



Screening for Appropriate Assessment Ballyroan and Old Orchard Walking and Cycling Scheme



MARCH 2016



Ballyroan and Old Orchard Walking and Cycling Scheme

Screening for Appropriate Assessment

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Ballyroan and Old Orchard Walking and Cycling Scheme

Screening for Appropriate Assessment

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1.0 INTRODUCTION

1.1 Introduction

Roughan and O'Donovan were appointed by South Dublin County Council to undertake a Screening for Appropriate Assessment (AA) to inform a planning application for the Ballyroan and Old Orchard Walking and Cycling Scheme, Dublin (hereafter referred to as the "Project"). During preparation of the screening stage, the statutory consultee, the National Parks & Wildlife Service (NPWS), provided data on designations of habitats and species of conservation interest. Of particular concern were potentially adverse direct, indirect or cumulative impacts on sites of European importance for nature conservation, *i.e.* Natura 2000 sites.

1.2 The Requirement for an Assessment under Article 6

Regulation 42(1) of the European Communities (Birds and Natural Habitats) Regulations 2011 (SI No. 47/2011) states that the competent authority (in this case, South Dublin County Council) has a duty to:

- Determine whether the proposed project is directly connected to or necessary for the management of one or more Natura 2000 sites for conservation; and, if not,
- Determine if the project is likely to have a significant effect on the Natura 2000 site(s) either individually or in combination with other plans or projects; and, if so,
- Make an appropriate assessment of the implications (of the activities) for the Natura 2000 site(s) in view of the site's conservation objectives.

This report provides Screening for AA and is intended to address all issues regarding the realignment of the N26 and construction of the Project and to allow South Dublin County Council, as the competent authority, to comply with Article 6(3) and (4) of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (Habitats Directive).

1.3 Legislative Context

The European Communities (Birds and Natural Habitats) Regulations 2011 transpose into Irish law European Union Directives 2009/147/EC (Birds Directive) and 92/43/EEC (Habitats Directive) and list habitats and species that are of international conservation importance and require protection. This protection is afforded in part through the designation of areas that represent significant examples of habitats that support populations of listed species within a European context (Natura 2000 sites). An area designated for bird species is classed as a Special Protection Area (SPA). An area designated for other protected species and habitats is classed as a Special Area of Conservation (SAC).

Bird species listed on Annex I of the Birds Directive (Special Conservation Interests (SCI) and habitats and/or species listed on Annexes I and II, respectively, of the Habitats Directive (Qualifying Interests) have full European protection in Natura 2000 sites. Species listed on Annex IV of the Habitats Directive are strictly protected wherever they occur, whether inside or outside the Natura 2000 network. Annex I habitats that occur outside of SACs are still considered to be of national and international importance and, under Regulation 27(4)(b) of the aforementioned regulations, the relevant planning authority has a duty to avoid the pollution or deterioration of these habitats.

The Habitats Directive requires competent authorities to carry out an AA of plans and projects that, alone and/or in combination with other plans and projects, are likely to have significant effects on Natura 2000 sites. This requirement is transposed into Irish law by Part 5: 42(1) of the aforementioned regulations. Conservation Objectives (COs) define, for each Natura 2000 site, what constitutes favourable conditions for each SCI/QI by describing broad targets that should be met if the conservation status of that SCI/QI is to be judged favourable.

1.4 Stages of an Article 6 Assessment

The European Commission's guidance (EC, 2001) promotes a staged process, as set out below, the need for each being dependent upon the outcomes of the preceding stage.

1. **Screening for Appropriate Assessment**
2. Appropriate Assessment
3. Assessment of Alternative Solutions
4. Assessment where no alternative solutions exist and adverse impacts remain, *i.e.* the IROPI (Imperative Reasons of Over-riding Public Interest) test, and compensatory measures.

The Habitats Directive promotes a hierarchy of avoidance, mitigation and compensatory measures. Stage 1 of the process is referred to as "Screening for Appropriate Assessment" and identifies whether the project is "likely to have a significant effect" upon any European site. Screening is undertaken without the inclusion of mitigation, unless potential impacts can clearly be avoided through standard best practice or the modification or redesign of the plan or project. If effects are considered significant, potentially significant or uncertain, or if the screening process becomes overly complicated, then the process triggers Stage 2 (AA) with provision of a Natura Impact Statement (NIS).

Stage 2 considers any potential impacts in greater detail including any mitigation measures (if necessary). If adverse impacts cannot be ruled out then the process continues to Stage 3 and assesses whether alternative solutions exist. If no alternatives exist and impacts on Natura 2000 sites are unavoidable, then a plan or project can only be implemented if there are imperative reasons of overriding public interest (IROPI), as detailed in Article 6(4).

1.5 Scope of the Screening for Appropriate Assessment

Stage 1: Screening for Appropriate Assessment has been prepared in accordance with current guidance (DoEHLG, 2010) and provides the information required to establish whether or not the proposed development is likely to have a significant impact on Natura 2000 sites in the context of their conservation objectives and, specifically, on the habitats and species for which they are designated. The Screening for AA includes the following details:

Description of the Project

- Location of the Project and distances from Qualifying Interests of Natura 2000 sites, including a map of the Project in relation to Natura 2000 boundaries;
- The size, scale, area of the Project in relation to Natura 2000 sites and projected level of activity, class of activity and frequency; and,
- Details of construction works including duration, materials and physical changes as detailed for the Project and any possible impacts that the proposed construction may have on the defining structure and function of the Natura 2000 sites.

Potential Impacts on Natura 2000 sites with respect to Conservation Objectives

- The impact of the proposed construction/operation on the defining structure and function of the Natura 2000.

Section 3.2.3 of the DoEHLG (2010) Guidance for Planning Authorities states that the specific approach to screening will depend on the scale of likely impacts of the plan or project, the sensitivities of the ecological receptors potentially affected and the potential for in combination effects, while cognisant of the precautionary principle (Section 2.5).

1.6 Main Sources of Consultation

- Department of Environment, Heritage and Local Government (DoEHLG) (2010) Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities;
- Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (Habitats Directive);
- European Communities (Birds and Natural Habitats) Regulations 2011 (SI No. 47/2011);
- National Parks & Wildlife Service (2013) The Status of EU Protected Habitats and Species in Ireland. Volume 2 & 3: Article 17 Assessments. Department of Arts, Heritage and Gaeltacht;
- Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities. Circular NPWS 1/10 & PSSP 2/10;
- European Commission Environment Directorate-General (2001) Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC;
- European Commission Environment Directorate-General (2000) Managing European Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC; and,

2.0 DESCRIPTION OF THE PROJECT

2.1 Background

The Project involves upgrading pedestrian and cycle facilities in the vicinity of Scoil Naomh Padraig and Coláiste Éanna in the Ballyroan area of South Dublin. There are approximately 1,000 students attending these two schools and many of these students already walk or cycle to school. The scheme aims to provide for high quality continuous and safe pedestrian and cycle provision to the schools from the north to provide for existing users and to encourage more students to walk or cycle to these two schools. The Project is not directly connected with or necessary for the management of any European site.

2.2 Location

The location of the Project is within the urban built environment of Ballyroan, Dublin. The site layout covers a narrow construction envelope of existing built surfaces and amenity. The layout north to south begins from Anne Devlin Park along an existing footpath running parallel to Marian Road to the pedestrian crossing at Ballyroan Road. The layout continues south along an existing footpath connecting Ballyroan Crescent at an existing pedestrian crossing. South of the pedestrian crossing is the main access road to Scoil Naomh Padraig and Coláiste Éanna. The proposed works will then extend north east between the main School building and Playing Fields along an existing footpath connecting the residential area of Hillside Park.

2.3 General Layout

2.3.1 Footpath and Cycle Way Works

The works entail the extension and resurfacing of existing built surfaces and associated cosmetic works (signage, lighting, stonework and bollards). The overall distance of works is c.637m from Anne Devlin Park to access to Hillside Park. New works for the Project will entail:

- New speed reducing traffic table at the junction of Anne Devlin Park with Marian Road
- Upgrading and realignment of the existing footpath to a new walking and cycling route from Anne Devlin Park to Ballyroan Road
- Upgrading of existing pedestrian crossing at Ballyroan Road to a Toucan Crossing on a raised table
- 2 new raised crossings at Ballyroan Road entrances into House Nos. 162-172 with reconstruction of existing footpath on Ballyroan Road
- Upgrading and realignment of the existing footpath to a new walking and cycling route from Ballyroan Road to Ballyroan Crescent including upgrading of existing access onto Ballyroan Road and upgrading and realignment of the existing access onto Ballyroan Crescent
- Provision of new raised table and zebra crossing on Ballyroan Crescent
- Upgrading of access road into Scoil Naomh Padraig and Coláiste Éanna from Ballyroan Crescent and through the grounds of Scoil Naomh Padraig to include widened shared pedestrian and cycle routes, narrowed vehicular carriageways, traffic calming tables and upgrading of existing vehicular and pedestrian accesses
- Realignment of existing car parking at Scoil Naomh Padraig
- Proposed new pedestrian and cycle way across the open space to the north of Scoil Naomh Padraig
- Proposed new vehicular and pedestrian entrance into Coláiste Éanna from the grounds of Scoil Naomh Padraig
- Proposed new car park in the grounds of Coláiste Éanna
- Proposed new bicycle shelter and parking compound in the grounds of Coláiste Éanna
- Upgrade of the existing pedestrian and cycle routes and entrances in the grounds of Coláiste Éanna
- New landscape works along the route.
- Provision of new public lighting, signage, associated drainage for the route and
- All ancillary works



Figure 1. Location of the Project

2.4 Proximity of Project to Natura 2000 Site(s)

ArcView software using Ordnance Survey maps and NPWS shapefiles, both of which are publicly available online, were used to identify the boundaries of Natura 2000 sites in proximity to the Project (Refer to Table 1 and Figure 2).

Section 3.2.3 of the Guidance for Planning Authorities (DoEHLG, 2010) states that defining the likely zone of impact for the screening and the approach used will depend on the nature, size, location and the likely effects of the Project. The key variables determining whether or not a particular Natura 2000 site is likely to be negatively affected by a project are: the physical distance from the Project to the site; the sensitivities of the ecological receptors and the potential for in-combination effects. The construction envelope for works is within the urban and built environment of Ballyroan.

A buffer zone of 2 km around the Site was considered as an adequate likely zone of impact considering the scope of the Project. It was determined that no Natura 2000 sites come within that zone (see Figure 2). It was determined that the nearest Natura 2000 site to the Project is Glenasmole Valley SAC.

Table 1. Proximity of Project to Natura 2000 sites.

Natura 2000 site	Site description	Closest proximity
Glenasmole Valley SAC [001209] Site area: 149.3ha (hectares)	Glenasmole Valley in south Co. Dublin lies on the edge of the Wicklow uplands, approximately 5 km from Tallaght. The River Dodder flows through the valley and has been impounded here to form two reservoirs which supply water to south Dublin. The non-calcareous bedrock of the Glenasmole Valley has been overlain by deep drift deposits which now line the valley sides. They are partly covered by scrub and woodland, and on the less precipitous parts, by a herb-rich grassland. There is much seepage through the deposits, which brings to the surface water rich in bases, which induces local patches of calcareous fen and, in places, petrifying springs.	The Glenasmole Valley SAC is nearest Natura 2000 site c.6.02km south west of the Project and outside the likely zone of impact.
South Dublin Bay and River Tolka Estuary SPA [004024] Site Area: 2,194ha	The South Dublin Bay and River Tolka SPA comprises a substantial part of Dublin Bay. It includes the intertidal area between the River Liffey and Dún Laoghaire, and the estuary of the River Tolka to the north of the River Liffey, as well as Booterstown Marsh. A portion of the shallow marine waters of the bay is also included.	The SPA is located 7.1 km north east of Ballyroan.
South Dublin Bay SAC [000210] Site Area: 742ha	The South Dublin Bay SAC lies to the south of the River Liffey and extends from the South Wall to the west pier at Dún Laoghaire. It is an intertidal site with extensive areas of sand and mudflats. The sediments are predominantly sands but grade to sandy muds near the shore at Merrion Gates. The main channel draining the area is Cockle Lake.	The SAC is located 7.1 km north east of Ballyroan

3.0 NATURA 2000 SITES

It was determined that no Natura 2000 sites exist within the likely zone of impact.

4.0 ASSESSMENT OF LIKELY SIGNIFICANT EFFECTS

4.1 Assessment Criteria

The assessment questions listed are sourced from best practice guidance (EC, 2001):

Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on the Natura 2000 site:

The works for the Project are located in an urbanised area of Dublin. The nearest Natura 2000 site is located 6km to the south west of the works. It is determined that no element of the Project is likely to have any effect on a Natura 2000 site.

Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the Natura 2000 site:

No Natura sites occur within the likely zone of impact. No element of the works will result in the loss, modification, fragmentation or disturbance of any Qualifying Interests or Special Conservation Interests of any Natura 2000 site. Nor will any element of the Project give rise to change in water resources or quality hydrologically connected to any Natura 2000 site.

Describe any likely significant changes to the site:

No element of the Project is likely to result in significant change to any Annex I habitat, cause a reduction in the area of any listed habitat within any Natura 2000 site or cause any direct or indirect damage to the physical quality of the environment within the site.

Describe any likely impacts on the Natura 2000 site as a whole:

No element of the Project will cause direct permanent or indirect damage to the size or characteristics of any Natura 2000 site.

Provide indicators of significance as a result of the identification of the effects above:

No Natura 2000 sites are within the likely zone of impact of the project.

Describe from the above those elements of the project or plan, or combination of elements, where the above impacts are likely to be significant or where the scale or magnitude of impacts is not known:

No element of the construction or operational phases of the Project has potential to affect the Conservation Objectives of any Natura 2000 site. The likely zone of impact (Table 1; Figure 1) demonstrates that there is certainty that no direct, indirect or cumulative impacts of construction works will result on any Natura 2000 site.

4.2 Consideration of Potential Cumulative Impacts

A key requirement of the Habitats Directive is to determine whether the Project is likely to have a significant effect when considered in combination with other plans and projects. The main driver for addressing plans in combination is to ensure that cumulative effects are captured. For example, the effects of a plan on water quality may be insignificant when considered alone, but when combined with the effects of increased pollution from other plans or projects, may lead to significant adverse impacts on site integrity. To that end, the “in-combination test” is about addressing “cumulative effects”.

Determining which plans and projects to consider requires a pragmatic approach given the nature and scale of development; proximity to Natura 2000; and the potential pathways of risk. Current best practice and available guidance suggests a staged approach, as follows:

- if it can be clearly demonstrated that the plan will not result in any effects at all that are relevant to European site integrity, then the plan should proceed without considering the in-combination test requirement in the Screening further; or,
- if there are identified effects arising from the plan, even if they are perceived as minor and not likely to have a significant effect on the European site alone, then these effects must be considered in combination with the effects arising from other plans and projects.

Elements of the Project that have individually been screened out as having no or inconsequential effects on any European site or because those elements are too general in nature do not require an in-combination assessment since, clearly, they will either have no cumulative effects or cumulative effects cannot be identified.

In the case of the Ballyroan and Old Orchard Walking and Cycling Scheme, the works do not provide for change which could lead to any conceivable effect on any European site. The Screening has not identified any element of the Project that, potentially acting directly or indirectly on QI/SCI, would undermine the Conservation Objectives for any European site. Therefore, an in-combination test is not required.

5.0 SCREENING CONCLUSION AND STATEMENT

On the basis of the screening assessment and application of the precautionary principle, indicators of significance show that there is no potential for localised short term or long term interference on any Natura 2000 site. It has been concluded that possible significant effects likely to arise from construction and operation of the Ballyroan and Old Orchard Walking and Cycling Scheme have been entirely screened out due to distance from any Qualifying Interests/Species of Conservation Interest and their respective Conservation Objectives.

No areas of habitats that are important for the survival of the qualifying interests within the Natura 2000 sites will be:

- Modified or fragmented, destroyed or isolated. No key biogeochemical processes necessary for the survival of the designated features will be impacted, directly or indirectly or in the short to long term.

No ecologically meaningful proportion of the qualifying interests of any Natura 2000 site will be:

- Seriously impacted (either through loss, damage or deterioration in water quality).

It can be objectively concluded that there are not likely to be significant effects on the Natura 2000 site(s) arising from the construction or operational phases of the Ballyroan and Old Orchard Walking and Cycling Scheme. Therefore, Stage 2: Appropriate Assessment will not be required to inform the project either alone or in combination with other plans or projects, with respect to any Natura 2000 site and its conservation objectives.

6.0 REFERENCES

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Eionet (2015) *Population status and trends at the EU and Member State levels: 2008-2012. Article 17 Assessments*. European Topic Centre on Biological Diversity. <http://bd.eionet.europa.eu/article17/> [Accessed 14 December 2015].

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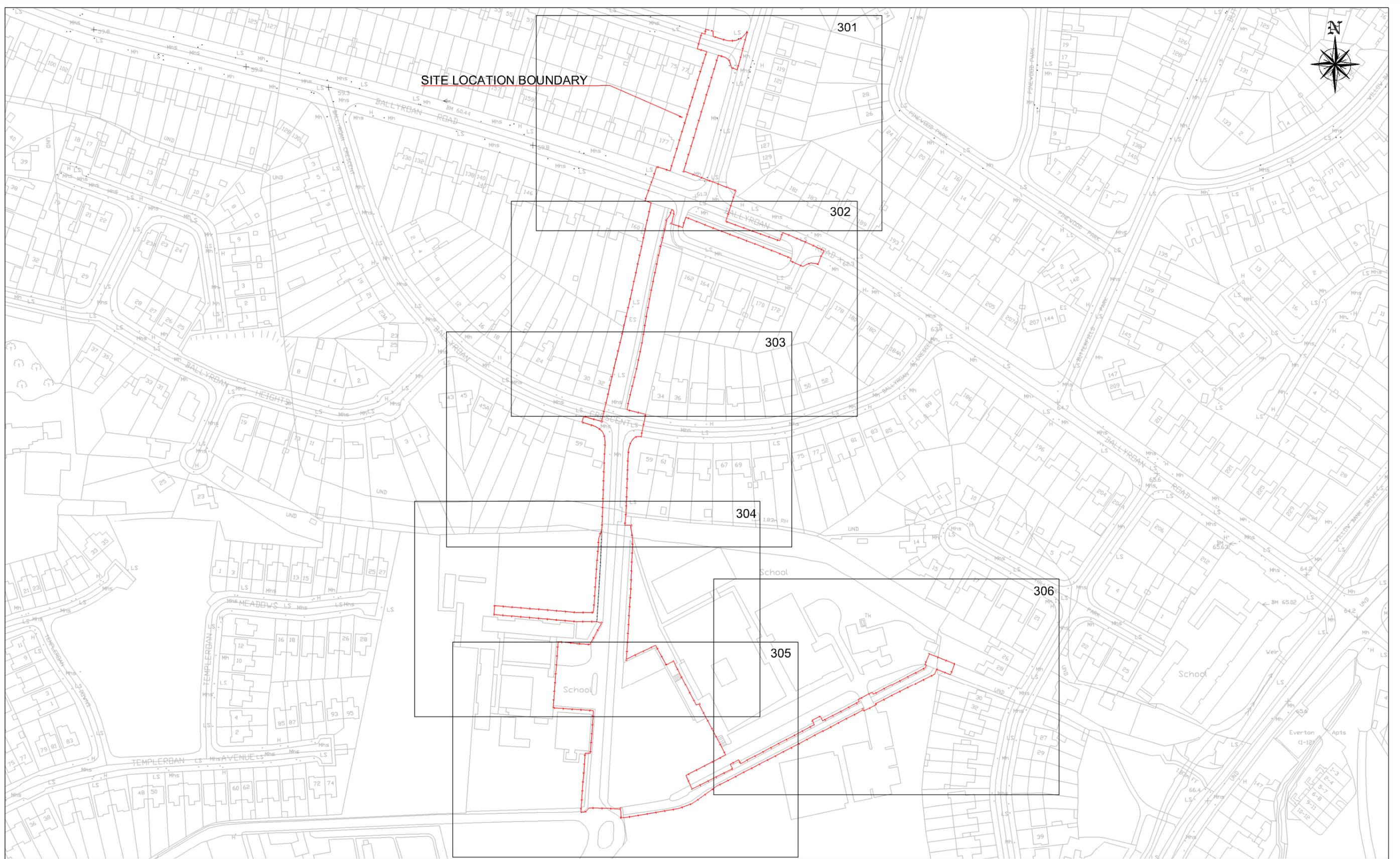
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APPENDIX A
Part 8 Drawings for the Project

SITE LOCATION BOUNDARY



No.	Revision	Date	By	Chkd	App'd
CE01					
CE02					
Stage	Date	Approved By			
PRELIMINARY	SMG				
CERTIFICATION					
CONSTRUCTION					
AS BUILT					

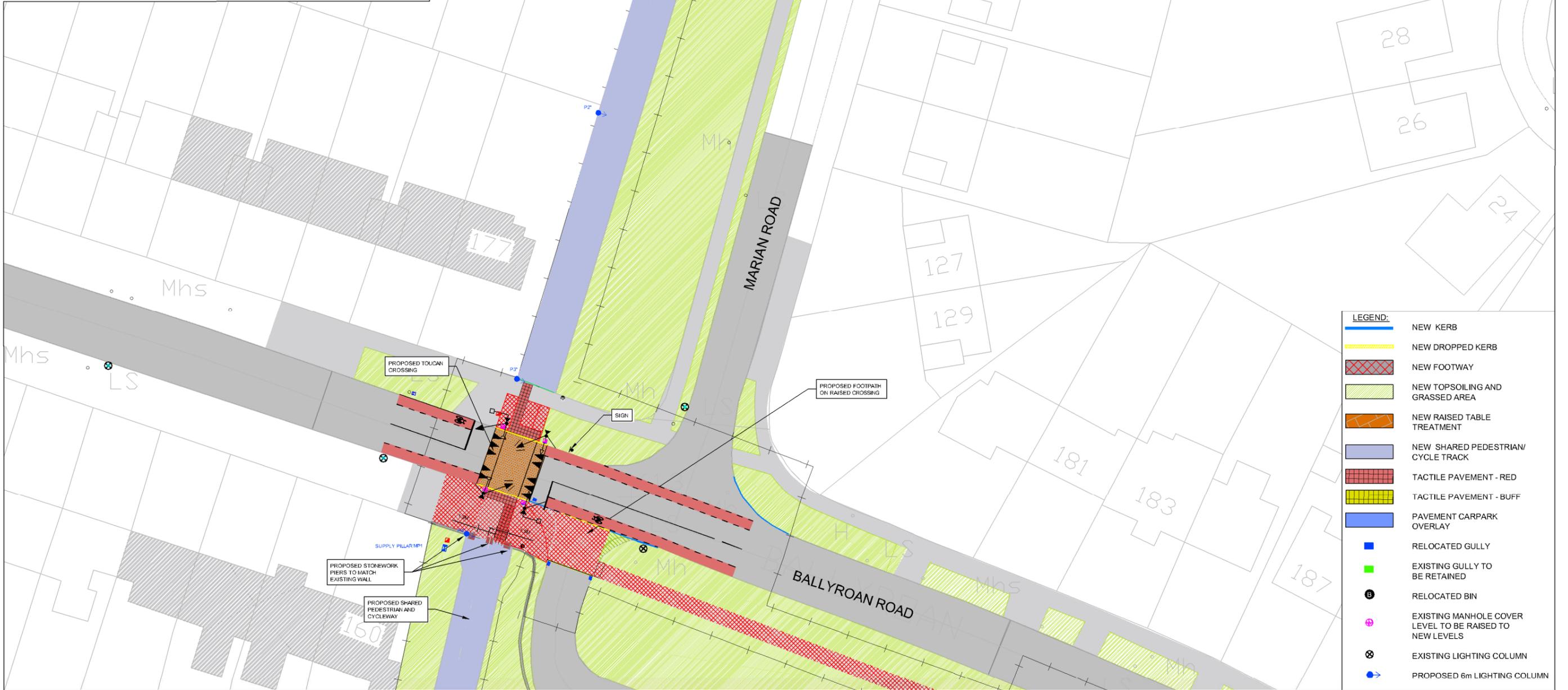
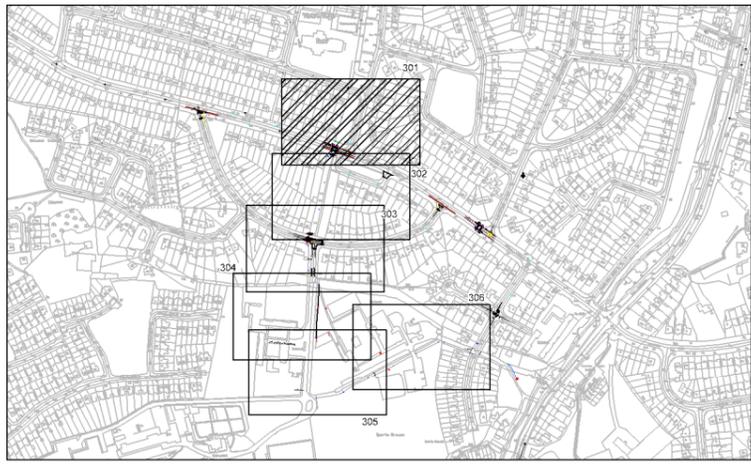
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**BALLYROAN AND OLD ORCHARD
 WALKING AND CYCLING SCHEME**

**PHASE 1 - SITE LOCATION &
 DRAWING SHEET NUMBERS**

Date: MARCH 2016	Job No: 14.204	Drawing No:	Rev:
Scale: 1:1000 (A1) 1:2000 (A3)	Drawn: DW	14204-101	T01



LEGEND:

	NEW KERB
	NEW DROPPED KERB
	NEW FOOTWAY
	NEW TOPSOILING AND GRASSED AREA
	NEW RAISED TABLE TREATMENT
	NEW SHARED PEDESTRIAN/CYCLE TRACK
	TACTILE PAVEMENT - RED
	TACTILE PAVEMENT - BUFF
	PAVEMENT CARPARK OVERLAY
	RELOCATED GULLY
	EXISTING GULLY TO BE RETAINED
	RELOCATED BIN
	EXISTING MANHOLE COVER LEVEL TO BE RAISED TO NEW LEVELS
	EXISTING LIGHTING COLUMN
	PROPOSED 6m LIGHTING COLUMN



No.	Revision	Date	By	Chkd	App'd
CE01					
CE02					

Stage	Date	Approved By
PRELIMINARY		
CERTIFICATION	SMG	
CONSTRUCTION		
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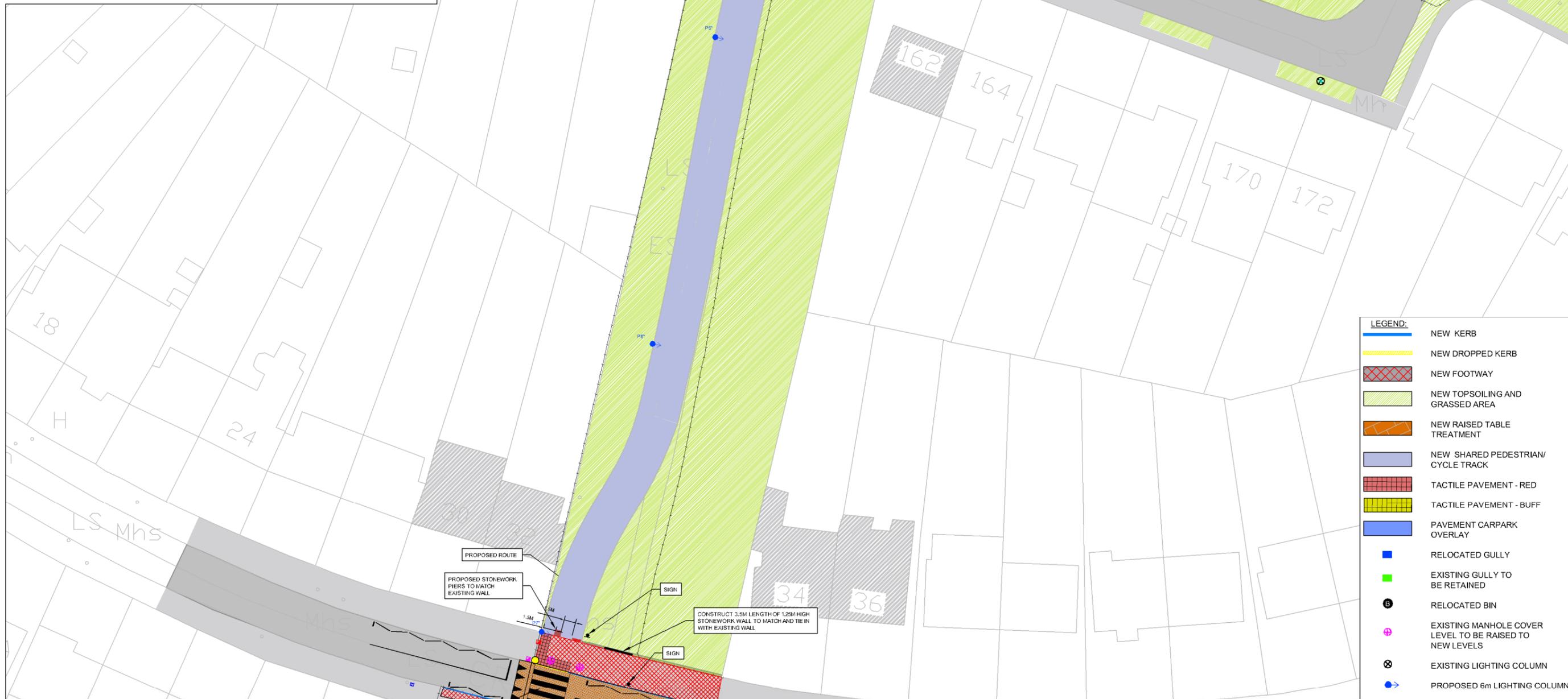
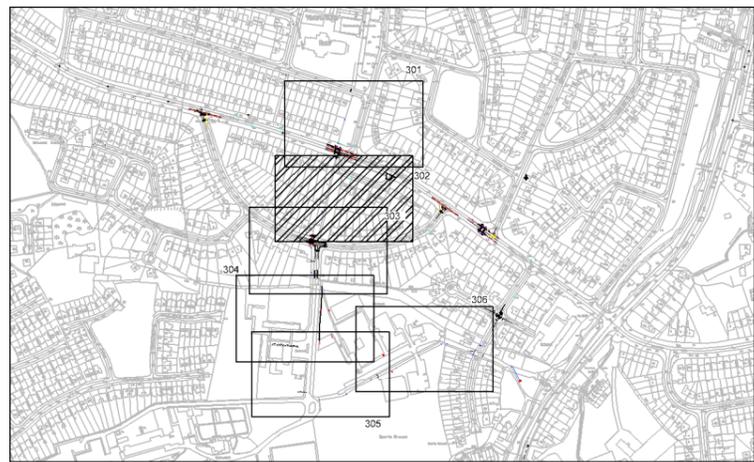
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**BALLYROAN AND OLD ORCHARD
 WALKING AND CYCLING SCHEME**

**PHASE 1 - FOOTPATH & CYCLE
 WAY WORKS - SHEET 1 OF 6**

Date: MARCH 2016	Job No: 14.204	Drawing No: 14204-301	Rev: T01
Scale: 1:500 @ A3	Drawn: DW		



LEGEND:

- NEW KERB
- NEW DROPPED KERB
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No.	Revision	Date	By	Chk'd	App'd
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CE02					

Stage	Date	Approved By
PRELIMINARY		
CERTIFICATION	SMG	
CONSTRUCTION		
AS BUILT		

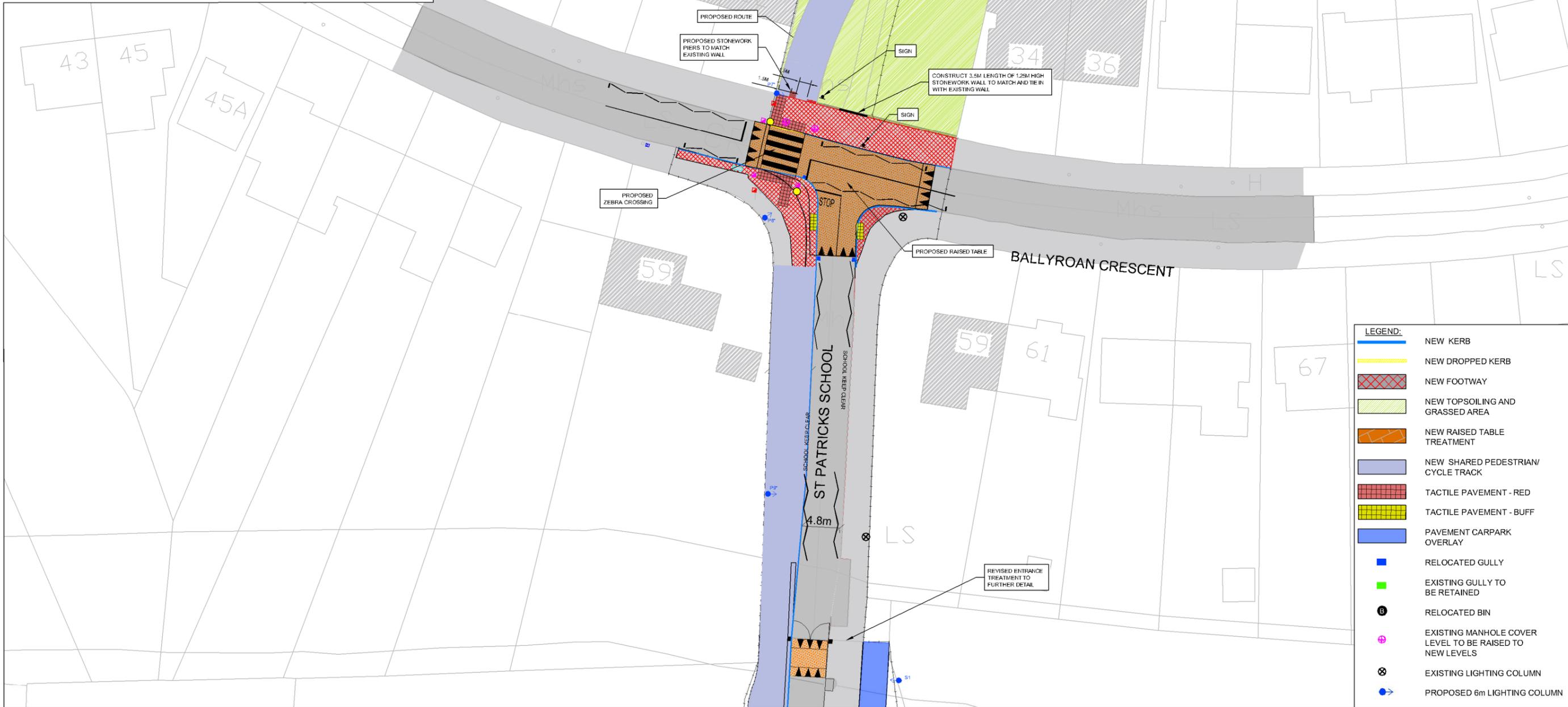
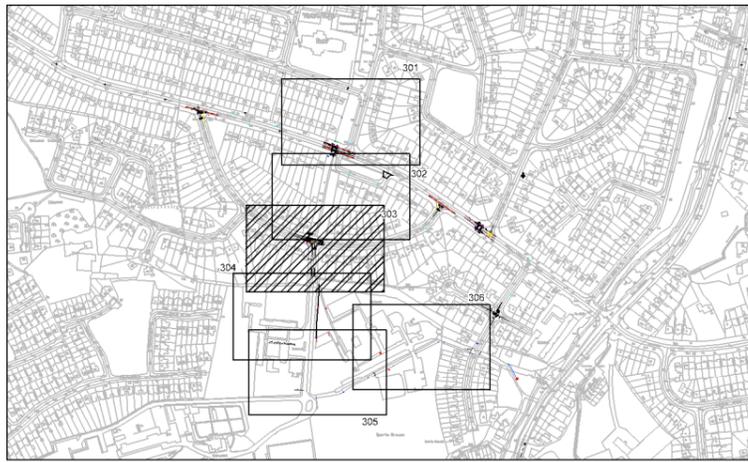
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**BALLYROAN AND OLD ORCHARD
 WALKING AND CYCLING SCHEME**

**PHASE 1 - FOOTPATH & CYCLE
 WAY WORKS - SHEET 2 OF 6**

Date: MARCH 2016	Job No: 14.204	Drawing No: 14204-302	Rev: T01
Scale: 1:500 @ A3	Drawn: DW		



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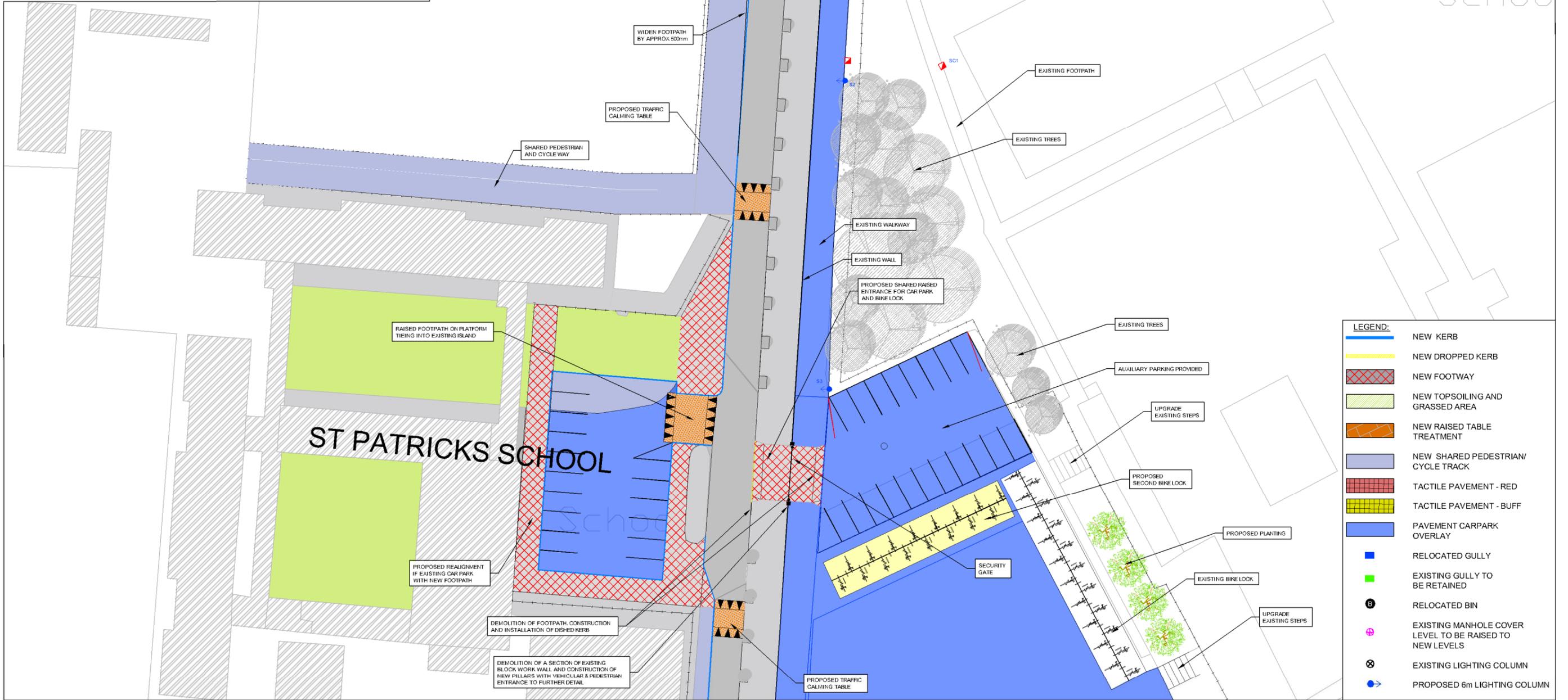
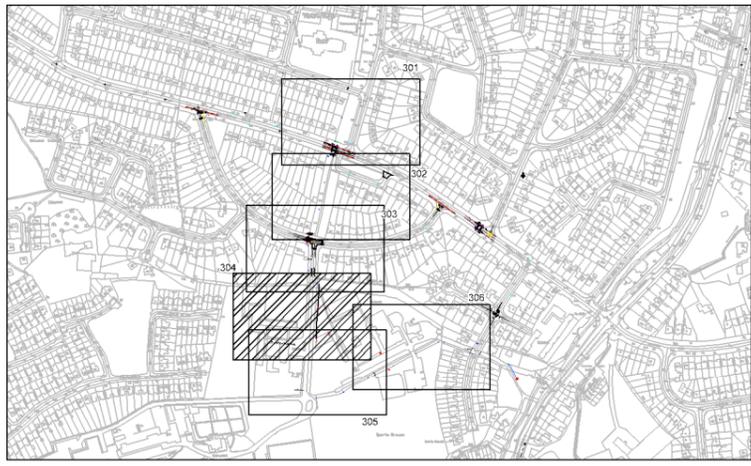
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**BALLYROAN AND OLD ORCHARD
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**PHASE 1 - FOOTPATH & CYCLE
 WAY WORKS - SHEET 2 OF 6**

Date: MARCH 2016	Job No: 14.204	Drawing No: 14204-303	Rev: T01
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CE02					

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AS BUILT		

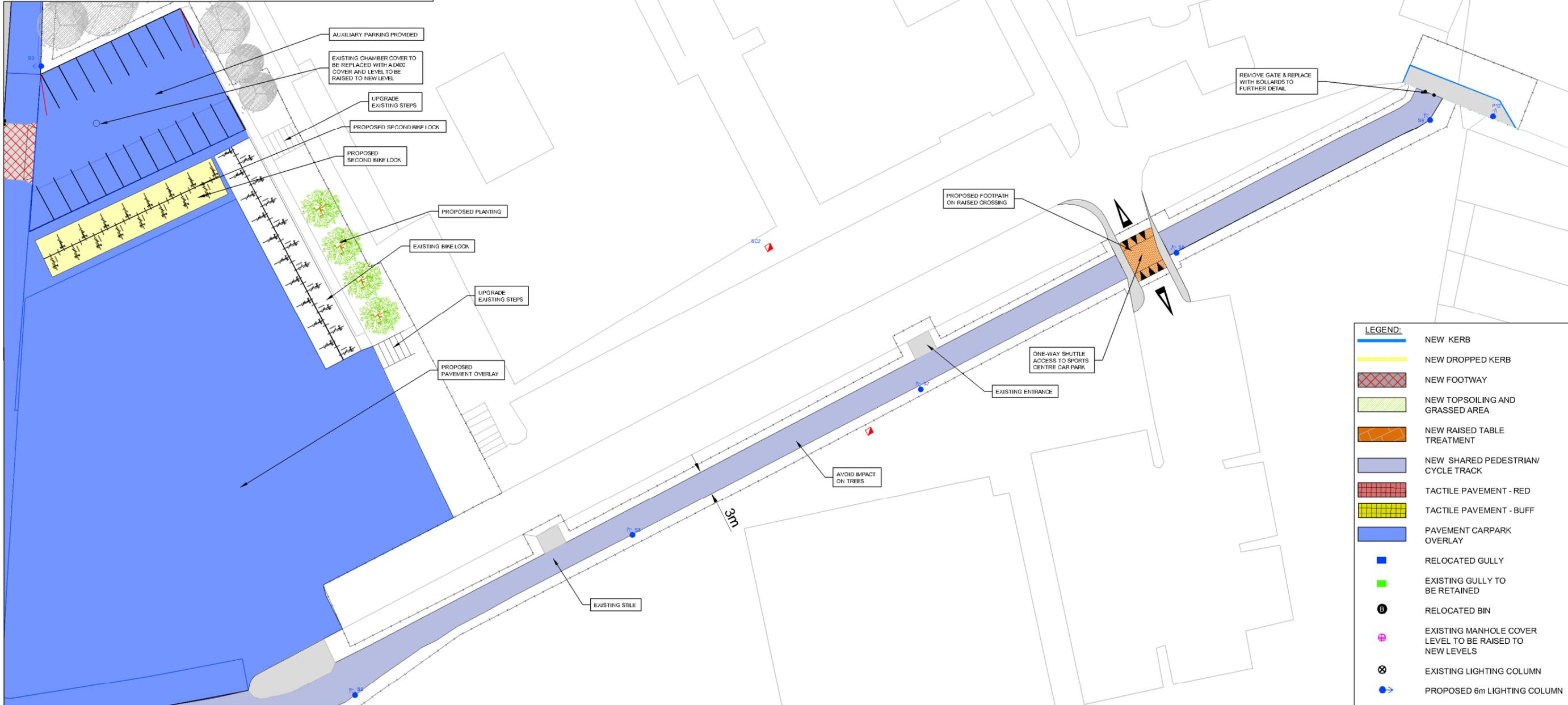
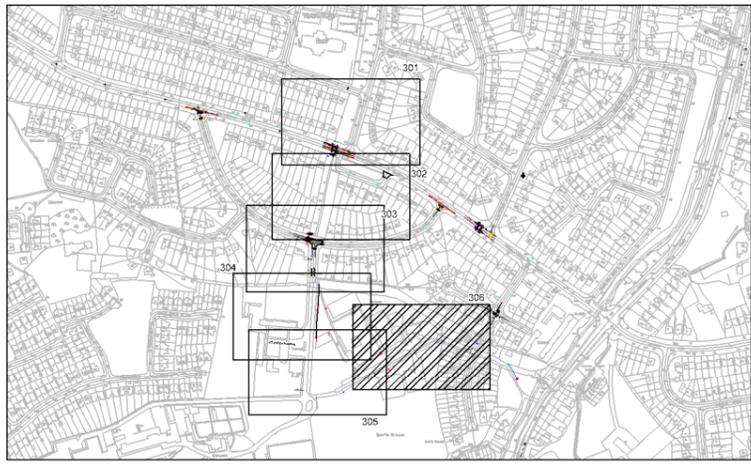


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**BALLYROAN AND OLD ORCHARD
WALKING AND CYCLING SCHEME**

**PHASE 1 - FOOTPATH & CYCLE
WAY WORKS - SHEET 4 OF 6**

Date: MARCH 2016	Job No: 14.204	Drawing No: 14204-304	Rev: T01
Scale: 1:500 @ A3	Drawn: DW		



LEGEND:

- NEW KERB
- NEW DROPPED KERB
- NEW FOOTWAY
- NEW TOPSOILING AND GRASSED AREA
- NEW RAISED TABLE TREATMENT
- NEW SHARED PEDESTRIAN/ CYCLE TRACK
- TACTILE PAVEMENT - RED
- TACTILE PAVEMENT - BUFF
- PAVEMENT CARPARK OVERLAY
- RELOCATED GULLY
- EXISTING GULLY TO BE RETAINED
- RELOCATED BIN
- EXISTING MANHOLE COVER LEVEL TO BE RAISED TO NEW LEVELS
- EXISTING LIGHTING COLUMN
- PROPOSED 6m LIGHTING COLUMN



No.	Revision	Date	By	Chkd	App'd
CE01					
CE02					
Stage	Date	Approved By			
PRELIMINARY	SMG				
CERTIFICATION					
CONSTRUCTION					
AS BUILT					

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**BALLYROAN AND OLD ORCHARD
 WALKING AND CYCLING SCHEME**

**PHASE 1 - FOOTPATH & CYCLE
 WAY WORKS - SHEET 6 OF 6**

Date: MARCH 2016	Job No: 14.204	Drawing No: 14204-306	Rev: T01
Scale: 1:500 @ A3	Drawn: DW		

