



An
Bord
Pleanála

Inspector's Report ABP-320058-24

Development	Construction of a 88kw ground mounted solar PV array and all associated site works.
Location	Johnstown, Rathaspick, Co. Wexford
Planning Authority	Wexford County Council
Planning Authority Reg. Ref.	20240452
Applicant(s)	Environmental Protection Agency (EPA)
Type of Application	Permission.
Planning Authority Decision	Grant subject to 4 conditions
Type of Appeal	Third Party
Appellant(s)	Peter Sweetman
Observer(s)	None
Date of Site Inspection	17/09/2024
Inspector	Hugh O'Neill

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1.0 Site Location and Description

- 1.1. The site is within the Johnstown Castle campus in County Wexford approximately 5km south east of Wexford town. There are a range of modern structures within the campus occupied by the EPA and Teagasc.
- 1.2. The site of the proposal has a land take of circa 650 sqm to the east of the EPA Wexford HQ building on made ground adjacent to staff car parking. The application site also includes the roof of the EPA building.
- 1.3. The site is bound to the south by well established water settlement ponds surrounded by a timber post and rail fence, to the east and north by staff car parking and to the east by a dense unmanaged inaccessible area of woodland within which wetland plant species indicate wet ground.
- 1.4. There are constructed bodies of water in the campus as part of both the historic designed landscape, and more recently for the purpose of water treatment and water storage.

2.0 Proposed Development

- 2.1. The application seeks consent for 88Kw solar ground mounted PV array with associated site works and services. This includes the provision of a new inverter kiosk (2mx1.2m) and circa 160 linear meters of trenches up to 1m deep for cable ducts.
- 2.2. The 88Kw array will consist of 160 panels mounted on ground mounted frames with a measured land take of circa 650 sqm.
- 2.3. New panels (46.75Kw) are also to be installed replacing a dated existing roof mounted array.
- 2.4. Connections from both the roof and ground mounted arrays are to the existing electrical systems within the EPA building.
- 2.5. No output of electricity to the grid is proposed. 100% of the energy produced is to be consumed at source.

3.0 Planning Authority Decision

3.1. Decision

Wexford County Council Granted permission subject to 4 conditions in accordance with the recommendation of the planning report.

Condition number 2 requires the development to be completed within 5 years.

Condition number 3 requires the frame fixings to be by way of driven or screwed piles in contrast to that which is shown on submitted standard detail drawings as concrete strip foundations.

Condition 4 requires cables from the arrays to the substation to be underground. It is notable that the connection from the new array is to a new inverter kiosk and from there to existing electrical infrastructure with the EPA HQ building and not to a substation.

3.2. Planning Authority Reports

An Appropriate Assessment Screening report and Habitats directive Screening Conclusion Statement – Determination were produced and published on the Planning Register by the Planning Authority under separate cover to the Planning Report.

This reporting concluded that the project could be screened out for further consideration for Appropriate Assessment.

3.3. Prescribed Bodies

None received.

3.4. Third Party Observations

A single 3rd party submission to the application was received by Wexford County Council, which was from the appellant. The submission makes general statements and sets out details repeated in the appeal. The points raised therein are for that reason considered within the grounds of appeal section of this report.

4.0 Planning History

A review of the Wexford online planning register and ABP case files was carried out on the 10th September 2024 to collate any recent and/or relevant planning history. No recent planning history of direct relevance to the subject development was identified. The recorded planning history in the immediate vicinity is as follows:

961508 the EPA applied for permission for a new 2 storey Head Quarters building on 7 October 1996 and were granted permission subject to 10 standard conditions.

20010735 the EPA applied for permission for temporary office accommodation on 20 March 2001 and were granted permission expiring on 01/07/2006 subject to 5 conditions.

20064335 the OPW applied on behalf of the EPA on 15 November 2006 for a 2215 sqm two storey extension to rear of existing building along with 42 car parking spaces. Granted permission subject to 12 standard conditions.

20240354 The development of an 88kW ground mounted solar PV array and associated site works and services. The register states this application as deemed invalid or withdrawn.

5.0 Policy Context

At a high level, the board should note several national and regional level policies which support the principle of the provision of solar generation capacity in the context of the subject case.

5.1. National policy

Climate Action Plan, 2024

This Plan seeks to tackle climate breakdown and it commits Ireland to a legally binding target of net-zero greenhouse gas emissions by 2050, an emissions reduction of 75% and to meet up to 80% of electricity demand from renewables by 2030. In line with the emerging EU frameworks, the action plan requires that renewable energy generation projects, and associated infrastructure, to be considered to be in the overriding public interest. All relevant public bodies to carry

out their functions to support the achievement of the 80% renewable electricity target.

National Planning Framework 2018

Aims to harness renewable energy potential, achieve a transition to a competitive, low carbon, climate-resilient and environmentally sustainable economy by 2050, and promote new energy systems & transmission grids based on renewables-focused generation systems (incl. solar energy)

National Development Plan 2021 2030

The NDP Review commits to increasing the share of renewable electricity up to 80% by 2030.

5.2. Regional Policy

Southern Regional Economic & Spatial Strategy 2020: The RSES supports the delivery of the programme for change set out in the National Planning Framework and the National Development Plan. It sets out a strategic vision and policy objectives for climate change, sustainable development and renewable energy.

5.3. Local policy

Wexford County Development Plan 2002 to 2028

The subject site is not zoned, however map no. 6 in Volume 10 designates the subject area as open for consideration of solar farms.

Objective ED43 in volume 1 relates to Economic Development:

ED43 To support investments in energy efficiency of existing commercial and public building stock with a target of all public buildings and at least one-third of total commercial premises upgraded to BER Rating 'B'. Local authorities shall report annually on energy usage in all public buildings and will achieve a target of 33% improvement in energy efficiency in all buildings in accordance with the National Energy Efficiency Action Plan (NEEAP)

Chapter 4 is devoted to Solar Energy with Section 4.2 addressing Solar PV Ground Mounted. Objectives relevant to this case include the following:

ES03: seeks to facilitate, where appropriate, small scale solar energy development projects in urban areas, industrial estates, business parks and small community based proposals, subject to compliance with normal planning and environmental criteria and the development management standards contained in Section 4.2.5

ES05: To facilitate solar PV developments on existing industrial or agricultural buildings provided that they do not give rise to adverse impacts on visual or residential amenity.

ES06: To promote and facilitate the use of solar technology in public buildings and infrastructure e.g. traffic lights, street lights and road information signage.

5.4. Natural Heritage Designations

There are no relevant Natural heritage designations in the immediate vicinity of or directly relevant to the proposal. Natura Sites are specifically considered elsewhere in this report.

5.5. EIA Screening

Solar energy development is not listed as a class of development for the purposes of EIA under Part 2 of Schedule 5, within the Planning and Development Regulations, 2001 (as amended). In this regard, a requirement for preliminary examination or EIA does not arise.

The subject solar energy development does not include a requirement for a connection to the grid. No private roads are proposed. Having regard to the siting, purpose, nature and extent of the works in this case I am satisfied that such non-agricultural development, would not constitute rural restructuring.

I refer to Appendix 1 Form no. 1 appended to this report which concludes that EIA is not required.

6.0 The Appeal

6.1. Grounds of third party appeal

- The appellant states that the habitats directive screening conclusion contains the following text:

“this AA screening Report is therefore issued as a ‘Finding of no significant Effects (FDNSE) Statement, in accordance with the EU Commission Methodological Guidance (EC, 2001).”

The appeal states that this statement is fundamentally flawed.

- The appeal quotes a number of paragraphs from various court cases pertaining to Appropriate Assessment. Extracts presented in the appeal relate to the light trigger for Appropriate Assessment, consideration of Mitigation at screening and the necessity for the absence of all reasonable scientific doubt in reaching a determination.
- The appeal provides a reference to CJEU Judgment Case: Peter Sweetman v An Bord Pleanála and Ireland and the Attorney General Date delivered: 25 April 2024 Citation: C-301/22. The appeal states the imperative for, and points out the absence of a Water Framework Directive Assessment in deliberations of the County Council in granting the subject permission.
- The appellant makes the case that the site is within the zone of influence of (000781) Slaney River Valley SAC and that Appropriate Assessment is required.

6.2. Applicant Response

The applicant response consists of a cover letter by the EPA and a further correspondence from the author of the AA screening report submitted with the application.

- The submitted materials address each of the appeal points in sequence, referencing a number of alternative paragraphs of the legal precedents quoted by the appellant.

- The response reiterates the absence of any need for a stage 2 Appropriate Assessment.
- No mitigation has been taken into account in reaching the screening determination.
- There are no gaps or Lacunae in the determination and the applicant has failed to identify any. The applicant makes the case that the Water Framework Directive (WFD) is unrelated to AA screening but nonetheless sets out where surface water hydrology has been taken into account in the screening and determination and notes that the appellant has failed to demonstrate any deficiencies emanating from the assertion.
- The applicant states that the appellant is incorrect that the proposal is within the Zone of Influence of 000781 and quotes legal precedent that the zone of influence in this context is that of the development and not the Natura Site.
- The applicant reiterates the conclusion of the submitted screening report and the determination by the Planning Authority that the proposed development does not give rise to any possibility of there being a significant effect on a protected site.

6.3.Planning Authority Response

No response was received to the grounds of appeal.

6.4.Observations

None on file.

6.5.Further Responses

Taking account of the nature of the issues An Bord Pleanála invited the Dept of Housing, Local Gov. & Heritage to offer a view. No response on file.

7.0 Assessment

I have inspected the appeal site, considered the receiving environment, examined the application details, relevant national guidance and local planning policies and all other documentation on file and I consider the issues arising are:

- Principle of development
- Appropriate Assessment
- Water Framework Directive

7.1.Principle

The proposed development complies with national, regional and local planning and environmental policy which supports a move to a low carbon future. The site falls within an area designated in the Wexford County Development Plan 2022-2028 as open for consideration for Solar Farms. The CDP also makes it an objective to support investment in energy efficiencies in existing building stock (ED43) and in small scale solar in business parks, industrial and public buildings (ES03, ES05 and ES06)

I consider that the principle of the proposed development to supply the needs of the EPA building in the subject location is consistent with policy and in accordance with proper planning and sustainable development.

7.2.Appropriate Assessment

The appeal makes the case that the concluding statement of the Appropriate Assessment Screening report submitted on behalf of the developer is flawed. The statement referenced by the appellant is one contained in a report submitted with the application and is neither a statement, conclusion nor a determination made by the Planning Authority.

The AA screening and determination by the Planning Authority was made following consideration of all pertinent factors including but not limited to the submitted screening report by the applicant.

The Competent Authority correctly reached its own determination *that the proposed development individually or in combination with other plans and projects would not adversely affect the integrity of the natura 2000 sites and their qualifying interests.*

For that reason this ground of appeal is determined to be without merit and is therefore dismissed.

The appeal ground relating to precedent, the light trigger, the use of mitigation and the requirement for absence of all reasonable scientific doubt is not substantiated by the appellant. No deficit has been identified in the assessment or in the decision of the planning authority.

Notwithstanding the absence of any identified flaw in the screening determination by the planning authority, the screening determination in section 8.0 and Appendix 2 form 1 set out below supersedes the determination of the Planning Authority.

I am of the opinion that the appellant has erred in the application of Zone of Influence (Zol) to the Natura Site as opposed to the Development. Notwithstanding this error, the appellant has failed to set out a source, pathway or receptor or the nature/aspect/element of the proposal or the site which has generated the concern of potential impacts on the Natura network.

In the absence of a specific concern and taking account of the AA screening undertaken as part of this assessment the ground of appeal relating to AA is dismissed.

7.3. Water Framework Directive

The case made by the appellant that consideration of the Water Framework Directive is absent in the assessment is inaccurate. The submitted AA screening sets out in Section 2.1 that www.catchments.ie, www.wfdireland.ie/maps and the EPA Maps/water were consulted. Reference is made to WFD and RBMP in Table 1 of that report where other plans and projects are considered.

The Wexford County Council planning report includes reference to the absence of water supply, drainage or flooding issues.

The SEA of the Wexford Development Plan 2022-2028 screened CDP policies and objectives against a strategic environmental objective (W1) which is to *protect*,

where necessary improve and maintain water quality in compliance with the requirements of the Water Framework directive.

Notwithstanding my rejection of this point of appeal the following is a further consideration of the Water Framework Directive.

The subject site is in WFD catchment 12 Slaney & Wexford Harbour, sub catchment FORTH_COMMONS_SC_010 and is located approximately 370 meters from recorded waterbody JOHNSTOWN (Wexford)_010IE_SE_12J040840 as mapped.

The proposed development comprises an 88Kw solar ground mounted PV array.

No water deterioration concerns were raised in the planning appeal.

I have assessed the proposal having regard to the objectives as set out in Article 4 of the Water Framework Directive to protect and, where necessary, restore surface and ground waterbodies in order to reach good status (meaning both good chemical and good ecological), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or ground waterbodies.

The reason for this conclusion is as follows:

- Nature of works, being of relatively small in scale, with minimal excavation required
- The project includes no abstraction from or emission to any water body.
- The site is located 370m from nearest mapped waterbody with no hydrological connections.

I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any waterbody (rivers, lakes, groundwaters, transitional and coastal) either on a temporary or permanent basis and consequently can be excluded from further assessment.

7.4. Wexford County Council conditions.

Whilst acknowledging the intent of condition number 2 requiring completion of the development within 5 years from final grant, I consider this condition to be

unnecessary by virtue of its coincidence with the default life of a permission as provided for in Section 40(3) of the Planning and Development Act 2000 as amended. In the event of a grant of permission I consider this condition should be excluded.

Condition 4 should be reworded to remove reference to a substation and to simply require all cables associated with the proposal to be underground.

8.0 AA Screening

Finding of no likely significant effect

8.1. The proposed development was considered in light of the requirements of Section 177U of the Planning and Development Act 2000 as amended.

8.2. Having carried out Screening for Appropriate Assessment of the project, it has been concluded that the project individually or in combination with other plans or projects would not be likely to give rise to significant effects on European Sites No. 004076 or 000781, or any other European site, in view of the site's Conservation Objectives, an Appropriate Assessment (submission of a NIS) is not therefore required.

8.3. This determination is based on

- The location and characteristics of the subject site
- The minor scale of the development
- The baseline environmental carrying capacity of the immediate and wider receiving environment.
- The nature of the construction methods, requiring minimal excavation and construction activity.
- The distance of the proposed development from any European Site and the demonstrated lack of hydrological or other ecological connections.

9.0 Recommendation

I recommend that planning permission should be granted subject to conditions for the reasons and considerations as set out below.

10.0 Reasons and Considerations

Having regard to:

- a) Policies ED43, ES03, ESO5 and ESO6 of the Wexford County Development Plan, 2022-2028.
- b) The location of the proposal in an area determined to be open for consideration for solar farm development in map no. 6 in Volume 10 of the Wexford County Development Plan, 2022-2028.
- c) The nature and scale of the proposed development.

It is considered that subject to compliance with the following conditions, the proposed development would comply with the policies in respect of renewables in the of the Wexford County Development Plan, 2022-2028 and would be in accordance with the proper planning and sustainable development of the area.

AA screening

The proposed development was considered in light of the requirements of Section 177U of the Planning and Development Act 2000 as amended. Having carried out Screening for Appropriate Assessment of the project, it has been concluded that the project individually or in combination with other plans or projects would not be likely to give rise to significant effects on European Sites No. 004076 or 000781, or any other European site, in view of the site's Conservation Objectives, and Appropriate Assessment (submission of a NIS) is not therefore required.

11.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in

accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) No artificial lighting shall be installed or operated on site unless authorised by a prior grant of planning permission;
- (b) the solar panels shall have driven or screw pile foundations only, unless otherwise authorised by a separate grant of planning permission; and
- (c) All cables within the site shall be located underground.

Reason: In the interest of clarity, visual amenity, to allow wildlife to continue to have access to and through the site, and to minimise impacts on drainage patterns and surface water quality.

3. (a) The permission shall be for a period of 30 years from the date of the first commissioning of the solar array. All structures, shall then be removed and the site reinstated unless, prior to the end of that period, planning permission shall have been granted for their retention for a further period.
- (b) Prior to the commencement of development, a detailed Site Restoration Plan providing for the removal of the solar arrays and all ancillary structures, and a timescale for its implementation, shall be submitted to and agreed in writing with the planning authority.
- (c) On decommissioning or if the solar array ceases operation for a period of more than one year the solar arrays and all ancillary structures shall be dismantled and removed permanently from the site. The site shall be restored in accordance with the agreed Site Restoration Plan and all decommissioned structures shall be removed from the site within 6 months of decommissioning.

Reason: To enable the planning authority to review the operation of the solar array over the stated time period, having regard to the circumstances then prevailing, and in the interest of landscape restoration upon cessation of the project.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has

influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Hugh O'Neill
Senior Planning Inspector

25 October 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	320058		
Proposed Development Summary	88kW solar PV array. New panels are distributed between a new ground mounted array and the replacement of dated existing roof mounted array		
Development Address	Johnstown, Rathaspick, Co. Wexford		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes			
No	X		Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
		Threshold	Comment (if relevant)
No	X	N/A	No EIAR or Preliminary Examination required
Yes		Class/Threshold.....	Proceed to Q.4

4. Has Schedule 7A information been submitted?

No	X	Preliminary Examination required
Yes		Screening Determination required

Inspector: _____

Date: _____

Appendix 2 - Form 1

Appropriate Assessment-Screening

1.0 Appropriate Assessment- Screening

1.1. Compliance with Article 6(3) of the Habitats Directive

The requirements of Article 6(3) as related to screening the need for appropriate assessment of a project under part XAB, section 177U of the Planning and Development Act 2000 (as amended) are considered fully in this section.

1.2. Background on the Application

The applicant has submitted a screening report for Appropriate Assessment as part of the planning application dated January 2024 received by Wexford County Council 25 April 2024 prepared by Corrib Environmental Services.

The applicant's **Stage 1 AA Screening Report** was prepared in line with current best practice guidance and provides a description of the proposed development and identifies European Sites within a possible zone of influence of the development.

The applicants screening report makes reference to a Glint and Glare Assessment report, a Landscape and Visual Impact Assessment Report and Archaeological Impact Assessment Report.

The applicants AA Screening Report concluded that:

This AA Screening Report is therefore issued as a 'Finding of No Significant Effects (FDNSE) Statement', in accordance with the EU Commission's Methodological Guidance (EC, 2001).

Having reviewed the documents, submissions and consultations, I am satisfied that the information allows for a complete examination and identification of any potential significant effects of the development, alone, or in combination with other plans and projects on European sites.

2.0 Screening for Appropriate Assessment- Test of likely significant effects

The project is not directly connected with or necessary to the management of a European Site and therefore it needs to be determined if the development is likely to have significant effects on a European site(s).

The proposed development is examined in relation to any possible interaction with European sites designated Special Conservation Areas (SAC) and Special Protection Areas (SPA) to assess whether it may give rise to significant effects on any European Site.

3.0 Brief description of the development

3.1.1. The applicant provides a description of the project at section 3.1 of the AA screening report and elsewhere. In summary, the development comprises:

- The construction of a new 88kW solar PV array. New panels are distributed between a new ground mounted array and by replacement of a dated existing roof mounted array
- The ground mounted panels are to be constructed on frames to be fixed by way of driven piles into an area of ground made up with surplus materials from the construction of the EPA building.
- The ground mounted panels are to be connected to a new inverter kiosk in ducts to be buried in trenches up to 1 m in depth to be excavated in made up ground.
- The inverter kiosk is to be connected to the EPA building via ducts in trenches proposed to be up to 1m in depth in made up ground.
- The roof mounted panels are to be affixed to the roof of the EPA building replacing the existing dated array.

The development site is described in section 3.2 and 3.3 of the submitted Appropriate Assessment Screening by Corrib Environmental Services. It is described as comprising 'predominantly on an area filled with material from construction of the office area, car park and filtration ponds now established as

amenity grass (GA2) on the eastern boundary of the Car park area (BL3) with a portion of mixed woodland (WD2) used by Teagasc Research Unit. The absence of water channels in the vicinity is noted. Evidence in the form of EPA water body mapping presented in this regard.

The portion of the development proposed for the roof of the EPA building has not been described in the submitted screening report. This is not considered to limit the ability to reach a determination.

Taking account of the characteristics of the proposed development in terms of its location and the scale of works, there is no prospect of impacts on European sites:

- The development is not located proximate to any European site.
- The site of the proposal contains no habitats of biodiversity significance.
- The development does not include significant excavation.
- Construction of the development will be undertaken from existing surfaced roads.
- The development does not alter surface water drainage in the area.
- The development gives rise to no wastewater or other outputs with potential negative environmental impacts.

3.2. Submissions and Observations

The appellant makes the case that the conclusion of the submitted Appropriate Assessment screening is fundamentally flawed by virtue of the choice of language in its conclusion and contends that the proposed site is within the Zone of influence of the Slaney River Valley SAC (site code: 0781).

3.3. European Sites

The development site is not located in or immediately adjacent to a European site. The closest European site is Wexford Harbour and Slobs SPA 004076 at approximately 3.7 km and Slaney River Valley SAC 000781 at approximately 3.85km of the proposed development.

A summary of European Sites that occur within 15 km/ within a possible zone of influence of the proposed development is presented in a table in the submitted Appropriate Assessment screening report. However taking account of both the proposed development, the receiving environment and the relationship to the

Natura sites further beyond those listed below is considered unnecessary in this case.

Table 1.

Summary Table of European Sites within a precautionary possible zone of influence of the proposed development.

European Site (code)	List of Qualifying interest /Special conservation Interest	Distance from proposed development (Km)	Connections (source, pathway receptor)	Considered further in screening Y/N
000781	Mudflats and sandflats not covered by sea water at low tide and Estuaries Annex II species <i>Phoca vitulina</i> (Harbour seal) The Annex I habitat estuaries site may include Annex I habitats including mudflats and sandflats within its area	Circa 3.85km	none	No

004076	<p>Little Grebe (<i>Tachybaptus ruficollis</i>) [A004]</p> <p>Great Crested Grebe (<i>Podiceps cristatus</i>) [A005]</p> <p>Cormorant (<i>Phalacrocorax carbo</i>) [A017]</p> <p>Grey Heron (<i>Ardea cinerea</i>) [A028]</p> <p>Bewick's Swan (<i>Cygnus columbianus bewickii</i>) [A037]</p> <p>Whooper Swan (<i>Cygnus cygnus</i>) [A038]</p> <p>Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]</p> <p>Shelduck (<i>Tadorna tadorna</i>) [A048]</p> <p>Wigeon (<i>Anas penelope</i>) [A050]</p> <p>Teal (<i>Anas crecca</i>) [A052]</p> <p>Mallard (<i>Anas platyrhynchos</i>) [A053]</p> <p>Pintail (<i>Anas acuta</i>) [A054]</p> <p>Scaup (<i>Aythya marila</i>) [A062]</p> <p>Goldeneye (<i>Bucephala clangula</i>) [A067]</p> <p>Red-breasted Merganser (<i>Mergus serrator</i>) [A069]</p> <p>Hen Harrier (<i>Circus cyaneus</i>) [A082]</p> <p>Coot (<i>Fulica atra</i>) [A125]</p> <p>Oystercatcher (<i>Haematopus ostralegus</i>) [A130]</p> <p>Golden Plover (<i>Pluvialis apricaria</i>) [A140]</p> <p>Grey Plover (<i>Pluvialis squatarola</i>) [A141]</p> <p>Lapwing (<i>Vanellus vanellus</i>) [A142]</p> <p>Knot (<i>Calidris canutus</i>) [A143]</p> <p>Sanderling (<i>Calidris alba</i>) [A144]</p> <p>Dunlin (<i>Calidris alpina</i>) [A149]</p> <p>Black-tailed Godwit (<i>Limosa limosa</i>) [A156]</p> <p>Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]</p> <p>Curlew (<i>Numenius arquata</i>) [A160]</p> <p>Redshank (<i>Tringa totanus</i>) [A162]</p> <p>Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]</p>	Circa 3.7km	None	No
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	Lesser Black-backed Gull (Larus fuscus) [A183] Little Tern (Sterna albifrons) [A195] Greenland White-fronted Goose (Anser albifrons flavirostris) [A395] Wetland and Waterbirds [A999]			
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3.4. Identification of likely effects

Potential likely effects include hydrological impacts from construction phase by way of uncontrolled surface water flows only.

These effects are not considered significant taking account of the nature of the construction, the wider hydrological context with no hydrological connection between the site and the Natura sites.

3.5. Mitigation measures

No measures designed or intended to avoid or reduce any harmful effects of the project on a European Site have been relied upon in this screening exercise.

3.6. Screening Determination

Finding of no likely significant effect

The proposed development was considered in light of the requirements of Section 177U of the Planning and Development Act 2000 as amended. Having carried out Screening for Appropriate Assessment of the project, it has been concluded that the project individually or in combination with other plans or projects would not be likely to give rise to significant effects on European Sites No. 004076 or 000781, or any other European site, in view of the site's Conservation Objectives, and Appropriate Assessment (and submission of a NIS) is not therefore required.

This determination is based on:

- The location and characteristics of the subject site
- The minor scale of the development
- The baseline environmental carrying capacity of the immediate and wider receiving environment.
- The nature of the construction methods, requiring minimal levels of excavation and construction activity.

- The distance of the proposed development from any European Site and the demonstrated lack of hydrological or other ecological connections.

Table 2 AA Screening summary matrix

Summary Screening Matrix				
European Site (link to conservation objectives www.npws.ie)	Distance to proposed development/ Source, pathway receptor	Possible effect alone	In combination effects	Screening conclusions:
000781	Within 4 km. This site is outside of any zone of influence of the development due to the lack of hydrological or other ecological connections to the specific habitat type for which the site is designated.	No possibility of effects due to the distance from and lack of connections to the habitat for which this site is designated	No effect	Screened out for need for AA
004076	Within 4 km. This site is outside of any zone of influence of the development due to the lack of hydrological or other ecological connections to the specific habitat type for which the site is designated.	No possibility of effects due to the distance from and lack of connections to the habitat for which this site is designated	No effect	Screened out for need for AA