



ENVIROPLAN CONSULTING
LIMITED

July '25

Title

Natura Impact Statement

Development Description

“Upgrade works of local road L3412 and ancillary development works which will provide access to the IDA Ireland land bank at Kilmurry, Slieverue and Gorteen, Belview, Co. Kilkenny. The proposal will provide an upgrade of local road L3412 from the existing eastern IDA Ireland roundabout to the new IDA Ireland land bank at Kilmurray and will tie back into the existing L3412 to the west via a new roundabout. The upgrade will be taken online on the existing road and offline on adjoining land.

The works will consist of the following indicative items:

- *Widening and realignment of the existing road,*
- *Construction of cycle tracks, footpaths*
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- *Drainage works incorporating SuDS and interceptors*
- *Landscaping including amendments to existing screening berm*
- *Disposal of roadworks material*
- *Ancillary road works including public lighting, signs, road markings*
- *Construction of a new watermain*
- *All associated site works*
- *Provision of ducting to facilitate future extension of various services”*

Location

Kilmurry, Slieverue and Gorteen, Belview, Co. Kilkenny

Applicants

Kilkenny County Council

Prepared by:

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1 INTRODUCTION

1.1 Background

This Stage 2 Natura Impact Statement (Appropriate Assessment Report) has been prepared by Edel Hardiman (B.Sc) in consultation with James O' Donnell, Planning Consultant (BA, MRUP, Dip APM) on behalf of Kilkenny County Council who are applying for planning permission to Kilkenny County Council for the “*Upgrade works of local road L3412 and ancillary development works which will provide access to the IDA Ireland land bank at Kilmurry, Slieverue and Gorteen, Belview, Co. Kilkenny. The proposal will provide an upgrade of local road L3412 from the existing eastern IDA Ireland roundabout to the new IDA Ireland land bank at Kilmurray and will tie back into the existing L3412 to the west via a new roundabout. The upgrade will be taken online on the existing road and offline on adjoining land.*

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The site for the proposed road realignment lies 1.2 kilometers to the north of the Lower River Suir SAC (Site Code: 002137) and 2.9 kilometers west of the River Barrow and River Nore SAC (Site Code: 002162). These sites have been designated under the EU Habitats Directive. Therefore, it is necessary that the potential impacts of the proposed works be assessed by the competent authority, in accordance with Article 6 of the Habitats Directive and Birds Directive. This report provides the information necessary for the competent authority to complete an Appropriate Assessment of the potential impacts of the proposed works on sites of European importance in the area.

The current project is not directly connected with, or necessary for, the management of any European Site.

The assessment in this report is based on a desk study and field surveys undertaken on the 06th of May 2025 and the 13th of May 2025 by Edel Hardiman (Consultant Ecologist).

This Stage 2 NIS has been informed by the Stage 1 AA Screening Report, which concluded that construction phase impacts on the Natura 2000 networks could not be ruled out at that stage. The Luffany_010 River waterbody transverses through the site. Therefore, indirect impacts/effects cannot be ruled out during the construction phase of development due to potential silt-laden surface water run-off entering the stream which could impact the Lower River Suir SAC and the River Barrow and River Nore SAC.

This Report has been prepared in accordance with the European Commission guidance document 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/EEC (EC, 2001) and the Department of the Environment's Guidance on the Appropriate Assessment of Plans and Projects in Ireland (December 2009, amended February 2010).

1.2 Statement of Authority

A baseline ecological survey was undertaken on the 06th of May 2025 by Edel Hardiman (B.Sc.). Edel is a qualified ecologist and has obtained a Bachelor's degree in Environmental Science (BSc Hons) at the University of Galway. Edel has completed Appropriate Assessment Screening Reports, Natura Impact Statements, Ecological Impact Assessments, Bat Survey Reports and Environmental Impact Assessment Screening Reports for a wide range of public and private sector projects. She has conducted Bird Surveys and Bat Surveys in the Republic of Ireland. She is a registered member of CIEEM.

James O' Donnell is a qualified Town Planner and Project Manager with over 25 years planning experience in both the public and private sector in the west of Ireland, including 6 years experience as a local authority planning officer. James has particular experience in the project management and delivery of a wide range of complex planning applications requiring environmental and ecological assessment, in accordance with the requirements of the EU Habitats Directive and EIA Directives.

1.3 Screening for Appropriate Assessment

The screening exercise will be conducted in line with the recommendations and protocol set out in the Guidance from the Commission (EC, 2002). This protocol involves a four-stage process to complete an Appropriate Assessment. At each stage, the findings of certain issues and tests will determine whether the next stage in the process is required.

The four stages in the Appropriate Assessment process are outlined below:

Stage 1: Screening

This step consists of examining the likely potential impacts of a project or plan, alone or in combination with other projects, upon a Natura 2000 site or sites, and considers whether these impacts may be considered significant. If no significant impacts are foreseen, then a 'finding of no significant effects' (FONSE) statement is issued to the appropriate authority,

and the process is complete. If the effects are considered significant or their significance is unknown, then the process moves on to Stage 2.

Stage 2: Appropriate Assessment

Where the screening process has identified potential impacts which are considered significant or unknown, this process examines these potential impacts in detail, in relation to the conservation interests of the Natura 2000 site or sites. Mitigation measures may be suggested to reduce the likelihood or severity of these impacts. If the impacts are still considered to be significant or unknown after this stage is complete, then alternative solutions must be considered (Stage 3).

This Natura Impact Statement represents an **Appropriate Assessment** for a development at Kilmurry, Slieverue and Gorteen, Belview, Co. Kilkenny, for the *“Upgrade works of local road L3412 and ancillary development works which will provide access to the IDA Ireland land bank at Kilmurry, Slieverue and Gorteen, Belview, Co. Kilkenny. The proposal will provide an upgrade of local road L3412 from the existing eastern IDA Ireland roundabout to the new IDA Ireland land bank at Kilmurray and will tie back into the existing L3412 to the west via a new roundabout. The upgrade will be taken online on the existing road and offline on adjoining land.*

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Stage 3: Assessment of Alternative Solutions

‘If the potential impacts are still considered to be significant or unknown after the Appropriate Assessment stage, then alternative ways of implementing the project are considered at this stage. If no alternative solutions are possible, then it is considered whether the project or plan may go ahead regardless, if imperative reasons of overriding public interest (IROPI) are found’.

Stage 4: Imperative Reasons of Overriding Public Interest (IROPI)

If significant negative impacts on the Natura 2000 site are unavoidable, and no alternative solutions may be found, then this stage involves the consideration of whether the project or plan may go ahead despite these effects, for 'imperative reasons of overriding public interest' (IROPI).

2 DESCRIPTION OF THE PROPOSED DEVELOPMENT

2.1 Site Location

The proposed road realigned is along the existing L3412, which is east of Waterford city and south of the Slieverue settlement. The IDA Science & Technology Park is to the south of this road with several manufacturing companies in this area including Tirlán Ingredients and Kilkenny Cheese. The Waterford City Waste Water Treatment Plant is to the south of this area.

2.2 Characteristics of Proposed Development

“Upgrade works of local road L3412 and ancillary development works which will provide access to the IDA Ireland land bank at Kilmurry, Slieverue and Gorteen, Belview, Co. Kilkenny. The proposal will provide an upgrade of local road L3412 from the existing eastern IDA Ireland roundabout to the new IDA Ireland land bank at Kilmurray and will tie back into the existing L3412 to the west via a new roundabout. The upgrade will be taken online on the existing road and offline on adjoining land.

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The development site comprises an overall area of 5.5 hectares. The proposed road length is 1,227 m. A map showing the site location is provided as **Figure 2.1**.



Fig 2.1 – Indicative location of application site in relation to the Luffany_010 River Waterbody.



Fig 2.2- Application Site in relation to Lower River Suir SAC and River Barrow and River Nore SAC.

3 CHARACTERISTICS OF THE EXISTING ENVIRONMENT

3.1 Habitats

A walkover survey of the site was conducted on the 06th of May 2025. The NRA publication *Ecological Surveying Techniques for Protected Flora and Fauna* was used as a guide for surveying. Habitats were classified according to the information in *A Guide to Habitats in Ireland* (Fossit 2000) and correlated with any Annex I habitats if applicable.

The application site features an existing road (BL3). There are hedgerows (WL1) and periodic treelines (WL2) bordering this existing road. A stream (FW2) flows through the site under an existing bridge along the road. Agricultural fields (GA1) are to the south of the site where the proposed road realignment will be constructed. A small wooded area (WD1) is within the center of the site adjacent to the north of the IDA Science & Technology Park. There is a grassland area (GS2) to the west of the existing roundabout to the east of the site.

The vegetation noted throughout the hedgerows and treelines include Hawthorn (*Crataegus monogyna*), Blackthorn (*Prunus spinosa*), Brambles (*Rubus fruticosus*), Alder (*Alnus glutinosa*), Sycamore (*Acer pseudoplatanus*), Common Gorse (*Ulex europaeus*) and Scots pine (*Pinus sylvestris*).

Flora Species noted on site include Bluebells (*Hyacinthoides non-scripta*), Herb robert (*Geranium robertianum*), Common Daisy (*Bellis perennis*), Dock leaves (*Rumex Obtusifolius*), Common nettle (*Urtica dioica*), and Ivy (*Hedera hibernica*).

Habitats classified according to Fossits include

- BL3 Buildings and artificial surfaces
- WL1 Hedgerows
- WL2 Treelines
- FW2 Depositing/lowland rivers
- GA1 Improved agricultural grassland
- WD1 (Mixed) broadleaved woodland
- GS2 Dry meadows and grassy verges

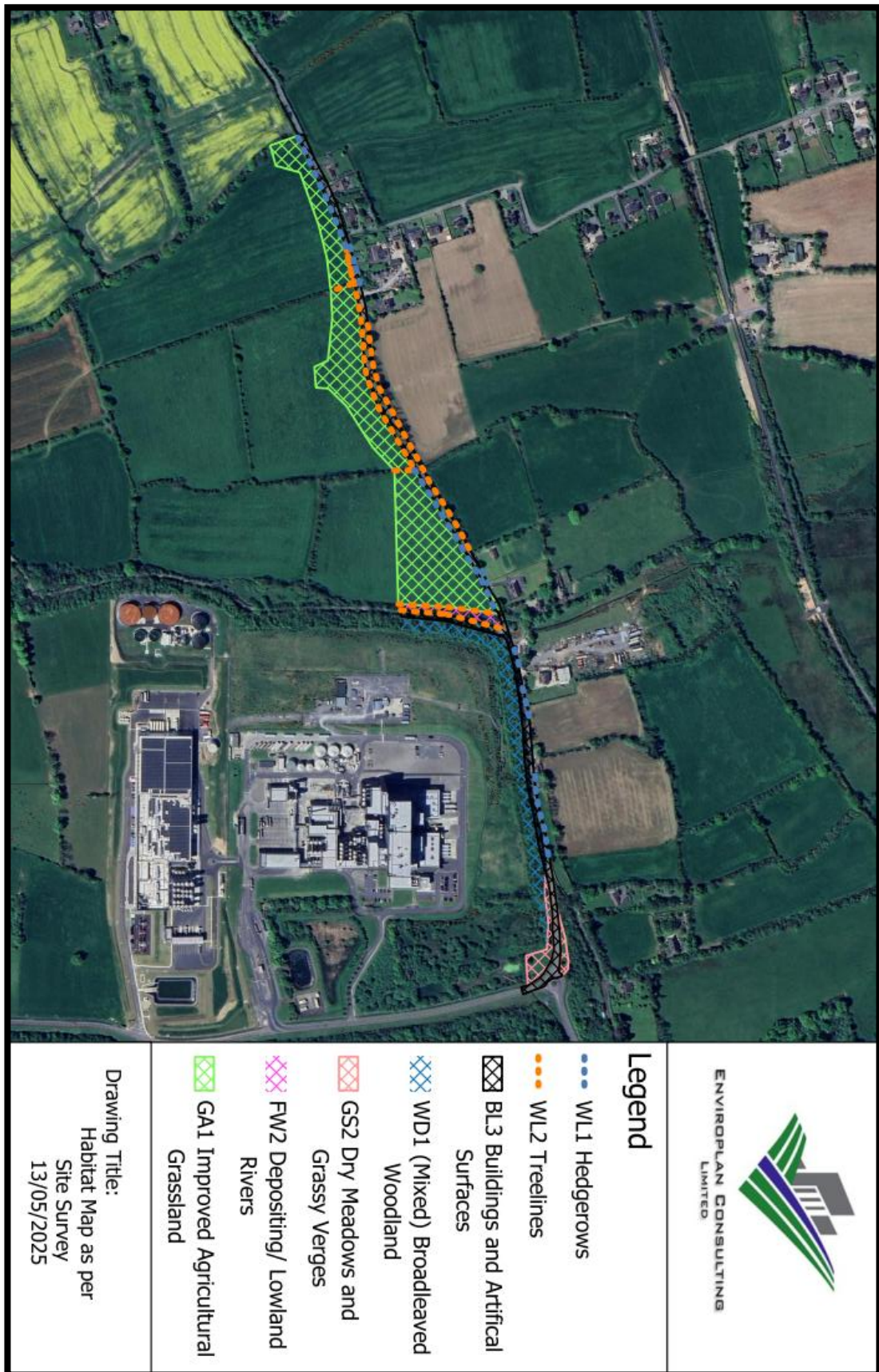


Figure 3.1 Habitat map of the indicative site area surveyed



Plate 3.1 Looking south at the agricultural field east of the stream



Plate 3.2 Looking east at the existing roundabout with streetlights existing in this area



Plate 3.3 Looking south at the stream from the existing road



Plate 3.4 Looking east along the existing road



Plate 3.5 Looking west along the existing road



Plate 3.6 Looking east along the existing road



Plate 3.7 Looking west along the hedgerow and grassland



Plate 3.8 Looking east at the treeline along the stream from the west of the site



Plate 3.9 Looking south at the treeline along the stream



Plate 3.10 Image of a drain adjacent to the stream to the west

3.2 Fauna

Bird species recorded on site during the site visit were European robin (*Erithacus rubecula*), Eurasian wren (*Troglodytes troglodytes*), Blackbird (*Turdus merula*), Song thrush (*Turdus philomelos*), Goldcrest (*Regulus regulus*), European greenfinch (*Chloris chloris*), and White wagtail (*Motacilla alba*).

A wildlife camera was recording on site from the 6th of May 2025 until the 13th of May 2025, which recorded a Mallard (*Anas platyrhynchos*) in the river.

No Qualifying interests of the Lower River Suir SAC and the River Barrow and River Nore SAC were recorded on site. During the site visit, no wetland habitats were recorded on site, such as wet grassland, marshy areas or waterlogged areas of the field. It is also noted that no vegetation on site indicated these habitats.

4 EU NATURE CONSERVATION LEGISLATION AND NATURA 2000 SITES.

There are three main types of designation for nature conservation in Ireland: Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Natural Heritage Areas (NHAs). NHAs are designated under the Irish Wildlife Act 1976 (amended 2000). SACs and SPAs are designated under European legislation, the EU Habitats Directive 92/43/EEC (transposed into Irish law in the European Union (Natural Habitats) Regulations, 1997 as amended in 1998 and 2005) and the EU Birds Directive 79/409/EEC, respectively. These European designated sites (SACs and SPAs) are also known as Natura 2000 sites. This means that they are part of the Natura 2000 Network, a network of important ecological sites across the European Union.

Sites are designated on the basis of the presence of certain 'Qualifying Features', i.e. the habitats listed under Annex I and the species listed under Annex II of the EU Habitats Directive.

Once a site is designated as a SAC/SPA and publicly advertised it is legally protected and becomes a proposed candidate SAC (pcSAC) or proposed candidate SPA (pcSPA). A three-month period follows during which landowners may lodge an objection to the designation. Details of each proposed SAC and proposed SPA are then given to the EU Commission, and thereafter the site is called a "candidate SAC" or "candidate SPA". Once the sites are approved by the commission, they are formally designated by the Minister.

4.1 Appropriate Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites

Due to the proximity of the proposed development site to a Natura 2000 site, an Appropriate Assessment may be required under the Habitats Directive 92/43/EEC, Article 6(3) and (4), Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites. Such assessments are required where it is identified that a proposed plan or project could have significant impact on a Natura 2000 site. Articles 6(3) and (4) of the Directive, state the following;

6.3 '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 national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned....'

6.4 'If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest... the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected...'

5. EUROPEAN SITES IN THE LIKELY ZONE OF IMPACT OF THE PROPOSED DEVELOPMENT

A desktop study was conducted examining online and GIS spatial datasets for Surface Water Catchments and European designated sites on the 08th of April 2025. Information from the site was gleaned from the following source:

- The National Park and Wildlife website www.npws.ie was consulted for details of protected sites and rare and protected species in the area.
- The Geological Survey of Ireland (GSI) was consulted for information on the soils, geology and hydrology of the site.
- The website catchments.ie was used to review information on groundwater
- Relevant Development Plans and Local Area Plans in the neighboring areas.
- The planning section of the Kilkenny County Council's website was consulted for information on local planning applications.
- Various other publications and websites were consulted for supporting information (see References section)

European sites within the zone of likely effects of the project were identified. The surrounding Natura 2000 sites, Lower River Suir SAC and the River Barrow and River Nore SAC, were screened in. In the absence of construction phase mitigation, indirect impacts/effects cannot be ruled out during the construction phase of development. The Luffany_010 River waterbody flows through the site. Therefore, indirect impacts/effects cannot be ruled out during the construction phase of development due to potential silt-laden surface water run-off potentially resulting in water quality deterioration in the Lower River Suir SAC, and subsequently the River Barrow and River Nore SAC as these Natura 2000 sites are hydrologically linked. Therefore, indirect impacts on this SAC cannot be ruled out during the construction phase of this development, in the absence of mitigation measures.

Table 5.1 lists all European Sites within the zone of likely effect. The site synopsis and conservation objectives of these sites, as per the NPWS website (www.npws.ie), were considered at the time of preparation of this report. Details of these sites, including their distance from the proposed development, are provided in Table 5.1.

Table 5.1 Determination of European Sites within the Likely Zone of Impact

European Site	Qualify Interests/Special Conservation Interests for which the European Site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie)	Conservation Objectives	Zone of Likely Impact Determination
<p>Lower River Suir SAC Site code: 002137</p> <p>Approximately 1.2 km from the application site.</p>	<ul style="list-style-type: none"> • Atlantic salt meadows (<i>Glaucopuccinellietalia maritima</i>) [1330] • Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation [3260] • Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430] • Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0] • Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) [91E0] • <i>Taxus baccata</i> woods of the British Isles [91J0] • <i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel) [1029] • <i>Austropotamobius pallipes</i> (White-clawed Crayfish) [1092] • <i>Petromyzon marinus</i> (Sea Lamprey) [1095] • <i>Lampetra planeri</i> (Brook Lamprey) [1096] • <i>Lampetra fluviatilis</i> (River Lamprey) [1099] • <i>Alosa fallax fallax</i> (Twaiite Shad) [1103] • <i>Salmo salar</i> (Salmon) [1106] • <i>Lutra lutra</i> (Otter) [1355] 	<p>Detailed conservation objectives for this site were reviewed as part of the assessment and are available at www.npws.ie</p>	<p>The proposed works are located approximately 1.2 km (straight line measurement) to the west of the European Site and following preliminary assessment it is considered to be within the Likely Zone of Impact.</p>
<p>River Barrow and River Nore SAC Site code: 002162</p> <p>Approximately 2.9 km from the application site.</p>	<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 (<i>Glaucopuccinellietalia maritima</i>) [1330] • Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410] • Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation [3260] • European dry heaths [4030] • Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels [6430] • Petrifying springs with tufa formation (Cratoneurion) [7220] • Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0] 	<p>Detailed conservation objectives for this site were reviewed as part of the assessment and are available at www.npws.ie</p>	<p>The proposed works are located approximately 2.9 kilometers (straight line measurement) to the west of the European Site and following preliminary assessment it is considered to be within the Likely Zone of Impact.</p>

European Site	Qualify Interests/Special Conservation Interests for which the European Site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie)	Conservation Objectives	Zone of Likely Impact Determination
	<ul style="list-style-type: none"> • Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) [91E0] • <i>Vertigo moulinsiana</i> (Desmoulin's Whorl Snail) [1016] • <i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel) [1029] • <i>Austropotamobius pallipes</i> (White-clawed Crayfish) [1092] • <i>Petromyzon marinus</i> (Sea Lamprey) [1095] • <i>Lampetra planeri</i> (Brook Lamprey) [1096] • <i>Lampetra fluviatilis</i> (River Lamprey) [1099] • <i>Alosa fallax fallax</i> (Twaiite Shad) [1103] • <i>Salmo salar</i> (Salmon) [1106] • <i>Lutra lutra</i> (Otter) [1355] • <i>Trichomanes speciosum</i> (Killarney Fern) [1421] 		

6 MITIGATION AND BEST PRACTICE MEASURES

The following mitigation and best practice measures will be adhered to during the construction and/or the operational phase of the proposed development. These are an integral part of the design of the project and are considered standard procedure. These guidelines must be read in conjunction with the “*Ecological Impact Assessment Report*” prepared by Enviroplan Consulting Ltd, submitted as part of this planning application.

Construction Phase:

6.1 Site Set Up

- No works will take place outside the red line boundary to prevent damage to areas outside the necessary development footprint.
- Wheel washers/judder bars to clean off vehicles will be placed at the entrance of the site prior to the commencement of works.
- A silt fence shall be erected prior to any construction, earthworks or groundworks operations on site, along the stream within the site. This silt fence shall remain in place for the entirety of the construction phase of the road.
- Silt fences will be constructed using a permeable filter fabric and not a mesh. Silt fencing will be installed as per the manufacturer’s guidelines.

- Once installed, the silt fences will be inspected regularly during construction and on an increased basis during heavy rainfall.
- A silt fence shall also be erected to the west of the site as a precautionary measure to ensure no silt enters the Luffany river waterbody further to the west of this area. This silt fence shall remain in place for the entirety of the construction phase of the road.
- Silt fences will be monitored via a silt inspection log during the construction period.
- A suitably qualified Ecological Clerk of Works will be assigned by the contractor prior to commencement of any works on this site. The Ecological Clerk of Works will oversee the works on site to ensure no impacts to fauna or the watercourse during the construction phase.
- Sedimats will be placed along the existing stream as an additional precautionary measure, these sedimats are to remain in place for the entirety of the construction phase.
- Construction of the road over the stream is to take place outside of the salmon and trout season, October to the end of February.
- Works will adhere to the Inland Fisheries Guidelines 2016.

6.2 Earthworks/ Invasive Species

- Works such as soil excavations, soil depositing or soil stripping shall not take place immediately following periods of heavy or prolonged rainfall.
- All stockpile areas of sand, gravel, and soils shall be stored on level terrain and shall be covered during heavy rainfall periods in order to prohibit the mobilisation of sediments.
- Any infill being brought onsite ensure that the source is free of invasive species such as Japanese Knotweed, *Gunnera* and *Rhododendron*.
- Any invasive species identified within the application site are to be removed and treated by a licensed and trained specialist to prevent the spread of invasive species. This measure is to be carried out prior to any construction work on the application site.

6.3 Air Quality Dust and Emissions

- Dust and mal odours shall be kept to a minimum.
- The site shall be dampened down as necessary to minimise windblown dust when necessary or during periods of dry weather.
- Dust suppression equipment must be used when point source emissions are likely.
- No Burning of materials will be allowed onsite.
- Care will be taken from the commencement of the project that the deposition of debris on local roads is kept to a minimum.

6.4 Refueling, fuel and hazardous materials storage

- All site workers are to be trained in how to manage a spill event.
- Spill protection equipment will be available to all workers on site in the event of an accidental spill.
- All petroleum products are to be bunded during the construction stage of the development.

6.5 Environmental Approvals and Licenses

- Appropriate waste permits will be provided to and retained by the supervising engineer for the completion of demolition / waste disposal file.

6.6 Groundwater Contamination

- All direct discharges of pollutants into groundwater are prohibited.
- Drip trays shall be utilized for all machinery on site and monitoring undertaken to ensure that there is no risk of overflowing and that they are adequately sized to deal with the specific element of machinery that they are protecting against.
- Site storage will be on an impervious base within a secondary containment system such as a bund.
- A spill kit with sand or earth shall be kept close to storage areas. Staff will be trained on how to use spill kits correctly.
- Damaged, or leaking drums shall be removed from site immediately and disposed of via a registered waste disposal contractor.
- No concrete or cleaning water will enter soil or the adjacent waterway.
- Construct systems to collect, convey, treat, and attenuate the surface water runoff generated by the proposed development.
- All construction shall be carried out in line with the Inland Fisheries Ireland 2016 Guidelines.
- Construct systems to collect, convey, treat and attenuate the surface water runoff generated by the proposed development.

6.7 Drainage and Water Quality

- The works shall be planned and executed in accordance with Environmental Protection Agency Guidelines.
- Wash water from on-site mixers or lorries shall be disposed of appropriately off site.
- The contractor must ensure that operations do not give rise to the discharge of large quantities of dirty water into the water courses. Measures must be in place to ensure that silt will not be allowed to enter the water system.
- To prevent run off from stripped ground, banks are to be placed on the downstream side of stockpiles.
- Water from excavations shall be pumped to land and allowed to settle, or passed through silt traps, before returning into the watercourse.

- Good site management will ensure that surface water and groundwater will be protected from accidental contamination.
- Washing out of concrete trucks will not be permitted within the site and must be conducted in hard standing areas.
- Works with concrete shall be done during dry conditions for a period sufficient to cure the concrete (at least 48 hours).
- Concrete pours shall occur in contained areas.
- Portable toilets and sanitary facilities will be provided for site use.
- Plant will be re-fueled away from watercourses.
- All site operatives will have immediate access to spill kits when machinery is being used.
- The Ecological Clerk of Works will oversee the construction of the new culvert at the existing watercourse.
- The culverting of the stream will only occur outside of the Annual Close Season during the permitted summer period of July-September inclusive.
- No direct discharge of sediments shall occur within the stream.
- All cut vegetation must be removed from the watercourse to avoid de-oxygenation of the water during decay, and blockage of downstream structures.

6.8 Noise Control Measures

- While increased levels of background noise are unavoidable during the demolition and construction phase of any project, measures will be implemented to reduce the number of noise-generating activities occurring concurrently.
- A copy of the EPA 'Guidance Note for Noise: License Applications, Surveys and Assessments in Relation to Scheduled Activities (NG4)' will be available on site for the duration of the works and will be referred to as required during the works.
- Channels of communication will be established between the Contractor, local authority, and residents.
- Machines shall be turned off when not in use.
- Noise shall be dampened where possible.

7 ASSESSMENT OF LIKELY EFFECTS ON EUROPEAN SITES

Any likely direct or indirect effects of the proposed development, both alone and in combination with other plans and projects, on European Sites by virtue of the following criteria: size and scale, land-take, distance from the European Site or key features of the site, resource requirements, emissions, excavation requirements, transportation requirements and duration of construction and operation have been considered in this assessment.

7.1 Assessment with regard to each of the European Sites located within the Likely Zone of Impact

Table 7.1 provides the assessment with regard to each of the European Sites located within the Likely Zone of Impact. The Lower River Suir SAC and the River Barrow and River Nore SAC are within the Likely Zones of Impact.

Table 7.1 Assessment of pathways for potential adverse effects on the integrity of European Sites within the Zone of Likely Impact of the Proposed Works

European Site	Pathways for Direct Effects	Pathways for Indirect Effects	Potential for adverse effects on the European Site
Lower River Suir SAC Site code: 002137 Approximately 1.2 km from the application site.	There is no potential for direct effects/impacts on the Qualifying Interests of the European Site. The proposed works are entirely outside the boundary of the European Site.	The application site lies approximately 1.2 km to the north of the Natura 2000 site. The Luffany_010 River waterbody flows through the site. Therefore, indirect impacts/effects cannot be ruled out during the construction phase of development due to potential silt-laden surface water run-off potentially resulting in water quality deterioration in this Natura 2000 sites cannot be ruled out during the construction phase of this development. Best practice and mitigation measures are outlined in section 6 of this report.	With the proposed mitigation in place as stated in Section 6, there is no potential for impact on this European site. No potential for adverse effect.
River Barrow and River Nore SAC	There is no potential for direct effects/impacts on the Qualifying Interests of the European Site. The proposed works are entirely outside the	The application site lies approximately 2.9 kilometers to the west of the Natura 2000 site. The Luffany_010 River waterbody flows through the site. Therefore, indirect impacts/effects	With the proposed mitigation in place as stated in Section 6, there is no potential for impact on this European site. No

European Site	Pathways for Direct Effects	Pathways for Indirect Effects	Potential for adverse effects on the European Site
<p>Site code: 002162</p> <p>Approximately 2.9 km from the application site.</p>	<p>boundary of the European Site.</p>	<p>cannot be ruled out during the construction phase of development due to potential silt-laden surface water run-off potentially resulting in water quality deterioration in this Natura 2000 sites cannot be ruled out during the construction phase of this development.</p> <p>Best practice and mitigation measures are outlined in section 6 of this report.</p>	<p>potential for adverse effect.</p>

8 LIKELY CUMULATIVE IMPACT OF THE PROPOSED DEVELOPMENT ON EUROPEAN SITES, IN-COMBINATION WITH OTHER PLANS AND PROJECTS

The proposed development was considered in combination with other plans and projects in the area that could result in cumulative effects on European Sites.

The online planning system for Kilkenny County Council was consulted on the 08th of April 2025.

The following local planning applications were granted within a 300m radius of the site in the past 5 years.

- **PI. Ref. no. 2360046:** *“for the proposed erection of a Security Cabin on site comprised of Security Office, Canteen and WC together with Treatment Plant and associated Polishing Filter and all associated site works and ancillary services on site.”*
- **PI. Ref. no. 20920:** *“for (1) Permission for Retention of the following, (a) the erection of a concrete kerbing on site, (b) the revision of fencing layout from that previous granted under Planning reg No's P15/251 and P17/79 consisting of the removal of the palisade Fencing from the kerbing on top of the sloped sections of ground and the replacing of the Stout Timber fencing with a Palisade Security fence to provide the necessary Security on site and (c) Retention and Completion of the creation of a concrete covered compound (a part of the site which was granted Permission under Planning Reg No. 17/79) for the storage of palletised bagged fertiliser on site, and also for (2) Permission for the proposed installation of Surface Water drainage and Attenuation to cater for the new compound area on site”*

9 CONCLUDING STATEMENT

9.1 Characteristics of the Site and Development

This report details the results of an Appropriate Assessment carried out for *“Upgrade works of local road L3412 and ancillary development works which will provide access to the IDA Ireland land bank at Kilmurry, Slieverue and Gorteen, Belview, Co. Kilkenny. The proposal will provide an upgrade of local road L3412 from the existing eastern IDA Ireland roundabout to the new IDA Ireland land bank at Kilmurray and will tie back into the existing L3412 to the west via a new roundabout. The upgrade will be taken online on the existing road and offline on adjoining land.*

The works will consist of the following indicative items:

- *Widening and realignment of the existing road,*
- *Construction of cycle tracks, footpaths*
- *Construction of new roundabout*

- *Construction of a new culvert at the existing watercourse*
- *Drainage works incorporating SuDS and interceptors*
- *Landscaping including amendments to existing screening berm*
- *Disposal of roadworks material*
- *Ancillary road works including public lighting, signs, road markings*
- *Construction of a new watermain*
- *All associated site works*
- *Provision of ducting to facilitate future extension of various services”.*

The site for the proposed development lies approximately 1.2 kilometers to the north of the Lower River Suir SAC (Site Code: 002137) while the River Barrow and River Nore SAC (Site code: 002162) is 2.9 km to the east of the site. It is not expected that the proposed development, will give rise to any direct impacts on the Natura 2000 sites in question.

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

The project is not directly connected with or necessary to the management of any European Site.

b) *Cumulative Impact Assessment - Are there any other projects or plans that together with the project being assessed could affect the site?*

A search in relation to plans and projects that may have the potential to result in cumulative impacts on European sites was carried out as part of the Appropriate Assessment Process. As detailed above in **Section 8**, the proposed development will have no individual or in-combination impact on any European site in any regard.

9.2 Assessment of Significance of Effects

Describe how the project is likely to affect the Natura 2000 sites

- a) The project as planned will not adversely affect the integrity of any European site. During the assessment, pathways for potential significant indirect impacts/effects on Lower River Suir SAC and the River Barrow and River Nore SAC, were identified due to the presence of a stream through the site. This report has provided an assessment of all potential pathways for direct impacts/effects and indirect impacts/effects on European Sites. Surface water runoff must be monitored and controlled for the entirety of the construction phase. For additional mitigation measures and best practice measures please see Section 6 above. Any identified potential pathways for impacts/effects are robustly blocked through the mitigation and best practice measures proposed, avoiding the potential for any adverse impacts via any of the pathways identified.

b) Explain why these effects are not considered significant.

- There will be no negative direct impacts or reduction in Annex I habitat area or Annex II species within any European Site.
- There will be no reduction in key habitats supporting populations of Annex II species and no reduction in the populations of any Annex II species.
- Any potential pathways for impact have been blocked through good design, mitigation measures and a suitability assessment of the lands for development of this type.
- The works themselves will involve little disturbance or disruption to the ecological processes in the area during construction, operation, or decommissioning.
- The predicted indirect impact/effect of groundwater contamination will be mitigation through the measures implemented in Section 6.

Data Collected to Carry Out Assessment

In preparation of the report, the following sources were used to gather information:

- Review of NPWS Site Synopses and Conservation Objectives for European sites.
- Site Visits on the 06th of May 2025 and the 13th of May 2025.
- Desk study of relevant ecological information.

9.3 Concluding Statement

With the implementation of the best practice and mitigation measures described in Section 6 of this report, it is not expected that the proposed development will give rise to any direct, indirect, or secondary impacts on the Lower River Suir SAC and the River Barrow and River Nore SAC.

No direct or indirect impacts/effects are expected on any of the SSCO associated with the Lower River Suir SAC and the River Barrow and River Nore SAC during the construction or operational phase of development.

10 BIBLIOGRAPHY

Birds Directive (2009/47/EC) – http://ec.europa.eu/environment/naturelegislation/birdsdirective/index_en.htm

CIEEM (2016) Institute of Ecology and Environmental Management Guidelines for Ecological Impact Assessment. (9) EC (2001) Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC

DEHLG (2009) Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities. DEHLG, Dublin.

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

DoEHLG (2010). Appropriate Assessment of Plans and Projects in Ireland. Guidance for Planning Authorities. Revision, February, 2010. Department of the Environment, Heritage and Local Government.

EC (2000) Managing Natura 2000 Sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC, Office for Official Publications of the European Communities, Luxembourg. European Commission.

EC (2001) Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Articles 6(3) and (4) of the Habitats Directive 92/43/EEC.

EC (2002) Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC, Office for Official Publications of the European Communities, Luxembourg. European Commission.

EC (2007a) Guidance document on Article 6(4) of the 'Habitats Directive' 92/43/EEC – Clarification of the concepts of: alternative solutions, imperative reasons of overriding public interest, compensatory measures, overall coherence, opinion of the commission. Office for Official Publications of the European Communities, Luxembourg. European Commission.

EC (2013) Interpretation Manual of European Union Habitats. Version EUR 28. European Commission, DG Environment.

EPA (2002) Guidelines on the information to be contained in Environmental Impact Statements. Environmental Protection Agency.

EPA (2003) Advice Notes on current practice in the preparation of Environmental Impact Statements. Environmental Protection Agency.

EPA website: <http://www.epa.ie>.

European Communities (Natural Habitats) Regulations, SI 94/1997, SI 233/1998 & SI 378/2005 – <http://www.irishstatutebook.ie>.

Fossit, Julie A. (2000) A Guide to Habitats in Ireland, The Heritage Council

Habitats Directive (92/43/EEC).

NPWS (2013) The Status of EU Protected Habitats and Species in Ireland. Conservation Status in Ireland of Habitats and Species listed in the European Council Directive on the Conservation of Habitats, Flora and Fauna 92/43/EEC.

NPWS of the DEHLG (2013) The Report on Status of Habitats and Species in Ireland: Technical Reports and Forms.

NPWS Protected Site Synopses available on <http://www.npws.ie/en/ProtectedSites/>.

NRA (2009) Guidelines for the Assessment of Ecological Impacts of National Road Schemes.

Water status data available on <http://www.epa.ie> and <http://www.wfdireland.ie>

Wildlife Act 1976 and Wildlife (Amendment) Act 2000.

Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (Habitats Directive) and Directive 2009/147/EC (codified version of Directive 79/409/EEC as amended) (Birds Directive) – transposed into Irish law as European Communities (Birds and Natural Habitats) Regulations 2011 (SI 477/2011)

Marnell, F., Kelleher, C. & Mullen, E. (2022) Bat mitigation guidelines for Ireland v2. Irish Wildlife Manuals, No. 134. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage, Ireland

