Report for the purposes of Appropriate Assessment Screening

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

Proposed Demolition of the Abbey Quarter Maturation Building Horse Barrack Lane, Parliament Street, Kilkenny

Prepared by: Moore Group – Environmental Services

25th June 2019

On behalf of
Kilkenny County Council

Client	Kilkenny County Council
Project	Proposed Demolition of the Abbey Quarter Maturation Building Horse Barrack Lane, Parliament Street, Kilkenny
Title	Report for the purposes of Appropriate Assessment Screening Proposed Demolition of the Abbey Quarter Maturation Building Horse Barrack Lane, Parliament Street, Kilkenny

Project Number	19143	**Document Ref**	19143 Maturation Building Demolition AAS1 Rev2.docx	
Revision	**Description**	**Author**		**Date**
Rev0	Issued for client review	G. O'Donohoe		17th June 2019
Rev1	Minor edits	G. O'Donohoe		24th June 2019
Rev2	Minor edits	G. O'Donohoe		25th June 2019
Moore Archaeological and Environmental Services Limited				

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Abbreviations

AA	Appropriate Assessment
EEC	European Economic Community
EPA	Environmental Protection Agency
EU	European Union
GIS	Geographical Information System
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

1. Introduction

1.1. General Introduction

This report contains information required for the competent authority to undertake screening for Appropriate Assessment (AA) on the potential for the demolition of the Abbey Quarter Maturation Building in Kilkenny City (hereafter referred to as the proposed Project) to significantly affect European sites.

Screening is the process that addresses and records the reasoning and conclusions in relation to the first two tests of Article 6(3):

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.

Also, having regard to the provisions of the Planning and Development Act 2000 (section 177U and 177V).

If the effects are deemed to be significant, potentially significant, or uncertain, or the screening process becomes overly complicated, then the process must proceed to Stage 2 (AA). Screening should be undertaken without the inclusion of mitigation. If potential impacts clearly can be avoided through the modification or redesign of the plan or project, then the screening process is repeated on the altered plan or project.

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 desktop report has been prepared by Moore Group - Environmental Services for Kilkenny County Council and assesses the potential for the proposed Project to impact on sites of European-scale ecological importance in accordance with Articles 6(3) and 6(4) of the Habitats Directive. 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.

The report assesses the potential for the proposed Project to impact on sites of European-scale ecological importance. It is necessary that the proposed Project has regard to Article 6 of the 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). This is transposed into Irish Law by the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. 477) (referred to as the Habitats Regulations).

1.2. Legislative Background - The Habitats and Birds Directives

The Habitats Directive (Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora) is the main legislative instrument for the protection and conservation of biodiversity in the European Union (EU). Under the Directive, Member States are obliged to designate Special Areas of Conservation (SACs) which contain habitats or species considered important for protection and conservation in a EU context.

The Birds Directive (Council Directive 79/409/EEC and Council Directive 2009/147/EC on the Conservation of Wild Birds), is concerned with the long-term protection and management of all wild bird species and their habitats in the EU. Among other things, the 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.

Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas, 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(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) 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 there are not likely to be significant effects on a Natura 2000 site. Mitigation measures (i.e., measures intended to avoid or reduce the harmful effects of the project on the site concerned) cannot be taken into account at this stage.

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 Project complies fully with the requirements of Article 6 of the Habitats Directive and all relevant Irish transposing legislation, Moore Group compiled this report to inform the screening for AA of the proposed Project to be undertaken by the competent authority to determine if the next stage (Stage 2) of the AA process is required.

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. (Department of Environment, Heritage and Local Government, 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).

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 1995-2019;
- Online data available on Natura 2000 sites as held by the National Parks and Wildlife Service (NPWS) from 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, 2013); and
- Relevant Development Plans and Local Area Plans in neighbouring areas;
    - Kilkenny City Development Plan 2014-2020

3. Description of the proposed Project

This report presents a screening assessment for a proposed Project consisting of the demolition of the Abbey Quarter Maturation Building, Horse Barrack Lane, Parliament Street, Kilkenny.

The proposed works comprise the demolition of an approx. 1000sq.m. single storey maturation building on the Abbey Quarter site, Horse Barrack Lane, Parliament Street, Kilkenny.

The Maturation Building is located within the Abbey Quarter site, which was previously the Diageo St. Francis Abbey Brewery.

Diageo have ceased brewing operations on this site, and the site is now in the ownership of Kilkenny County Council.

Permission was previously granted (Planning .Ref: 13/45) for demolition/removal of extensive plant and structures on this site including the removal of 22 no. maturation vessels whilst retaining the single storey structure that supported them – The Maturation Building. Planning consent is now being sought for the demolition of the single storey structure. The structure to be demolished is a decommissioned concrete shell. The works will involve the demolition of the building to the level of the adjoining concrete slab.

The Maturation Building is a single storey *in situ* concrete structure consisting of concrete walls with a brick facade, columns, roof slab and glazed curtain walling. The demolition of the Maturation Building will be carried out sequentially as follows -

- The strip out and removal of non-structural elements will be undertaken using small plant.
- The materials will be removed from site using small to medium sized trucks.
- Demolition of structures using larger plant and equipment. The roof slab will be demolished by cutting or breaking, whilst the concrete walls/columns will be mechanically demolished (Munched)

The area of the maturation building will be temporarily reinstated as a hard standing area pending the future development of the buildings and urban street as per the provisions of the Abbey Quarter Masterplan.

This work is consistent with that required for the reuse of most urban sites and will be conducted within secured areas.

Much of the original site drainage has been demolished. The remaining site drainage in the environs of the maturation building discharges to the existing foul sewer system. There is no connectivity between any of the site drainage in the environs of the Maturation Building and the river.

The demolition works will be carried out by a professional demolition contractor. A Demolition Management Plan (DMP) will be drawn up by the Contractor. Small amounts of water will be used as necessary for dust suppression during the demolition works. The amounts used will not be sufficient to create run-off. Any rainwater during the works will be conveyed to the foul sewer system.

Figure 1 shows the proposed Project location and Figure 2 shows a detailed view of the proposed Project boundary on recent aerial photography. Figure 3 is a plan of the Maturation Building.

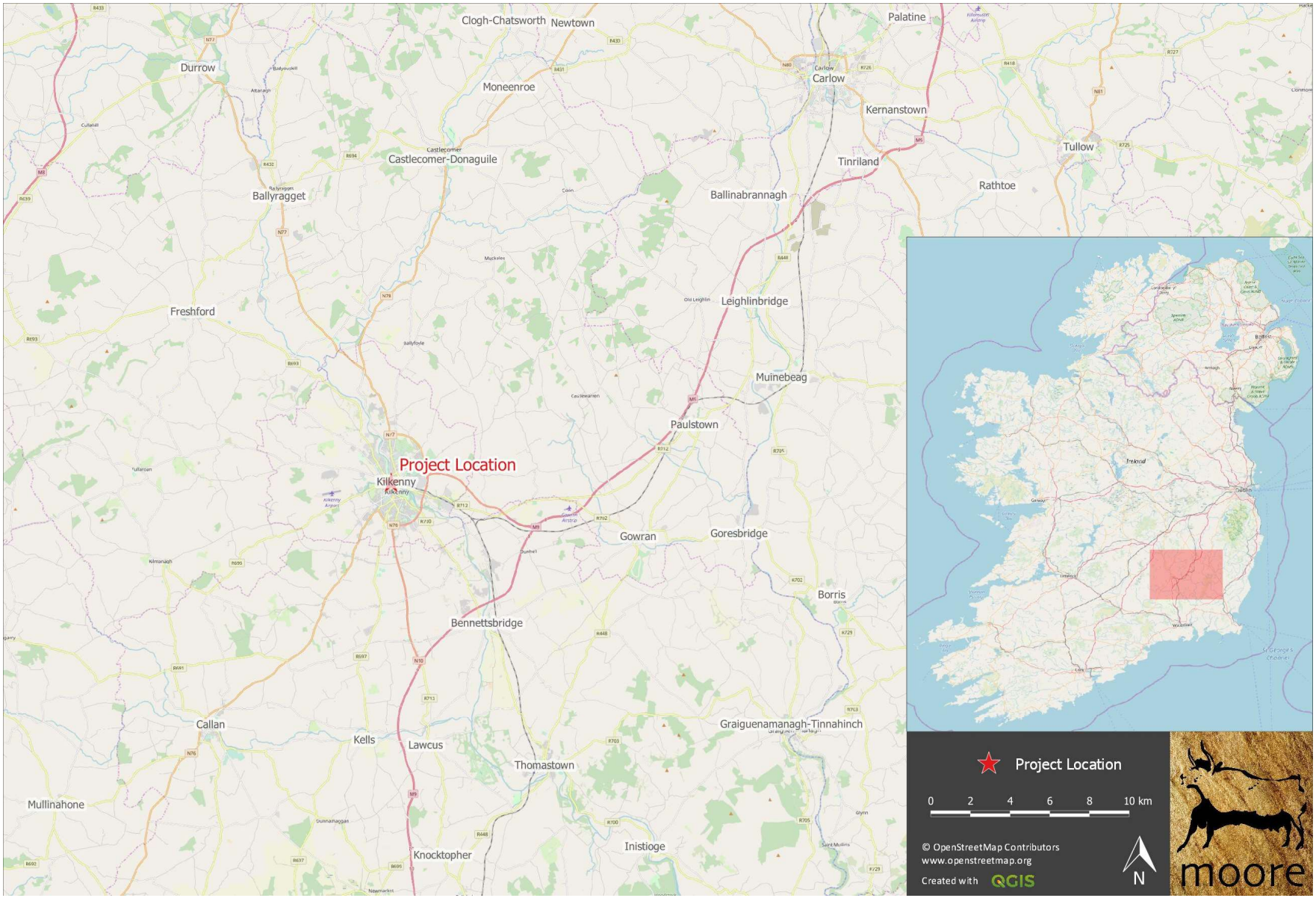

Figure 1. Showing the proposed Project location in Kilkenny.

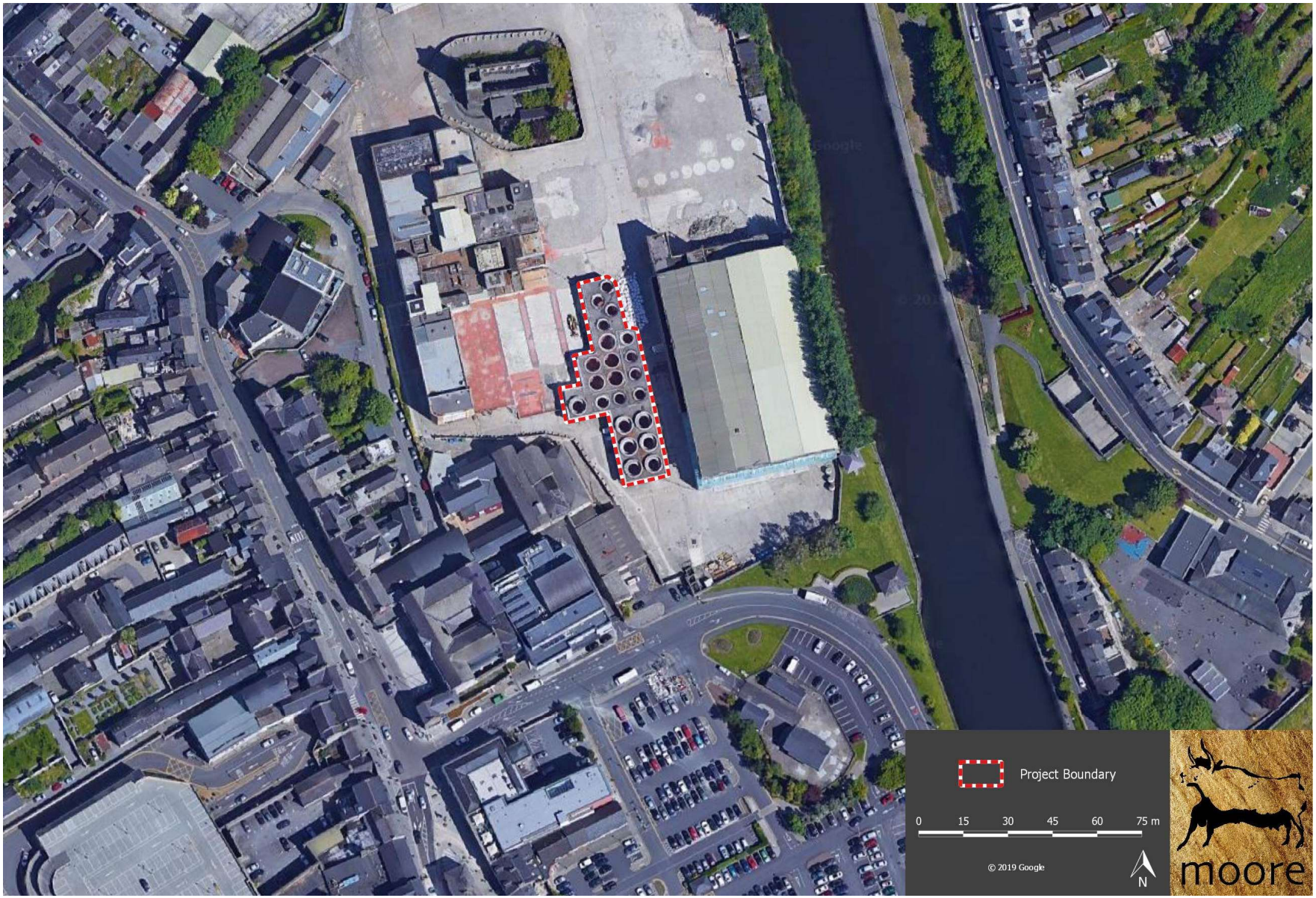

Figure 2. Showing the proposed Project Boundary on recent aerial photography.

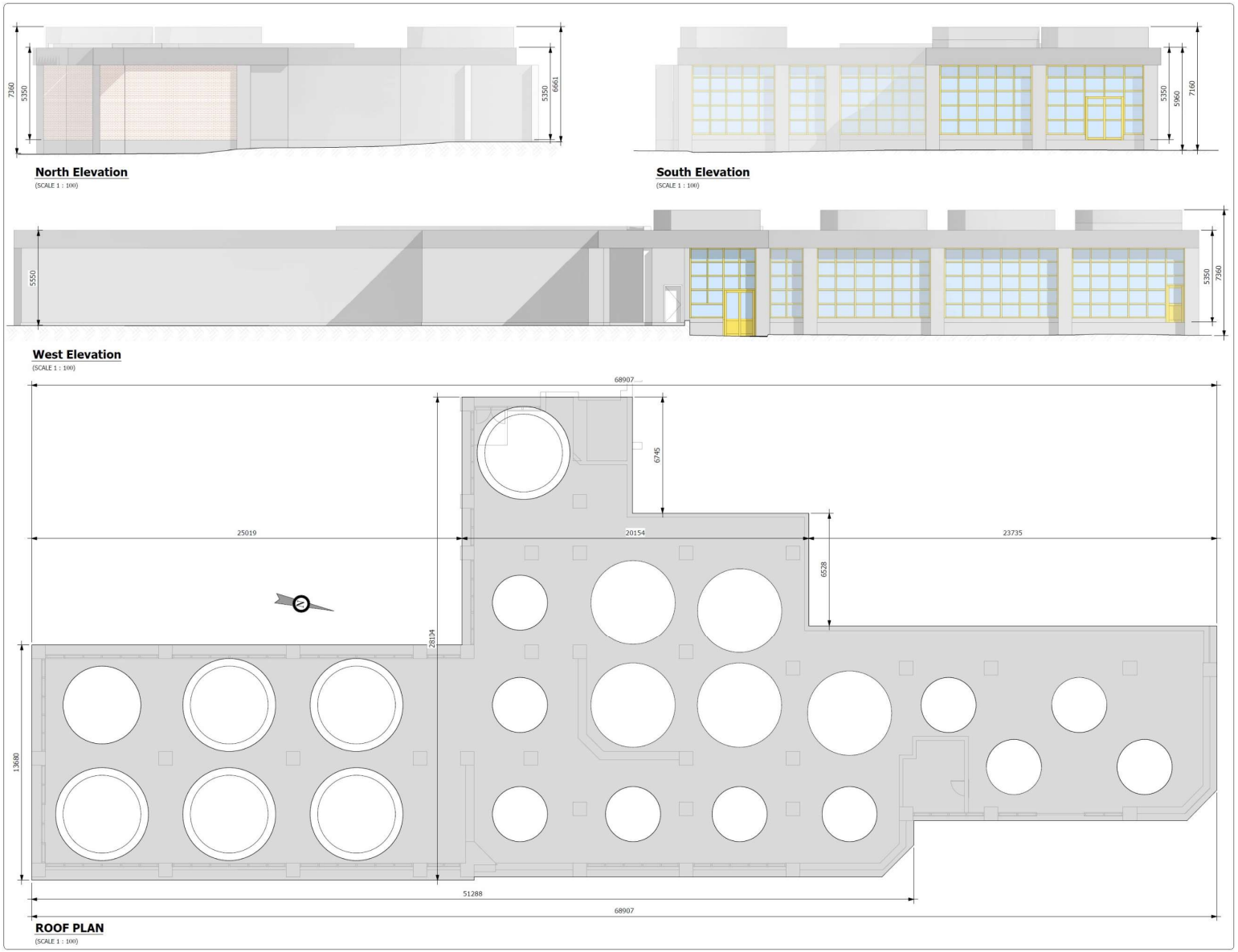

Figure 3. Plan of the Maturation Building.

4. Identification of Natura 2000 Sites

4.1. Description of Natura Sites Potentially Affected

DoEHLG (2009) Guidance on Appropriate Assessment suggests an assessment of European sites within a zone of impact of 15 km. This distance is a guidance only and the zone of impact has been identified taking consideration of the nature and location of the proposed Project to ensure all European sites with connectivity to it are considered in terms of a catchment-based assessment.

The zone of impact may be determined by connectivity to the proposed Project 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 guidance provides that, at the screening stage, it is necessary to identify the sites and compile information on their qualifying interests and conservation objectives. In preparation for this, 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 15 km of the Project are listed in Table 1 and presented in Figures 4 and 5, below.

Table 1 European Sites located within 15km or the potential zone of impact[1] of the Project.

Site Code	Site name	Distance (km)[2]
002162	River Barrow and River Nore SAC	0.07
002252	Thomastown Quarry SAC	14.97
004233	River Nore SPA	0.06
002137	Lower River Suir SAC	45 km to river mouth

[1] All European sites potentially hydrologically connected irrespective of the nature or scale of the proposed Project.
[2] Distances indicated are the closest geographical distance between the proposed Project and the European site boundary, as made available by the NPWS. Connectivity along hydrological pathways may be significantly greater.

The proposed Project relates to the demolition of the Abbey Quarter Maturation Building in Kilkenny City. The nearest European sites are those associated with the River Nore, comprising of the River Barrow and River Nore SAC (Site Code 002132) and the River Nore SPA (Site Code 004233), which are located approximately 60 m to the east of the Maturation Building. The only other European site with potential hydrological connectivity to the Proposed Project, i.e. which is located downstream irrespective of the nature or scale of the proposed Project, is the Lower River Suir SAC (Site Code 002137), which joins the waters of the Nore River at the mouths of the Suir River and Barrow River on the South Coast of Ireland, approximately 45 km to the south of the proposed Project.

There is no potential for meaningful biological or relevant hydrological connectivity to any other European sites.

Details of the qualifying interests of the River Barrow and River Nore SAC (Site Code 002162) and River Nore SPA (Site Code 004233) are listed in Tables 2 and 3 below, and Site Synopses are available from the NPWS website (www.npws.ie). Spatial boundary data on the Natura 2000 network was extracted from the NPWS website on the 12th of June 2019.

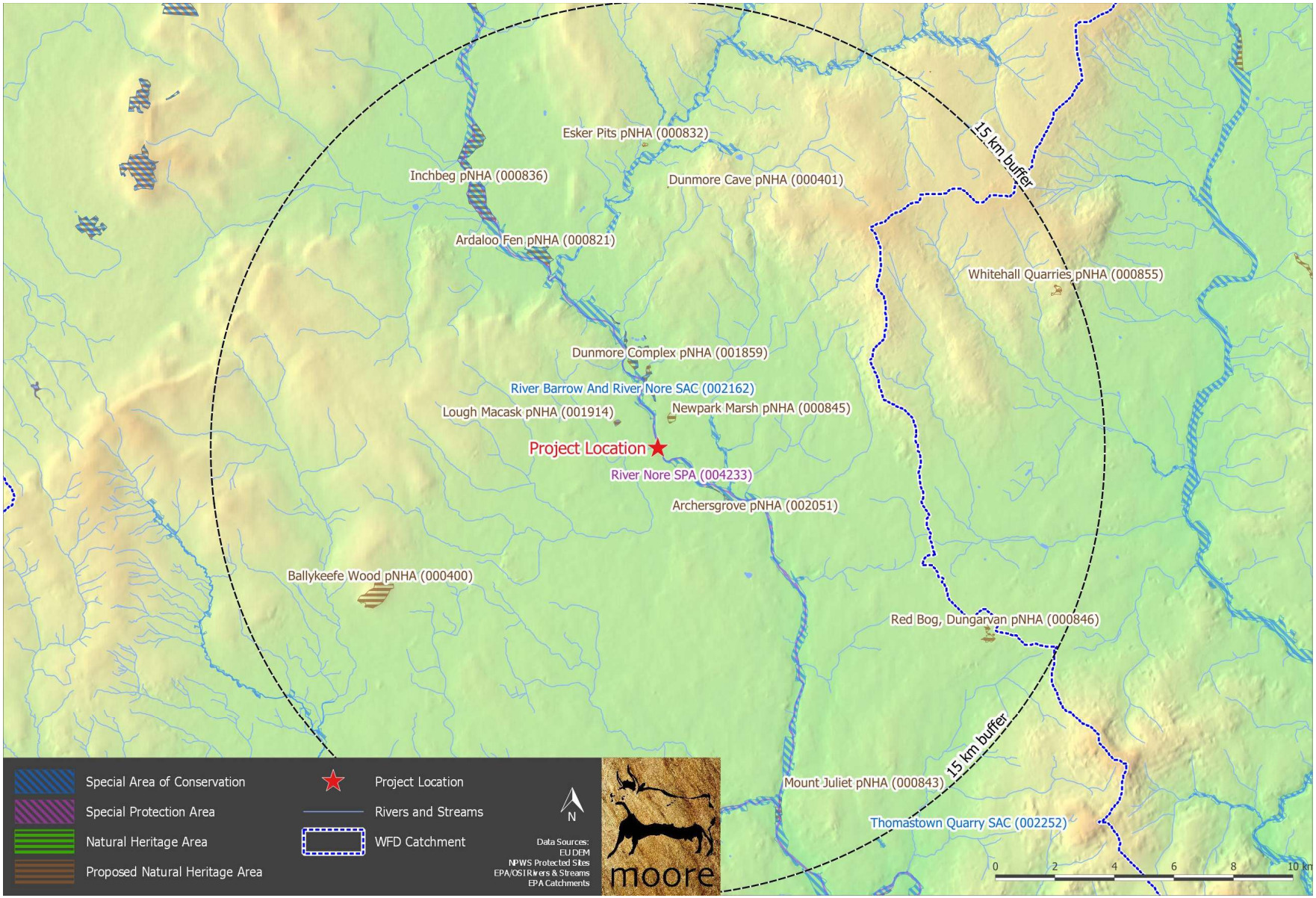

Figure 4. Showing European sites and NHAs/pNHAs within 15 km of the proposed Project.

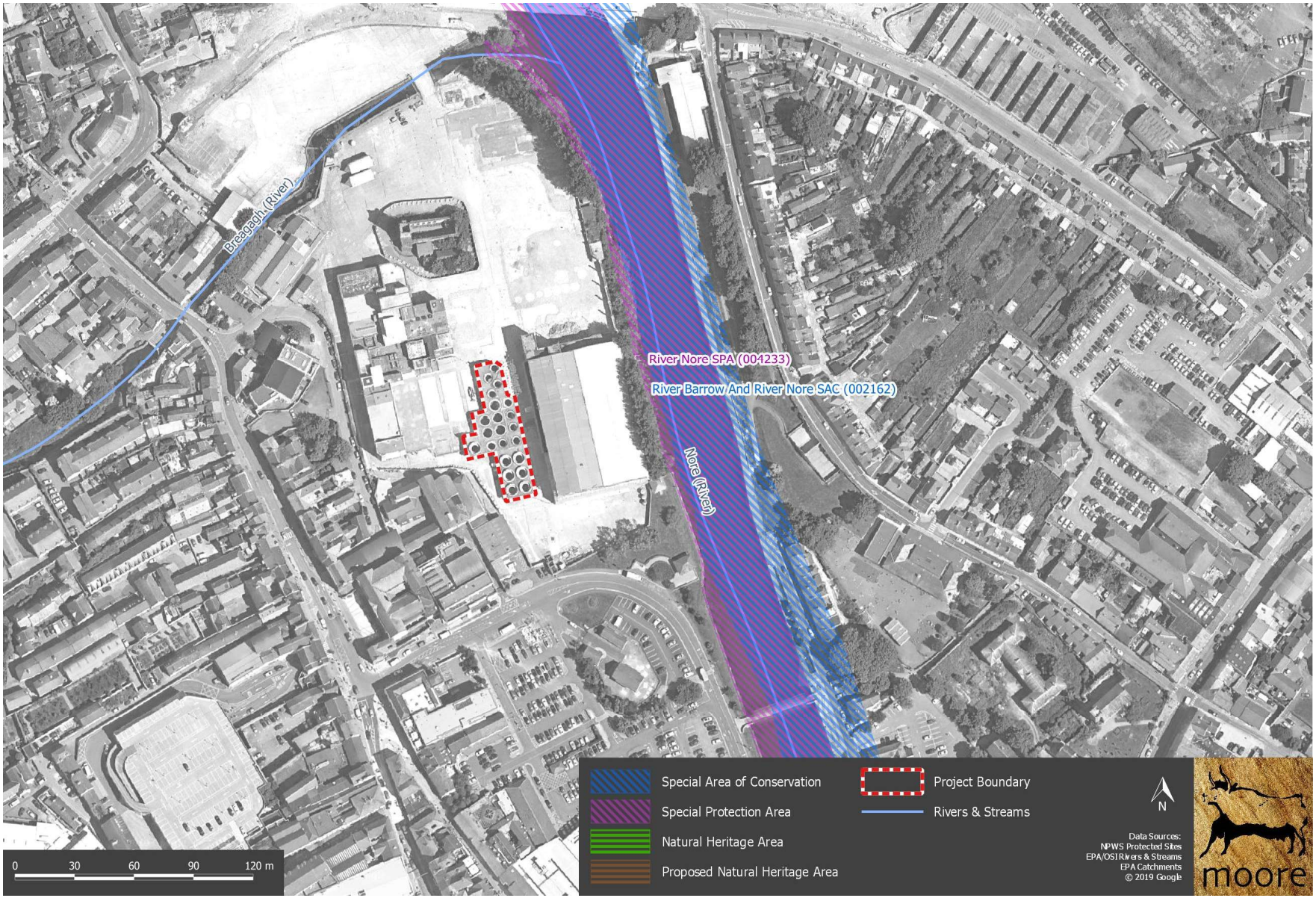

Figure 5. Detailed view of European sites and NHAs/pNHAs in the vicinity of the proposed Project.

*Table 2 SACs located within the potential zone of influence of the Project (*indicates priority habitat).*

Site Code	Site Name	Qualifying Interests
002162	River Barrow and River Nore SAC	**Species:** 1016 Desmoulin's whorl snail *Vertigo moulinsiana* 1029 Freshwater pearl mussel *Margaritifera margaritifera* 1092 White-clawed crayfish *Austropotamobius pallipes* 1095 Sea lamprey *Petromyzon marinus* 1096 Brook lamprey *Lampetra planer*i 1099 River lamprey *Lampetra fluviatilis* 1103 Twaite shad *Alosa fallax* 1106 Atlantic salmon (*Salmo salar*) (only in fresh water) 1355 Otter *Lutra lutra* 1421 Killarney fern Trichomanes speciosum 1990 Nore freshwater pearl mussel Margaritifera durrovensis **Habitats:** 1130 Estuaries 1140 Mudflats and sandflats not covered by seawater at low tide 1310 *Salicornia* and other annuals colonizing mud and sand 1330 Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*) 1410 Mediterranean salt meadows (*Juncetalia maritimi*) 3260 Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitricho-Batrachion* vegetation 4030 European dry heaths 6430 Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels 7220 * Petrifying springs with tufa formation (*Cratoneurion*) 91A0 Old sessile oak woods with Ilex and Blechnum in the British Isles 91E0 * Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*)

*Table 3 SPAs located within the potential zone of influence of the Project (*indicates priority habitat).*

Site Code	Site Name	Qualifying Interests
004233	River Nore SPA	**Species:** A229 Kingfisher *Alcedo atthis*

4.2. Conservation Objectives of the Natura 2000 Sites

River Barrow and River Nore SAC (002062) - Version 1; 19th July 2011

The following Conservation Objectives are set out for the River Barrow and River Nore SAC. Specific attributes, measures and targets are presented in the relevant Conservation Objectives documents and will be addressed in more detail if required after potential impacts have been determined.

1016 Desmoulin's whorl snail Vertigo moulinsiana

To maintain the favourable conservation condition of Desmoulin's whorl snail in the River Barrow and River Nore SAC.

1029 Freshwater pearl mussel Margaritifera margaritifera

The status of the freshwater pearl mussel (*Margaritifera margaritifera*) as a qualifying Annex II species for the River Barrow and River Nore SAC is currently under review. The outcome of this review will determine whether a site-specific conservation objective is set for this species. Please note that the Nore freshwater pearl mussel (*Margaritifera durrovensis*) remains a qualifying species for this SAC.

1092 White-clawed crayfish Austropotamobius pallipes

To maintain the favourable conservation condition of White-clawed crayfish in the River Barrow and River Nore SAC.

1095 Sea lamprey Petromyzon marinus

To restore the favourable conservation condition of Sea lamprey in the River Barrow and River Nore SAC.

1096 Brook lamprey Lampetra planeri

To restore the favourable conservation condition of Brook lamprey in the River Barrow and River Nore SAC.

1099 River lamprey Lampetra fluviatilis

To restore the favourable conservation condition of River lamprey in the River Barrow and River Nore SAC.

1103 Twaite shad Alosa fallax

To restore the favourable conservation condition of Twaite shad in the River Barrow and River Nore SAC.

1106 Atlantic salmon (Salmo salar) (only in fresh water)

To restore the favourable conservation condition of Salmon in the River Barrow and River Nore SAC.

1130 Estuaries

To maintain the favourable conservation condition of Estuaries in the River Barrow and River Nore SAC.

1140 Mudflats and sandflats not covered by seawater at low tide

To maintain the favourable conservation condition of the Mudflats and sandflats not covered by seawater at low tide in the River Barrow and River Nore SAC.

1310 Salicornia and other annuals colonizing mud and sand

To maintain the favourable conservation condition of Salicornia and other annuals colonizing mud and sand in the River Barrow and River Nore SAC

1330 Atlantic salt meadows (Glauco-Puccinellietalia maritimae)

To restore the favourable conservation condition of Atlantic salt meadows in the River Barrow and River Nore SAC.

1355 Otter Lutra lutra

To restore the favourable conservation condition of Otter in the River Barrow and River Nore SAC.

1410 Mediterranean salt meadows (Juncetalia maritimi)

To restore the favourable conservation condition of Mediterranean salt meadows in the River Barrow and River Nore SAC.

1421 Killarney fern Trichomanes speciosum

To maintain the favourable conservation condition of Killarney Fern in the River Barrow and River Nore SAC.

1990 Nore freshwater pearl mussel Margaritifera durrovensis

To restore the favourable conservation condition of the Nore freshwater pearl mussel in the River Barrow and River Nore SAC.

3260 Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation

To maintain the favourable conservation condition of Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation in the River Barrow and River Nore SAC.

4030 European dry heaths

To maintain the favourable conservation condition of European dry heaths in the River Barrow and River Nore SAC.

6430 Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels

To maintain the favourable conservation condition of Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels in the River Barrow and River Nore SAC.

7220 * Petrifying springs with tufa formation (Cratoneurion)

To maintain the favourable conservation condition of Petrifying springs with tufa formation (*Cratoneurion*) in the River Barrow and River Nore SAC.

91A0 Old sessile oak woods with Ilex and Blechnum in the British Isles

To restore the favourable conservation condition of Old oak woodland with Ilex and Blechnum in the River Barrow and River Nore SAC.

91E0 * Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae)

To restore the favourable conservation condition of Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) in the River Barrow and River Nore SAC.

River Nore SPA (004233) - Generic Version 6.0; 21st of February 2018

The overall aim of the Habitats Directive is to maintain or restore the favourable conservation status of habitats and species of community interest. These habitats and species are listed in the Habitats and Birds Directives and Special Areas of Conservation and Special Protection Areas are designated to afford protection to the most vulnerable of them. These two designations are collectively known as the Natura 2000 network.

European and national legislation places a collective obligation on Ireland and its citizens to maintain habitats and species in the Natura 2000 network at favourable conservation condition. The Government and its agencies are responsible for the implementation and enforcement of regulations that will ensure the ecological integrity of these sites.

The maintenance of habitats and species within Natura 2000 sites at favourable conservation condition will contribute to the overall maintenance of favourable conservation status of those habitats and species at a national level.

Favourable conservation status of a habitat is achieved when:

- its natural range, and area it covers within that range, are stable or increasing, and
- the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and
- the conservation status of its typical species is favourable.

The favourable conservation status of a species is achieved when:

- population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats, and
- the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and
- there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

Objective: To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.

4.3. Assessment Criteria

4.3.1. Examples of Direct, Indirect or Secondary Impacts

In order to identify those sites that could be potentially affected, it is necessary to describe the Natura 2000 site in the context of why it has been designated i.e. in terms of its Qualifying Interests and the environmental and ecological conditions that maintain the condition of these features. The underpinning conditions that are required to maintain the 'health' of these features are listed in Table 4 below.

Table 4 Qualifying Interests and Key environmental conditions supporting site integrity.

Qualifying Interests	Key environmental conditions supporting site integrity	Current Threats to Qualifying Interests	Potential Impacts
* Alluvial forests with Alnus glutinosa and *Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae)*	Riparian/lacustrine habitat prone to flooding.	Grazing, Invasive Species, Drainage, Planting of nonnative conifers, felling of native tree species.	This habitat does not occur in the zone of influence of the project and will not be affected.
Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*)	Marine and groundwater dependent. Medium sensitivity to hydrological change. Changes in salinity and tidal regime. Overgrazing, erosion and accretion.	Overgrazing; erosion; invasive species, particularly common cordgrass (Spartina anglica); infilling and reclamation.	This habitat does not occur in the zone of influence of the project and will not be affected.
Brook Lamprey (*Lampetra planeri*)	Surface water dependent Highly sensitive to hydrological change.	Channel maintenance, barriers, passage obstruction, gross pollution and specific pollutants.	There will be no instream works and no direct impacts on this species. Potential indirect impacts are unlikely given the enclosed nature and small scale of the Project with no discharges to the River Nore.
Desmoulin's whorl snail (*Vertigo moulinsiana)*	Stable wetland water table. Emergent vegetation. Groundwater supply.	Climate Change, Flooding, Urbanisation (Habitat Encroachment, Pesticides, Fertilised, Grazing, Undergrazing, Afforestation, Stock Feeding, Burning, Peat	This species does not occur in the zone of influence of the project and will not be affected.

Qualifying Interests	Key environmental conditions supporting site integrity	Current Threats to Qualifying Interests	Potential Impacts
		Extraction, Communications Networks, Paths & Tracks, Walking/horse riding & non-motorised vehicles, Water Pollution, Landfill, Drainage, Modifying structures of inland watercourses.	
Estuaries	Surface and marine water dependent. Low sensitivity to hydrological changes. Aquaculture, fishing and pollution.	Aquaculture, fishing, dumping of wastes and water pollution.	This habitat does not occur in the zone of influence of the project and will not be affected.
European dry heaths	Dry heaths occur on a range of slopes, in both upland and lowland areas, though most usually on slopes of 5-20° or more, often on upper slopes of hills and mountains, and are usually reported as being concentrated towards the drier south and east of the country.	Overgrazing, Abandonment of pastoral systems, General Forestry management, Forestry planting, Burning, Fertilisation, Agricultural improvement, Sand and gravel extraction	This habitat does not occur in the zone of influence of the project and will not be affected.
Freshwater Pearl Mussel (*Margaritifera margaritifera*)	Surface water dependent Highly sensitive to hydrological change Very highly sensitive to pollution.	Poor substrate quality due to increased growth of algal and macrophyte vegetation as a result of severe nutrient enrichment, as well as physical siltation.	There will be no instream works and no direct impacts on this species. Potential indirect impacts are unlikely given the enclosed nature and small scale of the Project with no discharges to the River Nore.
Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels	Habitats are formed on gleyed soils, rich in nutrients, sand, silty and sand-silty ones with a high ground water level. Usually these nitrophylious communities are located in the form of the narrow strips near riverbeds and channels and occupy a small area.	Change of hydrological regime, adjustment of river channels, expansion of neophyte species, farming.	This habitat does not occur in the zone of influence of the project and will not be affected. .
Killarney fern (*Trichomanes speciosum*	Sensitive to desiccation and are not adapted to reduce or control water loss.	Human disturbance, Grazing, Woodland clearance, Natural processes such as wind felling of trees, competition from other plants, unusual weather conditions such as a prolonged frost or drought, and rock falls, Modifications to hydrology, Water pollution by nitrogenous waste,	There will be no instream works and no direct impacts on this species. Potential indirect impacts are unlikely given the enclosed nature and small scale of the Project with no discharges to the River Nore.
Kingfisher *(Alcedo atthis)*	Marine/freshwater food availability. Undisturbed soft substrate riparian nest sites. Regularity of extreme weather. Water quality.	Disturbance from riverside recreation, loss of nest sites due to bankside interference. Loss of riparian scrub and woodland.	There will be no instream works and no direct impacts on this species. Potential indirect impacts are unlikely given the enclosed nature and small scale of the Project.

Qualifying Interests	Key environmental conditions supporting site integrity	Current Threats to Qualifying Interests	Potential Impacts
Mediterranean salt meadows (*Juncetalia maritimi*)	Marine and groundwater dependent. Sensitivity to hydrological change. Changes in salinity and tidal regime. Overgrazing, erosion and accretion	Overgrazing; erosion; invasive species, particularly common cordgrass (Spartina anglica); infilling and reclamation.	This habitat does not occur in the zone of influence of the project and will not be affected.
Mudflats and sandflats not covered by seawater at low tide	Surface and marine water dependent. Low sensitivity to hydrological changes. Aquaculture, fishing and pollution.	Aquaculture, fishing, dumping of wastes and water pollution.	This habitat does not occur in the zone of influence of the project and will not be affected.
Nore freshwater pearl mussel (*Margaritifera durrovensis)*	Surface water dependent Highly sensitive to hydrological change Very highly sensitive to pollution.	Poor substrate quality due to increased growth of algal and macrophyte vegetation as a result of severe nutrient enrichment, as well as physical siltation.	There will be no instream works and no direct impacts on this species. Potential indirect impacts are unlikely given the enclosed nature and small scale of the Project with no discharges to the River Nore.
Old sessile oak woods with Ilex and Blechnum in the British Isles	Changes in management. Changes in nutrient or base status. Introduction of alien species.	The introduction of alien species; sub-optimal grazing patterns; general forestry management; increases in urbanisation and human habitation adjacent to oak woodlands; and the construction of communication networks through the woodland.	This habitat does not occur in the zone of influence of the project and will not be affected.
Otter (*Lutra lutra*)	Prey availability. Water Quality. Riparian vegetation for breeding sites. Unhindered passage along waterways.	Decrease in water quality: Use of pesticides; fertilization; vegetation removal; professional fishing (including lobster pots and fyke nets); hunting; poisoning; sand and gravel extraction; mechanical removal of peat; urbanised areas; human habitation; continuous urbanization; drainage; management of aquatic and bank vegetation for drainage purposes; ; and canalization or modifying structures of inland water course.	There will be no instream works and no direct impacts on this species. Potential indirect impacts are unlikely given the enclosed nature and small scale of the Project with no discharges to the River Nore.
* Petrifying springs with tufa formation (Cratoneurion)	Groundwater dependent. Highly sensitive to hydrological changes. Changes in nutrient or base status.	Peat or turf cutting; arterial drainage; local drainage; water abstraction and agricultural reclamation.	This habitat does not occur in the zone of influence of the project and will not be affected.
River Lamprey (*Lampetra fluviatilis*)	Surface water dependent Highly sensitive to hydrological change.	Channel maintenance, barriers, passage obstruction, gross pollution and specific pollutants.	There will be no instream works and no direct impacts on this species. Potential indirect impacts are unlikely given the enclosed nature and small scale of the Project with

Qualifying Interests	Key environmental conditions supporting site integrity	Current Threats to Qualifying Interests	Potential Impacts
			no discharges to the River Nore.
Salmon (*Salmo salar*) (only in fresh water)	Surface water dependent Highly sensitive to hydrological change	Numerous threats impact upon this species. Some of these include: cultivation, pesticides; fertilization; pollution; water pollution; biocenotic evolution; accumulation of organic material; eutrophication; over-fishing; forest-related pressures; parasites.	There will be no instream works and no direct impacts on this species. Potential indirect impacts are unlikely given the enclosed nature and small scale of the Project with no discharges to the River Nore.
Sea Lamprey (*Petromyzon marinus*)	Surface water dependent Highly sensitive to hydrological change.	Obstructions to movement; gross pollution; and specific pollutants.	There will be no instream works and no direct impacts on this species. Potential indirect impacts are unlikely given the enclosed nature and small scale of the Project with no discharges to the River Nore.
Salicornia and other annuals colonizing mud and sand	Marine water dependent. Medium sensitivity to hydrological change. Changes in salinity and tidal regime. Infilling, reclamation, invasive species.	Invasive Species; erosion and accretion.	This habitat does not occur in the zone of influence of the project and will not be affected.
Twaite shad (*Alosa fallax*)	Surface water dependent Sensitive to hydrological change	Threats include: pesticides; fertilization; pollution; water pollution; accumulation of organic material; eutrophication; forest-related pressures.	There will be no instream works and no direct impacts on this species. Potential indirect impacts are unlikely given the enclosed nature and small scale of the Project with no discharges to the River Nore.
Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation	Surface and groundwater dependent. Highly sensitive to hydrological changes. Highly sensitive to pollution.	Eutrophication; overgrazing, excessive fertilisation; afforestation; and the introduction of invasive alien species.	There will be no instream works and no direct impacts on this species. Potential indirect impacts are unlikely given the enclosed nature and small scale of the Project with no discharges to the River Nore.
White-clawed Crayfish (*Austropotamobius pallipes*)	Surface water dependent. Highly sensitive to hydrological change, Very highly sensitive to pollution.	Introduction of diseases transmitted by introduced American crayfish.	There will be no instream works and no direct impacts on this species. Potential indirect impacts are unlikely given the enclosed nature and small scale of the Project with no discharges to the River Nore.

4.3.2. Ecological Network Supporting Natura 2000 Sites

An analysis of the proposed Natural Heritage Areas and designated Natural Heritage Areas 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 rest of the AA process.

There are a number of proposed Natural Heritage Areas designated downstream of the proposed Project, however, for the purposes of this screening report these areas are dealt with under their higher conservation status designations as European sites.

5 Identification of Potential Impacts & Assessment of Significance

The proposed Project 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.

The proposed Project 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. Potential Impacts

This section uses the information collected on the sensitivity of each European site considered and describes any likely significant effects of implementation of the Project. This assumes the absence of any controls, conditions or assumption mitigation measures.

The likely significant effects of the proposed Project are presented in Table 5, both in isolation and potentially in combination with other plans and projects.

There will be no direct impacts on the River Nore European sites and there will be no habitat loss or fragmentation as a result of the proposed Project.

Having considered direct impacts and ruling them out, indirect impacts are then considered.

A worst-case scenario may be considered whereby the Project 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. The effect would have to be considered in terms of changes in water quality which would affect the species and/or habitats or food sources for which the River Nore European site's species are designated. However, this is unlikely.

Although the proposed Project is located in close proximity to the River Nore (approximately 65 m away), it has been noted that there are to be no discharges from the proposed Project site to the River Nore during the demolition works and that all surface water is to be directed to the foul sewer system.

Having regard for the nature and scale of the proposed demolition works, and the fact that any surface water will be directed to the foul sewer network via existing connectivity to same, effects on the Europeans sites considered are unlikely and significant effects can be ruled out.

5.2. Assessment of Potential In-Combination Effects

Cumulative impacts or effects are changes in the environment that result from numerous human-induced, small-scale alterations. Cumulative impacts 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 Project, 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 data made available through the planning section of the Kilkenny County Council website indicates that, within the last three years, there have been 12 applications for planning granted permission in the vicinity of the proposed Project, details below.

Under **Planning Ref. 16294** Kilkenny County Council granted permission to carry out internal alterations to existing house and to erect of a two storey rear extension with attic conversion together with all associated site works on our property. The development site has an existing connection to the public sewer.

Under **Planning Ref. 15710** Kilkenny County Council granted permission for development consisting of renovation of existing retail and residential property including: subdivision of existing single residence at 1st and 2nd floor level into 2 no one bedroom apartments; elevational changes to front.

Under **Planning Ref. 16417** Kilkenny County Council granted permission for a 5 Year temporary permission for the construction of a private surface level car park, alteration of existing adjacent (Kilford Arms) carpark entrance to form combined entrance with the existing adjacent carpark along with lighting, control barriers. Surface water will be dealt with within the site through the use of permeable surfacing and soakaways to be sized in accordance with BRE Digest 365.

Under **Planning Ref. 1744** Kilkenny County Council granted permission for the following works on the land known as the Deanery Orchard which lies within the curtilage of the protected structures of St Canice's Cathedral and Tower (RPS No.s B17, B18) and the Deanery (RPS No. B22). The development is for the temporary change of use of part of the Deanary Orchard for controlled private parking for occasional parish use with reinforced grass paving for vehicular access and includes works to the existing breach in the wall at the top of Coach Road to form a vehicular access including adjustments to the pavement; fitting metal double gates and fitting a matching metal gate to the pedestrian gate on Coach Road; providing an archaeological interpretation area within the orchard and reinstating the general orchard area.

Under **Planning Ref. 17319** Kilkenny County Council granted permission for development for (1) demolition of the existing rear single storey extension, (2) construction of a two storey rear extension and all associated site works. All located within the Michael St, Architectural Conservation Area. Screening by Kilkenny County Council concluded that AA was not required.

Under **Planning Ref. 17434** Kilkenny County Council granted permission for a two storey extension to the rear and renovations to existing residence, to include landscaping, demolition of an existing single storey extension to the rear, removal of existing shed to the rear, removal of existing shed to the rear, replacement of PVC windows to the front elevation and for all ancillary and associated works (located in Michael Street/Wolfe Tone Street Architectural Conservation Area). Screening by Kilkenny County Council concluded that AA was not required.

Under **Planning Ref. 16515** Kilkenny County Council granted permission for to extend existing restaurant, involving the change of use of an existing bedsit unit to the rear and any associated and ancillary site works. The development site has an existing connection to the public sewer for foul water.

Under **Planning Ref. 17160** Kilkenny County Council granted permission for 1. Retention Permission for the demolition of existing extension 2. Retention Permission for laying of foundation and construction of blockwork 3. Planning Permission to build and complete extension to the rear of existing dwelling house and all associated site development works. Screening by Kilkenny County Council concluded that AA was not required.

Under **Planning Ref. 18133** Kilkenny County Council granted permission for 2 new single storey extensions to the rear and side of existing two storey dwelling and all site and ancillary works. Screening by Kilkenny County Council concluded that AA was not required.

Under **Planning Ref. 18309** Kilkenny County Council granted permission for the change of use of 2 no. rooms at first floor level from a place of worship to an office.

Under **Planning Ref. 1829** Kilkenny County Council granted permission for the following works at Basement Floor Level: 1) Change of use of existing storage room to proposed dormitory providing 4 no. bed spaces. 2) Change of use of existing lounge to proposed dormitory providing 2 no. bed spaces. 3) Alterations to existing

toilets/staffroom providing shower room, WC, WC/Cloak room and accessible shower / WC. 4) Provide 2 no. new escape windows from proposed dormitories. Screening by Kilkenny County Council concluded that AA was not required.

Under **Planning Ref. 18855** Kilkenny County Council granted permission for a two storey extension to the rear and renovations to existing residence (located in Michael Street/Wolfe Tone Street Architectural Conservation Area), to include landscaping, demolition of an existing single storey extension to the rear, removal of existing shed to the rear, replacement of PVC windows to the front elevation and for all ancillary and associated works. Screening by Kilkenny County Council concluded that AA was not required.

The Abbeyquarter area is subject to various Part 8 planning applications from site demolition to refurbishment of the former brewery and a river walk included in an overall masterplan for the area.

An EIS for the Old Mart Street Road Scheme was completed in 2011 and a Natura Impact Statement produced for the scheme. The Natura Impact Statement outlines a number of mitigation measures that need to be employed during the construction phase and the operation phase of the scheme. The NIS established that if those mitigation measures are employed; there should be no significant impact on the River Nore.

Kilkenny Co. Co. also plans to develop the riparian green corridor along the River Nore as an amenity area with low scale improvements to the existing amenity area. Moore Group undertook a Report for AA Screening and found that there would be no significant impacts from that proposed Project and therefore in-combination impacts with the proposed Project will not arise.

The development of the Brewhouse on the former brewery site on the southern side of the Breagagh River were the subject of separate AA Screening which found that there would be no significant impacts from either proposed Project and therefore in-combination impacts with the proposed Project will not arise.

The development of a Cinema with access from the Central Access Scheme was also considered under the requirements of the Habitats Directive and found that there would be no significant impacts from either proposed Project and therefore in-combination impacts with the proposed Project will not arise.

It is a prerequisite of sustainable development in the area that any developments granted will not have potential impacts on the River Nore and associated conservation areas.

There are no predicted in-combination effects given that, where appropriate, the above developments have been screened for potential significant effects on European sites and significant effects were ruled out, and given

- the nature and scale of the proposed demolition works;
- that there will be no discharges from the site to the River Nore; and
- that any surface water will be directed to the foul sewer network via existing connectivity to same.

The Kilkenny City 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 Project 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 development area in which the development site is located, would be avoided.

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

5.3 Summary of Potential Impacts

Table 5 Outlining the potential impacts in the absence of mitigation of the Project.

Site	Potential Direct Impacts e.g. Habitat Loss	Potential Indirect Impacts e.g. alteration to hydrological regime	Surface or Groundwater Contamination	Disturbance to Protected Species (Habitats Directive Annex II & IV)	Stage 2 AA Required
002162 River Barrow and River Nore SAC	No	No	No	No	No
004233 River Nore SPA	No	No	No	No	No

6. Conclusion

There will be no direct impacts on the River Nore European sites and there will be no habitat loss or fragmentation as a result of the proposed Project.

Having considered direct impacts and ruling them out, indirect impacts are then considered.

A worst-case scenario may be considered whereby the Project 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. The effect would have to be considered in terms of changes in water quality which would affect the species and/or habitats or food sources for which the River Nore European site's species are designated. However, this is unlikely.

Although the proposed Project is located in close proximity to the River Nore (approximately 65 m away), it has been noted that there are to be no discharges from the proposed Project site to the River Nore during the demolition works and that all surface water is to be directed to the foul sewer system.

Having regard for the nature and scale of the proposed demolition works, and the fact that any surface water will be directed to the foul sewer network via existing connectivity to same, effects on the Europeans sites considered are unlikely and significant effects have been ruled out.

It has been objectively concluded by Moore Group Environmental Services that:

1. The proposed Project is not directly connected with, or necessary to the conservation management of the European sites considered in this assessment.
2. The proposed Project is unlikely to indirectly significantly affect the Qualifying interests or Conservation Objectives of the European sites considered in this assessment.
3. The proposed Project, alone or in combination with other projects, is not likely to have significant effects on the European sites considered in this assessment in view of their conservation objectives.
4. It is possible to conclude that there would be no significant effects, no potentially significant effects and no uncertain effects if the proposed Project were to proceed.

It is the view of Moore Group Environmental Services that it is not necessary to undertake any further stage of the Appropriate Assessment process.

A finding of no significant effects report is presented in Appendix A in accordance with the EU Commission's methodological guidance (European Commission, 2001).

7. References

Department of the Environment, Heritage and Local Government (2010) Guidance on Appropriate Assessment of Plans and Projects in Ireland (as amended February 2010).

European Commission (2000) Managing Natura 2000 sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC.

European Commission Environment DG (2001) 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 92/43EEC. European Commission, Brussels.

European Commission (2007) 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 interests, compensatory measures, overall coherence and opinion of the Commission. European Commission, Brussels.

European Commission (2018) Managing Natura 2000 sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC.

Irish Water (2017) Annual Environmental Report for D0018-01, Kilkenny City and Environs, County Kilkenny.

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.

NPWS (2013) The Status of EU Protected Habitats and Species in Ireland. National Parks and Wildlife Service, Department of the Environment, Heritage and Local Government, Dublin.

NPWS (2018) Conservation objectives for River Nore SPA [004233]. Generic Version 6.0. Department of Culture, Heritage and the Gaeltacht.

NPWS (2019) National Parks and Wildlife Service Metadata available online at https://www.npws.ie/maps-and-data.

Appendix A

FINDING OF NO SIGNIFICANT EFFECTS REPORT

Finding no significant effects report matrix

Name of project or plan

Proposed Demolition of the Abbey Quarter Maturation Building Horse Barrack Lane, Parliament Street, Kilkenny

Name and location of the Natura 2000 site(s)

The proposed Project relates to the demolition of the Abbey Quarter Maturation Building in Kilkenny City. The nearest European sites are those associated with the River Nore, comprising of the River Barrow And River Nore SAC (Site Code 002132) and the River Nore SPA (Site Code 004233), which are located approximately 60 m to the east of the Maturation Building. The only other European site with potential hydrological connectivity to the Proposed Project, i.e. which is located downstream irrespective of the nature or scale of the proposed Project, is the Lower River Suir SAC (Site Code 002137), which joins the waters of the Nore River at the mouths of the Suir River and Barrow River on the South Coast of Ireland, approximately 45 km to the south of the proposed Project.

There is no potential for meaningful biological or relevant hydrological connectivity to any other European sites.

Description of the project or plan

This report presents a screening assessment for a proposed Project consisting of the demolition of the Abbey Quarter Maturation Building, Horse Barrack Lane, Parliament Street, Kilkenny.

The proposed works comprise the demolition of an approx. 1000sq.m. single storey maturation building on the Abbey Quarter site, Horse Barrack Lane, Parliament Street, Kilkenny.

The Maturation Building is located within the Abbey Quarter site, which was previously the Diageo St. Francis Abbey Brewery.

Diageo have ceased brewing operations on this site, and the site is now in the ownership of Kilkenny County Council.

Permission was previously granted (Planning .Ref: 13/45) for demolition/removal of extensive plant and structures on this site including the removal of 22 no. maturation vessels whilst retaining the single storey structure that supported them – The Maturation Building. Planning consent is now being sought for the demolition of the single storey structure. The structure to be demolished is a decommissioned concrete shell. The works will involve the demolition of the building to the level of the adjoining concrete slab.

The Maturation Building is a single storey *in situ* concrete structure consisting of concrete walls with a brick facade, columns, roof slab and glazed curtain walling. The demolition of the Maturation Building will be carried out sequentially as follows -

- The strip out and removal of non-structural elements will be undertaken using small plant.
- The materials will be removed from site using small to medium sized trucks.
- Demolition of structures using larger plant and equipment. The roof slab will be demolished by cutting or breaking, whilst the concrete walls/columns will be mechanically demolished (Munched)

The area of the maturation building will be temporarily reinstated as a hard standing area pending the future development of the buildings and urban street as per the provisions of the Abbey Quarter Masterplan.

This work is consistent with that required for the reuse of most urban sites and will be conducted within secured areas.

Much of the original site drainage has been demolished. The remaining site drainage in the environs of the maturation building discharges to the existing foul sewer system. There is no connectivity between any of the site drainage in the environs of the Maturation Building and the river.

The demolition works will be carried out by a professional demolition contractor. A Demolition Management Plan (DMP) will be drawn up by the Contractor. Small amounts of water will be used as necessary for dust suppression during the demolition works. The amounts used will not be sufficient to create run-off. Any rainwater during the works will be conveyed to the foul sewer system.

Is the project or plan directly connected with or necessary to the management of the site(s)

No

Are there other projects or plans that together with the projects or plan being assessed could affect the site

A review of data made available through the planning section of the Kilkenny County Council website indicates that, within the last three years, there have been 12 applications for planning granted permission in the vicinity of the proposed Project, details below.

Under **Planning Ref. 16294** Kilkenny County Council granted permission to carry out internal alterations to existing house and to erect of a two storey rear extension with attic conversion together with all associated site works on our property. The development site has an existing connection to the public sewer.

Under **Planning Ref. 15710** Kilkenny County Council granted permission for development consisting of renovation of existing retail and residential property including: subdivision of existing single residence at 1st and 2nd floor level into 2 no one bedroom apartments; elevational changes to front.

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Under **Planning Ref. 18133** Kilkenny County Council granted permission for 2 new single storey extensions to the rear and side of existing two storey dwelling and all site and ancillary works. Screening by Kilkenny County Council concluded that AA was not required.

Under **Planning Ref. 18309** Kilkenny County Council granted permission for the change of use of 2 no. rooms at first floor level from a place of worship to an office.

Under **Planning Ref. 1829** Kilkenny County Council granted permission for the following works at Basement Floor Level: 1) Change of use of existing storage room to proposed dormitory providing 4 no. bed spaces. 2) Change of use of existing lounge to proposed dormitory providing 2 no. bed spaces. 3) Alterations to existing toilets/staffroom providing shower room, WC, WC/Cloak room and accessible shower / WC. 4) Provide 2 no. new escape windows from proposed dormitories. Screening by Kilkenny County Council concluded that AA was not required.

Under **Planning Ref. 18855** Kilkenny County Council granted permission for a two storey extension to the rear and renovations to existing residence (located in Michael Street/Wolfe Tone Street Architectural Conservation Area), to include landscaping, demolition of an existing single storey extension to the rear, removal of existing shed to the rear, replacement of PVC windows to the front elevation and for all ancillary and associated works. Screening by Kilkenny County Council concluded that AA was not required.

The Abbeyquarter area is subject to various Part 8 planning applications from site demolition to refurbishment of the former brewery and a river walk included in an overall masterplan for the area.

An EIS for the Old Mart Street Road Scheme was completed in 2011 and a Natura Impact Statement produced for the scheme. The Natura Impact Statement outlines a number of mitigation measures that need to be employed during the construction phase and the operation phase of the scheme. The NIS established that if those mitigation measures are employed; there should be no significant impact on the River Nore.

Kilkenny Co. Co. also plans to develop the riparian green corridor along the River Nore as an amenity area with low scale improvements to the existing amenity area. Moore Group undertook a Report for AA Screening and found that there would be no significant impacts from that proposed Project and therefore in-combination impacts with the proposed Project will not arise.

The development of the Brewhouse on the former brewery site on the southern side of the Breagagh River were the subject of separate AA Screening which found that there would be no significant impacts from either proposed Project and therefore in-combination impacts with the proposed Project will not arise.

The development of a Cinema with access from the Central Access Scheme was also considered under the requirements of the Habitats Directive and found that there would be no significant impacts from either proposed Project and therefore in-combination impacts with the proposed Project will not arise.

It is a prerequisite of sustainable development in the area that any developments granted will not have potential impacts on the River Nore and associated conservation areas.

There are no predicted in-combination effects given that, where appropriate, the above developments have been screened for potential significant effects on European sites and significant effects were ruled out, and given

- the nature and scale of the proposed demolition works;
- that there will be no discharges from the site to the River Nore; and
- that any surface water will be directed to the foul sewer network via existing connectivity to same.

The Kilkenny City 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 Project 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 development area in which the development site is located, would be avoided.

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

THE ASSESSMENT OF SIGNIFICANCE OF EFFECTS

Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 site.

There will be no direct impacts on the River Nore European sites and there will be no habitat loss or fragmentation as a result of the proposed Project.

Having considered direct impacts and ruling them out, indirect impacts are then considered.

A worst-case scenario may be considered whereby the Project 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. The effect would have to be considered in terms of changes in water quality which would affect the species and/or habitats or food sources for which the River Nore European site's species are designated. However, this is unlikely.

Explain why these effects are not considered significant.

Although the proposed Project is located in close proximity to the River Nore (approximately 65 m away), it has been noted that there are to be no discharges from the proposed Project site to the River Nore during the demolition works and that all surface water is to be directed to the foul sewer system.

Having regard for the nature and scale of the proposed demolition works, and the fact that any surface water will be directed to the foul sewer network via existing connectivity to same, effects on the Europeans sites considered are unlikely and significant effects can be ruled out.

List of agencies consulted: provide contact name and telephone or e-mail address

The requirement for Appropriate Assessment Screening was determined by Kilkenny County Council.

Response to consultation

N/A.

DATA COLLECTED TO CARRY OUT THE ASSESSMENT

Who carried out the assessment

Moore Group Environmental Services.

Sources of data

NPWS database of designated sites at www.npws.ie

National Biodiversity Data Centre database http://maps.biodiversityireland.ie

Level of assessment completed

Desktop Assessment.

Where can the full results of the assessment be accessed and viewed

Kilkenny County Council Planning Section.

OVERALL CONCLUSIONS

There will be no direct impacts on the River Nore European sites and there will be no habitat loss or fragmentation as a result of the proposed Project.

Having considered direct impacts and ruling them out, indirect impacts are then considered.

A worst-case scenario may be considered whereby the Project 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. The effect would have to be considered in terms of changes in water quality which would affect the species and/or habitats or food sources for which the River Nore European site's species are designated. However, this is unlikely.

Although the proposed Project is located in close proximity to the River Nore (approximately 65 m away), it has been noted that there are to be no discharges from the proposed Project site to the River Nore during the demolition works and that all surface water is to be directed to the foul sewer system.

Having regard for the nature and scale of the proposed demolition works, and the fact that any surface water will be directed to the foul sewer network via existing connectivity to same, effects on the Europeans sites considered are unlikely and significant effects have been ruled out.

It has been objectively concluded by Moore Group Environmental Services that:

1. The proposed Project is not directly connected with, or necessary to the conservation management of the European sites considered in this assessment.
2. The proposed Project is unlikely to indirectly significantly affect the Qualifying interests or Conservation Objectives of the European sites considered in this assessment.
3. The proposed Project, alone or in combination with other projects, is not likely to have significant effects on the European sites considered in this assessment in view of their conservation objectives.
4. It is possible to conclude that there would be no significant effects, no potentially significant effects and no uncertain effects if the proposed Project were to proceed.

It is the view of Moore Group Environmental Services that it is not necessary to undertake any further stage of the Appropriate Assessment process.