



Screening Report for Appropriate Assessment

Stage 1 Screening Report for Appropriate Assessment for Donegal County Council for the construction of a Social Housing Development at Radharc na Trá Bréige, Malin, Co. Donegal.

Greentrack Environmental Consultants

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1 INTRODUCTION

1.1 Background

Greentrack Consultants have received instructed from Donegal County Council to undertake this “Screening Report for Appropriate Assessment” under Article 6 of the EU Habitats Directive, examining their proposal for the construction of a social housing development at Radharc na Trá Bréige, Malin, 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 development. 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

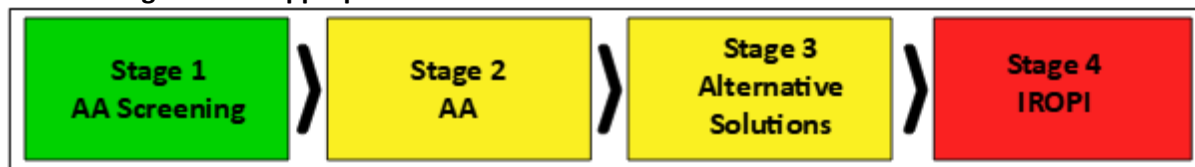


Figure 1.1: Stages of Screening

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 projects 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 Desk Study

A desk-based analysis was conducted to obtain information on Natura 2000 sites within the zone of influence of the proposed development and to identify potential source-pathway-receptor avenues to the European Sites from the area proposed for development. Furthermore, available records of plans / projects were accessed to obtain information on potential cumulative impacts. The following data sources were used during desk-based analysis:

- Latest boundary data for Natura 2000 sites. Last updates 17/07/2023 for both SAC & SPA datasets. Available from www.npws.ie/maps-and-data/designated-site-data/download-boundary-data
- NPWS Site Synopsis and Conservation Objectives, available at www.npws.ie
- Hydrological data from the EPA available from www.gis.epa.ie/GetData/Download.
- The EIA portal at www.Housinggovie.maps.arcgis.com,
- Donegal County Council Planning Portal, available at www.donegal.maps.arcgis.com/apps/webappviewer, and www.eplanning.ie/DonegalCC/SearchTypes

2.4 Field Study

Multidisciplinary site walkovers took place in September 2023. Surface water drainage characteristics were analysed. A phase 1 habitat survey was conducted, and a thematic habitat map was produced. Site characteristics and observation of species were noted during visits.

2.5 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

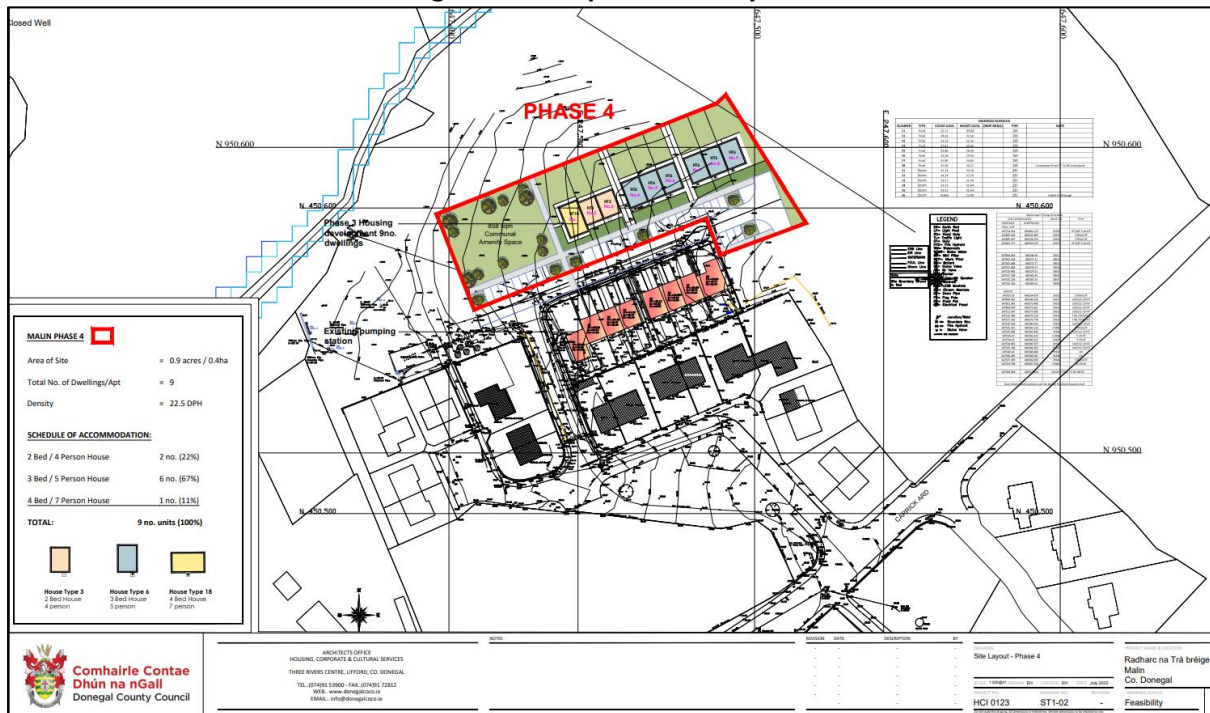
The proposal is for a social housing development at Radharc na Trá Bréige, Malin, County Donegal. The project is not directly connected to, or necessary for the management of any Natura 2000 site. The proposed development consists of the construction of 9 dwellings (2 no. 2-bed dwellings, 6 no. 3-bed dwellings and 1 no. 4-bed dwelling) and associated access road, car parking and all communal and private landscaped areas. The proposal includes connections to the existing onsite foul sewer and all other associated site development works.

Construction of the development will be carried out using 'best practice' and in accordance with the Inland Fisheries Ireland (2016) guidance document "Guidelines on Protection of Fisheries during Construction Works in and adjacent to Waters." The project can be considered in two distinct stages:

- **Construction Stage**
 - Site clearance to accommodate proposal.
 - Construction of the new residential units.
 - Connection to existing services.
 - Landscaping of the site with native trees and shrubs.
- **Operational Stage**
 - Standard day to day use of residential units.

The proposed site layout is shown below in Figure 3.1

Figure 3.1: Proposed Site Layout



(Extract from draft site layout provided by Donegal County Council)

4 THE RECEIVING ENVIRONMENT

4.1 General Location

The proposed development is located at Radharc na Trá Bréige, Malin, Co. Donegal. (Figure 4.1). Entrance to the site is provided by an access road off the local road L-1081-2 which is accessed off the Regional R242 Road. The subject site is bordered to the South by a housing development and to the North, East and West by agricultural grassland.

Figure 4.1: Site Location



CYAL50313729 © Ordnance Survey Ireland/Government of Ireland.

4.2 Site Description and Biodiversity

Greentrack conducted a site walkover on 28/09/2023. A phase 1 habitat survey was conducted during the initial site walkover using guidelines produced by the JNCC in conjunction with Fossitt's Guide to Habitats in Ireland. The predominant habitat on site is (GA1) Improved agricultural grassland, with a hedgerow (WL1) partially spanning the NE boundary.

Species noted within the subject site are Rye-grasses (*Lolium* spp.), Bents (*Agrotis* spp.), Rush (*Juncus* spp.), Plantains (*Plantago* spp.), Nettle (*Urtica dioica*), Docks (*Rumex* spp.), Common Ragwort (*Senecio jacobaea*) and Gorse (*Ulex* spp.). There was no sighting of any invasive species such as Rhododendron (*Rhododendron Pentium*) or Japanese Knotweed (*Fallopia japonica*) in or around the subject site. Photographs 4.1- 4.2 illustrate the subject site.

Photograph 4.1: View of subject site looking North.



Photograph 4.2: View of subject site looking West.



Habitat classification data was used to produce the habitat map presented as Figure 4.2. Guidelines from the Heritage Council¹ were used to form the basis of the mapping exercise. A survey area was delineated in the subject site with a view to representing adjacent or proximal habitats. Data gathered was used to produce a thematic habitat illustrating the relative position and scale of habitats in the study area. However, position and scale of habitats shown are approximate only and should be considered only as a broad representation of the study area. Habitat classification is based on descriptors found in Fossitt's A guide to Habitats in Ireland². Habitats were classified based on the species composition and abundance observed throughout the study area.

Figure 4.2: Thematic Habitat Map



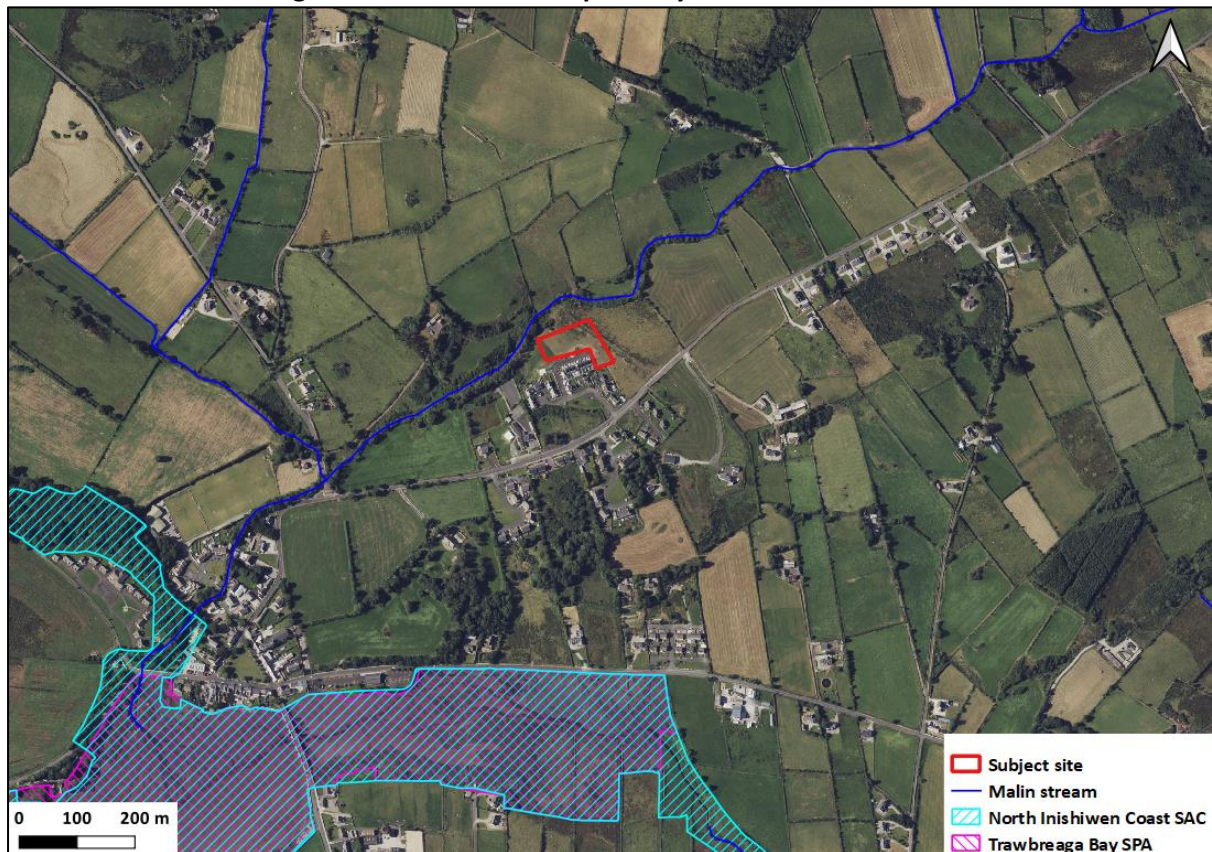
This map was created on QGIS software using data collected during site visits according to Fossitts guide to habitats in Ireland

4.3 Hydrology

The subject site is located within the Water Framework Directive (WFD) Catchment 40 Donagh-Moville (GBNIIENW) and falls within Malin[Stream]_SC_010 WFD sub-catchment. Post construction, it is proposed that all storm/surface runoff will be piped to the Malin Stream along the northern boundary via the exiting drainage network. The Malin Stream flows directly into Trawbreaga Bay (1.01km downstream of the subject site). Trawbreaga Bay is designated under the SAC & SPA. Figure 4.3 shows the hydrological connection between the site and the Natura 2000 sites.

¹ Smith, G. F., O'Donoghue, P., O'Hara, K., Delaney, E (2011) Best Practice and Guidance for Habitat Surveying and Mapping. Heritage Council

² J. Fossitt. (2000) A Guide to Habitats in Ireland. The Heritage Council, Dublin

Figure 4.3: Surface water pathway to Natura 2000 sites

The outfall pipe from the existing drainage network flows through a vegetated buffer before entering the Malin Stream which provides an impeded pathway. The Malin Stream is also heavily vegetated with grasses and rushes in several places downstream of the subject site, providing natural filtration for runoff from the site before this reaches the boundary of the Natura 2000 sites. The hydrological distance from subject site to the Natura 2000 sites is 1.01km. Photograph 4.3 shows the impeded pathway from the outfall pipe to the Malin Stream.

Photograph 4.3: Impeded pathway from the outfall pipe to the Malin Stream.

5 NATURA 2000 SITES

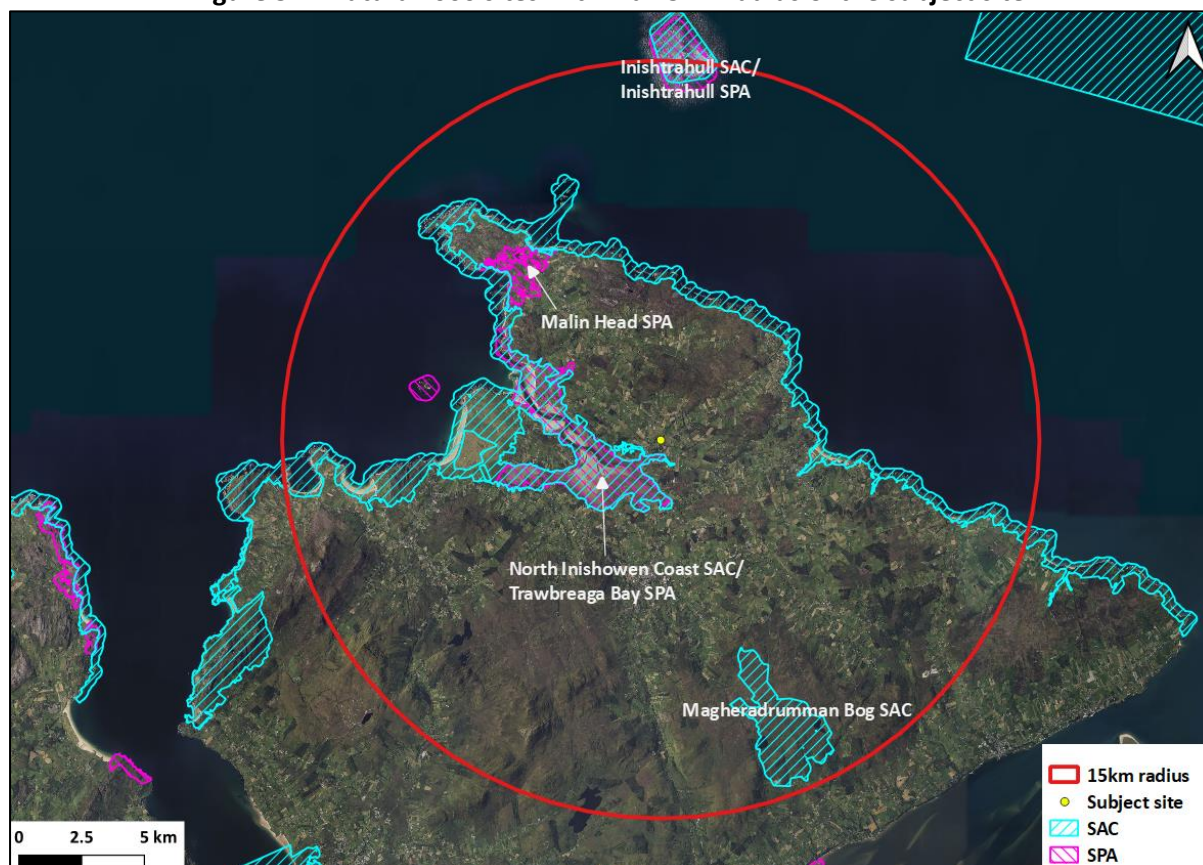
5.1 Identification of Natura 2000 Sites

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 15km 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.

Figure 5.1: Natura 2000 sites within a 15km radius of 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)
North Inishowen Coast SAC	002012	560m S	Through surface water run-off, potential for indirect effects.	Y
Malin Head SPA	004146	7.41km NW	No avenue for direct effects or indirect effects.	N
Trawbreaga Bay SPA	004034	560m S	Through surface water run-off, potential for indirect effects.	Y
Magheradrumman Bog SAC	000168	8.73km SE	No avenue for direct effects or indirect effects.	N
Inishtrahull SAC	000154	13.71km N	No avenue for direct effects or indirect effects.	N
Inishtrahull SPA	004100	14.15km N	No avenue for direct effects or indirect effects.	N

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

- 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.

Tables 6.1 and 6.2 examine potential cumulative effects identified plans/projects may have with the proposed development. Table 6.3 further examines possible impacts to the Natura 2000 sites identified in Table 5.1. The screening 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.

6.1 Review of Potential Impacts

Habitat Loss

The proposed development is not located within, or adjacent to, any SAC or SPA. No habitat loss can occur inside any Natura 2000 site.

Ex situ habitat impacts

The site is c.560m from the boundary of the North Inishowen SAC & Trawbreaga Bay SPA. The development site does not provide suitable habitat for the Otter which is a qualifying interest for the identified Natura 2000 site. Loss or disturbance of ex-situ habitat is not predicted.

Hydrological Impacts – wastewater

The subject site has a proposed connection to the existing onsite foul water sewer which will ensure efficient operation of foul water management. No negative effects on the Natura 2000 sites are predicted to arise from the operation foul water drainage infrastructure.

Hydrological Impacts – surface water during construction

Construction works will be temporary. Due to the separation of the Natura 2000 sites, vegetated buffer zones available and the variety of drainage structures in the hydrological pathway to the Natura 2000 sites, it is not predicted construction works will give rise to hydrological impacts that could affect the Natura 2000 sites.

Hydrological Impacts – surface water during operation

Surface water runoff will be connected into the existing drainage system which discharges offsite into the Malin Stream along the northern site boundary. The outfall pipe from the existing drainage network flows through a vegetated buffer before entering the Malin Stream which provides an impeded pathway. The Malin Stream is also heavily vegetated with grasses and rushes in several places downstream of the subject site, providing natural filtration for runoff from the site before this reaches the boundary of the Natura 2000 sites. The hydrological distance from subject site to the Natura 2000 sites is 1.01km. No significant effects on water resource quality in the Natura 2000 sites are predicted to occur due to surface water run-off during the operation of the proposed development due to the distance separating the Natura 2000 sites from the subject site and the presence of the impeded pathway.

Dust/Noise

The North Inishowen Coast SAC & Trawbreaga Bay SPA are c. 560m from the proposed development. It is not predicted noise or dust emissions from the construction or operation of the proposed developed will impact the Natura 2000 site due to the distance separating them from the subject site.

6.2 Cumulative Effects

To assess cumulative impacts with other plans or projects for the proposed development, a search for plans or projects that have been already completed, approved but uncompleted, or proposed (i.e., for which an application for approval or consent has been submitted) has been conducted.

The EIA Portal was searched for any projects/plans that could combine with the proposed development and cumulatively affect Natura 2000 sites. No plans/projects were identified within the vicinity of the proposed development or its pathway of connectivity to Natura 2000 sites.

The Donegal County Council planning maps were examined to cumulatively assess any impact on European Sites in combination with the proposal. Multiple developments were listed in the portal. The search for potential development that could combine with the proposed development focused on proximal developments, and proximal large-scale developments that have been recently completed, approved but uncompleted, or proposed.

Table 6.1: Cumulative Impact Assessment of Plans listed on the Local Authority Database

Planning Reference	Description	Status	Assessment	Potential for Cumulative Effects
20/50792	Temporary building to front of existing school consisting of 100m ² specialist accommodation for pupils with special educational needs, including ensuite wc, connection to existing services, for a temporary period not exceeding two years and all associated site works	Granted 08/20	Appropriate assessment deemed not required by Local Authority	N
18/51451	Erection of 4 no. dwellings with connection to main sewer and all associated site development works	Granted 11/18	Appropriate assessment deemed not required by Local Authority	N
17/50890	Construction of a portal framed shed for the storage of machinery, provision of access road and all associated site works	Granted 09/17	Appropriate assessment deemed not required by Local Authority	N

The Donegal County Development Plan 2018-2024 was reviewed to assess potential cumulative effects in combination with the proposed development. This proposal does not represent a deviation from the County Development Plan which has undergone appropriate assessment. Therefore, the proposed development is compatible with the County Development Plan which has undergone appropriate assessment. On this basis it is not predicted that cumulative effects will occur with this plan.

Table 6.2: Cumulative Impact Assessment of Donegal County Development Plan 2018-2024

Donegal County Development Plan 2018-2024 Review	
Key Policy/Objective	Assessment for Cumulative Effect on Natura 2000 sites
NH-O-1: To protect, sustainably manage and enhance the rich biodiversity of County Donegal for present and future generations.	The Development plan was comprehensively reviewed, with particular reference to Policies and Objectives that relate to the Natura 2000 network and other natural heritage interests. No potential for cumulative impacts on EU designated sites or Annex listed protected species were identified when considered in conjunction with the current proposal. The proposed project will not adversely affect any nationally designated site or protected species. No adverse water quality impacts are predicted to occur as a result of the proposed development. No policies or objectives of the county development plan were identified that could potentially combine with the proposed development to culminate in significant effect on European Sites.
NH-O-2: To comply with Article 6 of the Habitats Directive (92/43/EEC) and have regard to the relevant conservation objectives, management plans, qualifying interests and threats to the integrity of Natura 2000 sites.	
NH-O-3: To maintain the conservation value of all existing and/or proposed SACs, SPAs, NHAs and RAMSAR sites including those plant and animal species that have been identified for protection under the EU Habitats Directive (92/43/EEC), EU Birds Directive (79/409/EEC as amended by 2009/147/EC), the Wildlife Acts (1976-2014) and the Flora Protection Order (2015).	
NH-O-4: To ensure the protection and management of the landscape in accordance with current legislation, ministerial and regional guidelines and having regard to the European Landscape Convention 2000.	
NH-O-5: To protect, manage and conserve the character, quality and value of the landscape having regard to the proper planning and development of the area, including consideration of the scenic amenity designations of this plan, the preservation of views and prospects and the amenities of places and features of natural, cultural, social or historic interest.	
NH-O-6: To protect and improve the integrity and quality of Designated Shellfish Waters, and Freshwater Pearl Mussel Basins and to take account of any relevant Shellfish Reduction Program or Fresh Water Pearl Mussel Sub-basin Plan.	
NH-O-7: To protect the areas of Especially High Scenic Amenity from intrusive and/or unsympathetic developments.	
NH-O-8: To ensure where appropriate the protection and conservation of hedgerows, stone walls and traditional field boundaries as natural heritage corridors and migration routes for wildlife where they are shown to play a significant heritage role.	
NH-O-9: To promote and implement sustainable forest management principles and to ensure that the establishment of new woodlands and forests protect and enhance the environment.	
NH-O-10: To maintain and restore ecosystems and to conserve valuable or threatened habitats and species in order to prevent further loss of biodiversity and to meet the EU's target to halt biodiversity loss by 2020 through the implementation of the EU Biodiversity Strategy (2011) or as updated	

Donegal County Development Plan 2018-2024 Review	
Key Policy/Objective	Assessment for Cumulative Effect on Natura 2000 sites
NH-P-1: It is a policy of the Council to ensure that development proposals do not damage or destroy any sites of international or national importance, designated for their wildlife/habitat significance in accordance with European and National legislation including: SACs, Special SPAs, NHAs, Ramsar Sites and Statutory Nature Reserves.	
NH-P-2: It is the policy of the Council to protect the habitats of species listed for protection through the prevention and management of the spread of invasive plant and animal species in the County in accordance with European and National legislation.	
NH-P-3: It is a policy of the Council to require the consideration of Designated Shellfish Waters and their Shellfish Pollution Reduction Programmes in all development proposals that fall within their catchment.	
NH-P-4: It is a policy of the Council to require the consideration of Freshwater Pearl Mussel and any relevant Freshwater Pearl Mussel Sub-basin Plans in all development proposals that fall within their basin of catchment.	
NH-P-5: It is a policy of the Council to require consideration of the impact of potential development on habitats of natural value that are key features of the County's ecological network and to incorporate appropriate mitigating biodiversity measures into development proposals.	
NH-P-6: It is a policy of the Council to protect areas identified as Especially High Scenic Amenity on Map 7.1.1: 'Scenic Amenity'. Within these areas, only developments assessed to be of strategic importance or developments that are provided for by policy elsewhere in this Plan shall be considered.	
NH-P-7: Within areas of 'High Scenic Amenity' (HSC) and 'Moderate Scenic Amenity' (MSC) as identified on Map 7.1.1: 'Scenic Amenity', and subject to the other objectives and policies of this Plan, it is the policy of the Council to facilitate development of a nature, location and scale that allows the development to integrate within and reflect the character and amenity designation of the landscape.	
NH-P-8: It is the policy of the Council to safeguard the scenic context, cultural landscape significance, and recreational and environmental amenities of the County's coastline from inappropriate development.	
NH-P-9: It is the policy of the Council to manage the local landscape and natural environment, including the seascape, by ensuring any new developments do not detrimentally impact on the character, integrity, distinctiveness or scenic value of the area.	
NH-P-10: It is a policy of the Council to retain and protect significant stands of existing trees/hedgerows/woodlands and seek increased planting of native trees where appropriate in new developments.	
NH-P-11: It is a policy of the Council to seek the protection of stone wall boundaries where they are shown to play a significant heritage	

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<p>role. Where the demolition of such stone walls is unavoidable, the reinstatement of stone walls at revised location/set back within the site using agreed local materials and techniques, will be required.</p>	
<p>NH-P-13: It is a policy of the Council to protect, conserve and manage landscapes having regard to the nature of the proposed development and the degree to which it can be accommodated into the receiving landscape. In this regard the proposal must be considered in the context of the landscape classifications, and views and prospects contained within this Plan and as illustrated on Map 7.1.1: 'Scenic Amenity'.</p>	
<p>NH-P-15: It is a policy of the Council to safeguard prominent skylines and ridgelines from inappropriate development.</p>	
<p>NH-P-17: It is a policy of the Council to seek to preserve the views and prospects of special amenity value and interest, in particular, views between public roads and the sea, lakes and rivers. In this regard, development proposals situated on lands between the road and the sea, lakes or rivers shall be considered on the basis of the following criteria:</p> <ul style="list-style-type: none"> • Importance value of the view in question. • Whether the integrity of the view has been affected to date by existing development. • Whether the development would intrude significantly on the view. • Whether the development would materially alter the view. • In operating the policy, a reasonable and balanced approach shall be implemented so as • to ensure that the policy does not act as a blanket ban on developments between the • road and the sea, lakes and rivers. 	
<p>NH-P-18: It is the policy of the Council to ensure that an ecological assessment (including where necessary EIA) is carried out at the appropriate level in relation to proposals for drainage or reclamation of wetlands.</p>	
<p>NH-P-19: It is a policy of the Council to protect County Geological Sites (CGS) through a precautionary approach to development proposals with the potential to impact upon a CGS. Proposals should be accompanied by a detailed report from a competent person setting out the potential impact to ensure that an informed decision can be made. Where significant harm to the CGS is deemed likely, planning permission will not be granted unless there are overriding considerations of public importance to the County.</p>	
<p>WES-O-4: To implement the EU Water Framework Directive through the implementation of the appropriate River Basin Management Plan and Programme of Measures as it affects Donegal.</p>	
<p>WES-O-5: To maintain, protect, improve and enhance the quality of surface waters and ground waters in accordance with the</p>	

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Programme of Measures contained within the relevant River Basin Management Plan.	
<p>WES-O-6: To provide for environmental protection, through: The protection of surface water and ground water from pollution in accordance with the relevant River Basin Management Plan, Groundwater Protection Scheme and Source Protection Plans for public water supplies;</p> <ul style="list-style-type: none"> • The protection against soil contamination; • Minimising air and noise pollution; • Supporting remediation of all existing pollution; and • Ensuring full compliance with relevant EU Directives, and National and European • Policies and Regulations and through monitoring and control of relevant activities. 	
WES-P-4: It is a policy of the Council to protect the environment from adverse impact through directing and controlling development, enforcement, licensing and direct intervention.	
WES-P-8: It is the policy of the Council to protect all waters, including any sites on the Water Framework Directive Register of Protected Areas, through supporting and facilitating Irish Water with its environmental protection programme (including the Programme of Measures contained within the relevant River Basin Management Plan; and through the land use planning system.	

Table 6.3: Screening Determination of Proposed Development on Natura 2000 sites.

Natura 2000 site	Qualifying Interests for which the site was selected	Conservation Objectives (Accessed via NPWS website October 2023)	Screening Determination
Special Areas of Conservation			
North Inishowen Coast SAC	<ul style="list-style-type: none"> • [1140] Mudflats and sandflats not covered by seawater at low tide. • [1220] Perennial vegetation of stony banks. • [1230] Vegetated Sea cliffs of the Atlantic and Baltic coasts. • [2130] Fixed coastal dunes with herbaceous vegetation (grey dunes). • [21A0] Machairs (* in Ireland). • [4030] European dry heaths. • [1014] Narrow-mouthed Whorl Snail (<i>Vertigo angustior</i>). • [1355] Otter (<i>Lutra lutra</i>). 	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 ³	<p>A source-receptor pathway exists to qualifying interests of this SAC in the form of the surface water pathway from the site to the Malin Stream which discharges directly into Trawbreaga Bay. The closest boundary of this SAC is located 560m S of the subject site. There is an indirect hydrological link to the SAC in the form of runoff.</p> <p>The outfall pipe from the existing drainage network flows through a vegetated buffer before entering the Malin Stream which provides an impeded pathway. The Malin Stream is also heavily vegetated with grasses and rushes in several places downstream of the subject site, providing natural filtration for runoff from the site before this reaches the boundary of the SAC. The hydrological distance from subject site to the SAC is 1.01km. No negative effects on water resource quality in the SAC are envisaged to due to the distance and presence of the impeded pathway as stated above.</p> <p>All foul water from the proposed development will be connected into the existing onsite foul sewer which will ensure no negative effects arise from improper foul water management.</p> <p>Construction of the development will be carried out using 'best practice' and in accordance with the Inland Fisheries Ireland (2016) guidance document "Guidelines on Protection of Fisheries during Construction Works in and adjacent to Waters."</p> <p>No negative effects on water resource quality in the SAC are envisaged. No impact to designated species, habitat loss or degradation in the SAC are likely to occur as a result of the proposed development and effects on this SAC can be excluded.</p>

³ https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002012.pdf

Natura 2000 site	Qualifying Interests for which the site was selected	Conservation Objectives (Accessed via NPWS website October 2023)	Screening Determination
Special Protection Areas			
Trawbreaga Bay SPA	<ul style="list-style-type: none"> • [A045] Barnacle Goose (<i>Branta leucopsis</i>) • [A046] Brent Goose (<i>Branta bernicla hrota</i>) • [A346] Chough (<i>Pyrhocorax pyrrhocorax</i>) • [A999] Wetlands 	<p>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 for⁴</p>	<p>A source-receptor pathway exists to qualifying interests of this SPA in the form of the surface water pathway from the site to the Malin Stream which discharges directly into Trawbreaga Bay. The closest boundary of this SPA is located 560m S of the subject site. There is an indirect hydrological link to the SPA in the form of runoff.</p> <p>The outfall pipe from the existing drainage network flows through a vegetated buffer before entering the Malin Stream which provides an impeded pathway. The Malin River is also heavily vegetated with grasses and rushes in several places downstream of the subject site, providing natural filtration for runoff from the site before this reaches the boundary of the SPA. The hydrological distance from subject site to the SPA is 1.01km. No negative effects on water resource quality in the SPA are envisaged to due to the distance and presence of the impeded pathway as stated above.</p> <p>All foul water from the proposed development will be connected into the existing onsite foul sewer which will ensure no negative effects arise from improper foul water management.</p> <p>The construction associated with the social housing development will be a relatively minor temporary disturbance. The subject site is separated from the SPA by numerous dwellings (in excess of 40), and two local county roads. All of these factors will render the construction noise at the nearest boundary of the SPA minimal and will not cause any significant disturbance to the protected species within the SPA. Construction of the development will also be carried out using ‘best practice’ and in accordance with the Inland Fisheries Ireland (2016) guidance document “Guidelines on Protection of Fisheries during Construction Works in and adjacent to Waters.”</p> <p>No negative effects on water resource quality in the SPA are envisaged. No impact to designated species, habitat loss or degradation in the SPA are likely to occur as a result of the proposed development and effects on this SPA can be excluded.</p>

⁴ https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004034.pdf

Having established the assessment criteria, the impacts associated with the proposed development and associated works on the identified Natura 2000 sites, the development has been assessed with regard to all the qualifying interests/Special Conservation Interest. The screening determination table found significant effects are not foreseen at this stage.

7 CONCLUSION AND SCREENING STATEMENT

Following the assessment as detailed in this AA Screening Report and screening determination in section 6, it is concluded based on the examination, analysis, and evaluation of relevant information that the possibility that the proposed development will have a significant effect on Natura 2000 sites may be excluded.

Therefore Stage 2 Appropriate Assessment is not required. This conclusion was reached based on objective information and in view of best scientific knowledge.

Date: 6th October 2023

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