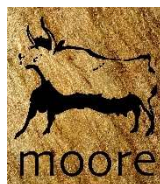


Report for the purposes of Appropriate Assessment Screening

Lott Lane Residential Development

Prepared by: Moore Group – Environmental Services

22 June 2022



On behalf of Wicklow County Council

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| Project Proponent | Wicklow County Council |
| Project | Lott Lane Residential Development |
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Appendix A – Finding of No Significant Effects Report

Abbreviations

| | |
|------|-------------------------------------|
| AA | Appropriate Assessment |
| EEC | European Economic Community |
| EPA | Environmental Protection Agency |
| EU | European Union |
| GIS | Geographical Information System |
| LAP | Local Area Plan |
| NHA | Natural Heritage Area |
| NIS | Natura Impact Statement |
| NPWS | National Parks and Wildlife Service |
| OSI | Ordnance Survey Ireland |
| pNHA | proposed Natural Heritage Area |
| SAC | Special Area of Conservation |
| SPA | Special Protection Area |
| SuDS | Sustainable Drainage System |
| WFD | Water Framework Directive |

1. Introduction

1.1. General Introduction

This report for the purposes of Appropriate Assessment (AA) Screening has been prepared to support a Part 8 Application for the Proposed Development (described in Section 3 below). This report contains information required for the competent authority to undertake screening for Appropriate Assessment (AA) in respect of the construction and operation of a residential development at Lott Lane, Kilcoole, Co. Wicklow (hereafter referred to as the Proposed Development) to determine whether it is likely individually or in combination with other plans and projects to have a significant effect on any European sites, in light of best scientific knowledge.

Having regard to the provisions of the Planning and Development Act 2000 – 2021 (the “Planning Acts”) (section 177U), the purpose of a screening exercise under section 177U of the PDA 2000 is to assess, in view of best scientific knowledge, if the proposed development, individually or in combination with another plan or project is likely to have a significant effect on a European site.

If it cannot be *excluded* on the basis of objective information that the proposed development, individually or in combination with other plans or projects, will have a significant effect on a European site then it is necessary to carry out a Stage 2 appropriate assessment under section 177V of the Planning Acts.

When screening the project, there are two possible outcomes:

- the project poses no potential for a likely significant effect and as such requires no further assessment; and
- the project has potential to have likely significant effect (or this is uncertain) unless mitigation measures are applied, and therefore an AA of the project is necessary.

This report has been prepared by Moore Group - Environmental Services to enable Wicklow County Council to carry out AA screening in relation to the Proposed Development. The report was compiled by Ger O’Donohoe (B.Sc. Applied Aquatic Sciences (GMIT, 1993) & M.Sc. Environmental Sciences (TCD, 1999)) who has 27 years’ experience in environmental impact assessment and has completed numerous Appropriate Assessment Screening Reports and Natura Impact Statements on terrestrial and aquatic habitats for various development types.

1.2. Legislative Background - The Habitats and Birds Directives

Article 6 of the Habitats Directive is transposed into Irish Law inter alia by the Part XAB of the Planning Acts (section 177U and 177V) govern the requirement to carry out appropriate assessment screening and appropriate assessment, where required, per Section 1.1 above.

The Habitats Directive (Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora) is the main legislative instrument for the protection and conservation of biodiversity in the European Union (EU). Under the Habitats Directive, Member States are obliged to designate Special Areas of Conservation (SACs) which contain habitats or species considered important for protection and conservation in a EU context.

The Birds Directive (Council Directive 2009/147/EC on the conservation of wild birds), transposed into Irish law by the Bird and Natural Habitats Regulations 2011, as amended, is concerned with the long-term protection and management of all wild bird species and their habitats in the EU. Among other things, the Birds Directive requires that Special Protection Areas (SPAs) be established to protect migratory species and species which are rare, vulnerable, in danger of extinction, or otherwise require special attention.

SACs designated under the Habitats Directive and SPAs, designated under the Birds Directive, form a pan-European network of protected sites known as Natura 2000. The Habitats Directive sets out a unified system for the protection and management of SACs and SPAs. These sites are also referred to as European sites.

Articles 6(3) and 6(4) of the Habitats Directive set out the requirement for an assessment of proposed plans and projects likely to have a significant effect on Natura 2000 sites.

Article 6(3) establishes the requirement to screen all plans and projects and to carry out an appropriate assessment if required (Appropriate Assessment (AA)). Article 6(4) establishes requirements in cases of imperative reasons of overriding public interest:

Article 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 subjected to an appropriate assessment of its implications for the site in view of the site’s conservation objectives. In 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.”*

2. Methodology

The Commission’s methodological guidance (EC, 2002, 2018, 2021 see Section 2.1 below) promotes a four-stage process to complete the AA and outlines the issues and tests at 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.

Stages 1 and 2 deal with the main requirements for assessment under Article 6(3). Stage 3 may be part of Article 6(3) or may be a necessary precursor to Stage 4. Stage 4 is the main derogation step of Article 6(4).

Stage 1 Screening: This stage examines the likely effects of a project either alone or in combination with other projects upon a Natura 2000 site and considers whether it can be objectively concluded that these effects will not be significant. In order to screen out a project, it must be excluded, on the basis of objective information, that the Proposed Development, individually or in combination with other plans or projects, will have a significant effect on a European site.

Stage 2 Appropriate Assessment: In this stage, there is a consideration of the impact of the project with a view to ascertain whether there will be any adverse effect on the integrity of the Natura 2000 site either alone or in combination with other projects or plans, with respect to the site's structure and function and its conservation objectives. Additionally, where there are predicted impacts, an assessment of the potential mitigation of those impacts is considered.

Stage 3 Assessment of Alternative Solutions: This stage examines alternative ways of implementing the project that, where possible, avoid any adverse impacts on the integrity of the Natura 2000 site.

Stage 4 Assessment where no alternative solutions exist and where adverse impacts remain: Where imperative reasons of overriding public interest (IROPI) exist, an assessment to consider whether compensatory measures will or will not effectively offset the damage to the sites will be necessary.

To ensure that the Proposed Development complies fully with the requirements of Article 6 of the Habitats Directive and all relevant Irish transposing legislation, Moore Group compiled this report to enable Wicklow County Council to carry out AA screening in relation to the Proposed Development to determine whether the Proposed Development, individually or in combination with another plan or project will have a significant effect on a Natura 2000 site.

2.1. Guidance

This report has been compiled in accordance with guidance contained in the following documents:

- Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities. (Department of Environment, Heritage and Local Government, 2010 rev.).
- Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities. Circular NPWS 1/10 & PSSP 2/10.
- Assessment of Plans and Projects Significantly Affecting Natura 2000 sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (European Commission Environment Directorate-General, 2001); hereafter referred to as the EC Article 6 Guidance Document.
- Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC (EC Environment Directorate-General, 2000); hereafter referred to as MN2000.
- Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC (EC, 2018).

- Guidance document on the strict protection of animal species of Community interest under the Habitats Directive (EC, 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 (EC, 2021).
- Office of the Planning Regulator (OPR) Practice Note PN01 Appropriate Assessment Screening for Development Management (OPR, 2021).

2.2. Data Sources

Sources of information that were used to collect data on the Natura 2000 network of sites, and the environment within which they are located, are listed below:

- The following mapping and Geographical Information Systems (GIS) data sources, as required:
 - National Parks & Wildlife (NPWS) protected site boundary data;
 - Ordnance Survey of Ireland (OSI) mapping and aerial photography;
 - OSI/Environmental Protection Agency (EPA) rivers and streams, and catchments;
 - Open Street Maps;
 - Digital Elevation Model over Europe (EU-DEM);
 - Google Earth and Bing aerial photography 1995-2022;
- Online data available on Natura 2000 sites as held by the National Parks and Wildlife Service (NPWS) from www.npws.ie including:
 - Natura 2000 - Standard Data Form;
 - Conservation Objectives;
 - Site Synopses;
- National Biodiversity Data Centre records;
 - Online database of rare, threatened and protected species;
 - Publicly accessible biodiversity datasets.
- Status of EU Protected Habitats in Ireland. (National Parks & Wildlife Service, 2019); and
- Relevant Development Plans;
 - Wicklow County Development Plan 2022-2028

3. Description of the Proposed Development

The Proposed Development is to consist of a mixed tenure housing development and a childcare facility at Lott Lant, Kilcoole, Co. Wicklow.

Surface water disposal shall be in accordance with Wicklow County Council policy on storm water, the Greater Dublin Regional Code of Practice for Drainage Works and best practice for Sustainable Drainage Systems. In line with SUDS surface water will go to ground following oil interception and attenuation.

Wastewater from the proposed development will be directed to the Greystones WWTP which has the capacity to assimilate the additional load, see Annual Environmental Report for Greystones WWTP (2021) available online through the Environmental Protection Agency's (EPA) website. Section 2.1.4 of the report refers to the existing capacity and reports that the WWTP has the remaining capacity of 14,814 PE which is not expected to be exceeded in the 3 yr period to 2023.

Figure 1 shows the proposed Project location and Figure 2 shows a detailed view of the proposed Project boundary on recent aerial photography. Figure 3 is a plan of the proposed Project.

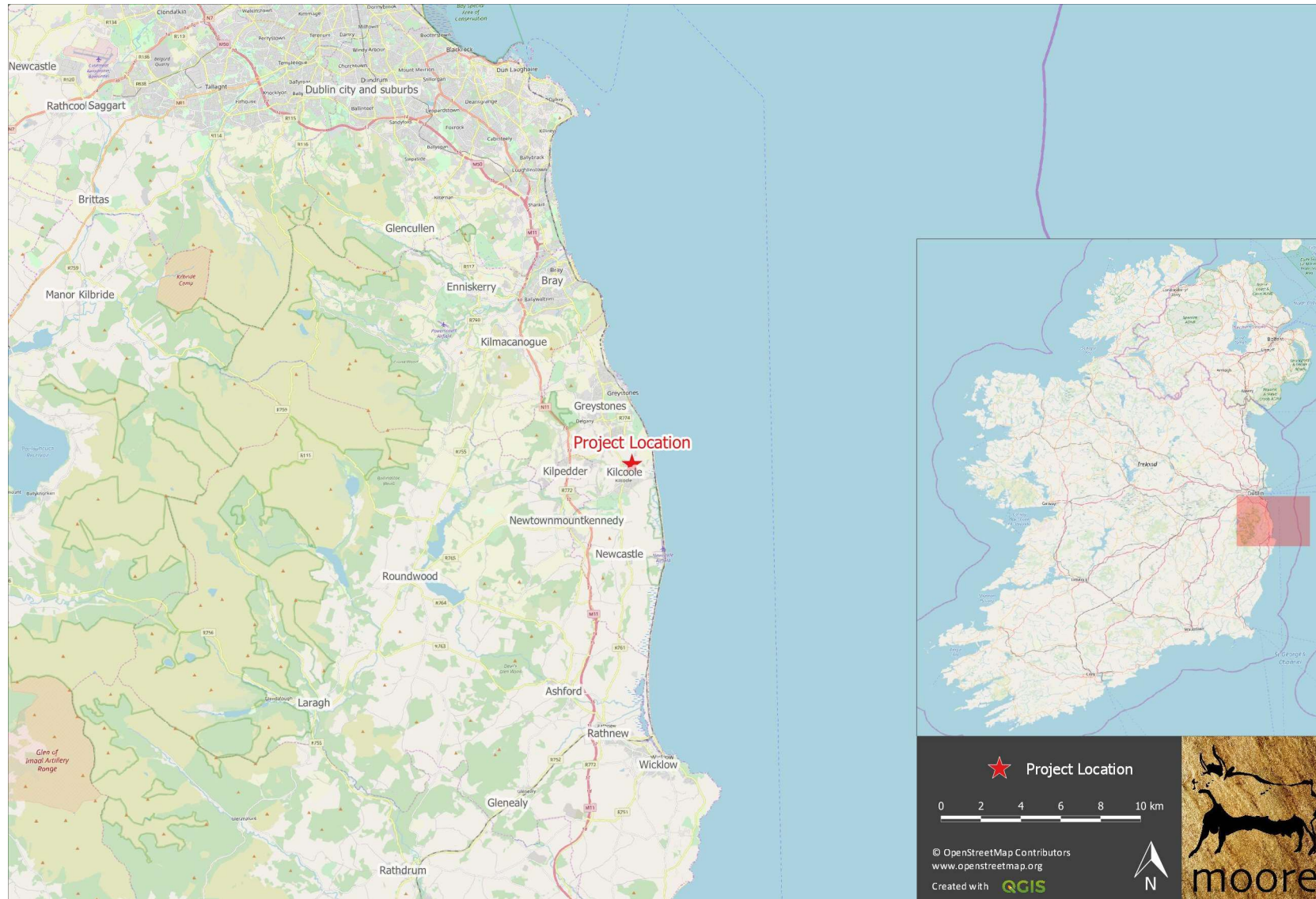


Figure 1. Showing the Proposed Development location at Kilcoole, Co. Wicklow.



Figure 2. Showing the Proposed Development boundary on recent aerial photography.



Figure 3. Plan of the Proposed Development.

4. Identification of Natura 2000 Sites

4.1. Description of Natura Sites Potentially Significantly Affected

The Department of Housing, Planning and Local Government (previously DoEHLG)'s Guidance on Appropriate Assessment (2009) recommends an assessment of European sites within a Zone of Influence (ZoI) of 15km. However, this distance is a guidance only and a 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. In accordance with the OPR Practice Note, PN01, the ZoI should be established on a case-by-case basis using the Source- Pathway-Receptor framework and not by arbitrary distances (such as 15km).

The Zone of Influence may be determined by considering the Proposed Development's potential connectivity with European sites, in terms of:

- Nature, scale, timing and duration of works and possible impacts, nature and size of excavations, storage of materials, flat/sloping sites;
- Distance and nature of pathways (dilution and dispersion; intervening 'buffer' lands, roads etc.); and
- Sensitivity and location of ecological features.

The potential for source pathway receptor connectivity is firstly identified through GIS interrogation and detailed information is then provided on sites with connectivity. European sites that are located within a potential Zone of Influence of the Proposed Development are listed in Table 1 and presented in Figures 4 and 5, below. Spatial boundary data on the Natura 2000 network was extracted from the NPWS website (www.npws.ie) on 22 June 2022. This data was interrogated using GIS analysis to provide mapping, distances, locations and pathways to all sites of conservation concern including pNHAs, NHA and European sites.

Table 1 European Sites located within the potential Zone of Influence¹ of the Proposed Development.

| Site Code | Site name | Distance (km) ² |
|-----------|---------------------------|----------------------------|
| 000719 | Glen of The Downs SAC | 3.37 |
| 002249 | The Murrough Wetlands SAC | 0.54 |
| 004186 | The Murrough SPA | 1.07 |

The Proposed Development is situated on a greenfield site located on the northern outskirts of Kilcoole. The nearest European sites to the proposed development are associated with the Murrough, along the coast to the

¹ All European sites potentially connected irrespective of the nature or scale of the Proposed Development.

² Distances indicated are the closest geographical distance between the Proposed Development and the European site boundary, as made available by the NPWS.

east, and include The Murrrough Wetlands SAC (Site Code 002249), which is located approximately 540m to the east, and The Murrrough SPA (Site Code 004186), which is located approximately 1.07km to the south east.

A review of aerial photography, Ordnance Survey Ireland (OSI) mapping and OSI Geographical Information System (GIS) data for rivers and streams indicates that there are no notable surface water features onsite and no direct hydrological pathways to offsite surface water bodies. This was confirmed during fieldwork, undertaken for an Ecological Impact Assessment, with no field drains noted inside or within the environs of the Proposed Development site. It appears that surface water goes to ground within the site or along its boundaries.

There is no connectivity to any European Sites.

The Qualifying Interests (QIs) and Special Conservation Interests (SCIs) of the European sites in the Zone of influence of the Proposed Development are provided in Table 2 below.

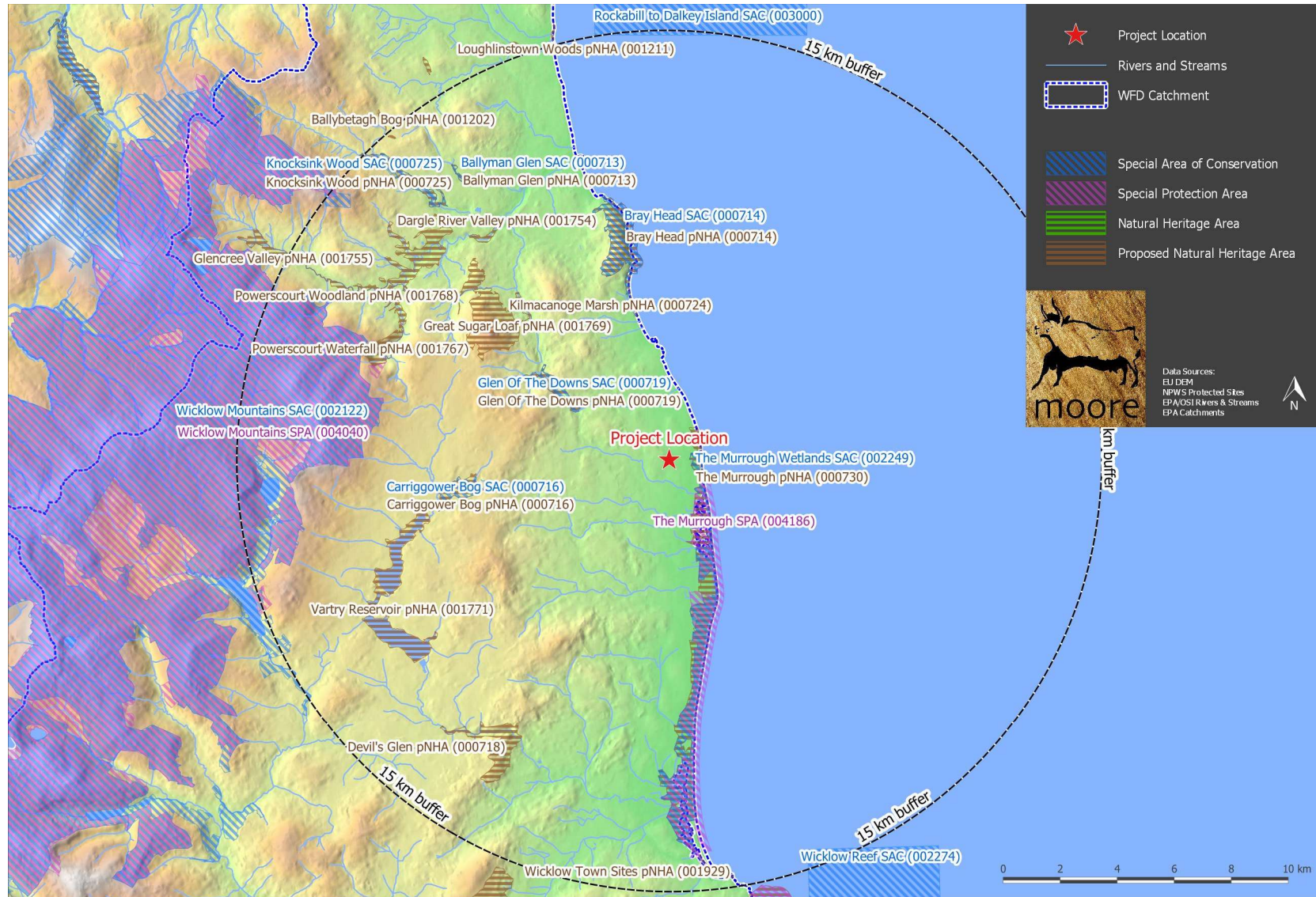


Figure 4. Showing European sites and NHAs/pNHAs within the wider Potential Zone of Influence of the Proposed Development.

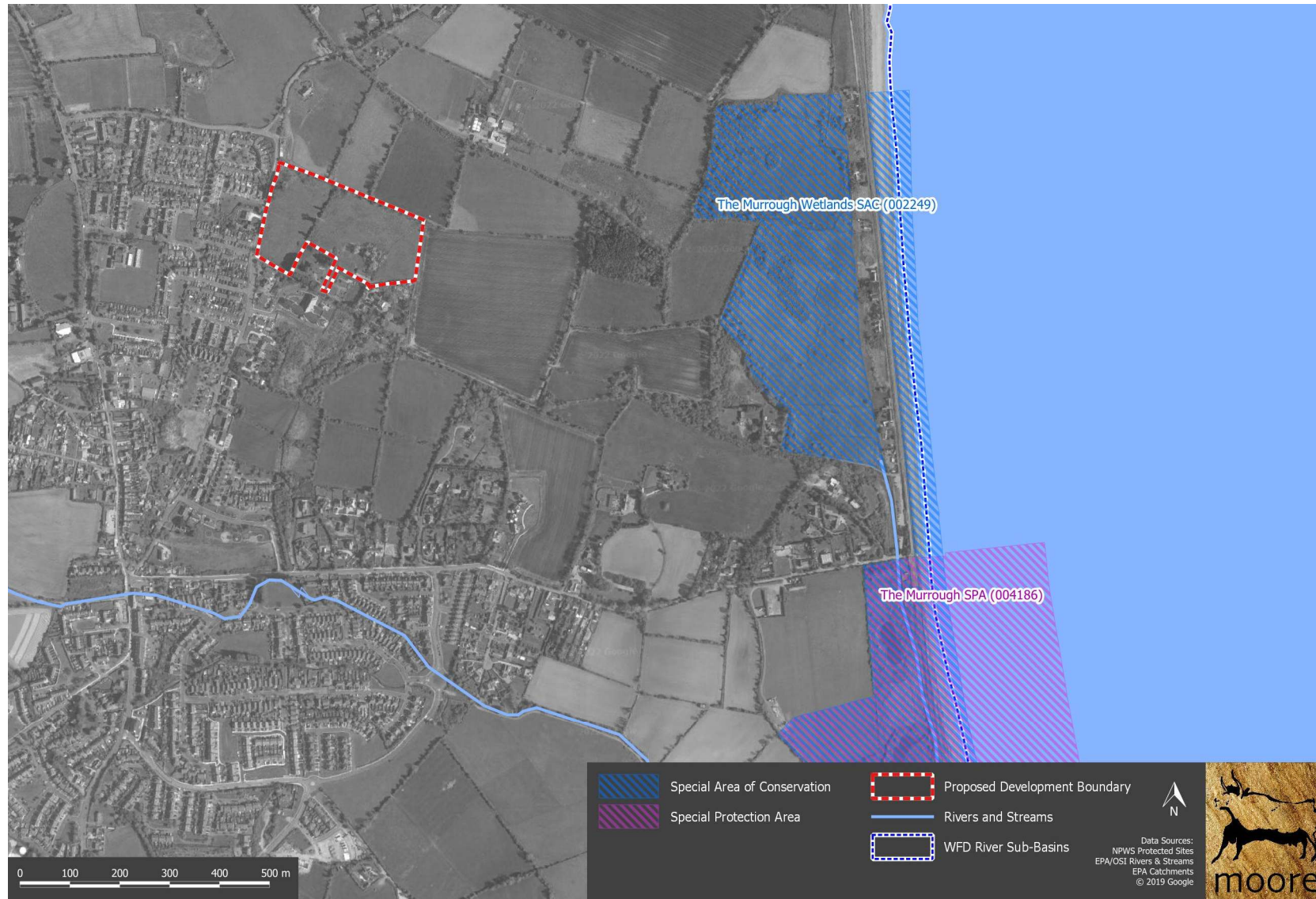


Figure 5. Detailed view of European sites in the nearer Potential Zone of Influence of the Proposed Development.

Table 2. Identification of relevant European sites using Source-Pathway-Receptor model and compilation of information QIs and conservation objectives. *Priority Habitats

| European site name & Site code | Location Relative to the Proposed Development Site | Connectivity – Source-Pathway-Receptor | Considered further in Screening – Y/N |
|---|--|---|---------------------------------------|
| <p>The Murrough Wetlands SAC (002249)</p> <p>1210 Annual vegetation of drift lines</p> <p>1220 Perennial vegetation of stony banks</p> <p>1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>)</p> <p>1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>)</p> <p>7210 Calcareous fens with <i>Cladium mariscus</i> and species of the Caricion davallianae*</p> <p>7230 Alkaline fens</p> <p>NPWS (2021) Conservation Objectives: The Murrough Wetlands SAC 002249. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.</p> | <p>0.54km to the east of the Proposed Development</p> | <p>No</p> <p>There are no pathways or connectivity to the habitats and/or species of this site.</p> | <p>N</p> |
| <p>The Murrough SPA (004186)</p> <p>A001 Red-throated Diver <i>Gavia stellata</i></p> <p>A043 Greylag Goose <i>Anser anser</i></p> <p>A046 Light-bellied Brent Goose <i>Branta bernicla hrota</i></p> <p>A050 Wigeon <i>Anas penelope</i></p> <p>A052 Teal <i>Anas crecca</i></p> <p>A179 Black-headed Gull <i>Chroicocephalus ridibundus</i></p> <p>A184 Herring Gull <i>Larus argentatus</i></p> <p>A195 Little Tern <i>Sterna albifrons</i></p> <p>A999 Wetlands</p> <p>NPWS (2022) Conservation objectives for The Murrough SPA [004186]. Generic Version 9.0. Department of Housing, Local Government and Heritage.</p> | <p>1.07km to the southeast of the Proposed Development</p> | <p>No</p> <p>There are no pathways or connectivity to the habitats and/or species of this site.</p> <p>Due to distance and the lack of any relevant ex-situ factors of significance to bird species or wetland habitat.</p> | <p>N</p> |

4.2. Ecological Network Supporting Natura 2000 Sites

A concurrent GIS analysis of the proposed Natural Heritage Areas (pNHA) and designated Natural Heritage Areas (NHA) in terms of their role in supporting the species using Natura 2000 sites was undertaken along with GIS investigation of European sites. It was assumed that these supporting roles mainly related to mobile fauna such as mammals and birds which may use pNHAs and NHAs as “stepping stones” between Natura 2000 sites.

Article 10 of the Habitats Directive and the Habitats Regulations 2011 place a high degree of importance on such non-Natura 2000 areas as features that connect the Natura 2000 network. Features such as ponds, woodlands and important hedgerows were taken into account during the preparation of this AA Screening report.

The NHAs and pNHAs identified in Figure 4 are either located outside the Zone of Influence with the exception of that associated with the Murrough. The nationally designated Murrough site is considered under the higher conservation status as European sites.

5. Identification of Potential Impacts & Assessment of Significance

The Proposed Development is not directly connected with or necessary to the management of the sites considered in the assessment and therefore potential impacts must be identified and considered.

5.1. Assessment of Likely Significant Effects

The Proposed Development is situated on a greenfield site located on the northern outskirts of Kilcoole. The nearest European sites to the proposed development are associated with the Murrough, along the coast to the east, and include The Murrough Wetlands SAC (Site Code 002249), which is located approximately 540 m to the east, and The Murrough SPA (Site Code 004186), which is located approximately 1.07 km to the south east.

A review of aerial photography, Ordnance Survey Ireland (OSI) mapping and OSI Geographical Information System (GIS) data for rivers and streams indicates that there are no notable surface water features onsite and no direct hydrological pathways to offsite surface water bodies.

The consideration of all potential direct and indirect impacts that may result in significant effects on the conservation objectives of a European site, taking into account the size and scale of the Proposed Development are presented in Table 3.

Table 3. Assessment of Likely Significant Effects.

| Identification of all potential direct and indirect impacts that may result in significant effects on the conservation objectives of a European site, taking into account the size and scale of the project. | |
|--|---|
| Impacts: | Significance of Impacts: |
| <p>Construction phase e.g.</p> <p>Vegetation clearance</p> <p>Demolition</p> <p>Surface water runoff from soil excavation/infill/landscaping (including borrow pits)</p> <p>Dust, noise, vibration</p> <p>Lighting disturbance</p> <p>Impact on groundwater/dewatering</p> <p>Storage of excavated/construction materials</p> <p>Access to site</p> <p>Pests</p> | <p>None</p> <p>The Proposed Development site is located within the boundary of a field of improved grassland.</p> <p>The site is located at a distance of removal such that there will be no disturbance to qualifying interest species in any European sites.</p> |
| <p>Operational phase e.g.</p> <p>Direct emission to air and water</p> <p>Surface water runoff containing contaminant or sediment</p> <p>Lighting disturbance</p> <p>Noise/vibration</p> <p>Changes to water/groundwater due to drainage or abstraction</p> <p>Presence of people, vehicles and activities</p> <p>Physical presence of structures (e.g. collision risks)</p> <p>Potential for accidents or incidents</p> | <p>All foul and surface water runoff, once the facility is operational, will be contained on site and discharged to urban drainage systems.</p> <p>There is no real likelihood of any significant effects on European Sites in the wider catchment area.</p> <p>The site is located at a distance of removal such that there will be no disturbance to qualifying interest species in any European sites.</p> |
| Describe any likely changes to the European site: | |
| Examples of the type of changes to give consideration to include: | None |

| | |
|---|--|
| Reduction or fragmentation of habitat area Disturbance to QI species Habitat or species fragmentation Reduction or fragmentation in species density Changes in key indicators of conservation status value (water quality etc.) Changes to areas of sensitivity or threats to QI Interference with the key relationships that define the structure or ecological function of the site Climate change | The Proposed Development site is not located adjacent or within a European site, therefore there is no risk of habitat loss or fragmentation or any effects on QI habitats or species directly or ex-situ. |
| Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening? | |
| No | N/A |

On the basis of the information supplied, which is considered adequate to undertake a screening determination and having regard to:

- the nature and scale of the proposed development,
- the intervening land uses and distance from European sites,
- the lack of direct connections with regard to the Source-Pathway-Receptor model,

It may be concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' conservation objectives.

5.2. Assessment of Potential In-Combination Effects

In-combination effects are changes in the environment that result from numerous human-induced, small-scale alterations. In-combination effects can be thought of as occurring through two main pathways: first, through persistent additions or losses of the same materials or resource, and second, through the compounding effects as a result of the coming together of two or more effects.

As part of the Screening for an Appropriate Assessment, in addition to the Proposed Development, other relevant plans and projects in the area must also be considered at this stage. This step aims to identify at this early stage any possible significant in-combination effects of the Proposed Development with other such plans and projects on European sites.

A review of the National Planning Application Database was undertaken. The first stage of this review confirmed that there were no data gaps in the area where the Proposed Development is located. The database was then queried for developments granted planning permission within 500m of the Proposed Development within the last three years, these are presented in Table 4 below.

Table 4. Planning applications granted permission in the vicinity of the Proposed Development.

| Planning Ref. | Description of development | Comments |
|---------------|--|--|
| 191227 | single storey bedroom and bathroom extension to side of house with internal alterations to house and all associated site works | No potential for in-combination effects given the scale and location of the project. |
| 1925 | alterations to existing planning permission PI Reg Ref 16/1145 to include the following: 1 a permanent change of use to 360 sqm personal fitness gym 2. A permanent change of use from 80 sqm office to 80 sqm personal fitness gym with therapy room 3. All the above to have extended opening hours from 6am to 9pm, all the above together with all associated site development works | No potential for in-combination effects given the scale and location of the project. |
| 19250 | change of use of existing first floor storage over garage to a habitable bedroom together with escape window to the rear and associated site works | No potential for in-combination effects given the scale and location of the project. |
| 19277 | proposed dwelling with connection to services, new entrance and associated works | No potential for in-combination effects given the scale and location of the project. |
| 19722 | existing garage consisting of 49 sqm, all necessary site works and ancillary works to facilitate the development | No potential for in-combination effects given the scale and location of the project. |
| 19815 | proposed dwelling with connection to services, garage/store, access driveway and associated works | No potential for in-combination effects given the scale and location of the project. |
| 20537 | temporary single storey modular structures comprising 600m ² approximately in total, to provide temporary Adult Day Care facilities on lands attached to the old Holy Faith Convent, Kilcoole. The application includes for a new access road from the R761, main Kilcoole Road, opposite the intersection with Lott Lane, a temporary wastewater plant, car park and associated site works | No potential for in-combination effects given the scale and location of the project. |
| 20709 | as constructed floor levels to houses no. 1 to 4 and all associated ancillary site works and services | No potential for in-combination effects given the scale and location of the project. |
| 20768 | alterations and nominal amendments to the primary school redevelopment as permitted under parent permission Ref. 16/791 to include: 1) Roof mounted photovoltaic panels of approx. 110m ² . 2) Existing roof replaced with new pitched and flat roof. 3) Level of permitted extension roof raised 450mm. 3) Minor modification to a) approved pedestrian access route from Kilcoole Road, b) internal layout of approved building. Nominal area increase 10m ² | No potential for in-combination effects given the scale and location of the project. |
| 20802 | alterations and nominal amendments to the primary school redevelopment as permitted under parent permission Ref. 16/778 to include: 1) Roof mounted photovoltaic panels approx. 100m ² . 2) Roof heights: main parapet raised 375 mm, highest point lowered 1m. 3) Single storey rooms reconfigured at entrance including canopy. 4) Minor setting out adjustment to building | No potential for in-combination effects given the scale and location of the project. |

The Wicklow County Development Plan in complying with the requirements of the Habitats Directive requires that all Projects and Plans that could affect the Natura 2000 sites in the same potential Zone of Influence of the Proposed Development site would be initially screened for Appropriate Assessment and if requiring Stage 2 AA, that appropriate employable mitigation measures would be put in place to avoid, reduce or ameliorate negative impacts. In this way any, in-combination impacts with Plans or Projects for the proposed development area and surrounding townlands in which the proposed development site is located, would be avoided.

The listed developments have been granted permission in most cases with conditions relating to sustainable development by the consenting authority in compliance with the relevant Local Authority Development Plan and in compliance with the Local Authority requirement with regard to the Habitats Directive. The development cannot have received planning permission without having met the consenting authority requirement in this regard.

There are no predicted in-combination effects given that it is predicted that the Proposed Development will have no effect on any European site.

Any new applications for the Proposed Development area will be assessed on a case by case basis *initially* by Wicklow County Council which will determine the requirement for AA Screening as per the requirements of Article 6(3) of the Habitats Directive.

6. Conclusion

There is no connectivity to any European sites within or outside the potential Zone of Influence.

There are no predicted effects on any European sites given:

- The distance between the Proposed Development and any European Sites, approximately 540m;
- The lack of connectivity between the Proposed Development and any hydrological pathways; there are no watercourses within the Proposed Development boundary and there is no connectivity between the Proposed Development site and any watercourses that lead to any European sites;
- The Proposed Development is to be connected to the existing public sewer network for the treatment of wastewater.
- There are no predicted emissions to air, water or the environment during the construction or operational phases that would result in significant effects.

It has been objectively concluded by Moore Group Environmental Services that:

1. The Proposed Development is not directly connected with, or necessary to the conservation management of the European sites considered in this assessment.
2. The Proposed Development is unlikely to either directly or indirectly significantly affect the Qualifying interests or Conservation Objectives of the European sites considered in this assessment.
3. The Proposed Development, alone or in combination with other projects, is not likely to have significant effects on the European sites considered in this assessment in view of their conservation objectives.
4. It is possible to conclude that significant effects can be excluded at the screening stage.

It can be *excluded*, on the basis of objective information, that the Proposed Development, individually or in combination with other plans or projects, will have a significant effect on a European site.

An appropriate assessment is not, therefore, required.

A finding of no significant effects report is presented in Appendix A in accordance with the EU Commission's methodological guidance (European Commission, 2002).

7. References

Department of the Environment, Heritage and Local Government (2010) Guidance on Appropriate Assessment of Plans and Projects in Ireland (as amended February 2010).

European Commission (2000) Managing Natura 2000 sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC.

European Commission Environment DG (2002) Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC. European Commission, Brussels.

European Commission (2007) Guidance document on Article 6(4) of the 'Habitats Directive' 92/43/EEC: Clarification of the concepts of: alternative solutions, imperative reasons of overriding public interests, compensatory measures, overall coherence and opinion of the Commission. European Commission, Brussels.

European Commission (2018) Managing Natura 2000 sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC.

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 28.9.21.

European Commission (2021) Guidance document on the strict protection of animal species of Community interest under the Habitats Directive, Brussels 12.10.21.

NPWS (2019) The Status of EU Protected Habitats and Species in Ireland. National Parks and Wildlife Service, Department of the Environment, Heritage and Local Government, Dublin.

NPWS (2022) National Parks and Wildlife Service Metadata available online at <https://www.npws.ie/maps-and-data>

Office-of-the-Planning-Regulator (2021) Appropriate Assessment Screening for Development Management OPR Practice Note PN01. March 2021

Appendix A

FINDING OF NO SIGNIFICANT EFFECTS REPORT

Finding no significant effects report matrix

Name of project or plan

Lott Lane Residential Development

Name and location of the Natura 2000 site(s)

The Proposed Development is situated on a greenfield site located on the northern outskirts of Kilcoole. The nearest European sites to the proposed development are associated with the Murrough, along the coast to the east, and include The Murrough Wetlands SAC (Site Code 002249), which is located approximately 540m to the east, and The Murrough SPA (Site Code 004186), which is located approximately 1.07km to the southeast.

There is no connectivity to any European sites within or outside the potential Zone of Influence.

Description of the project or plan

The Proposed Development is to consist of a mixed tenure housing development including a childcare facility.

Surface water disposal shall be in accordance with Wicklow County Council policy on storm water, the Greater Dublin Regional Code of Practice for Drainage Works and best practice for Sustainable Drainage Systems. In line with SUDS surface water will go to ground following oil interception and attenuation.

Wastewater from the proposed development will be directed to the Greystones WWTP which has the capacity to assimilate the additional load.

Is the project or plan directly connected with or necessary to the management of the site(s)

No

Are there other projects or plans that together with the projects or plan being assessed could affect the site

A review of the National Planning Application Database was undertaken. The first stage of this review confirmed that there were no data outages in the area where the Proposed Development is located. The database was then queried for developments granted planning permission within 500m of the Proposed Development within the last three years, these are presented in the Table below.

Planning applications granted permission in the vicinity of the Proposed Development.

| Planning Ref. | Description of development | Comments |
|---------------|--|--|
| 191227 | single storey bedroom and bathroom extension to side of house with internal alterations to house and all associated site works | No potential for in-combination effects given the scale and location of the project. |
| 1925 | alterations to existing planning permission PI Reg Ref 16/1145 to include the following: 1 a permanent change of use to 360 sqm personal fitness gym 2. A permanent change of use from 80 sqm office to 80 sqm personal fitness gym with therapy room 3. All the above to have extended opening hours from 6am to 9pm, all the above together with all associated site development works | No potential for in-combination effects given the scale and location of the project. |
| 19250 | change of use of existing first floor storage over garage to a habitable bedroom together with escape window to the rear and associated site works | No potential for in-combination effects given the scale and location of the project. |
| 19277 | proposed dwelling with connection to services, new entrance and associated works | No potential for in-combination effects given the scale and location of the project. |

| Planning Ref. | Description of development | Comments |
|---------------|--|--|
| 19722 | existing garage consisting of 49 sqm, all necessary site works and ancillary works to facilitate the development | No potential for in-combination effects given the scale and location of the project. |
| 19815 | proposed dwelling with connection to services, garage/store, access driveway and associated works | No potential for in-combination effects given the scale and location of the project. |
| 20537 | temporary single storey modular structures comprising 600m ² approximately in total, to provide temporary Adult Day Care facilities on lands attached to the old Holy Faith Convent, Kilcoole. The application includes for a new access road from the R761, main Kilcoole Road, opposite the intersection with Lott Lane, a temporary wastewater plant, car park and associated site works | No potential for in-combination effects given the scale and location of the project. |
| 20709 | as constructed floor levels to houses no. 1 to 4 and all associated ancillary site works and services | No potential for in-combination effects given the scale and location of the project. |
| 20768 | alterations and nominal amendments to the primary school redevelopment as permitted under parent permission Ref. 16/791 to include: 1) Roof mounted photovoltaic panels of approx. 110m ² . 2) Existing roof replaced with new pitched and flat roof. 3) Level of permitted extension roof raised 450mm. 3) Minor modification to a) approved pedestrian access route from Kilcoole Road, b) internal layout of approved building. Nominal area increase 10m ² | No potential for in-combination effects given the scale and location of the project. |
| 20802 | alterations and nominal amendments to the primary school redevelopment as permitted under parent permission Ref. 16/778 to include: 1) Roof mounted photovoltaic panels approx. 100m ² . 2) Roof heights: main parapet raised 375 mm, highest point lowered 1m. 3) Single storey rooms reconfigured at entrance including canopy. 4) Minor setting out adjustment to building | No potential for in-combination effects given the scale and location of the project. |

The Wicklow County Development Plan in complying with the requirements of the Habitats Directive requires that all Projects and Plans that could affect the Natura 2000 sites in the same potential Zone of Influence of the Proposed Development site would be initially screened for Appropriate Assessment and if requiring Stage 2 AA, that appropriate employable mitigation measures would be put in place to avoid, reduce or ameliorate negative impacts. In this way any, in-combination impacts with Plans or Projects for the proposed development area and surrounding townlands in which the proposed development site is located, would be avoided.

The listed developments have been granted permission in most cases with conditions relating to sustainable development by the consenting authority in compliance with the relevant Local Authority Development Plan and in compliance with the Local Authority requirement for regard to the Habitats Directive. The development cannot have received planning permission without having met the consenting authority requirement in this regard. There are no predicted in-combination effects given that it is predicted that the Proposed Development will have no effect on any European site.

There are no predicted in-combination effects given that the reasons discussed in the 'Comments' column of the Table above and given that the Proposed Development is unlikely to have any adverse effects on any European sites.

Any new applications for the Proposed Development area will be assessed on a case by case basis *initially* by Wicklow County Council which will determine the requirement for AA Screening as per the requirements of Article 6(3) of the Habitats Directive.

THE ASSESSMENT OF SIGNIFICANCE OF EFFECTS

Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 site.

A review of aerial photography, Ordnance Survey Ireland (OSI) mapping and OSI Geographical Information System (GIS) data for rivers and streams indicates that there are no watercourses in the vicinity of the Proposed Development site.

There is no connectivity to any European sites within or outside the potential Zone of Influence.

Explain why these effects are not considered significant.

There are no predicted effects on any European sites given:

- The distance between the Proposed Development and any European Sites, approximately 540m;
- The lack of connectivity between the Proposed Development and any hydrological pathways; there are no watercourses within the Proposed Development boundary and there is no connectivity between the Proposed Development site and any watercourses that lead to any European sites;
- The Proposed Development is to be connected to the existing public sewer network for the treatment of wastewater.
- There are no predicted emissions to air, water or the environment during the construction or operational phases that would result in significant effects

List of agencies consulted: provide contact name and telephone or e-mail address

The requirement for Appropriate Assessment Screening was determined during pre-planning discussion with Wicklow County Council.

Response to consultation

N/A.

DATA COLLECTED TO CARRY OUT THE ASSESSMENT

Who carried out the assessment

Moore Group Environmental Services.

Sources of data

NPWS database of designated sites at www.npws.ie

National Biodiversity Data Centre database <http://maps.biodiversityireland.ie>

Level of assessment completed

Desktop Assessment. Fieldwork was carried out as part of the EIA process.

Where can the full results of the assessment be accessed and viewed

Wicklow County Council Planning web portal.

OVERALL CONCLUSIONS

There is no connectivity to any European sites within or outside the potential Zone of Influence.

There are no predicted effects on any European sites given:

- The distance between the Proposed Development and any European Sites, approximately 540m;
- The lack of connectivity between the Proposed Development and any hydrological pathways; there are no watercourses within the Proposed Development boundary and there is no connectivity between the Proposed Development site and any watercourses that lead to any European sites;
- The Proposed Development is to be connected to the existing public sewer network for the treatment of wastewater.
- There are no predicted emissions to air, water or the environment during the construction or operational phases that would result in significant effects.

It has been objectively concluded by Moore Group Environmental Services that:

1. The Proposed Development is not directly connected with, or necessary to the conservation management of the European sites considered in this assessment.
2. The Proposed Development is unlikely to either directly or indirectly significantly affect the Qualifying interests or Conservation Objectives of the European sites considered in this assessment.
3. The Proposed Development, alone or in combination with other projects, is not likely to have significant effects on the European sites considered in this assessment in view of their conservation objectives.
4. It is possible to conclude that significant effects can be excluded at the screening stage.

It can be *excluded*, on the basis of objective information, that the Proposed Development, individually or in combination with other plans or projects, will have a significant effect on a European site.

An appropriate assessment is not, therefore, required.