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Appropriate Assessment Screening Report

PRESENTED TO

**Kildare County Council Architectural Department
Proposed Social Housing Development at 1
Maddenstown Terrace, The Curragh, Co. Kildare**

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1 INTRODUCTION

1.1 Background

Enviroguide Consulting was commissioned by Kildare County Council Architectural Department to prepare an Appropriate Assessment Screening Report for a Proposed Residential Development, entitled 'Proposed Social Housing Development' at 1 Maddenstown Terrace, The Curragh, Co. Kildare, hereafter referred to as 'Proposed Development' or 'Site', when referring to the application Site area. This report contains information to enable the Competent Authority to undertake Stage 1 Appropriate Assessment (AA) screening in respect of the Proposed Development.

1.2 Quality Assurance and Competence

Enviroguide Consulting is multi-disciplinary consultancy specialising in the areas of the Environment, Waste Management and Planning. All Enviroguide consultants carry scientific or engineering qualifications and have a wealth of experience working within the Environmental Consultancy sectors, having undergone extensive training and continued professional development.

Enviroguide Consulting as a company remains fully briefed in European and Irish environmental policy and legislation. Enviroguide staff members are highly qualified in their field. Professional memberships include the Chartered Institution of Wastes Management (CIWM), the Irish Environmental Law Association and Chartered Institute of Ecology and Environmental Management (CIEEM).

All reporting has been carried out by qualified and experienced ecologists and environmental consultants. WMC, Ecologist with Enviroguide, undertook the desktop research and authored this report.

WMC has a B.Sc. in Applied Freshwater and Marine Biology from Galway-Mayo Institute of Technology. WMC has four years of experience in ecological surveying and in this time, has covered a wide range of ecological topics including ornithological surveying, bat surveying, badger surveying/exclusions, otter surveying, macroinvertebrate surveying and habitat surveying among others. WMC has also completed the field and report work of numerous planning surveys including Preliminary Ecological Appraisals (PEA), Appropriate Assessment (AA), Natura Impact Statement (NIS) and Ecological Clerk of Works (ECoW) surveys.

1.3 Description of Proposed Development

1.3.1 Site Location

The Proposed Development is located in the small settlement of Strokestown, Co. Kildare and is situated on the Maddenstown Terrace Road. This road meets with the French Furze Road a short distance north of the Site. The French Furze Road runs in a west – east direction. The closest settlements to the Proposed Site are Kildare Town, c. 3.77km to the northwest, and Curragh Camp, c. 1km to the northeast. The Proposed Development is situated within the townland of Maddenstown North (see Figure 1).

1.3.2 Proposed Development Description

The Proposed Development is comprised of the following:

- Demolition of unauthorized 2 storey rear extension.
- Construction of a new single storey rear extension and internal alterations, retro-fit fabric upgrades to the existing dwelling.
- Boundary walls including - new 2.1m high rear garden walls, new masonry bin store to the front garden.
- Associated site development works.

1.3.3 Drainage and Water Supply

1.3.3.1 Surface water

Surface water arising in the Proposed Site will drain from the yard areas to the rear and the front of the Proposed Development. There are 2 no. proposed rain gardens proposed for the Development with one in the rear yard and one in the front, both of which will be connected to the surface water drainage. Surface water overflowing from the Site will flow to the surface water network beneath the Maddenstown Terrace Road. Surface water during exceptional rainfall events will overflow to a field within Curragh Camp, located c. 1.8km east of the Proposed Development. Otherwise, during normal weather conditions, the surface water will be treated at Upper Liffey Valley WwTP (Figure 2).

1.3.3.1.1 SUDS

1.3.3.1.1.1 Raingarden

The Proposed Development will feature 2 no. raingardens in the rear and front yards of the Proposed Development. The raingardens will help to absorb part of the rainwater on Site, percolating it to ground and therefore assisting in the prevention of overloading the surface water network.

1.3.3.2 Foul Drainage

Foul water will flow from the kitchen and bathroom areas located approximately in the centre of the Proposed Development. Foul water will drain towards the alleyway to the east of the Proposed Development where it will connect with the main foul drainage network. This foul drainage network flows to the Upper Liffey Valley WwTP for treatment.

Upper Liffey Valley WwTP is currently running under capacity and is compliant with the Water Framework Directive (WFD). The capacity of the Upper Liffey Valley WwTP is not foreseen to be exceeded between 2022-2025 and the discharge from the wastewater treatment plant does not have an observable negative impact on the Water Framework Directive status (Uisce Éireann, 2022)



FIGURE 1. SITE LOCATION.

2 LEGISLATIVE AND POLICY CONTEXT

2.1 Legislative Background

The Habitats Directive (92/43/EEC) seeks to conserve natural habitats and wild fauna and flora by the designation of Special Areas of Conservation (SACs) and the Birds Directive (2009/147/EC) seeks to protect birds of special importance by the designation of Special Protection Areas (SPAs). The Habitats Directive has been transposed into Irish law through the EC (Birds and Natural Habitats) Regulations 2011 (SI 477 of 2011).

It is the responsibility of each Member State to designate SPAs and SACs, both of which will form part of the Natura 2000 Network, a network of protected sites throughout the European Community. These designated sites are referred to as “Natura 2000 sites” or “European sites”. SACs are selected for the conservation of Annex I habitats (including priority types which are in danger of disappearance) and Annex II species (other than birds). SPAs are selected for the conservation of Annex I birds and other regularly occurring migratory birds and their habitats. The annexed habitats and species for which each site is selected correspond to the Qualifying Interests (QIs) and Special Conservation Interests (SCIs) of the sites; from these the conservation objectives of the site are derived.

An AA is a required assessment to determine the likelihood of significant effects, based on best scientific knowledge, of any plans or projects on European sites. A screening for AA determines whether a plan or project, either alone or in combination with other plans and projects, is likely to have significant effects on a European site, in view of its conservation objectives.

This AA Screening has been undertaken to determine the potential for significant effects on relevant European sites. The purpose of this assessment is to determine, the appropriateness, or otherwise, of the Proposed Development in the context of the conservation objectives of such sites.

2.1.1 Legislative Context

The obligations in relation to Appropriate Assessment have been implemented in Ireland under Part XAB of the Planning and Development Act 2000, as amended (“the 2000 Act”), and in particular Section 177U and Section 177V thereof. The relevant provisions of Section 177U in relation to AA screening have been set out below:

“177U.— (1) A screening for appropriate assessment of a draft Land use plan or application for consent for proposed development shall be carried out by the competent authority to assess, in view of best scientific knowledge, if that Land use plan or proposed development, individually or in combination with another plan or project is likely to have a significant effect on the European site.

(2)...

(3)...

(4) The competent authority shall determine that an appropriate assessment of a draft Land use plan or a proposed development, as the case may be, is required if it cannot be excluded, on the basis of objective information, that the draft Land use plan or proposed development,

individually or in combination with other plans or projects, will have a significant effect on a European site.

(5) The competent authority shall determine that an appropriate assessment of a draft Land use plan or a proposed development, as the case may be, is not required if it can be excluded, on the basis of objective information, that the draft Land use plan or proposed development, individually or in combination with other plans or projects, will have a significant effect on a European site.”

An Appropriate Assessment is required under Article 6 of the Habitats Directive where a project or plan may give rise to significant effects upon a European site. Paragraph 3 states that:

“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 subject to appropriate assessment of its implications for the site, in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.”

According to the ruling delivered in open court in Luxembourg on 15th June 2023 regarding the interpretation of Article 6(3) of Directive 92/43, the Article must be interpreted as meaning that:

“In order to determine whether it is necessary to carry out an appropriate assessment of the implications of a plan or project for a site, account may be taken of the features of that plan or project which involve the removal of contaminants and which therefore may have the effect of reducing the harmful effects of the plan or project on that site, where those features have been incorporated into that plan or project as standard features, inherent in such a plan or project, irrespective of any effect on the site”.

As such, standardised embedded mitigation (such as the use of Sustainable Drainage Systems (SuDS) in large-scale residential developments), that are incorporated into the design of a proposal or project and which may result in a reduction of effects impacting European sites, but where the primary reason of the embedded mitigation is not to protect a European site, are permitted for consideration during the undertaking of AA.

2.2 Policy Context

2.2.1 Kildare County Development Plan

Policies and objectives of the Kildare County Development Plan 2023 – 2029 that are of relevance to this Screening Report are outlined below:

- Policy 2: Seek to contribute to maintaining or restoring the conservation status of all sites designated for nature conservation or proposed for designation in accordance with European and national legislation and agreements. These include Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Natural Heritage Areas (NHAs), Ramsar Sites and Statutory Nature Reserves.

- Objective 6: Apply the precautionary principle in relation to proposed developments in environmentally sensitive areas to ensure that all potential adverse impacts on a designated NHA or Natura 2000 Site arising from any proposed development or land use activity are avoided, remedied, or mitigated.
- Objective 8: Support the implementation of the National Raised Bog Special Areas of Conservation Management Plan 2017-2022.
- Objective 9: Avoid development that would adversely affect the integrity of any Natura 2000 site and promote favourable conservation status of habitats and protected species including those listed under the Birds Directive, the Wildlife Acts and the Habitats Directive, to support the conservation and enhancement of Natura 2000 Sites including any additional sites that may be proposed for designation during the period of this Plan and protect the Natura 2000 network from any plans and projects that are likely to have a significant effect on the coherence or integrity of a Natura 2000 Site.
- Objective 10: Ensure an Appropriate Assessment Screening, in accordance with Article 6(3) and Article 6(4) of the Habitats Directive, Section 177A of the Planning and Development Act (2001-2022) or any superseding legislation and with DEHLG guidance (2009), is carried out in respect of any plan or project not directly connected with or necessary to the management of a Natura 2000 site to determine the likelihood of the plan or project having a significant effect on a Natura 2000 site, either individually or in combination with other plans or projects and to ensure that projects which may give rise to significant cumulative, direct, indirect or secondary impacts on Natura 2000 sites will not be permitted (either individually or in combination with other plans or projects) unless for reasons of overriding public interest.
- Objective 11: Support the establishment of conservation measures and the preparation and implementation of management plans for the conservation of Natura 2000 sites by NPWS, as required by Article 6(1) of the Habitats Directive. Action 7: Identify and provide appropriate buffer zones between Designated Sites and areas zoned for development.
- Action 8: Work with the National Parks and Wildlife Service to identify an appropriate buffer surrounding Pollardstown Fen, based on best available scientific information, in order to protect the ecological integrity of the Fen as a pNHA and SAC and to prevent urban encroachment and environmental degradation of the site in order to support the qualifying interests of the site.

2.2.2 Kildare Biodiversity Action Plan

Kildare County Biodiversity Action Plan is set out to protect and improve biodiversity through certain objectives as outlined below:

- Objective 1: To facilitate the collection and dissemination of heritage information.
- Objective 2: To raise public awareness, understanding and appreciation of County Kildare's heritage.
- Objective 3: To promote best practice in heritage conservation and management.
- Objective 4: To inform policy and provide advice to Kildare local authorities.

2.3 Stages of Appropriate Assessment

This AA Screening Report (the 'Screening Report') has been prepared by Enviroguide Consulting. It considers whether the Proposed Development is likely to have a significant effect on a European site and whether a Stage 2 AA is required.

The AA process is a four-stage process. Each stage requires different considerations, assessments and tests to ultimately arrive at the relevant conclusion for 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.

The four stages of an AA, can be summarised as follows:

- **Stage 1: Screening.** The Screening for AA considers whether a plan or project is directly connected to or necessary for the management of a European site, or whether a plan or project, alone or in combination with other plans and projects, is likely to have significant effects on a European site in view of its conservation objectives.
- **Stage 2: Natura Impact Statement (NIS).** Where Stage 1 determines that significant effects are likely, uncertain or unknown, the preparation of a NIS is required. The NIS must include a scientific examination of evidence and data to classify potential impacts on any European site(s) in view of their conservation objectives in the absence of mitigation. The NIS will identify appropriate mitigation to remove the potential for likely significant adverse effects on any European site(s). If the competent authority determines that the plan or project would have an adverse effect on the integrity of any European site(s) despite mitigation, it can only grant consent after proceeding through stages 3 and 4.
- **Stage 3: Assessment of alternative solutions.** If the outcome of Stage 2 is negative i.e., adverse impacts to the sites cannot be scientifically ruled out, despite mitigation, the plan or project should proceed to Stage 3 or be abandoned. This stage examines alternative solutions to the proposal.
- **Stage 4: Assessment where no alternative solutions exist and where adverse impacts remain.** The final stage is the main derogation process examining whether there are imperative reasons of overriding public interest (IROPI) for allowing a plan or project to adversely affect a European site, where no less damaging solution exists.

The Habitats Directive promotes a hierarchy of avoidance, mitigation, and compensatory measures. First the project should aim to avoid any negative effects on European sites by identifying possible effects early in the planning stage and designing the project to avoid such effects. Second, mitigation measures should be applied, if necessary, during the AA process to the point where no adverse impacts on the site(s) remain. If the project is still likely to result in adverse effects, and no further practicable mitigation is possible, a refusal for planning permission may be recommended. In this case, the project will generally only be considered where no alternative solutions are identified and the project is required for IROPI, or, in the case of priority habitats, considerations of health or safety, or beneficial consequences of primary importance for the environment or to other IROPI. Then compensation measures are required for any remaining adverse effects.

3 AA SCREENING METHODOLOGY

3.1 Guidance

This Screening Report has been undertaken in accordance with the following guidance:

- *Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities.* (Department of Environment, Heritage and Local Government, 2010 revision);
- *Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities.* Circular NPW 1/10 & PSSP 2/10;
- *Communication from the Commission on the precautionary principle* (European Commission, 2000);
- *Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC* (European Commission, 2019);
- *Assessment of plans and projects in relation to Natura 2000 sites - Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC* Brussels, 28.9.2021 C (European Commission, 2021); and
- *Appropriate Assessment Screening for Development Management, OPR Practice Note PN01, Office of the Planning Regulator March 2021.*

3.2 Screening Steps

Screening for AA involves the following steps:

- Establish whether the plan or project is directly connected with or necessary for the management of a European site;
- Description of the baseline existing environment at the Site of the Proposed Development;
- Identification of relevant European site(s) potentially affected;
- Identification and description of potential effects on the relevant European site(s);
- Assessment of the likely significance of the effects identified on the relevant European site(s);
- Description and characterisation of other projects or plans that in combination with the Proposed Development have the potential for having significant effects on the European site; and
- Exclusion of sites where it can be objectively concluded that there will be no significant effects.

It should be noted that any targeted ecological mitigation measures and/or measures intended or included for the purposes of avoiding adverse effects arising as a result of the Proposed Development on any European site **have not been considered** as part of this Screening Report.

3.3 Desk Study

A desktop study was carried out in August 2024 to collate and review available information, datasets and documentation sources relevant for the completion of this Screening Report. The desktop study relied on the following sources:

- Information on the network of European Sites, boundaries, QIs and conservation objectives, obtained from the National Parks and Wildlife Service (NPWS) at www.npws.ie;
- Text summaries of the relevant European sites taken from the respective Standard Data Forms (available at <https://natura2000.eea.europa.eu/>) and Site Synopses (available at www.npws.ie);
- Information on waterbodies, catchment areas and hydrological connections obtained from the Environmental Protection Agency (EPA) at www.gis.epa.ie;
- Information on bedrock, groundwater, aquifers and their statuses, obtained from Geological Survey Ireland (GSI) at www.gsi.ie;
- Satellite imagery and mapping obtained from various sources and dates including Google, Digital Globe, Bing and Ordnance Survey Ireland; and
- Information on the existence of permitted developments, or developments awaiting decision, in the vicinity of the Proposed Development from the Kildare County Council online planning database (KildareCoCo, 2024) and the National Planning Database (DHLGH, 2023).

For a complete list of the documents consulted as part of this assessment, see *Section 6 References*.

3.4 Identification of Relevant European sites

The Zone of Influence (ZOI) for a project is the area over which ecological features may be affected by changes as a result of a development and associated activities. This is likely to extend beyond the development site, for example where there are ecological or hydrological links beyond the site boundaries (CIEEM, 2018). Furthermore, ZOI in relation to European sites is described as follows in the 'OPR Practice Note PN01 - Appropriate Assessment Screening for Development Management' (OPR, 2021):

“The 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 15 km).”

Thus, to identify the European sites that potentially lie within the ZOI of the Proposed Development, a Source-Path-Receptor (S-P-R) method was adopted, as described in OPR PN01 (OPR 2021). This note was published to provide guidance on screening for AA during the planning process, and although it focuses on the approach a planning authority should take in screening for AA, the methodology is also readily applied in the preparation of Screening Reports such as this.

The relevant European sites were identified based on the following:

- Identification of potential sources of effects based on the Proposed Development description and details, including changes to potentially suitable ex-situ habitats at the Site (i.e., habitats utilised by SCI bird species outside of their designated SPAs);
- Use of up-to-date GIS spatial datasets for European designated sites and water catchments – downloaded from the NPWS website (www.npws.ie) and the EPA website (www.epa.ie) to identify European sites which could potentially be affected by the Proposed Development; and
- Identification of potential pathways between the Site of the Proposed Development and any European sites within the ZOI of any of the identified sources of effects.
 - The catchment data were used to establish or discount potential hydrological connectivity between the Proposed Development and any European sites.
 - Groundwater and bedrock information used to establish or discount potential hydrogeological connectivity between the Proposed Development and any European sites.
 - Air and land connectivity assessed based on Proposed Development details and proximity to European sites.
 - Consideration of potential indirect pathways, e.g., impacts to flight paths, *ex-situ* habitats, etc.
- Defining the likely ZOI based on the identified sources of effects and potential pathways between the Proposed Development and any European sites.

3.5 Assessment of Significant Effects

The conservation objectives of the European sites identified to lie within the ZOI were reviewed and assessed in order to establish whether the construction and operation of the Proposed Development has the potential to have a negative impact on any of the QIs and/or conservation objectives listed for the site.

The assessment framework is taken from the best practice guidelines issued by the European Commission, i.e., “*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*”.

The potential for significant effects that may arise from the Proposed Development was considered through the use of key indicators:

- Habitat loss or alteration.
- Habitat/species fragmentation.
- Disturbance and/or displacement of species.
- Changes in population density.
- Changes in water quality and resource.

In addition, information pertaining to the conservation objectives of the European sites, the ecology of the designated habitats and species and known or perceived sensitivities of the habitats and species were considered.

3.6 Limitations

No limitations were encountered which would prevent robust conclusions being drawn as to the potential impacts of the Proposed Development on the relevant European sites.

4 STAGE 1 SCREENING ASSESSMENT

4.1 Existing Environment

4.1.1 Desk Study Results

4.1.1.1 Hydrology, Geology and Hydrogeology

The Site is located in the Barrow catchment (catchment I.D 14) and in the Barrow_SC_060 sub-catchment (sub-catchment I.D.14_18) (EPA, 2024).

The closest watercourse to the Proposed Development is the Sheshoon Stream and is located c. 2.2km south. The Sheshoon Stream continues until it flows into the Ballysax Stream c. 4.8km south of the Proposed Development. The Ballysax Stream meets the Kildoon Stream c.6.5km south of the Proposed Development. All aforementioned watercourses are categorised under Kildoon Stream catchment (EU code: IE_SE_14K270950) for WFD purposes. The Kildoon Stream catchment holds a 'moderate' WFD status and is currently 'under review' in regards to achieving it's WFD objectives (EPA, 2024).

The Kildoon Stream merges with the Tully Stream (IE_SE_14T020600) c. 12.2km southwest of the Proposed Development. This stream holds a 'moderate' WFD status and is currently 'at risk' of failing to achieve it's WFD objectives (EPA, 2024).

The Tully Stream continues until it reaches the River Barrow (IE_SE_14B011500) c. 16.6km southwest of the Site. The River Barrow holds a 'good' WFD status and is currently 'not at risk' of failing to achieve it's WFD objectives (EPA, 2024).

The River Barrow continues on from it's confluence with the Tully Stream for a substantial distance where it discharges into the Upper Barrow Estuary (IE_SE_100_0300) c. 77km south of the Proposed Development. The Upper Barrow Estuary holds a 'moderate' WFD status and is currently 'at risk' of failing to achieve it's WFD objectives (EPA, 2024).

Following on from the Upper Barrow Estuary, the sequence of transitional watercourses continues, including the Barrow Nore Estuary Upper (IE_SE_100_0250) (80km south of Proposed Development), New Ross Port (IE_SE_100_0200) (84km south), Lower Suir Estuary (Little Island - Cheekpoint) (IE_SE_100_0500) (97km south) and Barrow Suir Nore Estuary (IE_SE_100_0100) (97km south) with all of the aforementioned transitional waterbodies holding a 'moderate' WFD status and being currently 'at risk' of failing to achieve their WFD objectives (EPA, 2024).

All aforementioned waterbodies drain into the Waterford Harbour Coastal Waterbody (IE_SE_100_0000) (106km south) which holds a 'moderate' WFD status and is currently 'at risk' of failing to achieve its WFD objectives (EPA, 2024).

There are no Q-values available due to the lack of applicable water quality monitoring stations on the nearby Kildoon Stream catchment. The closest Q-value on this watercourse is over 10km downstream.

There are no total ammonia or ortho-phosphate values currently available for the waterbody closest to the Proposed Development; the Kildoon Stream catchment.

The Site of the Proposed Development is situated on the Curragh Gravels West (IE_SE_G_133) groundwater body. The bedrock aquifer identified beneath the Site is mapped as 'Regionally Important Aquifer - Karstified (diffuse)' (GSI, 2024).

The Groundwater Vulnerability Rating assigned to groundwater beneath the Site is mapped as 'High' (H) (GSI, 2024).

The soil beneath the Site is mapped as 'Made Ground' (GSI, 2024).

The quaternary sediments beneath the Site are mapped as Gravels derived from Limestones (GSI, 2024).

The Waterbody Status for river, groundwater, transitional and coastal water bodies relevant to the Site as recorded by the EPA (2022) in accordance with European Communities (Water Policy) Regulations 2003 (SI no. 722/2003) are provided in Table 1.

TABLE 1. WFD RISK AND WATER BODY STATUS

Waterbody Name	Water body; EU code	Location from Site	Distance from Site (km)	WFD water body status (2016-2021)	WFD 3 rd cycle Risk Status	Hydraulic Connection to the Site
Surface Water Bodies						
Sheshoon Stream	IE_SE_14K2 70950	South	2.1	Moderate	Under Review	Closest waterbody to the Proposed Development. Hydrological connection unlikely due to topography and distance of 2.1km between the Proposed Site and the nearest waterbody; the Sheshoon Stream.
Ballysax Stream			4.8			The Ballysax Stream is located downstream of the Sheshoon Stream.
Kildoon Stream			6.5			The Kildoon Stream is located downstream of the Ballysax Stream.
Tully Stream	IE_SE_14T0 20600	Southwest	12.2	Good	At Risk	The Tully Stream is located downstream of the Kildoon Stream.
River Barrow	IE_SE_14B0 11500		16.6		Not at Risk	The River Barrow is located downstream of the Tully Stream.
Transitional Water Bodies						
Upper Barrow Estuary	IE_SE_100_0300	South	77	Moderate	At Risk	Upper River Barrow is located downstream of the River Barrow.

Waterbody Name	Water body; EU code	Location from Site	Distance from Site (km)	WFD water body status (2016-2021)	WFD 3 rd cycle Risk Status	Hydraulic Connection to the Site
Barrow Nore Estuary Upper	IE_SE_100_0250	South	80			Barrow Nore Estuary Upper is located downstream of the Upper Barrow Estuary.
New Ross Port	IE_SE_100_0200	South	84			New Ross Port is located downstream of the Barrow Nore Estuary Upper.
Lower Suir Estuary (Little Island - Cheekpoint)	IE_SE_100_0500	South	97			Lower Suir Estuary (Little Island - Cheekpoint) is located downstream of New Ross Port.
Barrow Suir Nore Estuary	IE_SE_100_0100	South	97			Barrow Suir Nore Estuary is located downstream of Lower Suir Estuary (Little Island - Cheekpoint)
Coastal Water Bodies						
Waterford Harbour	IE_SE_100_0000	South	106	Moderate	At Risk	Barrow River system discharges to Waterford Harbour.
Groundwater Bodies						
Curragh Gravels West Groundwater Body	IE_SE_G_133	N/A	N/A	Good	Not at Risk	Underlying groundwater-body

4.2 Identification of Relevant European Sites

4.2.1 Potential Sources of Impacts

The Proposed Development is not directly connected with or necessary to the management of European sites. However, the following elements of the Proposed Development were identified and assessed for their potential to cause likely significant effects on European sites.

Construction Phase (Estimated duration: 9 Months)

- Surface water run-off containing silt, sediments and/or other pollutants into nearby waterbodies or surface water network;
- Surface water run-off containing silt, sediments and/or other pollutants into the local groundwater;
- Increased noise, dust and/or vibrations as a result of construction activity.

Operational Phase (Estimated duration: Indefinite)

- Surface water drainage from the Site of the Proposed Development;
- Foul water from the Proposed Development.

4.2.2 Potential Pathways to European Sites

For the above listed potential sources of effects to have the potential to cause likely significant effects on any European site, a pathway between the source of potential effects (i.e., the Site of the Proposed Development) and the receptor is required. Potential impact pathways are discussed in the following sections in the context of the identified impact sources as identified in section 4.2.1.

4.2.2.1 Direct Pathways

4.2.2.1.1 Hydrological pathways

The **Pollardstown Fen SAC (000396)** (c. 4.2km NE of Site) and **River Barrow and River Nore SAC (002162)** (c. 6.8km SW) have been assessed as to whether they have a hydrological connection to the Site as these are the closest European sites to the Proposed Development.

The Construction Phases of the Proposed Development have the potential to provide sources of pollution such as siltation, chemical spills, etc, which during a rainfall event may be washed from the Site and into the surface water drainage network. Surface water pollution during Operational Phase is not be foreseen due to the negligible supply of sources during this Phase.

However, the **Pollardstown Fen SAC (000396)** has no hydrological links with the Proposed Development. During an exceptional rainfall event, surface water draining from the Proposed Development may be discharged as storm water overflow within the Curragh, approximately 1.8km east as mentioned in section 1.3.3.1 above. Although this potential source is slightly closer to the **Pollardstown Fen SAC (000396)** at a distance of 4.1km, the substantial distance and lack of connective features between rules out any impact pathways.

Similarly to the above, there is a lack hydrological pathways between the Proposed Site and the **River Barrow and River Nore SAC (002162)**. Although this European site is located 6.8km southwest of the Site, there is a stream, the Kildoon Stream, which runs through the **River Barrow and River Nore SAC (002162)** which derives from one of its tributaries, the Sheshoon Stream, which is located closer to the Proposed Development at a 2.12km remove. However, as a result of distance and topography between the Proposed Development and the **River Barrow and River Nore SAC (002162)**, it has been determined that a hydrological pathway between the Sites cannot be established.

As a result of the above, it has been determined that the Proposed Development will not have any significant effects during Construction or Operational Phase on any European site by means of a hydrological pathway.

4.2.2.1.2 Hydrogeological pathways

The **Pollardstown Fen SAC (000396)**, **River Barrow and River Nore SAC (002162)** and **Moudu Bog SAC (002331)** have been assessed in terms of potential hydrogeological

pathways, again, due to these European sites being the closest in proximity to the Proposed Development.

The following paragraphs have been produced to determine whether a hydrogeological pathway between the Proposed Development and the aforementioned European sites may be ruled out:

Due to the small scale and works involved, there will be no interaction between the Proposed Development and the underlying groundwater body.

The Proposed Development is located effectively, within a different groundwater body than that of the **Pollardstown Fen SAC (000396)**, **River Barrow and River Nore SAC (002162)** and **Mouds Bog SAC (002331)** (7.1km N of Site). It should be noted that although a small proportion of **Pollardstown Fen SAC (000396)** is located within the same groundwater body as the Proposed Development (Curragh Gravels West), this part of the SAC is located at the far side of the Pollardstown Fen GWB and is effectively eclipsed by the majority of the Pollardstown Fen GWB. The same can be said for **Mouds Bog SAC (002331)**, as this SAC also has a small section which overlaps with the Curragh Gravels West GWB though again, is eclipsed by the Pollardstown Fen GWB. As each GWB has their own characteristics in groundwater flows, etc., it has been determined that groundwater crossover between GWBs is limited and as a result, a significant pathway between the Proposed Development and any European site cannot be established.

Although the groundwater vulnerability of the ground beneath the Site is listed as 'high', this still only falls halfway on the scale of groundwater vulnerabilities and is lower on the scale than 'extreme' or 'rock at or near surface' indicating that although the groundwater vulnerability is 'high', other examples are higher and have a greater absorption rate of surface water to the underlying GWB.

The distance between the Proposed Development and the closest European site of **Pollardstown Fen SAC (000396)** is substantial (4.2km) as to provide a buffer effectively preventing a pathway of becoming established between the sites. As a result, European sites located at a greater distance in comparison to the aforementioned may be excluded from the possibility of having a pathway between themselves and the Proposed Development.

As a result of the above, it has been determined that the Proposed Development will not have any significant effects during Construction or Operational Phase on any European site by means of a hydrogeological pathway.

4.2.2.1.3 Air and land pathways

During Construction Phase of the Proposed Development, demolition of the existing unauthorised 2 storey extension has the potential to produce noise, dust and vibrations.

However, the substantial distance between the Proposed Development and the closest two European sites of **Pollardstown Fen SAC (000396)** (c. 4.2km NE of Site) and **River Barrow and River Nore SAC (002162)** (c. 6.8km SW) eliminates the possibility of any air and/or land pathways between the sites.

According to the Institute of Air Quality Management (2016) "95% of dust particles from mineral workings have a relatively high mass and generally deposit within 100m of the point of release, with the remainder being deposited within 200 – 500 m of source". The nearest

European Site, namely **Pollardstown Fen SAC (000396)**, is located approx. 4.2km northeast of the Site at the closest point. This is a sufficient distance such that no impact from dust or other airborne pollutants will have an effect on this, or any other European site.

Construction-related disturbance such as light and noise could cause the displacement of fauna species if present within the vicinity of the Proposed Development. For mammal species such as otter, disturbance effects would not be expected to extend beyond 150m¹. For SCI bird species, disturbance effects would not be expected to extend beyond a distance of c. 300m, as noise levels associated with general construction activities would attenuate to close to background levels at that distance².

There are no European sites within the disturbance ZOI; the nearest European site to the Proposed Development is **Pollardstown Fen SAC (000396)** approx. 4.2km away. This distance is deemed sufficient to exclude any potential for impacts from increased noise, light and anthropogenic disturbance on QI and SCI species, and so no air or land pathways exist.

Additionally, the Proposed Development is relatively small in scale and involves mainly non-intrusive works in regards to the underlying soil, in turn, minimising the potential impacts associated with earthworks (noise, dust and/or vibration).

As a result of the above, it has been determined that the Proposed Development will not have any significant effects during Construction or Operational Phase on any European site by means of air and land pathways.

4.2.2.2 Indirect Pathways

No indirect pathways were identified.

4.2.3 Relevant European sites

A European site will only be at risk from likely significant effects where a S-P-R link exists between the Proposed Development Site and the European site. The preceding steps did not identify any S-P-R links of note, and therefore no further assessment is required. European sites considered in section 4.2.2.1 above are shown in Table 2 and Figure 3 for information purposes.

¹ This is consistent with Transport Infrastructure Ireland (TII) guidance (Guidelines for the Treatment of Otters prior to the Construction of National Road Schemes (2006) and Guidelines for the Treatment of Badgers prior to the Construction of National Road Schemes (2005)) documents. This is a precautionary distance, and likely to be moderated by the screening effect provided by surrounding vegetation and buildings, with the actual ZOI of construction related disturbance likely to be much less in reality.

² This is based on the relationship between the noise levels generated by general construction traffic/works (BS 5228:2009 Code of Practice for Noise and Vibration Control on Construction and Open Sites – Part 1 Noise) and the proximity of those noise levels to birds – as assessed in Cutts, N. Phelps, A. & Burdon, D. (2009) *Construction and Waterfowl: Defining Sensitivity, Response, Impacts and Guidance*, and Wright, M., Goodman, P & Cameron, T. (2010) Exploring Behavioural Responses of Shorebirds to Impulsive Noise. *Wildfowl* (2010) 60: 150–167. At 300m, noise levels are below 60dB or, in most cases, are approaching the 50dB threshold below which no disturbance or displacement effects would arise.

TABLE 2. EUROPEAN SITES CONSIDERED WITH THE SOURCE-PATHWAY-RECEPTOR (S-P-R) METHOD TO ESTABLISH NOTABLE LINKS BETWEEN THE SOURCES OF EFFECTS ARISING FROM THE PROPOSED DEVELOPMENT, AND ANY RELEVANT EUROPEAN SITES. THOSE SITES WITH NOTABLE S-P-R LINKS ARE HIGHLIGHTED IN GREEN (IF ANY). QUALIFYING INTERESTS (QIS) TAKEN FROM THE RELEVANT CONSERVATION OBJECTIVES DOCUMENTS (AS REFERENCED) AND/OR THE STANDARD DATA FORMS (EEA, 2024)³.

Site Name & Site Code	Qualifying Interests (*= priority habitats)	Potential Pathways
Special Areas of Conservation (SAC)		
<p>Pollardstown Fen SAC (000396)</p> <p>Linear Distance to Proposed Development: approx. 4.2km SW</p>	<p>As per Conservation Objectives (NPWS, 2022)</p> <ul style="list-style-type: none"> • Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davallianae</i> [7210] • Petrifying springs with tufa formation (<i>Cratoneurion</i>) [7220] • Alkaline fens [7230] • <i>Vertigo geyeri</i> (Geyer's Whorl Snail) [1013] • <i>Vertigo angustior</i> (Narrow-mouthed Whorl Snail) [1014] • <i>Vertigo moulinsiana</i> (Desmoulin's Whorl Snail) [1016] 	<p>Hydrological, hydrogeological, and air / land pathways ruled out in section 4.2.2.1.</p>
<p>River Barrow and River Nore SAC (002162)</p> <p>Linear Distance to Proposed Development: approx. 6.8km NE</p>	<p>As per Conservation Objectives (NPWS, 2011)</p> <ul style="list-style-type: none"> • Estuaries [1130] • Mudflats and sandflats not covered by seawater at low tide [1140] • Reefs [1170] • <i>Salicornia</i> and other annuals colonising mud and sand [1310] • Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) [1330] • Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410] • Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation [3260] • European dry heaths [4030] • Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430] • Petrifying springs with tufa formation (<i>Cratoneurion</i>) [7220] • Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0] • Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) [91E0] • <i>Vertigo moulinsiana</i> (Desmoulin's Whorl Snail) [1016] • <i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel) [1029] • <i>Austropotamobius pallipes</i> (White-clawed Crayfish) [1092] • <i>Petromyzon marinus</i> (Sea Lamprey) [1095] • <i>Lampetra planeri</i> (Brook Lamprey) [1096] 	<p>Hydrological, hydrogeological, and air / land pathways ruled out in section 4.2.2.1.</p>

³ Where applicable, the full species list included in this table is as per the latest updated information as indicated, so either the Conservation Objectives (CO) document for the site, or the latest Standard Data Form (SDF) (EEA, 2023). For SDF updates, CO are not yet available for the newly added species but are assumed, for the purposes of assessment, to follow the same format as for other feature species.

Site Name & Site Code	Qualifying Interests (*= priority habitats)	Potential Pathways
	<ul style="list-style-type: none"> • <i>Lampetra fluviatilis</i> (River Lamprey) [1099] • <i>Alosa fallax fallax</i> (Twaite Shad) [1103] • <i>Salmo salar</i> (Salmon) [1106] • <i>Lutra lutra</i> (Otter) [1355] • <i>Trichomanes speciosum</i> (Killarney Fern) [1421] 	
<p>Mouds Bog SAC (002331)</p> <p>Linear Distance to Proposed Development: approx. 7.1km S</p>	<p>As per Conservation Objectives (NPWS, 2015)</p> <ul style="list-style-type: none"> • Active raised bogs [7110] • Degraded raised bogs still capable of natural regeneration [7120] • Depressions on peat substrates of the Rhynchosporion [7150] 	<p>Hydrogeological pathway ruled out in section 4.2.2.1.2.</p>

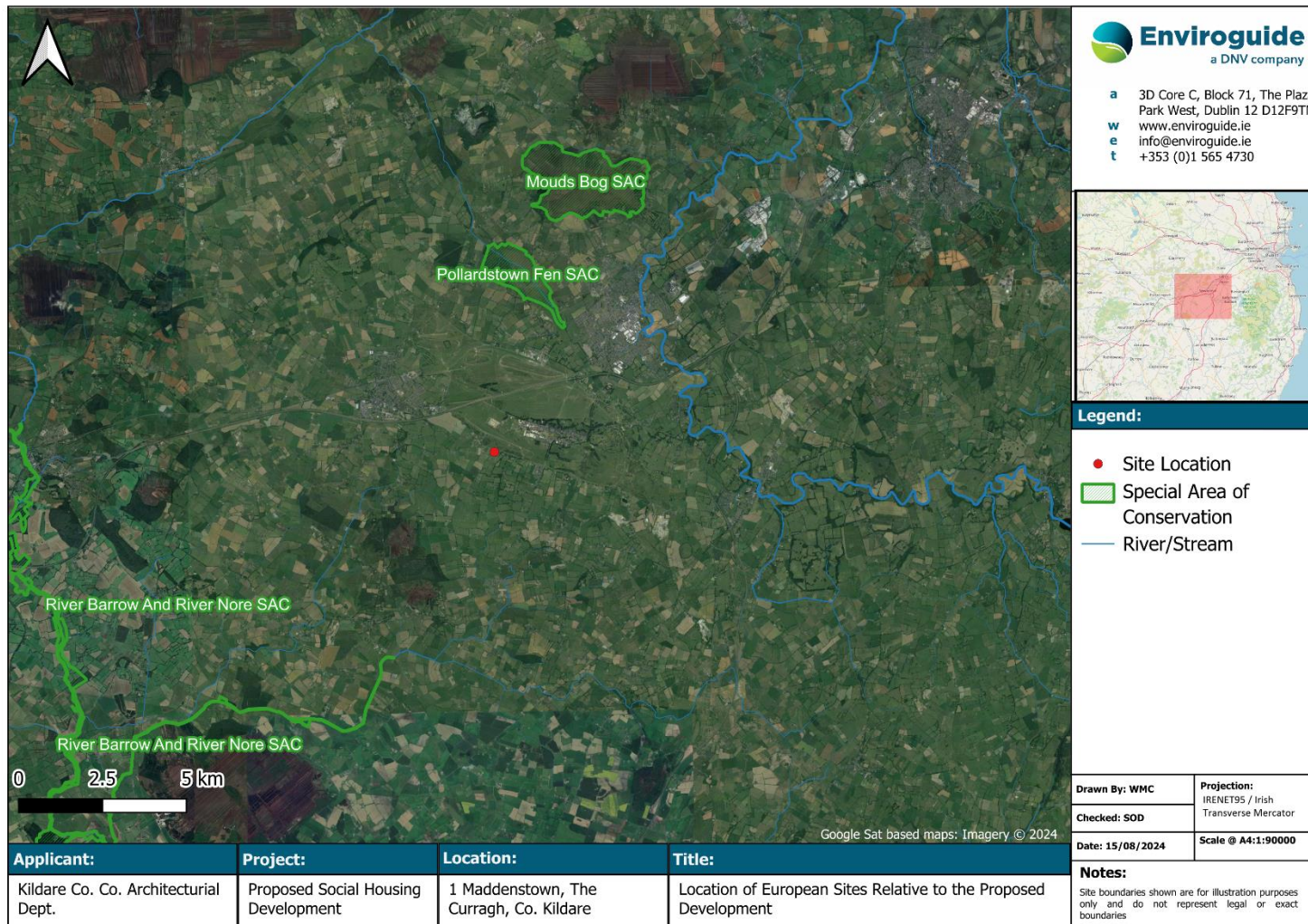


FIGURE 3. LOCATION OF EUROPEAN SITES RELATIVE TO THE PROPOSED DEVELOPMENT.

4.3 Assessment of Likely Significant Effects

As stated in the preceding section, no S-P-R links of note between the Proposed Development and any European sites were identified, and therefore no further assessment is required to assess the potential for significant impacts from the Proposed Development alone.

4.3.1 Potential for In-combination Effects

Although the Proposed Development is not considered to have the capacity to cause significant effects on any European sites alone, it is important to consider the potential for cumulative effects with other plans and/or projects. The following sections outline existing granted or pending planning permissions in the vicinity of the Proposed Development and assess the potential for adverse in-combination effects on any European sites.

4.3.1.1 Existing Planning Permissions

A search of planning applications located within a 300m radius of the Site of the Proposed Development was conducted using online planning resources such as the National Planning Application Database (NPAD) (MyPlan.ie) and Kildare County Council Planning Applications online map. Any planning applications listed as granted or decision pending from within the last five years were assessed for their potential to act in-combination with the Proposed Development and cause likely significant effects on the relevant European sites. Long-term developments granted outside of this time period were also considered where applicable.

It is noted that the majority of the few developments within the vicinity of the Site of the Proposed Development are applications granted for residential developments. The larger developments in the vicinity of the Proposed Development are outlined in Table 3:

TABLE 3. GRANTED AND PENDING DEVELOPMENT APPLICATIONS WITHIN 300 M OF THE PROPOSED DEVELOPMENT. LOCATION AND DISTANCE GIVEN IS RELATIVE TO THE PROPOSED DEVELOPMENT.

Planning Reference	Planning Authority	Status	Location
21264	Kildare CoCo	Granted	Old French Furze Stables, Maddenstown, The Curragh
Development Description			
<p>For modifications to the previously granted permission, (granted for an extension to the existing cottage), granted under planning register reference no. 97/1547. The area of the granted extension (granted under planning register reference no. 97/1547) was 109.6. The as built area for retention for which this application relates is 126.0m². The modifications to the permitted extension are as follows: (A) North East Elevation at Ground Floor: - New Porch and door screen, - New utility door North East Elevation at First Floor - 2 no. new windows And new partial brick façade (B) South West Elevation at Ground floor - Minor modifications to door and screen and window South West Elevation at First floor - Replacement of 2 no. as permitted windows with 1 no. window (C) North West Elevation at Ground floor - Minor modification to 2 no. windows North West elevation at First floor - Replacement of permitted sky light with 2 no. dormer windows And new partial brick façade (D) South East Elevation @ Ground Floor - Minor modifications to 2 no. windows and replacement of rear door with an arched window South East</p>			

Elevation at First floor - Minor modifications to the permitted skylight and 1 no. additional skylight to the extension. (E) Minor internal modifications to the permitted layout (F) All associated site development works.

Potential for In-combination effects

No screening report required by the council indicating the lack of impacts the development will have alone or in-combination with other projects.

4.3.1.2 Relevant Policies and Plans

The local policies and plans detailed in section 2.2 above were reviewed and considered for possible in-combination effects with the Proposed Development. Each of these plans has undergone AA, and where potential for likely significant effects has been identified (e.g., in the case of the Kildare County Development Plan), an NIS has been prepared which identifies appropriate mitigation. As such, it is considered that the plans and policies listed will not result in in-combination effects with the Proposed Development. The Kildare County Development Plan 2023-2029 has directly addressed the protection of European sites and biodiversity through specific objectives. The above listed plans are not being relied upon to rule out potential significant effects on European sites.

TABLE 4. SUMMARY OF IMPACT ASSESSMENT ON EUROPEAN SITES AS A RESULT OF THE PROPOSED DEVELOPMENT.

Site	Habitat Loss / Alteration	Habitat or Species Fragmentation	Disturbance and/or Displacement of Species	Changes in Population Density	Changes in Water Quality and/or Resource	In-combination effects	Stage 2 AA Required
SAC							
Pollardstown Fen SAC (000396)	No	No	No	None	None	None	NO
River Barrow and River Nore SAC (002162)	No	No	No	None	None	None	NO
Mouds Bog SAC (002331)	No	No	No	None	None	None	NO

5 APPROPRIATE ASSESSMENT SCREENING CONCLUSION

The Proposed Development at 1 Maddenstown Terrace, The Curragh, Co. Kildare has been assessed taking into account:

- The nature, size and location of the proposed works and possible impacts arising from the construction works.
- The QIs and conservation objectives of the European sites
- The potential for in-combination effects arising from other plans and projects.

In conclusion, upon the examination, analysis and evaluation of the relevant information and applying the precautionary principle, it is concluded by the authors of this report that the possibility **may be excluded** that the Proposed Development will have a significant effect on any of the European sites listed below:

- Pollardstown Fen SAC (000396)
- River Barrow and River Nore SAC (002162)
- Mouds Bog SAC (002331)

In carrying out this AA screening, mitigation measures have not been taken into account. Standard best practice construction measures which could have the effect of mitigating any effects on any European Sites have similarly not been taken into account.

On the basis of the screening exercise carried out above, it can be concluded, on the basis of the best scientific knowledge available and objective information, that the possibility of any significant effects on the above listed European sites, whether arising from the project itself or in combination with other plans and projects, can be excluded in light of the above listed European sites' conservation objectives. Thus, there is no requirement to proceed to Stage 2 of the Appropriate Assessment process; and the preparation of a NIS is not required.

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