

COMHAIRLE CONTAE CHILL DARA

KILDARE COUNTY COUNCIL

Record of Executive Business and Chief Executive's Orders

**Planning and Development Act 2000 (as amended) – Part XAB
Planning and Development Regulations 2001 (as amended) – Part 8**

Proposed development at Andrew Halting Site, Fortbarrington Road, Athy, Co. Kildare

Appropriate Assessment (AA) Screening Determination

Pursuant to the requirements of the above, Kildare County Council is proposing the following

- The construction of 5 no. two storey houses featuring 4 no. five bedroom houses and 1 no. three bedroom house.
- The demolition of the existing single storey caretaker unit and the construction of 1 no. new single storey caretaker unit.
- The conversion of four existing semi-detached day houses and gardens into two detached day houses with gardens.

Boundary improvement works including:

- Removal of part of the boundary to the northeast of the existing site.
- Removal of existing evergreen trees at the eastern boundary.
- Removal of existing boundary railings which run parallel to the Fortbarrington Road and construction of new site boundary consisting of rendered masonry walls as well as railings.
- Removal of existing vehicular and pedestrian entrance walls and construction of new vehicular and pedestrian walls.

Site works will include:

- Undergrounding of existing services.
- New nature-based surface water drainage with surface water attenuation.
- New foul water drainage which will integrate with existing drainage.
- Extension of water, telecoms and electrical infrastructure.
- New street lighting.
- New Site landscaping.
- New boundary walls to enclose Proposed extended Site.
- Extension and upgrade of the existing access road to accommodate the proposed new dwellings.

Having regard to Article 6(3) of the Habitats Directive and Part XAB of the Planning and Development Act 2000 (as amended), the guidance contained in the document entitled "*Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities*" (published by the Department of Environment, Heritage and Local Government in 2009) and following an examination of the information provided in the *Appropriate Assessment Screening Report*, prepared by *Enviroguide*, Kildare County Council, as the Competent Authority, determines that the proposed development at the Ardrew Halting Site, Athy, individually or in combination with other plans and projects, does not have the potential to give rise to likely significant effects on European sites, their conservation objectives or integrity, and therefore does not require an Appropriate Assessment.

Key points in the determination –

- The linear distance to proposed development is approximately 0.46km from the River Barrow and River Nore SAC (002162)
- It has been determined that the Proposed Development may have a hydrological pathway to the nearby River Barrow and River Nore SAC (002162) during Construction phase.
- It has been determined that the proposed development may have a hydrological pathway to the nearby River Barrow and River Nore SAC (002162) during Construction phase.
- The AA Screening Report indicates that in exceptional circumstances, where surface water drains from the site due to the SuDS features and the attenuation tank being overloaded, this water will be pollution free due to the lack of pollution sources present during the operational phase of the proposed development and will not have a significant effect on the nearby River Barrow and River Nore SAC (002162).
- Any foul water exiting the site will be treated at the local Athy Waste Water treatment Plant and will not have any detrimental effects on the nearby River Barrow and River Nore SAC (002162).
- It has been determined that during construction phase, the development will have no significant effects on the River Barrow and River Nore SAC (002162) by way of a hydrogeological pathway.
- No indirect pathways (e.g., disruptions to migratory paths) were identified. There are no ex-situ habitats linked with the nearby River Barrow and River Nore SAC (002162) located within or adjacent to the boundary of the proposed site.
- The lack of potential for in-combination effects arising from other plans and projects.
- There are no SPAs in the vicinity of the site.

It is therefore highly improbable that a project of this nature and scale will have any measurable impact on the qualifying interests of Natura 2000 sites.

Therefore a Stage 2: Appropriate Assessment will not be required to inform the project appraisal either alone or in combination with other plans or projects, with respect to any Natura 2000 sites and their Conservation Objectives.

Signed:

Signed:



A/Senior Executive Planner

13/11/2024

Signed:



S. Willoughby
Senior Planner

14/11/2024

ORDER: That Kildare County Council as the Competent Authority, having considered the AA Screening Report prepared by Enviroguide, makes a determination that a Stage 2: Appropriate Assessment will not be required to inform the proposed development at the Andrew Halting Site, Athy, either alone or in combination with other plans or projects, with respect to any Natura 2000 sites and their Conservation Objectives.

Date: 15th November 2024



Chief Executive