



Carroll & Browne Consultants  
Design and Management



**HABITATS DIRECTIVE**  
**STAGE 1 SCREENING REPORT FOR**  
**APPROPRIATE ASSESSMENT**  
**IN ACCORDANCE WITH THE REQUIREMENTS OF**  
**ARTICLE 6(3) OF THE EU HABITATS DIRECTIVE**

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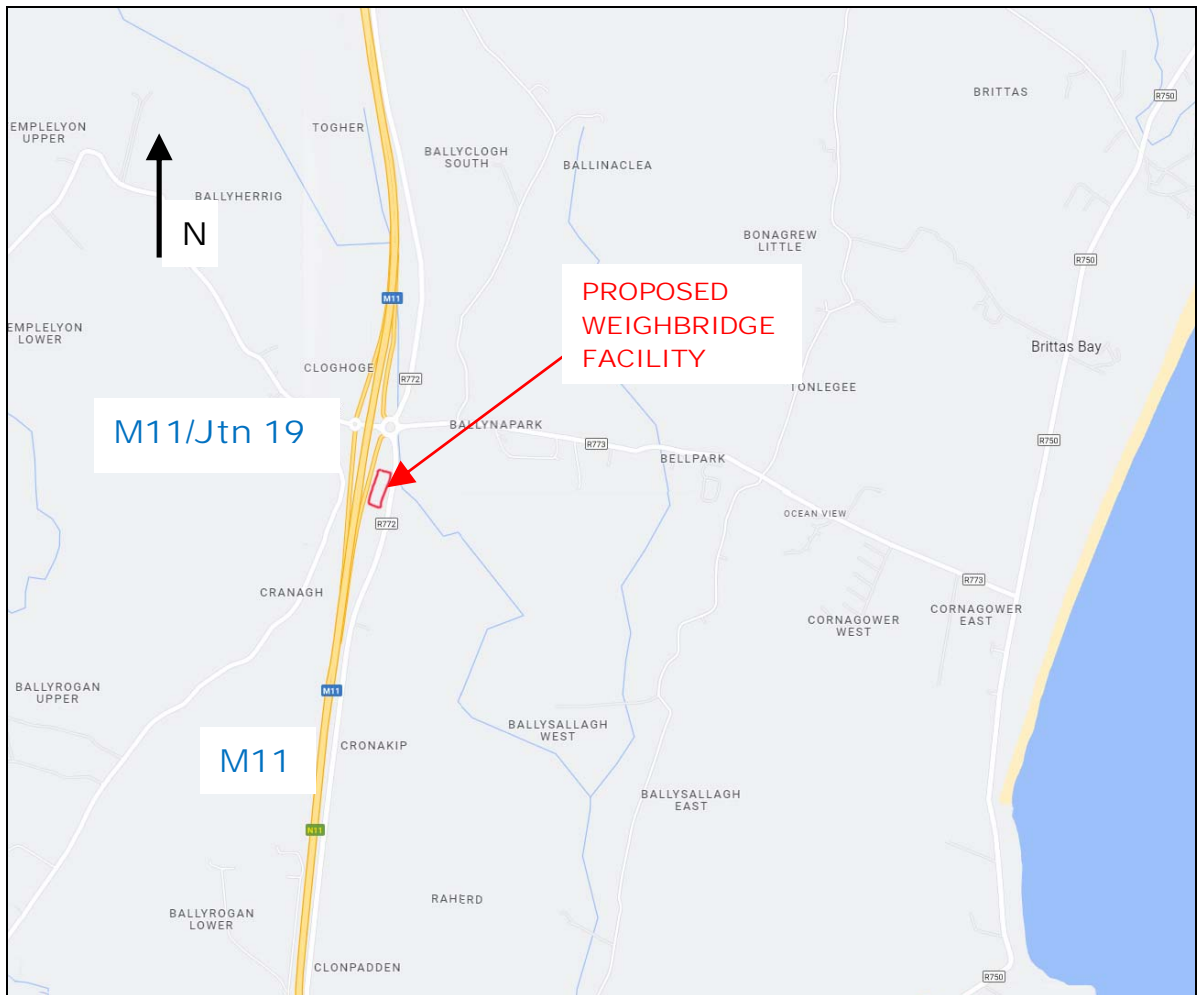
BAM CIVIL Ltd  
N11/M11 ROADS DEPOT  
JUNCTION 19  
CRANAGH  
REDCROSS  
CO. WICKLOW

**BAM CIVIL LTD / WICKLOW COUNTY COUNCIL**

**WEIGHBRIDGE FACILITY**

**HABITATS DIRECTIVE**

**STAGE 1 SCREENING REPORT FOR  
APPROPRIATE ASSESSMENT  
IN ACCORDANCE WITH THE REQUIREMENTS OF  
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01	23 <sup>rd</sup> November 2023	First Issue	Ger Browne	Darren Morrison	Ger Browne
<b>Issue</b>	<b>Date</b>	<b>Status</b>	<b>Written</b>	<b>Reviewed by</b>	<b>Authorised by</b>

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## 1. INTRODUCTION

### General

Carroll & Browne Consultants has been commissioned by BAM Civil Ltd / Wicklow County Council to prepare Part 8 Planning Documentation for a Weighbridge Facility at the N11/M11 Roads Depot at Junction 19, Cranagh, Redcross, Co. Wicklow.

Under Article 6(3) of the EU Habitats Directive, an “appropriate assessment” is required where any plan or project, either alone or ‘in combination’ with other plans or projects, could have an adverse effect on the integrity of a Natura 2000 site, i.e. a Special Area of Conservation (SAC) or a Special Protection Area for Birds (SPA), or on the conservation objectives of such a site.. This requirement is implemented in Ireland through Regulation 15 of the European Union (Natural Habitats) Regulations, SI 94/1997, as amended and Circular letters SEA 1/08 and NPWS 1/08.

A zone of influence of 15km is currently recommended in the case of plans or projects, and derives from UK guidance (Scott Wilson et al., 2006). Situated within 15km of the proposed facility are several Natura 2000 sites designated under the EU Habitats Directive. The locations of the Natura 2000 sites are shown on Figure 1.

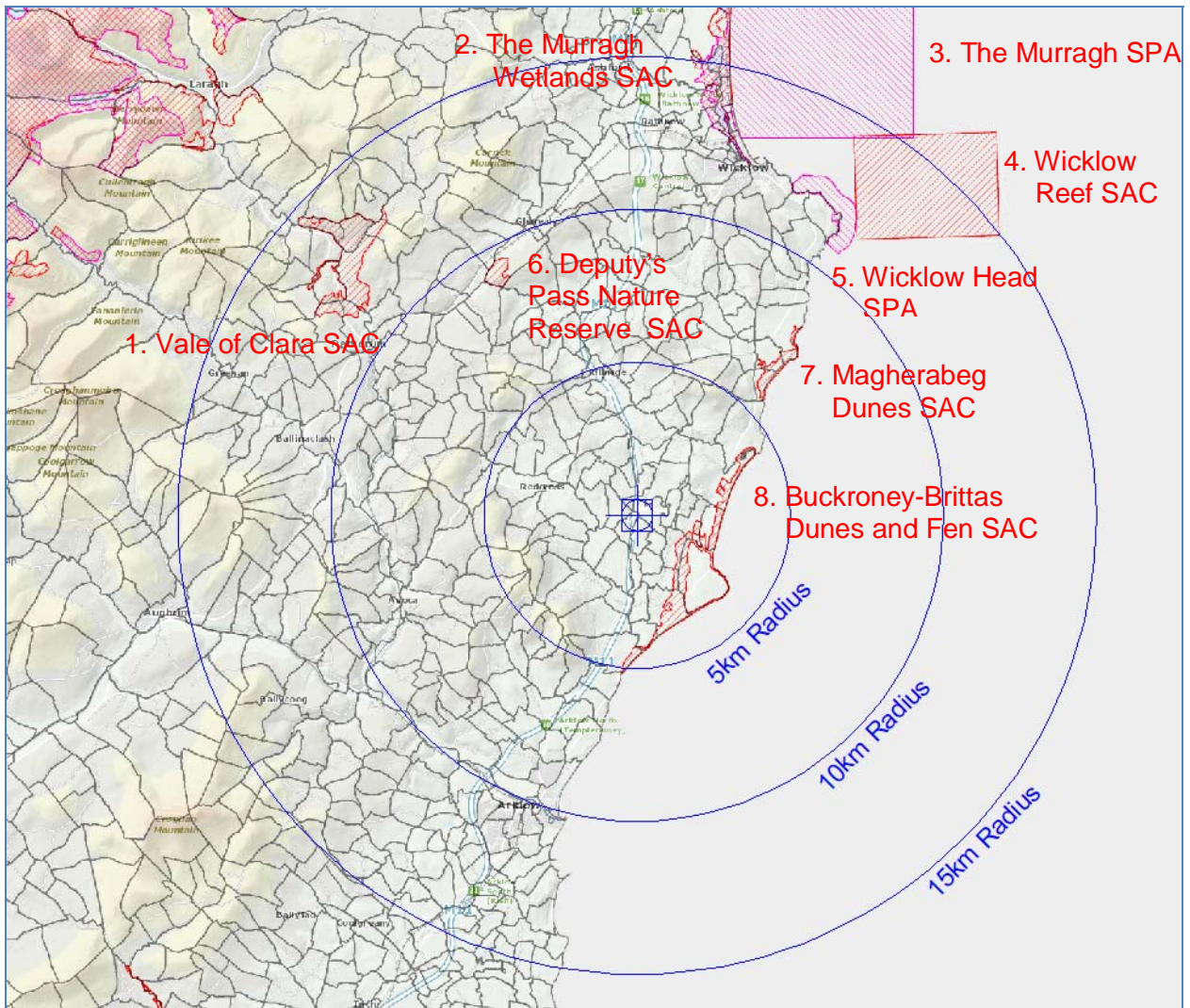
Article 6(3) of the EU Habitats Directive states:

*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.*

Article 6(4) of the EU Habitats Directive states:

*‘if, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of economic or social nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted. Where the site concerned hosts a priority natural habitat type and/or a priority species the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.*

This report comprises information in support of screening for Habitats Directive Assessment in line with the requirements of Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC) for the proposed Weighbridge Facility.



**Figure 1 – SPA's & SAC's / Site Locations**

**The Wicklow County Development Plan 2022-2028**

The Weighbridge Facility is necessary for the purpose of monitoring of laden vehicles on the M11 and in the general vicinity of the proposed facility.

The Wicklow County Development Plan 2022-2028 contains a number of policies and objectives that relate to the protection of the environment, landscape, water quality, and Natura 2000 sites. Chapter 17 of the Development Plan sets out the strategies and objectives with regard to natural heritage and biodiversity in the County. The protection of SACs and SPAs is specifically referred to in Objective CPO 17.4, CPO 17.5 and CPO 17.6 of the County Development Plan:

**Objective CPO 17.4:**

*To contribute, as appropriate, towards the protection of designated ecological sites including Special Areas of Conservation (SACs) and Special Protection Areas (SPAs); Wildlife Sites (including proposed Natural Heritage Areas); Salmonid Waters; Flora Protection Order sites; Wildfowl Sanctuaries (see S.I. 192 of 1979); Freshwater Pearl Mussel catchments; and Tree Preservation Orders (TPOs).*

*To contribute towards compliance with relevant EU Environmental Directives and applicable National Legislation, Policies, Plans and Guidelines, including but not limited to the following and any updated/superseding documents:*

- *EU Directives, including the Habitats Directive (92/43/EEC, as amended)<sup>6</sup>, the Birds Directive (2009/147/EC)<sup>7</sup>, the Environmental Liability Directive (2004/35/EC)<sup>8</sup>, the Environmental Impact Assessment Directive (2011/92/EU, as amended), the Water Framework Directive (2000/60/EC), EU Groundwater Directive (2006/118/EC) and the Strategic Environmental Assessment Directive (2001/42/EC); EU 'Guidance on integrating ecosystems and their services into decision-making' (European Commission 2019);*
- *National legislation, including the Wildlife Acts 1976 and 2010 (as amended)<sup>9</sup>, European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018, the Wildlife (Amendment) Act 2000, the European Union (Water Policy) Regulations 2003 (as amended), the Planning and Development Act 2000 (as amended), the European Communities (Birds and Natural Habitats) Regulations 2011 (SI No. 477 of 2011), the European Communities (Environmental Liability) Regulations 2008 (as amended)<sup>10</sup> and the Flora Protection order 2015;*
- *National policy guidelines (including any clarifying circulars or superseding versions of same), including 'Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment' (2018), 'Guidance for Consent Authorities regarding Sub-Threshold Development' (2003), 'Tree Preservation Guidelines', 'Landscape and Landscape Assessment' (draft 2000), 'Appropriate Assessment Guidance' (2010);*
- *Catchment and water resource management plans, including the National River Basin Management Plan 2018-2021 (including any superseding versions of same);*
- *Biodiversity plans and guidelines, including National Biodiversity Action Plan 2017-2021 (including any superseding versions of same) and the County Wicklow Biodiversity Action Plan;*
- *Ireland's Environment – An Integrated Assessment 2020 (EPA), including any superseding versions of same), and to make provision where appropriate to address the report's goals and challenges.*

**Objective CPO 17.5:**

*CPO 17.5 Projects giving rise to adverse effects on the integrity of European sites (cumulatively, directly or indirectly) arising from their size or scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation requirements, duration of construction, operation, decommissioning or from any other effects shall not be permitted on the basis of this plan<sup>11</sup>.*

**Objective CPO 17.6:**

*Ensure that development proposals, contribute as appropriate towards the protection and where possible enhancement of the ecological coherence of the European Site network and encourage the retention and management of landscape features that are of major importance for wild fauna and flora as per Article 10 of the EU Habitats directive. All projects and plans arising from this Plan will be screened*

A range of other policies in the County Development Plan 2020-2028 relate to water quality and waste water treatment, all of which aim to eliminate or reduce the potential for deterioration of water quality, both ground water and surface water.

Adherence to the above policies in the design and implementation of the proposed Facility, in combination with the over-arching protective policies and objectives in the Wicklow County Development Plan will therefore act to avoid significant downstream impacts on Natura 2000 sites.

## **2. STAGES OF THE APPROPRIATE ASSESSMENT**

This screening assessment has been prepared in accordance with the European Commission Environment DG document, 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, referred to as the "EC Article 6 Guidance Document". The guidance within this document provides a non-mandatory methodology for carrying out assessments required under Article 6(3) and (4) of the Habitats Directive, and are viewed as an interpretation of the EU Commission document Managing Natura 2000 sites: The Provisions of Article 6 of the Habitats Directive 92/43/EEC, referred to as "MN2000".

There are four main stages in the process associated with the Habitats Directive, which are:

1) Stage One: Screening

The process which identifies what the are likely impacts arising from a plan or project on a Natura 2000 site, either alone or in combination with other projects or plans, and considers whether these impacts are likely to be significant.

2) Stage Two: Appropriate Assessment

Where the possibility of significant impacts has not been discounted by the screening process, a more detailed assessment is required. This is called an appropriate assessment and involves the consideration of the impact of the project or plan on the integrity of the Natura 2000 site, either alone or in combination with other projects or plans, having regard to the site's structure and function and its conservation objectives. Additionally, where there are adverse impacts, it involves an assessment of the potential mitigation of those impacts.

3) Stage Three: Assessment of alternative solutions

Should the conclusion of the appropriate assessment be that there are likely to be impacts which will affect the overall integrity of the Natura 2000 site, then it is required to examine alternative ways of achieving the objectives of the project or plan that avoids adverse such adverse impacts. Stage three of a Habitats Directive Assessment involves the assessment of alternative solutions.

4) Stage Four: Assessment where no alternative solutions exist and where adverse impacts remain.

Should it be found there are no viable alternative solutions to avoid adverse impacts on the Natura 2000 site, and should it be agreed that the project/plan can proceed despite such impacts (which can only be for overriding reasons of public interest), then compensatory measures must be put in place in advance of the implementation of the plan/project. The fourth stage of the Habitats Directive assessment process involves the assessment of the proposed compensatory measures.

This document presents the result of the Stage One Screening Process. In complying with the obligations under Article 6(3) and following the EC2000 and MN2000 Guidelines, this screening document has been structured as a stage by stage approach as follows:

- Description of the project;
- Identification of Natura 2000 sites potentially affected;



- Identification and description of individual and cumulative impacts likely to result;
- Assessment of the significance of the impacts identified on site integrity; and
- Exclusion of sites where it can be objectively concluded that there will be no significant effects.

### 3. DESCRIPTION OF THE PROJECT

The Project comprises building and civil engineering works associated with the construction of a weighbridge facility on the R772 immediately south of the roundabout connecting the R772 and R773 to the east of Junction 19 on the M11 Motorway. A general location of the proposed facility is shown on Figure 2.

The proposed weighbridge facility works include:

- Site Clearance.
- Utilities protection in the vicinity of the works location.
- Road Construction consisting of kerbing and pavement works.
- 18.5m weighbridge.
- Weighbridge Administration Building comprising an area of 39 sq.m incorporating an entrance hall (5.7 sq.m), office (12 sq.m), Kitchen/Locker Room (12 sq.m) and WC.
- Surface water drainage including silt trap and oil interceptor and soakaways,
- Car parking spaces,
- New perimeter fencing and gates.
- Public Lighting,
- Removal of the verge and extension of the hardshoulder on the R772 opposite the proposed facility for a distance of 44m,
- Road Lining,
- Road Signage,
- Landscaping.



**Figure 2 – Location of Proposed Weighbridge Facility**



#### 4. IDENTIFICATION OF NATURA 2000 SITES POTENTIALLY AFFECTED

The proposed weighbridge facility is not directly connected with or necessary to the management of Natura 2000 sites in Wicklow County or elsewhere. As mentioned in Chapter 1 best practice recommends assessing Natura 2000 sites located within 15km of a proposed plan or project (see Figure 1).

Six SAC's and two SPA's are located within 15km of the proposed Weighbridge Facility. These sites are:

1. Vale of Clara SAC, Code IE000733.
2. The Murragh Wetlands SAC, Code IE002249.
3. The Murragh SPA, Code IE004186.
4. Wicklow Reef SAC, Code IE002274.
5. Wicklow Head SPA, Code IE004127
6. Deputy's Pass Nature Reserve SAC, Code IE000717.
7. Magherabeg Dunes SAC. Code IE001766.
8. Buckroney-Brittis Dunes and Fen SAC, Code IE001729.

The proposed weighbridge facility is in close proximity to a ditch/stream that enters the Irish Sea immediately south of The European Club golf course. Surface water disposal from the proposed facility will be discharged to ground by way of soakaways. Effluent from the facility will be treated by way of a new Effluent Treatment plant, which will be located within the adjacent M11 Roads Depot.

A summary of the main elements of interest for each of these sites is as follows:

##### 1. Vale of Clara SAC

The Vale of Clara woodland is situated mostly on the east side of the Avonmore River, immediately north of Rathdrum in Co. Wicklow. It lies between 107 and 244 m above sea level, and forms an integral part of one of the most scenic valleys in Wicklow. The woodland is a remnant of the once extensive forests of east Wicklow, which may have occupied this site since the end of the last Ice Age.

The main importance of the site lies in the presence of oak woods. The site is a good example of what remains of the once extensive oak forests of east Wicklow, and is representative of the relatively dry, acid oak woods of eastern Ireland. The woodlands are of considerable conservation significance as they conform to a type listed on Annex I of the E.U. Habitats Directive. The historical record of land use within the woods adds to the interest of the site, as does the occurrence of a number of rare and scarce species.

##### 2. The Murragh Wetlands SAC

The Murragh is a coastal wetland complex which stretches for 15 km from Ballygannon to north of Wicklow town, and in parts, extends inland for up to 1 km. A shingle ridge stretches the length of the site and carries the mainline Dublin-Wexford railway.

The site is of importance as it is the largest coastal wetland complex on the east coast of Ireland.

Although much affected by drainage, it still contains a wide range of coastal and freshwater habitats, including six listed on Annex I of the E.U. Habitats Directive, some of which contain threatened plants. Areas on the site contain a rich invertebrate fauna, including several rarities. It is an important site for

both wintering and breeding birds and supports a variety of species listed on Annex I of the E.U. Birds Directive.

The site is a Special Area of Conservation (SAC) selected for the following habitats and/or species listed on Annex I / II of the E.U. Habitats Directive:

- Annual Vegetation of Drift Lines
- Perennial Vegetation of Stony Banks
- Atlantic Salt Meadows
- Mediterranean Salt Meadows
- Cladium Fens
- Alkaline Fens

### 3. The Murragh Wetlands SPA

The Murragh SPA comprises a coastal wetland complex that stretches for 13 km from Kilcoole Station, east of Kilcoole village in the north to Wicklow town in the south, and extends inland for up to 1 km in places. The site includes an area of marine water to a distance of 200m from the low water mark. A shingle ridge runs along the length of the site and carries the Dublin-Wexford railway line.

The site is a Special Protection Area (SPA) under the E.U. Birds Directive, of special conservation interest for the following species: Red-throated Diver, Greylag Goose, Light-bellied Brent Goose, Wigeon, Teal, Black-headed Gull, Herring Gull and Little Tern. The E.U. Birds Directive pays particular attention to wetlands, and as these form part of this SPA, the site and its associated waterbirds are of special conservation interest for Wetland & Waterbirds.

The Murragh SPA is an important site for wintering waterbirds, being internationally important for Light-bellied Brent Goose and nationally important for Red-throated Diver, Greylag Goose, Wigeon, Teal, Black-headed Gull and Herring Gull. It is probably the most important site in the country for nesting Little Tern. The regular occurrence of Red-throated Diver, Little Egret, Whooper Swan, Greenland White-fronted Goose, Golden Plover, Little Tern, Sandwich Tern, Short-eared Owl and Kingfisher is of note as these species are listed on Annex I of the E.U. Birds Directive. Part of the Murragh SPA is a Wildfowl Sanctuary.

### 4. Wicklow Reef SAC

Wicklow Reef is situated just to the north of Wicklow Head on the east coast of Ireland in Co. Wicklow. The substrate is a mixture of cobbles, bedrock and sand and is subject to strong tidal streams. The site is a Special Area of Conservation (SAC) selected for a 'Reef' habitat.

The reef occurs at a depth of 12-30 m and reaches a thickness of at least 0.3-0.5 m. It is composed of consolidated sand grains formed into a honeycomb structure by the activities of the worm. Wicklow Reef is of high conservation value as it is the only documented example in Ireland of a biogenic reef. Further, it supports a number of uncommon species.

### 5. Wicklow Head SPA

Wicklow Head is a rocky headland with extensive exposures of mica-schist. It is situated approximately 3 kilometres south of Wicklow town. A lighthouse is located near the base of the cliffs. The cliffs are

highest immediately south of the lighthouse where they rise to about 60 m and it is here that most of the seabirds breed. The site comprises the cliffs and cliff-top vegetation, as well as some heath vegetation. The marine area to a distance of 500 m from the base of the cliffs is included in the site.

At the time this site was identified for Special Protection Area (SPA) designation it was utilised by a nationally important population of Kittiwake and this species is regarded as a special conservation interest for this SPA.

A survey in 2002 recorded a nationally important population of breeding Kittiwake (956 pairs) and other breeding seabirds including Fulmar (62 pairs), Shag (11 pairs), Herring Gull (20 pairs), Guillemot (281 pairs) and Razorbill (125 pairs). A survey of Black Guillemot in April 1998 recorded 70 individual birds within the SPA.

The site also supports a pair of breeding Peregrine. Ravens nest annually on the cliffs, and the heath supports such species as Stonechat, Whitethroat and Linnet.

#### 6. Deputy's Pass SAC

Deputy's Pass woodland is located on the northern spur of the Deputy's Pass near Glenealy in Co. Wicklow. It was designated a Nature Reserve in 1982.

The site is a Special Area of Conservation (SAC) selected for an 'Old Oak Woodlands' habitat.

The predominant vegetation community in Deputy's Pass Nature Reserve is Sessile Oak woodland, referable to the Blechno-Quercetum petraeae association. The oak is of coppice origin, 70-80 years old, and forms a nearly closed canopy.

Deputy's Pass is managed as a Nature Reserve and is part of an internationally important series of oak woods in Co. Wicklow, which are almost certainly natural in origin and which retain much of their original character and species composition

#### 7. Magherabeg Dunes SAC

Magherabeg Dunes SAC is a sand dune system situated at Ardmore Point, about 5 km south of Wicklow Head in Co. Wicklow. The Three Mile Water River enters the sea through the dunes. The site is fairly intact, though some areas are being naturally eroded by wind and sea, in particular at the southern end, where bedrock has been exposed.

The site is a Special Area of Conservation (SAC) selected for the following habitats:

- Annual Vegetation of Drift Lines
- Embryonic Shifting Dunes
- Marram Dunes (White Dunes)
- Fixed Dunes (Grey Dunes)
- Petrifying Springs

The Three Mile Water River, which flows through the dunes provides habitat for wetland species such as sedges, including Bladder Sedge, Fox Sedge Version and Grey Sedge. The very rare hybrid sedge, has also been recorded here. Common Reed is also found along the river.

The site is of conservation importance because it is a fine example of a dune system which is fairly intact and which has a well developed flora. The lack of easy public access to this site has undoubtedly helped in preventing damage and erosion from amenity activities.

8. Buckroney-Brittis Dunes and Fen SAC

Buckroney-Brittis Dunes and Fen is a complex of coastal habitats located about 10 km south of Wicklow town. It comprises two main sand dune systems, Brittis Bay and Buckroney Dunes, connected on the coast by the rocky headland of Mizen Head. The dunes have cut off the outflow of a small river at Mizen Head and a fen, Buckroney Fen, has developed. A further small sand dune system occurs south of Pennycomequick Bridge.

The site is a Special Area of Conservation (SAC) selected for the following habitats:

- Annual Vegetation of Drift Lines
- Perennial Vegetation of Stony Banks
- Mediterranean Salt Meadows
- Embryonic Shifting Dunes
- Marram Dunes (White Dunes)
- Fixed Dunes (Grey Dunes)
- Decalcified Dune Heath
- Dunes with Creeping Willow
- Humid Dune Slacks
- Alkaline Fens

The site is important as an extensive sand dune/fen system with well developed plant communities. Several coastal habitats listed on the E.U. Habitats Directive, including two priority habitats - fixed dune and decalcified dune heath - are present. The area contains two legally protected plants, as well as a number of other rare or scarce plant species. The site provides habitat for some rare species of invertebrate and for the vulnerable Little Tern.

5. **IDENTIFICATION AND DESCRIPTION OF INDIVIDUAL AND CUMULATIVE IMPACTS LIKELY TO RESULT**

**Individual Impacts**

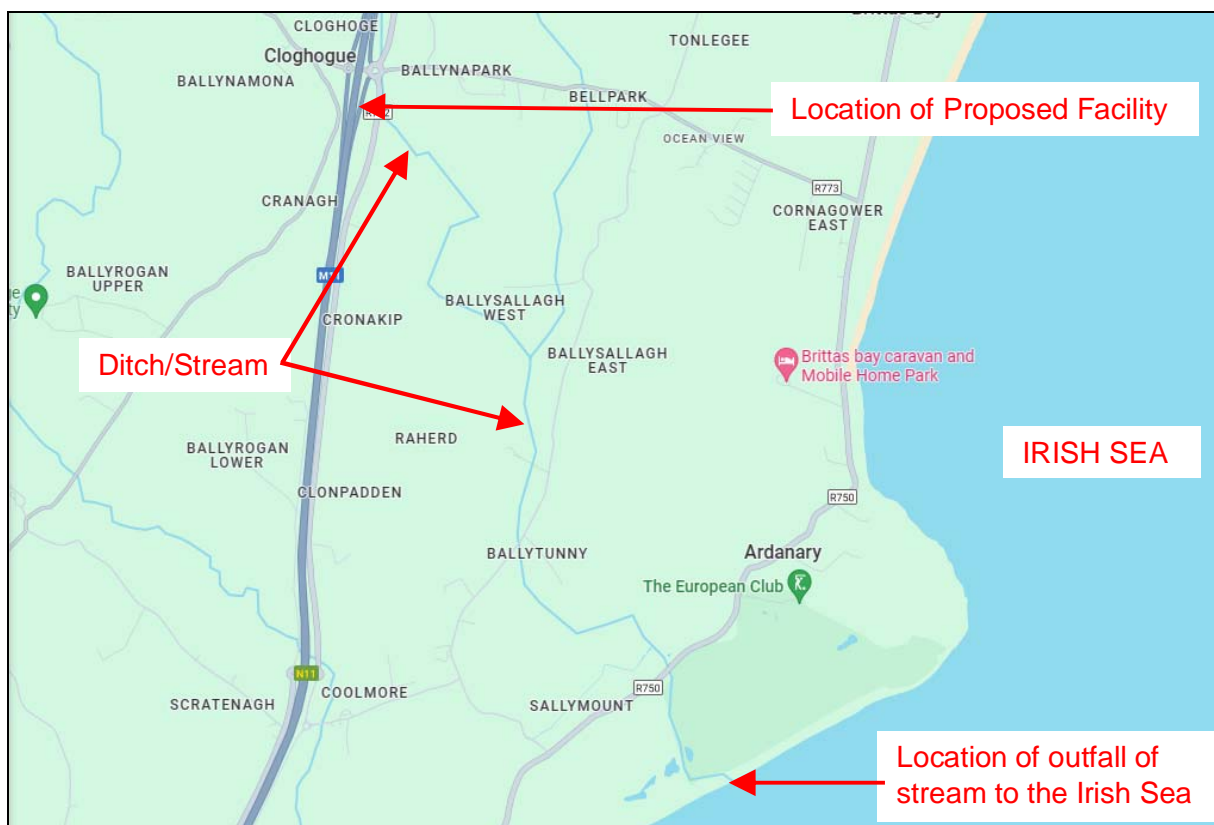
A potential hydrological link is identified as being the primary source-pathway-receptor between the site of the proposed weighbridge facility and one of the Natura 2000 sites.

Sites 1 to 7 inclusive have no direct ecological or hydrological link to the site of the proposed weighbridge facility. Negative impacts on these sites are therefore highly unlikely by virtue of distance of the proposed facility from each site and the absence of source-pathway-receptors. In summary the primary source-pathway is surface water runoff and/or discharge from the effluent treatment system from the proposed weighbridge facility, which cannot impact with any of these sites.

A potential hydrological link is identified as being the primary source-pathway-receptor between the site of the proposed weighbridge facility and one of the Natura 2000 sites, namely Site 8, the Buckroney-Brittis Dunes and Fen SAC. A ditch/stream that runs to the east of the proposed facility may potentially provide a vehicle for the transfer of negative impacts to this site downstream. The location of the ditch/stream is shown in Figure 3. During the construction of the proposed weighbridge facility and during its operational phase it is possible that pollutants could be carried to the SAC via the ditch/stream. However a number of factors make this extremely unlikely, namely:

- a) An environmental management system will be implemented during the construction stage, which will require strict procedures to be implemented and which will ensure that no construction material (cementitious material, concrete additives, petrochemicals etc) from the weighbridge site can be introduced to ditch/stream.
- b) Silt traps and oil interceptors will be installed on the facilities drainage network, which will discharge to ground via soakaways. There will be no direct discharge of surface water drainage to the ditch/stream.
- c) An effluent treatment system that complies fully with current regulations and standards will be constructed within the adjacent M11 Roads Depot.
- d) A Maintenance Procedures Manual for the completed surface water drainage system and the effluent treatment system, including procedures for routine maintenance of gulleys, surface water pipes, silt traps and oil interceptors, will be prepared and issued to the operators of the adjacent M11 Roads Depot and to Wicklow County Council for adoption and incorporation into their annual maintenance programme.

In summary negative impacts on each of the 8 identified sites are therefore highly unlikely by virtue of distance of the proposed facility from each site and the factors mentioned above.



**Figure 3 – Location of Proposed Weighbridge Facility**

### Cumulative Impacts

This screening assessment for the proposed Weighbridge Facility indicates there will be no significant impacts arising from the proposed facility. In relation to potential cumulative impacts from the proposed facility with other plans and projects, it is a requirement that each of these will be subject to screening for appropriate assessment to ensure there will be no significant negative impact on Natura

2000 sites. Taken together, adherence to this required approach will ensure that no cumulative impacts will arise from the proposed weighbridge facility.

**6. ASSESSMENT OF THE SIGNIFICANCE OF THE IMPACTS IDENTIFIED ON SITE INTEGRITY**

No impacts on Natura 2000 sites have been identified in relation to the proposed Weighbridge Facility.

**7. EXCLUSION OF SITES WHERE IT CAN BE OBJECTIVELY CONCLUDED THAT THERE WILL BE NO SIGNIFICANT EFFECTS.**

No impacts on Natura 2000 sites have been identified in relation to the proposed Weighbridge Facility and therefore all identified sites can be excluded from further stages of the Appropriate Assessment process

**8. CONCLUSION**

This screening report has evaluated the proposed Weighbridge Facility to determine whether or not significant negative impacts on Natura 2000 sites are likely to arise by virtue of the facility's implementation. The report finds that the proposed facility, either individually or in combination with other plans and projects, shall not give rise to significant effects on the integrity of any Natura 2000 site.

The Appropriate Assessment procedure for this proposed weighbridge facility is therefore concluded at this Screening Stage and a detailed (Stage 2) Appropriate Assessment is not required.



SIGNED: \_\_\_\_\_

Ger Browne, Chartered Engineer  
Director

DATED: 29<sup>th</sup> November 2023