



# Volume 1: Appropriate Assessment Screening

Killincarrig Village Enhancement

02/09/2022



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## 1. EXECUTIVE SUMMARY

- 1.1. A Stage 1 Appropriate Assessment has been undertaken for a Proposed Development consisting of enhancement works to Killincarrig Village.
- 1.2. The aim of the Appropriate Assessment Screening is to assess the potential for connectivity between the Proposed Development and any Natura 2000 site. Within 15km of the Application Site there are eight Special Areas of Conservation ('SACs'); Glen of the Downs SAC, Bray Head SAC, The Murrough Wetlands SAC, Carriggower Bog SAC, Ballyman Glen SAC, Knocksink Wood SAC, Wicklow Mountains SAC and Rockabill to Dalkey Island SAC and three Special Protection Areas (SPAs); The Murrough SPA and Wicklow Mountains SPA and Dalkey Islands SPA.
- 1.3. No direct ecological, ornithological and/or hydrological connectivity exists between the Application Site and the aforementioned designated sites.
- 1.4. Given the nature and design of the Proposed Development, and the lack of direct connectivity between the Application Site and any Natura 2000 site, it is considered that any potential impacts on the qualifying features of any Natura 2000 site will be **Negligible**. Therefore, **no likely significant effect** is foreseen upon any Natura 2000 site as a result of the proposals, either alone or in combination with any other development.
- 1.5. This AA screening report, based on the best available scientific information, concluded that Proposed Development will not affect the integrity of any Natura 2000 designated site. Therefore, the next stage of the Appropriate Assessment (NIS) is not required.



## 2. INTRODUCTION

#### **Background**

- 2.1. Neo Environmental Ltd has been appointed by Verde Environmental (the 'Applicant') to undertake an Appropriate Assessment (AA) for the Proposed Development at Killincarrig Village in county Wicklow.
- 2.2. The aim of this AA Screening Report is to determine whether a Natura Impact Statement (NIS) is required to be undertaken for the Proposed Development.

### **Development Description**

- 2.3. The Proposed Development involves the following enhancement works to Killincarrig Village:
  - A signalised junction at intersection of the R761 Lower Kindlestown Road with the L5222
     Castle Villas and related pedestrian crossing facilities.
  - A new footpath along the east side of the R761 Lower Kindlestown Road to link the isolated properties on the northwest end of the village.
  - A new zebra crossing on the R761 Lower Kindlestown Road at the northern side of the village to provide a crossing point near to the pedestrian route to Greystones town centre.
  - Improved junction Layouts to existing junctions along the R761 as well as the Castle Villas/Carrig Villas junction.
  - Improved footpath facilities.
  - A cycle climbing lane on the R761 Lower Kindlestown Road northbound from the Killincarrig Cross roundabouts.
  - A standard road carriageway width along the R761 Lower Kindlestown Road.
- 2.4. Please refer to Figure 1 Appendix A for the layout of the Proposed Development.

### STATEMENT OF AUTHORITY

2.5. The assessment has been managed by Qualifying Member of the Chartered Institute of Ecology and Environmental Management (CIEEM) (Dara Dunlop). Dylan Donoghue was the



- main ecologist involved in the production of report. All work has been carried out in line with the relevant professional guidance: CIEEM's Guidelines for report writing<sup>1</sup> and the Environment, Heritage and Local Government's Guidance on Appropriate Assessments<sup>2</sup> and the European Commission Assessment of plans and projects in relation to Natura 2000 sites<sup>3</sup>.
- 2.6. Dara Dunlop is a Qualifying Member of the Chartered Institute of Ecology and Environmental Management (CIEEM) with circa 4 years' experience in the ecology sector, including working for an ecological consultancy, undertaking a range of protected species surveys and extended phase 1 habitat surveys for industrial schemes, and land management of designated sites. Dara has authored a number of reports including Ecological Impact Assessments and Protected Species Reports for various developments.
- 2.7. Dylan Donoghue is an Ecologist in the process of applying for an Associate level membership with CIEEM. Dylan has 2 years' experience in the Ecology Sector, including working for an ecological consultancy, undertaking bird and bat surveys.

<sup>&</sup>lt;sup>3</sup> European Commission. 2021. 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(2021) 6913 final



<sup>&</sup>lt;sup>1</sup> CIEEM, 2017. Guidelines for Report Writing. Available at www.cieem.net

<sup>&</sup>lt;sup>2</sup> Environment, Heritage and Local Government, 2009. Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities. Available at www.npws.ie

## 3. LEGISLATION

### REQUIREMENT FOR APPROPRIATE ASSESSMENT

- 3.1. The requirement for Appropriate Assessment of plans or projects originates from Article 6 (3) and (4) of European Union (EU) Habitats Directive. This is implemented in Ireland through the European Communities (Natural Habitats) Regulations of 1997, and the European Communities (Birds and Natural Habitats) Regulations 2011 2015 (as amended).
- 3.2. The wording of Article 6 (3) of the Directive is as follows:
  - "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."
- 3.3. The aim of Stage 1, 'Screening' is to determine whether or not Stage 2 of the Appropriate Assessment is required, therefore to determine whether the Proposed Development is likely to have a significant, negative impact upon any Natura 2000 site. This is done by considering the type of development and the conservation objectives of any Natura 2000 sites which may be impacted.
- 3.4. As outlined in the European Commission document 'Assessment of plans and projects significantly affecting Natura 2000 sites'<sup>4</sup>, any project that is not directly connected with or necessary to the management of a Natura 2000 site, but likely to have a significant effect upon it, either individually or cumulatively will be subject to Appropriate Assessment.
- 3.5. Where significant effects are uncertain or unknown at the screening stage an AA will be required, due to the need to apply the precautionary principle. Conversely, if a project will have impacts on a site, but these impacts will clearly not affect or undermine those conservation objectives, it is not considered that it will have a significant effect on the site concerned.
- 3.6. As part of the assessment consideration is afforded to 'in combination' effects with other plans or projects on the integrity of Natura 2000 sites. Where adverse impacts are identified,



<sup>&</sup>lt;sup>4</sup> European Commission. 2021. 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.

- mitigation measures can be proposed that would avoid reduce or remedy any such negative impacts and the plan or project should then be amended accordingly, thereby avoiding the need to proceed to Stage 3 'Alternative Solutions'.
- 3.7. If the assessment cannot exclude significant impacts either alone or in combination with other plans or projects, then the process must proceed to Stage 2.
- 3.8. The following legislation were used to inform the Article 6 assessments within this report:
  - Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, 1992<sup>5</sup>;
  - Council Directive 2009/147/EC on the conservation of wild birds, 2009<sup>6</sup>;
  - The Planning and Development Acts 2000 (as amended)<sup>7</sup>;and
  - National Parks & Wildlife Service (NPWS), The Status of EU Protected Habitats and Species in Ireland. Habitat Assessments, Unpublished Report, 2013<sup>8</sup>.

#### Guidance

- 3.9. The following guidance has been collated and reviewed to inform the Article 6 assessments within this report:
  - Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities, 2009 (as amended)<sup>9</sup>;
  - Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities. Circular NPWS 1/10<sup>10</sup> & PSSP 2/10, 2008<sup>11</sup>;
  - European Commission. 2021. 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<sup>12</sup>
  - CIEEM, Guidelines for Ecological Report Writing, 2017<sup>13</sup>.



<sup>&</sup>lt;sup>5</sup> Available at: <a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31992L0043">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31992L0043</a>

<sup>&</sup>lt;sup>6</sup> Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32009L0147

<sup>&</sup>lt;sup>7</sup> Available at: <a href="http://www.irishstatutebook.ie/eli/2017/act/20/enacted/en/html">http://www.irishstatutebook.ie/eli/2017/act/20/enacted/en/html</a>

<sup>&</sup>lt;sup>8</sup> Available at: https://www.npws.ie/sites/default/files/publications/pdf/Article 17 Print Vol 3 report species v1 1 0.pdf

<sup>&</sup>lt;sup>9</sup> Available at: https://www.npws.ie/sites/default/files/publications/pdf/NPWS 2009 AA Guidance.pdf

 $<sup>^{10} \</sup> Available \ at: \ \underline{https://www.npws.ie/sites/default/files/general/Circular\%20NPW1-10\%20\%26\%20PSSP2-10\%20Final.pdf}$ 

<sup>&</sup>lt;sup>11</sup> Available at: https://www.npws.ie/sites/default/files/general/circular-npws-02-08.pdf

<sup>&</sup>lt;sup>12</sup>Available at: <a href="https://ec.europa.eu/environment/nature/natura2000/management/pdf/methodological-guidance">https://ec.europa.eu/environment/nature/natura2000/management/pdf/methodological-guidance</a> 2021-10/EN.pdf

<sup>&</sup>lt;sup>13</sup> CIEEM (2017) Guidelines for Ecological Report Writing

## 4. ASSESSMENT METHODOLOGY

#### STAGES OF APPROPRIATE ASSESSMENT

- 4.1. The Appropriate Assessment process comprises of four stages in order to identify whether proposals have the potential to significantly impact upon Natura 2000 designations. The stages are as follows:
  - Stage 1 Screening: To determine the likelihood of significant impacts;
  - Stage 2 Natura Impact Statement: To assess the impact of proposals on the integrity of the Natura 2000 site, considering the conservation objectives of the site and its ecological structure and function;
  - Stage 3 Assessment of alternatives: Where significant impacts are anticipated despite mitigation measures, the proposal should progress to Stage 3 or no longer proceed;
  - Stage 4 Assessment where no alternative exists and where adverse impacts remain: The final stage involves examining whether there are imperative reasons of overriding public interest for allowing the proposal to adversely impact upon a Natura 2000 site.

### STUDY ZONE IDENTIFICATION

- 4.2. The 'Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities' states that the AA Screening should include the following:
  - "Any Natura 2000 sites within or adjacent to the plan or project area;
  - Any Natura 2000 sites within the likely zone of impact of the plan or project;
  - A distance of 15km [...] currently recommended in the case of plans, [which] derives from UK guidance (Scott Wilson et. al., 2006). For projects, the distance could be much less than 15km, and in some cases less than 100m, but this must be evaluated on a case-bycase basis with reference to the nature, size and location of the project, and the sensitivities of the ecological receptors, and the potential for in combination effects; and

<sup>&</sup>lt;sup>14</sup> Department for Environment, Heritage and Local Government (2009) Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities. Available at:





- Natura 2000 sites that are more than 15km from the plan or project area depending on the likely impacts of the plan or project, and the sensitivities of the ecological receptors, bearing in mind the precautionary principle. In the case of sites with water dependent habitats or species, and a plan or project that could affect water quality or quantity, for example, it may be necessary to consider the full extent of the upstream and/or downstream catchment."
- 4.3. It is considered that the Zone of Influence ('ZOI') for the Natura 2000 designated sites and their qualifying features will fall within a 15km radius of developments.

#### **Desk Study**

- 4.4. Sources of material that were consulted as part of the desk study for the purposes of the assessment are as follows:
  - NPWS natural heritage database for Natura 2000 sites within the ZOI of the Application Site<sup>15</sup>,
  - NPWS site synopses, Natura 2000 Data Form and conservation objectives relating to each site and aerial images, and
  - Environmental Protection Agency ('EPA') maps of river catchments, sub-catchments and flow directions.

#### **Impact Assessment Process**

- 4.5. The assessment process involves:
  - Identifying and characterising Natura 2000 sites identified within the 15km zone of
    influence surrounding the Application Site and their qualifying features and addressing
    whether any of these designated sites have any connectivity with the Proposed
    Development. If any site is found to have no connectivity, then the designated site will
    be 'scoped out' (not considered further);
  - Assessing whether there will be any significant impacts to any of the Natura 2000 site, in regard to changes that result from the construction, operation and decommissioning phases of a project. Qualifying features of a Natura 2000 site that lie outside of the ZOI

Environmental Protection Agency (EPA) maps available at: <a href="https://gis.epa.ie/EPAMaps/">https://gis.epa.ie/EPAMaps/</a>



<sup>&</sup>lt;sup>15</sup> Environment, Heritage and Local Government (2009) Appropriate Assessment of Plan and Projects in Ireland. Available at: <a href="https://www.npws.ie/sites/default/files/publications/pdf/NPWS">https://www.npws.ie/sites/default/files/publications/pdf/NPWS</a> 2009 AA Guidance.pdf

- and not subject to any impacts from the Proposed Development will be 'scoped out' (not considered further);
- Identifying any significant impacts on the integrity of the Natura 2000 site from the development and 'in combination' with any other development within 5km; and
- Identifying the need for the Appropriate Assessment process to move to Stage 2: 'Natura Impact Statement'. If there are no impacts from the development, then the development may proceed



### 5. BASELINE

- 5.1. In accordance with NPWS guidance, this stage of the AA has identified all Natura 2000 sites located within 15km of the Application Site boundary. The potential impacts associated with the Proposed Development have been identified. Those Natura 2000 sites which will not be significantly affected will be ruled out of any further assessment.
- 5.2. Rather than actual distances, these effects can depend more on the nature of impacts, sensitivity of receptors and causal linkage. The assessment below considers connectivity, either ecological, ornithological or hydrological, that may exist between the Proposed Development and the designated sites.

### **IDENTIFICATION OF NATURA 2000 SITES**

- 5.3. Within 15km of the Application Site boundary there are eight Special Areas of Conservation (SACs) and three Special Protection Areas (SPAs). The designated features of each have been outlined within **Table 5-1** below.
- 5.4. **Figure 2, Appendix A** of this report details the location of these sites in relation to the Proposed Development.

Table 5-1: Natura 2000 sites within 15km

Site Code	Site Name	Qualifying Features	Distance (km)	Direction	Potential Connectivity with the Proposed Development Site	
SAC						
000719	Glen of the Downs SAC	Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]	1.57km	West	None	
000714	Bray Head SAC	Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] European dry heaths [4030]	3.09km	Northeast	None	

002249	The Murrough Wetlands SAC	Annual vegetation of drift lines [1210] Perennial vegetation of stony banks [1220] Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] Mediterranean salt meadows (Juncetalia maritimi) [1410] Calcareous fens with Cladium mariscus and species of the Caricion davallianae [7210] Alkaline fens [7230]	3.10km	Southeast	None
000716	Carriggower Bog SAC	Transition mires and quaking bogs [7140]	6.07km	Southwest	None
000713	Ballyman Glen SAC	Petrifying springs with tufa formation ( <i>Cratoneurion</i> ) [7220] Alkaline fens [7230]	8.14km	Northwest	None
000725	Knocksink Wood SAC	Petrifying springs with tufa formation ( <i>Cratoneurion</i> ) [7220] Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] Alluvial forests with Alnus glutinosa and Fraxinus excelsior ( <i>Alno-Padion, Alnion incanae, Salicion albae</i> ) [91E0]	8.73km	Northwest	None
002122	Wicklow Mountains SAC	Oligotrophic waters containing very few minerals of sandy plains ( <i>Littorelletalia uniflorae</i> ) [3110] Natural dystrophic lakes and ponds [3160]	8.58km	West	None



		Northern Atlantic wet heaths with Erica tetralix [4010] European dry heaths [4030]			
		Alpine and Boreal heaths [4060]			
		Calaminarian grasslands of the <i>Violetalia calaminariae</i> [6130]			
		Species-rich Nardus grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) [6230]			
		Blanket bogs (* if active bog) [7130]			
		Siliceous scree of the montane to snow levels (Androsacetalia alpinae and Galeopsietalia ladani) [8110]			
		Calcareous rocky slopes with chasmophytic vegetation [8210]			
		Siliceous rocky slopes with chasmophytic vegetation [8220]			
		Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]			
		Lutra lutra (Otter) [1355]			
003000	Rockabill to Dalkey Island SAC	Reefs [1170]  Phocoena phocoena (Harbour Porpoise) [1351]	11.11km	Northeast	None
SPA					
	Tho	Red-throated Diver (Gavia stellata) [A001]			
004186	The Murrough SPA	Greylag Goose ( <i>Anser anser</i> ) [A043]	4.08km	Southwest	None
	5	Light-bellied Brent Goose ( <i>Branta bernicla hrota</i> ) [A046]			



		Wigeon ( <i>Anas penelope</i> ) [A050]			
		Teal ( <i>Anas crecca</i> ) [A052]			
		Black-headed Gull ( <i>Chroicocephalus ridibundus</i> ) [A179]			
		Herring Gull <i>(Larus argentatus)</i> [A184]			
		Little Tern ( <i>Sterna albifrons</i> ) [A195]			
		Wetland and Waterbirds [A999]			
004040	Wicklow Mountains SPA	Merlin ( <i>Falco columbarius</i> ) [A098]	8.55km	West	None
		Peregrine ( <i>Falco peregrinus</i> ) [A103]	6.JJKIII	vvest	None
004172	Dalkey Islands SPA	Roseate Tern ( <i>Sterna</i> dougallii) [A192]			
		Common Tern ( <i>Sterna</i> hirundo) [A193]	14.95km	Northeast	None
		Arctic Tern ( <i>Sterna</i> paradisaea) [A194]			

- 5.5. No ecological, ornithological and/or hydrological connectivity exists between the Application Site and any of the Natura 2000 sites listed above in **Table 5-1**.
- 5.6. There is no ecological connection between the Application Site and the Glen of the Downs SAC, Bray Head SAC, The Murrough Wetlands SAC, Carriggower Bog SAC, Ballyman Glen SAC, Knocksink Wood SAC, Wicklow Mountains SAC and Rockabill to Dalkey Island SAC. The proposed Killincarrig Village Enhancement works will occur along artificial surface, this habitat is considered to be of negligible ecological value to all qualifying species of the above SACs.
- 5.7. There is no ornithological connection between the Application Site and the Murrough SPA, Wicklow Mountains SPA and Dalkey Islands SPA. As discussed above, the proposed development will occur along artificial surface. Artificial surface is not suitable habitat to support the foraging and nesting requirements of the qualifying species of both Murrough SPA, Wicklow Mountains SPA and Dalkey Islands SPA.



- 5.8. There is no hydrological connectivity between the Application Site and any of the Natura 2000 Sites.
- 5.9. Given that no connectivity (potential pathway for impact) exists between the Application Site and the Natura 2000 designated sites, these sites have been scoped out of the impact assessment. No impacts upon these sites will result from the Proposed Development.



## 6. ASSESSMENT OF LIKELY EFFECTS

#### **IMPACT ASSESSMENT**

- 6.1. This section typically discusses and evaluates the likely impacts of the Proposed Development affecting Natura 2000 sites (i.e. where there is an ecological, ornithological and/or hydrological connection between the Proposed Development and the Natura 2000 site).
- 6.2. As outlined previously, due to the lack of connectivity, no likely significant effects upon any of the Natura 2000 designated sites will occur as a result of the Proposed Development. Therefore, no further assessment of the Natura 2000 sites within the 15km study area is necessary.
- 6.3. Due to the nature of the Proposed Development, no decommissioning phase is envisaged, therefore assessment of likely effects as a result of decommissioning is not applicable for this project.



## 7. CUMULATIVE IMPACTS

- 7.1. As well as singular effects, cumulative effects also need to be considered. Article 6 of the EU Habitats Directive and Regulation 15 of the European Communities (Natural Habitats) Regulations state that any plan or project that may significantly affect a Natura 2000 site, either alone or in combination with other plans or projects, should be the subject of an AA.
- 7.2. Cumulative impacts can be an issue when proposals have a small impact on Natura 2000 sites. If other proposals have a small impact, the combined result can have a significant impact on the Natura site.
- 7.3. However, the Proposed Development will have negligible impacts upon any Natura 2000 site. For the purposes of this assessment, it is therefore confirmed that no likely significant cumulative effects will occur upon any Natura 2000 sites as a result of the Proposed Development due to a lack of any ecological, hydrological or ornithological connectivity.



## 8. CONCLUSION

- 8.1. According to NPWS (2009), the AA Stage 1: Screening Exercise can result in one of three conditions:
  - An AA is not required i.e., where the plan/proposal is associated with the management of the site;
  - There is no potential for significant effects i.e., AA is not required, or
  - Significant effects are certain, likely or uncertain, i.e., the project must either proceed to Stage 2: AA or be rejected.
- 8.2. The Proposed Development was screened for potential significant adverse impacts upon Natura 2000 sites within 15km of the site boundary.
- 8.3. Within 15km of the Application Site there are eight Special Areas of Conservation ('SACs') Glen of the Downs SAC, Bray Head SAC, The Murrough Wetlands SAC, Carriggower Bog SAC, Ballyman Glen SAC, Knocksink Wood SAC, Wicklow Mountains SAC and Rockabill to Dalkey Island SAC and three Special Protection Areas (SPAs) The Murrough SPA and Wicklow Mountains SPA and Dalkey Islands SPA. No direct ecological, ornithological and/or hydrological connectivity exists between the Application Site and the aforementioned designated sites.
- 8.4. It has been concluded that the Proposed Development will not lead to significant adverse impacts upon any Natura 2000 sites. No likely significant effect is foreseen upon these Natura 2000 sites as a result of the proposals, either alone or in combination with any other development.
- 8.5. This screening report, based on the best available scientific information, finds that the development does not pose any risk of significant adverse effects on Natura 2000 sites, and that the development does not require progression to a Stage 2 AA. It is therefore considered that the next stage of the AA is not required.

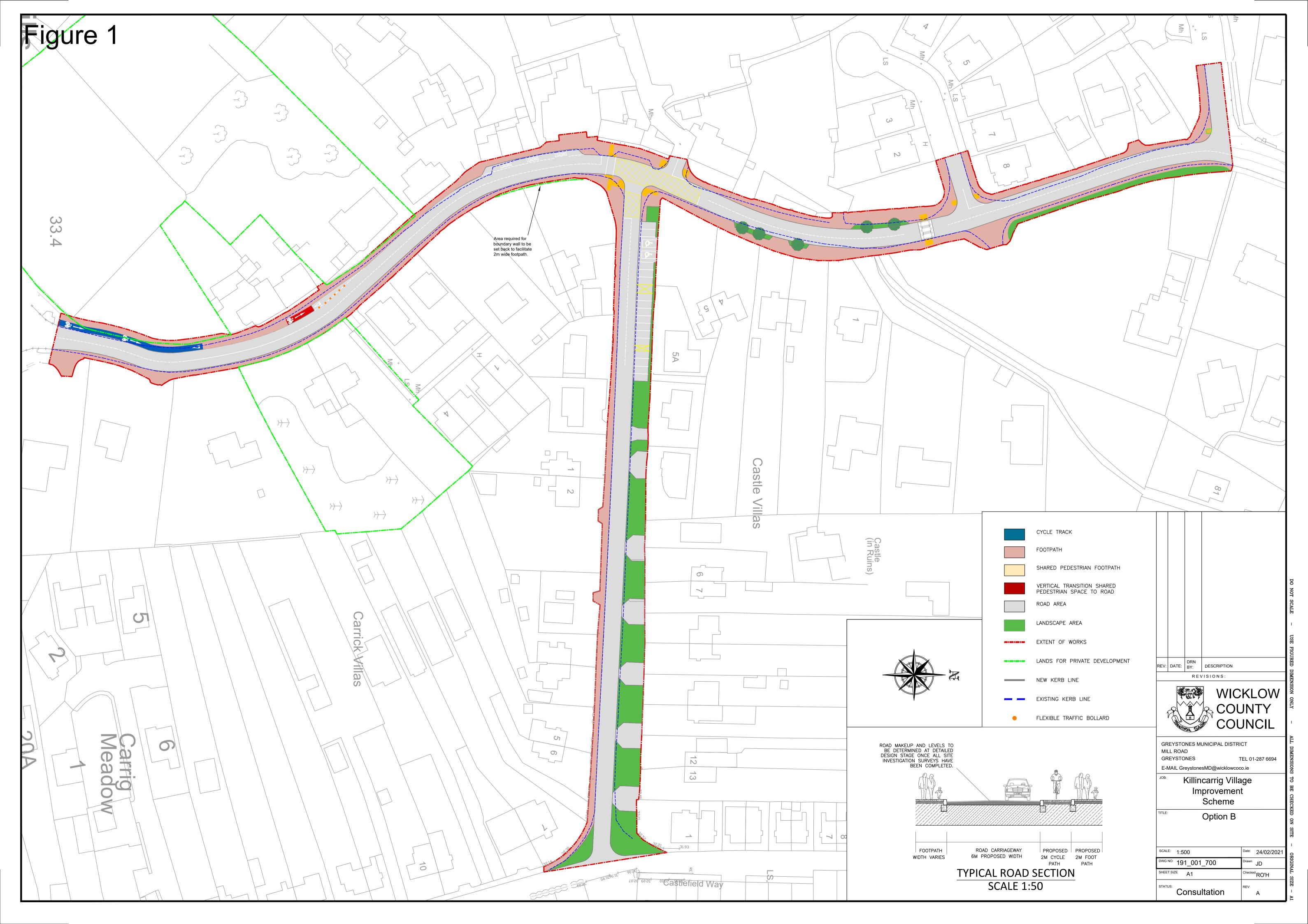


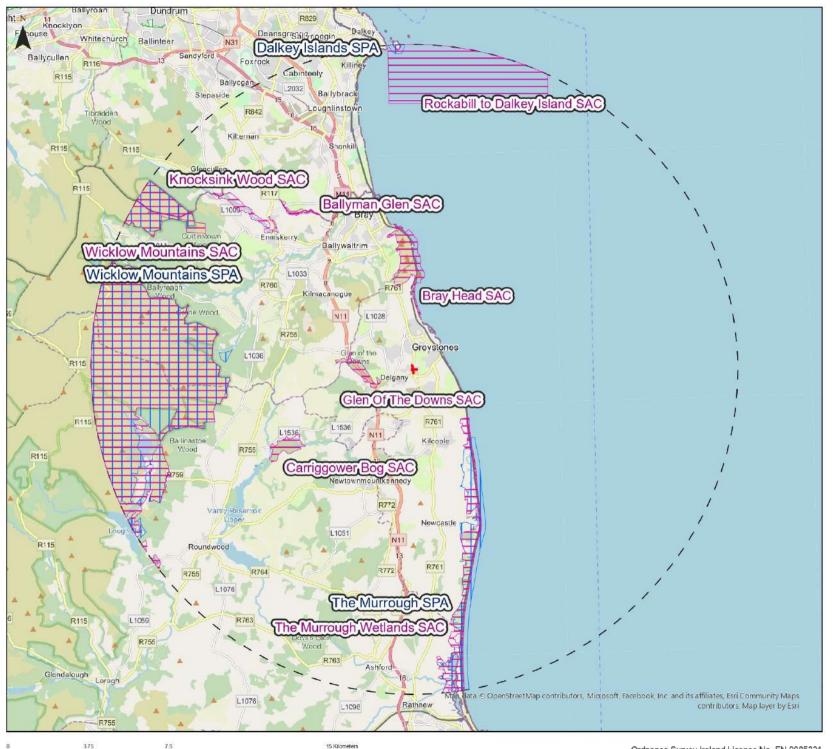
## 9. APPENDICES

### Appendix A

- Figure 1 Proposed Development
- Figure 2- Natura Designations Map







### Killincarrig Village Enhancement Natura 2000 Sites Figure 2

Key

Proposed Development

15km Study Area

Special Protection Areas (SPAs)

Special Areas of Conservation (SACs)

Neo Office Address: Johnstown Business Centre, Johnstown House, Naas, Co. Kildare



Date: 22/08/2022 Drawn By: Dara Dunlop Scale (A3): 1:125,000 Drawing No: NEO01100/002IA

