary accommodation situated at ground level, plaza level and 1st, 2nd, 3rd & 4th Floor Level (permitted under planning permission Reg. Ref. 04142) to retail/office use situated at ground level and 10 no. apartment units (including 5 no. two bedroom & 5 no. three bedroom units) situated at plaza level, 1st, 2nd, 3rd & 4 floor level, alterations to the drum elevations to allow for external balconies, new windows to the East & West facing elevations and associated site works.	No potential for in-combination effects given the scale and location of the project.
20357	Construct new domestic garage and all associated site works	No potential for in-combination effects given the scale and location of the project.
21236	Alter location of signage from that previously granted under planning ref 17/632, together with all ancillary site services and associated site works	No potential for in-combination effects given the scale and location of the project.

There are no predicted in-combination effects given that the reasons discussed in the 'Comments' column of the Table above and given that the Proposed Development is unlikely to have any adverse effects on any European sites.

The Laois County Development Plan in complying with the requirements of the Habitats Directive requires that all Projects and Plans that could affect the Natura 2000 sites in the same potential Zone of Influence of the Proposed Development site would be initially screened for Appropriate Assessment and if requiring Stage 2 AA, that appropriate employable mitigation measures would be put in place to avoid, reduce or ameliorate negative impacts. In this way any, in-combination impacts with Plans or Projects for the proposed development area and surrounding townlands in which the proposed development site is located, would be avoided.

The listed developments have been granted permission in most cases with conditions relating to sustainable development by the consenting authority in compliance with the relevant Local Authority Development Plan and in compliance with the Local Authority requirement for regard to the Habitats Directive. The development cannot have received planning permission without having met the consenting authority requirement in this regard. There are no predicted in-combination effects given that it is predicted that the Proposed Development will have no effect on any European site.

Any new applications for the Proposed Development area will be assessed on a case by case basis *initially* by Laois County Council which will determine the requirement for AA Screening as per the requirements of Article 6(3) of the Habitats Directive.



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## *THE ASSESSMENT OF SIGNIFICANCE OF EFFECTS*

### **Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 site.**

A review of aerial photography, Ordnance Survey Ireland (OSI) mapping and OSI Geographical Information System (GIS) data for rivers and streams indicates that . A review of aerial photography, Ordnance Survey Ireland (OSI) mapping and OSI Geographical Information System (GIS) data for rivers and streams indicates that the scheme crosses watercourses at two points; the Carriersbog stream just north of the M7, and the Golf Club stream at Abbey Court.

However the scheme will use existing gullies and closed drainage pipes, and there is therefore no direct connectivity to any watercourse within or outside the potential zone of influence.

There is no direct connectivity to the River Barrow or to any European sites within or outside the potential Zone of Influence.

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### **Explain why these effects are not considered significant.**

There are no predicted effects on any European sites given:

- The distance between the Proposed Development and any European Sites, approximately 8km;
- The lack of direct connectivity between the Proposed Development and any hydrological pathways; the scheme crosses watercourses at two points; The Carriersbog stream just north of the M7, and the Golf Club stream at Abbey Court. However the scheme will use existing gullies and closed drainage pipes, and there is no direct connectivity between the Proposed Development site and any watercourses that lead to the River Barrow;
- There are no predicted emissions to air, water or the environment during the construction or operational phases that would result in significant effects

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### **List of agencies consulted: provide contact name and telephone or e-mail address**

The requirement for Appropriate Assessment Screening was determined during pre-planning discussion with Laois County Council.

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### **Response to consultation**

N/A.

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## *DATA COLLECTED TO CARRY OUT THE ASSESSMENT*

### **Who carried out the assessment**

Moore Group Environmental Services.

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### **Sources of data**

NPWS database of designated sites at [www.npws.ie](http://www.npws.ie)

National Biodiversity Data Centre database <http://maps.biodiversityireland.ie>

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### **Level of assessment completed**

Desktop Assessment. Fieldwork was carried out as part of the EIA process.

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### **Where can the full results of the assessment be accessed and viewed**

Laois County Council Planning web portal.

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## *OVERALL CONCLUSIONS*

There is no direct connectivity to the River Barrow or to any European sites within or outside the potential Zone of Influence. The Proposed Development site is located within the boundary of the existing road. The existing gullies will be used to drain the narrowed carriageway and a new drainage system outfalling to the nearby stream will not be required.

There are no predicted effects on any European sites given:

- The distance between the Proposed Development and any European Sites, approximately 8km;
- The lack of direct connectivity between the Proposed Development and any hydrological pathways; there is no direct connectivity between the Proposed Development site and any watercourses that lead to the River Barrow
- There are no predicted emissions to air, water or the environment during the construction or operational phases that would result in significant effects.

It has been objectively concluded by Moore Group Environmental Services that:

1. The Proposed Development is not directly connected with, or necessary to the conservation management of the European sites considered in this assessment.
2. The Proposed Development is unlikely to either directly or indirectly significantly affect the Qualifying interests or Conservation Objectives of the European sites considered in this assessment.
3. The Proposed Development, alone or in combination with other projects, is not likely to have significant effects on the European sites considered in this assessment in view of their conservation objectives.
4. It is possible to conclude that significant effects can be excluded at the screening stage.

It can be *excluded*, on the basis of objective information, that the Proposed Development, individually or in combination with other plans or projects, will have a significant effect on a European site.

An appropriate assessment is not, therefore, required.

**APPENDIX C – CONSENTING AUTHORITY AA SCREENING DETERMINATION**

**APPROPRIATE ASSESSMENT SCREENING REPORT  
AND  
CONCLUSION STATEMENT**

**(A) Project Details**

<b>Planning File Ref</b>	Part VIII
<b>Applicant name</b>	Laois County Council
<b>Development Location</b>	Abbeyleix Road, Portlaoise
<b>Site size</b>	2.657 ha
<b>Application accompanied by an EIS (Yes/NO)</b>	No
<b>Distance from Natura 2000 site in km</b>	The River Barrow and River Nore SAC is located 8.2km to the northwest of the proposed development and the Slieve Bloom SPA is located 8.2km to the north west.

**Description of the project/proposed development**

A safety scheme on the N77 Abbeyleix Road, Portlaoise. The proposed scheme is located on the N77 national road between the market square roundabout and the M7 Motorway, south of Portlaoise. This section of road is part of the main route from Portlaoise to Abbeyleix. The scheme incorporates improvements to N77LS-048.1 (approx. 1.5km in length and N77LS-048.7 (approx. 400m in length).

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

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

**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**.

<b>(G) SCREENING CONCLUSION STATEMENT</b>		
<i>Selected relevant category for project assessed by ticking box.</i>		
<b>1</b>	AA is not required because the project is directly connected with/necessary to the conservation management of the site	
<b>2</b>	No potential significant affects/AA is not required	<b>X</b>
<b>3</b>	Significant effects are certain, likely or uncertain. Seek a Natura Impact Statement Reject proposal. (Reject if potentially damaging/inappropriate)	
<b>Justify why it falls into relevant category above (based on information in above tables)</b>		
<p>Moore Group – Environmental Services prepared an AA screening report in relation to the project.</p> <p>These documents were assessed by the Planning Authority. The Planning Authority accepts the findings of the consultants for the following reasons;</p> <p>Based on the distance and lack of pathways the proposed works will not impact on any designated sites.</p> <p>Based on the above it is considered that there is no need to proceed to a stage 2 NIS.</p> <p>The Planning Authority concludes based on the screening report from Moore Group and consideration by the Planning Authority that the works proposed, individually or in combination with other plans and projects, will not have a significant effect on any European Site.</p>		
<b>Name:</b>	David O' Hara	
<b>Position:</b>	A/Senior Planner	
<b>Date:</b>	13/12/2021	

**APPENDIX D – CONSENTING AUTHORITY EIA SCREENING DETERMINATION**

**Laois COUNTY COUNCIL  
PLANNING DEPARTMENT**

**EIA Screening Determination**

**1) Introduction**

This report has been informed by:

- Schedules 5, 7 and 7A of the Planning and Development Regulations 2001 (as amended);
- 'Guidelines for Planning Authorities and an An Bord Pleanála on carrying out Environment Impact Assessment', issued by the DHPLG (2018); and,
- Part VIII planning documents

**2) Proposed Development**

The principal aspects of the proposed development can be set out as follows:

Laois County Council is proposing to develop a safety scheme on the N77 Abbeyleix Road, Portlaoise. The proposed scheme is located on the N77 national road between the market square roundabout and the M7 Motorway, south of Portlaoise. This section of road is part of the main route from Portlaoise to Abbeyleix. The scheme incorporates improvements to N77LS-048.1 (approx. 1.5km in length) and N77LS-048.7 (approx. 400m in length).



The main objective of the scheme is to improve road safety for all road users and to reduce the number of collisions along this section of the N77. Under TII GE-STY-01022 Network Safety Analysis, N77LS\_048.1 has been identified as a High Collision Location for the past three successive analyses. It is intended to coincide proposed improvements with a pavement scheme. As the pavement scheme extends as far as the Market Square Roundabout, it was felt that safety improvements on N77LS\_048.7 should also be carried out to ensure route consistency along this entire stretch of the N77.

In summary the main elements of this scheme include:

- Reduction in road width and hard shoulders by the provision/improvement of footpaths and cycle lanes on both sides of the road to encourage reduction in speed and to reduce crossing distances at pedestrian crossings.
- Provision of non-signalised controlled pedestrian crossings to ensure that safe pedestrian crossings exist which are fully accessible to all users.
- Redesign of public lighting to improve visibility for all road users.
- Resurfacing of existing pavement surface.

The initial section of the N77 scheme within the 80km/hr speed limit has been designed in accordance with TII Publications.

The section of the scheme within the 60km/hr speed limit has been designed in accordance with TII Publications (Standards) DN-GEO-03084 The Treatment of Transition Zones to Towns and Villages on National Roads.

The remaining section of the N77 scheme within the 50km/hr speed limit has been designed in accordance with the Design Manual for Urban Roads and Streets (DMURS). The DMURS provides guidance relating to the design of urban roads and streets.

The proposed design is to provide a 6.0m wide carriageway with a 2.0m wide cyclepath and a minimum of 1.8m wide footpath on both sides of the carriageway.

Assessments have been carried out in accordance with the guidance contained within TII Publications (Standards) DN-GEO-03084 The Treatment of Transition Zones to Towns and Villages on National Roads on the need for pedestrian crossings within the scheme extent and controlled crossing facilities have been provided where necessary. Uncontrolled crossing facilities have also been provided where pedestrian desire lines were identified.

Redesign of public lighting in accordance with European and Irish Standards for Public Lighting on National Roads, provision of new ducting and replacement of existing lighting poles, where required will be incorporated into the scheme.

### **3) Legislative Basis for EIA**

EIA is a process by which information about the environmental effects of projects is collected, evaluated and presented in a form that provides a basis for consultation. Decision makers can

then take account of these effects when determining whether or not a project should proceed. EIA in Ireland must be carried out in accordance with the requirements of the Planning and Development Act 2000 (as amended), the Planning and Development Regulations 2001 (as amended) and the European Communities (Environmental Impact Assessment) regulations 1989 (as amended) (the EIA Regulations).

This legislation sets down the types of projects that may require an Environmental Impact Assessment Report (EIAR). Part 1 in Schedule 5 of the Planning and Development Regulations 2001 (amended) defines mandatory projects that require an EIAR and Part 2 of the same schedule defines projects that are assessed on the basis of set mandatory thresholds for each of the project classes.

In addition to Part 1 and Part 2 projects as referred to above, there are also sub-threshold projects. These projects may require the submission of an EIAR depending on individual assessments in accordance with certain criteria. They can be categorised by thresholds or can be assessed individually. The guiding principle is that *projects likely to have significant effects on the environment by virtue, inter alia, of their nature, size or location* should be subject to EIA. Significant effects may arise by virtue of the type of development, the scale or extent of the development and the location of the development in relation to sensitive environments.

#### **4) EIA Screening**

EIA screening can be defined as the process of assessing the requirement of a project to be subject to Environmental Impact Assessment based on the project type and scale and on the significance of the receiving environment.

##### Mandatory EIA

In the case of the proposed development, it is evident that it would fall under a category of development which would automatically require an EIAR as per Schedule 5 of the Planning and Development Regulations 2001 (as amended).

Schedule 5 of the Planning and Development Regulations 2001, as amended, outlines the categories of development for the purposes of Part 10 of the Planning and Development Act 2000, as amended – that is development that requires EIAR.

*The following categories are relevant:*

Schedule 5, Part 2

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. (In this paragraph, "business district" means a district within a city or town in which the predominant land use is retail or commercial use.)

While the site is close to the town centre, it is not within the designated town centre. Consequently the threshold of 2ha is not applicable in this instance. The relevant threshold is 10 hectares. The overall site area is 2.657 hectares. The site is sub-threshold and does not automatically require EIAR.

Sub-threshold EIA

The key issue with regard to the possible need for EIA of sub-threshold development is whether the development would or would not be likely to have significant effects on the environment.

Article 120 of the Planning and Development Regulations 2001, as amended states the following

120. (1) (a) Where a local authority proposes to carry out a sub threshold development, the authority shall carry out a preliminary examination of, at the least, the nature, size or location of the development.

(b) Where the local authority concludes, based on such preliminary examination, that—

(i) there is no real likelihood of significant effects on the environment arising from the proposed development, it shall conclude that an EIA is not required,

(ii) there is significant and realistic doubt in regard to the likelihood of significant effects on the environment arising from the proposed development, it shall prepare, or cause to be prepared, the information specified in Schedule 7A for the purposes of a screening determination, or

(iii) there is a real likelihood of significant effects on the environment arising from the proposed development, it shall—

(I) conclude that the development would be likely to have such effects, and

(II) prepare, or cause to be prepared, an EIAR in respect of the development.

(1A) (a) Where the local authority prepares, or causes to be prepared, the information specified in Schedule 7A,

For sub-threshold developments listed in Schedule 5 Part 2, a screening determination is required to be undertaken by the competent authority unless, on preliminary examination it can be concluded that there is no real likelihood of significant effects on the environment.

### **Schedule 7**

The proposed development is considered against the criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended. This is based on the existence of realistic doubt in regard to the likelihood of significant effects on the environment and considering the nature, size and location of the proposed development in the context of the criteria set out in Schedule 7 to the 2001 Regulations,

The competent authority must proceed to a further examination to determine whether EIA is required pursuant to Schedule 7A to the 2001 Regulations in order to facilitate a formal screening determination.

### **Characteristics of the proposed development**

#### **Size of the proposed development**

The area of the application site is given as 2.657 ha.

#### **The cumulation with other proposed development**

Impacts caused by one project, which may be considered minor and insignificant, can combine with other environmental impacts from existing or planned development. When taken in combination, these impacts could be likely to have significant effects on the environment.

Existing development in the surrounding area predominantly comprises residential uses with an ESB training centre to the east, small scale commercial units along the route and sporting centres comprising a golf club to the east and GAA grounds to the west.

The adjoining land uses are of a small-medium scale which are in themselves sub threshold developments.

Subject to appropriate restrictions on the proposed development in relation to traffic movements, noise and dust emissions, mostly during the construction phase, it is considered that the potential for significant impacts on the environment from cumulative effects will not arise.

#### Nature of any associated demolition works

On the basis of the information provided with the Part VIII, the proposed development will not involve the demolition of any structures, or any demolition works generally. Consequently, this criteria is not relevant.

#### The Use of Natural Resources

Natural resources on the site and in the surrounding area include:

- Waterbodies (rivers, streams and groundwater)

The proposed development has no discharges of note and is connected to the foul and surface water public sewers it is considered that there will be no potential for significant impacts on watercourses.

Similarly owing to the nature of the site, which is a public roadway, in a town and fully serviced it is considered that there will be no negative impact on soils or flora and fauna.

Soil excavated for construction will be reused on site or removed off site for re-use elsewhere.

#### Production of Waste

The proposal will not generate significant quantities of waste. Waste produced during the construction phase will be managed by a site specific construction and demolition waste management plan.

During the operational phase there will be non hazardous waste and packaging waste, WEEE, empty containers and landscaping waste.

#### Pollution and Nuisances

The proposed development has the potential to result in pollution and nuisances in the area during the construction phase due to dust and noise. Mitigation measures are proposed to deal with these issues including proper construction methodology.

It is considered that soil and water pollution impacts are insignificant and will not result in pollution or nuisance.

Subject to the implementation of the best practice measures identified as part of the proposed development, it is considered that these impacts would not be significant.

Risk of Accidents, having regard to substances or technologies used

None identified

Risks to Human Health

Risks to human health from the proposed development can principally arise from noise and dust emissions during construction principally.

Subject to the implementation of the mitigation and best practice measures identified as part of the proposed development, it is considered that these impacts would not be significant.

The characteristics of the development do not require EIAR to be carried out.

**6) Location of the proposed development**

The application site, given as 2.657 hectares, is situated on a serviced and zoned lands within the town boundaries of Portlaoise. The site is bounded by a ribbon of long standing dwellings, sports grounds, housing schemes and ESB lands.

The relative abundance, quality and regenerative capacity of natural resources in the area and its underground

The proposed development is not likely to have significant effect on any Natura 2000 site owing to the separation distance, the lack of discharges and the proposed connection to the public sewer network.

The absorption capacity of the natural environment

In terms of absorption capacity, the site comprises an existing public roadway and verge. The site is not located in any upland or wetland area.

On the basis of the information available from a site walkover and from the Planning Authority's GIS in relation to archaeological and architectural heritage, there are no landscapes and sites of historical, cultural or archaeological significance on or in the vicinity of the application site.

## **7) Types and Characteristics of the Potential Impacts**

Potential impacts can arise in relation to:

- Operational noise, vibration, dust and related nuisances for lands and adjoining properties the site mainly during the construction phase.
- Pollution of groundwater and surface water from during construction.
- There is no archaeological or architectural heritage on or in the vicinity of the site which could be impacted on by the proposed development.

### Transfrontier nature of impact

The proposed development will be localised and will take place fully within the administrative area of Laois County Council.

### Magnitude and complexity of impact

It is not considered that impacts from the proposed development would have the potential to affect a large range of receptors over a wide geographical area. The spatial extent of impacts would be more localised and the size of the population likely to be affected would not be significant.

### Probability of impacts

Impacts from the proposed development can arise over the duration of the construction works, particularly with respect to noise and dust emissions, potential pollution of groundwater and surface water, and traffic impacts on the local road network. Subject to the strict implementation of the mitigation and best practice measures, it is considered that these impacts would not be significant.

### Expected Onset, Duration, frequency and reversibility of impact

It is considered that the duration of any impacts will be during the construction phase of the development which may extend to a 12 week time period.

## 8) Conclusion

The Planning Authority considers that the proposed development does not require an Environmental Impact Assessment as it is not likely to have significant effects on the environment by virtue, inter alia, of its nature, size or location.

A handwritten signature in black ink, appearing to read 'D O'Hara', written over a horizontal line.

**David O'Hara**  
**a/Senior Planner**



**APPENDIX E – PUBLIC NOTICE**



**LAOIS COUNTY COUNCIL**

**PLANNING AND DEVELOPMENT ACTS 2000 (as amended)**

**AND**

**PLANNING AND DEVELOPMENT REGULATIONS 2001 (as amended)**

**Notice of Proposed Development by Laois County Council**

**N77 ABBEYLEIX ROAD REHABILITATION AND ENHANCEMENT SCHEME**

In accordance with Part XI, Section 179 of the Planning and Development Act 2000 (as amended) and Part VIII, Article 80 & 81 of the Planning and Development Regulations 2001 (as amended) Laois County Council hereby gives notice of its intention to carry out the following development with the objective of rehabilitating and enhancing the N77 Abbeyleix Road, Portlaoise, County Laois

<b>Location</b>	<b>Nature of Development</b>
N77 Abbeyleix Road, Portlaoise	The development includes the following principal elements- <ul style="list-style-type: none"><li>• Universal access measures throughout</li><li>• Refurbished and upgraded footpath / cycle facilities on the western side of the N77 Abbeyleix Road</li><li>• New footpath / cycle facilities on the eastern side of the N77 Abbeyleix Road providing connectivity with ESB training centre, Meelick Road and Midway Foodcourt and Hotel</li><li>• Provision of new inlay road pavement and road markings</li><li>• Review of Public Lighting to include additional and/or supplementary Lighting where appropriate</li><li>• Retention of existing pedestrian crossing points and provision of a number of new, non-signalised, controlled pedestrian crossings</li><li>• Reduced road cross section to reduce the prevailing vehicular speed</li><li>• Landscaping</li><li>• Additional drainage</li></ul>

Laois County Council has prepared an EIA Screening Report in accordance with the requirements of the Planning and Development Regulations 2001 (as amended). On the basis of this Screening Report, Laois County Council has determined that there is no likelihood of significant effects on the environment (Article 120 of Planning and Development Regulations, amended 2018). Accordingly, it has been determined that an EIA is not required in respect of this proposed development.

Any person may, from **16<sup>th</sup> December 2021 to 27<sup>th</sup> January 2022** inclusive, apply to An Bord Pleanála for a screening determination as to whether the development would be likely to have significant effects on the environment.

Plans and particulars of the above proposed development are available for viewing on our online consultation portal at <https://consult.laois.ie> from **16<sup>th</sup> December 2021 to 27<sup>th</sup> January 2022** inclusive. Plans and particulars are also available for inspection by appointment only at the offices of Laois County Council, Áras an Chontae, JFL Avenue, Portlaoise from **16<sup>th</sup> December 2021 to 27<sup>th</sup> January 2022** inclusive. Appointments must be arranged in advance by emailing [roadsadmin@laoiscoco.ie](mailto:roadsadmin@laoiscoco.ie) or by contacting 057 8664000.

**Submissions or observations** with respect to the proposed development, dealing with the proper planning and the sustainable development of the area in which the proposed development is to be situated, **may be made online** at <https://consult.laois.ie> to be received not later than **5.00 p.m. on 10th February 2022**.

**Submissions or observations** with respect to the proposed development, dealing with the proper planning and the sustainable development of the area in which the development would be situated, **may also be made in writing** to: Simon Walton, Director of Services, Laois County Council, Áras an Chontae, Portlaoise, Co. Laois to be received not later than **5.00 p.m. on 10th February 2022**.

Submissions should be clearly marked: **N77 ABBEYLEIX ROAD REHABILITATION AND ENHANCEMENT SCHEME – Part VIII**.

Note: Only submissions made in the above manner will be considered as valid submissions for the purposes of the Chief Executive's Report that will be presented to Council.

The Council is subject to the provisions of the Freedom of Information (FOI) Act. If you consider that any of the information supplied by you is either commercially sensitive or confidential in nature, this should be highlighted and the reasons for its sensitivity specified. In such cases, the relevant material will, in response to FOI requests, be examined in light of exemptions provided for in the FOI Act.

**SIMON WALTON  
DIRECTOR OF SERVICES**