



# Screening Report for Appropriate Assessment

Screening Report for Appropriate Assessment for the construction of Phase 1 of a housing development and all associated site works in Barrack Hill, Carndonagh, Co. Donegal for Donegal County Council.

Greentrack Environmental Consultants

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# 1 INTRODUCTION

## 1.1 Background

Greentrack Consultants have been instructed by Donegal County Council to undertake this Stage 1 Screening Report for Appropriate Assessment under Article 6 of the EU Habitats Directive, examining their proposal for the construction of a mixed accommodation type housing development and all associated site works at Barrack Hill, Carndonagh, Co. Donegal.

This Screening Report has been prepared by Greentrack Consultants with all reasonable care, due diligence, professional application, and best scientific knowledge available to Greentrack at the time of writing. Information contained within this report is based on the interpretation of data collected and has been accepted by Greentrack in good faith. Greentrack accept no responsibility to any third party to whom this report is made known or available. Any such third parties rely on the findings of this report at their own risk. The aim of this screening report is to aid the Competent Authority in determining whether or not an “Appropriate Assessment” is required for the proposed works. This report will assess any likely significant effects or impacts (if any) caused by the proposed development on any Natura 2000 sites within the zone of influence of this proposed development, both independently and in conjunction with other plans and projects.

## 1.2 Legislative Context

The Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora, better known as “*The Habitats Directive*”, provides legal protection for habitats and species of European importance. Articles 3 to 9 provide the legislative means to protect habitats and species of community interest through the establishment and conservation of an EU-wide network of sites known as Natura 2000. These are Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas (SPAs) designated under the Conservation of Wild Birds Directive (79/409/ECC) as codified by Directive 2009/147/EC.

Articles 6(3) and 6(4) of the Habitats Directive set out the decision-making tests for plans and projects likely to affect Natura 2000 sites (Annex 1.1). Article 6(3) establishes the requirement for Appropriate Assessment (AA):

*Any plan or project not directly connected with or necessary to the management of the [Natura 2000] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subjected to 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.*

Article 6(4) states:

*If, in spite of a negative assessment of the implications for the [Natura 2000] site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, Member States shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.*

### 1.3 Stages of the Appropriate Assessment Process

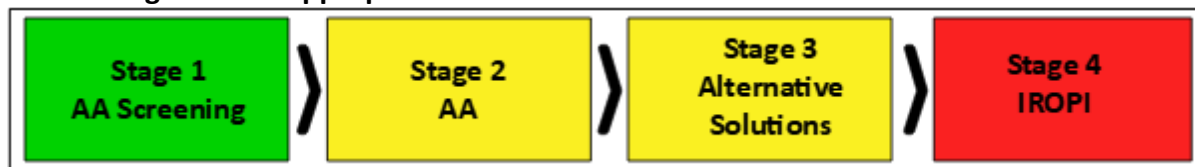


Figure 1.1: Stages of Screening

**Stage 1 - Screening for any likely significant impacts.** Screening involves an initial assessment of the project or plan's effect on a Natura 2000 site(s). If it cannot be concluded that there will be no significant effect upon a Natura 2000 site, an Appropriate Assessment is required. The process addresses and records the reasoning and conclusions in relation to the first two tests of Article 6(3):

- I. whether a plan or project is directly connected to or necessary for the management of the site, and
- II. whether a plan or project, alone or in combination with other plans and projects, is likely to have significant effects on a Natura 2000 site in view of its conservation objectives.

**If the effects are deemed to be significant, potentially significant, or uncertain, or if the screening process becomes overly complicated, then the process must proceed to Stage 2 (AA).** Screening should be undertaken without the inclusion of mitigation. The greatest level of evidence and justification will be needed in circumstances when the process ends at screening stage on grounds of no impact. This report provides the information necessary to enable the appropriate authority to screen the proposed development for the requirement to prepare an Appropriate Assessment.

**Stage 2 - Appropriate Assessment (Natura Impact Statement or NIS):** The consideration of the impact on the integrity of the Natura 2000 site(s) from the project or plan, 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 adverse impacts, an assessment of the potential mitigation of those impacts.

**Stage 3 – Assessment of alternative solutions:** The process which examines alternative ways of achieving the objectives of the project or plan that avoid adverse impacts on the integrity of the Natura 2000 site. The process must return to Stage 2, as alternatives will require appropriate assessment in order to proceed. Demonstrating that all reasonable alternatives have been considered and assessed, and that the least damaging option has been selected, is necessary to progress to Stage 4.

**Stage 4 – Assessment where no alternative solutions exist and where adverse impacts remain:** Stage 4 is the main derogation process of Article 6(4), which examines whether there are imperative reasons of overriding public interest (IROPI) for allowing a plan or project that will have adverse effects on the integrity of a Natura 2000 site to proceed in cases where it has been established that no less damaging alternative solution exists. Compensatory measures must be proposed and assessed. The Commission must be informed of the compensatory measures. Compensatory measures must be practical, implementable, likely to succeed, proportionate and enforceable, and they must be approved by the Minister. Each listed stage determines whether a further stage in the process is necessary. If, for example, the conclusions at the end of Stage One are that there will be no significant impacts on the Natura 2000 site(s), there is no requirement to proceed further.

Following on from Article 6(3) of the Habitats Directive the objective of this report is to screen for “Any Likely Significant Effects” and to conclude whether or not an Appropriate Assessment is necessary for the proposed development. This report will screen the proposed development against the qualifying interests of Natura 2000 sites within its zone of influence and will examine any likely significant effects that the proposed activity may have on these sites.

## 2 METHODOLOGY

### 2.1 Approach

The methodology used for this screening report is undertaken in the following stages:

- Define the project and determine whether it is necessary for the conservation management of Natura 2000 sites.
- Identify Natura 2000 sites likely to be influenced by this development.
- Review the project to determine if it has the potential to affect the Natura 2000 sites and determine whether the Natura 2000 sites are vulnerable to the effect.
- Identify other plans or project that, in combination with this project, have the potential to affect Natura 2000 sites.
- If potential significant effects on Natura 2000 sites cannot be excluded at this stage, Stage 2 appropriate assessment is required.
- If potential significant effects on Natura 2000 sites can be excluded at this stage, Stage 2 appropriate assessment is not required.

### 2.2 Guidance Documents

This report was carried out in accordance with relevant guidance, in particular:

- Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities. Department of Environment, Heritage and Local Government, 2010.
- European Commission. Managing Natura 2000 Sites: The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC. Office for Official Publications of the European Communities, Luxembourg, 2018.
- 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, 2002.
- 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 Interest, Compensatory Measures, Overall Coherence. Opinion of the European Commission. European Commission, 2007 / 2012.
- Habitats Directive and environmental assessment of plans and projects. García Ureta, A. Journal for European Environmental and Planning Law 2, 8496, 2007.
- Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities. Circular NPW 1/10 & PSSP 2/10.
- Compliance Conditions in respect of Developments requiring (1) Environmental Impact Assessment (EIA); or (2) having potential impacts on Natura 2000 sites. Circular letter PD 2/07, NPWS 1/07.
- Compliance of Existing Land Use Plans with the EU Habitats Directive. Department of Environment, Heritage and Local Government (2011) Circular Letter PSSP 5/2011.
- Communication from the Commission on the precautionary principle (European Commission, 2000).
- Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC (European Commission, 2019).
- Assessment of plans and projects in relation to Natura 2000 Sites - Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC Brussels, 28.9.2021 C (European Commission, 2021); and,
- Appropriate Assessment Screening for Development Management, OPR Practice Note PN01, Office of the Planning Regulator March 2021.

### 2.3 Statement of Authority

This report has been prepared by Shannen McEwen, Ecologist with Greentrack. Shannen holds a B.Sc. (Hons) Environmental Science with a Diploma in Professional Practice from the University of Ulster. She has been involved in all aspects of Appropriate Assessment, Natura Impact Statement and Environmental Impact Assessment preparation since 2017. Shannen is an Associate Member of the Institution of Environmental Sciences.

## 3 DESCRIPTION OF THE PROJECT

### 3.1 Project Description

The proposal is for the initial phase of construction of a mixed accommodation style housing development in Barrack Hill, Carndonagh, Co. Donegal. Twenty-two (22) accommodation units are planned of which nine (9) are semi-detached 3-bedroom houses and 13 are semi-detached 2-bedroom houses. Significant open spaces are to be provided with a walkway and cycle lane created along the nearby riverbank. Stormwater is proposed to be discharged to the existing stormwater system and foul water connected into the public sewer system. Stormwater attenuation is to be provided by SuDS<sup>1</sup> design. The public sewer is treated at the Carndonagh Wastewater Treatment Plant. The latest available Annual Environmental Report (2020) by Irish Water<sup>2</sup> states that the Population equivalent (PE) capacity of the plant is 5,833. The plant is currently at 5,224 PE and there is capacity for a further 609 PE. Irish water do not expect capacity to be exceeded within the next three years.

The project can be considered in two distinct stages:

- **Construction Stage**
  - Site clearance to accommodate the proposed development.
  - Construction of the accommodation units and site infrastructure.
  - Connection to existing services.
  - Landscaping of the site.
- **Operational Stage**
  - Standard day to day use of housing development.

The proposed feasibility layout is shown below in Figure 3.1.

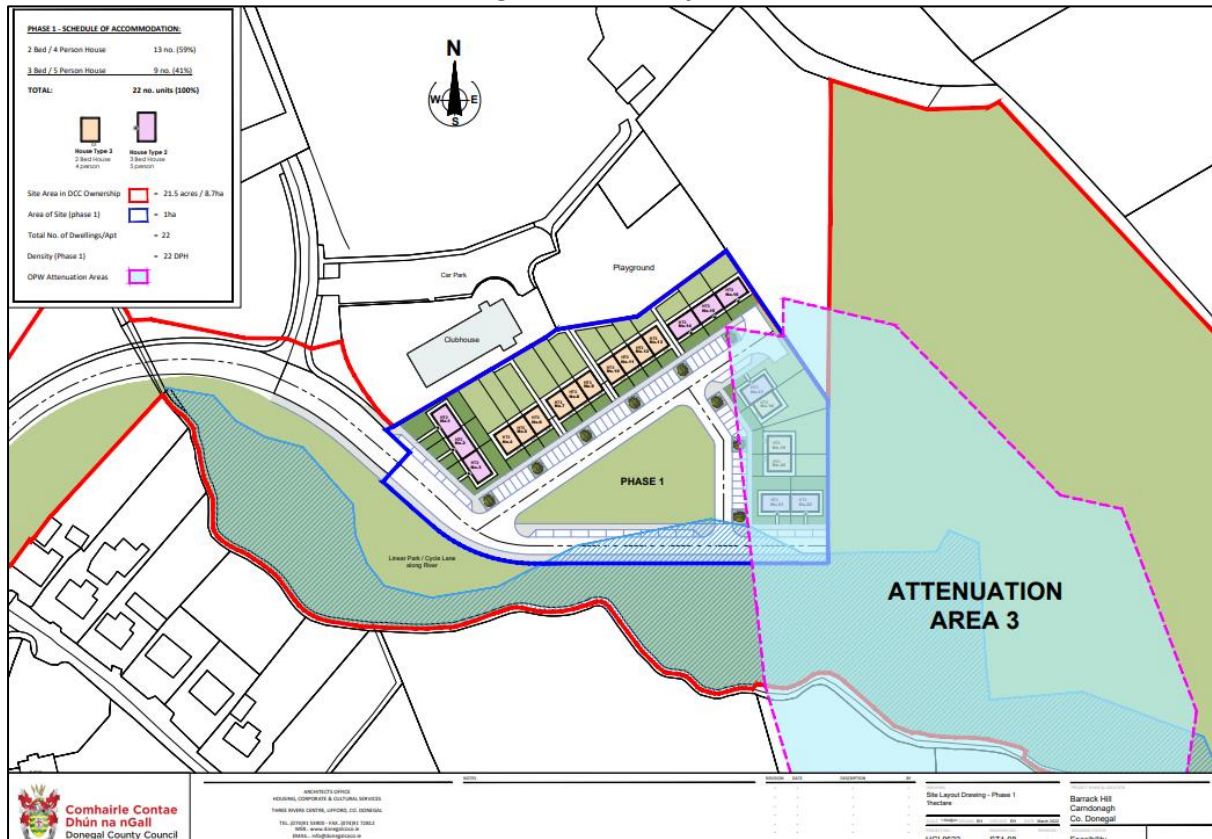
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<sup>1</sup> Sustainable drainage systems (SuDS) are drainage solution that provide an alternative to the direct channelling of surface water through a network of pipes and sewers to nearby watercourses

<sup>2</sup> Irish Water Carndonagh-Malin DO113-01 Annual Environmental Report 2020



**Figure 3.1: Site layout**



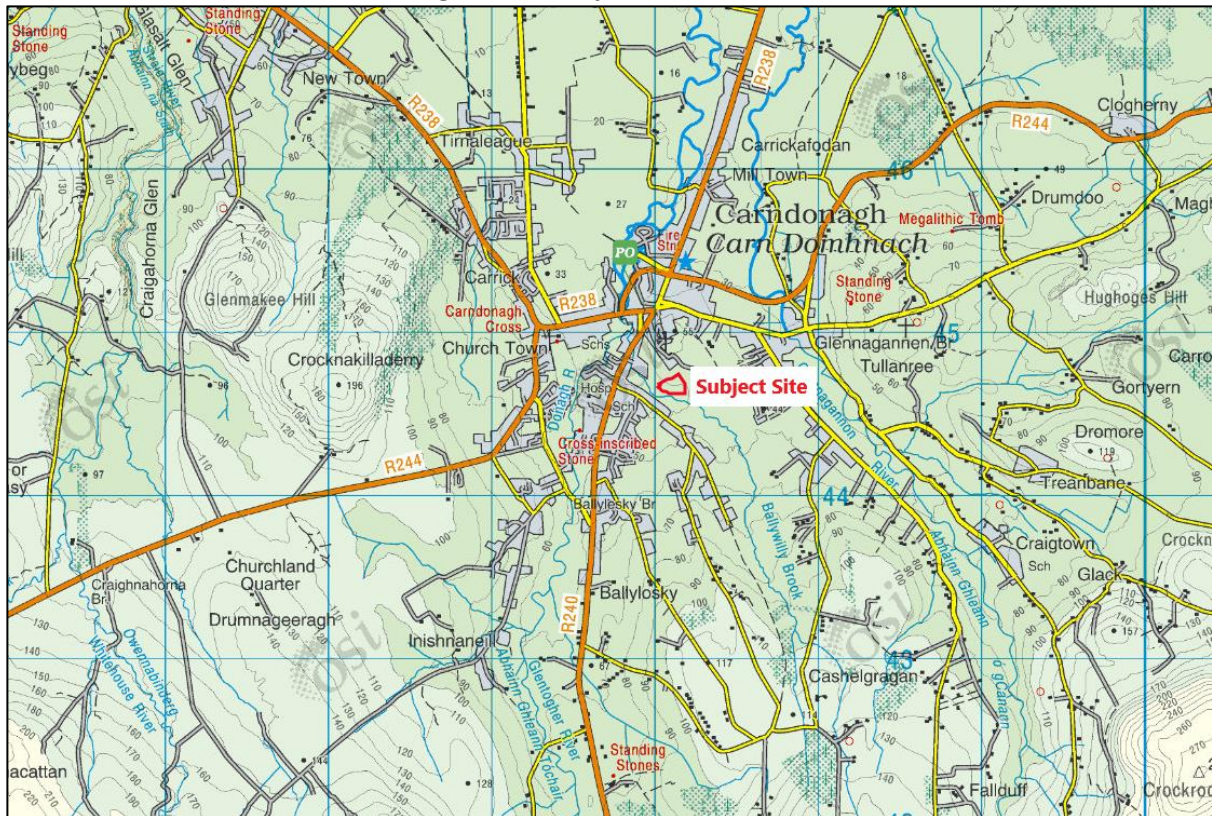
(Drawing provided by Donegal County Council)

## 4 THE RECEIVING ENVIRONMENT

### 4.1 General Location

The proposed development is located at Barrack Hill, Carndonagh, Co. Donegal, (Figure 4.1). Access to the site entrance is provided by the Ballylusk Road (L-5731-2) which is just off the regional road R240.

Figure 4.1: Subject site location



CYAL50313729 © Ordnance Survey Ireland/Government of Ireland.

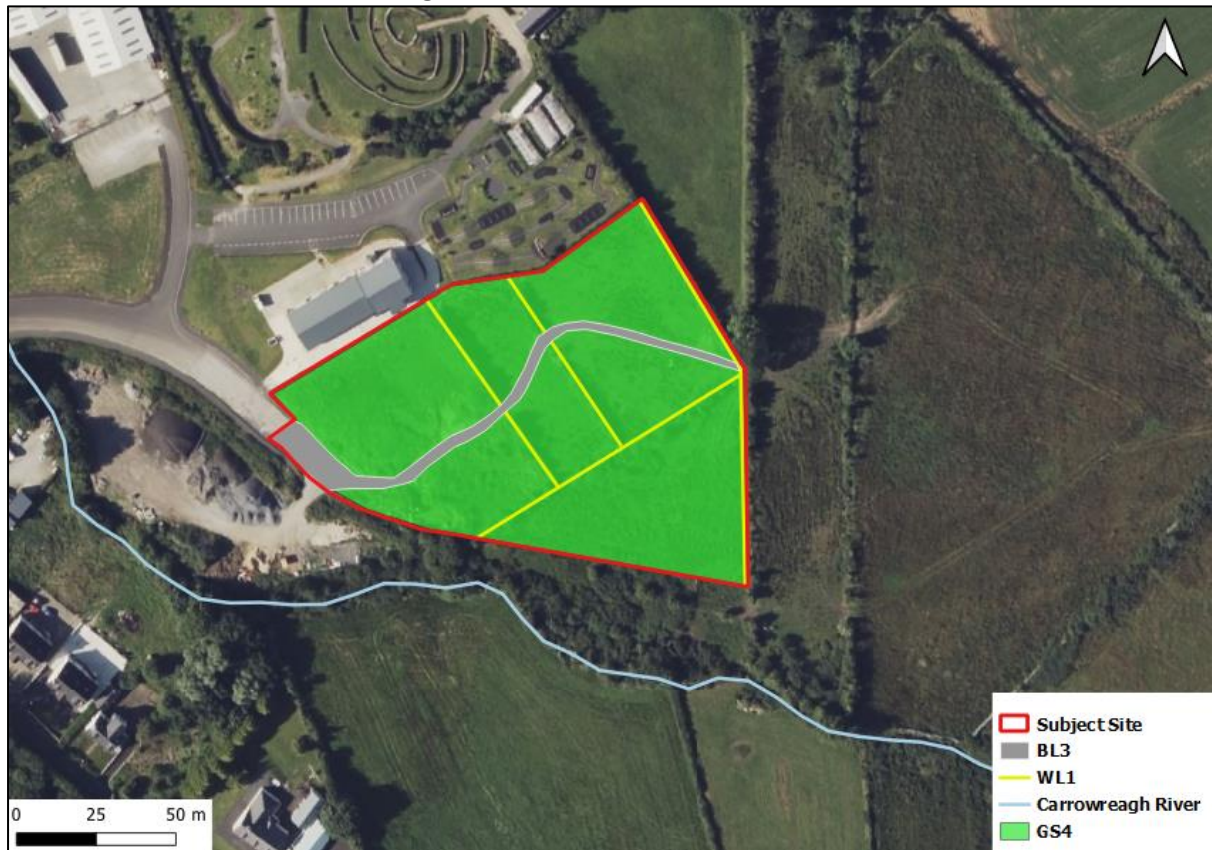
## 4.2 Site Description

Greentrack conducted a site walkover on 10/02/2023. A phase 1 habitat survey was conducted during the site walkover using guidelines produced by the JNCC<sup>3</sup> in conjunction with Fossitt's Guide to Habitats in Ireland<sup>4</sup>. The site can be classed as a mosaic of wet grassland (GS4), buildings and artificial surfaces (BL3) with hedgerows (WL1). The Carrowreagh River (FW2) flows on a course between 25 m and 40 m from the southern boundary of the site. Habitats and species noted within the site footprint are presented in the habitat map in Figure 4.2 below.

<sup>3</sup> JNCC. (2010) Handbook for Phase 1 Habitat Survey – a Technique for Environmental Audit. Joint Nature Conservation Committee, Peterborough.

<sup>4</sup> J. Fossitt. (2000) A Guide to Habitats in Ireland. The Heritage Council, Dublin



**Figure 4.2: Habitats found on site.**

Photograph 4.1 below is typical of the site and Photograph 4.2 shows the Carrowreagh River flowing immediately south of the site.

**Photograph 4.1: Wet Grassland (GS4) typical of the site with hedgerow (WL1) in the background.**

**Photograph 4.2: Carrowreagh River flowing east close to the southern boundary of the site.**



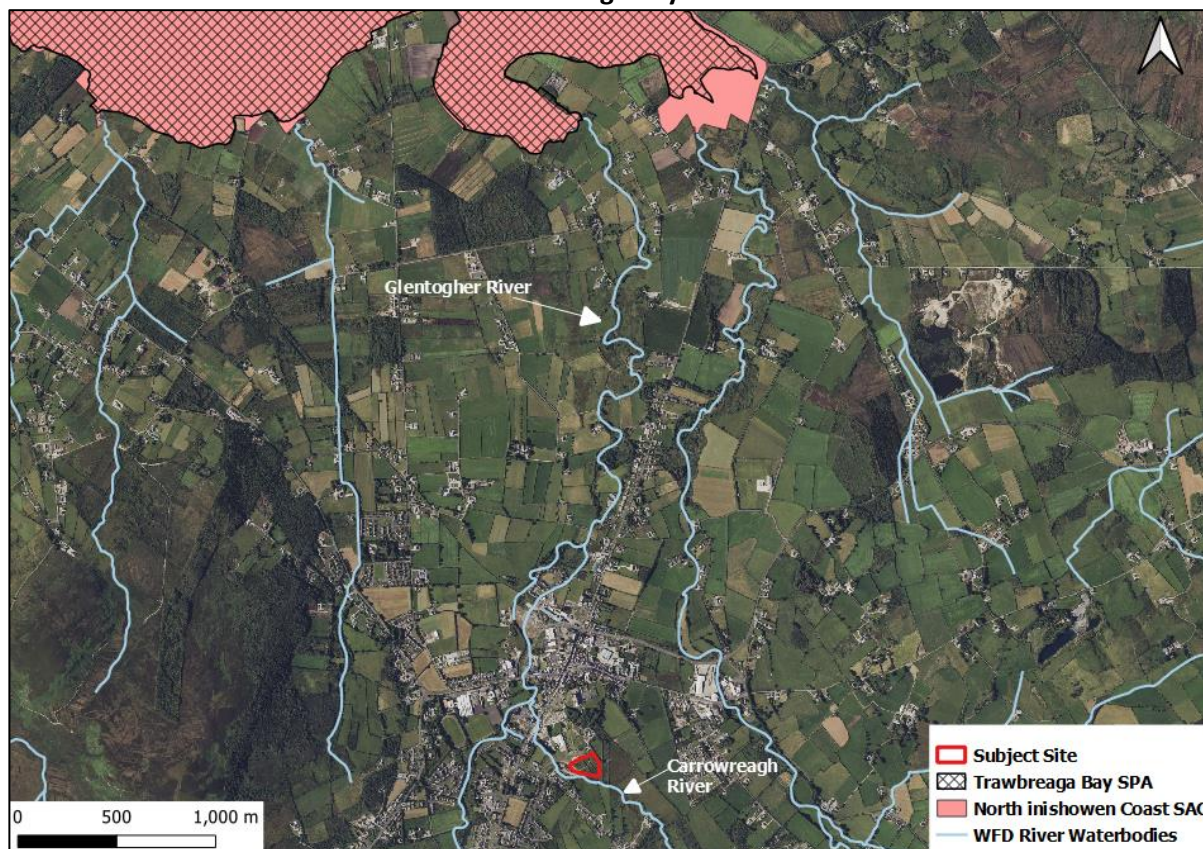
### **4.3 Hydrology**

The subject site is located within the Water Framework Directive (WFD) Catchment 40 Donagh-Moville and falls within Glengannonon\_SC\_010 WFD sub-catchment and the Donagh\_030 WFD River Sub Basin. The Carrowreagh River (EPA code: IE\_NW\_40D010400) flows within 25-40m of the southern boundary of the site and flows north into the Glentogher River. The hydrological distance from the site to discharge into Trawbreaga Bay is approximately 4.52 km. Post construction, it is proposed that all storm/surface runoff will flow into the Carrowreagh River via attenuation provided by SuDs design on site. Foul water is proposed to be connected into the existing public sewer system.

Trawbreaga Bay is designated a Special Area of Conservation (SAC) as part of the North Inishowen Coast SAC. Trawbreaga Bay is also designated a Special Protection Area (SPA). The hydrological distance from the subject site to the North Inishowen Coast SAC and Trawbreaga Bay SPA is approximately 4.52 km. Figure 4.3 shows the hydrological connection between the site and the North Inishowen Coast SAC at Trawbreaga Bay and the Trawbreaga Bay SPA.



**Figure 4.3: Hydrological connection between the site and North Inishowen Coast SAC and Trawbreaga Bay SPA**



(This map was created using QGIS software and data sets from the EPA)

## 5 NATURA 2000 SITES

### 5.1 Identification of Natura 2000 Sites

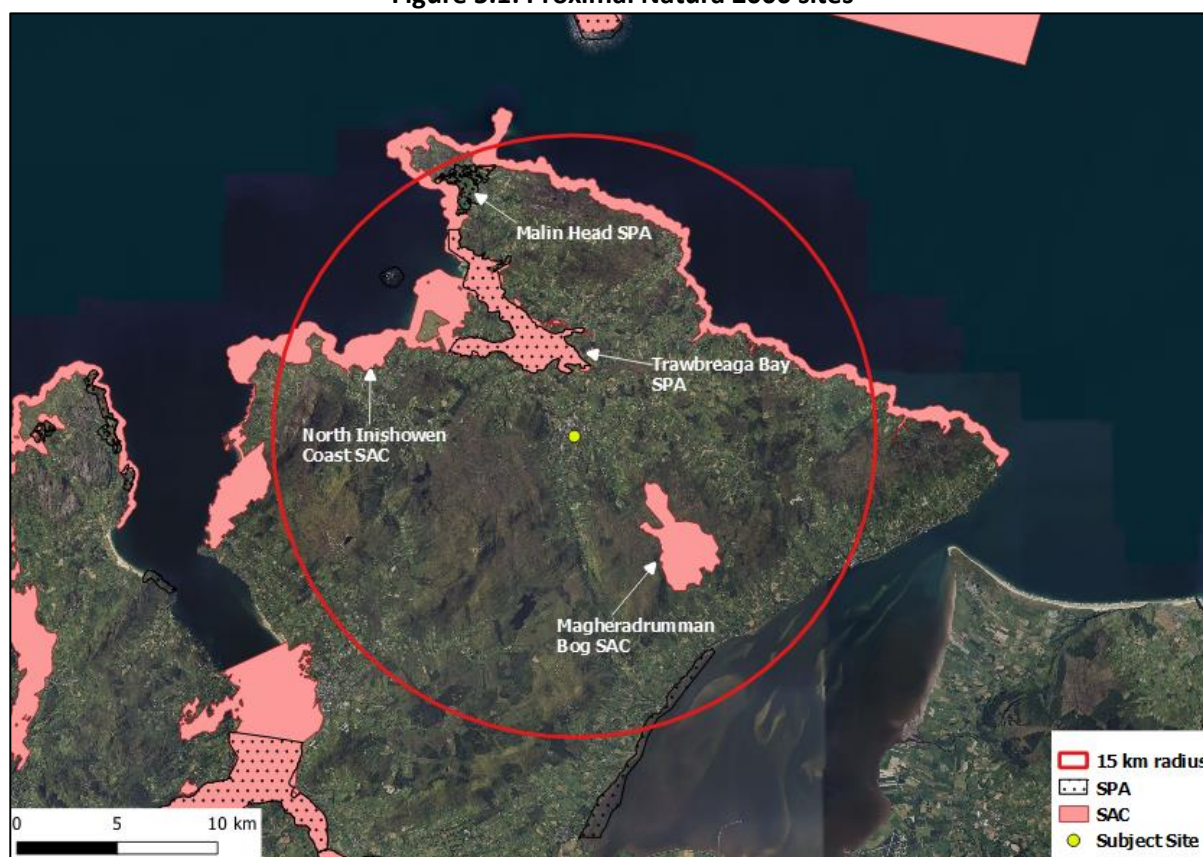
In terms of the identification of relevant Natura 2000 sites, the zone of impact (also known as the area of influence) is determined based on their potential connectivity (*source-pathway-receptor* model) to the proposed project in terms of, for example:

- Nature, scale, timing, and duration of works and possible impacts.
- Distance and nature of pathways (dilution and dispersion; intervening 'buffer' lands, roads etc.); and
- Sensitivity and location of ecological features.

The 'zone of influence' (ZoI) is essentially the effect area over which alterations may have potential ecological impact. The ZoI over which the proposed development may impact upon Natura 2000 Sites and their Qualifying Interests will vary for different ecological receptors, depending on the pathway for potential impacts, as well as the specific nature of the habitats/species (e.g., some species have ability to move/disperse, and some habitats have better ability than others to absorb impacts). Having considered the potential ecological impacts through source-receptor-pathway connectivity (e.g., hydrological link) and given the nature of the proposed project, it was deemed that the zone of influence for such projects would be limited to a radius of 15 km as recommended by NPWS. The Natura 2000 sites occurring within 15 km of the subject site are listed in Table 5.1 and are screened for possible threats from the proposed development. Figure 5.1 indicates the relative locations of all listed Natura 2000 sites in relation to the subject site.

**Table 5.1: Screening of Natura 2000 Sites within Zone of Influence**

Site Name	Site Code	Distance from Subject Site	Avenue of Connectivity to Subject Site	Further Screening Required (Y/N)
<b>North Inishowen Coast SAC</b>	002012	3.01 km N	Through surface water run-off, potential for indirect effects (Hydrological distance 4.52 km).	Y
<b>Trawbreaga Bay SPA</b>	004034	3.01 km N	Through surface water run-off, potential for indirect effects (Hydrological distance 4.52 km).	Y
<b>Magheradrumman Bog SAC</b>	000168	4.11 km SE	No avenue for direct effects or indirect effects.	N
<b>Malin Head SPA</b>	004146	12.22 km NW	No avenue for direct effects or indirect effects.	N

**Figure 5.1: Proximal Natura 2000 sites**

(Created using QGIS software and datasets from NPWS)

Table 5.1 has identified potential source-pathway-receptor links to the following Natura 2000 sites:

- North Inishowen Coast SAC
- Trawbreaga Bay SPA

## 5.2 Conservation Status

The overall aim of the Habitats Directive is to maintain or restore the favorable conservation status of habitats and species of community interest. These habitats and species are listed in the Habitats and Birds Directives and Special Areas of Conservation and Special Protection Areas are designated to

afford protection to the most vulnerable of them. These two designations are collectively known as the Natura 2000 network. European and national legislation places a collective obligation on Ireland and its citizens to maintain habitats and species in the Natura 2000 network at favourable conservation condition. The Government and its agencies are responsible for the implementation and enforcement of regulations that will ensure the ecological integrity of these sites. The maintenance of habitats and species within Natura 2000 sites at favourable conservation condition will contribute to the overall maintenance of favourable conservation status of those habitats and species at a national level.

The favourable conservation status of a habitat is achieved when:

- its natural range, and area it covers within that range, is stable or increasing,
- and the ecological factors that are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future,
- and the conservation status of its typical species is favorable.

The favourable conservation status of a species is achieved when:

- population data on the species concerned indicate that it is maintaining itself,
- and the natural range of the species is neither being reduced or likely to be reduced for the foreseeable future,
- and there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

## 6 ASSESSMENT OF LIKELY SIGNIFICANT EFFECTS

The criteria adopted for this assessment are based on a detailed field and desk assessment of the influence the development may have on the Natura 2000 sites within the zone of influence and what, if any, impact this development will have on the Natura 2000 network. Table 6.1 further examines possible impacts to the Natura 2000 sites identified in Table 5.1. The impact determination is informed by the characteristics of the proposed development and the likelihood of deleterious effects on the Natura 2000 network through identified pathways for pollution/ habitat degradation / habitat removal/ species disruption/ species loss.



**Table 6.1: Impact Determination of Proposed Development on Natura 2000 sites**

Natura 2000 site	Qualifying Interests for which the site was selected/ Special Conservation Interest	Conservation Objectives (Accessed via NPWS website February 2023)	Impact determination
<b>Special Areas of Conservation</b>			
<b>North Inishowen Coast SAC</b>	<ul style="list-style-type: none"> <li>• [1140] Mudflats and sandflats not covered by seawater at low tide.</li> <li>• [1220] Perennial vegetation of stony banks.</li> <li>• [1230] Vegetated Sea cliffs of the Atlantic and Baltic coasts.</li> <li>• [2130] Fixed coastal dunes with herbaceous vegetation (grey dunes).</li> <li>• [21A0] Machairs (* in Ireland).</li> <li>• [4030] European dry heaths.</li> <li>• [1014] Narrow-mouthed Whorl Snail (<i>Vertigo angustior</i>).</li> <li>• [1355] Otter (<i>Lutra lutra</i>).</li> </ul>	To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected for <sup>5</sup>	A source-receptor pathway exists to the North Inishowen Coast SAC in the form of the surface water pathway on site as shown in Figure 4.3 above. The integral SuDs design of the project including provision of attenuation and stormwater treatment in combination with the relatively long hydrological pathway of approximately 4.52 km from the site to the SAC at Trawbreaga Bay means that the likelihood of deleterious effects on the Natura 2000 network through the identified pathways can be excluded. No suitable ex-situ habitat is located on site. Significant negative effects on this SAC from a deterioration in water resource quality can be excluded at this stage.
<b>Special Protection Area</b>			
<b>Trawbreaga Bay SPA</b>	<ul style="list-style-type: none"> <li>• [AO45] Barnacle Goose (<i>Branta leucopsis</i>).</li> <li>• [AO46] Light-bellied Brent Goose (<i>Branta bernicla hrota</i>).</li> <li>• [A346] Chough (<i>Pyrhocorax pyrrhocorax</i>).</li> <li>• [A999] Wetland and Waterbirds.</li> </ul>	To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SPA has been selected for <sup>6</sup>	A source-receptor pathway exists to the Trawbreaga Bay SPA in the form of the surface water pathway on site as shown in Figure 4.3 above. The integral SuDs design of the project including provision of attenuation and stormwater treatment in combination with the relatively long hydrological pathway of approximately 4.52 km from the site to the SPA at Trawbreaga Bay means that the likelihood of deleterious effects on the Natura 2000 network through the identified pathways can be excluded.  The physical distance of 3.01km from the subject site to Trawbreaga Bay, and the fact that main part of Carndonagh Town lies in between the subject site and Trawbreaga Bay,

<sup>5</sup> [https://www.npws.ie/sites/default/files/protected-sites/conservation\\_objectives/CO002012.pdf](https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002012.pdf)

<sup>6</sup> [https://www.npws.ie/sites/default/files/protected-sites/conservation\\_objectives/CO004034.pdf](https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004034.pdf)



<b>Natura 2000 site</b>	<b>Qualifying Interests for which the site was selected/ Special Conservation Interest</b>	<b>Conservation Objectives</b> (Accessed via NPWS website February 2023)	<b>Impact determination</b>
			means that disturbance to birds through noise/dust associated with construction or operational activity can be excluded. No suitable ex-situ habitat is located on site. Significant negative effects on this SPA from a deterioration in water resource quality or potential disturbance can be excluded at this stage.

Having established the assessment criteria, the impacts associated with the proposed development and associated works on the identified Natura 2000 site, the development has been assessed with regard to all the qualifying interests/Special Conservation Interest. The impact determination table found significant effects can be excluded at this stage.

### 6.1 Cumulative Effects

Recent planning applications within the vicinity of the subject site and The Donegal County Development Plan 2018 -2024 were reviewed to cumulatively assess any impact on European Sites in combination with the proposed development.

- Planning ref. 20/50187 (250 m E of subject site) for the construction of a two-storey extension to existing dwelling house. The planning authority conclude that there is no potential for impact on Natura 2000 sites having regard to the location and nature of the development.
- Planning ref. 20/50846 (250 m E of subject site) for the construction of a domestic garage and all associated site works. The planning authority conclude that having regard to the minor nature of the development and the separation distance to any European site, no Appropriate Assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.
- Planning ref. 19/50187 (425 m S of subject site) for the erection of an extension at the side of dwelling and associated site works. The planning authority do not reference Appropriate Assessment in their report, so the assumption is made that there is no potential for impact on Natura 2000 sites having regard to the location and nature of the development.
- Planning ref. 20/50187 (270 m SE of subject site) for the erection of a two-storey extension to existing dwellinghouse, connection to the public sewer and all associated site works. The planning authority concluded that the site is neither within, nor proximal to, nor directly linked with any Natura 2000 site and the site is considered that there is no need to screen the proposed development for the need for Appropriate Assessment as it can be excluded beyond reasonable scientific doubt that the proposed development would have a significant effect on any Natura 2000 site.

It can therefore be concluded that no recent or historical planning approvals are predicted to combine with the proposed development to culminate in a negative effect on the Natura 2000 network. This proposal is based on the applicant demonstrating “best practice” in relation to water quality management at all stages of construction and operation. Cumulative effects in combination with other plans or projects can be excluded at this stage.

## 7 CONCLUSION AND SCREENING STATEMENT

Following the assessment as detailed in this AA Screening Report, it is concluded that significant effects on the Natura 2000 network arising from the proposed development, either individually or in combination with other plans or projects, can be excluded at this stage. Therefore Stage 2 Appropriate Assessment is not required.

This conclusion was reached based on objective information and in view of best scientific knowledge.

Date: 18/04/2023