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HABITATS DIRECTIVE SCREENING REPORT FOR A PROPOSED DEVELOPMENT AT ASHGROVE, DERRYLURGAN, BALLYJAMESDUFF, CO. CAVAN



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c/o WGG Architects and Surveyors
21 Church View
Cavan*

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1 INTRODUCTION

1.1 BACKGROUND

A comprehensive assessment of the potential significant effects of a proposed Part VIII residential development at a site in Ashgrove, Derrylurgan, Ballyjamesduff, Co. Cavan on certain designated European sites was carried out in June 2023 by Noreen McLoughlin, MSc, MCIEEM of Whitehill Environmental.

The location of the proposed development is within the Zone of Influence of sites designated under European Law. As such and in accordance with Article 6(3) of the EU Habitat's Directive (Council Directive 92/43/EEC) regarding Appropriate Assessment, this screening exercise for Appropriate Assessment was carried out in order to identify whether any significant impacts on designated sites are likely.

This report contains information required by the competent authority (in this instance Cavan County Council) to undertake an Appropriate Assessment determination. It is the responsibility of the competent authority to make a decision as to whether or not the proposed development is likely to have significant effects on European Sites, either individually or in combination with other plans or projects. In accordance with the Legislation and National Guidance, the competent authority should issue an AA Screening Determination, which should set out their decision regarding AA, including the main reasons and considerations on which the determination is based.

1.2 REGULATORY CONTEXT

LEGISLATIVE CONTEXT

The Birds Directive (Council Directive 2009/147/EC) recognises that certain species of birds should be subject to special conservation measures concerning their habitats. The Directive requires that Member States take measures to classify the most suitable areas as Special Protection Areas (SPAs) for the conservation of bird species listed in Annex 1 of the Directive. SPAs are selected for bird species (listed in Annex I of the Birds Directive), that are regularly occurring populations of migratory bird species and the SPA areas are of international importance for these migratory birds.

The EU Habitats Directive (92/43/EEC) requires that Member States designate and ensure that particular protection is given to sites (Special Areas of Conservation) which are made up of or support particular habitats and species listed in annexes to this Directive.

Articles 6(3) and 6(4) of this Directive also call for the undertaking of an Appropriate Assessment for plans and projects not directly connected with or necessary to the management of, but which are likely to have a significant effect on any European designated sites (i.e. SACs and SPAs).

The Water Framework Directive (WFD) (2000/60/EC), which came into force in December 2000, establishes a framework for community action in the field of water policy. The WFD was transposed into Irish law by the European Communities (Water Policy) Regulations 2003 (S.I. 722 of 2003). The WFD rationalises and updates existing legislation and provides for water management on the basis of River Basin Districts (RBDs). RBDs are essentially administrative areas for coordinated water management and are comprised of multiple river basins (or catchments), with cross-border basins (i.e. those covering the territory of more than one Member State) assigned to an international RBD. The aim of the WFD is to ensure that waters achieve at least good status by 2027 and that status does not deteriorate in any waters.

Appropriate Assessment and the Habitats Directive

Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Fauna and Flora – the ‘Habitats Directive’ - provides legal protection for habitats and species of European importance. Article 2 of the Directive requires the maintenance or restoration of habitats and species of European Community interest, at a favourable conservation status. Articles 3 - 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*. *Natura 2000* sites 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/EEC).

Articles 6(3) and 6(4) of the Habitats Directive sets out the decision-making tests for plans or projects affecting *Natura 2000* sites. Article 6(3) establishes the requirement for Appropriate Assessment:

“Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the 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) deals with the steps that should be taken when it is determined, as a result of appropriate assessment, that a plan/project will adversely affect a European site. Issues dealing with alternative solutions, imperative reasons of overriding public interest and compensatory measures need to be addressed in this case.

Article 6(4) states:

“If, in spite of a negative assessment of the implications for the 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, the 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.

Where the site concerned hosts a priority natural habitat type and/or a priority species, the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.”

The Appropriate Assessment Process

The aim of Appropriate Assessment is to assess the implications of a proposal in respect of a designated site’s conservation objectives.

The ‘Appropriate Assessment’ itself is an assessment which must be carried out by the competent authority which confirms whether the plan or project in combination with other plans and projects will have an adverse impact on the integrity of a European site.

Screening for Appropriate Assessment shall be carried out by the competent authority as set out in Section 177U(1) and (2) of the Planning and Development Act 2000 (as amended) as follows:

‘(1) A screening for appropriate assessment of a draft Land use plan or application for consent for proposed development shall be carried out by the competent authority to assess, in view of best scientific knowledge, if that Land use plan or proposed development, individually or in combination with another plan or project is likely to have a significant effect on the European site.

(2) A competent authority shall carry out a screening for appropriate assessment under subsection (1) before—

(a) a 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 for a proposed development is given.'

The competent authority shall determine that an Appropriate Assessment is not required if it can be excluded, that the proposed development, individually or in combination with other plans or project will have a significant effect on a European site.

Where the competent authority cannot exclude the potential for a significant effect on a European site, an Appropriate Assessment shall be deemed required.

Where an Appropriate Assessment is required, the conclusions of the Appropriate Assessment Report (Natura Impact Statement (NIS)) should enable the competent authority to ascertain whether the plan or proposed development would adversely affect the integrity of the European site. If adverse impacts on the integrity of a European site cannot be avoided, then mitigation measures should be applied during the appropriate assessment process to the point where no adverse impacts on the site remain. Under the terms of the Habitats Directive consent can only be granted for a project if, as a result of the appropriate assessment either (a) it is concluded that the integrity of any European sites will not be adversely affected, or (b) after mitigation, where adverse impacts cannot be excluded, there is shown to be an absence of alternative solutions, and there exists imperative reasons of overriding public interest for the project should go ahead.

Section 177(V) of the Planning and Development Act 2000 (as amended) outlines that the competent authority shall carry out the Appropriate Assessment, taking into account the Natura Impact Statement (amongst any other additional or supplemental information). A determination shall then be made by the competent authority in line with the requirements of Article 6(3) of the Habitats Directive as to whether the plan or proposed development would adversely affect the integrity of a European site, prior to consent being given.

2 METHODOLOGY

2.1 APPROPRIATE ASSESSMENT

This Statement of Screening for Appropriate Assessment (Stage 1) has been prepared with reference to the following:

- European Commission (2018). Managing Natura 2000 Sites: The Provisions of Article 6 of the 'Habitats' Directive 92/43/EEC.
- European Commission (2021). Assessment of Plans and Projects 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 (2006). Nature and Biodiversity Cases: Ruling of the European Court of Justice.
- European Commission (2007). Clarification of the Concepts of: Alternative Solution, Imperative Reasons of Overriding Public Interest, Compensatory Measures, Overall Coherence, Opinion of the Commission.
- Department of Environment, Heritage and Local Government (2009). Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities.

The EC Guidance sets out a number of principles as to how to approach decision making during the process. The primary one is 'the precautionary principle' which requires that the conservation objectives of Natura 2000 should prevail where there is uncertainty.

When considering the precautionary principle, the emphasis for assessment should be on objectively demonstrating with supporting evidence that:

- There will be no significant effects on a Natura 2000 site;
- There will be no adverse effects on the integrity of a Natura 2000 site;
- There is an absence of alternatives to the project or plan that is likely to have an adverse effect to the integrity of a Natura 2000 site; and
- There are compensation measures that maintain or enhance the overall coherence of Natura 2000.

This translates into a four stage process to assess the impacts, on a designated site or species, of a policy or proposal.

The EC Guidance states that “each stage determines whether a further stage in the process is required”. Consequently, the Council may not need to proceed through all four stages in undertaking the Appropriate Assessment.

The four-stage process is:

Stage 1: Screening – The process which identifies the likely impacts upon a Natura 2000 site of a project or plan, either alone or in combination with other projects or plans, and considers whether or not these impacts are likely to be significant;

Stage 2: Appropriate Assessment – The consideration of the impact on the integrity of the Natura 2000 site of 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 objectives of the project or plan that avoid adverse impacts on the integrity of the Natura 2000 site;

Stage 4: Assessment where no alternative solutions exist and where adverse impacts remain – An assessment of the compensatory measures where, in the light of an assessment of imperative reasons of overriding public interest (IROPI), it is deemed that the project or plan should proceed.

In complying with the obligations set out in Articles 6(3) and following the guidelines described above, this screening statement has been structured as a stage by stage approach as follows:

- Description of the proposed project;
- Identification of the Natura 2000 sites close to the proposed development;
- Identification and description of any individual and cumulative impacts on the Natura 2000 sites likely to result from the project;
- Assessment of the significance of the impacts identified above on site integrity. Exclusion of sites where it can be objectively concluded that there will be no significant effects.

2.2 STATEMENT OF COMPETENCY

This AA Screening report was carried out by Noreen McLoughlin, BA, MSc, MCIEEM. Noreen has an honours degree in Zoology and an MSc in Freshwater Ecology from Trinity College, Dublin and she has been a full member of the Chartered Institute of Ecology and Environmental Management for over 17 years. Noreen has over 19 years' experience as a professional ecologist in Ireland.

2.3 FIELD STUDIES

A visit to the site of the proposed application at Ballyjamesduff was conducted on June 1st 2023, when field notes, species lists and photographs were taken. Habitats within the application site were classified in accordance to Level 3 of *A Guide to Habitats in Ireland* (Fossit, 2000). Particular attention was paid to invasive plant species within the application site.

2.4 DESK STUDIES & CONSULTATION

Information on the site and the area of the proposed development was studied prior to the completion of this statement. The following data sources were accessed in order to complete a thorough examination of potential impacts:

- National Parks and Wildlife Service - Aerial photographs and maps of designated sites, information on habitats and species within these sites and information on protected plant or animal species, conservation objectives, site synopses and standard data forms for relevant designated sites.
- Environmental Protection Agency (EPA)- Information pertaining to water quality, geology and licensed facilities within the area;
- Myplan.ie – Mapped based information;
- National Biodiversity Data Centre (NBDC) – Information pertaining to protected plant and animal species within the study area;
- Bing maps & Google Street View – High quality aerials and street images;
- WGG Architects and Surveyors – Plans and Information Pertaining to the Development
- Cavan County Council – Information on planning history in the area for the assessment of cumulative impacts.

2.4 ASSESSMENT METHODOLOGY

The proposed development was assessed to identify its potential ecological impacts and from this, the Zone of Influence (ZoI) of the proposed development was defined. Based on the potential impacts and their ZoI, the Natura 2000 sites potentially at risk from direct, indirect or in-combination impacts were identified. The assessment considered all potential impact sources and pathways connecting the proposed development to Natura 2000 sites, in view of the conservation objectives supporting the favourable conservation condition of the site's Qualifying Interests (QIs) or Special Conservation Interests (SCIs).

The conservation objectives relating to each Natura 2000 site and its QIs/SCIs are cited generally for SACs as "to maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or Annex II species for which the SAC has been selected", and for SPAs "to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA".

As defined in the Habitat's Directive, the favourable conservation status of a habitat is achieved when:

- Its natural range and area it covers within that range is stable or increasing;
- The specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future;

The favourable conservation status of a species is achieved when:

- The population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats;
- The natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future;
- There is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

Where site-specific conservation objectives (SSCOs) have been prepared for a European site, these include a series of specific attributes and targets against which effects on conservation condition, or integrity, can be measured. Where potential significant effects are identified, then these SSCO should be considered in detail.

3 SCREENING

3.1 DEVELOPMENT DESCRIPTION

Cavan County Council have indicated their intention to undertake a residential development on a site at Ashgrove, Derrylurgan, Ballyjamesduff, Co. Cavan. The works will involve the construction of five two-bed town houses along with two 2-bed maisonettes. Planning also pertains to all ancillary and additional site works.

Permission for these works will be sought under Part VIII of planning process. An extract from the site plan is outlined in Figure 1a and 1b.



Figure 1a –Site Plan (as prepared by WGG Architects)



Figure 1b –Proposed Front Elevation (as prepared by WGG Architects)

Wastewater Treatment

Foul water from the site will be directed to the public sewer for treatment in the Ballyjamesduff Wastewater Treatment Plant. This plant is fully licensed by the EPA (License No: D0256-02). This treatment plant has recently been upgraded to increase capacity from 2,200 PE to 5,200 PE. The license for the upgrade was accompanied by a Natura Impact Statement and significant effects upon the receiving Natura 2000 site, i.e., Lough Sheelin SPA, were ruled out with mitigation.

Surface water Treatment

Information on the management of surface water from the site has been provided in the accompanying report prepared by Alan Traynor Consulting Engineers. There are no existing drainage systems within the site. However, there are existing open drains running along the east and west boundaries of the site. It is proposed to use gullies, downpipes, and a suitably sized network to collect all run-off from the access road, dwelling roofs and proposed private hardstand areas. The gullies will collect the run-off from the access road and car parking spaces. It is proposed that the run-off will discharge into the existing drain. These open drains will be piped prior to construction commencing. A discharge manhole will be constructed on the piped drain. The run-off from all hardstand areas will pass through a petrol interceptor which will treat the run-off prior to final discharge. Following this will be a hydrobrake which will limit the outflow from the network to a value of 5l/s. During storm events all excess flow will be attenuated by a new 34.59m³ stormtech attenuation tank located in the green area to the front of the site. The existing drains along the east and west boundary will be piped with 300mm perforated twin walled pipe.

3.2 SITE LOCATION AND SURROUNDING ENVIRONMENT

The site in question is approximately 0.3ha and it is located on the north-western outskirts of Ballyjamesduff, approximately 470m north-west of the town centre. The site will be accessed via the creation of an entrance that is just off the Rassin Road. The site is bounded to the north-east by the Rassin Road and to the north-west, south-west and south-east by separate residential sites.

The predominant land-use close to the site consists of the urban fabric of Ballyjamesduff town (predominantly residential, commercial and amenity areas) which lies largely to the south and east of the site. The dominant habitats associated with these areas include buildings and artificial surface and amenity grasslands and gardens. In the rural areas beyond Ballyjamesduff, agriculture is the dominant land use and improved / semi-improved agricultural grasslands are the dominant habitats. Other habitats represented in these areas include wet grasslands, coniferous and broadleaved forestry, hedgerows, treelines and watercourses. Site location maps are shown in Figures 2 and 3.



Figure 2 – Site Location Map (Site is Pinned)

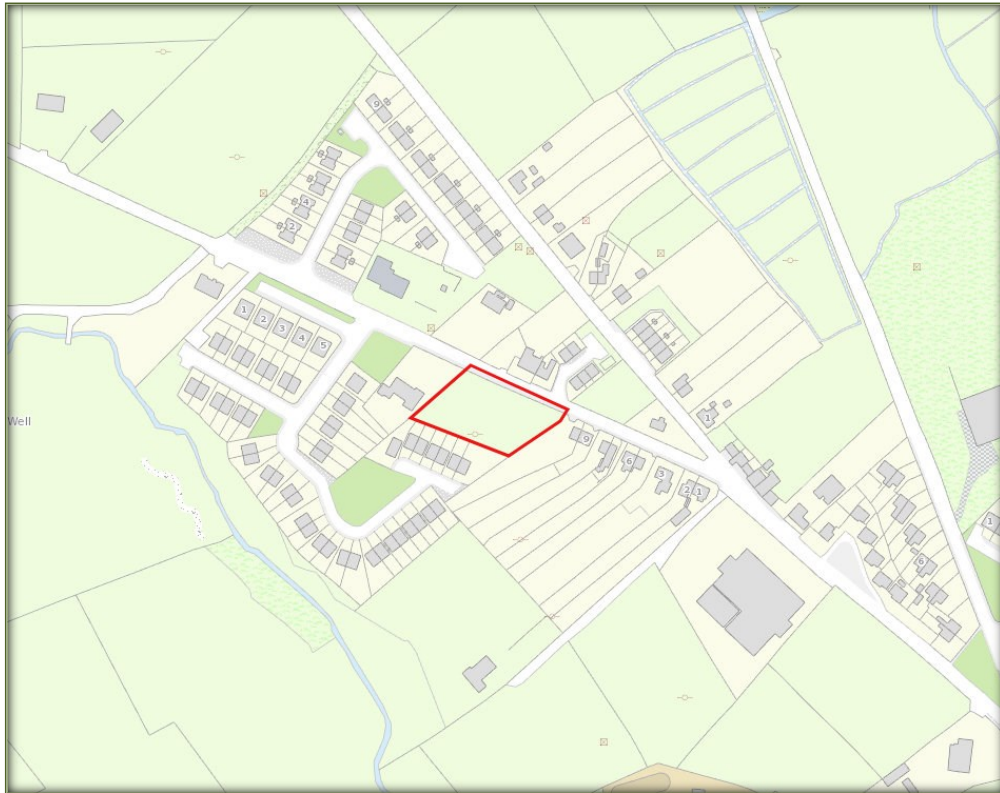


Figure 3 – Site Location Map (Site Outlined in Red)

HABITATS WITHIN THE SITE

The habitats within the application site were noted during a site visit on June 1st 2023. The site itself does not lie within or immediately adjacent to any area that has been designated for nature conservation purposes. It is likely that the historic agricultural habitats within the site were previously disturbed during construction works on the adjacent residential sites. The dominant habitat in the site currently is an unmanaged grassland that is akin to the Fossit (2000) habitat type *Dry Meadows and Grassy Verges GS2*.

The common grass species noted included cock's foot grass *Dactylis glomerata* and couch grass *Elymus repens*. Common herbaceous species recorded included bindweed *Calystegia sepium* (extensively growing through the grass), along with broadleaved dock *Rumex obtusifolium*, creeping buttercup *Ranunculus repens*, spear thistle *Cirsium vulgare*, clovers *Trifolium pratense* and *Trifolium repens*, ragwort *Jacobaea vulgaris*, meadowsweet *Filipendula ulmaria*, black medic *Medicago lupulina* and cuckoo flower *Cardamine pratensis*. There were also some scattered young willow *Salix* sp. and gorse *Ulex europaeus* growing though out the site, whilst brambles were also frequent.

No listed invasive species were recorded from the application site.

An aerial photograph of the site is shown in Figure 4 and photos of the site are included in Figures 5.



Figure 4 - Aerial Photographs of the Site (Outlined in Red) © Google



Figure 5a – Photo of the Site Looking South



Figure 5b – View of the Site Looking East

WATER FEATURES AND QUALITY

The application site is located within the Upper Shannon Hydrometric Area (26) and Catchment (26F), and the Mountnugent Sub-Catchment (010) and Sub-Basin (020). There are no streams or watercourses within or immediately adjacent to the application site, although there are drainage ditches along the eastern and western boundaries. These ditches were noted to be dry on the day of the survey and they will be piped during the development of the site. The closest watercourse to the application site is the Mountnugent River and this is 126m south-west of the application site. The Mountnugent River flows in a southerly / south-westerly direction until its confluence with the north-eastern section of Lough Sheelin, just west of Mount Nugent town.

The EPA have classified the ecological status of the Mountnugent River at points downstream of Ballyjamesduff town as poor. Overall, the status of this stream varies from moderate to poor for its entire length. Lough Sheelin has been classed as moderate ecological status. Under the requirements of the Water Framework Directive good status must be achieved in all waterbodies by 2027.

The application site is within the Inny Groundwater Body and the overall status of this waterbody as good. This groundwater body is considered to be *Not at Risk*. The groundwater vulnerability of the site is moderate.

3.3 NATURA 2000 SITES IDENTIFIED

In accordance with the guidelines issued by the Department of the Environment and Local Government, a list of Natura 2000 sites within 15km of the proposed development have been identified and described according to their site synopses, qualifying interests and conservation objectives. In addition, any other sites further than this, but potentially within its zone of interest were also considered. The zone of impact may be determined by an assessment of the connectivity between the application site and the designated areas by virtue of hydrological connectivity, atmospheric emissions, flight paths, ecological corridors etc.

For significant effects to arise, there must be a potential impact facilitated by having a *source*, i.e., the proposed development and activities arising out of its construction or operation, a *receptor*, i.e., the European site and its qualifying interests and a subsequent *pathway* or *connectivity* between the source and receptor, e.g., a water course. The likelihood for significant effects on the European site will largely depend on the characteristics of the source (e.g., nature and scale of the construction works), the characteristics of the existing pathway and the characteristics of the receptor, e.g., the sensitivities of the Qualifying Interests (habitats or species) to changes in water quality.

There are four Natura 2000 designated sites within 15km and the Zone of Influence of the application site. These designated areas and their closest points to the proposed development site are summarised in Table 1 and a map showing their locations relative to the application site is shown in Figure 6. A full description of these sites can be read on the website of the National Parks and Wildlife Service (npws.ie).

Site Name & Code	Distance	Qualifying Interests	Screened In / Out
Lough Sheelin SPA004,065	6.7km south-west	<ul style="list-style-type: none"> • Great Crested Grebe <i>Podiceps cristatus</i> • Pochard <i>Aythya ferina</i> • Tufted Duck <i>Aythya fuligula</i> • Goldeneye <i>Bucephala clangula</i> • Wetlands & waterbirds 	<i>Screened Out - The proposed development is not hydrologically or ecologically connected to this SPA. Significant effects upon this site and its QIs arising from constructional or operational impacts will not arise.</i>
Moneybeg and Clareisland Bogs SAC 002340	10.6km south-west	<ul style="list-style-type: none"> • Active raised bogs • Degraded raised bogs still capable of natural regeneration • Depressions on peat 	<i>Screened Out – The proposed development is not hydrologically or ecologically connected to this SAC. Significant effects upon this site and</i>

		substrates of the Rhynchosporion	<i>its QIs arising from constructional or operational impacts will not arise.</i>
River Boyne and River Blackwater SAC 002299	12.7km south-east	<ul style="list-style-type: none"> • River lamprey (<i>Lampetra fluviatilis</i>) • Salmon (<i>Salmo salar</i>) • Otter (<i>Lutra lutra</i>) • Alkaline fens • Alluvial forests with alder <i>Alnus glutinosa</i> and ash <i>Fraxinus excelsior</i> 	<i>This SAC is in the Boyne Catchment, therefore there are no hydrological links between the proposed works and this SAC and significant effects will not occur.</i>
River Boyne and River Blackwater SPA 004232	12.7km south-east	<ul style="list-style-type: none"> • Common Kingfisher <i>Alcedo atthis</i> 	<i>This SPA is in the Boyne Catchment, therefore there are no hydrological links between the proposed works and this SAC and significant effects will not occur.</i>

Table 1 – Natura 2000 Sites Within 15km of the Proposed Works

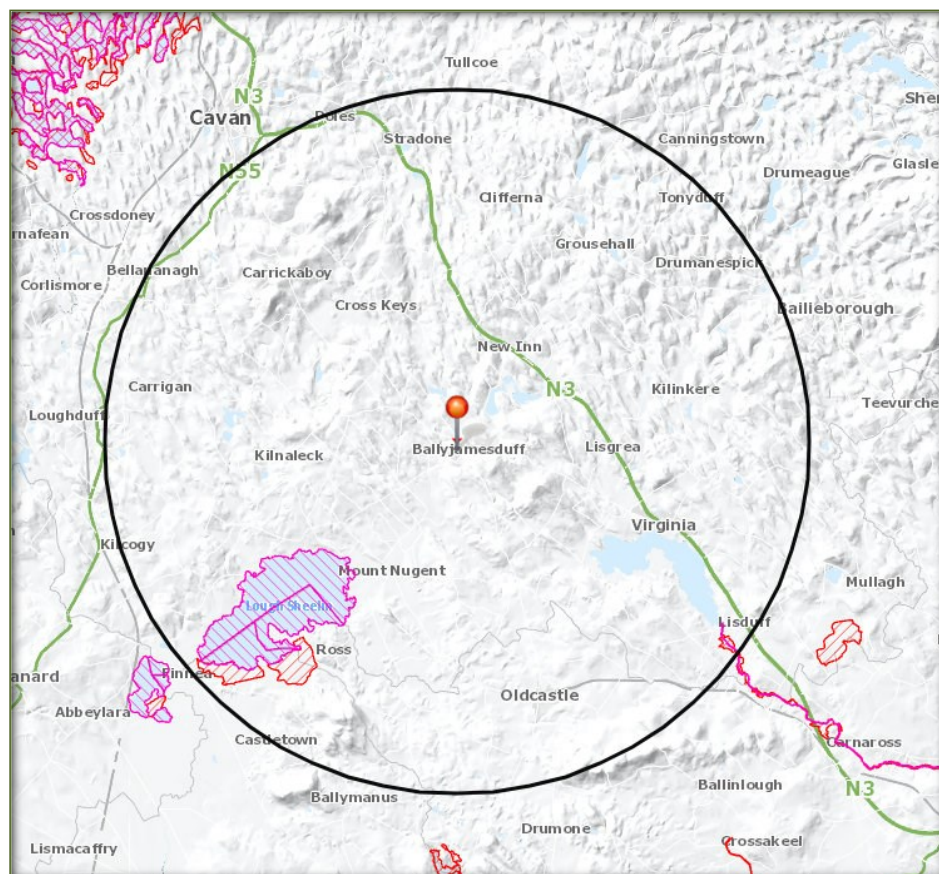


Figure 6 – The Proposed Works (Pinned) in relation to the Natura 2000 Sites (SACs – Red Hatching; SPAs – Pink Hatching).

3.4 IMPACT ASSESSMENT

A summary of the potential significant effects of the proposed application on the designated sites listed in Table 1 is assessed below.

Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on nearby Natura 2000 site:

The proposed Part 8 development at Ashgrove, Ballyjamesduff will have no significant effects upon the Natura 2000 sites identified. There are no pollution pathways (source-pathway-receptor linkage) between the construction site and any designated site, and this will prevent emissions from the construction or site operation from impacting upon any designated site. There will be no significant effects upon the conservation status of any QI in any designated site. There will be no potential direct, indirect or cumulative impacts upon any designated sites arising from the proposed development when considered in-combination with other developments. In this instance, mitigation measures are not required to specially address potential impacts upon any Natura 2000 site.

Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the nearby Natura 2000 sites by virtue of:

Size and scale: Having regards to the small size and scale of the development in relation to the Natura 2000 sites identified, then the likelihood of any direct, indirect or cumulative impacts on these designated sites arising from the proposed works are low.

Land-take: There will be no land-take from any designated site. There will be no interference with the boundaries of any designated site.

Distance from Natura 2000 site or key features of the site: In total, there are 4 Natura 2000 sites within 15km of the application site. The closest Natura 2000 site to the application site is Lough Sheelin SPA and this is 6.7km south-west of the application site. In this instance, having regards to the lack of hydrological connectivity, this distance is sufficient to ensure that significant effects upon this site will not arise.

Resource requirements (water abstraction etc.): No resources will be taken from any Natura 2000 site and there are no resource requirements that could impact upon any designated site.

Emissions: There are no pollution pathways between the area of construction works and the Natura 2000 sites identified, therefore the potential for significant effects to arise from the construction and operation of the site can be excluded.

Excavation requirements: Excavated material from the construction will be used on site. Bare soil will be reseeded straight away where appropriate. Any remaining soil will be disposed of in a responsible manner in a licensed facility away from any designated sites.

Transportation requirements: There will be no additional transportation requirements resulting from the proposed development and associated works that will have any impact upon the Natura 2000 sites identified.

In-Combination / Cumulative Impacts: The proposed application was considered in combination with other developments or proposed developments in the Ballyjamesduff areas and potential cumulative impacts were considered. In the past five years, a number of domestic and agricultural developments have been granted permission in this area. Where necessary, these applications were accompanied by Appropriate Assessments reports (Stage 1 or Stage 2). Any future individual application that has the potential to impact upon a Natura 2000 site will be subject to Appropriate Assessment as required under Articles 6(3) of the Habitats Directive. The proposed development will have no cumulative impacts upon any designated site when considered in combination with other projects or plans that have been screened adequately for AA or where NIS has mitigated against potential impacts.

Duration of construction, operation, decommissioning etc: The construction of the new dwellings should be complete within one year approximately.

Describe any likely changes to the nearby Natura 2000 sites arising as a result of:

Reduction of habitat area: The proposed development lies outside the boundaries of the Natura 2000 sites identified in Section 3.3. There will be no reduction of designated habitat area. There will be no interference with the boundaries of any designated site. There will be no reduction of designated habitat area within any SAC/SPA.

Disturbance to key species: There will be no disturbance to any species listed in Annex I of the Birds Directive or Annex II of the Habitats Directive.

Habitat or species fragmentation: There will be no habitat or species fragmentation within any SAC or SPA. No ecological corridors between the application site and any Natura 2000 site will be damaged or destroyed.

Reduction in species density: There will be no reduction in species density within the Natura 2000 sites.

Changes in key indicators of conservation value (water quality etc.): There will be no negative impacts upon surface or ground water quality within any water courses that are close to the application site. There will be no negative impacts upon the water quality in any designated site.

Describe any likely impacts on the nearby Natura 2000 sites as a whole in terms of:

Interference with the key relationships that define the structure or function of the site: It is not considered likely that there will be any significant impacts on the key relationships that define the structure or function of the Natura 2000 sites identified.

Provide indicators of significance as a result of the identification of effects set out above in terms of:

Loss - Estimated percentage of lost area of habitat: None

Fragmentation: None

Disruption & disturbance: None

Change to key elements of the site (e.g. water quality etc.): Unlikely to be significant

3.5 FINDING OF NO SIGNIFICANT EFFECTS

Finding of No Significant Effects Report Matrix	
Name of project	Construction of a New Residential Development at Ashgrove, Ballyjamesduff, Co. Cavan.
Name and location of Natura 2000 site	In total, there are 4 Natura 2000 sites within 15km of the application site. The closest Natura 2000 site to the application site is Lough Sheelin SPA and this is 6.7km south-west of the application site. In this instance, having regards to the lack of hydrological connectivity, this distance is sufficient to ensure that significant effects upon this site will not arise.
Description of project	A Small Scale Residential Development (Part 8)
Is the project directly connected with or necessary to the management of the site?	No
Are there other projects or plans that together with project being assessed could affect the site?	No
The Assessment of Significance of Effects	
Describe how the project is likely to affect the Natura 2000 site	Having regard to the location, nature and scale of the proposed development, it is considered that there is no potential for significant effects either from the proposed development on its own or in combination with other plans and projects.
Explain why these effects are not considered significant	Not applicable as there is no potential for significant negative impacts
Describe how the project is likely to affect species designated under Annex II of the Habitats Directive.	No impacts likely
Data Collected to Carry out the Assessment	
Who carried out the assessment	Noreen McLoughlin, MSC, MCIEEM. Consultant Ecologist
Sources of data	NPWS, EPA, National Biodiversity Data Centre, Cavan County Council
Level of assessment completed	Stage1 Appropriate Assessment Screening
Where can the full results of the assessment be accessed and viewed	Full results included

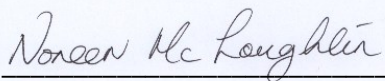
4 APPROPRIATE ASSESSMENT CONCLUSION

In accordance with Article 6(3) of the Habitats Directive, the relevant case law, established best practice and the precautionary principle, this AA Screening Report has examined the details of the project in relation to the relevant Natura 2000 sites within 15km of the application site.

At this stage of the AA process, it is for the competent authority, i.e., Cavan County Council, to carry out the screening for AA and to reach one of the following determinations:

- a) AA of the proposed development is required if it cannot be excluded, on the basis of objective information, that the proposed development, individually or in combination with other plans or projects, will not have a significant effect on any European sites;
- b) AA of the proposed development is not required if it can be excluded, on the basis of objective information, that the proposed development, individually or in combination with other plans or projects, will not have a significant effect on any European sites.

It is of the opinion of the author that an AA of the proposed development is not required as it can be excluded, on the basis of objective information provided in this report, that the proposed development, individually or in combination with other plans or projects, will not have a significant effect on any European sites. Therefore, this proposed project does not need to proceed to Stage II of the Appropriate Assessment Process, i.e., a Natura Impact Statement (NIS).



Noreen McLoughlin, MSc, MCIEEM.
Ecologist.

(PI Insurance details available on request)