



An
Bord
Pleanála

Inspector's Report ABP 321383-24

Development

Proposed Rehabilitation Works on
Pass Bridge, Passlands,
Monasterevin, Co. Kildare.

Location

Pass Bridge, Passlands,
Monasterevin, Co. Kildare.

Planning Authority

Kildare County Council.

Type of Application

Application for approval made under
Section 177(AE) of the Planning and
Development Act, 2000 (local
authority development requiring
Appropriate Assessment)

Prescribed Bodies

1. An Chomhairle Ealaíon, The Arts
Council
2. An Taisce
3. National Parks and Wildlife Service
4. Waterways Ireland
5. Dept. of Environment, Climate and
Communications
6. Department of Housing, Local
Government and Heritage

7. Dept. of Transport
8. Environmental Protection Agency
9. Fáilte Ireland
10. Health and Safety Authority
11. Inland Fisheries Ireland
12. The Heritage Council
13. National Transport Authority
14. The Office of Public Works
15. Department of Tourism, Culture,
Arts, Gaeltacht, Sport and Media
16. Transport Infrastructure Ireland
17. Laois County Council

Observer(s)

Development Applications Unit -
Department of Housing, Local
Government and Heritage.
Uisce Eireann.

Date of Site Inspection

21st January 2025

Inspector

Brendan Coyne

Contents

1.0 Introduction.....	5
2.0 Site Location and Description	5
3.0 Proposed Development	6
4.0 Planning History.....	7
5.0 Policy and Context.....	8
6.0 Legislative and Policy Context.....	8
6.1. Relevant EU Legislative Framework.....	8
6.2. Relevant Irish Legislation.....	8
6.3. National Policy Context and Guidelines	9
6.4. Local Policy Context	11
7.0 Natural Heritage Designations.....	16
8.0 The Natura Impact Statement.....	16
9.0 Consultations.....	17
9.2. Responses Received from Consultees	18
9.3. Public Submissions.....	20
10.0 EIA Screening.....	21
11.0 Assessment.....	23
11.3. The likely effects on the environment of the proposed development.....	23
11.4. The likely consequences for the proper planning and sustainable development in the area	29
11.5. The likely significant effects of the proposed development upon a European Site	31
11.6. Compliance with Articles 6(3) of the EU Habitats Directive:	31
11.7. Screening the Need for Appropriate Assessment.....	32

11.8.	The Natura Impact Statement	38
11.9.	Appropriate Assessment of implications of the proposed development .	39
11.10.	Recommendation	52
12.0	Reasons and Considerations.....	53
13.0	Appropriate Assessment	53
14.0	Proper Planning and Sustainable Development/Likely effects on the Environment:	54
15.0	Conditions	55

1.0 Introduction

- 1.1.1. Kildare County Council is seeking approval from An Bord Pleanála to undertake proposed rehabilitation works to Pass Bridge at Monasterevin in Co. Kildare. Pass Bridge is located within the River Barrow and River Nore Special Area of Conservation (SAC), a designated Natura 2000 European Site. The Local Authority lodged a Natura Impact Statement (NIS) and application under Section 177AE of the Planning and Development 2000 (as amended) based on the proposed development's likely significant effect on a European site.
- 1.1.2. Section 177AE of the Planning and Development Act 2000 (as amended) requires that where an Appropriate Assessment is required in respect of development by a local authority, the authority shall prepare a NIS, and the development shall not be carried out unless the Board has approved the development with or without modifications. Furthermore, Section 177V of the Planning and Development Act 2000 (as amended) requires that the Appropriate Assessment shall include a determination by the Board as to whether or not the proposed development would adversely affect the integrity of a European Site, and the Appropriate Assessment shall be carried out by the Board before consent is given for the proposed development.

2.0 Site Location and Description

- 2.1. The site is located within the River Barrow and River Nore Special Area of Conservation (Site Code 002162), a Natura 2000 European Site. The site comprises Pass Bridge, a five-arch masonry bridge that carries the R424 regional road over the River Barrow north of Monasterevin in County Kildare. The R424 runs from east to west and is reduced to one lane over the bridge, controlled by traffic lights on approaches. The bridge was built c. 1750 and consists of roughly coursed, undressed limestone blocks with triangular cutwaters. The river flows through all the five arches of the bridge. The bridge is recorded as having a length of c. 70m and a width of 4.84m. The five arches of the bridge increase in height towards the middle, giving rise to a strongly humped and relatively narrow deck.
- 2.2. Pass Bridge (aka Passlands Bridge) is a Protected Structure (Ref. No. B21-02 of the Kildare County Development Plan 2023-2029) and a recorded monument (RMP KD021-006). It is listed in the National Inventory of Archaeological Heritage (NIAH Re.

No. 11816100) as being of architectural, historical, social, and technical significance with a rating of regional significance. The NIAH describes the features of Pass Bridge as including random rubble stone walls, rubble stone triangular cutwaters, rubble stone parapet walls with cut-stone coping, five round arches, rubble stone voussoirs, and rubble stone soffits with render-over. The NIAH describes how the construction of the arches that have retained their original shape is of technical and engineering merit. The bridge exhibits good-quality traditional stone masonry and is considered of historical and social significance as a reminder of the road network development in Ireland in the mid-eighteenth century. Grass banks drop to the river on both sides of the bridge. A water level measuring station is located on the southwestern embankment immediately adjacent to the bridge.

- 2.3. The town of Monasterevin is located to the south of the bridge, on the eastern bank of the River Barrow. Adjoining land to the west comprises agricultural farmland. The Barrow Line Canal, a branch of the Grand Canal, is located c. 165m east of the Pass Bridge, which runs in a southwest-to-northeast direction. The Dublin to Portlaoise /Limerick heavy rail route is located c. 208m to the south of the site. The Monasterevin Wastewater Treatment Plant is located on the right bank of the river, c. 1km downstream of Pass Bridge.

3.0 Proposed Development

3.1.1. Development Description

- 3.1.2. The proposed development comprises rehabilitation works on Pass Bridge, a Protected Structure and Recorded Monument within the River Barrow and River Nore Special Area of Conservation (SAC). The proposed works consist of:

- Reconstruction of the cutwaters
- Repairs to the parapet
- Installation of rubbing strips
- Vegetation clearance
- All ancillary site works.

- 3.1.3. The rehabilitation works arise from damage to the bridge caused by vehicle impact, which damaged the parapet and the pier cutwater. Longitudinal cracking and

secondary issues associated with bridge maintenance, including damaged parapets, pavement remediation, and vegetation removal, have been identified.

3.1.4. **Documents supporting the Proposed Development**

The following documents accompany this application for approval:

- Environmental Impact Assessment Screening Report
- Appropriate Assessment Stage 1 Screening Report
- Appropriate Assessment Stage 2 Natura Impact Statement
- Architectural Impact Assessment Report
- Pass Bridge Remediation Methodology
- Project Report
- Drawings and Particulars
- Cover Letter
- Public Notices – Newspaper and Site Notices and Prescribed Body notifications.

4.0 **Planning History**

4.1.1. There is no planning history for the subject site.

4.1.2. **Southeast of the Site**

PA Ref. 2034 Permission granted on 21/04/2020 for the construction of a bungalow-type dwelling with a domestic garage at a lower level as built, previously approved under Planning Reg. Ref. 74/323 using existing effluent treatment system and percolation area using the existing vehicular entrance and all associated site works.

4.1.3. **Northwest of the Site**

PA Ref. 052812 Permission refused on 19/04/2006 for the construction of a 1.5-storey dwelling, wastewater treatment system, new entrance, and all ancillary site works.

P.A. Ref. 06/1811 Permission granted on 24/01/2007 for the construction of 6 No. semi-detached houses instead of 3 No detached houses permitted under planning

permission Reference P05/14 on sites Nos. 20,21 & 24 with all necessary ancillary services.

5.0 Policy and Context

6.0 Legislative and Policy Context

6.1. Relevant EU Legislative Framework

The EU Habitats Directive (92/43/EEC): This Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Articles 6(3) and 6(4) require an appropriate assessment of the likely significant effects of a proposed development on its own and in combination with other plans and projects which may have an effect on a European Site (SAC or SPA).

European Communities (Birds and Natural Habitats) Regulations 2011: These Regulations consolidate the European Communities (Natural Habitats) Regulations 1997 to 2005 and the European Communities (Birds and Natural Habitats) (Control of Recreational Activities) Regulations 2010, as well as addressing transposition failures identified in CJEU judgements. The Regulations, in particular, require in Reg 42(21) that where an appropriate assessment has already been carried out by a 'first' public authority for the same project (under a separate code of legislation) then a 'second' public authority considering that project for appropriate assessment under its own code of legislation is required to take account of the appropriate assessment of the first authority.

6.2. Relevant Irish Legislation

Planning and Development Acts 2000 (as amended): Part XAB of the Planning and Development Acts 2000-2017 sets out the requirements for the appropriate assessment of developments which could have an effect on a European site or its conservation objectives.

- 177(AE) sets out the requirements for the appropriate assessment of developments carried out by or on behalf of local authorities.

- Section 177(AE) (1) requires a local authority to prepare, or cause to be prepared, a Natura impact statement in respect of the proposed development.
- Section 177(AE) (2) states that a proposed development in respect of which an appropriate assessment is required shall not be carried out unless the Board has approved it with or without modifications.
- Section 177(AE) (3) states that where a Natura Impact Statement has been prepared pursuant to subsection (1), the local authority shall apply to the Board for approval, and the provisions of Part XAB shall apply to the carrying out of the appropriate assessment.
- Section 177(V) (3) states that a competent authority shall give consent for a proposed development only after having determined that the proposed development shall not adversely affect the integrity of a European site.
- Section 177AE (6) (a) states that before making a decision in respect of a proposed development the Board shall consider the NIS, any submissions or observations received and any other information relating to:
 - The likely effects on the environment.
 - The likely consequences for the proper planning and sustainable development of the area.
 - The likely significant effects on a European site.

6.3. National Policy Context and Guidelines

National Planning Framework: This Plan sets out a high-level strategic plan for shaping future growth and development to 2040. It seeks to develop a region-focused strategy to manage growth and environmentally focused planning at a local level.

Design Manual for Urban Roads and Streets (2019).

National Development Plan, 2018-2027: This Plan underpins the National Planning Framework 2018-2040. It contains several priorities which include investment in regional growth potential and increasing investment in national, regional and local roads.

Climate Action Plan, 2024: This plan provides a roadmap of actions to halve Ireland's emissions by 2030 and reach net zero by no later than 2050, as committed to in the Climate Action and Low Carbon Development (Amendment) Act 2021.

Biodiversity Action Plan: The Plan sets out actions through which a range of government, civil and private sectors will undertake to achieve Ireland's 'Vision for Biodiversity' and follows on from the work of the first and second National Biodiversity Action Plans. It contains 119 x targeted actions which are underpinned by 7 x strategic objectives.

The Planning System and Flood Risk Management, 2009: These Guidelines seek to avoid inappropriate development in areas at risk of flooding and avoid new developments that increase flood risk elsewhere. They advocate a sequential approach to risk assessment and a justification test.

Regional Spatial and Economic Strategy 2019-2031 for the Eastern and Midlands Region: The RSES provides a strategic regional planning framework to support sustainable development across the region in alignment with the NPF.

Traffic Management Guidelines, Department of Transport (2019): The Guidelines provide guidance on a variety of issues, including traffic planning, calming and road safety and the integration of pedestrian, cyclist and vehicular needs.

Construction, Replacement or Alteration of Bridges and Culverts, A Guide to Applying for Consent under Section 50 of the Arterial Drainage Act, 1945 (OPW, 2021). These Guidelines assist those applying for consent from the Commissioners of Public Works to construct, replace or alter a bridge or culvert.

Water Action Plan 2024: A River Basin Management Plan for Ireland - This plan focuses on protecting and restoring water quality by preventing and reducing pollution, by restoring the natural ecosystem functions of rivers and by continuing to invest in water infrastructure.

Architectural Heritage Protection Guidelines for Planning Authorities, 2004 These Guidelines recognise that there is a rich heritage of bridges throughout the country that requires careful consideration when any repair or alteration work is proposed. It is noted that protected structures may contain features of special interest such as abutments, parapets, cut waters and paving, and such features should be identified and preserved. During the consideration of proposals regarding bridges,

efforts should be made to ensure that the least possible structural and visual damage is caused to the bridge.

6.4. Local Policy Context

6.4.1. Development Plan

6.4.2. The Kildare County Development Plan 2023-2029 came into effect on 28th January 2023 and is the operative Development Plan for the county.

6.4.3. Pass Bridge is listed as a Protected Structure (Ref. No. B21-02 of the Kildare County Development Plan 2023-2029) and a Recorded Monument (RMP KD021-006), in Appendices 5 and 6 of the Development Plan.

6.4.4. Relevant Development Plan Objectives include the following

6.4.4.1. Chapter 4: Resilient Economy and Job Creation

RE O140 Support the development and marketing of the Barrow Blueway, including the Barrow Blueway Economic Plan, and facilitate related commercial opportunities throughout the county, subject to compliance with the Habitats Directive. Considering the River Barrow is a designated European Site, all developments within and adjacent to the Barrow Blueway should be subject to AA screening and where applicable Stage 2 AA.

6.4.4.2. Chapter 5: Sustainable Mobility and Transport

TM P6 Maintain and improve the capacity, safety and function of the regional road network (as finance becomes available) and to ensure that it is planned for and managed to enable the sustainable economic development of the county and wider area while encouraging a shift towards more sustainable travel and transport in accordance with the Core Strategy, the Spatial Planning and National Roads Guidelines (2012) and the Draft Transport Strategy for the Greater Dublin Area 2022-2042.

TM O24 Implement the greenway and Blueway projects that promote walking and cycling in conjunction with the relevant organisations and bodies including (inter alia):

- Investigate the feasibility of re-opening/upgrading and re-developing the historic Barrow Drainage Scheme access routes and trail along the eastern bank of the river Barrow between Monasterevin and Athy.

TM O66 Secure the implementation of the Priority Road and Bridge Projects, and the Regional Roads identified for improvement (Table 5.4 and 5.5, refer) and maintain corridors free from development to facilitate future roads, cycle facilities and other transport infrastructure improvement identified within this Plan and Local Area Plans.

Table 5.4 - Priority Road and Bridge Projects

Table 5.5 - Regional Roads Identified for Improvement – includes the R424 Monasterevin to the county boundary.

6.4.4.3. Chapter 6: Infrastructure and Environmental Services

IN P2 Ensure the protection and enhancement of water quality throughout Kildare in accordance with the EU WFD and facilitate the implementation of the associated programme of measures in the River Basin Management Plan 2018-2021 (and subsequent updates).

IN O5 Manage, protect, and enhance surface water and groundwater quality to meet the requirements of the EU Water Framework Directive.

IN O57 Assess applications for developments, having regard to the impact on the quality of surface waters and any targets and measures set out in the River Basin Management Plan and any subsequent local or regional plans. Where developments have the potential to impact the water quality of surface waters and/or any of the targets and measures set out in the River Basin Management Plan (RBMP), such a project should be subject to AA screening and where applicable, Stage 2 Appropriate Assessment.

IN A5 Prepare and carry out any identified actions of a maintenance programme for river channels, including those identified as historical drainage districts, the responsibility for which lies with Kildare County Council. Such actions must be subject to Ecological Impact Assessment and Appropriate Assessment in accordance with the EU Habitats Directive.

6.4.4.4. Chapter 11: Built and Cultural Heritage

AH P2 Protect and enhance archaeological sites, monuments and where appropriate and following detailed assessment, their setting, including those that are listed in the Record of Monuments and Places (RMP) or newly discovered archaeological sites and/or subsurface and underwater archaeological remains.

AH O2 Manage development in a manner that protects and conserves the archaeological heritage of County Kildare, avoids adverse impacts on sites, monuments, features or objects of significant historical or archaeological interest and secures the preservation in-situ or by record of all sites and features of historical and archaeological interest, including underwater cultural heritage. The Council will favour preservation in – situ in accordance with the recommendation of the Framework and Principles for the Protection of Archaeological Heritage (1999) and the Council will seek and have regard to the advice and recommendations of the Department of Housing, Local Government and Heritage.

AH O5 Require the preservation of the context, amenity, visual integrity and connection of the setting of archaeological monuments. As a general principle, views to and from archaeological monuments shall not be obscured by inappropriate development. Where appropriate, archaeological visual impact assessments will be required to demonstrate the continued preservation of an archaeological monument's siting and context.

AH O6 Secure the preservation in-situ or by record of:

- the archaeological monuments included in the Record of Monuments and Places as established under section 12 of the National Monuments (Amendment) Act, 1994
- any sites and features of historical and archaeological interest including underwater cultural heritage and protected wrecks.
- any subsurface archaeological features including those underwater, that may be discovered during the course of infrastructural/development works in the operational area of the Plan. Preservation relates to archaeological sites or objects and their settings.

AH O7 Contribute towards the protection and preservation of the archaeological value of underwater or archaeological sites associated with rivers and associated features.

AH P6 Protect, conserve and manage the archaeological and architectural heritage of the county and to encourage sensitive sustainable development in order to ensure its survival, protection and maintenance for future generations.

AH O20 Conserve and protect buildings, structures and sites contained on the Record of Protected Structures of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.

AH O21 Protect the curtilage of protected structures or proposed protected structures and to refuse planning permission for inappropriate development that would adversely impact on the setting, curtilage, or attendant grounds of a protected structure, cause loss of or damage to the special character of the protected structure and/or any structures of architectural heritage value within its curtilage. Any proposed development within the curtilage and/or attendant grounds must demonstrate that it is part of an overall strategy for the future conservation of the entire built heritage complex and contributes positively to that aim.

AH O23 Require an Architectural Heritage Assessment Report, as described in Appendix B of the Architectural Heritage Protection, Guidelines for Planning Authorities (2011), to accompany all applications with potential for visual or physical impacts on a Protected Structure, its curtilage, demesne and setting. This report should be prepared by a person with conservation expertise that is appropriate to the significance of the historic building or site and the complexity of the proposed works.

AH O32 Ensure that new development will not adversely impact on the setting of a protected structure or obscure established views of its principal elevations.

AH O33 Promote best practice and the use of skilled specialist practitioners in the conservation of, and any works to, protected structures. Architectural Heritage Impact Assessment reports should make reference to the DHLGH Advice Series on how best to repair and maintain historic buildings. The AHIA report should summarise the principal impacts on the character and special interest of the structure or site and describe how it is proposed to minimise these impacts. It may also describe how the works have been designed or specified to have regard to the character of the architectural heritage.

AH O43 Ensure that national guidelines and the principles of conservation best practice are followed in assessing the significance of a Protected Structure and in

considering the impact of proposed development on the character and special interest of the structure, its curtilage, demesne and setting.

6.4.4.5. Chapter 12 Biodiversity and Green Infrastructure

BI P1 Integrate in the development management process the protection and enhancement of biodiversity and landscape features by applying the mitigation hierarchy to potential adverse impacts on important ecological features (whether designated or not), i.e. avoiding impacts where possible, minimising adverse impacts, and if significant effects are unavoidable by including mitigation and/or compensation measures, as appropriate. Opportunities for biodiversity net gain are encouraged.

BI O6 Apply the precautionary principle in relation to proposed developments in environmentally sensitive areas to ensure that all potential adverse impacts on a designated NHA or Natura 2000 Site arising from any proposed development or land use activity are avoided, remedied, or mitigated.

BI P2 Seek to contribute to maintaining or restoring the conservation status of all sites designated for nature conservation or proposed for designation in accordance with European and national legislation and agreements. These include Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Natural Heritage Areas (NHAs), Ramsar Sites and Statutory Nature Reserves.

6.4.4.6. Chapter 13 Landscape, Recreation and Amenity

LR P3 Protect, sustain and enhance the established appearance and character of all important views and prospects.

LR O32 Avoid any development that could disrupt the vistas or have a disproportionate impact on the landscape character of the area, particularly upland views, river views, canal views, views across the Curragh, views of historical or cultural significance (including buildings and townscapes), views of natural beauty and specifically those views listed in Tables 13.5 – 13.7 of this plans.

LR O34 Control development that will adversely affect the visual integrity of distinctive linear sections of water corridors and river valleys and open floodplains.

LR A10 Develop a strategy for the Barrow & Rye Valleys to enhance and protect their historical, ecological, and amenity value, in cooperation with the relevant stakeholders.

6.4.4.7. Chapter 15: Development Management Guidelines

Section 15.2 General Development Standards

Section 15.7.4 Road and Street Network

Section 15.16.1.1 Works to a Protected Structure

Section 15.7.4 Development within the Curtilage, Attendant Grounds and Setting of Protected Structures

6.4.4.8. Appendix 5 Record of Monuments and Places

Pass Bridge is listed as a recorded monument (RMP KD021-006).

6.4.4.9. Appendix 6 Recorded of Protected Structures:

Pass Bridge is listed as a Protected Structure (Ref. No. B21-02) and on the National Inventory of Archaeological Heritage (NIAH Re. No. 11816100).

7.0 Natural Heritage Designations

7.1.1. Pass Bridge is located within the River Barrow and River Nore Special Area of Conservation (Site Code: 002162), a designated Natura 2000 European Site.

7.1.2. Natura 2000 European Sites within 15km of the site are as follows:

- Pollardstown Fen SAC (Site Code: 000396) – located c. 14.8m to the northeast.
- Mountmellick SAC ((Site Code: 002141) – located c. 13km to the west

8.0 The Natura Impact Statement

8.1.1. Kildare County Council's application for the proposed development was accompanied by a Screening for Appropriate Assessment Report and a Natura Impact Statement (NIS), which examined the proposed development, the project site and Natura 2000 European Sites. The NIS identified and characterised the possible implications of the proposed development on European Sites in view of the site's conservation objectives

and provided information to enable the Board to carry out an Appropriate Assessment of the proposed works.

- 8.1.2. In summary, the NIS concludes that the proposed development, individually or in combination with other plans or projects, including the implementation of the proposed mitigation measures in the report, would not have an adverse effect on the integrity of the River Barrow and River Nore SAC (Site Code:002162), in view of the site's conservation objectives.

9.0 Consultations

- 9.1.1. Kildare County Council circulated the application to the following prescribed bodies:

- An Chomhairle Ealaíon, The Arts Council
- An Taisce
- National Parks and Wildlife Service
- Waterways Ireland
- Dept. of Environment, Climate and Communications
- Department of Housing, Local Government and Heritage
- Dept. of Transport
- Environmental Protection Agency
- Fáilte Ireland
- Health and Safety Authority
- Inland Fisheries Ireland
- The Heritage Council
- National Transport Authority
- The Office of Public Works
- Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media
- Transport Infrastructure Ireland
- Laois County Council

9.2. Responses Received from Consultees

9.2.1. Development Applications Unit, Department of Housing, Local Government and Heritage

Key observations and recommendations include the following:

- The proposed development incorporates Recorded Monument KD021-006-- Bridge, which is subject to protection under Section 12 of the National Monuments (Amendment) Act 1930-2004.
- The services of a suitably qualified and suitably experienced archaeologist should be engaged to carry out archaeological monitoring of all sub-surface works carried out within the development site, including invasive works on historic structures and features, in-stream excavations, ground reduction works, service trenching and all other works as advised by the monitoring archaeologist.
- The archaeological monitoring should be carried out under a Section 26 (National Monuments Act 1930) licence from the National Monuments Service and in accordance with an approved Method Statement. The Method Statement should lay out the monitoring strategy for each location where work is proposed. Licensed metal detection should be undertaken in tandem with the monitoring.
- The Method Statement should contain a Finds Retrieval Strategy that includes the spreading, systematic searching and metal detection of all excavated deposits to retrieve archaeological objects. A Detection Device consent (Section 2 of the National Monuments Act 1987) will be required for the metal detecting works.
- In order to ensure full communication is in place between the monitoring archaeologist and the works contractor at all times, a communication strategy should be implemented that provides the monitoring archaeologist with adequate notice of all forthcoming works that require their attendance.
- Sufficient, suitably experienced and qualified, archaeological personnel should be in place to cover all aspects of the monitoring works and all in-stream works should be monitored by a suitably qualified and experienced underwater archaeologist.

- Should archaeological material be found during the course of the archaeological monitoring, the archaeologist should be authorised to suspend all construction works on the affected part of the site (as identified by the monitoring archaeologist) to facilitate investigative assessment, protection and prompt notification to the Department and other statutory authorities, as required. The developer should be prepared to be advised by the Department about any ensuing mitigating action. Mitigation may include recommendations for redesign to allow for full or partial preservation in situ, the institution of archaeological exclusion zones, test- excavations, excavations ('preservation by record') and/or monitoring, as deemed appropriate. No construction works should recommence within the affected area until after an amended Method Statement that describes the mitigation strategy has been submitted, reviewed and agreed in writing by the Department. In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.
- Archaeological monitoring of all invasive works (including raking out) to both upstanding masonry and any below-ground excavations should be undertaken to facilitate the detailed recording of the pre-conservation fabric (following raking out/cleaning/removal of vegetation) and of all conservation interventions to the town wall. The monitoring archaeologist should be facilitated on an ongoing basis to record and investigate fabric that has been raked out and/or otherwise exposed as a result of opening-up works and the removal of renders or vegetation.
- The Planning Authority and the Department should be furnished with a final archaeological report describing the results of all archaeological monitoring and any archaeological investigative work/excavation required, following the completion of all archaeological work on site and any necessary post-excavation specialist analysis. The report should include detailed annotated plans, elevations, sections, details of features and interpretative drawings derived from measured surveys, photographic surveys, digital surveys and opening-up works on the bridge. The record should demonstrate an understanding of the building/structure's development and its building phases. The analytical record should also include the identification of architectural features, loose and reset carved stones, the results of scientific dating of appropriate samples and the

results of mortar analysis. All resulting and associated archaeological costs should be borne by the developer.

- The proposed development area scores 31.78 on the suitability index for all bat species. Additionally, the old stone bridge is in the higher range of suitability for roosting/hibernating bats. Bat species are strictly protected under the Wildlife Act, 1976, as amended, and Annex IV of the Habitats Directive (92/43/EEC).
- A bat survey should be carried out by a suitably qualified ecologist at appropriate times of the year prior, and mitigation measures should be put in place, where required.
- As outlined in the Red List of Irish Bryophytes, old walls are now a threatened habitat in their own right, and Irish populations of some bryophyte species are entirely dependent on walls. The Flora (Protection) Order 2022 (S.I. No. 235 of 2022) gives legal protection to 65 bryophyte species in the Republic of Ireland. Given that walls are to be stripped of vegetation and repainted, the Department recommends that the bridge structure be subject to a bryological survey prior to the commencement of the development.
- The Department recommends that a nesting bird survey is carried out covering the entire footprint of the works, including the bridge structure, should work take place within the bird nesting season. Suitable mitigation/licence requirements should be put in place should nesting birds be discovered.

9.2.2. Uisce Éireann

- 9.2.3. No concerns are raised. Observations include the applicant complying with the Water Framework Directive and River Basin Management Plan objectives to ensure that the development will not negatively impact the water quality of source/receiving waters during construction and operational phases. All development should be carried out in compliance with Uisce Eireann's Standard Details and Codes of Practice.

9.3. Public Submissions

- 9.3.1. There are no public submissions on file.

10.0 EIA Screening

- 10.1.1. The proposed development comprises rehabilitation works to Pass Bridge, a Protected Structure and Recorded Monument within the River Barrow and River Nore Special Area of Conservation (SAC). The proposed works include the reconstruction of the cutwaters, repairs to the parapet, installation of rubbing strips, vegetation clearance and ancillary site works.
- 10.1.2. An EIA Screening Report has been prepared on behalf of Kildare County Council to determine whether an EIAR is warranted for the proposed project. The report provides an assessment of whether the proposed development would or would not be likely to have significant effects on the environment by addressing the criteria and information set out in Annex III and IIA of the EIA Directive and Schedules 7 and 7A of the Planning and Development Regulations 2001 (as amended). The EIA Screening concludes that the proposed scheme would not be likely to have significant effects on the environment for the following reasons:
- the nature and scale of the proposed scheme, which is not a development type listed in Schedule 5 Part 1 or 2 of the Planning & Development Regulations 2001 (as amended).
 - the rehabilitation works will be confined to the immediate site and will not have downstream impacts.
 - appropriate mitigation measures have been proposed, and a CEMP and Resource Recovery Plan will be prepared to prevent /minimise impacts on the environment.
- 10.1.3. The EIA Screening Report states that the proposed rehabilitation works on Pass Bridge, Monasterevin, when taken individually and cumulatively with associated existing and approved development, would not result in the potential for significant impacts to arise on the environmental receptors as a result of the proposed scheme. On this basis, the report concludes that the preparation and submission of an EIAR is not required.
- 10.1.4. I have examined the proposed development in relation to Schedule 5 of the Planning and Development Regulations 2001 (as amended). I am satisfied that the proposed development, which involves the repair and rehabilitation of the existing bridge, is not a class of development under the classes listed in Schedule 5 of the Planning &

Development Regulations 2001 (as amended). Therefore, a mandatory Environmental Impact Assessment Report (EIAR) is not required to be submitted with the application in this instance.

10.1.5. I note the provisions of Section 50(1)(a) of the Roads Act (1993) as amended, which places a mandatory requirement on a roads authority to prepare an environmental impact assessment report in respect of any proposed road development comprising the construction of a motorway, busway, service station or any prescribed type of road development consisting of the construction of a proposed public road or the improvement of an existing public road as is presently defined in Article 8(b) of the Roads Regulations, 1994:

- a) the construction of a new road of four or more lanes, or the realignment or widening of an existing road so as to provide four or more lanes, where such new, realigned or widened road would be eight kilometres or more in length in a rural area, or 500m or more in an urban area.
- b) the construction of a new bridge or tunnel which would be 100m or more in length.

10.1.6. The only relevant class of development in this section of the Act relates to a bridge. However, it is not proposed to build a new bridge in this instance. Instead, it is proposed that the existing bridge structure be repaired and rehabilitated. In this instance, the bridge span is 70 meters, thus falling short of the 100m threshold.

10.1.7. I note that the proposed work will involve the removal of vegetation that has grown on the bridge. The removal of such vegetation has the potential to dislodge material from the structure and impact the water quality of the river below. Impacts to water quality are examined in detail within the Appropriate Assessment section of this report in relation to any potential impact on qualifying interests of the River Barrow and River Nore Special Area of Conservation (SAC).

10.1.8. On the basis of the above, having considered the nature, scale and extent of the proposed development, along with the criteria set out in relevant legislation, I conclude that an EIAR is not required in this instance.

11.0 Assessment

11.1.1. Section 177AE (6)(a) of the Planning and Development Act, 2000 (as amended) refers to the Appropriate Assessment of certain developments carried out by or on behalf of local authorities. It requires that the Board, before making a decision in respect of a proposed development, consider the Natura Impact Statement and other information submitted relating to:

- the likely effects on the environment of the proposed development,
- the likely consequences for the proper planning and sustainable development in the area, and
- the likely significant effects of the proposed development upon a European Site.

11.2. The structure of the assessment below follows these headings.

11.3. The likely effects on the environment of the proposed development

11.3.1. Having regard to the nature and scale of the proposed development, I consider that the main environmental effects to be assessed, other than those covered under Appropriate Assessment, are as follows:

- Biodiversity
- Cultural Heritage
- Roads and Traffic Impacts

11.3.2. Biodiversity

11.3.3. The planning application is accompanied by an AA Screening Report, a Natura Impact Statement and an EIA Screening Report. The Board is advised that an Appropriate Assessment is carried out in Section 11.9 of this report, which considers if the proposed bridge remediation works, individually or in combination with other plans and projects, would adversely affect the integrity of any European site in view of each relevant site's Conservation Objectives.

11.3.4. The proposed development comprises rehabilitation works to the existing bridge structure, which primarily involves repairing arches, filling cracks, replacing damaged

stone with similar, removing vegetation on the bridge causing damage to masonry and repairing or replacing metal bridge components.

11.3.5. Regarding habitat and flora in the vicinity of the bridge, the EIA Screening report states that habitats surrounding the site, following Fossitt's Habitat Guide (2000), include depositing/lowland rivers, canals, improved agricultural grassland, hedgerow and stone walls and other stonework. The report details low-lying riparian vegetation on the banks of the watercourse, upstream and downstream of Pass Bridge. Species present include common reed, greater tussock-sedge and reed sweet grass. The report states that vegetation on the embankments will not be removed to accommodate the proposed works. However, vegetation impeding the bridge's structural integrity will be removed. The report states that the impact on riparian vegetation will be limited to the immediate site. It is noted that the EIA Screening report does not make specific reference to Irish Bryophytes which are a threatened habitat protected under the Flora (Protection) Order 2022 (S.I. No. 235 of 2022). The report from the Development Applications Unit states that given the walls of the bridge are to be stripped of vegetation and repainted, the bridge structure be subject to a bryological survey prior to the commencement of development. I am satisfied that this issue can be dealt with by way of Condition in the event of a grant of permission.

11.3.6. Regarding fauna, the EIA Screening report states that there are no records of terrestrial mammals or mammal refugia directly at the site location, according to the National Biodiversity Data Centre mapping database. However, there have been sightings of the Greater White-toothed Shrew along the canal northeast of Pass Bridge. This is an invasive species which adversely impacts native shrew species, such as the Pygmy shrew. The report states that there are no other records of invasive species in proximity to the bridge. Similarly, the AA Screening Report states that there was no evidence of otter holts or evidence thereof found during the site survey, though they are likely present in the river system. It is noted that the AA Screening Report does not refer to or identify bats potentially roosting at or under the bridge. However, given the suitability of such structures for bat habitation, as raised in the Development Applications Unit submission, it is considered that further ecological surveys should be undertaken to confirm their presence and ensure their protection under the Wildlife Act 1976 and Habitats Directive (92/43/EEC). This can be dealt with by way of condition in the event of a grant of permission.

11.3.7. Regarding avian species, the EIA screening report notes that there have been sightings of several bird species within 2km of the site, including Yellowhammer (*Emberiza citrinella*), Grey Wagtail (*Motacilla cinerea*) and Common Buzzard (*Buteo buteo*). However, the report considers that given the location of the bridge adjacent to a trafficked road and on the outskirts of an urban settlement, a bird survey was not deemed necessary.

11.3.8. Regarding potential impacts on biodiversity, the EIA Screening report states that the proposed bridge rehabilitation works are relatively minor in magnitude and extent. Any potential impacts are deemed not likely to be significant.

11.3.9. The EIA Screening report states that the mitigation measures set out in the NIS would be implemented to avoid any impact on the integrity of the local and regional ecology, as well as on Natura 2000 Sites within and downstream of the site. These mitigation measures, as detailed in Section 4 of the NIS, primarily pertain to the release of pollutants into the stream network and the control of the spread of Crayfish. Additional proposed mitigation measures in the EIA Screening Report and Project Planning Report include the following:

- A site ecologist will be appointed for the duration of the rehabilitation works.
- Any area of exposed soil left after the works are completed will be replaced with appropriate native hedgerow species at the end of the project.
- Vegetation removal would not occur during the breeding season (March-August, inclusive).
- Works will not be undertaken during hours of darkness to avoid Otter foraging and commuting disturbance.
- Works will be undertaken outside the lamprey spawning season.
- Secondary containment for the storage of fuels, oils, paints and other potentially hazardous materials on the site.
- Fuelling of plant/machinery in a designated fuelling area within the site compound.
- Implement best practice construction techniques and adhere to the standard construction mitigation measures detailed in the report.
- Standard hours of construction.

- Prepare and implement a Construction Environmental Management Plan (CEMP) and Resource Recovery Plan.
- Compliance with all relevant environmental legislation, published standards, accepted industry practice, national guidelines, and codes of practice appropriate to the proposed scheme during the construction phase.

11.3.10. I have taken into consideration the observations and recommendations of the Development Applications Unit (DAU), in the Department of Housing, Local Government and Heritage, as detailed in Section 9.2.1 above. Having examined the EIA Screening report, AA Screening Report, NIS and the Project Planning Report, I consider that the proposed development would not have significant adverse effects on biodiversity. The main potential direct impacts would include the removal of bryophytes, the temporary disturbance of riparian vegetation and potential disturbance to fauna, avian species and bats in the locality. However, it is my view that subject to the implementation of the proposed mitigation measures, the recommended Conditions of the DAU report and adherence to a site-specific Construction Environmental Management Plan, these impacts would be temporary and would not have a significant effect on the environment.

11.3.11. Potential impacts regarding biodiversity and the River Barrow and River Nore Special Area of Conservation are addressed in further detail in the Appropriate Assessment section below.

11.3.12. **Cultural Heritage**

11.3.13. Pass Bridge is listed in the Kildare County Development Plan 2023-2029 as a Protected Structure (Ref. No. B21-02) and a Recorded Monument (RMP KD021-006). It is also listed in the National Inventory of Archeological Heritage (NIAH Re. No. 11816100) as being of architectural, historical, social, and technical significance with a rating of regional significance. With this regard, policy objective AH O33 of the Development Plan seeks to "Promote best practice and the use of skilled specialist practitioners in the conservation of, and any works to, protected structures. Architectural Heritage Impact Assessment reports should make reference to the DHLGH Advice Series on how best to repair and maintain historic buildings. The AHIA report should summarise the principal impacts on the character and special interest of

the structure or site and describe how it is proposed to minimise these impacts. It may also describe how the works have been designed or specified to have regard to the character of the architectural heritage".

11.3.14. The planning application is accompanied by an Architectural Impact Assessment Report (dated September 2024). The report provides a summary of the defects and proposed rehabilitation of the bridge and a detailed description of the historical background of Pass Bridge, which dates to 1752. The report provides an architectural survey of the bridge. The survey carried out in September 2024, details the condition of the bridge, where much of the original fabric remains. However, cut-stone coping to the north parapet wall on the west side of the bridge has been damaged and is now missing. This has also impacted the adjacent cut water, which shows extensive cracking.

11.3.15. The Architectural Heritage Impact Assessment (AHIA) details the impact of the proposed works relating to the Protected Structure and Recorded Monument. The report states that the repair and reconstruction of the masonry walls, including the damaged coping on the approach wall, parapet, and cut water, will alter the fabric of the structure. However, these works are necessary to minimise further damage, particularly in the area where the wall core is exposed to water penetration and at risk for further deterioration. The report states that these represent localised invasive work but will be designed to minimise visual and physical impact by using appropriate materials compatible with the existing historic fabric of the bridge. Conservation best practice guidelines would be adhered to for all repair and reconstruction works. I note the Development Applicant Unit's report recommending that archaeological monitoring of all invasive works (including raking out) to both upstanding masonry and any below-ground excavations should be undertaken to facilitate the detailed recording of the pre-conservation fabric (following raking out/cleaning/removal of vegetation) and of all conservation interventions to the walls. I am satisfied that this issue can be dealt with by way of condition in the event of a grant of permission.

11.3.16. The AHIA states that clearing vegetation from the parapets and spandrels is also a necessary removal alteration as it may hide additional structural damage and increase existing cracks, particularly regarding plants with woody roots such as ivy. The removal of vegetation without proper consideration could also increase the risk of

masonry collapse. It is stated that all vegetation removal would be carried out in accordance with best conservation practice guidelines and advice.

11.3.17. The proposed works also include alteration to the soft verges on both sides of the carriageway pavement. The report states if the tarmac is to be removed during any such works (or there is any other ground disturbance to any of the areas adjacent to the bridge), the work would be monitored by a suitably qualified archaeologist under licence from the Department of Housing, Local Government and Heritage. This would ensure that any earlier road surfaces or structures are recorded. Should such features be uncovered, further mitigation would be sought by the National Monuments Service.

11.3.18. Having examined the Architectural Impact Assessment Report submitted with the application, it is my view that the proposed rehabilitation works to Pass Bridge would not result in significant effects on the integrity, character or special interest of the Protected Structure and Recorded Monument. The proposed works would improve the structural integrity and ensure the long-term protection of the Protected Structure and Recorded Monument. While the repointing, repair and replacement of bricks and stone will alter the fabric of the structure, these interventions would adhere to conservation best practice guidelines, and the replacement materials would match the original material in terms of size, material, and appearance. Such measures would minimise the visual impact of these interventions. The removal of vegetation would prevent further structural damage to the bridge. Any ground disturbance to areas adjacent to the bridge would be monitored by a suitably qualified archaeologist working under licence from the Department of Housing, Local Government and Heritage. I conclude, therefore, that the proposed development would not significantly impact the architectural heritage, integrity and cultural value of the Protected Structure and Recorded Monument of Pass Bridge.

11.3.19. **Roads and Traffic Impacts**

11.3.20. The proposed development seeks to repair and rehabilitate the existing Pass Bridge, which serves the R424 and links Monasterevin to Portarlinton. The R424 is a regional road running East to West. The road is reduced to one lane over the bridge and controlled by traffic lights on approaches.

11.3.21. As detailed in the Project Report submitted, an engineering inspection of the bridge recorded defects, including a damaged parapet, missing capping stones,

cracked cutwater, soft verges, vegetation growth in masonry, missing pointing, arch cracking and flood relief span partial abutment collapse. The survey classified the overall condition rating of the bridge as '3 – Significant Damage'. Proposed rehabilitation works include cutwater and parapet reconstruction, soft verge replacement, flood relief span abutment construction and repair to arch cracking. Further details are provided in the submitted Remediation Methodology report.

11.3.22. The proposed works will take place over approx. two months. The Planning Report states that temporary traffic control measures will be implemented during the rehabilitation work period. It is stated that the Contractor will be required to implement a traffic management plan to manage safe access and egress of construction vehicles from the site. Road surfacing will be reinstated, and soft verges will be replaced with an impermeable raised rubbing strip.

11.3.23. Having examined all documentation on file, it is my view that the proposed development would not have significant adverse effects on traffic and the local road network. The proposed works are essential to repair the significant structural damage to the bridge and ensure the long-term safety of road users over the bridge. The implementation of traffic control measures and a traffic management plan would manage road safety impacts during the rehabilitation work period. The reinstatement of road surfaces and replacement of soft verges with impermeable raised rubbing strips would improve the road's durability. On this basis, I conclude the proposed works would not have significant effects on road safety, traffic and the local road network.

11.4. The likely consequences for the proper planning and sustainable development in the area

11.4.1. Pass Bridge is a single-span stone bridge that carries the R424 regional road over the River Barrow, connecting Monasterevin to Portarlinton. The bridge is listed as a Protected Structure and a Recorded Monument in the Kildare County Development Plan and is recorded in the National Inventory of Archaeological Heritage (NIAH Re. No. 11816100) as being of architectural, historical, social, and technical significance with a rating of regional significance. The site is located within the River Barrow and River Nore Special Area of Conservation (Site Code 002162), a Natura 2000 European Site.

11.4.2. Kildare County Council is seeking permission from An Bord Pleanála for remediation and repair works to the bridge. Section 4 of the Pass Bridge Remediation Methodology provides a detailed description of the proposed works. In summary, the proposed works will comprise the following:

- Recover collapsed stone from the river as much as possible and reconstruct the parapet coping and the cracked cutwater section to its original geometry.
- Replace the soft verges with an impermeable raised rubbing strip.
- Replace soft verges with an impermeable raised rubbing strip and reinstate road surfacing to the new rubbing strip.
- Remove the vegetation in the affected areas, remove loose pointing, and reinstate any missing points.
- Reconstruct damage to pier cutwater and parapets.

11.4.3. The Project Report submitted with the application states that the works will take place in accordance with a Construction Environmental Management Plan (CEMP). Furthermore, the Contractor will be required to prepare a Traffic Management Plan for the proposed works for approval by Kildare Council. The Cultural Heritage Impact Assessment states that all work will be completed in accordance with conservation best practice guidelines. Furthermore, all work will be monitored by a suitably qualified archaeologist under licence from the Department of Housing, Local Government and Heritage. A site ecologist will be appointed for the duration of the rehabilitation works to protect the qualifying interests of the River Barrow and River Nore SAC Natura 2000 site.

11.4.4. Table 5.5 of the Kildare County Development Plan 2023-2029 identifies the R424 Monasterevin to the county boundary road as a regional road identified for improvement. Policy Objective TM O66 of the Development Plan seeks to secure the implementation of the Priority Road and Bridge Projects, and the Regional Roads identified for improvement in Tables 5.4 and 5.5.

11.4.5. Having examined the documentation on file, I consider the proposed works to Pass Bridge to be essential to maintaining its structural integrity, ensuring road safety, and protecting its architectural, historical, and technical significance as a Protected Structure and Recorded Monument. The proposed works would be consistent with

Policy Objective TM O66 of the Development Plan by improving the Pass Bridge along the R424 regional road. The project's commitment to conservation best practices, the implementation of a CEMP and Traffic Management Plan and oversight by a suitably qualified archaeologist and ecologist for the duration of the project would ensure the protection of the cultural heritage of the Pass Bridge and the ecological environment of the Natura 2000 European Site, in which it is located. Subject to an Appropriate Assessment of the proposal on the River Barrow and River Nore (further below), I consider that the proposed bridge remediation works are acceptable in principle and in accordance with the proper planning and sustainable development of the area.

11.5. The likely significant effects of the proposed development upon a European Site

11.5.1. The areas addressed in this section are as follows:

- Compliance with Articles 6(3) of the EU Habitats Directive
- Screening the Need for Appropriate Assessment
- The Natura Impact Statement
- Appropriate Assessment

11.6. Compliance with Articles 6(3) of the EU Habitats Directive:

11.6.1. The Habitats Directive deals with the Conservation of Natural Habitats and Wild Fauna and Flora throughout the European Union. Article 6(3) of this Directive requires that 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. The competent authority must be satisfied that the proposal will not adversely affect the integrity of the European site.

11.6.2. Under the subject application, the proposed development is not directly connected to or necessary to the management of any European site and is, therefore, subject to the provisions of Article 6(3) of the Habitats Directive.

11.7. Screening the Need for Appropriate Assessment

11.7.1. An AA Screening Report and Natura Impact Statement have been submitted with the application. As stated in Section 4.0 of the OPR Practice Note PN01 (2021), Screening for Appropriate Assessment must be carried out even if an NIS has been submitted. On this basis, screening the need for appropriate assessment is set out hereunder.

11.7.2. The first test of Article 6(3) of the Habitats Directive is to establish if the proposed development could have a significant effect either individually or in combination with other plans and projects on a European site. This is considered Stage 1 of the Appropriate Assessment process, i.e., Screening test for AA. The Screening stage is intended to be a preliminary examination. If the possibility of significant effects cannot be excluded on the basis of objective information without extensive investigation or the application of mitigation, a plan or project should be considered to have a likely significant effect, and Appropriate Assessment shall be carried out.

11.7.3. Step 1 - Description of the Proposed Development

11.7.4. The first step in the Screening process is to consider the nature and extent of the proposed development and the characteristics of the immediate environment. A description of the proposed development and site location is provided in Sections 2 and 3 of this report above. The AA Screening report submitted with the application provides a description of the proposed works and the characteristics of the site resulting from desk and field studies. The desk study identifies how the bridge is situated within the Barrow Catchment (Catchment ID: 14), Barrow Subcatchment (Subcatchment ID: 14_20). The report describes how the bridge is located over the Barrow River and has an overall Water Framework Directive (WFD) status of 'Poor' based on the 'Surface Waterbody WFD Status 2016-2022' and is considered 'At Risk' by the 'Surface Waterbody WFD Risk 2016-2022'. The ground waterbody (code: IE_SE_G_048) in the area is identified as having an overall WFD status of 'Good' based on the 'Ground Waterbody WFD Status 2016-2021'. The groundwater vulnerability within the area of the works is classified as 'not at risk'. The river is also considered nutrient-sensitive, given the agricultural activities and farmlands surrounding the area.

11.7.5. The Habitat Assessment in the AA Screening report identifies the surrounding habitat as typical of agricultural and urban landscapes with agricultural grassland, hedgerows and built environment. The report states that none of these habitats are linked to Annex I Habitats, and there are no habitats listed in Annex I of Directive 92/43/EEC (Habitats Directive) within the survey area.

11.7.6. Step 2 - Relevant Natura 2000 European Sites

11.7.7. The second step of the screening exercise is an examination of Natura 2000 sites that might be affected by the proposed works using the source-pathway-receptor model. Having regard to the information and submissions available, the nature, size and location of the proposed development and its likely direct, indirect and cumulative effects, the source pathway receptor principle and sensitivities of the ecological receptors, it is considered that the European Sites set out in Table 1 below are relevant to include for initial screening for the requirement for Stage 2 Appropriate Assessment on the basis of likely significant effects. A 15km study area from the proposed development is applied for this purpose, wherein 3 no. Natura 2000 European sites are located.

Table 1: European Sites Considered for Stage 1 Screening for Appropriate Assessment:				
European Site & Site Code	List of Qualifying interest /Special conservation Interest	Distance to the subject site	Connections (source, pathway, receptor)	Considered further in Screening (Y/N)
River Barrow and River Nore SAC 002162	<ul style="list-style-type: none"> ▪ Estuaries [1130] ▪ Mudflats and sandflats not covered by seawater at low tide [1140] ▪ Reefs [1170] ▪ Salicornia and other annuals colonising mud and sand [1310] ▪ Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] ▪ Mediterranean salt meadows (Juncetalia maritimi) [1410] ▪ Water courses of plain to montane levels with the Ranunculum fluitantis and Callitriche-Batrachion vegetation [3260] ▪ European dry heaths [4030] ▪ Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430] 	0km.	Direct connection	Yes

	<ul style="list-style-type: none"> ▪ Petrifying springs with tufa formation (Cratoneurion) [7220] ▪ Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] ▪ Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0] ▪ Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016] ▪ Margaritifera margaritifera (Freshwater Pearl Mussel) [1029] – (under review as a qualifying Annex II species for the River Barrow and River Nore SAC) ▪ Austropotamobius pallipes (White-clawed Crayfish) [1092] ▪ Petromyzon marinus (Sea Lamprey) [1095] ▪ Lampetra planeri (Brook Lamprey) [1096] ▪ Lampetra fluviatilis (River Lamprey) [1099] ▪ Alosa fallax fallax (Twaite Shad) [1103] ▪ Salmo salar (Salmon) [1106] ▪ Lutra lutra (Otter) [1355] 			
--	---	--	--	--

	<ul style="list-style-type: none"> ▪ Trichomanes speciosum (Killarney Fern) [1421] 			
Mountmellick SAC 002141	<ul style="list-style-type: none"> ▪ Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016] 	13km	No hydrological links or ecological connectivity	No
Pollardstown Fen SAC 000396	<ul style="list-style-type: none"> ▪ Calcareous fens with Cladium mariscus and species of the Caricion davallianae [7210] ▪ Petrifying springs with tufa formation (Cratoneurion) [7220] ▪ Alkaline fens [7230] ▪ Vertigo geyeri (Geyer's Whorl Snail) [1013] ▪ Vertigo angustior (Narrow-mouthed Whorl Snail) [1014] ▪ Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016] 	14.8km to the northeast	No hydrological links or ecological connectivity	No

11.7.8. **Step 3 - Assessment of Likely Significant Effects**

11.7.9. The third step in the Screening exercise is an assessment of the likely effects of the proposed works on a Natura 2000. Section 5 of the AA Screening Report submitted details that a Source-Pathway Receptor link exists between the proposed development and the River Barrow and River Nore SAC (Site Code: 002162). Potential impacts and effects are summarised as follows:

- Habitat loss and fragmentation – arising from the movement of soil, vegetation removal damages to the riverbanks and loss of adequate burrowing areas for species such as the White-clawed Crayfish.
- Silt and pollutants runoff into the River Barrow – leading to changes in surface water quality and impacting local species.
- Noise, dust, vibration and human disturbance – leading to a direct impact on species reducing their ability to forage or breed.
- Spreading of infectious diseases to native species – the risk of spreading of crayfish plague due to contact with contaminated equipment and a decline in native, White-clawed Crayfish. It would also create over-competition with non-native crayfish species.

11.7.10. Species identified at risk from the proposed works include the following:

- White-clawed Crayfish,
- Brook Lamprey,
- River Lamprey,
- Twaite Shad,
- Salmon, and
- Otter.

11.7.11. The AA Screening report states that significant impacts could be predicted from the proposed development due to the site's sensitivity to pollution and silt runoff and the possible spreading of infectious diseases. The report concludes that the proposed development would have a significant effect on European Designated Sites (River

Barrow and River Nore SAC), and progression to a Stage 2 Appropriate Assessment is required

11.7.12. **Screening Determination**

11.7.13. Based on the information on file, which is considered adequate to undertake a screening determination and having regard to:

- the nature and scale of the proposed development,
- the location of the proposed development within the River Barrow and River Nore SAC and the functional relationship and direct connection between the proposed works and the European site, using the Source-Pathway-Receptor model,

it is concluded that the proposed development, individually or in-combination with other plans or projects, would be likely to have a significant effect on the River Barrow and River Nore SAC (Site Code: 002162), in view of the conservation objectives and qualifying interest of this European Site. An Appropriate Assessment is, therefore, required.

11.7.14. The other designated European Sites can be screened out from appropriate assessment by reason of the nature and scale of the proposed development, the intervening land uses, the distance from the European sites and the lack of hydrological links or ecological connectivity between the proposed works and the European sites. It is, therefore, reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, the proposed development, individually or in combination with other plans or projects, would not be likely to have a significant effect on Mountmellick SAC and Pollardstown Fen SAC, in view of their site conservation objectives and a Stage 2 Appropriate Assessment is not therefore required for these European designated Natura 2000 sites. No measures designed or intended to avoid or reduce any harmful effects on a European Site have been relied upon in this screening exercise.

11.8. **The Natura Impact Statement**

11.8.1. The application was accompanied by a Natura Impact Statement (prepared in July 2024), which examined the potential impacts of the proposed works on the River Barrow and River Nore SAC. The NIS describes the proposed works and potential

impacts on Annex I habitats and Annex II species, for which likely significant effects were identified in the AA Screening Report. Specific attention is given to potential impacts on water quality and the spread of crayfish plague arising from the proposed works. Cumulative impacts are identified, and mitigation measures are proposed to ensure compliance with Article 6 requirements of the Habitats Directive. The NIS also considers residual impacts.

11.8.2. It is noted that the NIS does not explicitly detail the assessment methodology employed to identify and assess the potential impacts on habitats and species identified as qualifying interests of the River Barrow and River Nore SAC and its conservation objectives. However, the AA Screening Report details the methodology used to inform the screening report and NIS. This included a desk study, a field survey, an examination of aerial photographs and maps and the adoption of the source-pathway-receptor model in its assessment. Data was sourced from relevant government agency databases.

11.8.3. Having reviewed the NIS and the supporting documentation, I am satisfied that it provides adequate information regarding baseline conditions, clearly identifies the potential impacts, and uses the best scientific information and knowledge. The NIS proposes mitigation measures aimed at protecting the water quality, habitats and species of the European Site. On this basis, I am satisfied that the information is sufficient to allow for an Appropriate Assessment of the proposed development.

11.9. Appropriate Assessment of implications of the proposed development

11.9.1. The following is a summary of the objective scientific assessment of the implications of the project on the qualifying interest features of the European Site, using the best scientific knowledge in the field. All aspects of the project that could result in significant effects are assessed, and mitigation measures designed to avoid or reduce any adverse effects are considered and assessed.

11.9.2. I have relied on the following guidance:

- EC (2021) Commission Notice on the assessment of plans and projects in relation to Natura 2000 sites – Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC

- EC (2018) Managing Natura 2000 sites. The provisions of Article 6 of the Habitats Directive 92/43/EEC.
- EC (2011) Guidelines on the implementation of the Birds and Habitats Directives in Estuaries and coastal zones.
- DoEHLG (2009). Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities. Department of the Environment, Heritage and Local Government, National Parks and Wildlife Service. Dublin.
- EC (2002) Assessment of plans and projects significantly affecting Natura 2000 sites. Methodological guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EC.

11.9.3. **Description of Proposed Development**

11.9.4. The proposed development comprises repair and rehabilitation work to Passlands Bridge in Monasterevin, in Co. Kildare. Section 2 of the NIS details how the proposed works would include the following:

- Repointing: removing deteriorated mortar from the joints between bricks or stones and refilling them with new mortar.
- Crack Repair: methods may include injecting cracks with epoxy or installing tie rods or steel plates to reinforce the affected area.
- Stone Replacement: Remove damaged or eroded stones and replace them with new stones that match the originals in terms of size, material, and appearance.
- Addressing Water seepage by repairing cracks, clearing drainage channels, and applying waterproofing materials.
- Remove vegetation growth on the bridge, as it can trap moisture and damage the masonry.
- Repair metal components, including metal bridge railings, expansion joints, and other components that may require repair or replacement to ensure safety and functionality.

11.9.5. **European Sites**

11.9.6. The following Natura 2000 European Site is subject to Appropriate Assessment:

- River Barrow and River Nore SAC (Site Code: 002162)

11.9.7. A description of the site and its Conservation and Qualifying Interests/Special Conservation Interests, including any relevant attributes and targets for these sites, are set out in the NIS and summarised in Table 2 of this report as part of my assessment. Information on the European Site is obtained from the NPWS website at the following link – [River Barrow and River Nore SAC | National Parks & Wildlife Service](#)

11.9.8. The SAC is identified as very important for the presence of several E.U. Habitats Directive Annex II animal species, including Freshwater Pearl Mussel, White-clawed Crayfish, Salmon, Twaite Shad, three lamprey species – Sea Lamprey, Brook Lamprey and River Lamprey, the tiny whorl snail and Otter. The site is identified as one of only a handful of spawning grounds in the country for Twaite Shad. The Barrow/Nore River is considered mainly a grilse fishery, and the upper stretches of the Barrow and Nore are deemed very important for spawning.

11.9.9. The main threats to the site and current damaging activities include high nutrient inputs into the river system from agricultural runoff and several sewage plants, overgrazing within the woodland areas, and invasion by non-native species. The site's water quality remains vulnerable. Good-quality water is necessary to maintain the populations of the Annex II animal species listed above. Capital and maintenance dredging within the lower reaches of the system pose a threat to migrating fish species such as lamprey.

11.9.10. **Conservation Objectives**

11.9.11. The Conservation Objectives for the River Barrow and River Nore SAC (Site Code: 002162) note that the overall aim of the Habitats Directive is to maintain or restore the favourable conservation status of habitats and species of community interest. The favourable conservation status of a habitat is achieved when:

- Its natural range, and the area it covers within that range, are stable or increasing, and
- 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, and
- The conservation status of its typical species is favourable.

11.9.12. The favourable conservation status of a species is achieved when:

- 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, and
- The natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and
- There is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

11.9.13. **Detailed Conservation Objectives for the River Barrow and River Nore SAC (Site Code: 002162)**

11.9.14. The detailed Conservation Objectives for the River Barrow and River Nore SAC, as outlined in the NPWS Conservation Objectives Series for the site dated 19th July 2011, aim to maintain and restore the favourable conservation condition of the species and habitats for which the SAC has been designated. The objectives for River Barrow and River Nore SAC include:

- To maintain or restore the favourable conservation conditions of the following species and habitats:
 - 1092 White-clawed crayfish *Austropotamobius pallipes*
 - 1095 Sea lamprey *Petromyzon marinus*
 - 1096 Brook lamprey *Lampetra planeri*
 - 1099 River lamprey *Lampetra fluviatilis*
 - 1103 Twaite shad *Alosa fallax*
 - 1106 Atlantic salmon *Salmo salar* (only in fresh water)
 - 1130 Estuaries
 - 1140 Mudflats and sandflats not covered by seawater at low tide
 - 1310 *Salicornia* and other annuals colonising mud and sand
 - 1330 Atlantic salt meadows *Glauco-Puccinellietalia maritimae*
 - 1355 Otter *Lutra lutra*
 - 1410 Mediterranean salt meadows *Juncetalia maritima*

- 1421 Killarney fern *Trichomanes speciosum*
- 1990 Nore freshwater pearl mussel *Margaritifera durrovensis*
- 1990 Nore freshwater pearl mussel *Margaritifera durrovensis*
- 1990 Nore freshwater pearl mussel *Margaritifera durrovensis*
- 3260 Water courses of plain to montane levels with the *Ranunculon fluitantis* and *Callitricho-Batrachion* vegetation
- 3260 Water courses of plain to montane levels with the *Ranunculon fluitantis* and *Callitricho-Batrachion* vegetation
- 4030 European dry heaths
- 6430 Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels
- 7220 * Petrifying springs with tufa formation (*Cratoneurion*)
- 91A0 Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles
- 91E0 Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*)

11.9.15. It is noted that the status of the freshwater pearl mussel (*Margaritifera margaritifera*) as a qualifying Annex II species for the River Barrow and River Nore SAC is currently under review. No attributes or targets are identified for the species.

11.9.16. **Aspects of the proposed development:**

11.9.17. The main aspects of the proposed development that could adversely affect the conservation objectives of the River Barrow and River Nore SAC include:

- Potential impacts to water quality during construction
- The potential spread of crayfish plague

11.9.18. Table 2 below summarises the appropriate assessment and site integrity test. Supplemental to the summary table, my analysis of the effects of the proposed development (alone and in combination with other plans and projects) on the integrity of the Natura 2000 Site is expanded upon in the text below. Mitigation measures are

examined, and a clear, precise and definitive conclusion is reached in terms of adverse effects on the integrity of European sites.

11.9.19. Analysis of the Effects of the Proposed Development on the Integrity of the Natura 2000 Site

11.9.20. The potential significant impacts of the proposed works are identified and assessed in the Natura Impact Statement, with a specific focus on impacts on water quality and the spread of the crayfish plague.

11.9.20.1. Direct Effects

11.9.21. Direct effects could occur during the construction/rehabilitation phase, where there is a risk of sediments and fine materials being released into the River Barrow. This could negatively impact water quality and gravel spawning beds, which are important for Freshwater Pearl Mussels, fish species and otters. It is noted that the status of Freshwater Pearl Mussel [1029] as a qualifying Annex II species for River Barrow and River Nore SAC is currently under review. However, the Nore freshwater pearl mussel species [1990] remains a qualifying interest species for the SAC.

11.9.22. Habitat loss and fragmentation could occur from activity causing soil movement and damage to riverbanks, which could significantly impact the white-clawed Crayfish. This could lead to the loss of adequate burrowing areas within the footprint of the repair works. Silt and pollutant runoff into the River Barrow could degrade surface water quality, which could affect the White-clawed Crayfish, which relies on clean, well-oxygenated water. The effects of such runoff could be significant given the sensitivity of the River Barrow to pollutants and silt overload and its poor water quality (WDF Q-value 3).

11.9.22.1. Indirect Effects

11.9.23. Indirect effects could occur as a result of contaminated equipment introducing the highly infectious Crayfish plague into the River Barrow. Originating from non-native crayfish species and fatal to native crayfish species, this could severely impact and decline the native white-clawed crayfish population, create over-competition with the non-native species and spread downstream and spread to other water bodies.

11.9.23.1. Potential in-combination effects:

11.9.24. There are no other planned or ongoing projects in the immediate vicinity of Pass Bridge that could act in combination with the proposed development to have adverse effects on the integrity of the European Site. However, in an unmitigated situation, the proposed development could act in combination with other known pressures to have adverse effects on water quality and the spread of the crayfish plague. Agricultural intensification, surface water pollution, erosion, and contamination of water have the potential to act in combination with potential water quality impacts from the proposed development works and the spread of the crayfish plague.

11.9.25. **Mitigation Measures**

11.9.26. Section 4 of the NIS details mitigation measures to address the possible risks to water quality from the construction/rehabilitation phase of the proposed development. These include:

- Conduct further pre-construction surveys if more than one year passes between the date of the surveys (15th March 2024) and the proposed work.
- Confine all activities to the project site only and adhere to all standard best practice measures.
- Brief all staff on the environmental sensitivity of the site.
- Employ efficient construction practices to minimise soil erosion, clearance and potential water course pollution.
- Avoid unnecessary clearance of vegetation.
- Adhere to Inland Fisheries Ireland requirements for the protection of fisheries habitats.
- Suspend works during severe weather events.
- Implementation of spill response and control measures adjacent to watercourses.
- Prohibit equipment storage within 15m and refuelling or concrete mixing within 25m of the river.
- Prohibit washing or waste materials entering the river and immediate removal of excavated materials.

- Replace exposed areas of soil with native hedgerow species at the end of the project.
- Appropriate disinfection and drying of equipment to prevent the spread of crayfish plague.
- Implementation of 'check, clean and dry' procedure for equipment.

11.9.26.1. Residual Effects

11.9.27. There are no anticipated residual impacts on any of the species or habitats. I am satisfied that the proposed mitigation measures would protect the aquatic species and habitats which have the potential to be impacted.

11.9.28. **Integrity Test**

Following the appropriate assessment and consideration of mitigation measures, I am able to ascertain with confidence that the proposed development would not adversely affect the integrity of the River Barrow and River Nore SAC (Site Code: 002162), in view of the conservation objectives of this European site. This conclusion has been based on a complete assessment of all implications of the project alone and in combination with plans and projects. Table 2 below summarises the appropriate assessment and site integrity test.

Table 2: Appropriate Assessment Summary Matrix for the River Barrow and River Nore SAC (Site Code: 002162)

Key Issues:

- Potential impact on water quality
- Spread of Crayfish Plague

Conservation Objectives: [River Barrow and River Nore SAC | National Parks & Wildlife Service](#)

Conservation Objective: To maintain the favourable conservation condition of the following Qualifying Interest feature	Conservation Objectives Targets and attributes	Potential adverse effects	Mitigation measures	In-combination effects	Can adverse effects on integrity be excluded?
		Summary of Appropriate Assessment			

White Clawed Crayfish [1092]	No reduction from baseline distribution, juveniles and/or females with eggs in at least 50% of positive samples, no alien crayfish and no instances of disease, sampling of water quality by EPA, no decline in habitat heterogeneity or habitat quality.	<ul style="list-style-type: none"> ▪ Habitat loss due to soil movement and damage to the river banks. ▪ Degradation of water quality from silt and pollutants ▪ Introduction of crayfish plague from contaminated equipment 	<ul style="list-style-type: none"> ▪ Carry out pre-construction surveys if more than one year has passed since the last survey. ▪ Confine activities to the site and adhere to best practices. ▪ Disinfect and dry equipment. ▪ Implement "check, clean, and dry" procedures. ▪ Suspend work during severe weather. ▪ Prohibit concrete mixing or storage within 25m of the river. ▪ Immediate removal of excavated material. 	<ul style="list-style-type: none"> ▪ Potential in-combination effect with agricultural runoff and pollution 	Yes
To restore the favourable conservation condition of the following Qualifying Interest features:					

Sea Lamprey [1095] Brook Lamprey [1096] River Lamprey [1099]	Greater than 75% of main stem length of rivers accessible from estuary (Sea Lamprey), access to all watercourses down to 1st order streams (Brook Lamprey), greater than 75% of main stem and major tributaries down to second order accessible from estuary (River Lamprey), at least 3 age/ size groups present; juvenile density at least 1/m ² (Sea Lamprey) and 2/m ² (Brook and River Lamprey); no decline in extent and distribution of spawning beds; more than 50% of sample sites positive.	<ul style="list-style-type: none"> ▪ Sediment release impacting spawning beds. ▪ Diminished water quality from construction activities. 	<ul style="list-style-type: none"> ▪ Implement soil erosion controls and pollution prevention measures. ▪ Prohibit washing or waste entering the river. ▪ Suspend works during adverse weather conditions. 	<ul style="list-style-type: none"> ▪ Potential in-combination effect with agricultural runoff and pollution, impacting water quality 	Yes
--	---	---	---	---	-----

Twaite shad [1103]	Greater than 75% of main stem length of rivers accessible from estuary, More than one age class present, No decline in extent and distribution of spawning habitats, Water quality: oxygen levels no lower than 5mg/l, Maintain stable gravel substrate with very little fine material, free of filamentous algal (macroalgae) growth and macrophyte (rooted higher plants) growth	<ul style="list-style-type: none"> ▪ Sedimentation affecting spawning habitats. ▪ Oxygen depletion in water due to pollutant influx. 	<ul style="list-style-type: none"> ▪ Follow Inland Fisheries Ireland guidelines. ▪ Employ spill control measures and immediate clean-up protocols. ▪ Minimise vegetation clearance to reduce runoff. 	<ul style="list-style-type: none"> ▪ Combined effects with nutrient inputs from agricultural sources. 	Yes
-----------------------	--	--	---	--	-----

Atlantic Salmon [1106]	100% of river channels down to 2nd order accessible from estuary, conservation limit for each system consistently exceeded, maintain or exceed 0+ fry mean catchmentwide abundance threshold value currently set at 17 salmon fry/5 minutes sampling, no significant decline in outmigrating smolt abundance, no decline in no. & distribution of spawning redds due to anthropogenic causes, water quality at least Q4 at all sampled sites.	<ul style="list-style-type: none"> ▪ Sedimentation impacting spawning redds. ▪ Decline in water quality affecting smolt migration. 	<ul style="list-style-type: none"> ▪ Replace exposed soils with native hedgerow species. ▪ Store equipment and materials away from the riverbank. 	<ul style="list-style-type: none"> ▪ Interaction with surface water pollution from agricultural activities. 	Yes
Otter [1355]	No significant decline in distribution or extent of terrestrial, marine and freshwater habitat; no significant decline in couching sites and holts; no significant decline in available fish biomass.	<ul style="list-style-type: none"> ▪ Disturbance to habitats during construction. ▪ Reduced prey availability due to water quality impacts. 	<ul style="list-style-type: none"> ▪ Restrict activities to designated areas. ▪ Rehabilitate disturbed areas post-construction with native species. 	<ul style="list-style-type: none"> ▪ Combined effects on prey availability from external pollutants 	Yes
Freshwater Freshwater pearl mussel [1029]		<ul style="list-style-type: none"> ▪ Sediment and nutrient runoff and pollution, which would reduce water quality and affect mussel habitats, causing displacement and mortality. 	<ul style="list-style-type: none"> ▪ As above 	Potential in-combination effect with sediment and nutrient runoff, and water pollution from agricultural activities	Yes

11.9.29. Appropriate Assessment Conclusion

11.9.30. The proposed development has been considered in light of the assessment requirements of Sections 177U and 177V of the Planning and Development Act 2000, as amended.

11.9.31. Having carried out screening for Appropriate Assessment of the project, it was concluded that the proposed development may have a significant effect on the River Barrow and River Nore SAC (Site Code: 002162). Consequently, an Appropriate Assessment was required to determine the implications of the project on the qualifying features of those sites in light of their conservation objectives.

11.9.32. Following an Appropriate Assessment, it has been ascertained that the proposed development, individually or in combination with other plans or projects, would not adversely affect the integrity of the River Barrow and River Nore SAC (Site Code: 002162) or any other European site, in view of the sites' Conservation Objectives.

11.9.33. This conclusion is based on:

- A full and detailed assessment of all aspects of the proposed development, including proposed mitigation measures in relation to the Conservation Objectives of the River Barrow and River Nore SAC.
- Detailed assessment of in-combination effects with other plans and projects.
- No adverse effects to Special Conservation Interest habitat or species of the River Barrow and River Nore SAC following the application of mitigation measures.
- The demonstration, beyond reasonable scientific doubt, is that with full and proper implementation of mitigation measures, the proposed development will not result in adverse effects on the integrity of the River Barrow and River Nore SAC.

11.10. Recommendation

11.10.1. Based on the above assessment, I recommend that the Board approve the proposed development, subject to the reasons and considerations below and conditions, including compliance with the submitted details and the mitigation measures as set out in the Natura Impact Statement.

12.0 Reasons and Considerations

12.1.1. In coming to its decision, the Board had regard to the following:

- the EU Habitats Directive (92/43/EEC)
- the European Union (Birds and Natural Habitats) Regulations, 2011 (as amended),
- the likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely significant effects of the proposed development on European sites,
- the conservation objectives and qualifying interests for the River Barrow and River Nore SAC (Site Code: 002162),
- the policies and objectives of the Kildare County Development Plan, 2023-2029,
- the nature and extent of the proposed works as set out in the application for approval,
- the information submitted in relation to the potential impacts on habitats, flora and fauna, including the Natura Impact Statement,
- the submissions received in relation to the proposed development, and
- the report and recommendation of the person appointed by the Board to make a report and recommendation on the matter.

13.0 Appropriate Assessment

The Board agreed with and adopted the screening assessment and conclusion carried out in the Inspector's report that the River Barrow and River Nore SAC is the only European Site for which there is a likelihood of significant effects.

The Board considered the Natura Impact Statement and all other relevant submissions and carried out an Appropriate Assessment of the implications of the proposal for the River Barrow and River Nore SAC (Site Code: 002162). The Board considered that the information before it was adequate to allow the carrying out of an Appropriate Assessment.

In completing the assessment, the Board considered, in particular:

- i. The likely direct and indirect impacts arising from the proposal both individually or in-combination with other plans or projects, specifically upon the River Barrow and River Nore SAC (site code: 002162),
- ii. The mitigation measures which are included as part of the current proposal, iii.
- the Conservation Objectives for the European Site,
- iii. The views set out in submissions received.

In completing the appropriate assessment, the Board accepted and adopted the appropriate assessment carried out in the Inspector's report with respect to the potential effects of the proposed development on the integrity of the aforementioned European Site, having regard to the site's conservation objectives.

In overall conclusion, the Board was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Site, in view of the site's conservation objectives.

14.0 Proper Planning and Sustainable Development/Likely effects on the Environment:

It is considered that subject to compliance with the conditions set out below, the proposed development would not have significant adverse effects on the environment or the community in the vicinity, would not give rise to a risk of pollution, would not be detrimental to the amenities of the area, would not adversely impact on the cultural, archaeological and built heritage of the area and would not interfere with the existing land uses in the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

15.0 Conditions

1.	<p>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 any mitigation measures set out in the Natura Impact Statement or any conditions of approval require further details to be prepared by or on behalf of the local authority, these details shall be placed on the file and retained as part of the public record.</p> <p>Reason: In the interest of clarity, the proper planning and sustainable development of the area, and the protection of the environment.</p>
2.	<p>The mitigation and monitoring measures outlined in the plans and particulars, including the Natura Impact Statement relating to the proposed development, shall be implemented in full or as required to comply with the following conditions. Prior to the commencement of development, the local authority shall prepare details of a time schedule for implementing mitigation measures and associated monitoring, place them on file, and retain them as part of the public record.</p> <p>Reason: In the interest of protecting the environment, European Sites, biodiversity, and public health.</p>
3.	<p>Prior to the commencement of development, details of measures to protect fisheries and the water quality of the river systems shall be outlined and placed on file. Full regard shall be given to Inland Fisheries Ireland's published guidelines for construction near waterways (Guidelines on Protection of Fisheries during Construction Works in and Adjacent to Waters, 2016). A water quality monitoring programme shall be prepared in consultation with the Contractor, the local authority and relevant statutory agencies, and the programme shall be implemented thereafter.</p> <p>Reason: In the interest of protecting water quality, fisheries, and aquatic habitats.</p>
4.	<p>Prior to the commencement of development, the Local Authority, or any agent acting on its behalf, shall prepare, in consultation with the relevant</p>

	<p>statutory agencies, a Construction Environmental Management Plan (CEMP) and a Water Management Plan incorporating all mitigation measures indicated in the Natura Impact Statement and a demonstration of proposals to adhere to best practice and protocols.</p> <p>Reason: In the interest of protecting the environment, the landscape, European Sites, and sensitive receptors, as well as public health.</p>
5.	<p>The Local Authority and any agent acting on its behalf shall ensure that all plant and machinery used during the works should be thoroughly cleaned and washed before delivery to the site and upon removal from the site to prevent the spread of hazardous invasive species and pathogens.</p> <p>Reason: In the interest of the proper planning and sustainable development of the area and to ensure the protection of the European sites.</p>
6.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be placed on the file and retained as part of the public record. This plan shall provide details of the intended construction practice for the development, including:</p> <ul style="list-style-type: none"> (a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse; (b) Location of areas for construction site offices and staff facilities; (c) Details of site security fencing and hoardings; (d) Details of the timing and routing of construction traffic to and from the construction site; (e) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network; (f) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works; (g) Details of appropriate mitigation measures for noise, dust and vibration and monitoring of such levels;

	<p>(h) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained.</p> <p>(i) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;</p> <p>(j) Means to ensure that surface water runoff is controlled such that no silt or other pollutants enter local surface water sewers or drains.</p> <p>A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.</p> <p>Reason: In the interest of amenities, public health and safety.</p>
7.	<p>The construction of the development shall be managed in accordance with a Traffic Management Plan agreed by the Local Authority, and shall be placed on file prior to the commencement of development and retained as part of the public record.</p> <p>Reason: In the interest of orderly development and the protection of the environment.</p>
8.	<p>The Local Authority and any agent acting on its behalf shall facilitate the preservation, recording, protection or removal of archaeological materials or features that may exist within the site. The Local Authority shall appoint a suitably qualified archaeologist to oversee the site set-up and construction of the proposed development, and the archaeologist shall be present on-site during construction works. An Underwater Archaeological Impact Assessment shall be carried out before work commences, placed on file and retained as part of the public record.</p> <p>Reason: To conserve the site's archaeological heritage and secure the preservation and protection of any remains that may exist within the site.</p>
9.	<p>Prior to the commencement of development, pre-commencement surveys for protected plant and animal species shall be undertaken at the site, and where required, the appropriate licence to disturb or interfere with same shall be obtained from the National Parks and Wildlife Service. The details of such</p>

	<p>surveys and licences (if required) shall be placed on the file and retained as part of the public record.</p> <p>Reason: In the interest of wildlife protection.</p>
10.	<p>Prior to the commencement of development, the Local Authority and any agent acting on its behalf shall conduct a bryological survey of the bridge, document the findings and place these on file as part of the public record.</p> <p>Reason: In the interest of protecting bryophyte species and ensuring compliance with The Flora (Protection) Order 2022 (S.I. No. 235 of 2022).</p>
11.	<p>A suitably qualified ecologist shall be retained by the local authority to oversee the site set-up and construction of the proposed development and implementation of mitigation measures relating to ecology set out in the Natura Impact Statement. The ecologist shall be present during site construction works and ensure that the bridge is surveyed for bats prior to commencement of works, that vegetation removal does not occur during the bird breeding season, and that works to the bridge do not occur during the lamprey spawning season. Upon completion of the work, an ecological report of the site works shall be prepared by the appointed ecologist and kept on file as part of the public record.</p> <p>Reason: In the interest of nature conservation and the protection of terrestrial and aquatic biodiversity.</p>

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 judgment in an improper or inappropriate way.

Brendan Coyne

Planning Inspector

29th January 2025