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# **Screening for Appropriate Assessment**

Proposed residential infill development  
at Patrician Avenue, Naas, Co. Kildare

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### Executive Summary

This *Screening for Appropriate Assessment* report has been prepared by NM Ecology Ltd on behalf of Kildare County Council (the applicant) as part of a planning application for a residential development at Patrician Avenue, Naas, Co. Kildare. The proposed development will involve the renovation and extension of an existing semi-detached dwelling, the construction of two apartments, and associated works.

In accordance with their obligations under the *European Communities (Birds and Natural Habitats) Regulations 2011* (SI 477/2011), Kildare County Council must assess whether the proposed development could have 'likely significant effects' on any Natura 2000 sites. This document provides supporting information to assist the local authority with an Appropriate Assessment screening exercise, including: a description of the proposed development, details of its environmental setting, a map and list of Natura 2000 sites within the potential zone of impact, and an assessment of potential impacts. It is concluded that the proposed development will not cause direct or indirect impacts on any Natura 2000 sites, and that Appropriate Assessment is not required.

# 1 Introduction

## 1.1 Background to Appropriate Assessment

Approximately 10% of the land area of Ireland is included in the European Network of Natura 2000 sites, which includes Special Protection Areas (SPAs) to protect important areas for birds, and Special Areas of Conservation (SACs) to protect a range of habitats and species. Legislative protection for these sites is provided by the *European Council Birds Directive (79/409/EEC)* and *E.C. Habitats Directive (92/43/EEC, as amended)*, which are jointly transposed into Irish law by the *European Communities (Birds and Natural Habitats) Regulations 2011 (SI 477/2011, as amended)*.

Regulation 42 (1) states that: “*Screening for Appropriate Assessment of a plan or project for which an application for consent is received [...] shall be carried out by the public authority to assess, in view of best scientific knowledge and in view of the conservation objectives of the site, if that plan or project, individually or in combination with other plans or projects is likely to have a significant effect on [any Natura 2000 sites].*” To ensure compliance with this regulation, planning authorities must screen all planning applications for potential impacts on Natura 2000 sites. Supporting information may be requested from the applicant to assist with this process.

This document provides background information to assist the local authority with a *Screening for Appropriate Assessment* exercise for the proposed development. It includes an outline of the proposed works, details of the environmental setting of the site, an appraisal of future development proposals in the area (potential for ‘in-combination effects’), a map and list of Natura 2000 sites within the potential zone of impact, and an assessment of potential impacts.

## 1.2 Statement of authority

This report has been prepared by Nick Marchant, the principal ecologist of NM Ecology Ltd. He has fourteen years of professional experience, including eleven years as an ecological consultant, one year as a local authority biodiversity officer, and two years managing an NGO in Indonesia. He provides ecological assessments for developments throughout Ireland and Northern Ireland, including wind farms, infrastructure projects (water pipelines, greenways, etc.), and a range of residential and commercial developments.

He has an MSc in Ecosystem Conservation and Landscape Management from NUI Galway and a BSc in Environmental Science from Queens University Belfast. He is a member of the Chartered Institute of Ecology and Environmental Management, and operates in accordance with their code of professional conduct.

### 1.3 Methods

This report has been prepared with reference to the following guidelines:

- *Appropriate Assessment of Plans and Projects in Ireland* (Department of the Environment, Heritage and Local Government, 2009)
- *Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4), E.C., 2002.*
- *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine* (Chartered Institute of Ecology and Environmental Management, 2018)

In accordance with Section 3.2 of *Appropriate Assessment of Plans and Projects in Ireland*, the screening exercise was conducted using the following steps:

1. Description of the project and local site characteristics
2. Identification of relevant Natura 2000 sites, and compilation of information on their qualifying interests and conservation objectives
3. Assessment of potential impacts upon Natura 2000 sites, including:
  - Direct impacts (e.g. loss of habitat area, fragmentation)
  - Indirect impacts (e.g. disturbance of fauna, pollution of surface water)
  - Cumulative / 'in-combination' effects associated with other concurrent projects
4. Screening Statement with conclusions

A desk-based study was carried out using data from the following sources:

- Plans and specifications for the proposed development
- Qualifying interests / conservation objectives of Natura 2000 sites from [www.npws.ie](http://www.npws.ie)
- Bedrock, soil, subsoil, surface water and ground water maps from the Geological Survey of Ireland webmapping service ([www.gsi.ie/mapping.htm](http://www.gsi.ie/mapping.htm)), the National Biodiversity Data Centre (<http://maps.biodiversityireland.ie/>), and the Environmental Protection Agency web viewer (<http://gis.epa.ie/EPAMaps/>)
- The *Kildare County Development Plan 2017-2023*, and details of permitted or proposed developments from the local authority's online planning records

All web-based resources were accessed in August and September 2021.

## **2 Description of the Project**

### **2.1 Environmental setting**

The site is located in an urban setting in the south of Naas. It currently contains a semi-detached dwelling, a separate single-storey garage / dwelling (part of the same landholding), and a garden.

The eastern boundary is formed by an adjacent dwelling, the northern boundary by Patrician Avenue, the western boundary by Kilcullen Road, and the southern boundary by a car sales facility. The surrounding area is characterised predominantly by housing estates.

#### Geology and soils

The underlying bedrock is sedimentary (mudstone / siltstone / sandstone), which is a poor aquifer (Geological Survey of Ireland). Soils and subsoils are made ground.

#### Hydrology

There are no rivers, streams or drainage ditches within or adjacent to the proposed development site. The closest watercourse on the EPA Rivers Database is the 'Naas Hospital' stream, which is located approx. 150 m east of the proposed development site. There is no connection between the proposed development site and this stream. It is a small and highly-modified watercourse that originates in farmland to the south of Naas, and flows north into the grounds of Naas Hospital, where it has been enlarged to form three large ponds. It then enters a culvert, which appears to discharge to the Castlesize River approx. 400 m away. The Castlesize River is a tributary of the River Liffey.

Water quality in the 'Naas Hospital' stream is not monitored as part of the Water Framework Directive status assessments. The Castlesize River and downstream sections of the River Liffey are of Good status.

### **2.2 Description of the proposed development**

The proposed development will involve an extension and renovation of the existing semi-detached dwelling. The single-storey garage / dwelling will be demolished, and a new structure containing 2 no. apartments will be constructed in its place. An enlarged parking area and shared garden will be provided to the front (north) of the dwellings, and each dwelling will have a private rear garden.

Foul water will be discharged to an existing foul sewer on Kilcullen Road. Surface water will discharge to two soakaways within the site boundary.

### 2.3 Other nearby developments (potential in-combination effects)

Live and recently-approved planning applications in the vicinity of the site were reviewed on the online planning records of Kildare County Council. The following developments were noted:

- Permission was granted in 2019 for a new car sales facility at a site immediately to the south of the proposed development site (planning reference 181459). Construction was completed in 2020.
- Permission was also granted in 2017 for a car-rental facility immediately to the south of the car sales facility (planning reference 17528). Construction was completed in 2018.
- Permission was granted in 2019 for the demolition of an existing building and construction of a replacement two-storey structure, at a site approx. 30m west of the proposed development site (planning reference 18716). At the time of writing in September 2021, construction work for this development had not commenced.
- Permission was granted in 2021 for an extension to an existing structure at the same location (planning reference 20738). At the time of writing in September 2021, construction work for this development had not commenced.

All other planning applications in the surrounding area were for small-scale works such as changes of use or residential extensions.

In conclusion, two nearby permitted developments were identified that could potentially be constructed at the same as the proposed development. Potential in-combination effects (if applicable) will be addressed in Section 4.3 of this report.

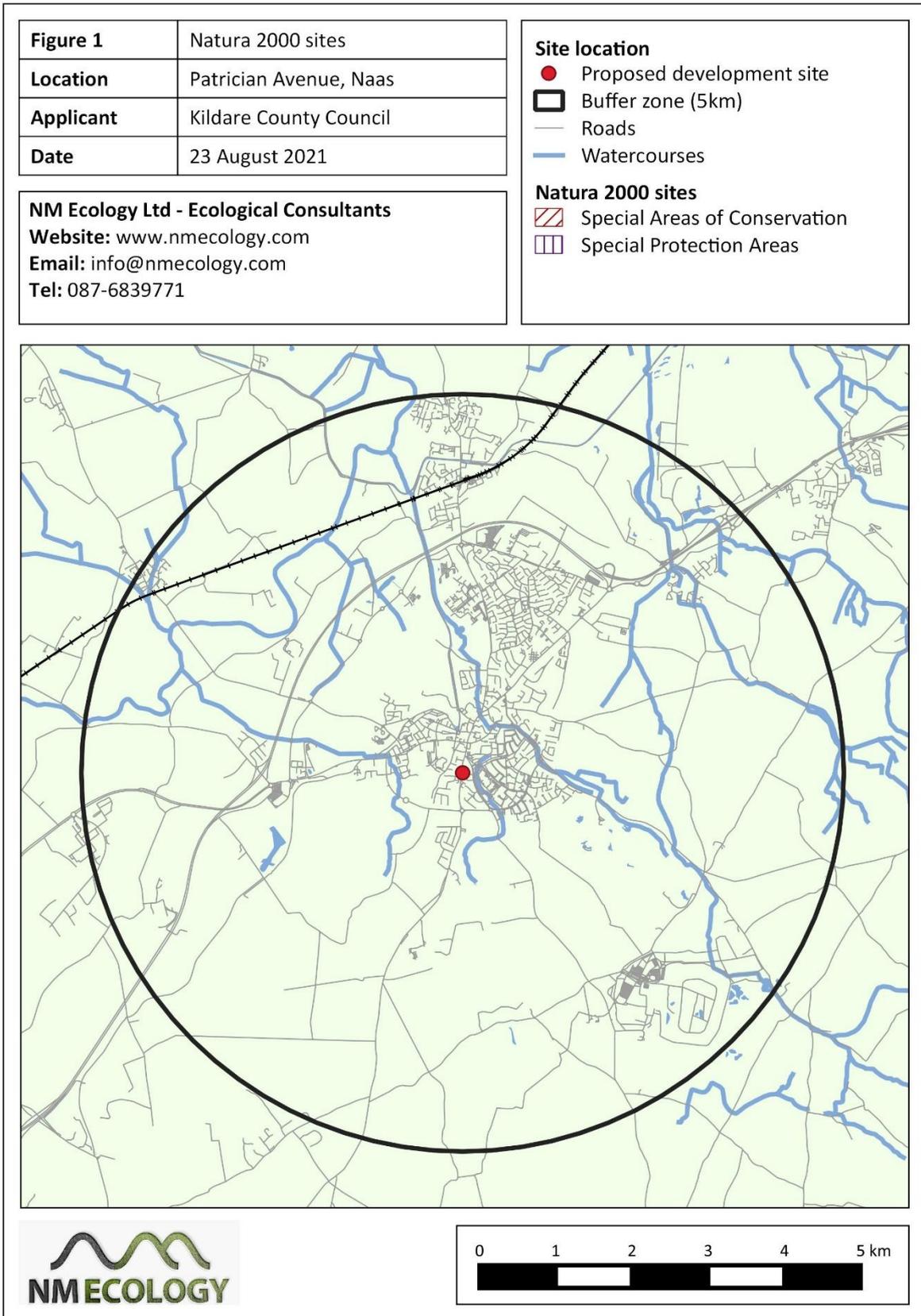
## 3 Description of Natura 2000 sites

### 3.1 Identification of Natura 2000 sites within the potential zone of impact

The proposed development site is not within or adjacent to any Natura 2000 sites. Potential indirect impacts were considered within a potential zone of impact of 5 km of the site<sup>1</sup>, but there are no sites within this radius (Figure 1).

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<sup>1</sup> In *Appropriate Assessment of Plans and Projects in Ireland*, it is noted that the potential 'zone of impact' of a development "must be evaluated on a case-by-case basis with reference to the nature, size and location of the project, the sensitivities of the ecological receptors, and the potential for in-combination effects." A radius of 15km may be used for regional development plans, but for small projects it may be as little as 100m.



### **3.2 Identification of potential pathways for indirect impacts**

In this section we consider potential pathways (via surface water, groundwater, air or land) between the proposed development site and any Natura 2000 sites. However, there are no Natura 2000 sites within a 5 km potential zone of impact (Figure 1), so all potential pathways can be ruled out.

## **4 Assessment of potential impacts**

### **4.1 Direct impacts**

The proposed development site is not located within or adjacent to any Natura 2000 sites, so there is no risk of habitat loss, fragmentation or any other direct impacts.

### **4.2 Indirect impacts**

#### Potential changes in water quality (construction phase)

Construction works typically generate fine sediments, and may occasionally cause accidental spills of oil or other toxic chemicals, which can be harmful to aquatic / marine habitats and species. However, no hydrological pathways were identified between the proposed development site and any Natura 2000 sites, so there is no risk of impacts.

#### Potential changes in water quality (operational phase)

During the operation of the development, foul water will be discharged to an existing foul sewer on Kilcullen Road. Naas is within the Upper Liffey Valley Sewerage Scheme, for which treatment is provided at the Osberstown Waste Water Treatment Works (WWTW). The AER for the WWTW was reviewed on the EPA website. It has a capacity of 130,000 Population Equivalent, and provides tertiary treatment. The WWTW discharge was compliant with the Emission Limit Values in the wastewater discharge licence, and it does not have an observable negative impact on Water Framework Directive status in the River Liffey. Therefore, foul water from the proposed development poses no risk of impacts on any Natura 2000 sites.

Surface water from roofs and hard surfaces will be channelled to soakaways within the proposed development site. This poses no risk of impacts on any Natura 2000 sites.

### **4.3 Potential in-combination effects**

The proposed development poses no risk of direct or indirect effects on any Natura 2000 sites, so there is no risk of in-combination effects.

## 5 Conclusion of Stage 1: Screening Statement

In Section 3.2.5 of *Appropriate Assessment of Plans and Projects in Ireland* (NPWS 2010), it is stated that the first stage of the AA process can have three possible conclusions:

**1. AA is not required**

Screening, followed by consultation and agreement with the NPWS, establishes that the plan or project is directly connected with or necessary to the nature conservation management of the site.

**2. No potential for significant effects / AA is not required**

Screening establishes that there is no potential for significant effects and the project or plan can proceed as proposed.

**3. Significant effects are certain, likely or uncertain**

The project must either proceed to the second stage of the AA process, or be rejected.

Having considered the particulars of the proposed development, we conclude that this application meets the second conclusion, because there is no risk of effects on any Natura 2000 sites. Therefore, with regard to Article 42 (7) of the *European Communities (Birds and Natural Habitats) Regulations 2011*, it can be excluded on the basis of objective scientific information following screening, that the plan or project, individually or in combination with other plans or projects, will have a significant effect on a European site. As a result, we conclude that Appropriate Assessment is not required.

## References

Chartered Institute of Ecology and Environmental Management, 2018. *Guidelines for Ecological Impact Assessment in the U.K. and Ireland*. C.I.E.E.M., Hampshire, England.

Department of the Environment, Heritage and Local Government, 2009. *Appropriate Assessment of Plans and Projects in Ireland*. National Parks and Wildlife Service, DCHG, Dublin, Ireland.

European Commission. 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.