

# Spink Quarry, Knockbaun, Abbeyleix, Co. Laois

## Spink Quarry

### Environmental Impact Assessment Report

#### Appendix 8

#### Appropriate Assessment Screening Report

2021

## Report for the purposes of Appropriate Assessment Screening

as required under Article 6(3) of the Habitats Directive  
(Council Directive 92/43/EEC)

### Spink Quarry, Knockbaun

Prepared by: Moore Group – Environmental Services

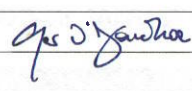
21 July 2021



On behalf of Lagan Materials Ltd

Laois County Council Planning Authority, Viewing Purposes Only

<b>Project Proponent</b>	Lagan (Breedon Group)
<b>Project</b>	Spink Quarry Development
<b>Title</b>	Report for the purposes of Appropriate Assessment Screening Spink Quarry Development

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## Abbreviations

AA	Appropriate Assessment
EEC	European Economic Community
EPA	Environmental Protection Agency
EU	European Union
GIS	Geographical Information System
LAP	Local Area Plan
NHA	Natural Heritage Area
NIS	Natura Impact Statement
NPWS	National Parks and Wildlife Service
OSI	Ordnance Survey Ireland
pNHA	proposed Natural Heritage Area
SAC	Special Area of Conservation
SPA	Special Protection Area
SuDS	Sustainable Drainage System
WFD	Water Framework Directive

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## 1 INTRODUCTION

### 1.1 GENERAL INTRODUCTION

This report for the purposes of Appropriate Assessment (AA) Screening has been prepared to support a Planning Application for the Proposed Development (described in Section 3 below). This report contains information required for the competent authority to undertake screening for Appropriate Assessment (AA) on the potential for the proposed continuation and deepening of the existing hard rock quarry at Knockbaun, Spink, Co. Laois (hereafter referred to as the Proposed Development), as well as the installation of a concrete batching plant, to significantly affect European sites.

Screening is the process that addresses the first two tests of Article 6(3) of Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (as amended) (referred to as the Habitats Directive):

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

Having regard to the provisions of the Planning and Development Act 2000 (section 177U and 177V), the purpose of a screening exercise under section 177U of the PDA 2000 is to assess, in view of best scientific knowledge, if the proposed development, individually or in combination with another plan or project is likely to have a significant effect on a Natura 2000 site (Described in Section 1.2).

If it cannot be excluded on the basis of objective information that the proposed development, individually or in combination with other plans or projects, will have a significant effect on a European site then it is necessary to carry out a Stage 2 appropriate assessment.

When screening the project, there are two possible outcomes:

- the project poses no risk of a significant effect and as such requires no further assessment; and
- the project has potential to have a significant effect (or this is uncertain) and AA of the project is necessary.

This report has been prepared by Moore Group - Environmental Services to support an application for planning permission for the Proposed Development to allow Laois County Council to carry out AA screening in relation to the Proposed Development. The report was compiled by Ger O'Donohoe (B.Sc. Applied Aquatic Sciences (GMIT 1993) & M.Sc. Environmental Sciences (TCD 1999)) who has 25 years' experience in environmental impact assessment and has completed numerous Appropriate Assessment Screening Reports and Natura Impact Statements on terrestrial and aquatic habitats for various development types.

## 1.2 LEGISLATIVE BACKGROUND - THE HABITATS AND BIRDS DIRECTIVES

It is necessary that the Proposed Development has regard to Article 6 of the Habitats Directive. This is transposed into Irish Law by the European Communities (Birds and Natural Habitats) Regulations, 2011 to 2015 (referred to as the Habitats Regulations). The Planning and Development Act 2000 (section 177U and 177V) govern the requirement to carry out appropriate assessment per Section 1.1 above.

The Habitats Directive is the main legislative instrument for the protection and conservation of biodiversity in the European Union (EU). Under the Habitats Directive, Member States are obliged to designate Special Areas of Conservation (SACs) which contain habitats or species considered important for protection and conservation in an EU context.

The Birds Directive (Council Directive 2009/147/EC on the Conservation of Wild Birds), transposed into Irish law by the Habitats Regulations 2011, is concerned with the long-term protection and management of all wild bird species and their habitats in the EU. Among other things, the Birds Directive requires that Special Protection Areas (SPAs) be established to protect migratory species and species which are rare, vulnerable, in danger of extinction, or otherwise require special attention.

SACs designated under the Habitats Directive and SPAs, designated under the Birds Directive, form a pan-European network of protected sites known as Natura 2000. The Habitats Directive sets out a unified system for the protection and management of SACs and SPAs. These sites are also referred to as European sites.

Articles 6(3) and 6(4) of the Habitats Directive set out the requirement for an assessment of proposed plans and projects likely to affect Natura 2000 sites.

Article 6(3) establishes the requirement to screen all plans and projects and to carry out a further assessment if required (Appropriate Assessment (AA)). Article 6(4) establishes requirements in cases of imperative reasons of overriding public interest:

**Article 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 subjected to an appropriate assessment of its implications for the site in view of the site's conservation objectives. In light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public."

**Article 6(4):** "If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, Member States shall take all compensatory measures necessary to ensure that the overall coherence of the Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted. Where the site concerned hosts a priority natural habitat type and/or a priority species the only considerations which may be raised are those relating to human health or public safety, to the beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest."



## 2 METHODOLOGY

The Commission's methodological guidance (EC 2002; 2018, see Section 2.1 below) promotes a four-stage process to complete the AA and outlines the issues and tests at each stage. An important aspect of the process is that the outcome at each successive stage determines whether a further stage in the process is required.

Stages 1 and 2 deal with the main requirements for assessment under Article 6(3). Stage 3 may be part of Article 6(3) or may be a necessary precursor to Stage 4. Stage 4 is the main derogation step of Article 6(4).

**Stage 1 Screening:** This stage examines the likely effects of a project either alone or in combination with other projects upon a Natura 2000 site and considers whether it can be objectively concluded that these effects will not be significant. In order to screen out a project, it must be excluded, on the basis of objective information, that the Proposed Development, individually or in combination with other plans or projects, will have a significant effect on a European site.

**Stage 2 Appropriate Assessment:** In this stage, there is a consideration of the impact of the project with a view to ascertain whether there will be any adverse effect on the integrity of the Natura 2000 site either alone or in combination with other projects or plans, with respect to the site's structure and function and its conservation objectives. Additionally, where there are predicted impacts, an assessment of the potential mitigation of those impacts is considered.

**Stage 3 Assessment of Alternative Solutions:** This stage examines alternative ways of implementing the project that, where possible, avoid any adverse impacts on the integrity of the Natura 2000 site.

**Stage 4 Assessment where no alternative solutions exist and where adverse impacts remain:** Where imperative reasons of overriding public interest (IROPI) exist, an assessment to consider whether compensatory measures will or will not effectively offset the damage to the sites will be necessary.

To ensure that the Proposed Development complies fully with the requirements of Article 6 of the Habitats Directive and all relevant Irish transposing legislation, the Moore Group compiled this report to support an application for planning permission in respect of the Proposed Development. The report will allow the competent authority to carry out AA screening in relation to the Proposed Development and determine whether the Proposed Development, individually or in combination with another plan or project will have a significant effect on a Natura 2000 site.

## 2.1 GUIDANCE

This report has been compiled in accordance with guidance contained in the following documents:

- Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities. (DoEHLG 2010 rev.);
- Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities. Circular NPWS 1/10 & PSSP 2/10;
- Assessment of Plans and Projects Significantly Affecting Natura 2000 sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (European Commission Environment Directorate-General 2001), hereafter referred to as the EC Article Guidance Document;
- Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC (EC Environment Directorate-General 2000), hereafter referred to as MN2000;
- Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC (EC 2018); and
- OPR Practice Note PN01 Appropriate Assessment Screening for Development Management (OPR 2021).

## 2.2 DATA SOURCES

Sources of information that were used to collect data on the Natura 2000 network of sites, and the environment within which they are located, are listed below:

- The following mapping and Geographical Information Systems (GIS) data sources, as required:
  - National Parks & Wildlife (NPWS) protected site boundary data;
  - Ordnance Survey of Ireland (OSI) mapping and aerial photography;
  - OSI/Environmental Protection Agency (EPA) rivers and streams, and catchments;
  - Open Street Maps;
  - Digital Elevation Model over Europe (EU-DEM);
  - Google Earth and Bing aerial photography 1995-2021.
- Online data available on Natura 2000 sites as held by the National Parks and Wildlife Service (NPWS) from [www.npws.ie](http://www.npws.ie), including:
  - Natura 2000 - Standard Data Form;
  - Conservation Objectives;

- Site Synopses.
- National Biodiversity Data Centre records;
  - Online database of rare, threatened and protected species;
  - Publicly accessible biodiversity datasets.
- Status of EU Protected Habitats in Ireland. (National Parks & Wildlife Service 2019); and
- Relevant Development Plans;
  - Laois County Development Plan 2017-2023

### 3 DESCRIPTION OF THE PROPOSED DEVELOPMENT

The development will consist of the continued use and operation of the existing quarry including deepening of the quarry. Extraction will be confined to the existing permitted quarry area (P.A. Ref. 10/383) comprising an extraction area of c. 14.5 ha within an overall application area of c. 19.6 ha. The development will include provision of new site infrastructure, including portacabin site office, canteen, toilets, concrete batching plant and truck washdown facility, hydrocarbon interceptors, mobile crushing and screening plant, upgrading of the water management system, provision of holding tank for wastewater, and other ancillaries. The proposed development will utilise/upgrade the existing insitu quarry infrastructure, including site access, internal roads, storeroom, wheel wash, weighbridge, aggregate storage bays, refuelling hard stand, water settlement pond system, and other ancillaries.

It is proposed that the quarry will be worked in a series of benches (typically 10 to 20 metres) down to a final depth of 200 m AOD in the western quarry area and 190 m AOD in the eastern quarry area.

A 50 m standoff from the extraction area to the R430 Regional Road will continue to be maintained. This standoff area includes the existing site access, store, wheel wash, weighbridge, refueling hard stand, final water settlement ponds, perimeter screening berms, and other ancillaries. The standoff also includes the northeastern constructed pond/wetland at the site entrance that feeds the headwaters of the Clogh stream. The rising of the Clogh River is in this zone and is thereby protected. This bank also acts to screen the development from views to the north.

There will be no changes to the method of extraction and processing as a result of this planning application. Drilling and blasting will continue to be utilised with processing of extracted rock using mobile crushing and screening plant located within the quarry void.

A wheeled loading shovel and/or backhoe excavator will be used to feed the blasted rock to the mobile crushing and screening plant that will be relocated close to the working face so as to reduce handling of materials.

The aggregates produced will then be stockpiled and subsequently loaded out by a front-end loader to road trucks for transport off-site to market and / or to the feed bins for the concrete batching plant.

It is proposed that surface/groundwater water accumulating within the processing and extraction area will be conveyed to the existing series of settlement ponds. This water will be utilised for dust suppression, if required, and/or discharged off-site to an external watercourse subject to a Discharge Licence. The Water Management Plan, capacity of the settlement ponds and mechanisms of discharge are presented in the Project EIAR.

Figure 1 shows the Proposed Development location, Figure 2 shows a detailed view of the Proposed Development boundary on recent aerial photography, and Figure 3 shows the layout of the Proposed Development.

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Figure 1. Showing the Proposed Development Location at Spink, Co. Laois.



Figure 2. Showing the Proposed Development boundary on recent aerial photography

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Figure 3. Plan of the Proposed Development

## 4 IDENTIFICATION OF NATURA 2000 SITES

### 4.1 DESCRIPTION OF NATURA SITES POTENTIALLY AFFECTED

The Department of Housing, Planning and Local Government (previously DoEHLG)'s Guidance on Appropriate Assessment (2009) recommends an assessment of European sites within a Zone of Influence (Zoi) of 15 km. This distance is a guidance only and a zone of influence of a proposed development is the geographical area over which it could affect the receiving environment in a way that could have significant effects on the Qualifying Interests of a European site. This should be established on a case-by-case basis using the Source-Pathway-Receptor framework and not by arbitrary distances (such as 15 km).

The Zone of Influence may be determined by connectivity to the Proposed Development in terms of:

- Nature, scale, timing and duration of works and possible impacts, nature and size of excavations, storage of materials, flat/sloping sites;
- Distance and nature of pathways (dilution and dispersion; intervening 'buffer' lands, roads etc.); and
- Sensitivity and location of ecological features.

The potential for source pathway receptor connectivity is firstly identified and detailed information is then provided on sites with connectivity. European sites that are located within the potential Zone of Influence of the Proposed Development are listed in Table 1 and presented in Figures 4 and 5, below. Spatial boundary data on the Natura 2000 network was extracted from the NPWS website ([www.npws.ie](http://www.npws.ie)) on the 21 July 2021.

The nearest European sites to the Proposed Development are associated with the River Nore and include the River Barrow and River Nore SAC (Site Code 002162) and the River Nore SPA (004233), which are located 1.04 km and 8.51 km, respectively, from the proposed development.

There are currently two active surface water outfalls from the site, one to the eastern catchment and one to the western catchment. These correspond with the mapped surface water divide that runs north-south through the centre of the site. This division separates the River Clogh catchment to the east and the River Owenbeg to the west. Both eventually lead to the River Nore with its associated European sites: the River Barrow and River Nore SAC (Site Code 002162) and the River Nore SPA (004233).

The Qualifying Interests (QIs) and Special Conservation Interests (SCIs) of the European sites in the vicinity of the Proposed Development are provided in Table 2 below.



**Table 1 European Sites located within the potential Zone of Influence<sup>1</sup> of the Proposed Development**

Site Code	Site name	Distance (km) <sup>2</sup>
000869	Lisbigney Bog SAC	8.80
002162	River Barrow and River Nore SAC	1.04
002256	Ballyprior Grassland SAC	10.14
004233	River Nore SPA	8.51

## 4.2 ECOLOGICAL NETWORK SUPPORTING NATURA 2000 SITES

An analysis of the proposed Natural Heritage Areas (pNHA) and designated Natural Heritage Areas (NHA) in terms of their role in supporting the species using Natura 2000 sites was undertaken. It was assumed that these supporting roles mainly related to mobile fauna such as mammals and birds which may use pNHAs and NHAs as “stepping stones” between Natura 2000 sites.

Article 10 of the Habitats Directive and the Habitats Regulations 2011 place a high degree of importance on such non-Natura 2000 areas as features that connect the Natura 2000 network. Features such as ponds, woodlands and important hedgerows were taken into account during the preparation of this AA Screening report.

There are no other areas of conservation concern that would be affected by the Proposed Development.

The NHAs and pNHAs identified in Figure 4 are located outside the Zone of Influence. There are no areas of supporting habitat that will be affected by the Proposed Development.

<sup>1</sup> All European sites potentially connected irrespective of the nature or scale of the Proposed Development.

<sup>2</sup> Distances indicated are the closest geographical distance between the Proposed Development and the European site boundary, as made available by the NPWS. Connectivity along hydrological pathways may be significantly greater.

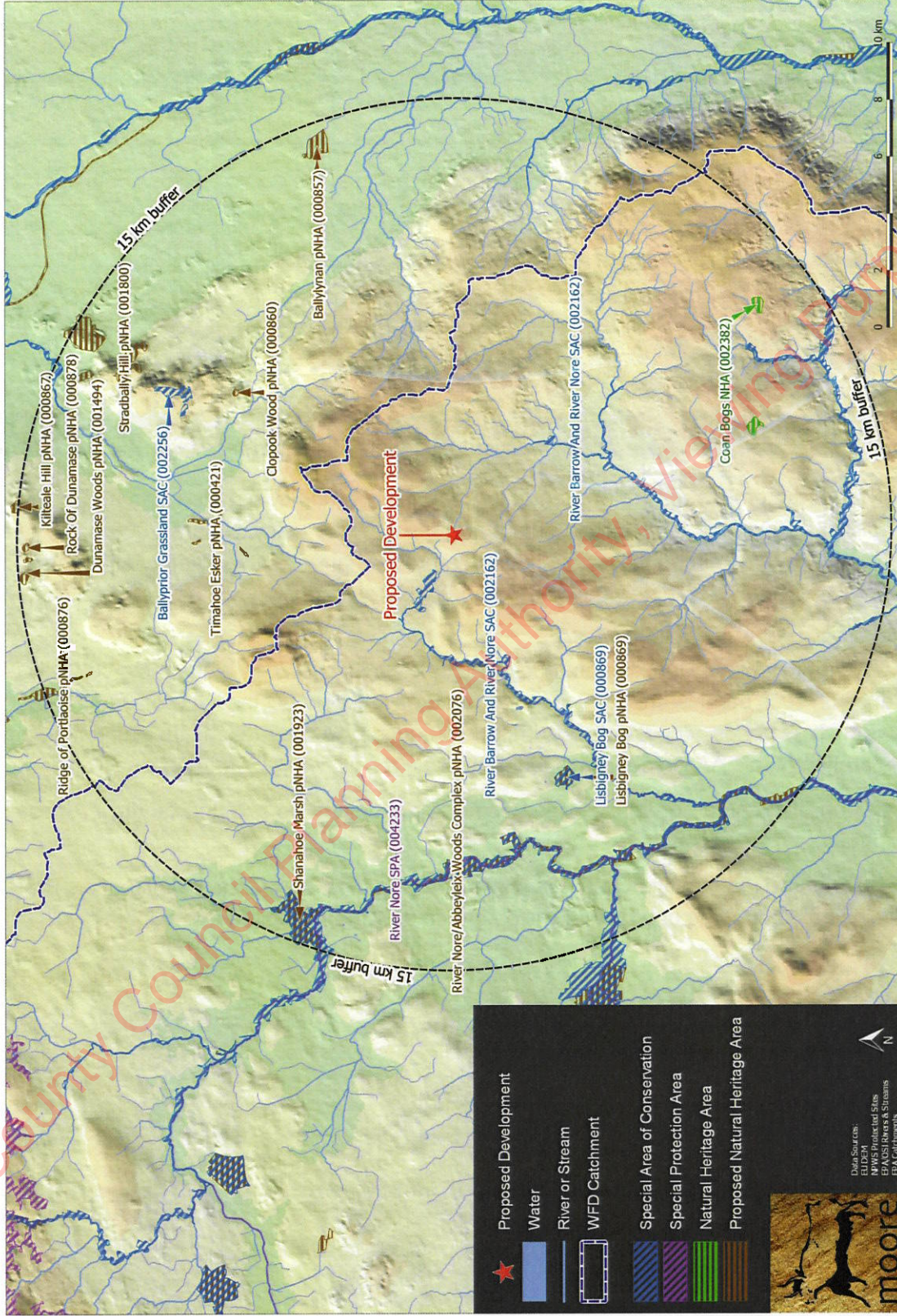


Figure 4. Showing European sites and NHAs/pNHAs within 15 km of the Proposed Development.



Figure 5. Detailed view of European sites in the vicinity of the Proposed Development.

**Table 2 Identification of Relevant European Sites using Source-Pathway-Receptor Model and Compilation of Information QIs and Conservation Objectives**

European site name & Site code	Location Relative to the Proposed Development Site	Connectivity – Source-Pathway-Receptor	Considered further in Screening – Y/N
<p><b>Lisbigney Bog SAC (000869)</b></p> <p>[7210] Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davalliana</i>*</p> <p>[1016] Desmoulin's Whorl Snail (<i>Vertigo moulinsiana</i>)</p> <p>NPWS (2021) Conservation objectives for Lisbigney Bog SAC [000869]. Generic Version 8.0. Department of Housing, Local Government and Heritage</p>	<p>8.80 km to the east of the Proposed Development</p>	<p>No</p> <p>There are no pathways or connectivity to the habitats or species of this site.</p>	<p>N</p>
<p><b>River Barrow and River Nore SAC (002162)</b></p> <p>22 Qualifying Interests</p> <p>Including Priority Interests: 91E0 * Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>); [7220] Petrifying springs with tufa formation (<i>Cratoneurion</i>)</p> <p>NPWS (2011) Conservation Objectives: River Barrow and River Nore SAC 002162. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	<p>1.04 km to the north of the Proposed Development</p>	<p>Yes</p> <p>There are pathways and connectivity to the habitats and species of this site.</p> <p>There is surface water connectivity to the River Clogh catchment to the east and the River Owenbeg to the west. Both eventually lead to the River Nore with its associated European sites: the River Barrow and River Nore SAC (Site Code 002162) and the River Nore SPA (004233)</p>	<p>Y</p>
<p><b>Ballyprior Grassland SAC (000248)</b></p> <p>[6210] Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco Brometalia</i>)</p> <p>NPWS (2021) Conservation objectives for Ballyprior Grassland SAC [002256]. Generic Version 8.0. Department of Housing, Local Government and Heritage</p>	<p>10.14 km to the south of the Proposed Development</p>	<p>No</p> <p>There are no pathways or connectivity to the habitats or species of this site.</p>	<p>N</p>
<p><b>River Nore SPA (000261)</b></p> <p>[A229] Kingfisher (<i>Alcedo atthis</i>)</p> <p>NPWS (2021) Conservation objectives for River Nore SPA [004233]. Generic Version 8.0. Department of Housing, Local Government and Heritage</p>	<p>8.51 km to the south-east of the Proposed Development</p>	<p>No direct effects due to distance and the lack of any relevant ex-situ factors of significance to this species or its habitat.</p> <p>Indirect effects are considered in terms of water quality and prey availability.</p>	<p>Y</p>

## 5 IDENTIFICATION OF POTENTIAL IMPACTS & ASSESSMENT OF SIGNIFICANCE

The Proposed Development is not directly connected with or necessary to the management of the sites considered in the assessment and therefore potential impacts must be identified and considered.

### 5.1 ASSESSMENT OF LIKELY SIGNIFICANT EFFECTS

The consideration of all potential direct and indirect impacts that may result in significant effects on the conservation objectives of a European site, taking into account the size and scale of the Proposed Development are presented in Table 3.

**Table 3 Assessment of Likely Significant Effects**

Identification of all potential direct and indirect impacts that may result in significant effects on the conservation objectives of a European site, taking into account the size and scale of the project.	
Impacts:	Significance of Impacts:
<b>Construction phase e.g.</b> Vegetation clearance Demolition Surface water runoff from soil excavation/infill/landscaping (including borrow pits) Dust, noise, vibration Lighting disturbance Impact on groundwater/dewatering Storage of excavated/construction materials Access to site Pests	The Proposed Development site is located within the boundary of the existing quarry site, which has been cleared and prepared for development. There will be no direct effects on qualifying habitats or species. In the absence of mitigation, contaminated surface water runoff has the potential to have adverse effects on aquatic species such as Freshwater pearl mussels, Lamprey species, White clayed crayfish, Salmon and Otters.
<b>Operational phase e.g.</b> Direct emission to air and water Surface water runoff containing contaminant or sediment Lighting disturbance Noise/vibration Changes to water/groundwater due to drainage or dewatering Presence of people, vehicles and activities Physical presence of structures (e.g., collision risks) Potential for accidents or incidents	In the absence of mitigation, contaminated discharge water (surface water and/or groundwater) has the potential to have adverse effects on aquatic species such as Freshwater pearl mussels, Lamprey species, White clayed crayfish, Salmon and Otters.
<b>In-combination/Other</b>	The Proposed Development site is located within the boundary of the existing quarry site, which has been mostly cleared and prepared for development. No likely significant in-combination effects are identified.
Describe any likely changes to the European site:	
<b>Examples of the type of changes to give consideration to include:</b> Reduction or fragmentation of habitat area Disturbance to QI species Habitat or species fragmentation Reduction or fragmentation in species density Changes in key indicators of conservation status value (water quality, etc.) Changes to areas of sensitivity or threats to QI Interference with the key relationships that define the structure or ecological function of the site Climate change	In the absence of mitigation, contaminated discharge water (surface water and/or groundwater) has the potential to have adverse effects on aquatic species such as Freshwater pearl mussels, Lamprey species, White clayed crayfish, Salmon and Otters.
Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?	
Yes	

## 5.2 ASSESSMENT OF POTENTIAL IN-COMBINATION EFFECTS

In-combination effects are changes in the environment that result from numerous human-induced, small-scale alterations. In-combination effects can be thought of as occurring through two main pathways: first, through persistent additions or losses of the same materials or resource, and second, through the compounding effects as a result of the coming together of two or more effects.

As part of the Screening for an Appropriate Assessment, in addition to the Proposed Development, other relevant plans and projects in the area must also be considered at this stage. This step aims to identify at this early stage any possible significant in-combination effects of the Proposed Development with other such plans and projects on European sites.

A review of the National Planning Application Database was undertaken. The first stage of this review confirmed that there were no data outages in the area where the Proposed Development is located. The database was then queried for developments granted planning permission within 2000m of the Proposed Development within the last three years, these are presented in Table 4 below.

**Table 4 Planning applications granted permission in the vicinity of the Proposed Development**

Planning Ref.	Description of development	Comments
16260 PL 11.248518	construct 11 no. wind turbines, each with a maximum height of up to 136.5 metres, and all associated site development and ancillary works, including a 110kV electricity substation, switchroom and equipment compound; two single circuit strain towers with a maximum height of up to 26.5 metres; turbine foundations; crane hardstandings; 5.4 kilometres of site access tracks; underground electricity and communications cabling; site drainage works; 7 no. site entrances; a permanent meteorological mast with a maximum height of up to 85 metres; and temporary upgrade to the R430/L7800 road junction. The proposed development is part of a larger development which also extends onto lands in the townland of Crutt, Co. Kilkenny within the adjoining planning authority administrative jurisdiction of Kilkenny County Council. The proposed development as a whole will comprise 11 no. wind turbines, each with a maximum height of up to 136.5 metres, and all associated site development and ancillary works, including a 110kV electricity substation, switchroom and equipment compound; two single circuit strain towers with a maximum height of up to 26.5 metres; turbine foundations; crane hardstandings; 7.4 kilometres of site access tracks, underground electricity and communications cabling; site drainage works; 7 no. site entrances; a permanent meteorological mast with a maximum height of up to 85 metres; and temporary upgrade to the R430/L7800 road junction. This planning application is accompanied by an Environmental Impact Statement which includes an assessment of the likely impacts of the proposed development as a whole and in combination with the relevant off-site or secondary developments which will occur as a direct result of the	Granted on appeal by An Bord Pleanala (ABP) on 03/09/19. The Board was satisfied that the proposed development would not adversely affect the integrity of the River Barrow and River Nore Special Area of Conservation (Site Code: 002162) in view of the site's conservation objective.

Planning Ref.	Description of development	Comments
	proposed development, including connection to the national electricity grid. A Natura Impact Statement will also be submitted to the planning authority with the planning application.	
17380	construct a part single storey/part two storey dwelling. A septic tank and percolation area, a site entrance and avenue and associated site works	The report concludes that the proposed development, by itself or in combination with other developments in the vicinity, would not have a likely a significant effect on European sites, their qualifying interests or conservation objectives, directly, indirectly or in combination with other plans and projects in the vicinity of the site.
17683	retain partially constructed dwelling house granted permission under original plg. file 07/1988 and amended plg file 09/9 and PERMISSION to complete same, new septic tank treatment system and all associated site works	No potential of significant effects on any Natura 2000 site.
1877	The development will consist of the construction of a new dwelling house and garage, new treatment system and percolation area, new well, new site entrance and all associated site works	The closest European site is the River Barrow and River Nore SAC Site code: 002162, located approximately 500m southwest of the subject site. It is not considered that the proposed development is likely to have any negative impact on the conservation objectives of any European site.
19126	construct a slatted cubicle house extension and all associated site works	Having regard to the proximity of the nearest SAC/SPA and given the nature and extent of the proposed development, with no direct connections to the hydrology of the SAC/SPA, it is not considered there would be potential for significant effects on the Natura 2000 network.
19678	construct new storage shed and all associated site works	Having regard to the proximity of the nearest SAC/SPA and given the nature and extent of the proposed development, with no direct connections to the hydrology of the SAC/SPA, it is not considered there would be potential for significant effects on the Natura 2000 network.
20267	demolish existing dwelling house and permission to build a four bed dwelling house with a 2 bed granny flat attachment, new site entrance, new septic tank treatment system an all associated site works	Having regard to the proximity of the nearest SAC/SPA and given the nature and extent of the proposed development, with no direct connections to the hydrology of the SAC/SPA, it is not considered there would be potential for significant effects on the Natura 2000 network.
20386	for construction of a two storey dwelling house, detached garage, entrance, foul effluent treatment system and percolation area, bored well and all associated site works	Having regard to the proximity of the nearest SAC/SPA and given the nature and extent of the proposed development, with no direct connections to the hydrology of the SAC/SPA, it is not considered there would be potential for significant effects on the Natura 2000 network.
20510	for development. The development will consist of renovation, alterations and rear extension to existing dwelling house, demolition of existing shed, new treatment system with percolation area and all associated site works	Having regard to the proximity of the nearest SAC/SPA and given the nature and extent of the proposed development, with no direct connections to the hydrology of the SAC/SPA, it is not considered there would be potential for significant effects on the Natura 2000 network.

There are no predicted in-combination effects given that the reasons discussed in the 'Comments' column of Table 4 above and given that the Proposed Development is unlikely to have any adverse effects on the River Nore European sites subject to the implementation of mitigation measures.

The Laois County Development Plan in complying with the requirements of the Habitats Directive requires that all Projects and Plans that could affect the Natura 2000 sites in the same zone of impact of the Proposed Development site would be initially screened for Appropriate Assessment and if requiring Stage 2 AA, that appropriate employable mitigation measures would be put in place to avoid, reduce or ameliorate negative impacts. In this way any, in-combination impacts with Plans or Projects for the proposed development area and surrounding townlands in which the proposed development site is located, would be avoided.

The listed developments have been granted permission in most cases with conditions relating to sustainable development by the consenting authority in compliance with the relevant Local Authority Development Plan and in compliance with the Local Authority requirement for regard to the Habitats Directive. The development cannot have received planning permission without having met the consenting authority requirement in this regard. There are no predicted in-combination effects given that it is predicted that the Proposed Development will have no effect on any European site.

Any new applications for the Proposed Development area will be assessed on a case by case basis *initially* by Laois County Council which will determine the requirement for AA Screening as per the requirements of Article 6(3) of the Habitats Directive.

## 6 CONCLUSIONS

A worst-case scenario may be considered whereby the proposed development would be the source of a significant detrimental change in water quality in the River Nore, either alone or in combination with other projects or plans, as a result of indirect pollution from contaminated discharge water (surface water and/or groundwater). The effect would have to be considered in terms of changes in water quality that would affect the species and/or habitats or food sources for which the River Nore European sites are designated.

The potential for significant adverse effects on the River Barrow and River Nore SAC (Site Code 002162) and the River Nore SPA (004233) is uncertain in the absence of control of potential pollution of discharge water during operation.

The proposed development will require a Water Management Plan to avoid potential impacts on the receiving environment of the Owenbeg and Clogh Rivers and the River Nore downstream.

In the absence of mitigation measures for the control of surface water discharge, it cannot be excluded, on the basis of objective information, that the proposed development, individually or in combination with other plans or projects, will have a significant effect on a European site and as such Stage 2 AA is required.



## 7 REFERENCES

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