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Mr. Kevin McGettigan, Executive Officer, An Bord Pleanála, 64 Marlborough Street, Dublin D01V902

25th September 2024

Case Number: ABP-318093-23

Your Ref: Additional Information Request issued on 9th July 2024

Proposed road development at The Quay, Quay Street, Suir Re: Island and Raheen Road. The Quay, Quay Street, Suir Island and Raheen Road, Clonmel County Tipperary

Dear Mr. Kevin McGettigan,

In response to the further information request issued on 9th July 2024 by the Board in accordance with section 51(4) of the Roads Act 1993, as amended, we provide the following information and responses as set out below on page 3 of this covering letter.

The following documents are being submitted as part of this further information request response:

- Addendum to EIAR Chapter 1 Introduction (RPT-20_071-029A);
- Addendum to EIAR Chapter 2 Project Description and Planning Policy Context (RPT-20_071-030A);
- Addendum to EIAR Chapter 4 Population & Human Health (RPT-20 071-032A);
- Addendum to EIAR Chapter 5 Biodiversity, Species and Habitats (RPT-20 071-033A);
- Addendum to Appropriate Assessment Natura Impact Statement appended to original document;
- Addendum to EIAR Chapter 7 Hydrology (RPT-20_071-035A);
- Updated EIAR Chapter 7 Appendix 7.1 Outline Construction Environmental Management Plan (RPT-20_071-044);
- Addendum to EIAR Chapter 10 Noise & Vibration (RPT-20 071-037A);
- Addendum to EIAR Chapter 12 Material Assets Traffic & Transportation (RPT-20 071-039A);

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- Addendum to EIAR Chapter 17 Schedule of Mitigation Measures and Monitoring (RPT-20_071-080A); and
- Updated EIAR Volume A Non-Technical Summary (RPT-20_071-074).
- EIAR Volume C Proposed Development Drawings, please see summary of changes made at the back of this covering letter.

Should the Board have any queries, please contact the undersigned

Yours sincerely,

Louise Farrell, Senior Executive Engineer

Greenways Project Manager

On behalf of Tipperary County Council, Civil Offices, Clonmel

Please refer to further information responses commencing on next page.

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Further Information Responses:

1. Public Participation

- a. Details of the proposed development should be made available on the public website as advertised.
- b. The consultation website should be updated to include for an electronic copy of all EIAR documentation including the EIAR Non-Technical Summary.
- c. The EIAR has referenced documentation applicable to the proposed development, including the Suir Island Masterplan, approved Part 8 developments (Suir Island Gardens, Town Centre Enhancement Scheme, Clonmel Urban Design Project) and these have not been included in the application nor identified on the Council website. To enable consideration of the proposal and adequate public participation, the above issues should be addressed, and the applicant should give consideration to the proposed development being readvertised.

In response to Item 1(a), the "as advertised" public website link has been amended. Details of the proposed development are available on the following public website link as advertised: https://consultations.tipperarycoco.ie/suir-island-infrastructurelinks-project. A new project website (details below) is also detailed and accessible from this website link.

In response to Item 1(b), electronic copies of all EIAR documents have been made available in the "as advertised" public website link: https://consultations.tipperarycoco.ie/suir-island-infrastructurelinks-project.

In response to Item 1(c), a new project website has been developed to collate all of the Suir Island Infrastructure Projects' planning documentation including the documents issued with this further information response. It also includes referenced documentation applicable to the proposed development. This website is available at the following Link: https://www.tipperarycoco.ie/suirislandinfrastructure.

In the event that the Bord requests re-advertising following this Further Information Request submission, both websites will be included in the Public Advertisements.

We wish to highlight that the above-referenced projects namely: Town Centre Enhancement Scheme and the Clonmel urban Design Project, refers to the same scheme.

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2. Clonmel and Environs Local Area Plan 2024-2030

a. An addendum report should be submitted to address the provisions of The Clonmel and Environs Local Area Plan 2024-2030 which came into effect on 25th March 2024. This should address policy requirements in the LAP including Policy 6.2 and key planning criteria for the two regeneration sites (Site 3 - Quay Street, Sarsfield Street, and Site 11 - Suir Island Gardens, Suir Island) applicable to the proposed development site.

In response to Item 2, please see Addendum to EIAR Chapter 2 Project Description and Planning Policy Context (RPT-20_071-030A). Section 2.5.4 Local Policy Context has been updated to take account of the Clonmel and Environs Local Area Plan 2024-2030, which came into effect on 25th March 2024. Compliance with the planning criteria is set out in the addendum report for the two regeneration sites identified in Appendix 3 of the Local Area Plan.

3. Environmental Impact Assessment Report

a. Population and Human Health

i. Chapter 4 should be updated to include for a cumulative assessment of the proposal with other permitted developments at construction stage.

In response to Item 3(a)(i), please refer to Addendum to EIAR Chapter 4 Population and Human Health (RPT-20_071-032A). While there is the potential for cumulative impacts between the Proposed Development and the other existing / permitted developments during a simultaneous construction phase; any developments will be required to incorporate appropriate mitigation measures (e.g. noise management, dust management, traffic management, etc) during the construction phase. Therefore, the likely cumulative impact on human health and populations is considered to be negative, slight and temporary/short-term. During operation the only cumulative impact is traffic, and analysis has shown that there is adequate capacity on roadways resulting in a long-term imperceptible impact on air quality and human health.

ii. <u>Consideration should also be given to potential noise impacts arising at construction stage, as outlined in b) Noise and Vibration.</u>

In response to Item 3(a)(ii), please refer to Addendum to EIAR Chapter 4 Population and Human Health (RPT-20_071-032A) Section 4.11.2.

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b. Noise and Vibration

- i. There EIAR outlines there is a potential for very significant noise impacts to arise at nearest sensitive locations (NSLs) at the construction stage. Mapping should be submitted indicating the expected worst case noise levels arising at the construction stage at noise sensitive receptors in the immediate vicinity of the site (including residential properties at The Quays, Sarsfield Street, Raheen Road), with the application of noise mitigation measures.
- ii. <u>Clarity should be provided on the application of proposed binding noise limits at the construction stage and adherence to same should be outlined.</u>
- iii. Chapter 10 should be revised to include for a detailed cumulative noise assessment of the proposal with other approved developments at construction stage.

Please refer to Addendum to EIAR Chapter 10 Noise & Vibration (RPT-20_071-037A). In response to Item 3(b)(i), Construction Noise Contour Mapping is provided in Appendix A of the addendum document which depicts the worst-case construction noise scenarios.

In response to Item 3(b)(ii), please refer to Section 10.7 and Section 10.7.1 describes that there is no published statutory Irish guidance to the maximum permissible noise level that may be generated during the construction phase of a project. Therefore, the Transport Infrastructure Ireland (TII) publication "Guidelines for the Treatment of Noise and Vibration in National Road Schemes" will be adhered to, and monitoring shall be carried out during the works.

In response to Item 3(b)(iii), please refer Section 10.9 of the Addendum to EIAR Chapter 10 Noise & Vibration containing the detailed cumulative noise assessment.

c. **Biodiversity**

i. The EIAR outlines there will be no in-stream works and no direct loss or disturbance to instream habitats. However, the proposed development includes for the construction of temporary access ramp and installation of a pre-cast box culvert at the site area of a back-water flood channel to the south of Pier 1 which conveys water during flood events, with sheet piling proposed at this location. From application drawings submitted, the ground level of the

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culvert corresponds to the approx. base flow as indicated on plans (drawing no.2460) and is below the 1%, 10% and 50% AEP. It is also noted that proposed piers and abutment works located within the flood barriers/defences are below the level of AEPs, which is particularly the case for the proposed southern bridge (drawing no.2260). While it is noted that works will be timed to avoid flooding and will be temporary in nature, given the levels outlined and potential for flooding, consideration should be given to the potential impacts arising from instream works, and from instream works arising in periods of increased base flow and flooding. In the event of potential impacts being identified, appropriate mitigation measures addressing same are to be outlined, where applicable.

- ii. Furthermore, having regard to the sensitive nature of the site and the potential for the development at this location to give rise to impacts on habitats, water quality and subsequent impacts on aquatic and otter species, consideration should also be given to potential impacts arising from enabling in-stream works and any machinery movements that may affect the river channels and/or riverbanks. In the event of potential impacts being identified, appropriate mitigation measures addressing same are to be outlined.
- iii. Consideration should be given to the potential impact of lighting on otter species at construction and operational stages.

In response to the above Items, please refer to the Addendum to EIAR Chapter 5 Biodiversity (RPT-20_071-033A) Section 5.4 Impact Assessment and 5.5 Mitigation and Monitoring Measures which addresses the RFI Items. The RFI items are address with the following headings:

- Installation of the Pre-Cast Box Culvert in the Floodplain Channel and Works at Piers & Abutments located in Floodplain to address Item 3(c)(i);
- Enabling Instream Works & Any Machinery Movements that may affect the River Channels and/or Riverbanks to address Item 3(c)(ii);
- Potential Impact of lighting on otter species at construction and operational stages to address Item 3(c)(iii);

We wish to highlight that the water levels shown on the drawings i.e. No. 2460 and 2260, do not represent baseflow levels. In this regards, approximate baseflow and detailed longsections have been shown on the updated and new Temporary Works Drawings 20_071-CSE-GEN-XX-DR-C-2460 and 20 071-CSE-GEN-XX-DR-C-2461 included in Volume C - Drawings,

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which shows access routes to piers located in the floodplain with detailed elevations as well as the approximate baseflow water level, respectively.

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d. Lands, Soils, Geology and Hydrogeology

- i. Consideration should be given to the potential impacts arising from instream works, and from instream works arising in periods of increased base flow and flooding. In event of potential impacts being appropriate mitigation measures addressing same are to be outlined, where applicable.
- EIAR references proposed demolition Clarification on proposed demolition works and the removal of structures should be outlined.

In response to Item 3(d)(i), please refer to Addendum to EIAR Chapter 7 Hydrology (RPT-20 071-035A).

In response to Item 3(d)(ii), there is no requirement for demolition or removal of any buildings/upstanding structures for the development. There is some removal of hard stand (footpaths, concrete and tarmacadam), c. 72 tonnes of material.

Chapter 6 of the EIAR addressed the requirement for soil removal and fill (Table 6-4 and Section 6.5.1.1). Clarification on the proposed demolition works is outlined in Chapter 13 Material Assets: Resource & Waste Management Section 13.4.1 and in Appendix 13.1 Section 6.3 in the Outline Resource and Waste Management Plan (RWMP). Section 6.3 outlines the following:

The demolition stage will involve the excavation of hardstanding areas, roads, and kerbs. The demolition areas are identified in the Engineering Planning Report provided with this application. The anticipated demolition waste and rates of reuse, recycling / recovery and disposal are shown in Table 6-2 below from the Outline Resource & Waste Management Plan provided with this application.

Table 6-2: Estimated off-site reuse, recycle and disposal rates for demolition waste

Waste Type		Tonne	Reuse/Recycle		Recovery		Disposal	
		S	%	Tonnes	%	Tonnes	%	Tonnes
Concrete, Bricks	, Tiles,	18.0	30	5.4	6	11.7	5	0.9
Ceramics					5			
Asphalts		54.0	0	0.0	2	13.5	<i>75</i>	40.5
					5			
Total		72.0		5.4		25.2		41.4

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There is no change to the assessment of Potential Impacts as outlined in Chapter 13 Material Assets: Resource & Waste Management Section 13.5.1;

"The proposed development will generate a range of non-hazardous and hazardous waste materials during site demolition, excavation and construction. General housekeeping and packaging will also generate waste materials, as well as typical municipal wastes generated by construction employees, including food waste. Waste materials will be required to be temporarily stored on-site pending collection by a waste contractor. If waste material is not managed and stored correctly, it is likely to lead to litter or pollution issues at the development site and in adjacent areas. The indirect effect of litter issues is the presence of vermin in areas affected. In the absence of mitigation, the effect on the local and regional environment is likely to be short-term, significant and negative."

There is no change to the assessment of Predicted Impact as outlined in Chapter 13 Material Assets: Resource & Waste Management Section 13.7.1:

"A carefully planned approach to waste management as set out in Section 13.6 and adherence to the RWMP (which include mitigation) (Appendix 13.1) during the construction phase will ensure that the predicted effect on the environment will be short-term, imperceptible, and neutral."

Proposed Waste Management Options are outlined in Section 6.5 of Appendix 13.1 Resource and Waste Management Plan.

In conclusion, the project characteristics in relation to demolition are described in Chapter 13 Material Assets and potential effects assessed with and without mitigation. A RWMP undertaken following EPA guidance 'Best Practice Guidelines for the Preparation of Resource & Waste Management Plans for Construction & Demolition Projects' published in 2021 by the Environmental Protection Agency is provided (Appendix 13.1 RWMP) to ensure appropriate management of all waste material.

e. Traffic and Transportation

i. Chapter 12 should be revised to include for a detailed cumulative assessment for the construction stage.

Please refer to Addendum to EIAR Chapter 12 Material Assets Traffic & Transportation (RPT-20_071-039A. Section 12.19 Cumulative Impact assessments for Operational and Construction Phases have been added.

f. Air Quality

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i. Clarification as to whether Mary Street and Raheen Road Schools fall within the TII guidance (2022a Air Quality Assessment of Specified Infrastructure Projects PE-ENV-01-106) distance for sensitive receptors from where traffic changes are proposed should be outlined. The air modelling assessment should be revised to include these sensitive receptors, if applicable.

In response to Item 3(f)(i), the location of the Mary Street and Raheen Road schools were reviewed with respect to impacted road links to determine whether they fall within the TII PE-ENV-01106 Guidance distance for air modelling of traffic impacts. This would be if they were within 200m of roads with a greater than 1000 AADT change in traffic.

The TII guidance states that a selection of representative receptors should be used in the air quality assessment, to include receptors that will experience the 'worst-case' impacts from traffic emissions so those closest to impacted roads. This was the approach taken in the Chapter 8 Air Quality of the EIAR, with 4 no. representative receptors chosen that were in closest proximity to road links with a greater than 1000 AADT change in traffic.

The Raheen Road school is not within 200m of any impacted road links and therefore this did not need inclusion in the air quality assessment.

The Mary Street school is within 140m of O'Connell Street West which will have a greater than 1000 AADT change in traffic. However, the representative receptor chosen to demonstrate the impact from traffic changes on O'Connell Street West (receptor R4 in the Chapter 8 Air Quality) is in closer proximity to the impacted road (within 5m) and therefore would experience the 'worst case' impact. Impacts at other receptors within the area, including the Mary Street school, would be similar or lesser than at modelled receptor R4.

The change in pollutant concentrations at all modelled sensitive receptors (including R4 which is representative of the Mary Street School) due to changes in traffic from the proposed development were considered neutral as per the TII PE-ENV-01106 assessment criteria. The impact of the proposed development on ambient air quality in the operational stage was assessed as long-term, localised, neutral, imperceptible and non-significant.

In summary, the air quality assessment does not require revision and remains appropriate for the assessment of air quality impacts.

g. Interactions



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i. <u>Chapter 16 Interactions should be updated to take into</u> account all of the above.

In response to Item 3(g)(i), we have reviewed the updated assessments for their potential interactions and inter-relationships between the environmental factors discussed in the various EIAR chapters and conclude that no new interactions or significant impacts have been identified to warrant the preparation of an addendum to Chapter 16 Identification of Significant Impacts and interactions.

4. Appropriate Assessment

a. Figure 5.6 in the NIS which is stated to include details of proposed habitat loss (permanent and temporary) has not been identified in the NIS. Habitat mapping including for details of proposed habitat loss along with an overlay of the proposed development site relative to the Lower River Suir SAC (002137) at a scale of 1/250 should be submitted. The area of habitat being lost relative to the overall SAC should be calculated.

In response to Item 4(a), please refer to Lower River Suir SAC (002137) habitats mapping at a scale of 1/250 included in Appendix 2 of the Natura Impact Statement Addendum which is appended to the original Natura Impact Statement prepared by Doherty Environmental Consultants Ltd.

b. The importance/biodiversity richness of the habitat areas to be permanently and temporary removed, their functions, and their importance for QI habitats and species, should be clearly outlined and evaluated. This should include for consideration being given to Conservation Objective and Qualifying Interest 3260 Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho- Batrachion vegetation and its attributes and targets.

In response to Item 4(b), please refer to the Addendum to the Natura Impact Statement (page 5). Table 4.1 of the Natura Impact Statement lists the habitats, which have been identified as biodiversity receptors, for which areas of that habitat will be lost to the footprint of the project. This table is reproduced as Table 4.1 Habitats Lost to the Footprint of the Proposed development of the addendum section with two additional columns have been provided to address this Item.

c. The NIS outlines the project will not involve any instream works that could result in the loss of instream habitats. However, the proposed development includes for the construction of temporary access ramp and installation of a pre-cast box culvert

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at the site area of a back-water flood channel to the south of Pier 1 which conveys water during flood events, with sheet piling proposed at this location. From application drawings submitted, the ground level of the culvert corresponds to the approx. base flow as indicated on plans (drawing no.2460) and is below the 1%, 10% and 50% AEP. It is also noted that proposed piers and abutment works located within the flood barriers/defences are below the level of AEPs, which is particularly the case for the proposed southern bridge (drawing no.2260). While it is noted that works will be timed to avoid flooding and will be temporary in nature, given the levels outlined and potential for flooding, consideration should be given to the potential impacts arising from instream works, and from instream works arising in periods of increased base flow and flooding. In the event of potential impacts being identified, appropriate mitigation measures addressing same are to be outlined, where applicable.

In response to Item 4(c), please refer to the Addendum to the Natura Impact Statement Section 3.0 starting on page 21. Similar to the response of RFI Item 3(c)(i), the above is addressed with the following headings; Floodplain Channel associated with the Installation of the Pre-Cast Box Culvert and Works at Piers & Abutments located in the Floodplain, under the headings of Impact Assessment, Mitigation Measures and a Conclusion.

d. Having regard to the sensitive nature of the site and the potential for the development at this location to give rise to impacts on habitats/QI species, consideration should also be given to potential impacts arising from enabling in-stream works and any machinery movements that may affect the river channels habitat and/or riverbanks habitat. In the event of potential impacts being identified, appropriate mitigation measures addressing same are to be outlined.

In response to Item 4(d), please refer to the Addendum to the Natura Impact Statement Section 4.0 starting on page 28. Similar to the response of RFI Item 3(c)(ii), the above is addressed with the following heading Consideration of Impact Arising from Enabling Instream Works & Any Machinery Movement that May Affect the River Channels and/or Riverbanks under the headings of Impact Assessment, Mitigation Measures and a Conclusion.

e. The Conservation Objective for Otter (1355) in the Lower River Suir SAC (002137) seeks to maintain the favourable conservation condition. The NIS should outline if likely

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significant effects will arise on foraging otter by way of general noise and lighting impacts at both construction and operational stages, having regard to appropriate mitigation measures.

In response to Item 4(e), please refer to the Addendum to the Natura Impact Statement Section 5.0 starting on page 34. Similar to the response of RFI Item 3(c)(iii), the above is addressed with the following heading: Potential Impact of lighting on otter species at construction and operational stages under the headings of Impact Assessment, Mitigation Measures and a Conclusion. It should be noted that Section 1.3 of the NIS noted the absence of any breeding or resting places for otters at or in the vicinity of the project site and the completion of all works in the vicinity of the River Suir.

> f. The site layout plans include for paths to the eastern area within the site on Suir Island and to the east of the site on Suir Island. Clarification on any proposed paths at these locations should be outlined. The applicant is advised that should consent be sought for same, these would be subject to the provisions of the Planning and Development Act 2000, as amended.

No paths to the area of Suir Island to the east of the project site are proposed as part of the project. Furthermore, there are no proposals by Tipperary County Council to provide paths on Suir Island to the east of the project site. Site layout plans for the project have been updated such that no paths are shown to the east of the project site on Suir Island.

> q. Details of the Part 8 schemes referenced in the NIS are not available on the Council website and these should outlined/made available to enable consideration incombination effects.

See response to Item 1 of the An Bord Pleanála further information request. The Council's website has been updated and details of all Part 8 Schemes referenced in the Natura Impact Statement are now available on the website.

It is noted that Item 4(g) references in-combination effects. It is further noted that Item 1(c) also references other Part 8 developments and in response to this Chapter 1 of the EIAR has been updated with a current list of projects relevant to the EIAR cumulative impact assessment.

In view of the above the Table 7.1 in the Addendum to the Natura Impact Statement on page 41 provides an update of the in-combination effects examination between the proposed project and other projects set out in Section 4.10 of the Natura Impact Statement.

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5. Documentation

a. The above points of further information should be addressed in addendum format and the EIAR Non- Technical Summery and Outline CEMP should also be revised to take these into account.

In response to Item 5(a), further information responses are addressed in addendum format as highlighted in this covering letter. Responses which did not warrant the creation of addendums are set forth in this cover letter. The Outline Construction Environmental Management Plan (CEMP) included as Appendix 7.1 to EIAR Chapter 7 Hydrology has been updated to take into account any new mitigation measures stipulated in response to the further information request and the Non-Technical Summary (RPT-20_071-074) has been revised.

Summary of EIAR Volume C - Drawings changes

- All drawings which erroneously showed footpaths outside of the Red Line Boundary on Suir Island (RFI Item 4(f)) have been updated by removing footpaths; The drawings which have been updated are limited to:
 - Drawings No. 2210, 2213, 2214, 2220, 2223, 2224, 2230, 2233, 2234, 2250, 2251, 2253, 2270 and 2502;
- Drawing no. 2460 has been updated to show only the access routes to the bridge piers located withing the Suir River floodplain;
- Drawing no. 2461 is a new additional drawing added showing sections through temporary works areas;

<u>Drawing No</u>	<u>Title</u>	Rev
20_071-CSE-GEN-XX-DR-C-2000	Cover Sheet	PL02
20_071-CSE-GEN-XX-DR-C-2001	Site Location Map	PL02
20_071-CSE-GEN-XX-DR-C-2210	Option 01 Overall Plan Layout	PL02
20_071-CSE-GEN-XX-DR-C-2212	Option 01 North Plaza Plan & Section AA	PL02
20_071-CSE-GEN-XX-DR-C-2213	Option 01 Suir Island Carpark Plan & Section BB	PL02
20_071-CSE-GEN-XX-DR-C-2214	Option 01 South Arrival Plan & Section CC	PL02
20_071-CSE-GEN-XX-DR-C-2215	Option 01 Bridge Plan & Elevations	PL02
20_071-CSE-GEN-XX-DR-C-2219	Option 01 3D Views	PL02
20_071-CSE-GEN-XX-DR-C-2220	Option 02 Overall Layout Plan	PL02

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PL02

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20_071-CSE-GEN-XX-DR-C-2453	Crane Accessibility Plan	PL02
20_071-CSE-GEN-XX-DR-C-2460	Temporary Access Routes to Piers and Details	PL02
20_071-CSE-GEN-XX-DR-C-2461	Temporary Works and Sheetpiling Layouts and Sections	PL02
20_071-CSE-GEN-XX-DR-C-2501	Proposed Combined SW & FW Layout Plan Sheet 01 of 04	PL02
20_071-CSE-GEN-XX-DR-C-2502	Proposed Combined SW & FW Layout Plan Sheet 02 of 04	PL02
20_071-CSE-GEN-XX-DR-C-2503	Proposed Combined SW & FW Layout Plan Sheet 03 of 04	PL02
20_071-CSE-GEN-XX-DR-C-2504	Proposed Combined SW & FW Layout Plan Sheet 04 of 04	PL02
20_071-CSE-GEN-XX-DR-C-2560	Amenities, Employment & Education Facilities Plan	PL02
20_071-CSE-GEN-XX-DR-C-3900	Existing & Proposed Quay Plan	PL02

Existing & Proposed Raheen Rd Plan