



Appropriate Assessment Screening Report
The School House Community and Enterprise Centre

prepared for Brennan Associates Consulting Ltd.

on behalf of Carlow County Council

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1 Introduction

- 1 This report, which contains information required for the competent authority (in this instance Carlow County Council) to undertake a screening for Appropriate Assessment (AA), has been prepared by Scott Cawley Ltd. on behalf of the applicant (Carlow County Council). It provides information on, and assesses the potential in view of best scientific knowledge for, the proposed development to impact on the Natura 2000 network (hereafter referred to as European sites)¹. The proposed development consists of reconfiguring an existing community centre building, The School House Community and Enterprise Centre, located in the village of Rathvilly, Co. Carlow (centred on Irish Grid reference point S 87990 81895).
- 2 An AA is required if significant effects on European sites arising from a proposed development cannot be ruled out at the screening stage, either alone or in combination with other plans or projects. It is the responsibility of the competent authority to make a decision as to whether or not the proposed development is likely to have significant effects on European sites, either individually or in combination with other plans or projects.

For the reasons set out in detail in this AA Screening Report, a Stage II **Appropriate Assessment of the proposed development is not required in this instance** as it can be concluded, on the basis of objective information, that the proposed development, either individually or in combination with other plans or projects, will not have a significant effect on any European sites.

2 Methodology

2.1 Guidance

- 3 This Appropriate Assessment Screening Report has been prepared with regard to the following guidance documents, as relevant:
 - *OPR Practice Note PN01. Appropriate Assessment Screening for Development Management* (Office of the Planning Regulator, 2021)
 - *Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities*. (Department of Environment, Heritage and Local Government, 2010 revision)
 - *Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities*. Circular NPW 1/10 & PSSP 2/10
 - *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* (European Commission, 2021)
 - *Communication from the Commission on the precautionary principle* (European Commission, 2000), and
 - *Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC* (European Commission, 2019)

¹ The Natura 2000 network is a European network of important ecological sites, as defined under Article 3 of the Habitats Directive 92/43/EEC, which comprises both special areas of conservation and special protection areas. Special conservation areas are sites hosting the natural habitat types listed in Annex I, and habitats of the species listed in Annex II, of the Habitats Directive, and are established under the Habitats Directive itself. Special protection areas are established under Article 4 of the Birds Directive 2009/147/EC for the protection of endangered species of wild birds. The aim of the network is to aid the long-term survival of Europe's most valuable and threatened species and habitats.

In Ireland these sites are designed as European sites - defined under the Planning Acts and/or the Birds and Habitats Regulations as (a) a candidate site of Community importance, (b) a site of Community importance, (c) a candidate special area of conservation, (d) a special area of conservation, (e) a candidate special protection area, or (f) a special protection area. They are commonly referred to in Ireland as Special Areas of Conservation (SACs) and Special Protection Areas (SPAs).

2.2 Assessment Methodology

- 4 The above referenced guidance sets out a staged process for carrying out Appropriate Assessment. To determine if an Appropriate Assessment is required, documented screening is required. Screening identifies the potential for effects on the conservation objectives of European sites, if any, which would arise from a proposed plan or project, either alone or in combination with other plans and projects (i.e. likely significant effects).
- 5 Significant effects on a European site are those that would undermine the conservation objectives supporting the favourable conservation condition of the Qualifying Interest (QI) habitats and/or the QI/Special Conservation Interest (SCI) species of a European site(s).
- 6 Screening for Appropriate Assessment involves the following steps:



- 7 If the conclusions at the end of screening are that there is no likelihood of significant effects occurring on any European sites as a result of the proposed plan or project, either alone or in combination with other plans and projects, then there is no requirement to undertake an Appropriate Assessment.
- 8 In establishing which European sites are potentially at risk (in the absence of mitigation) from the proposed development, a source-pathway-receptor approach was applied. In order for an impact to occur, there must be a risk enabled by having a source (e.g., water abstraction or construction works), a receptor (e.g., a European site or its QI(s) or SCI(s)²), and a pathway between the source and the receptor (e.g., pathway by air for airborne pollution, or a pathway by a watercourse for mobilisation of pollution). For an impact to occur, all three elements must exist; the absence or removal of one of the elements means there is no possibility for the impact to occur.
- 9 The identification of source-pathway-receptor connection(s) between the proposed development and European sites essentially is the process of identifying which European sites are within the Zone of Influence (Zoi) of the proposed development, and therefore potentially at risk of significant effects. The Zoi is the area over which the proposed development could affect the receiving environment such that it could potentially have significant effects on the QI habitats or QI/SCI species of a European site, or on the achievement of their conservation objectives³.
- 10 The identification of a source-pathway-receptor link does not automatically mean that significant effects will arise. The likelihood for significant effects will depend upon the characteristics of the source (e.g., extent and duration of construction works), the characteristics of the pathway (e.g., direction and strength of prevailing winds for airborne pollution) and the characteristics of the receptor (e.g., the sensitivities of the European site and its QIs/SCIs).
- 11 The 'likely significant effects' test is based on the precautionary principle⁴. The precautionary principle means that, based on the most reliable available information, where there is uncertainty or doubt as to the absence of significant effects, the project cannot be screened out and an appropriate assessment must be carried out.

2.3 Desktop Data Review

- 12 The desktop data sources used to inform the assessment presented in this report are as follows (accessed on the 11th November 2022 and updated on the 6th January 2023):
 - Online data available on European sites and protected habitats/species as held by the National Parks and Wildlife Service (NPWS) from www.npws.ie⁵, including conservation objectives documents
 - Online data available on protected species as held by the National Biodiversity Data Centre (NBDC) from www.biodiversityireland.ie

² The term qualifying interest is used when referring to the habitats or species for which an SAC is designated; the term special conservation interest is used when referring to the bird species (or wetland habitats) for which an SPA is designated.

³ As defined in the *Guidelines for Ecological Impact Assessment in the UK and Ireland* (CIEEM, 2018)

⁴ The precautionary principle is a guiding principle that derives from Article 191 of the Treaty on the Functioning of the European Union and has been developed in the case law of the European Court of Justice (e.g. ECJ case C-127/02 – Waddenzee, Netherlands).

The guidance document *Communication from the Commission on the Precautionary Principle* (European Commission, 2000) notes that the precautionary principle “covers those specific circumstances where scientific evidence is insufficient, inconclusive or uncertain and there are indications through preliminary objective scientific evaluation that there are reasonable grounds for concern that the potentially dangerous effects on the environment, human, animal or plant health may be inconsistent with the chosen level of protection” ..

⁵ The following SAC and SPA GIS boundary datasets are the most recently available at the time of writing: SAC_ITM_2022_11 and SPA_ITM_2021_10.


- Information on the surface water network and surface water quality in the area available from www.epa.ie
- Information on groundwater resources and groundwater quality in the area available from www.epa.ie and www.gsi.ie
- Ordnance Survey of Ireland mapping and aerial photography available from www.osi.ie
- Information on the location, nature and design of the proposed development supplied by the applicant's design team

3 Provision of Information for Screening for Appropriate Assessment

- 13 The following sections provide information to facilitate the Appropriate Assessment screening of the proposed development to be undertaken by the competent authority.
- 14 A description of the proposed development and the receiving environment is provided to identify the potential ecological impacts. The environmental baseline conditions are discussed, as relevant to the assessment of ecological impacts where they may highlight potential pathways for impacts associated with the proposed development to affect the receiving ecological environment (e.g., hydrological and hydrogeological data).
- 15 The potential impacts are examined in order to define the potential zone of influence of the proposed development on the receiving environment. This then informs the assessment of whether the proposed development will result in significant effects on any European sites; i.e. affect the conservation objectives supporting the favourable conservation condition of the European site's QIs or SCIs.

3.1 Description of the Proposed Development

- 16 The proposed development, as outlined in Figure 1 below, will comprise the reconfiguration of the existing community centre building, the The School House Community and Enterprise Centre and all other associated and ancillary site development, landscape and boundary treatment works, including storm water and wastewater connection into the existing surface water and foul water networks respectively.
- 17 The scope of the reconfiguration works will include the retention of the existing section of the building which was the old school house, and the demolition of the remainder of the building to allow for the construction of areas for offices, meeting rooms, assembly hall, toilets, and storage which will function as a new multi purpose centre.

18 Proposed development drawings are provided 

Construction and Demolition

- 19 The proposed development will involve the demolition of part of the existing building and construction to include areas for offices, meeting rooms, assembly hall, toilets, and storage which will function as a new multi purpose centre.
- 20 There is no blasting or piling involved in the construction of the proposed development.
- 21 The construction programme is expected to last up to c. nine months based on information provided by the design team.

Surface Water

- 22 The existing drainage for the proposed development site consists of surface water run off discharging to ground into the cemetery at the rear of the site (70sqm) or via overland flow to the public road at the front of the site (258msqm). The majority of the surface water is routed to the existing foul sewer where it is treated at Rathvilly wastewater treatment facility.
- 23 The proposed development will primarily utilise SuDS approach to reduce and infiltrate run-off generated by the impermeable areas at source through a proposed stormwater attenuation tank providing >25.2m³

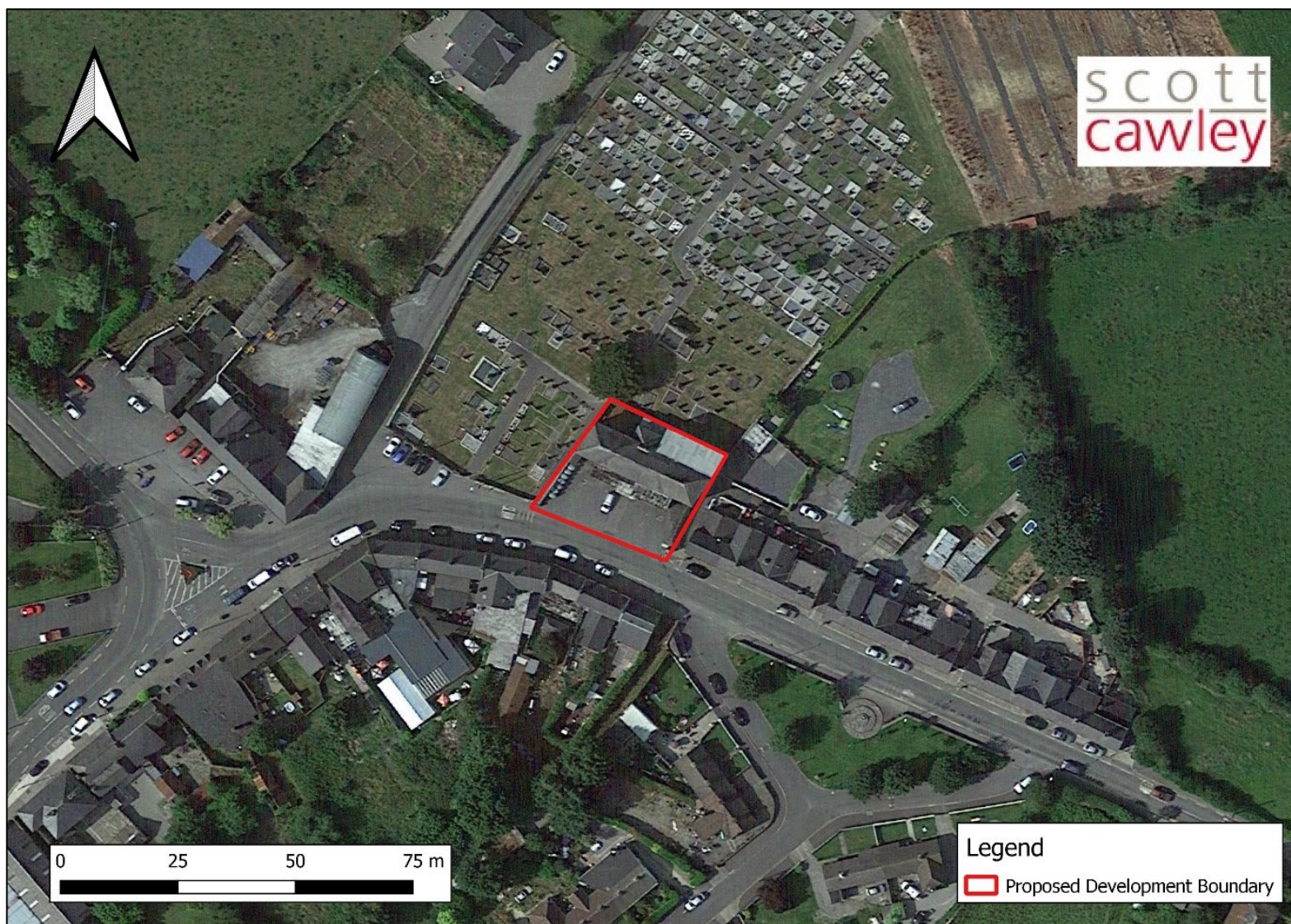
of storage. An area of 659sqm of hardstanding will drain to the attenuation tank, the remaining 44sqm will drain via overland flow to the public road. A proprietary EcoBloc maxx attenuation system from GRAF is proposed with a permeable geotextile membrane to allow infiltration of stormwater to ground. Following attenuation to greenfield rates, discharge will be routed to the proposed storm drainage connection at the existing public service beneath St. Patricks Lane. The existing stormwater public service discharges to a drainage ditch c.85m north of the proposed development site. This drainage ditch discharge point is c.265m upstream of the River Slaney SAC.

- 24 Sustainable Urban Drainage Systems (SuDS) is incorporated into the design to reduce run-off volumes and improve run-off water quality as part of standard design in line with best practice, and in compliance with the objectives within the Carlow County Development Plan 2022-2028 (Carlow County Council, 2022). The SuDS policies required by Carlow County Council are listed Chapter 6.5 Surface Water Drainage of the Carlow County development plan. The drainage design is carried out in accordance with leading industry standard guidance CIRIA C753 The SuDS Manual and recommendations from the Greater Dublin Strategic Drainage Study (GDDS, 2005).

Foul Water

- 25 The current The School House Community and Enterprise Centre Building is served by an existing foul sewer located beneath Phelan Street, immediately south of the proposed development site. Local foul water is routed to Rathvilly Water Treatment Plant. The WwTP operates under the EPA licence (D0237-01).
- 26 The proposed development will utilise the existing foul water network for waste water collection and treatment. The project design team have confirmed that the proposed development will not involve an increase in wastewater discharge to the current agreed loading for the site.

Figure 1 Proposed development location @Google Satellite



3.2 Overview of the Receiving Environment

3.2.1 European sites

- 27 There are no European sites within or directly adjacent to the boundaries of the proposed development site. There are five European sites within 15km of the proposed development: Slaney River Valley SAC, Wicklow Mountains SAC, River Barrow and River Nore SAC, Holdenstown Bog SAC, and Wicklow Mountains SPA. The nearest European site is the Slaney River Valley SAC, located c. 350m to the west of the proposed development site.
- 28 The River Slaney is located c. 350m to the west of the proposed development as the crow flies. The River Slaney is part of the Slaney River Valley SAC. There is an indirect hydrological connection to the Slaney River Valley SAC via a drainage ditch located c. 85m north of the proposed development site, in which stormwater will be diverted to during periods of rain. This drainage ditch discharge point is c.265m south east of the River Slaney SAC.
- 29 The River Slaney flows southeast for approximately 88km before discharging into the coastal waterbodies of Wexford Harbour (EU Code IE_SE_040_0000) and Southwestern Irish Sea (EU Code IE_SE_010_0000) via the Upper Slaney Estuary (EU Code IE_SE_040_0300) and Lower Slaney Estuary (EU Code IE_SE_040_0200). Raven Point Nature Reserve SAC, The Raven SPA and Wexford Harbour and Slobbs SPA all overlap with the coastal waterbodies of Wexford Harbour and Southwestern Irish Sea. Carnsore Point SAC and Long Bank SAC also overlap marginally with the Southwestern Irish Sea coastal waterbody. The proposed development is hydrologically connected to Wexford Harbour via the surface water network.
- 30 All of the European sites present in the vicinity of the proposed development are shown on Figure 2 below. Additional European sites considered to be in the ZoI of the proposed development (i.e. those downstream and hydrologically connected via the surface water network) are shown in Figure 3. The QIs/SCIs of all the European sites in the vicinity and the ZoI of the proposed development are provided in Appendix I.

Figure 2 European sites in the vicinity of the proposed development ©OpenStreetMap contributors

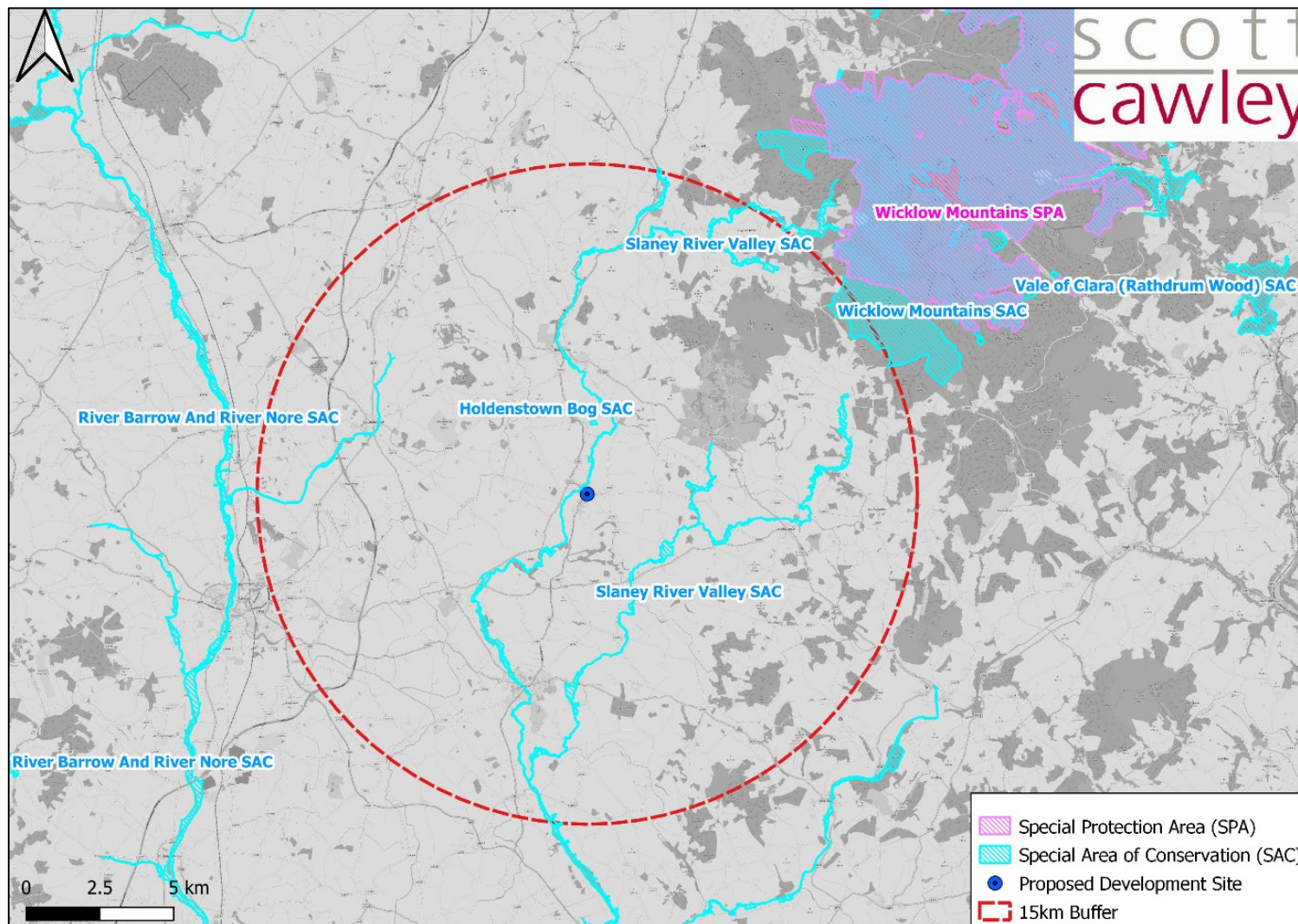
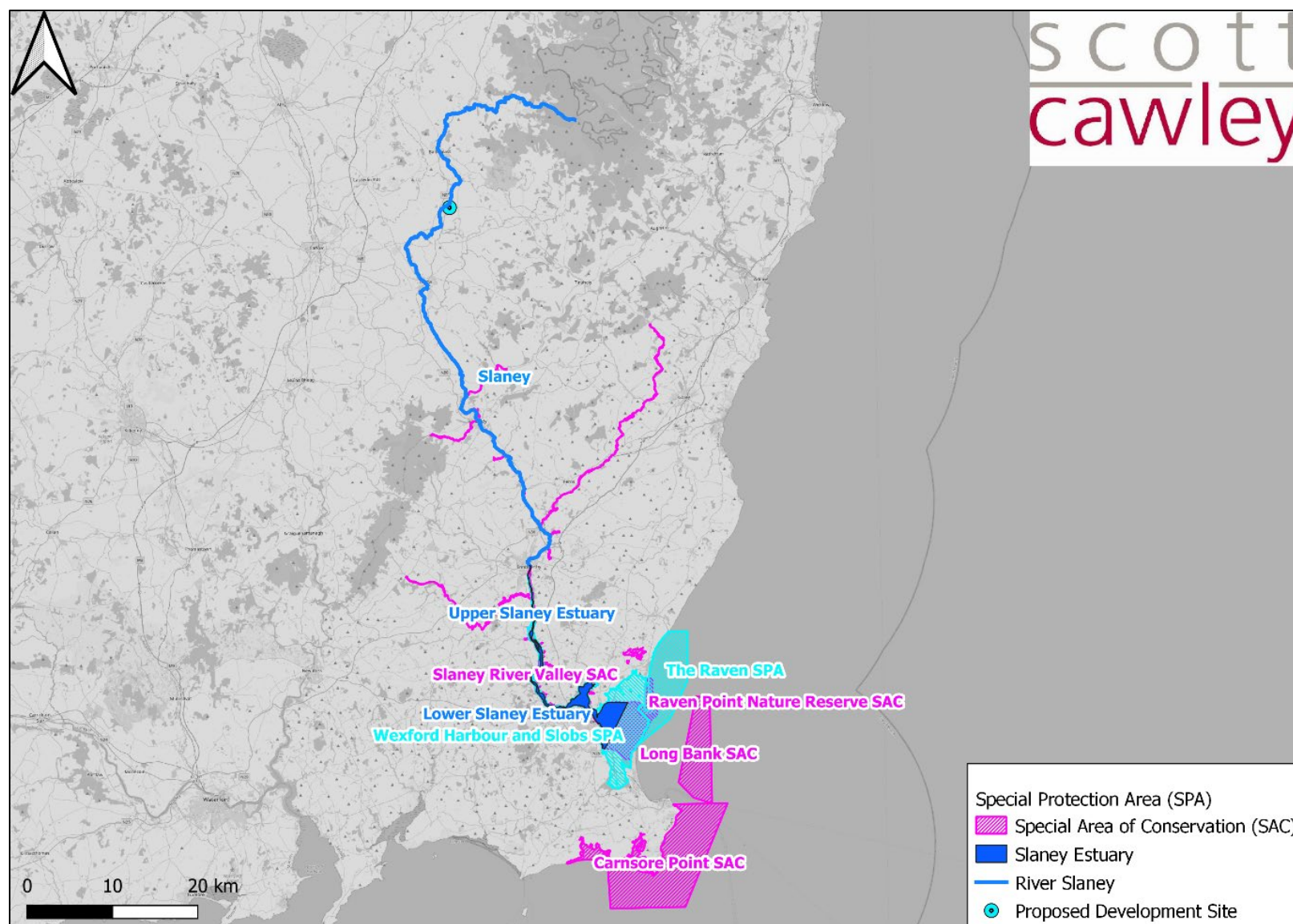


Figure 3 European sites downstream of the proposed development site ©OpenStreetMap contributors



3.2.2 Habitats

- 31 The proposed development site is bound to the east by residential properties, to the south by the access road, Phelan Street and to the north and west by the local cemetery, Rathvilly Graveyard.
- 32 The following habitat types of the Heritage Council classification system⁶ were identified within the proposed development site over the course of the desk study:
- Buildings and artificial surfaces (BL3)
- 33 The following habitat types were identified in the areas immediately surrounding the proposed development site over the course of the desk study:
- Amenity grassland (GA2)
 - Scattered trees and parkland (WD5)
 - Treelines (WL2)
 - Improved agricultural grassland (GA1)
 - Buildings and artificial surfaces (BL3)
- 34 As the proposed development site is made up of an existing building and other artificial hardstanding, there are no Annex I habitats assessed to be present within the site.

3.2.3 Flora

- 35 The National Biodiversity Data Centre (NBDC) database search returned no records of any Annex II plant species recorded within c. 2km of the proposed development site.
- 36 The desktop study found no records of protected plant species listed under the Flora (Protection) Order, 2022, rare plant species contained within Ireland Red List No. 10 Vascular Plants⁷, or species listed on Irelands Red List No. 8: Bryophytes⁸ within c. 2km of the proposed development site.
- 37 There were no records, from the results of the desktop study, of non-native invasive plant species listed on the Third Schedule of the European Communities (Birds and Natural Habitats) Regulations, 2011 (as amended) from within the proposed development site. However, records for three non-native invasive plant species exist within c. 2km of the proposed development site:
- Japanese knotweed *Reynoutria japonica* (17/09/2019; c. 340m away from proposed development site)
 - Giant Hogweed *Heracleum mantegazzianum* (22/08/2006; c. 1.7km away from proposed development site)

⁶ Smith, G.F., O'Donoghue, P., O'Hora, K. & Delaney, E. (2011) *Best Practice Guidance for Habitat Survey and Mapping*. The Heritage Council Church Lane, Kilkenny, Ireland.

⁷ Wyse Jackson, M., FitzPatrick, Ú., Cole, E., Jebb, M., McFerran, D., Sheehy Skeffington, M. & Wright, M. (2016) Ireland Red List No. 10: Vascular Plants. National Parks and Wildlife Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs, Dublin, Ireland.

⁸ Lockhart, N., Hodgetts, N. & Holyoak, D. (2012) Ireland Red List No.8: Bryophytes. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht, Dublin, Ireland.

3.2.4 Fauna

3.2.4.1 Birds

- 38 The desk study returned no records for Special Conservation Interest (SCI) bird species within c. 2km of the proposed development site, for which European sites in Appendix I are designated for. In addition, given the built nature of the site, there is no suitable habitat present within the proposed development site or in its immediate vicinity (Rathvilly Cemetery and Riwathvilly village buildings) that would support those for Special Conservation Interest (SCI) bird species for which sites in Appendix I are designated.

3.2.4.2 Terrestrial Mammals

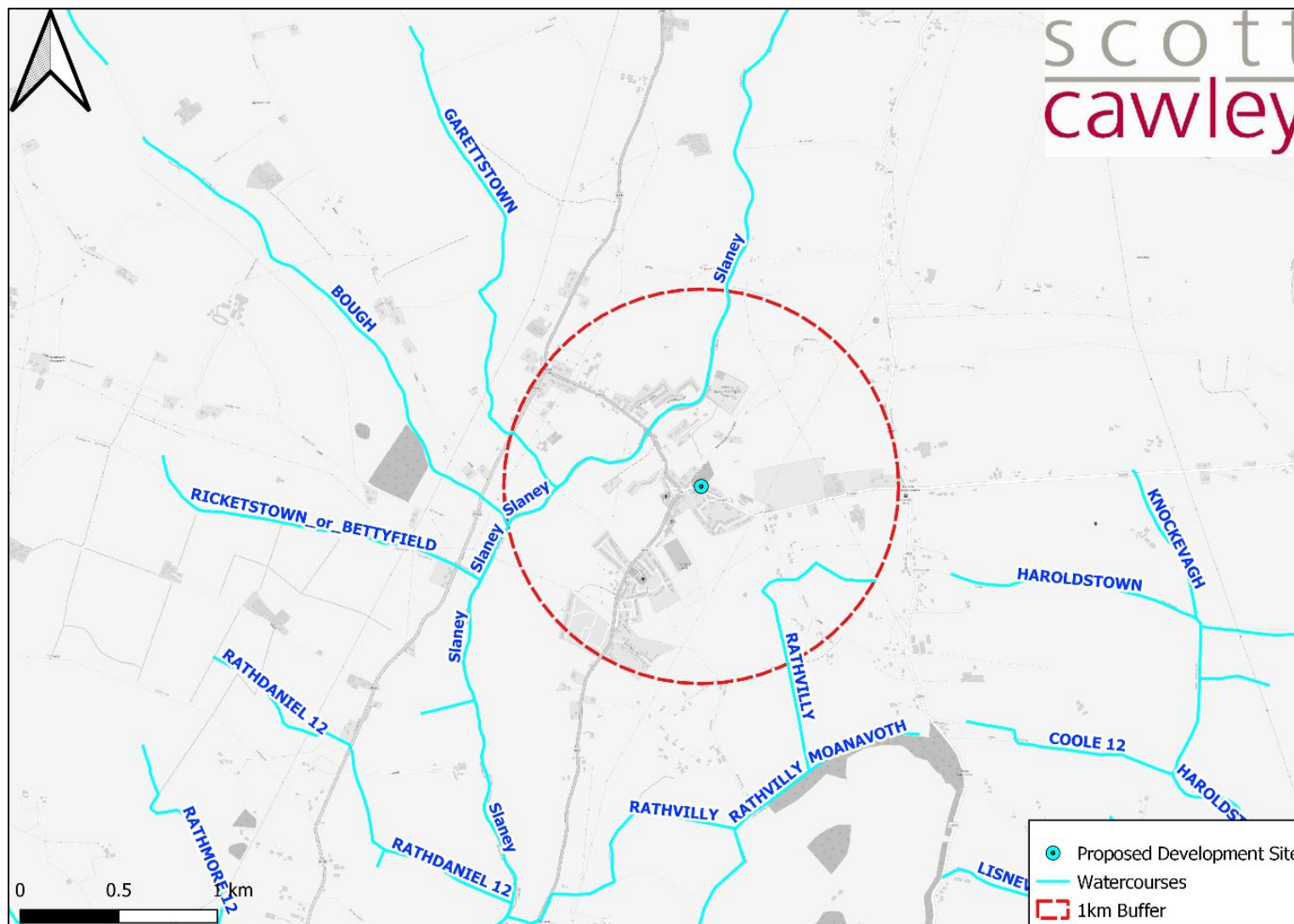
- 39 The desk study returned one record for European Otter *Lutra lutra* within c. 2km of the proposed development site, which is a Qualifying Interest species for the Slaney River Valley SAC (Appendix I). The record is from 2015 and is of a live animal recorded c. 350 metres from the proposed development site.

3.2.5 Hydrology

- 40 According to the EPA online Map Viewer⁹ the proposed development lies within the Slaney and Wexford Harbour Catchment (Hydrometric Area 12) and the River Slaney sub-catchment (WFD name: Slaney_SC_020), and in the Slaney_70 sub-basin (IE_SE_12S021010).
- 41 There are no surface water features located within the proposed development site. The nearest mapped waterbody to the proposed development site is the River Slaney (IE_SE_12S021010) located c. 350m west of the proposed development site (see Figure 4), which flows for c. 88km southeast and discharges into Wexford Harbour (IE_SE_040_0000) and the Southwestern Irish Sea (IE_SE_040_0000) coastal waterbodies via the Upper Slaney Estuary (IE_SE_040_0300) and Lower Slaney Estuary (IE_SE_040_0200). In addition, there is a drainage ditch located c. 85m north of the proposed development site. There is no available information regarding the water quality within this feature.
- 42 The River Slaney is categorised under the Water Framework Directive (WFD) (2000/60/EC) name Slaney_070. According to the EPA online Map Viewer, the WFD status of the Slaney_070 waterbody is 'Good' for the 2016 – 2021 monitoring period and is classified as 'Not At Risk' of not meeting its WFD objectives. The Latest Q value for the River Slaney is 4 ('Good'), and was recorded at Rathvilly Bridge Station (RS12S02100).
- 43 The WFD status for the 2016 – 2021 monitoring period of the Upper Slaney Estuary and Lower Slaney Estuary Transitional Waterbodies are classified as 'Good' and 'Poor' status respectively and are classified as 'Under Review' and 'At Risk', respectively, of not meeting the WFD objectives.
- 44 The WFD (2000/60/EC) status 2013-2018 of the Wexford Harbour coastal waterbody is 'Good' status and is 'At Risk' of not meeting the WFD objectives. Water Quality data from 2018-2020 indicate that Wexford Harbour coastal waterbody is of 'intermediate' status. The WFD (2000/60/EC) status 2013-2018 of the Southwestern Irish Sea coastal waterbody is 'moderate' status and is 'At Risk' of not meeting the WFD objectives. Water Quality data from 2018-2020 indicate that the Southwestern Irish Sea coastal waterbody is 'unpolluted'.

⁹ EPA Mapviewer <https://gis.epa.ie/EPAMaps/> (accessed January 2023)

Figure 4 Waterbodies in the vicinity of the Proposed Development Site @OpenStreetMap contributors



3.2.6 Hydrogeology

- 45 Geological Survey of Ireland (GSI) data indicates that the proposed development site is underlain by a “locally important” aquifer, that is described as “bedrock which is Moderately Productive only in Local Zones”. The Groundwater Body (GWB) underlying the project site is the “Ballyglass IE_SE_G_011” GWB, which is currently classified by the EPA as having “Good” groundwater status and the groundwater risk is currently “At Risk”. The GSI (2017) Interim Vulnerability Map presently classifies the aquifer at the location of the proposed development site as “Moderately Vulnerable”.

3.3 Assessment of Effects on European Sites

- 46 This section identifies all the potential impacts associated with the proposed development, examines whether there are any European sites within the ZOI of effects from the proposed development, and assesses whether there is any risk of the proposed development resulting in a significant effect on any European site, either alone or in combination with other plans or projects.
- 47 In assessing the potential for the proposed development to result in a significant effect on any European sites, any measures intended to avoid or reduce the harmful effects of the project on European sites are not taken into account.

3.3.1 Habitat loss and fragmentation

- 48 The proposed development does not overlap with the boundary of any European site. Therefore, there are no European sites at risk of direct habitat loss impacts.
- 49 As the proposed development does not traverse any European sites there is no potential for habitat fragmentation to occur.
- 50 The proposed development site does not contain suitable habitat that would constitute it as an *ex-situ* site for QI/SCI populations of any European sites from within the ZOI of the proposed development for the following reasons:
- The proposed development site does not include any habitats which are likely to be used by otter for foraging or resting.
 - The proposed development site is hard standing and does not include any habitats which contain suitability for use by Special Conservation Interest (SCI) bird species for foraging, breeding or resting.
- 51 Therefore, the proposed development site does not support populations of any fauna species linked with the QI/SCI populations of any European site(s).
- 52 As the proposed development will not result in habitat loss or habitat fragmentation within any European site, or result in *ex-situ* impacts on QI and/or SCI species of European sites through habitat loss/fragmentation impacts, there is no potential for any in combination effects to occur in that regard.

3.3.2 Habitat degradation as a result of hydrological impacts

- 53 Surface water run-off and discharges from the proposed development will drain to the existing local surface water drainage network. Foul waters from the proposed development will, as is currently the case, be discharged to Rathvilly WwTP for treatment, via the existing foul water drainage network, prior to discharge into the Slaney River. Therefore, the Zone of Influence (ZOI) of potential effects on water quality from the proposed development could extend to the Slaney River Valley SAC.

Surface Water

- 54 Surface water run-off and discharges from the proposed development will enter the downstream receiving environment via the proposed attenuation tank and existing surface water drainage network.
- 55 Considering the following, the proposed development will not have any measurable effects on water quality in the receiving waterbodies:

- Currently, there is no direct discharge to the River Slaney. The proposed attenuation tank, and soakaway system will reduce volumes entering the infiltration basin and ultimately discharging at greenfield rates to groundwater and the existing stormwater service – It is noted that SuDS are standard measures required in all new developments, as per Carlow Development Plan 2022-2028 and are not included here to avoid or reduce an affect to a European site;
- The scale and location of the proposed development relative to the receiving surface water network
- Any pollution events will only occur during a short period of time (i.e. <nine months during construction), and are likely to be infrequent (i.e. limited to storm flows). SuDS that have been designed to cater for all the runoff associated, including an additional 10% volume to cater for climate change, have been included in the drainage design which would limit the overflow of water during such events
- The short term and temporary nature of any surface water run-off events. During the construction phase of the proposed development, surface waters will continue to largely be discharged to the existing foul sewer network, before treatment at Rathvilly WwTP
- The relatively low volume of any surface water run-off or discharge events from the proposed development site relative to the receiving surface water environments, and
- The level of mixing, dilution and dispersion of any surface water run-off/discharges from the proposed development site in the receiving drainage ditch and River Slaney.

56 It is an requirement of the Greater Dublin Strategic Drainage Study, and the Carlow County Development Plan 2022-2028, to incorporate Sustainable Urban Drainage Systems (SuDS) within new developments. The SuDS features associated with the proposed development are not included within the design to avoid or reduce any potential harmful effects to any European sites.

57 Therefore, there is no possibility of the proposed development undermining the conservation objectives of any of the qualifying interests or special conservation interests of the European sites as a result of surface water run-off or discharges.

Foul Water

58 Foul water, comprising sewage and industrial effluent (and some surface water run-off), from the area has historically been, and will continue to be, treated at Rathvilly WwTP prior to its discharge to the River Slaney. The most recent information from Irish Water indicates that the plant is operating under its capacity of permitted 2000 P.E. (Irish Water, 2021)¹⁰, with a current operational loading of c.1121 P.E. Rathvilly WwTP operates under a discharge licence from the EPA (D0034-01) and must comply with the licence conditions. The Annual Environmental Report (AER) confirms that the treatment capacity of the plant will not be exceeded in the next three years.

59 Considering the above, particularly the additional capacity for treatment at Rathvilly WwTP, and that foul water discharges from the proposed development will not increase, it is concluded that the proposed development will not impact on the overall water quality status of the River Slaney.

60 Therefore, there is no possibility of the proposed development undermining the conservation objectives of any of the qualifying interests or special conservation interests of the River Slaney SAC as a result of foul water discharges.

In Combination

61 There is potential for “in-combination” effects on water quality in Wexford Harbour from other projects carried out within the functional areas of the Wicklow County Development Plan 2022-2028 (Wicklow County Council, 2022) and the Wexford County Development Plan 2022-2028 (Wexford County Council,

¹⁰ Annual Environmental Report, Rathvilly D0237-01 (Irish Water, 2021)

2022), or any other land use plans which could influence conditions in Wexford Harbour via rivers and other surface water features.

- 62 The Regional Spatial & Economic Strategy for the Southern Region¹¹ includes a range of policy objectives relevant to the protection of European sites and the protection of water quality in Wexford Harbour, to which the relevant planning authorities must have regard to in the preparation and adoption of their development plans (included in Appendix II).
- 63 The planning authority for the proposed development is Carlow County Council. Plans and developments within Carlow County must comply with the following policy objectives of the Carlow County Development Plan 2022-2028 (Carlow County Council, 2022) relevant to the protection of European sites and the protection of water quality in Wexford Harbour:

WS. P1: Work in conjunction with Irish Water to protect existing water and associated drainage infrastructure and to promote investment in the water and drainage network to support environmental protection and facilitate the sustainable growth of the County.

WS. P3: To support Irish Water in delivering key water service projects to meet the future needs of the County subject to compliance with all relevant EU and national legislation and normal environmental and planning criteria.

WS. O2: Work with Irish Water in progressing the upgrade of Rathvilly Water Treatment Plant, provision of additional reservoir storage at Leighlinbridge, and improved resilience of supply in the Carlow Central Region, Hacketstown and Bilboa

PW. P2: Facilitate Irish Water in the delivery of public wastewater services which address the residential, commercial and industrial needs of the county subject to compliance with all relevant EU and national legislation and normal planning and environmental criteria.

PW. O1: Facilitate the required upgrade of wastewater projects that may arise during the lifetime of this Plan subject to compliance with all relevant EU and national legislation and normal planning and environmental criteria including upgrade and improvement works on current and planned IW schemes for Tullow WWTP, Bagenalstown/Leighlinbridge WWTP, Mortarstown WWTP, and Borris WWTP.

WW. P1: Require that private wastewater treatment systems for individual houses where permitted, comply with the recommendations contained within the EPA Code of Practice for Domestic Waste Water Treatment Systems (2021) Serving Single Houses (population equivalent less than or equal to 10) or any updated version during the period of this Plan, the Water Framework Directive, the National River Basin Management Plan 2018-2021 (as maybe updated) and the Habitats Directive.

WT. P1: Ensure that the proposed wastewater treatment system for development in unserviced areas complies with the relevant EPA Code of Practice, the Water Framework Directive, the National River Basin Management Plan 2018-2021 (as maybe updated) and the Habitats Directive. There will be a general presumption that development will be focused into areas that are serviced by public wastewater collection networks where available.

SW. P1: Ensure adequate surface water drainage systems are in place which meet the requirements of the Water Framework Directive and the River Basin Management Plan.

SW. P2: Ensure as an alternative to underground tanks and piped outfalls to watercourses, that all development proposals incorporate Sustainable Drainage Systems and to promote the use of green infrastructure e.g. green roofs, green walls, planting and green spaces for surface water retention purposes, as an integrated part of SuDS and maximise the multi-functional potential of these systems including benefits for biodiversity and amenity value wherever possible.

SW. P4: To require all new developments, to provide for separated drainage systems.

¹¹ Southern Regional Assembly (2020) *Regional Spatial & Economic Strategy for the Southern Region*

SW. P5: Seek to minimise in as far as is practical the discharge of additional and existing surface water to combined (foul and surface water) sewers (in existing combined sewer serviced areas) in order to maximise the capacity of existing collection systems for foul water.

SW. P6: Require all new developments to provide a separate foul and surface water drainage system and to incorporate sustainable urban drainage systems where appropriate / viable in new development and the public realm.

SW. O1: Require all development (including extensions to existing development) proposals to incorporate design criteria and SuDS measures in accordance with Carlow County Council SuDS Policy in order to reduce the potential impact of existing and predicted flood risks and to improve biodiversity and amenity value.

NS. P1: Support the conservation and enhancement of Natura 2000 Sites, and to protect the Natura 2000 network from any plans and projects that are likely to have a significant effect on the coherence or integrity of a Natura 2000 Site, in accordance with relevant EU Environmental Directives and applicable National Legislation, Policies, Plans and Guidelines.

NS. P2: Screening for Appropriate Assessment and if required Appropriate Assessment is undertaken for all plans to be adopted and projects to be granted permission/authorised by the Council. Where likely significant effects have been identified in respect of any plan or project not directly connected with or necessary to the management of a Natura 2000 site, either individually or in combination with other plans or projects, ensure appropriate assessment, in accordance with Article 6(3) of the Habitats Directive. The Council shall only agree to the plan or project after having ascertained that it will not adversely affect the integrity of the site concerned, unless the plan or project is subject to the provisions of Article 6(4) of the Habitats Directive.

NS. P3: Consider impacts within a plan or project's zone of influence, which may include Natura 2000 sites outside the County, when assessing whether a plan or project is likely to have significant effects on Natura 2000 sites.

NS. P4: Maintain or restore the favourable conservation status of County's Natura 2000 sites qualifying interest habitats and species.

NS. O1: Strictly protect areas designated or proposed to be designated as Natura 2000 sites, including any areas that may be proposed for designation or designated during the period of this Plan.

- 64 Plans and developments within the administrative boundary of other local authority areas which could influence conditions in Wexford Harbour via rivers and other surface water features, also must comply with the policies and objectives relevant to the protection of European sites and water quality. These include the Wicklow County Development Plan 2022-2028 and the Wexford County Development Plan 2022-2028. The relevant policies and objectives in those plans for the protection of European sites and water quality are included in Appendix II.
- 65 As noted under the surface water and foul water sections above, Wexford Harbour is currently ranked as WFD 'Good' status and the proposed development will not result in any measurable effect on water quality in Wexford Harbour. There are also protective policies and objectives in place at a strategic planning level to protect water quality in Wexford Harbour.
- 66 Therefore, and having regard to the policies and objectives referred to under the relevant development plans, it is concluded that the possibility of any other plans or projects acting in combination with the proposed development to give rise to significant effects on any European site in, or associated with, Wexford Harbour can be excluded.

3.3.3 *Habitat degradation as a result of hydrogeological impacts*

- 67 The proposed development lies within the Ballyglass Groundwater Body (Ballyglass GWB). The only European sites within the Ballyglass GWB that are designated for groundwater dependant habitats

and/or species are the Wicklow Mountains SAC and Blackstairs Mountains SAC. Northern Atlantic wet heaths with *Erica tetralix* and European dry heaths are dependent upon the existing condition and functioning of the groundwater regime. Based on information published by Geological Survey Ireland (GSI) on the Ballyglass GWB¹², 'In general over the whole of the groundwater body flow paths are considered to be short and probably only extend to the closest surface water body'. As the proposed development will not interact directly with the underlying groundwater body and lies down gradient of both Wicklow Mountains SAC and Blackstairs Mountains SAC, it cannot influence groundwater conditions in either European site.

3.3.4 Therefore, there is no possibility of the proposed development undermining the conservation objectives of any of the qualifying interests or special conservation interests of any European sites, either alone or in combination with any other plans or projects, as a result of hydrogeological effects. Habitat degradation as a result of introducing/spreading non-native invasive species

- 68 The proposed development site which comprises of existing hard standing does not support any non-native invasive species which could be accidentally spread or introduced to habitats within European sites. No invasive plant species which are listed on the Third Schedule of the European Communities (Birds and Natural Habitats) Regulations 2011, and therefore subject to restrictions in Irish Law, were recorded as occurring within the proposed development site from the desktop study.

3.3.5 Disturbance and displacement impacts

- 69 Construction-related disturbance and displacement of fauna species could potentially occur within the vicinity of the proposed development. or mammal species such as otter, disturbance effects would not be expected to extend beyond 150m¹³. For birds, disturbance effects would not be expected to extend beyond a distance of c.300m, as noise levels associated with general construction activities would attenuate to close to background levels at that distance¹⁴. There are no European sites with the disturbance zone of influence of the proposed development.
- 70 The nearest European site designated for wetland and wader species, which can utilise agricultural lands as feeding areas, is Poulaphouca Reservoir SPA, located c. 25.5km northeast of the proposed development site, far exceeding the disturbance ZOI for birds at c.300m. In addition, as noted in Section 3.3.1, the lands within the proposed development site do not constitute an *ex-situ* habitat or site for any QI or SCI species. Therefore, the proposed development will not result in the disturbance or displacement of the QI/SCI species of any European site.
- 71 As the proposed development will not result in the disturbance/displacement of QI/SCI species of any European site, there is no potential for any in combination effects to occur in that regard.

¹²<https://gsi.geodata.gov.ie/downloads/Groundwater/Reports/GWB/BallyglassGWB.pdf>

¹³ This is consistent with Transport Infrastructure Ireland (TII) guidance (Guidelines for the Treatment of Otters prior to the Construction of National Road Schemes (NRA 2006) and Guidelines for the Treatment of Badgers prior to the Construction of National Road Schemes)(NRA2005) documents. This is a precautionary distance, and likely to be moderated by the screening effect provided by surrounding vegetation and buildings, with the actual ZOI of construction related disturbance likely to be much less in reality.

¹⁴ The disturbance zone of influence for waterbirds is based on the relationship between the noise levels generated by general construction traffic/works (BS 5228:2009 Code of Practice for Noise and Vibration Control on Construction and Open Sites – Part 1 Noise) and the proximity of those noise levels to birds – as assessed in Cutts, N. Phelps, A. & Burdon, D. (2009) *Construction and Waterfowl: Defining Sensitivity, Response, Impacts and Guidance*, and Wright, M., Goodman, P & Cameron, T. (2010) Exploring Behavioural Responses of Shorebirds to Impulsive Noise. *Wildfowl* (2010) 60: 150–167. At 300m, noise levels are below 60dB or, in most cases, are approaching the 50dB threshold below which no disturbance or displacement effects would arise.

3.3.6 Summary

- 72 The potential impacts associated with the proposed development do not have the potential to affect the receiving environment and, consequently, do not have the potential to affect the conservation objectives supporting the Qualifying Interest/Special Conservation Interests of any European sites. Therefore, the proposed development is not likely to have significant effects on any European sites.
- 73 As the proposed development itself will not have any effects on the QIs/SCIs or conservation objectives of any European sites, and taking into account the policies and objectives of the statutory plans referred to above, it is concluded that there is no potential for any other plan or project to act in combination with it to result in significant effects on any European sites.
- 74 The potential impacts of the proposed development on the receiving environment, their ZOI, and the European sites at risk of significant effects are summarised in Table 1 below. In assessing the potential for the proposed development to result in a significant effect on any European sites, any measures intended to avoid or reduce the harmful effects of the project on European sites are not taken into account.

Table 1 Summary of Analysis of Likely Significant Effects on European sites

Potential Direct, Indirect In Combination Effects and the ZOI of the Potential Effects	Are there any European sites within the ZOI of the proposed development?
Habitat loss Habitat loss will be confined to the lands within the proposed development boundary.	No There are no European sites within the proposed development boundary
Habitat degradation as a result of hydrological impacts Habitats and species downstream of the proposed development site and the associated surface water drainage discharge points, and downstream of offsite wastewater treatment plants.	No There are no European sites at risk of hydrological effects associated with the proposed development
Habitat degradation as a result of hydrogeological impacts Groundwater-dependant habitats, and the species those habitats support, in the local area that lie downgradient of the proposed development site.	No There are no European sites at risk of hydrogeological effects associated with the proposed development
Habitat degradation as a result of introducing/spreading non-native invasive species Habitat areas within, adjacent to, and potentially downstream of the proposed development site.	No There are no non-native invasive species present on the proposed development site and, therefore, no risk associated with the proposed development to any European sites from the spread/introduction of non-native invasive species
Disturbance and displacement impacts Potentially up to several hundred metres from the proposed development boundary, dependent upon the predicted levels of noise, vibration and visual disturbance associated with the proposed development, taking into account the sensitivity of the qualifying interest species to disturbance effects	No There are no European sites within the potential zone of influence of disturbance effects associated with the construction or operation of the proposed development

4 Conclusions of Screening Assessment Process

- 75 Following an examination, analysis and evaluation of the best available information, and applying the precautionary principle, it can be concluded that the possibility of any significant effects on any European sites, whether arising from the project alone or in combination with other plans and projects, can be excluded, for the reasons set out in Section 3.3 above. In reaching this conclusion, the nature of the

project and its potential relationship with all European sites within the zone of influence, and their conservation objectives, have been fully considered.

- 76 Therefore, it is the professional opinion of the authors of this report that the application for consent for the proposed development does not require a Stage II Appropriate Assessment or the preparation of a Natura Impact Statement (NIS).

Appendix I

The Qualifying Interests (QIs) and Special Conservation Interests (SCIs) of the European sites in the vicinity of the proposed development site

European Site Name [Code] and its Qualifying interest(s) / Special Conservation Interest(s) (*Priority Annex I Habitats)	Location Relative to the Proposed Development Site
Special Area of Conservation (SAC)	
<p>Slaney River Valley SAC [000781]</p> <p>1130 Estuaries</p> <p>1140 Mudflats and sandflats not covered by seawater at low tide</p> <p>1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>)</p> <p>1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>)</p> <p>3260 Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation</p> <p>91A0 Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles</p> <p>91E0 Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>)*</p> <p>1029 <i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel)</p> <p>1095 <i>Petromyzon marinus</i> (Sea Lamprey)</p> <p>1096 <i>Lampetra planeri</i> (Brook Lamprey)</p> <p>1099 <i>Lampetra fluviatilis</i> (River Lamprey)</p> <p>1103 <i>Alosa fallax fallax</i> (Twaite Shad)</p> <p>1106 <i>Salmo salar</i> (Salmon) (only in fresh water)</p> <p>1355 <i>Lutra lutra</i> (Otter)</p> <p>1356 <i>Phoca vitulina</i> (Harbour Seal)</p> <p>NPWS (2011) Conservation Objectives: Slaney River Valley SAC 000781. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	<p>c.350m west of the proposed development</p>
<p>Holdenstown Bog SAC [001757]</p> <p>7140 Transition mires and quaking bogs</p> <p><i>S.I. No. 195/2016 - European Union Habitats (Holdenstown Bog Special Area of Conservation 001757) Regulations 2016.</i></p> <p>NPWS (2019) Conservation Objectives: Holdenstown Bog SAC 001757. Version 1. National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht.</p>	<p>c.3.15km northwest of the proposed development</p>
<p>River Barrow and River Nore SAC [002162]</p> <p>1130 Estuaries</p> <p>1140 Mudflats and sandflats not covered by seawater at low tide</p> <p>1170 Reefs</p> <p>1310 Salicornia and other annuals colonising mud and sand</p> <p>1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>)</p> <p>1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>)</p> <p>3260 Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation</p>	<p>c.9.9km west of the proposed development</p>

European Site Name [Code] and its Qualifying interest(s) / Special Conservation Interest(s) (*Priority Annex I Habitats)	Location Relative to the Proposed Development Site
<p>4030 European dry heaths 6430 Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels 7220 Petrifying springs with tufa formation (Cratoneurion)* 91A0 Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles 91E0 Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae)* 1016 <i>Vertigo moulinsiana</i> (Desmoulin's Whorl Snail) 1029 <i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel) 1092 <i>Austropotamobius pallipes</i> (White-clawed Crayfish) 1095 <i>Petromyzon marinus</i> (Sea Lamprey) 1096 <i>Lampetra planeri</i> (Brook Lamprey) 1099 <i>Lampetra fluviatilis</i> (River Lamprey) 1103 <i>Alosa fallax fallax</i> (Twaite Shad) 1106 <i>Salmo salar</i> (Salmon) 1355 <i>Lutra lutra</i> (Otter) 1421 <i>Trichomanes speciosum</i> (Killarney Fern) 1990 <i>Margaritifera durrovensis</i> (Nore Pearl Mussel)</p> <p>NPWS (2011) <i>Conservation Objectives: River Barrow and River Nore SAC. Version 1.</i> National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	
<p>Wicklow Mountains SAC [002122] 3110 Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>) 3160 Natural dystrophic lakes and ponds 4010 Northern Atlantic wet heaths with <i>Erica tetralix</i> 4030 European dry heaths 4060 Alpine and Boreal heaths 6130 <i>Calaminarian</i> grasslands of the <i>Violetalia calaminariae</i> 6230 Species-rich <i>Nardus</i> grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) * 7130 Blanket bogs (* if active bog) 8110 Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Galeopsietalia ladani</i>) 8210 Calcareous rocky slopes with chasmophytic vegetation 8220 Siliceous rocky slopes with chasmophytic vegetation 91A0 Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles 1355 <i>Lutra lutra</i> (Otter)</p> <p>NPWS (2017) <i>Conservation Objectives: Wicklow Mountains SAC 002122.</i> Version 1. National Parks and Wildlife Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.</p>	<p>c.13.9km northeast of the proposed development</p>
<p>Raven Point Nature Reserve SAC [000710] 1140 Mudflats and sandflats not covered by seawater at low tide</p>	<p>c.50km downstream of the proposed development</p>

European Site Name [Code] and its Qualifying interest(s) / Special Conservation Interest(s) (*Priority Annex I Habitats)	Location Relative to the Proposed Development Site
<p>1210 Annual vegetation of drift lines 1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) 2110 Embryonic shifting dunes 2120 Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ('white dunes') 2130 *Fixed coastal dunes with herbaceous vegetation ('grey dunes') 2170 Dunes with <i>Salix repens</i> ssp. <i>argentea</i> (<i>Salicion arenariae</i>) 2190 Humid dune slacks</p> <p><i>S.I. No. 423/2018 - European Union Habitats (Raven Point Nature Reserve Special Area of Conservation 000710) Regulations 2018</i> NPWS (2011) <i>Conservation Objectives: Raven Point Nature Reserve SAC 000710</i>. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	
<p>Long Bank SAC [002161] 1110 Sandbanks which are slightly covered by sea water all the time</p> <p><i>S.I. No. 103/2016 - European Union Habitats (Long Bank Special Area of Conservation 002161) Regulations 2016</i>. NPWS (2013) <i>Conservation Objectives: Long Bank SAC 002161</i>. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	c.55km downstream of the proposed development
<p>Carnsore Point SAC [002269] 1140 Mudflats and sandflats not covered by seawater at low tide 1170 Reefs</p> <p><i>S.I. No. 530/2016 - European Union Habitats (Carnsore Point Special Area of Conservation 002269) Regulations 2016</i>. NPWS (2011) <i>Conservation Objectives: Carnsore Point SAC 002269</i>. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	c.60km downstream of the proposed development
Special Protection Area (SPA)	
<p>Wicklow Mountains SPA [004040] A098 Merlin <i>Falco columbarius</i> A103 Peregrine <i>Falco peregrinus</i></p> <p><i>S.I. No. 586/2012 - European Communities (Conservation of Wild Birds (Wicklow Mountains Special Protection Area 004040)) Regulations 2012</i>. NPWS (2022) <i>Conservation objectives for Wicklow Mountains SPA [004040]</i>. First Order Site-Specific Conservation Objectives Version 1.0. Department of Housing, Local Government and Heritage.</p>	c.15.3km northeast of the proposed development
<p>Wexford Harbour and Slobbs SPA [004076] A004 Little Grebe (<i>Tachybaptus ruficollis</i>) A005 Great Crested Grebe (<i>Podiceps cristatus</i>) A017 Cormorant (<i>Phalacrocorax carbo</i>) A028 Grey Heron (<i>Ardea cinerea</i>) A037 Bewick's Swan (<i>Cygnus columbianus bewickii</i>)</p>	c.44km downstream of the proposed development

European Site Name [Code] and its Qualifying interest(s) / Special Conservation Interest(s) (*Priority Annex I Habitats)	Location Relative to the Proposed Development Site
<p>A038 Whooper Swan (<i>Cygnus cygnus</i>) A046 Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) A048 Shelduck (<i>Tadorna tadorna</i>) A050 Wigeon (<i>Anas penelope</i>) A052 Teal (<i>Anas crecca</i>) A053 Mallard (<i>Anas platyrhynchos</i>) A054 Pintail (<i>Anas acuta</i>) A062 Scaup (<i>Aythya marila</i>) A067 Goldeneye (<i>Bucephala clangula</i>) A069 Red-breasted Merganser (<i>Mergus serrator</i>) A082 Hen Harrier (<i>Circus cyaneus</i>) A125 Coot (<i>Fulica atra</i>) A130 Golden Plover (<i>Pluvialis apricaria</i>) A141 Grey Plover (<i>Pluvialis squatarola</i>) A142 Lapwing (<i>Vanellus vanellus</i>) A143 Knot (<i>Calidris canutus</i>) A144 Sanderling (<i>Calidris alba</i>) A149 Dunlin (<i>Calidris alpina</i>) A156 Black-tailed Godwit (<i>Limosa limosa</i>) A157 Bar-tailed Godwit (<i>Limosa lapponica</i>) A160 Curlew (<i>Numenius arquata</i>) A162 Redshank (<i>Tringa totanus</i>) A179 Black-headed Gull (<i>Chroicocephalus ridibundus</i>) A183 Lesser Black-backed Gull (<i>Larus fuscus</i>) A195 Little Tern (<i>Sterna albifrons</i>) A395 Greenland White-fronted Goose (<i>Anser albifrons flavirostris</i>) A999 Wetland and Waterbirds</p> <p><i>S.I. No. 194/2012 - European Communities (Conservation of Wild Birds (Wexford Harbour and Slobs Special Protection Area 004076)) Regulations 2012.</i></p> <p>NPWS (2012) Conservation Objectives: Wexford Harbour and Slobs SPA 004076. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	
<p>The Raven SPA [004019] A001 Red-throated Diver (<i>Gavia stellata</i>) A017 Cormorant (<i>Phalacrocorax carbo</i>) A065 Common Scoter (<i>Melanitta nigra</i>) A141 Grey Plover (<i>Pluvialis squatarola</i>) A144 Sanderling (<i>Calidris alba</i>) A395 Greenland White-fronted Goose (<i>Anser albifrons flavirostris</i>) [A999 Wetland and Waterbirds</p> <p><i>S.I. No. 533/2011 - European Communities (Conservation of Wild Birds (The Raven</i></p>	<p>c.50km downstream of the proposed development</p>

European Site Name [Code] and its Qualifying interest(s) / Special Conservation Interest(s) (*Priority Annex I Habitats)	Location Relative to the Proposed Development Site
<p><i>Special Protection Area 004019)) Regulations 2011</i></p> <p>NPWS (2012) Conservation Objectives: The Raven SPA 004019. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	

Appendix II

Planning polices/objectives relating to the protection of European sites and water quality

Southern Regional Assembly, Regional Spatial & Economic Strategy

RPO 112 Water Quality

It is an objective to support commitments to achieve and maintain “At Least Good” status, except where more stringent obligations are required, and no deterioration of status for all water bodies under the Marine Strategy Framework Directive and its programme of measures, the Water Framework Directive and the River Basin Management Plan. Key challenges include, inter alia, the need to address significant deficits in urban waste-water treatment and water supply, addressing flooding and increased flood risks from extreme weather events and increased intense rainfall because of climate change.

RPO 122 Sustainable Drainage Systems (SuDS)

It is an objective to: a. Promote the integration of sustainable water management solutions such as the use of SuDs. Future development and Local Area Plans in the Region should include objectives and actions to encourage the integration of sustainable water management solutions such as the use of SuDS; b. Promote the diversion of surface water from combined sewers where possible.

RPO 126 Biodiversity

a. Promote biodiversity protection and habitat connectivity both within protected areas and in the landscape through promoting the integration of green infrastructure and ecosystem services, including landscape, heritage, biodiversity and management of invasive and alien species in the preparation of statutory and non-statutory land-use plans. The RSES recognises the role of the National Biodiversity Data Centre through its Citizen Science initiatives;

b. Support local authorities acting together with relevant stakeholders in implementing measures designed to identify, conserve and enhance the biodiversity of the Region; seek and support the implementation of the All-Ireland Pollinator Plan, National Biodiversity Action Plan and National Raised Bog SAC Management Plan;

c. Local Authorities are required to carry out required screening of proposed projects and any draft land-use plan or amendment/variation to any such plan for any potential ecological impact on areas designated or proposed for inclusion as Natura 2000/European Sites and shall decide if an Appropriate Assessment is necessary, of the potential impacts of the project or plan on the conservation objectives of any Natura 2000/European Site;

d. Support local authorities to carry out, monitor and review biodiversity plans throughout the Region. Planning authorities should set objectives in their land use plans to implement and monitor the actions as set out in the National and County Biodiversity Plans, as the conservation of biodiversity is an essential component of sustainable development. Local authorities should address the issue of fisheries protection and invasive introduced species and encourage the use of native species for landscape planting in rural areas, in the review of their biodiversity plans;

e. Support local authorities to work with all stakeholders to conserve, manage and where possible enhance the Regions natural heritage including all habitats, species, landscapes and geological heritage of conservation interest and to promote increased understanding and awareness of the natural heritage of the Region.

RPO 208 Irish Water and Water Supply It is an objective to:

a. Support the implementation of Irish Water Investment Plans (prepared in five-year cycles) and subsequent investment plans and seek such plans to align the supply of water services with the settlement strategy and objectives of the RSES and Metropolitan Area Strategic Plans for Cork, Limerick Shannon and Waterford;

b. Support the role of Irish Water Investment Plans in taking into account seasonal pressures on critical service infrastructure, climate change implications and leakage reduction in the design of all relevant projects;

c. Deliver and phase services, subject to the required appraisal, planning and environmental assessment processes and avoid adverse impacts on the integrity of the Natura 2000 network;

d. Local Authority Core Strategies shall demonstrate compliance with DHPLG Water Services Guidelines for

Planning Authorities and demonstrate phased infrastructure led growth to meet demands on the water supply, suitability of new and/or existing drinking water sources (for example hydro morphological pressures) and prevent adverse impacts on the integrity of water dependent habitats and species within the Natura 2000 network.

RPO 212 Strategic Wastewater Treatment Facilities

a. It is an objective to support investment and the sustainable development of strategic wastewater treatment facilities by Irish Water in the Region arising from initiatives including Investment Plans, Strategic Drainage Area Plans subject to appropriate environmental assessment and the planning process.

b. For the management of wastewater, increasing population growth should be planned on a phased basis in collaboration with Irish Water and the local authorities to ensure that the assimilative capacity of the receiving environment is not exceeded and that increased wastewater discharges from population growth does not contribute to degradation of water quality and to avoid adverse impacts on the integrity of the Natura 2000 network.

RPO 218 Sustainable Urban Drainage and Rainwater Harvesting

It is an objective to support the incorporation of Sustainable Urban Drainage Systems (SUDs) in all public and private development in urban areas. The local authorities shall include objectives requiring the incorporation of SUDs in local authority development plans and Local Area Plans, promote greater rainwater harvesting by households and businesses for the diversion of storm water from combined sewers (where possible), so that within developments and in the wider public realm, opportunities for SUDs and rainwater harvesting maximise capacity to cater for infill, brownfield and new development in sewer networks and treatment plants.

Wicklow County Development Plan 2022-2028

CPO13.1

To ensure and support the implementation of the EU Groundwater Directive and the EU Water Framework Directive and associated River Basin and Sub-Basin Management Plans and Blue Dot Catchment Programme, to ensure the protection, improvement and sustainable use of all waters in the County, including rivers, lakes, ground water, coastal and estuarine waters, and to restrict development likely to lead to a deterioration in water quality. The Council will also have cognisance of, where relevant, the EU’s Common Implementation Strategy Guidance Document No. 20 and 36 which provide guidance on exemptions to the environmental objectives of the Water Framework Directive.

CPO 13.5

To ensure compliance with and to implement the provisions of the Nitrates Directive in so far as it falls within the remit of the Council to do so.

CPO 13.6

To encourage and promote the use of catchment-sensitive farming practices, in order to meet Water Framework Directive targets and comply with the River Basin Management Plan.

CPO 13.16

Permission will be considered for private wastewater treatment plants for single rural houses where:

- the specific ground conditions have been shown to be suitable for the construction of a treatment plant and any associated percolation area;
- the system will not give rise to unacceptable adverse impacts on ground waters / aquifers and the type of treatment proposed has been drawn up in accordance with the appropriate groundwater protection response set out in the Wicklow Groundwater Protection Scheme (2003);
- the proposed method of treatment and disposal complies with Wicklow County Council’s Policy for Wastewater Treatment & Disposal Systems for Single Houses (PE ≤ 10) and the Environmental Protection Agency “Waste Water Treatment Manuals”; and
- in all cases the protection of ground and surface water quality shall remain the overriding priority and proposals must definitively demonstrate that the proposed development will not have an adverse impact on water quality standards and requirements set out in EU and national legislation and guidance documents

CPO 13.21

Ensure the implementation of Sustainable Urban Drainage Systems (SUDS) in accordance with the Wicklow County Council SuDS Policy to ensure surface water runoff is managed for maximum benefit. In particular to require proposed developments to meet the design criteria of each of the four pillars of SuDS design; Water Quality, Water Quantity, Amenity and Biodiversity.

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)¹⁵, the Birds Directive (2009/147/EC)¹⁶, the Environmental Liability Directive (2004/35/EC)¹⁷, 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)¹⁸, 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)¹⁹ 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

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 plan²⁰.

CPO 17.6

¹⁵ Including Annex I habitats, Annex II species and their habitats and Annex IV species and their breeding sites and resting places (wherever they occur).

¹⁶ Including Annex I species and other regularly occurring migratory species, and their habitats (wherever they occur).

¹⁷ Including protected species and natural habitats

¹⁸ Including species of flora and fauna and their key habitats.

¹⁹ Including protected species and natural habitats.

²⁰ Except as provided for in Article 6(4) of the Habitats Directive, viz. there must be: a) no alternative solution available, b) imperative reasons of overriding public interest for the project to proceed; and c) adequate compensatory measures in place.

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 for the need to undertake Appropriate Assessment under Article 6 of the Habitats Directive.

CPO 17.7

To maintain the conservation value of all proposed and future Natural Heritage Areas (NHAs) and to protect other designated ecological sites²¹ in Wicklow.

CPO 17.8

Ensure ecological impact assessment is carried out for any proposed development likely to have a significant impact on proposed Natural Heritage Areas (pNHAs), Natural Heritage Areas (NHAs), Statutory Nature Reserves, Refuges for Fauna, Annex I habitats, or rare and threatened species including those species protected by law and their habitats. Ensure appropriate avoidance and mitigation measures are incorporated into development proposals as part of any ecological impact assessment.

CPO 17.24

To ensure and support the implementation of the EU Groundwater Directive and the EU Water Framework Directive and associated River Basin and Sub-Basin Management Plans and Blue Dot Catchment Programme, to ensure the protection, improvement and sustainable use of all waters in the County, including rivers, lakes, ground water, coastal and estuarine waters, and to restrict development likely to lead to a deterioration in water quality. The Council will also have cognisance of, where relevant, the EU's Common Implementation Strategy Guidance Document No. 20 and 36 which provide guidance on exemptions to the environmental objectives of the Water Framework Directive.

Wexford County Development Plan 2022-2028

Objective WQ01

To protect existing and potential water resources for the county, in accordance with the EU Water Framework Directive (2000/60/EC), Bathing Water Directive (2006/7/ EC), the National River Basin Management Plan 2018-2021 and any updated version, the Pollution Reduction Programmes for designated shellfish waters, the provisions of a Groundwater Protection Scheme for the county and any other protection plans for water supply sources, with an aim to improving all water quality.

Objective WQ05

To strive to achieve and maintain at least 'Good' status except where more stringent obligations are required, and no deterioration of status for all water bodies including protected areas, under the Marine Strategy Framework and its programme of measures, the Water Framework Directive and the River Basin Management Plan.

Objective WQ13

To work with the Local Authority Waters Programme and other relevant State agencies and local communities to achieve the objectives for the Areas for Action identified in the River Basin Management Plan 2018-2021 and to ensure that new developments do not result in a deterioration of water quality in these areas.

Objective WQ15

To ensure that development permitted would not negatively impact on water quality and quantity, including surface water, ground water, designated source protection areas, river corridors and associated wetlands, estuarine waters, coastal and transitional waters.

Objective WW01

To require that all wastewater generated is collected, treated and discharged after treatment in a safe and sustainable manner, having regard to the standards and requirements set out in EU and national legislation and guidance and subject to complying with the provisions and objectives of the EU Water Framework Directive, the National River Basin Management Plan 2018-2021 and any updated version during the lifetime of the Plan, the Pollution Reduction Programmes for Shellfish Waters, Urban Wastewater Water

²¹ Along with SACs, SPAs and pNHA these include Salmonid Waters; Flora Protection Order sites; Wildfowl Sanctuaries (see S.I. 192 of 1979); Freshwater Pearl Mussel catchments; and Tree Preservation Orders (TPOs).

Directive and the Habitats Directive.

Objective SWM01

To require the application of SuDS in accordance with the CIRIA SuDS Manual 2015 and any future update of this guidance, or other best practice guidance as may be specified or required by the Council. The application of SuDS should prioritise the use of appropriate nature-based solutions where possible. All proposals should include a commensurate drainage assessment used to design the surface water management system for the site, and this assessment should outline the drainage design considerations/strategy in line with the flood risk, surface water management and climate change requirements and objectives of the County Development Plan and the County Strategic Flood Risk Assessment in Volume 11.

Objective SWM02

To require new developments to provide for the separation of foul and surface water drainage networks within the application site boundaries.

Objective SWM03

To work alongside Irish Water to ensure the separation of foul and surface water drainage networks where feasible and undertake drainage network upgrades to help remove surface water misconnection and infiltration.

Objective SWM04

To promote and support the retrofitting of Sustainable Urban Drainage Systems (SuDS) in established urban areas.

Objective NH01

To ensure the protection of all designated ecological sites (as detailed in Section 13.2.1 to 13.2.11) in relevant Local Area Plans and in the assessment of planning applications and promote the restoration of sites where required.

Objective NH04

To protect the integrity of sites designated for their habitat and species importance and prohibit development which would damage or threaten the integrity of these sites. Such sites include Special Areas of Conservation (SACs) and candidate SACs, Special Protection Areas (SPAs), Natural Heritage Areas (NHAs) and proposed NHAs, Nature Reserves, Refuges for Fauna and RAMSAR sites. To protect protected species wherever they occur.

Objective NH08

To ensure that any plan/project and any associated works, individually or in combination with other plans or projects, are subject to Screening for Appropriate Assessment to ensure there are no likely significant effects on any Natura 2000 site(s) and that the requirements of Article 6(3) and 6(4) of the EU Habitats Directive are fully satisfied. Where a plan/project is likely to have a significant effect on a Natura 2000 site or there is uncertainty with regard to effects, it shall be subject to Appropriate Assessment. The plan/project will proceed only after it has been ascertained that it will not adversely affect the integrity of the site or where, in the absence of alternative solutions, the plan/project is deemed by the competent authority imperative for reasons of overriding public interest.