



## **HABITATS DIRECTIVE APPROPRIATE ASSESSMENT SCREENING AND NATURA IMPACT STATEMENT (STAGE 2):**

**IN RELATION TO: PLANNING APPLICATION TO (a) DEMOLISH EXISTING  
DETACHED DWELLING HOUSE AND DOMESTIC GARAGE,  
(b) CONSTRUCT A REPLACEMENT DETACHED DWELLING HOUSE,  
(c) CONNECT INTO EXISTING WATER SUPPLY AND EXISTING SEPTIC  
TANK ON SITE AND CARRY OUT ALL ASSOCIATED  
SITE DEVELOPMENT WORKS AND SERVICES AT AUGHAMORE NEAR,  
CARRAROE, COUNTY SLIGO.**

**Client:** Antoinette Burns,  
c/o Eamonn O'Dowd  
Sligo.

**Site Location:** Carrownamaddoo, Ballintogher, Co. Sligo.

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## 1. Introduction

### 1.1 Preamble

Mr. Freddie Symmons - B.Env. Sc. (HONS) M.C.I.E.E.M *Senior Environmental Consultant and Ecologist* of Kingfisher Environmental Consultants and a *Full Member of the Chartered Institute of Ecology and Environmental Management* has been engaged by Eamonn O'Dowd on behalf of Antoinette Burns to carry out and prepare an Appropriate Assessment Screening and a Stage 2 Natura Impact Statement in relation to:

*"An Application for planning permission to (a) demolish existing detached dwelling house and domestic garage, (b) construct a replacement detached dwelling house, (c) connect into existing water supply and existing septic tank on site and carry out all associated site development works and services at Aughamore Near, Carraroe, County Sligo".*

With the introduction of the Birds Directive in 1979 and the Habitats Directive in 1992 came the obligation to establish the Natura 2000 network of sites of highest biodiversity importance for rare and threatened habitats and species across the EU. In Ireland, the Natura 2000 network of European sites comprises Special Areas of Conservation (SAC's) and Special Protection Areas (SPA's).

Appropriate Assessment (AA) involves a case-by-case examination of the implications of a development for the Natura 2000 site and its conservation objectives. This may be presented in the form of a Natura Impact Statement. In general terms, implicit in Article 6(3) of the Habitats Directive is an obligation to put concern for potential effects on Natura 2000 sites at the forefront of every decision made in relation to plans and projects at all stages.

Each step in the assessment process precedes and provides a basis for other steps. The results at each step must be documented and recorded carefully so there is full traceability and transparency of the decisions made. They also determine the decisions that ultimately may be made in relation to approval or refusal of a plan or project. AA is not a prohibition on new development or activities but involves a case-by-case examination of the implications for the Natura 2000 site and its conservation objectives.

In the preparation of this report, careful attention has been made to fully document and reference all the site selection and suitability assessment procedures as they chronologically occurred. This is in accordance with the principles of Appropriate Assessment.

This report takes cognisance of the Kelly v An Bord Pleanala Case 2012 IEHC 400 which determined that conclusions must be capable of removing all reasonable scientific doubt as to whether a development may have significant effects on Natura 2000 sites.

### 1.2 Statement of Authority

This report has been prepared by an experienced Senior Environmental Consultant and Ecologist with over 26 years professional experience to evaluate ecological receptors in the vicinity of the site. Potential impacts from the proposed work activities, which may affect designated sites (Natura 2000) are also considered. This report details the findings of Stage 2: Appropriate Assessment Natura Impact Statement with a summary of the Stage 1 AA Screening Findings.



### 1.3 Methodology for Appropriate Assessment

#### 1.3.1 Stage One - Screening for Appropriate Assessment

The Habitats Directive does not set out clear guidance on the exact format that a screening exercise for an appropriate assessment should follow. However, there is guidance provided in carrying out a Screening Report.

- Environment Heritage and Local Government: *Circular LG/08 Water Services Investment and Rural Water: Protection of Natural Heritage and National Monuments Programmes*. This is outlined on pages 30 – 35 of the Environment Heritage and Local Government publication: *Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities*, Published 10 December 2009.
- Environmental Protection Agency (n.d.) *Waste Water Discharge Licensing - Appropriate Assessment - Note on Appropriate Assessments for the purposes of the Waste Water Discharge (Authorisation) Regulations, 2007 (S.I. No. 684 of 2007)* Wexford, EPA.
- Office of the Planning Regulator Practice Note PN01 Appropriate Assessment Screening for Development Management, March 2021

In the first document, screening for appropriate assessment involves the following:

#### **Description of Plan or Project**

The first element is a description of the plan or project, including its nature, size and location, and possible or likely effects, and draft policies, objectives, land use zonings and associated strategies in the case of plans.

#### **Natura 2000 Sites**

The second element is an examination of what Natura 2000 sites may be affected.

The zone of influence of a proposed development is the geographical area over which it could affect the receiving environment in a way that could have significant effects on the Qualifying Interests of a European site. This should be established on a case-by-case basis using the Source-Pathway-Receptor framework and not by arbitrary distances (such as 15 km) – (Source: *Office of the Planning Regulator Practice Note PN01 Appropriate Assessment Screening for Development Management, March 2021*).

The identification of European sites within a 15km zone has become common practice in screening projects for AA. However this approach is not based on the S-P-R model and should not be used for projects. Few projects have a zone of influence this large, but some more complex projects may require a greater zone of investigation. Instead the zone of influence of a project should be considered using the Source-Pathway-Receptor model. This should avoid lengthy descriptions of European sites, regardless of whether they are relevant to the proposed development, and a lack of focus on the relevant European sites and issues of importance.

Site synopses, which are summary descriptions of the key conservation interests of sites, and SAC datasheets with lists of qualifying interests for these sites are available from the NPWS website: [www.npws.ie](http://www.npws.ie).

#### **Assessment of Likely Effects**

The task of establishing whether the plan or project is likely to have an effect on a Natura 2000 site or sites is based on a preliminary impact assessment using available information and data, including that outlined above, and other available environmental information (e.g. water quality data), supplemented as necessary by local site information and ecological



surveys. This is followed by a determination of whether there is a risk that the effects identified could be significant. This need not be a lengthy exercise. A precautionary approach is fundamental and, in cases of uncertainty, it should be assumed the effects could be significant. Examples of significance indicators from Commission guidance (EC, 2002) are listed in the table below; this document also summarises four case study examples of assessment of significance outcomes for projects. As a guide, any element of a plan or project that has the potential to affect the conservation objectives of a Natura 2000 site, including its structure and function, should be considered significant (EC, 2006).

Impact type	Significance indicator
Loss of habitat area	Percentage of loss
Fragmentation	Duration or permanence, level in relation to original extent
Disturbance	Duration or permanence, distance from site
Species population density	Timescale for replacement
Water resource	Relative change
Water quality	Relative change in key indicative chemicals and other elements

**Examples of significance indicators (from EC (2002), Box 4)**

Some examples of effects that are likely to be significant are:

- Any impact on an Annex I habitat
- Causing reduction in the area of the habitat or Natura 2000 site
- Causing direct or indirect damage to the physical quality of the environment (e.g. water quality and supply, soil compaction) in the Natura 2000 site
- Causing serious or ongoing disturbance to species or habitats for which the Natura 2000 site is selected (e.g. increased noise, illumination and human activity)
- Causing direct or indirect damage to the size, characteristics or reproductive ability of populations on the Natura 2000 site
- Interfering with mitigation measures put in place for other plans or projects

As the underlying intention of the in-combination provision is to take account of cumulative effects, and as these effects often only occur over time, plans or projects that are completed, approved but uncompleted, or proposed (but not yet approved) should be considered in this context (EC, 2002). All likely sources of effects arising from the plan or project under consideration should be considered together with other sources of effects in the existing environment and any other effects likely to arise from proposed or permitted plans or projects.

### **Screening Conclusion and Statement**

The findings and conclusions of the screening process should be documented, with the necessary supporting evidence and objective criteria. This is of particular importance in cases where the AA process ends at the screening stage because the conclusion is that no significant effects are likely. Screening can result in the following possible conclusions or outcomes:

**1. AA is not required.** Screening, followed by consultation and agreement with the NPWS, establishes that the plan or project is directly connected with or necessary to the nature conservation management of the site.

**2. No potential for significant effects/AA is not required.** Screening establishes that there is no potential for significant effects and the project or plan can proceed as proposed. However, no changes may be made after this as this will invalidate the findings of screening. Documentation of the AA screening process, including conclusions reached and how decisions were made, must be kept on file.



**3. Significant effects are certain, likely or uncertain.** The plan or project **must either proceed to Stage 2 (AA), or be rejected.** Rejection of a plan or project that is too potentially damaging and/or inappropriate ends the process and negates any need to proceed to Stage 2 (AA). Another possible option is to recommence the screening process with a modified plan or project that removes or avoids elements that posed obvious risks. This highlights the important process of screening a plan or project when new alternatives that may not have any impact are being considered. However, repeated or complicated screening exercises are not recommended as they point to the risk of significant effects and the need for Stage 2 (AA).

The safeguards set out in Article 6(3) and (4) of the Habitats Directive are triggered not by certainty but by the possibility of significant effects. Thus, in line with the precautionary principle, it is unacceptable to fail to undertake an appropriate assessment on the basis that it is not certain that there are significant effects.

The following document has been used as guidance in compiling this screening report:

- Environmental Protection Agency (n.d.) *Waste Water Discharge Licensing - Appropriate Assessment - Note on Appropriate Assessments for the purposes of the Waste Water Discharge (Authorisation) Regulations, 2007 (S.I. No. 684 of 2007)* Wexford, EPA.

In this document, screening for appropriate assessment involves the following:

**Step 1: Management of the site**

Is the project directly connected with or necessary to the management of the site?

**Step 2: Description of the project or plan**

Identify all the elements of the project or plan alone or in combination with other plans or projects that have the potential for having significant effects on the site. The geographical scope of the plan or project as well as the European Sites that may be affected must be identified. The European Site or Sites that could be affected should be described.

A project may not in itself have a significant effect on a European Site, however, in combination with other plans or projects (existing and planned) it may result in a significant effect on a European Site.

**Step 3: Characteristics of the site**

This step requires identification of the impacts of the project on a European Site by characterising the site as a whole or those areas where impacts are most likely to occur. In addition to consideration of the cumulative effects on a European Site, consideration must also be given to direct, indirect, short and long-term, isolated and interactive effects.

**Step 4: Assessment of significance**

The assessment of the likelihood of significant effects of a proposed or existing plan or project on a European Site should be completed. If no significant effects are likely then no further assessment is required prior to the authorisation of the plan or project. There must be no reasonable scientific doubt that the plan or project does not have an effect on a European Site. This decision should be reasoned and recorded. If significant effects are likely then an appropriate assessment must be carried out. In addition, if the likelihood of significant effects is in doubt then the *precautionary principle* applies and an appropriate assessment must be carried out.

**1.3.2 Stage Two: Appropriate Assessment**

This is the consideration of the impact of the project or plan on the integrity of the Natura 2000 site, either alone or in combination with other projects or plans, with respect to the site's structure and function and its conservation objectives. The competent Authority drafts the



AA.

### 1.3.3 Stage Three: Assessment of Alternative Solutions

This is 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.

### 1.3.4 Stage Four: Imperative Reasons of Overriding Public Interest (IROPI)

Stage 4 of Appropriate Assessment is the main derogation process of Article 6(4) of the Habitats Directive 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. This stage requires an affirmative answer to both of the questions below in order for a plan or project to go ahead in the absence of alternative solutions.

- Are there imperative reasons of overriding public interest?
- Are there human health or safety considerations or important environmental benefits?

### 1.3.5. References

The following references and source material have been referred to our used in the preparation of this screening assessment and Stage 2: Natural Impact Statement (NIS):

- 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 (2001)
- Birds Directive (79/409EEC)
- Environment Heritage and Local Government (10 December 2009) Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities, Dublin.
- Environment Heritage and Local Government (March 11 2010) Circular NPW 1/10 & PSSP 2/10: Appropriate Assessment under Article 6 of the Habitats Directive: guidance for Planning Authorities, Dublin.
- Environment Heritage and Local Government: Circular LG/08 Water Services Investment and Rural Water: Protection of Natural Heritage and National Monuments Programmes
- Environmental Protection Agency (n.d.) Waste Water Discharge Licensing - Appropriate Assessment - Note on Appropriate Assessments for the purposes of the Waste Water Discharge (Authorisation) Regulations, 2007 (S.I. No. 684 of 2007) Wexford, EPA.
- Environmental Protection Agency (2000) Managing Natura 2000 Sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC, Wexford, EPA.
- European Communities (Natural Habitats) Regulations, 1997 (S.I. No. 94 of 1997) (which has been amended twice, S.I. No. 233 of 1998 & S.I. No. 378 of 2005).
- 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 Commission (2007)
- The European Commission published guidance on Article 6 of the Habitats Directive, including on Appropriate Assessment Screening. Assessment of plans and projects significantly affecting Natura 2000 sites (November 2001) and Managing Natura 2000 sites: The provisions of Article 6 of the 'Habitats' Directive (2018).
- Habitats Directive (92/43/EEC)
- National Parks and Wildlife Service Website – [www.npws.ie](http://www.npws.ie): Site Synopsis and Mapping Data for Natura 2000 Sites.
- Waste Water Discharge (Authorisation) Regulations, 2007 (S.I. No. 684 of 2007) High Court:
- *Uí Mhuirín v. MHPLG* [2019] IEHC 824
- *Sweetman v ABP* [2020] IEHC 39



- Kelly v. An Bord Pleanála (Aldi Stores) [2019] IEHC 84
- Heather Hill Management v. An Bord Pleanála and Burkeway Homes [2019] IEHC 186 and 450 Court of Justice of the European Union (CJEU):
- C-258/11 - Sweetman and Others v ABP (Galway Bypass)
- C-258/11 - AG opinion, Sweetman and Others v ABP (Galway Bypass)
- C-127/02 - Waddenzee
- C-521/12 - T.C. Briels and Others v Minister van Infrastructuur en Milieu
- C-323/17 - People Over Wind and Sweetman v. Coilte Teoranta
- Managing Natura 2000 Sites – The provisions of Article 6 of the ‘Habitats’ Directive 92/43/EEC (updated 2018)
- Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities (2009)
- Office of the Planning Regulator Practice Note PN01 Appropriate Assessment Screening for Development Management, March 2021

## 2. SCREENING FOR APPROPRIATE ASSESSMENT

### 2.1 Introduction

Screening for Appropriate Assessment is the first stage and critical test of Appropriate Assessment and the question is asked whether the development is considered to have a significant impact on a designated Natura 2000 site. The purpose of screening is to determine, on the basis of a preliminary assessment and objective criteria, whether:

- i) a plan or project is directly connected to or necessary for the management of the site, and
- ii) whether a plan or project, alone and in combination with other plans or projects, could have significant effects on a Natura 2000 site in view of the site’s conservation objectives.

As most projects will not be related to point (i) above, this will virtually always be irrelevant but with regards to point (ii) if the answer is no then the process is complete and full appropriate assessment is not required. Screening therefore is the process that addresses and records the reasoning and conclusions in relation to the first two tests of Article 6(3) of the Habitats Directive.

Screening should be undertaken without the inclusion of mitigation, unless potential impacts clearly can be avoided through the modification or redesign of the plan or project, in which case the screening process is repeated on the altered plan. This report takes cognisance of the Kelly v An Bord Pleanala Case 2012 IEHC 400 which determined that conclusions must be capable of removing all reasonable scientific doubt as to the effects on Natura 2000 sites.

### 2.2 Screening Process

#### 2.2.1 Step 1: Management of the site

*Question:* Is the plan or project directly connected with or necessary to the management of the Natura 2000 site?

*Answer:* **No**

#### 2.2.2 Step 2: Description of the project or plan

The development will consist of the “*An application for planning permission to (a) demolish existing detached dwelling house and domestic garage, (b) construct a replacement detached dwelling house, (c) connect into existing water supply and existing septic tank on site and carry out all associated site development works and services at Aughamore Near, Carraroe, County Sligo*”.





**Figure 2.2.: Aerial Photo of Existing Site at Aughamore Near (Source: Bing Maps).**

In 2020, a separate planning application was lodged by Antoinette Burns and was approved by Sligo County Council for this site for a proposed single storey extension and alterations to an existing dwelling and all associated site works at Aughamore Near, Carraroe, County Sligo. This was granted Planning permission under PL20/119.

In relation to PL20/199, a phone discussion occurred between the author and Siobhan Ryan – Heritage Officer of Sligo County Council occurred on 2/3/2020. It was mentioned by the Heritage Officer that due to the proximity of a stream on site and the potential for silt laden run-off during construction works and the location of Lough Gill, and the prohibition of screening using mitigation measures, that it would be prudent to carry out a Stage 2, NIS for this proposed development and that it could not therefore be automatically screened out for appropriate assessment.

For Planning Reference PL20/199 – Kingfisher Environmental Consultants prepared an AA Screening Report and Natura Impact Statement –ref: AA NIS Report-A.Burns-Aughamore-SO-16.4.2020. The planner's report drew the following conclusions for development at this site as they relate to Appropriate assessment and Lough Gill SAC.

## **8.2 Screening for Appropriate Assessment:**

In accordance with section 177U of the Planning and Development Act a screening assessment must be carried out on the subject application to determine if there are likely significant effects on Natura 2000 sites.

Section 1.1.1 of the NIS details that site is located 250 meters east of Lough Gill, Special Area of Conservation, Site Code 001976. The screening assessment concludes that;

- the only potential pathway resulting in connection between the proposed development site and Lough Gill SAC is the possibility during the construction phase of surface water discharge containing silt entering the on site stream which subsequently flows into Lough Gill.



The screening assessment submitted with the application states that it cannot be concluded that there is no potential for significant effects on Natura 2000 sites, and accordingly a Stage 2 Appropriate Assessment is required.

I would concur with the details outlined above and that the proposed development has the potential for significant effects on the Natura 2000 sites. Therefore, in accordance with section 177U of the Act I consider that an Appropriate Assessment is required as it cannot be excluded, on the basis of objective information, that the proposed development, either individually or in combination with other plans or projects, will have a significant effect on Natura 2000 sites for the following reason:

- Having regard to the proximity of the subject site to Lough Gill SAC, there is the potential for during the construction phase of surface water discharge containing silt entering the on site stream which subsequently flows into Lough Gill.

### 8.3 Appropriate Assessment

Under the terms of Article 6 (3) of the Habitats Directive, and having determined that Appropriate Assessment is required, the Planning Authority must now carry out an Appropriate Assessment of the implications of the development for Natura 2000 sites in view of the site's conservation objectives. The planning authority can only agree to the project having ascertained that it will not adversely affect the integrity of the sites concerned.

Section 177V of the Planning and Development Act states that:

*(1) An appropriate assessment carried out under this Part shall include a determination by the competent authority under Article 6.3 of the Habitats Directive as to whether or not a draft Land use plan or proposed development would adversely affect the integrity of a European site and an appropriate assessment shall be carried out by the competent authority, in each case where it has made a determination under section 177U(4) that an appropriate assessment is required, before—*

*(a) the draft Land use plan is made including, where appropriate, before a decision on appeal in relation to a draft strategic development zone is made, or*

*(b) consent is given for the proposed development.*

*(2) In carrying out an appropriate assessment under subsection (1) the competent authority shall take into account each of the following matters:*

*(a) the Natura impact report or Natura impact statement, as appropriate;*

*(b) any supplemental information furnished in relation to any such report or statement;*

*(c) if appropriate, any additional information sought by the authority and furnished by the applicant in relation to a Natura impact statement;*

*(d) any additional information furnished to the competent authority at its request in relation to a Natura impact report;*

*(e) any information or advice obtained by the competent authority;*

*(f) if appropriate, any written submissions or observations made to the competent authority in relation to the application for consent for proposed development;*

*(g) any other relevant information.*

#### 8.3.1 Assessment of likely significant effects

The likely significant effect on Lough Gill SAC is detailed as silt laden surface water entering the on site stream during the construction phase which subsequently flows into Lough Gill.



The NIS details that the proposed development does not involve the provision of any additional bedrooms and therefore there is no requirement to upgrade or change the existing functioning septic tank system. The existing system was registered with S.C.C. and has been inspected by Enda Killoran of the Environment Section.

### 8.3.2 Mitigation Measures

The following mitigation measures are proposed;

- Any soil stored on site shall be stock piled adjacent to the north east site boundary. The soil shall be covered with impermeable membrane to reduce saturation of soil and subsequent silting.
- C&D waste shall be disposed off to Harrington's quarry.
- A silt fence shall be erected along the northern boundary of the on site stream
- The proposed works will be completed within 16 –m 18 weeks
- Concrete deliveries will only take place during suitable weather conditions
- Mixers and chutes will not be washed out on site.
- Materials to be stored on site shall be placed in temporary storage containers.

I consider that the proposed development, including mitigation measures, will not have adverse impacts on the qualifying interests of the SAC on the basis of the proposed development involves the construction of a replacement dwelling house, the decommissioning of an existing septic tank system within the SPA and the installation of a new effluent treatment outside of the SPA in accordance Environmental Protection Agency Code of Practice (CoP) on Wastewater Treatment and Disposal Systems serving Single Houses.

### Potential in-combination effects

Section 5.2.7 of the NIS states that the proposed development will not create a cumulative impact upon the Natura 2000 site in combination with other plans or projects.

All other projects in the area have been screened for AA and given that the proposed development incorporates mitigation measures which will also prevent adverse impacts, I concur with the opinion of the NIS regarding cumulative / in-combination effects.

### 8.3.4 NIS Conclusion

The NIS concludes that the incorporation of the mitigation measures will ensure that there will be no effects, either individually or cumulatively, affecting the conservation interests or conservation objectives of any European Sites. The DAU have made no comments in relation to the development. When the mitigation measures are implemented in full it is considered by Sligo County Council that there will be no significant adverse effects on the integrity of any Natura 2000 site either directly or indirectly.

### 8.3.5 Determination of the Planning Authority in accordance with Part XAB and 177V of the Planning and Development Act 2000 (as amended).

Having considered:

- The contents of the Natura Impact Statement, as submitted on behalf of the applicant;
- All other reports, submissions or observations made in relation to the application for consent for proposed development;

I would concur with the conclusions of the Natura Impact Statement as submitted that the incorporation of the mitigation measures will ensure that there will be no significant effects, either individually or cumulatively, affecting the conservation interests or conservation objectives of the Natura 2000 sites. In accordance with section 177V of the Planning and Development Act 2000 (as amended) it is therefore recommended to determine that the



proposal will not, beyond reasonable scientific doubt, adversely affect the integrity of any Natura 2000 site either directly or indirectly, for the following reasons:

- 1) The limited scale of the proposed development and its separation distance from Natura 2000 sites.
- 2) The fact that the proposed development involves the extension of an existing dwelling house
- 3) There is no requirement to upgrade or change the existing functioning septic tank system. The existing system was registered with S.C.C. and has been inspected by Enda Killoran of the Environment Section.
- 4) The limited disturbance and effects likely during construction and operational phases
- 5) The incorporation of appropriate mitigation measures which will suitably prevent adverse impact on the integrity of the Natura 2000 network.

The proposed development is necessary as the existing dwelling house is timber framed and is not fit for purpose moving forward. Therefore to execute the Planning Permission granted under PL20/119 would be pointless.

The proposed site layout for this current planning application is shown in **Figure 2.2.3**. As there will be no increase in bedrooms, there is no requirement to upgrade or change the existing functioning septic tank and percolation area. It is our understanding that the existing septic tank was registered with Sligo County Council and has been subject to a site inspection by Enda Killoran of the Environment Section of Sligo County Council and was deemed to be satisfactory with no requirements for any modifications or upgrade (pers. comms, Ronan Tansey, 31/1/2020). Therefore there are no new or changes to emissions to ground from wastewater generated by the proposed replacement of the existing dwelling house.

With regards to the construction and excavation works at the site, best practise will be followed with various measures incorporated into the design and construction phases of the project. A method statement is outlined in the NIS and can be summarised as follows:

- i). All construction works will be carried out in good weather to minimise any rainfall mixing with excavated soils.
- ii). Any excavated materials will be placed temporarily to the northern end of the site pending immediate authorised removal off-site for authorised recovery, which should only take 2 days.
- iii) It is proposed to stockpile the retained topsoil on site towards the north-eastern site boundary and cover with an impermeable membrane to reduce saturation of soil and subsequent silting.
- iv) It is proposed to use a silt fence installed c.3 m to the north of the existing watercourse to prevent any silting or contaminated run-off from entering the watercourse. This should be retained in-situ for the duration of the excavation and construction works.
- v). Any excess soil and stone and any construction materials excavated or taken down during the proposed redevelopment of the site, will be removed immediately off-site by an authorised waste haulier operating under a current waste collection permit and this material will not remain on site but be brought to an appropriately permitted or licensed facility. There will therefore be no likely impacts upon surface waters.
- vi) The site will be kept clean at all-times to ensure there is no potential for road borne materials to leave the site





The ecology of the proposed development site at Aughamore Near has been described in accordance with Fossit, J.A., 2000. *A Guide to Habitats in Ireland*, The Heritage Council, Kilkenny.

In addition, the following references have been used in the preparation of this habitat description:

- Devlin, Z. 2014. *The Wildflowers of Ireland – A Field Guide*: The Collins Press, Cork.
- Harrap, S, 2013. *Harrap's Wild Flowers – A Field Guide to Wild Flowers of Britain & Ireland*. Bloomsbury, London.
- Hubbard, C. E. 1992. *Grasses: A Guide to their Structure, Identification, Uses and Distribution in the British Isles*.
- Jermy, A. C., Chater, A. O. & R. W. David. 1982. *Sedges of the British Isles*: BSBI Handbook No. 1. BSBI, London.
- Joyce, P. M. 1998. *Growing Broadleaves – Silvicultural Guidelines for Ash, Sycamore, Wild Cherry, Beech & Oak in Ireland*. Coford, Dublin. Smith, A. J.E. 1978. *The Moss Flora of Britain & Ireland*. Cambridge University Press, Cambridge.
- Stace, C. A. 1991. *New Flora of the British Isles*.
- Streeeter, D. 2016. *Collins Wild Flower Guide 2<sup>nd</sup> Edition – The Most Complete Guide to the Wild Flowers of Britain and Ireland*. William Collins, London.
- Webb, D. A. Parnell J. & D. Doogue. 1996. *An Irish Flora*. Dundalgon Press Ltd., Dundalk.
- [www.wildflowersireland.ie](http://www.wildflowersireland.ie)

**Habitat type BL3 – Buildings and Artificial Surfaces** – this is the existing dwelling house, the garage and the driveway. This broad category incorporates areas of built land that do not fit elsewhere in the classification. This existing habitat type has no particular ecological conservation value.

The grounds around the existing dwelling house to the south-east and north-west of the site are all mown lawns which is classified as **Amenity Grassland (improved) GA2**. This type of grassland is improved, or species-poor, and is managed for purposes other than grass production. The sward comprises of a variety of grasses, including some that also occur in improved agricultural grassland - GA1, Broadleaved herbs such as Daisy (*Bellis perennis*), Dandelion (*Taraxacum* spp.), Clovers (*Trifolium* spp.) and plantains (*Plantago* spp.) are common. There are also Thistles (*Cirsium* spp.) and Cleavers (*Galium aparine*) present along with various mosses.

Amenity Grassland (improved) GA2 is not a priority habitat and is not protected. Where this is to be built upon as part of the site development proposals, it will change to another non-priority habitat namely: **Buildings and artificial surfaces BL3**.

The south western and north eastern boundary of the gardens of the existing site consists of **Hedgerow** which is habitat type **WL1**. This habitat type is not a priority or protected habitat and these will remain unaffected by the proposed redevelopment of the site and there will be therefore no impact upon these non-priority habitats.

A small stream flows through the front of the site in a north-easterly direction and all proposed works are situated well away from this stream. An existing small bridge allows access over the stream to the dwelling. This stream will remain unaffected by the proposed development at the site and the existing septic tank and percolation area is located far to the north-west of this stream. The public road forms a physical boundary between the proposed development site and the lands adjoining the SAC boundary.

The site habitat survey has demonstrated that the non-priority habitats on-site have no particular ecological conservation value and do not form the basis of designation of the



Natura 2000 sites and therefore do not form a part of these Natura 2000 sites in terms of feeding grounds; species regeneration or any other intrinsic link.

The habitat type found within the site and in the immediate vicinity are non-priority habitats and none of the habitats or species found within the existing site boundary at Aughamore Near are listed as being the qualifying interest for the Lough Gill SAC.

No protected species are found within the site boundary which are worthy of specific conservation. Therefore the proposed development will not negatively impact upon Natura 2000 sites and does not serve as a feeder site to these habitats.

## 2.2.2 Step 3: Characteristics of the Site

### 2.2.2.1 Zone of Influence

The zone of influence of a proposed development is the geographical area over which it could affect the receiving environment in a way that could have significant effects on the Qualifying Interests of a European site. This should be established on a case-by-case basis using the Source-Pathway-Receptor framework and not by arbitrary distances (such as 15 km) – (Source: *Office of the Planning Regulator Practice Note PN01 Appropriate Assessment Screening for Development Management, March 2021*).

The identification of European sites within a 15km zone has become common practice in screening projects for AA. However this approach is not based on the S-P-R model and should not be used for projects. Few projects have a zone of influence this large, but some more complex projects may require a greater zone of investigation. Instead the zone of influence of a project should be considered using the Source-Pathway-Receptor model. This should avoid lengthy descriptions of European sites, regardless of whether they are relevant to the proposed development, and a lack of focus on the relevant European sites and issues of importance.

The zone of influence used in this screening statement is the local catchment area of the site any Natura 2000 sites within this immediate catchment – i.e. Lough Gill. This extends to a distance of ca. 250 downstream from the site.

### 2.2.2.2 Screening Findings

The proposed development site is **not** located either within or immediately adjacent to a Natura 2000 site (i.e. SAC or SPA). This has been confirmed through consultation with:

- NPWS website
- EPA Appropriate Assessment Screening GeoTool
- SAC and SPA maps provided at [www.biodiveristyireland.ie](http://www.biodiveristyireland.ie).
- Myplan.ie

The map presented as **Figure 2.2.2.1** shows the existing site outlined in red in relation to the zone of influence and shows the closest Natura 2000 Site – Lough Gill SAC. This has been confirmed through consultation with the NPWS website and the SAC and SPA maps provided at [www.biodiveristyireland.ie](http://www.biodiveristyireland.ie)

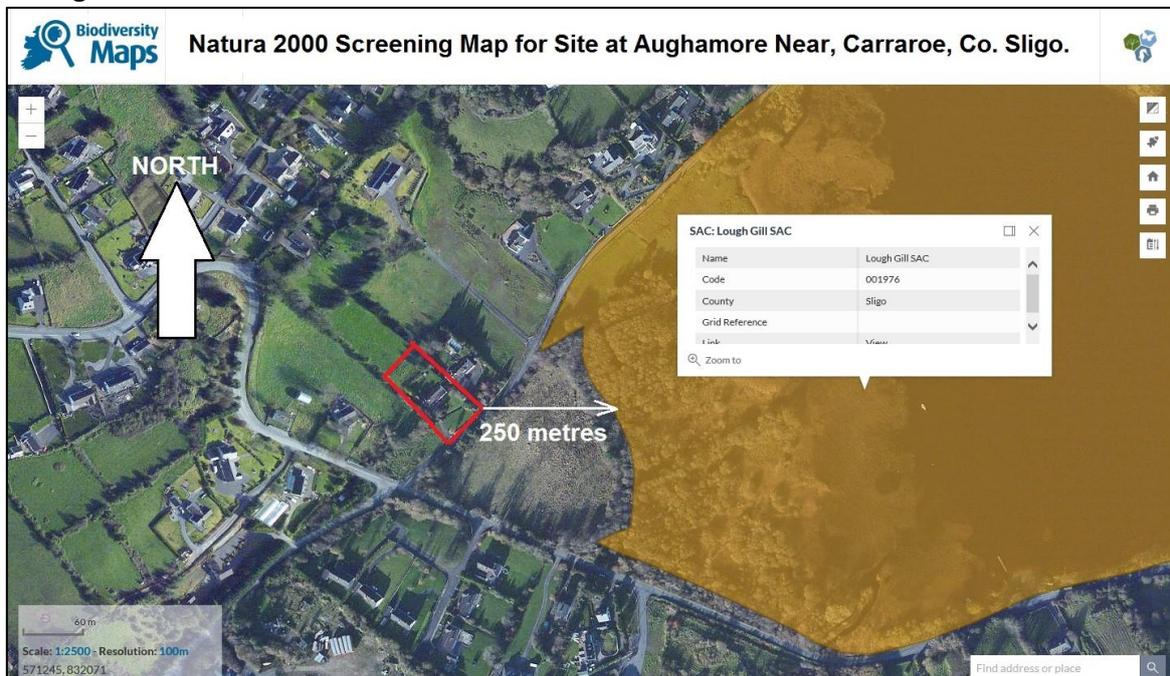
The closest point of the proposed site boundary of the development site to the closest Natura 2000 site is ca. 0.25 km or 250 metres to the east to Lough Gill SAC site (Site Code 001976) - see **Table 2.2.2.1.1**. **This** summarises the Stage 1 Appropriate Assessment Screening information and forms the Screening Findings.



Based on the location of the site and that the proposed development site **is not** located within a Natura 2000 site (i.e. SAC or SPA), the Stage 1 Screening Assessment concludes that the only potential pathways resulting in connection between the proposed development site and the Lough Gill SAC site is the possibility of discharge of run-off of surface waters containing silt during the construction phase of the proposed development and reaching the on-site stream which subsequently flows into Lough Gill and which has the potential to impact relevant qualifying interests of Lough Gill.

Having ascertained during the AA Screening that it is not possible to exclude, as a matter of scientific certainty that the proposed development will have an effect on any Natura 2000 site, individually or together with other plans and projects, a NIS has been prepared as a precautionary measure to inform and assist the competent authority in carrying out the Appropriate Assessment.

**Figure 2.2.2.1: Natura 2000 Site Screening Map for the Proposed Development at Aughamore Near**





**Table 2.2.2.1: Natura 2000 Site Screened against Development Site at Aughamore Near**

Name	Site Code	Designation	Qualifying Interests	Distance from the site (km)	Screen in/out/uncertainty
Lough Gill SAC	001976	SAC	3150 Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation 6210 Semi-natural dry grasslands and scrubland facies on calcareous substrates ( <i>Festuco-Brometalia</i> ) (* important orchid sites) 91A0 Old sessile oak woods with Ilex and Blechnum in the British Isles 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> )* 1106 Salmon ( <i>Salmo salar</i> ) 1099 River Lamprey ( <i>Lampetra fluviatilis</i> ) 1096 Brook Lamprey ( <i>Lampetra planeri</i> ) 1355 Otter ( <i>Lutra lutra</i> ) 1095 Sea Lamprey ( <i>Petromyzon marinus</i> ) 1092 White-clawed Crayfish ( <i>Austropotamobius pallipes</i> )	In excess of 250 metres to the east is closest point as the crow flies.	<b>Screen In</b> The SAC is outside of the existing dwelling house site area and is separated by over 250 metres. No qualifying interests are within the existing development site as it is a conventional house and gardens. However the on-site stream poses a potential pathway for silt laden surface water during construction works to reach Lough Gill. Therefore Screen In as It is uncertain whether the proposal will have a significant effect on a European site.

The Site Synopsis for the Lough Gill SAC site is listed in **Appendix 1** of this report.

It is acknowledged that whilst other water based Natura 2000 sites are downstream from Lough Gill and are within 10 km of the development site, these are excluded as they are considered outside of the zone of influence and are screened out from screening due to the large intervening distance, dilution effect upon waters and the assessment that there will be no likely significant effects upon these sites.

Divergence to assess these sites removes the focus on assessing any potential impacts upon the closest Natura 2000 site – Lough Gill SAC which is within the Source-Pathway-Receptor model due to potential hydraulic linkage.

The other Natura 2000 sites which are screened out of further assessment are:

- Site Code 000622 – Ballysadare Bay SAC located >3.1 km away from the site.
- Site Code 004129 – Ballysadare Bay SPA located .3.1 km away from site
- Site Code 000627 - Cumeen Strand/Drumcliff Bay (Sligo Bay) SAC located 5km away from site
- Site Code 0004035 – Cumeen Strand SPA located 5.4 km away from the site.

### 2.2.2.3 Assessment of Potential In-Combination Effects and Cumulative Impacts

In the preparation of this Appropriate Assessment screening due regard has been made to other developments within the geographical area, both existing, finished and proposed to assess any in combination and cumulative impacts. To enable an assessment a screening



was done of the Sligo Local Authority Planning Maps for this area. The proposed site is adjacent to other sites and developments which have been granted planning permission by Sligo County Council. Many of these are on off housing. The existing site was granted Planning Permission in 2020 for the development at this site under PL20/119.

Other projects considered are listed below:

05916: Retention and continuation of the use of land (previous use agricultural) for the deposit of waste, i.e. soil, stone and construction and demolition waste. Mr. John Mullane. Granted 8/1/2006.

11251: Retention of existing building materials storage compound area (4000m<sup>2</sup>). Mr. John Mullane. Granted 16/5/2012

1849: Development consisting of the filling of lands with construction and demolition waste (application area = 1.0 Ha, volume = 24,950 tonnes) together with screening berms and all associated ancillary works. Mullane Plant Hire Ltd. Granted 29/6/2018.

18175: Development consisting of Retention Permission for the extension to a storage yard previously granted Planning under reference PL11/251, screening berms and all associated ancillary works. Mullane Plant Hire Ltd. Granted 8/7/2018

07704: Construction of (1) a single storey warehouse for storage purposes, area 702 sq.m (2) proposed site entrance improvements (3) remove existing septic tank and provide new septic tank with associated percolation area at revised location, together with all associated site works. Granted 26/2/2008. Eamonn Duffy.

By virtue of these being granted planning permission, Sligo County Council will have undertaken appropriate assessment screening as the competent authority in allowing these to proceed.

In addition to those sites granted planning permission, there is also a current planning permission lodged with Sligo County Council for the following development:

21236: Development consisting of the recommencement of quarry operations within previously permitted quarry extraction area (c. 10.9ha), deepening of the previously permitted quarry area by 2 no. extractive benches from c. - 21m OD to -50m OD, recommencement of aggregate processing (crushing and screening) within the existing processing area, located to the east of the local road that bisects the site, provision of a settlement lagoon (c. 2,830m<sup>2</sup>), provision of a 2 no. wheelwashes, provision of a double stacked portacabin office; provision of a wastewater treatment system, additional stockproof/trespass proof boundary fencing, all within an application area of c. 22.5 hectares. The Planning application is accompanied by an Environmental Impact Assessment report (EIAR) and a Natura Impact Statement (NIS). Lagan Materials Ltd. No Decision as of 1511/2021.

The above proposal is subject to an Appropriate Assessment Natura Impact Statement and will only be granted if it can demonstrate that it will not have significant impacts upon Lough Gill SAC.

Taking account of the above factors, it is considered that all in-combination impacts have been taken into account of any potential for in-combination impacts in this appropriate assessment screening.



#### 2.2.2.4 Conservation Objectives

The following are the general Conservation Objectives of the Lough Gill SAC:

1. To maintain the Annex I habitats for which the SAC and SPA has been selected at favourable conservation status.
2. To maintain the Annex II species for which the SAC and SPA has been selected at favourable conservation status.
3. To establish the extent, species richness and biodiversity of the entire sites.
4. To establish effective liaison and co-operation with landowners, legal users and relevant authorities.

#### 2.2.3 Appropriate Assessment Screening Conclusion

Based on the location of the site and that the proposed development site **is not** located within a Natura 2000 site (i.e. SAC or SPA), the Stage 1 Screening Assessment concludes that the only potential pathways resulting in connection between the proposed development site and the Lough Gill SAC site is the possibility of discharge of run-off of surface waters containing silt during the construction phase of the proposed development and reaching the on-site stream which subsequently flows into Lough Gill and which has the potential to impact relevant qualifying interests of Lough Gill.

Based on the zone of the zone of influence, the following qualifying interests of Lough Gill SAC are considered those that potentially could be impacted upon by the above impacts without mitigation measures:

3150 Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation  
1106 Salmon (*Salmo salar*)  
1099 River Lamprey (*Lampetra fluviatilis*)  
1096 Brook Lamprey (*Lampetra planeri*)  
1355 Otter (*Lutra lutra*)  
1095 Sea Lamprey (*Petromyzon marinus*)  
1092 White-clawed Crayfish (*Austropotamobius pallipes*)

Having ascertained during the AA Screening that it is not possible to exclude, as a matter of scientific certainty that the proposed development will have an effect on any Natura 2000 site, individually or together with other plans and projects, the project should proceed to Stage 2 and a Natura Impact Statement should be prepared as a precautionary measure to inform and assist the competent authority in carrying out the Appropriate Assessment.



### 3. NATURA IMPACT STATEMENT

#### 3.1 Findings of Appropriate Assessment Screening

The AA Screening has ascertained that it is not possible to exclude, as a matter of scientific certainty (without the inclusion of any mitigation measures) that the proposed development will not have an effect on any Natura 2000 site.

This is due principally to the uncertainty as to whether the proposal will have a significant effect upon Lough Gill SAC – a European Site and the potential impact upon water quality and designated species.

#### 3.2 Consideration of Any Likely Significant Effects upon Natura 2000 Sites before any Mitigation Measures are adopted

As the site is outside of any Natura 2000 there are **no likely direct impacts** upon Lough Gill SAC. The Potential for cumulative or in-combination impacts have been discussed in the Appropriate Assessment Screening Stage with no likely cumulative impacts predicted.

The potential for indirect impacts from the construction phase of the proposed project before any mitigation measures are considered are summarised below:

- Surface water quality due to sediment migration during construction works, with associated effect on riverine and lake habitats and species;

In summary the potential impacts are considered to be upon surface water and therefore the potential receptors are the water quality of Lough Gill and the species that depend upon good water quality such as Salmon (*Salmo salar*), River Lamprey (*Lampetra fluviatilis*), Brook Lamprey (*Lampetra planeri*), Sea Lamprey (*Petromyzon marinus*) and White-clawed Crayfish (*Austropotamobius pallipes*).

#### 3.3 Method Statement of Proposed Works Incorporating Mitigation and Precautionary Measures to Mitigate against any Impact upon Surface Waters and the Stream on Site

##### 3.3.1 Project Brief

The following Method Statement has been prepared by Emonn O'Dowd. The overall site plot is 0.248 hectares. Prior to any demolition or construction works, a silt fence will be installed downgradient from the works before the stream which traverses the site. This is discussed in more detail below,

##### 3.3.1.1 Site Demolition Works

The existing single storey dwelling house and detached domestic garage are to be demolished to accommodate the construction of a new part single storey and part single storey with attic accommodation dwelling house. The footprint of the existing house and garage is approximately 154 sq.m and the new house will have a footprint of approximately 206 sq.m. The new house will be constructed in the same location as the existing house and will be located approximately 12m from the existing stream running through the property.

The existing house and garage will be demolished and all demolition material removed off site in a two day period during dry weather. No demolition material will be stockpiled on site and will be removed to a licensed waste collector for sorting and re-use where practical.



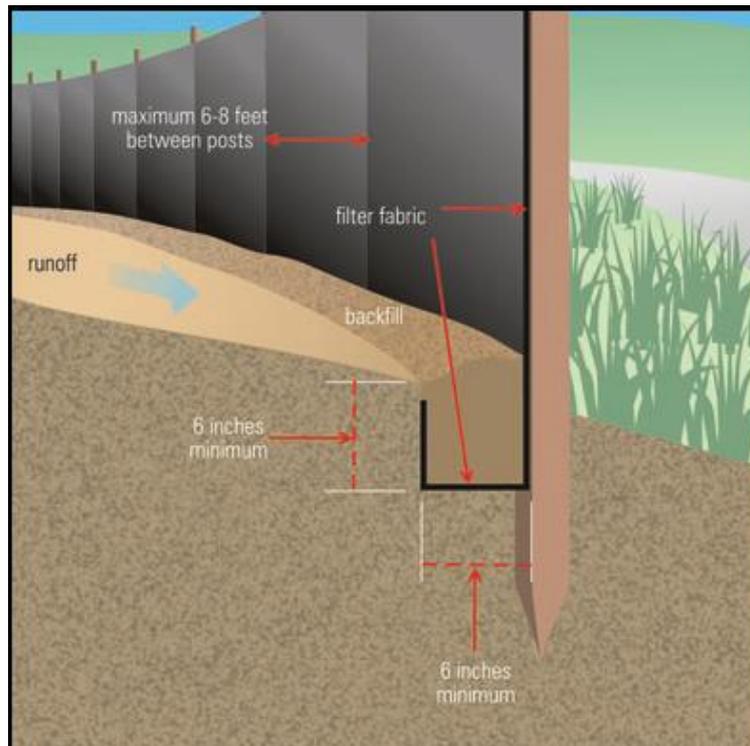
Photo of Front Elevation



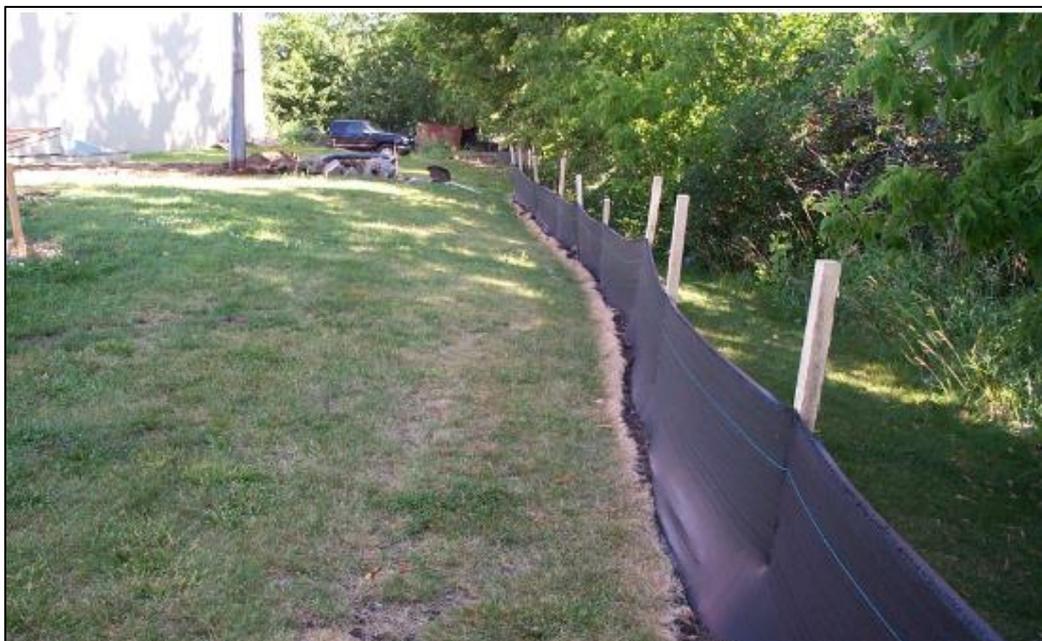
Photo of Rear Elevation

### 3.3.1.2 Management of Soil & Excavations

A “silt fence” is to be installed between the existing stream and the area of demolition and construction to prevent silting or contaminated run-off from entering the stream. The “silt fence” is to remain in place for the duration of the **works** – see **Figure 3.3.1.2.1** and **Figure 3.3.1.2.2**. This is shown on the site layout plan shown as **Figure 2.2.3**.



**Figure 3.3.1.2.1: Example of EPA approved silt fence detail – temporary fence used during site works / construction phase.**



**Figure 3.3.1.2.2: Example of silt fence in operation on similar site.**

The suitability of the soil conditions will be assessed on site by the Engineer and advice given as to the best course of action in terms of foundation construction.



Topsoil that is stripped back over the footprint of the new house is to be stockpiled in an area to the rear of the site (see Site Layout Plan), which is approximately 36m from the existing stream, will be covered with an impermeable membrane for later use on garden areas. This to reduce saturation of soil and subsequent silting. This is shown in **Figure 3.3.1.2.3**.



**Figure 3.3.1.2.3: Typical impermeable membrane used to dry store topsoil on site.**

It is proposed to dispose of the spoil / C&D material to Harrington' Quarry in Ballisadare, approximately 7km from the site. In order to reduce the number of site visits with trucks loads it is proposed to use the empty trucks on the backload to haul the off-site material back to the licenced tip.

### **3.3.1.3 Washing of Truck Wheels**

As the access road is an existing driveway and the proposed excavations works are only set back approximately 25m from the public road it has been considered inappropriate to propose a wheel-wash station. The volume of spoil and C&D wastes are relatively small and it is considered best practice to propose to manually power-hose the lorry if required on site at a safe distance from the existing watercourse on-site.

As the excavated and demolished material can be removed within 2 working days it will be possible to carefully monitor and control the dust and dirt created by such works with the cooperation of the excavator and truck drivers.

### **3.3.1.4 Timeline for the Construction Works**

Pending the successful outcome from the Local Authority Planning Section it is predicted that development on site will begin immediately (allowing the appropriate 14-28 day notice period for the CN). The contractor when appointed to the contract will be expected to have the works undertaken and completed with 16-18 weeks. The above time estimate assumes favourable weather conditions and ground conditions are encountered.



### 3.3.1.5 Concrete Deliveries

The new house will be constructed with concrete block walls on concrete strip footings and the excavated soil from the foundation trenches is to be removed off site as the trenches are being dug and not stockpiled on the site. It will be necessary to take delivery of a number of concrete mixer truck loads for the foundations and sub-floors. These are to be arranged and delivered in suitable weather conditions and under no circumstances should the mixers and chutes be washed out on site. They are to return to the quarry and wash-out at base within the designated wash bay areas.

### 3.3.1.6 Storage of Materials on Site

Diesel for machinery is to be brought to site only when required and containers are to be securely stored away.

All construction related materials required on site such as sand, cement, lime, insulations, chemical admixtures etc will be dry stored in a temporary storage container towards the northern boundary of the site.

Deliveries such as sand will be stored in a designated storage area along the eastern site boundary. An impermeable membrane is to be used under this area with the sides bunded. It will be the responsibility of the appointed contractor to provide adequate and suitable storage of such materials required.

## 3.4 Consideration of Any Likely Significant Effects upon Natura 2000 Sites Following Adoption of Mitigation Measures.

### 3.4.1 Summary of Potential Impacts and Assessment

The following table is based on a table taken from the Box 4 of EC (2002) and sets out examples of significance indicators. This is being used as an impact prediction to assess the potential for significant impacts upon the Lough Gill site from the proposed re-development works at the existing dwelling house site at Aughamore Near.

This takes into account the project location; the project description; mitigation and precautionary measures which have been incorporated; and the status and ecology of the existing site for development:

Impact Type	Significance Indicator for this Site
Loss of Habitat Area	No Loss to any part of Natura 2000 Site
Fragmentation	No fragmentation to Natura 2000 Site
Disturbance	No Direct or Indirect disturbance to Natura 2000 Site
Species Population Density	No Change or Replacement of Species Population
Water Resource	No relative change to surface waters
Water Quality	No significant direct or indirect impact

The conclusions of the assessment of impacts upon the listed Natura 2000 site has shown that there will be no likely significant impacts upon the Natura 2000 site identified by the proposed development Aughamore Near. This is further discussed below in more detail:



## **3.2 Impact Prediction & Conservation Objectives**

### **3.2.1 Any impact on an Annex I habitat**

The redevelopment site of the existing dwelling house at Aughamore Near is located outside of any Annex 1 designated habitat and there will be no direct significant impacts on the Natura 2000 site or its Annex 1 habitats. The method statement for the construction works which includes mitigation and precautionary measures eliminates any potential for indirect impacts through site drainage or siltation potentially impacting upon the on-site stream which flows into Lough Gill.

Therefore it can be concluded that the proposed development will not compromise the maintenance of Annex I habitats for which the SAC has been selected at favourable conservation status.

### **3.2.2 Causing reduction in the area of the habitat or Natura 2000 site**

The proposed redevelopment works at the existing site at Aughamore Near will occur on non-priority habitats which is far away (ca. 250 m plus) from any Natura 2000 site boundary.

There will be no loss of any area of Natura 2000 sites as a consequence of the proposed development and the proposed development will not result in any impact on any Annex II species of flora or fauna.

### **3.2.3 Causing direct or indirect damage to the physical quality of the environment (e.g. water quality and supply, soil compaction) in the Natura 2000 site**

There will be no direct or indirect damage to the physical quality of the environment with the proposed development site. The proposed site is outside of any Annex 1 designated habitat and there will be no significant impacts on any Natura 2000 site or their Annex 1 habitats.

The issue of waste water management has already been discussed with the existing septic tank and percolation area to be used which are deemed suitable for purpose.

A Method Statement has been prepared which deals with mitigation and precautionary measures to be undertaken during the demolition and site clearance stage and the construction phase.

The method statement for the construction works which includes mitigation and precautionary measures eliminates any potential for indirect impacts through site drainage or siltation potentially impacting upon the on-site stream which flows into Lough Gill.

There will be no significant impacts via indirect means by surface water discharges as these have been carefully planned and designed to create no possibility of significant impacts upon the on-site stream or Lough Gill SAC and its qualifying interests.

### **3.2.4 Causing serious or ongoing disturbance to species or habitats for which the Natura 2000 site is selected (e.g. increased noise, illumination and human activity)**

The proposed development site will cause no disturbance during construction works. The site is physically separated from Lough Gill site by ca. 250 metres and an intervening public road and adjoining undesignated lands. In addition public road forms a physical barrier between the site and the Natura 2000 site.



The method statement for the construction works which includes mitigation and precautionary measures eliminates any potential for indirect impacts through site drainage or siltation potentially impacting upon the on-site stream which flows into Lough Gill.

The development poses no potential new impact or significant impact upon the maintenance of species or habitats at the Natura 2000 site.

### **3.2.5 Causing direct or indirect damage to the size, characteristics or reproductive ability of populations on the Natura 2000 site**

The proposed re-development works at this existing site will have no direct or indirect damage to the size, characteristics or reproductive ability of populations on the Natura 2000 site.

The proposed development will not compromise or negatively impact upon water quality, which could impact upon fish populations and plant species and invertebrates upon which the birdlife feed.

### **3.2.6 Interfering with mitigation measures put in place for other plans or projects**

The proposed development at this existing site will have no direct or indirect impacts upon mitigation measures put in place for other plans or projects. The proposed development is considered reasonable and well thought out and sensitive to the existing site.

### **3.2.7 Potential Cumulative Effects from Other Plans or Projects upon Natura 2000 Site**

The proposed development at this existing site at Aughamore Near will have no significant negative direct or indirect impacts upon the Lough Gill SAC site. The development will not create a cumulative impact upon the Natura 2000 site in combination with any other plans or projects.

### **3.2.8 Have the Conservation Objectives Been Met**

It is reasonable to determine that the conservation objectives of a European Site will be met if its habitats and species are maintained at a favourable conservation status. Given that the proposed re-development at the existing residential site at Aughamore Near will not have a negative impact upon the Annex 1 Habitats or Annex II Species, nor upon surface waters through the implementation of precautionary and mitigation measures, it is concluded that the conservation objectives of the Lough Gill SAC site will be met by allowing the proposed re-development works to proceed.



### 3.3 Conclusions of Natura Impact Statement Report

The findings and conclusions of the Appropriate Assessment Natura Impact Statement have been documented, with the necessary supporting evidence and objective criteria. The NIS conclusions are that the redevelopment works of a dwelling and all associated site works at Aughamore Near, Carraroe, County Sligo, will:

1. Have no significant impact upon surface water quality either during the infilling phase or the post construction phase. The proposed development will not cause deterioration of water quality, which would have a negative impact upon the Lough Gill SAC Natura 2000 site. This is confirmed through the precautionary and mitigation measures incorporated into the Method Statement for the construction works. The proposed redevelopment of the existing residential site and house will utilise the existing functioning septic tank system with no requirement to change or upgrade this system.
2. There will no loss of any Natura 2000 site area. There will be no loss of Annex I habitats; or Annex II species upon which any Natura 2000 site qualifies for its conservation status as a consequence of permitting the proposed development to proceed. This is due to the limited scale of the proposed development and its separation distance from Natura 2000 sites. There will be limited disturbance during the construction and operational stage of this existing residential site.
3. There will be no cumulative impact upon any Natura 2000 sites in combination with other plans or projects.
4. The proposed development will not compromise the maintenance of Annex I habitats for which any Natura 2000 site has been selected at favourable conservation status through the incorporation of appropriate mitigation measures which will suitably prevent any adverse impact on the integrity of the Natura 2000 network.
5. It is concluded that the conservation objectives of the Lough Gill SAC site will be met as the habitats and species will be maintained at a favourable conservation status. **The NIS findings and conclusions remove all reasonable scientific doubt as to the effects that the works proposed may have on the Natura 2000 sites.**

Therefore, there is no scientific reason why the proposed development should be precluded from proceeding.

Yours sincerely,

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**FREDDIE P.R. SYMMONS B.Env. Sc. (HONS) M.C.I.E.E.M**  
*Senior Environmental Consultant*  
*Full Member of the Chartered Institute of Ecology and Environmental Management*

## APPENDIX 1: SITE SYNOPSIS FOR LOUGH GILL SAC



**Site Name: Lough Gill SAC**

**Site Code: 001976**

This site includes Lough Gill, Doon Lough to the north-east, the Bonet River (as far as, but not including, Glenade Lough), and a stretch of the Owenmore River near Manorhamilton in Co. Leitrim. Lough Gill itself, 2 km east of Sligo town, lies at a geological junction of ancient metamorphic rocks which produce acid groundwater, and limestone which dissolves in the groundwater.

The site is a Special Area of Conservation (SAC) selected for the following habitats and/or species listed on Annex I / II of the E.U. Habitats Directive (\* = priority; numbers in brackets are Natura 2000 codes):

[3150] Natural Eutrophic Lakes
[6210] Orchid-rich Calcareous Grassland*
[91A0] Old Oak Woodlands
[91E0] Alluvial Forests*
[1092] White-clawed Crayfish ( <i>Austropotamobius pallipes</i> )
[1095] Sea Lamprey ( <i>Petromyzon marinus</i> )
[1096] Brook Lamprey ( <i>Lampetra planeri</i> )
[1099] River Lamprey ( <i>Lampetra fluviatilis</i> )
[1106] Atlantic Salmon ( <i>Salmo salar</i> )
[1355] Otter ( <i>Lutra lutra</i> )

Lough Gill is a large lake, being 8 km long, and has steep limestone shores and underwater cliffs. It is over 20 m deep in places. The lake appears to be naturally eutrophic. The aquatic macrophyte flora is very limited, probably due to the rapid increase in depth around most of the margin. Species such as pondweeds (*Potamogeton* spp.) are present, as well as Shoreweed (*Littorella uniflora*). Where the lake shore has a shallow gradient, some swamp vegetation occurs, mainly dominated by Common Reed (*Phragmites australis*), with Common Club-rush (*Scirpus lacustris*) and sedges (*Carex* spp.).

The Old Oak Woodlands within this site are dominated by oak (*Quercus* spp.), Rowan (*Sorbus aucuparia*) and willows (*Salix* spp.). A number of interesting tree species occur. Strawberry Tree (*Arbutus unedo*) is found in its most northerly site in the world. Yew (*Taxus baccata*) occurs in abundance. Bird Cherry (*Prunus padus*), a Red Data Book species, is also found, as is the nationally scarce Rock Whitebeam (*Sorbus rupicola*). Some areas of conifer plantation occur in association with these woodlands.



There is a fringe of deciduous woodland along most of the length of the Garvoge River. In parts it is dense and impenetrable, with a very wet marshy underlayer. Some areas are dominated by Rusty Willow (*Salix cinerea* subsp. *oleifolia*), with Alder (*Alnus glutinosa*) also occurring commonly. Other tree species present include Goat Willow (*Salix caprea*), Hazel (*Corylus avellana*), Rhododendron (*Rhododendron ponticum*) and Cherry Laurel (*Prunus laurocerasus*). Both of the latter species are invasive aliens. In the understorey, species such as Guelder-rose (*Viburnum opulus*), Gipsywort (*Lycopus europaeus*) and Skullcap (*Scutellaria galericulata*) are found. Reedswamp is also common along the river. Another area of alluvial wet woodland is found at the mouth of the Bonet River. Here there is dense willow (*Salix* sp.) scrub, along with Reed Canary-grass (*Phalaris arundinacea*), and also areas where Alder and Goat Willow are dominant.

Areas of unimproved wet and dry grassland also occur within the site, the former particularly by the lake and the latter well developed in the north-east of the site and in the vicinity of O'Rourke's Table. Orchid-rich Calcareous Grassland, a priority habitat listed on Annex I of the E.U. Habitats Directive, has been reported from Clogher Beg, according to the Irish Semi-natural Grasslands Survey, 2010. Heath-covered hillsides above the woods are dominated by Heather (*Calluna vulgaris*).

The site also supports several rare plant species, including Yellow Bird's-nest (*Monotropa hypopitys*), the lady's-mantle species *Alchemilla glaucescens*, Ivy Broomrape (*Orobancha hederiae*), Black Bryony (*Tamus communis*), Intermediate Wintergreen (*Pyrola media*) and Bird's-nest Orchid (*Neottia nidus-avis*). There is also an unconfirmed record for Melancholy Thistle (*Cirsium helenioides*) from the eastern side of the site.

Both the woods and the mountains are used by a large herd of Fallow Deer. The site is of considerable importance for the presence of four Red Data Book fish species that are listed on Annex II of the E.U. Habitats Directive - Brook Lamprey (*Lampetra planeri*), River Lamprey (*Lampetra fluviatilis*), Sea Lamprey (*Petromyzon marinus*) and Atlantic Salmon (*Salmo salar*). The Lough Gill system gets a very early run of spring salmon, while the Bonet holds stocks of salmon from spring right through to the end of the season. White-clawed Crayfish (*Austropotamobius pallipes*), Otter and Pine Marten are well established on this site, the first two are both Annex II species. The woodlands have a fauna which includes several rare snail species.

Lough Gill supports low numbers of wintering waterfowl, mostly Mallard (<150), Tufted Duck (20-30) and Goldeneye (<20). A small colony of Common Tern breed on the islands (20 pairs in 1993), while Kingfisher are found on the lake and rivers. Both of these species are listed on Annex I of the E.U. Birds Directive. A colony of Black-headed Gulls (63 pairs in 1992) occurs with the terns. The woods support a good diversity of bird species including Jay, Woodcock and Blackcap.

The site is of importance for four habitats listed on Annex I of the E.U. Habitats Directive, including two with priority status. It is also noted for the high number of rare or scarce animal and plant species.