

Report for the purposes of
Appropriate Assessment Screening

South East Greenway Links

Prepared by: Moore Group – Environmental Services

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On behalf of Trail Kilkenny

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Project	South East Greenway Links
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Appendix A – Finding of No Significant Effects Report

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

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) in respect of the construction and operation of linkage access routes from the South East Greenway to Glenmore and Slieverue in Co. Kilkenny (hereafter referred to as the Proposed Development) to determine whether it is likely individually or in combination with other plans and projects to have a significant effect on any European sites, in light of best scientific knowledge.

Having regard to the provisions of the Planning and Development Act 2000 – 2021 (the “Planning Acts”) (section 177U), 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 European site.

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 under section 177V of the Planning Acts.

When screening the project, there are two possible outcomes:

- the project poses no potential for a likely significant effect and as such requires no further assessment; and
- the project has potential to have likely significant effect (or this is uncertain) unless mitigation measures are applied, and therefore an AA of the project is necessary.

This report has been prepared by Moore Group - Environmental Services to enable Kilkenny 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 27 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

Article 6(3) and 6(4) of the Habitats Directive is transposed into Irish Law inter alia by the Part XAB of the Planning Acts (in particular section 177U and 177V) which governs the requirement to carry out appropriate assessment screening and appropriate assessment, where required, per Section 1.1 above.

The Habitats Directive (Council Directive 92/43/EEC of 21 May 1992 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 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 a EU context.

The Birds Directive (Council Directive 2009/147/EC on the conservation of wild birds), transposed into Irish law by the Bird and Natural Habitats Regulations 2011 as amended, and the Wildlife Act 1976, as amended, 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 have a significant effect on Natura 2000 sites.

Article 6(3) establishes the requirement to screen all plans and projects and to carry out an appropriate 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.”*

2. Methodology

The Commission's methodological guidance (EC, 2002, 2018, 2021 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, Moore Group compiled this report to enable Kilkenny County Council to carry out AA screening in relation to the Proposed Development to 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. (Department of Environment, Heritage and Local Government, 2010 rev.)(soon to be superseded by EC Guidance in prep.).
- Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities. Circular NPWS 1/10 & PSSP 2/10.
- Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC (EC, 2018).
- Guidance document on the strict protection of animal species of Community interest under the Habitats Directive (EC, 2021).
- Assessment of plans and projects in relation to Natura 2000 sites - Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC (EC, 2021).
- Office of the Planning Regulator (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 1995-2022;
- 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, 2019); and
- Relevant Development Plans;
 - Kilkenny County Development Plan 2021-2027

3. Description of the Proposed Development

The Proposed Development consists of the construction and operation of connecting links from the South East Greenway to the villages of Slieverue and Glenmore in Co. Kilkenny, to provide access to the villages from the Greenway for pedestrians and cyclists.

Each route is approximately 1.8km, and consists of assorted improvements along these routes, including bridges, underpass, paths and bollards.

The Slieverue Route commences on On-road on Kilmurry lane.

Continues under the underpass to the existing footpath on the north side of the road, widened to shared footpath / cycle path from the Milepost Rd junction to the village.

Along a Path within new park on the northeast side of the Slieverue roundabout.

Foot and cycle bridge across the N29 continuing on Luffany lane to the Greenway on private lands.

The Glenmore Link commences from a proposed car park at Ballyverneen, using the road side verges, the underbridge at the N25 and onto the village in the 50km/hr zone.

The links were surveyed on 7 September 2022 for invasive species and possible links to water courses leading to European sites. None were recorded in either case. While the Glenmore link runs adjacent to a stream which flows to the Glenmore River, the N25 intersection is relatively newly constructed and there are no pathway to the stream or the receiving River Barrow.

Figure 1 shows the Proposed Development location and Figures 2 and show detailed views of the Proposed Development boundaries on recent aerial photography. Figures 3 and 4 shows the layout of the Proposed Links.

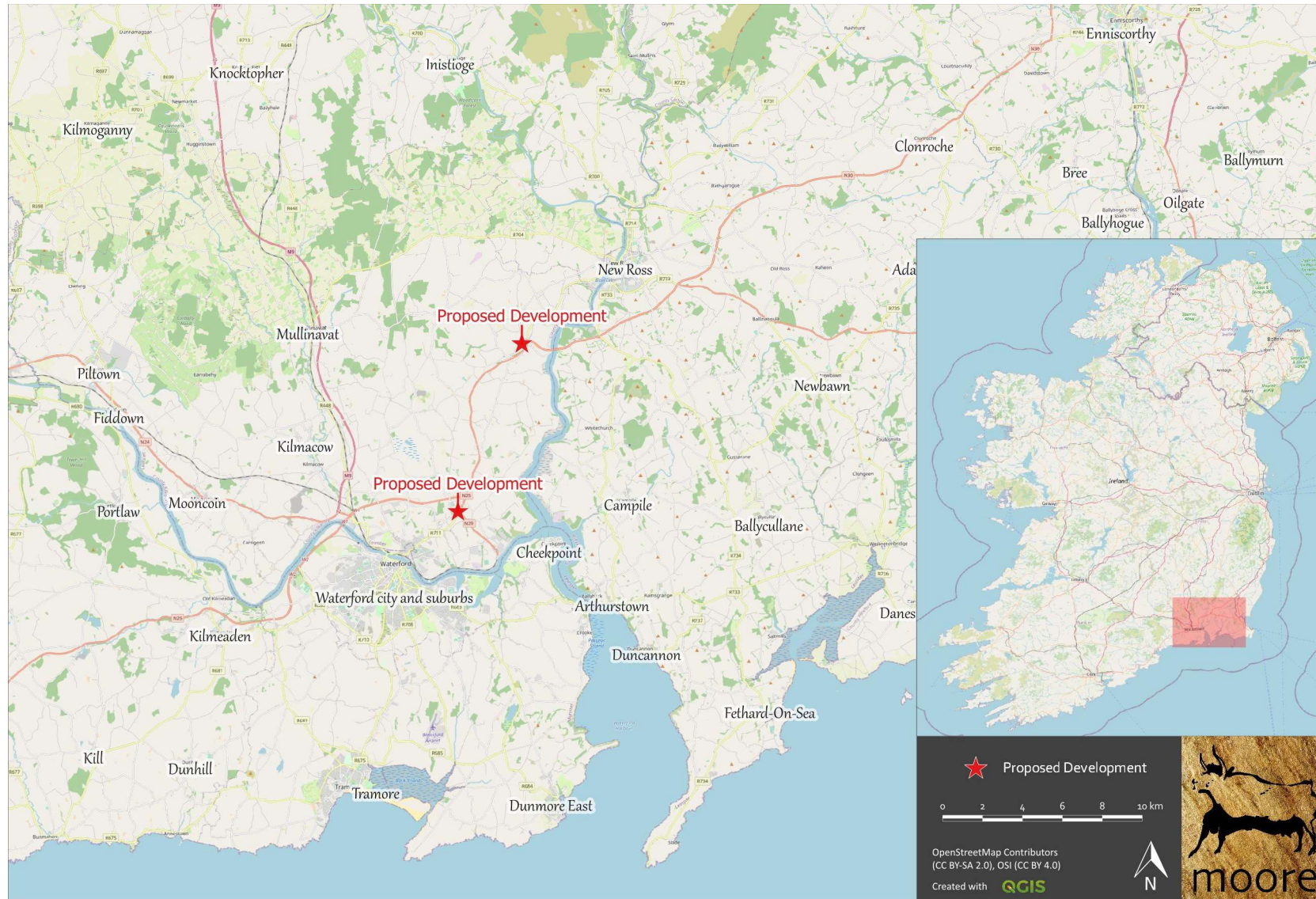


Figure 1. Showing the Proposed Development locations at Slieverue and Glenmore, Co. Kilkenny.

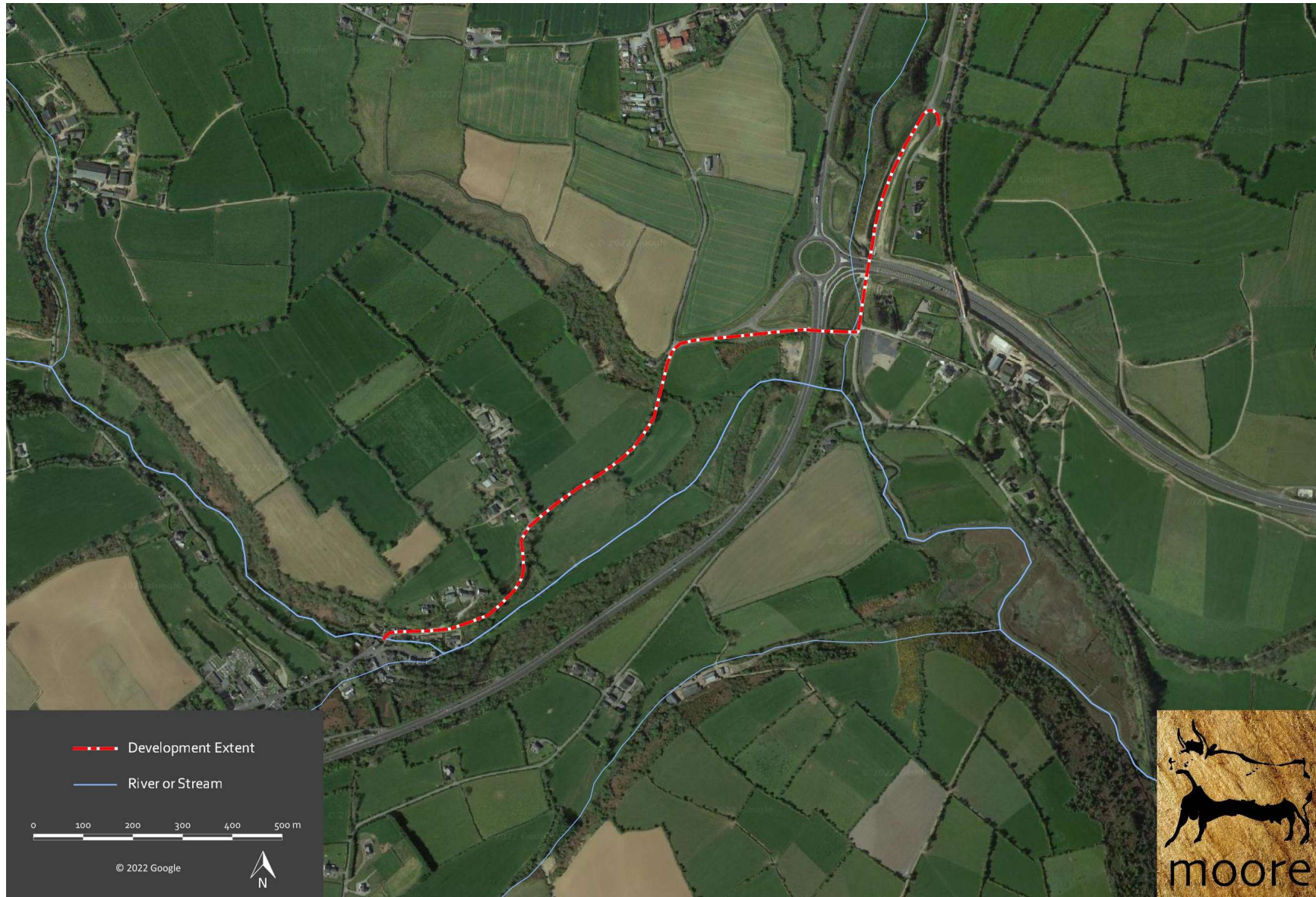


Figure 2. Showing the Proposed Development boundary on recent aerial photography, Glenmore section.



Figure 3. Showing the Proposed Development boundary on recent aerial photography, Slieverue section.

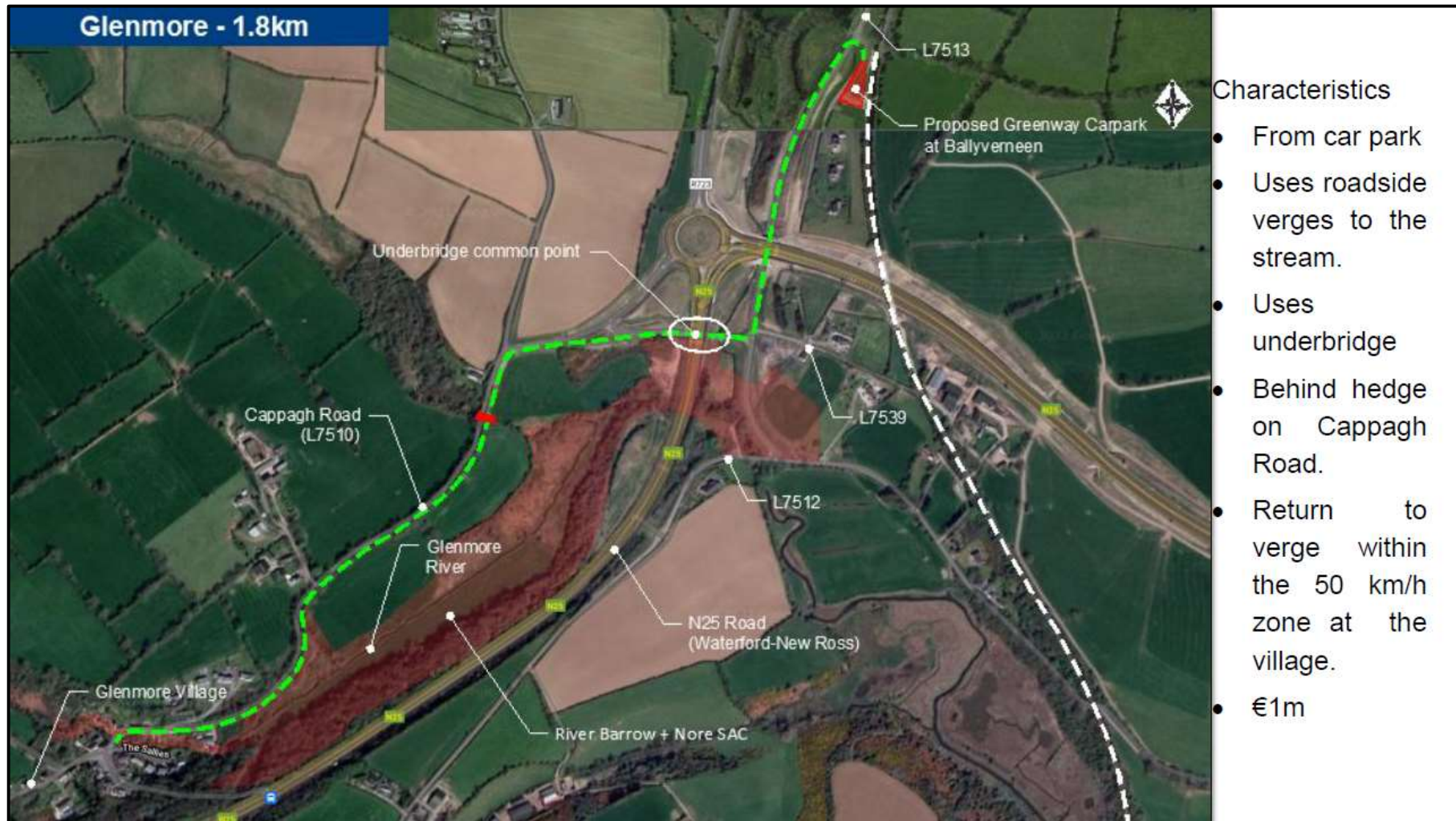


Figure 4. Plan of the Proposed Development, Glenmore route.



Characteristics

- On-road on Kilmurry lane.
- Bollard at the underpass to remove vehicular traffic - but access retained for residents.
- Existing footpath on the north side of the road widened to shared footpath / cycle path from the Milepost Rd junction to the village.
- Path within new park on the northeast side of the Slieverue roundabout.
- Foot and cycle bridge across the N29
- Path on severed sections of the road network
- Luffany lane to the Greenway on private lands; three options.
- €2.5m

Figure 5. Plan of the Proposed Development, Slieverue route.

4. Identification of Natura 2000 Sites

4.1. Description of Natura Sites Potentially Significantly Affected

A Zone of Influence (Zoi) 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. In accordance with the OPR Practice Note, PN01, the Zoi should be established on a case-by-case basis using the Source- Pathway-Receptor framework.

The European Commission's "Assessment of plans and projects in relation to Natura 2000 sites guidance on Article 6(3) and (4) of the Methodological Habitats Directive 92/43/EEC" published 28 September 2021 states at section 3.1.3:

Identifying the Natura 2000 sites that may be affected should be done by taking into consideration all aspects of the plan or project that could have potential effects on any Natura 2000 sites located within the zone of influence of the plan or project. This should take into account all of the designating features (species, habitat types) that are significantly present on the sites and their conservation objectives. In particular, it should identify:

- *any Natura 2000 sites geographically overlapping with any of the actions or aspects of the plan or project in any of its phases, or adjacent to them;*
- *any Natura 2000 sites within the likely zone of influence of the plan or project Natura 2000 sites located in the surroundings of the plan or project (or at some distance) that could still be indirectly affected by aspects of the project, including as regards the use of natural resources (e.g. water) and various types of waste, discharge or emissions of substances or energy;*
- *Natura 2000 sites in the surroundings of the plan or project (or at some distance) which host fauna that can move to the project area and then suffer mortality or other impacts (e.g. loss of feeding areas, reduction of home range);*
- *Natura 2000 sites whose connectivity or ecological continuity can be affected by the plan or project.*

The range of Natura 2000 sites to be assessed, i.e. the zone in which impacts from the plan or project may arise, will depend on the nature of the plan or project and the distance at which effects may occur. For Natura 2000 sites located downstream along rivers or wetlands fed by aquifers, it may be that a plan or project can affect water flows, fish migration and so forth, even at a great distance. Emissions of pollutants may also have effects over a long distance. Some projects or plans that do not directly affect Natura 2000 sites may still have a significant impact on them if they cause a barrier effect or prevent ecological linkages. This may happen, for example, when plans affect features of the landscape that connect Natura 2000 sites or that may obstruct the

movements of species or disrupt the continuity of a fluvial or woodland ecosystem. To determine the possible effects of the plan or project on Natura 2000 sites, it is necessary to identify not only the relevant sites but also the habitats and species that are significantly present within them, as well as the site objectives.

The Zone of Influence may be determined by considering the Proposed Development's potential connectivity with European sites, in terms of:

- Nature, scale, timing and duration of all aspects of the proposed works and possible impacts, including the nature and size of excavations, storage of materials, flat/sloping sites;
- Distance and nature of potential pathways (dilution and dispersion; intervening 'buffer' lands, roads etc.); and
- Location of ecological features and their sensitivity to the possible impacts.

The potential for source pathway receptor connectivity is firstly identified through GIS interrogation and detailed information is then provided on sites with connectivity. European sites that are located within a potential Zone of Influence of the Proposed Development are listed in Table 1 and presented in Figures 6 to 8, below. Spatial boundary data on the Natura 2000 network was extracted from the NPWS website (www.npws.ie) on 23 September 2022. This data was interrogated using GIS analysis to provide mapping, distances, locations and pathways to all sites of conservation concern including pNHAs, NHA and European sites.

Table 1 European Sites located within the potential Zone of Influence¹ of the Proposed Development.

Site Code	Site name	Distance (km) ²
002137	Lower River Suir SAC	1.32
002162	River Barrow And River Nore SAC	0.00

The Glenmore section of the Proposed Development crosses a minor stream close to the N25, then runs alongside the Glenmore River, crossing the River at the village of Glenmore. The Glenmore River forms part of the River Barrow and River Nore SAC (Site Code 002162).

The Slieverue section of the Proposed Development lies over 1km from any European site and does not intersect with any watercourses and there is no connectivity to any European sites.

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

¹ All European sites potentially connected irrespective of the nature or scale of the Proposed Development.

² Distances indicated are the closest geographical distance between the Proposed Development and the European site boundary, as made available by the NPWS.

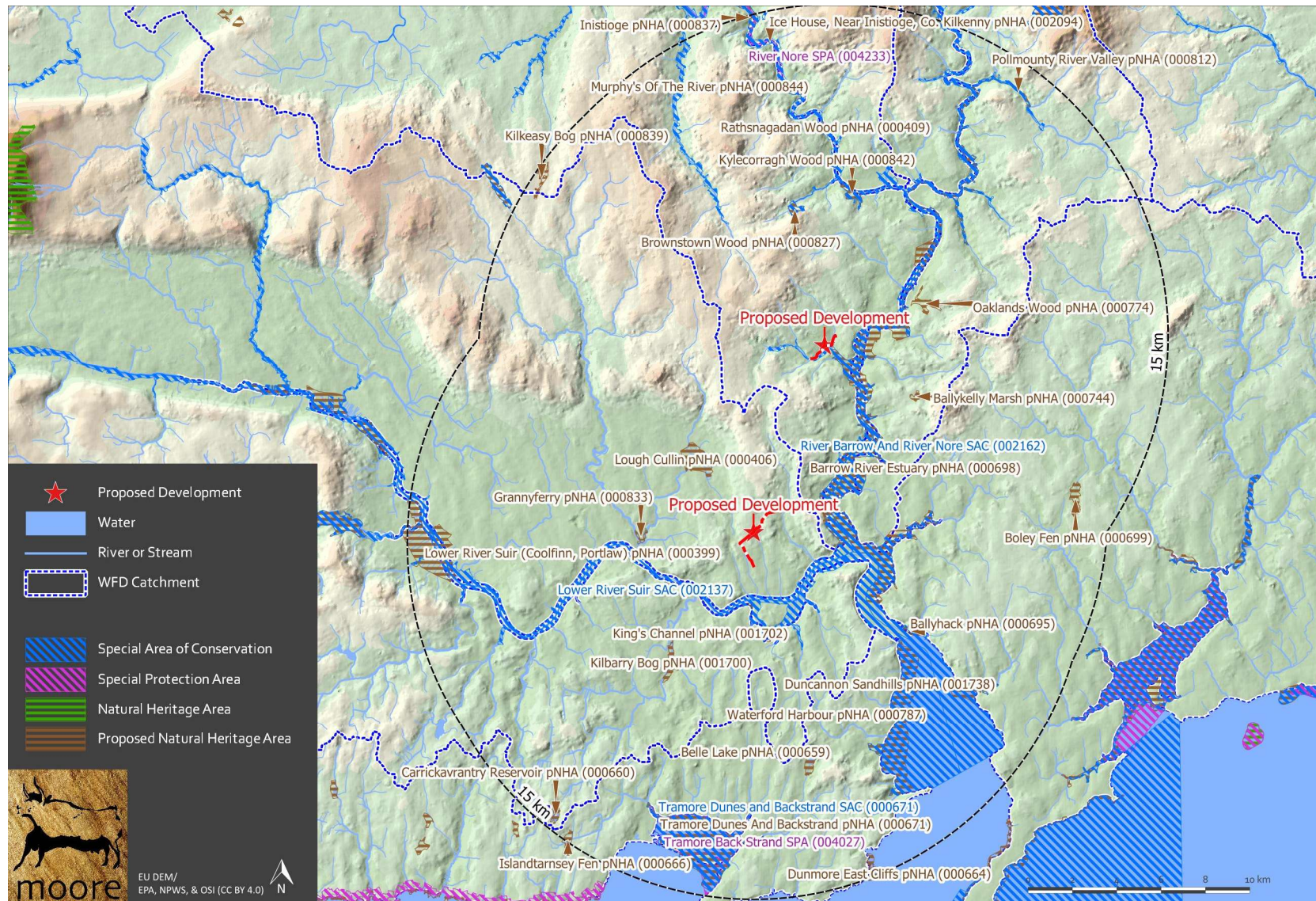


Figure 6. Showing European sites and NHAs/pNHAs within the wider Potential Zone of Influence of the Proposed Development.

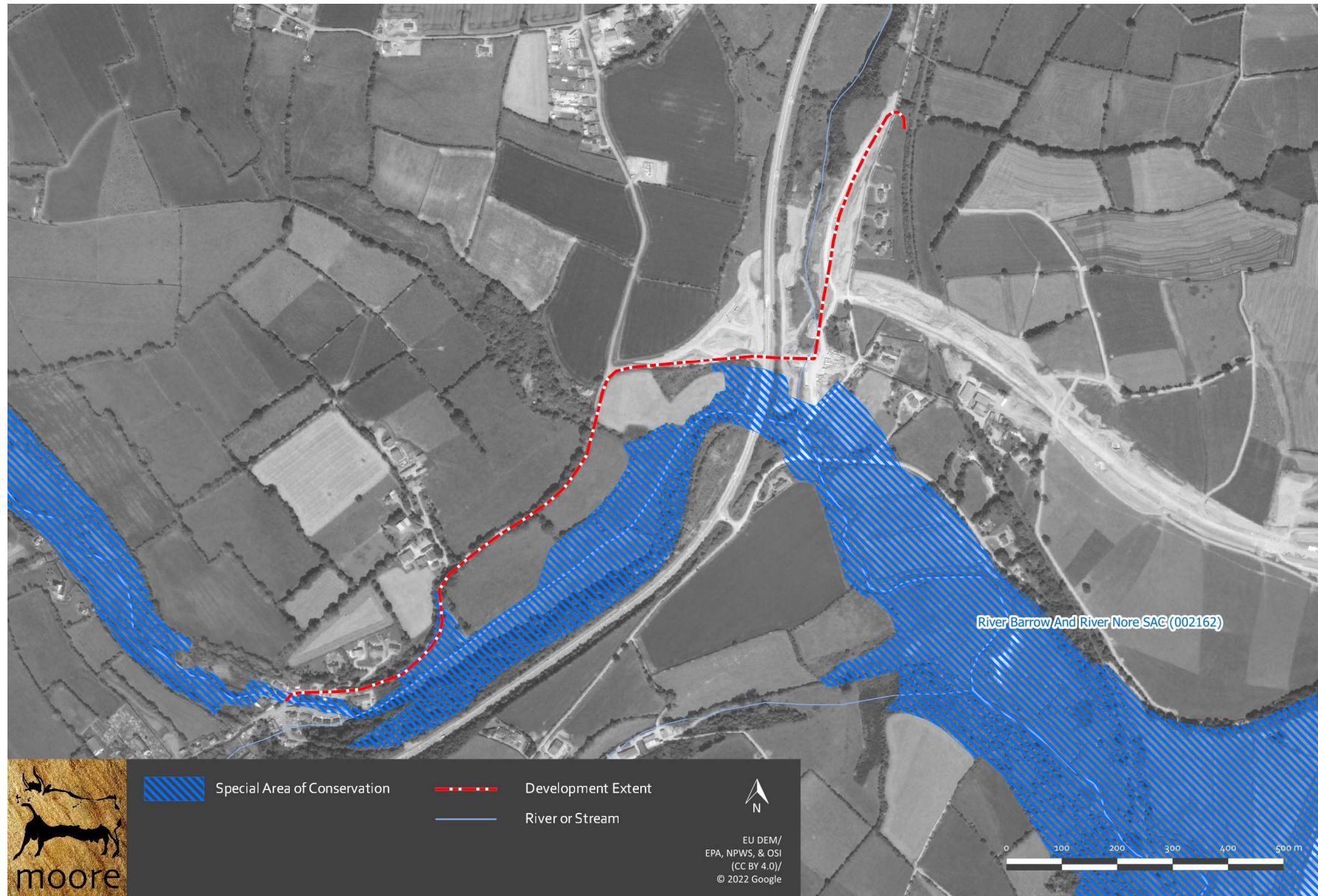


Figure 7. Detailed view of European sites in the nearer Potential Zone of Influence of the Glenmore section of the Proposed Development.

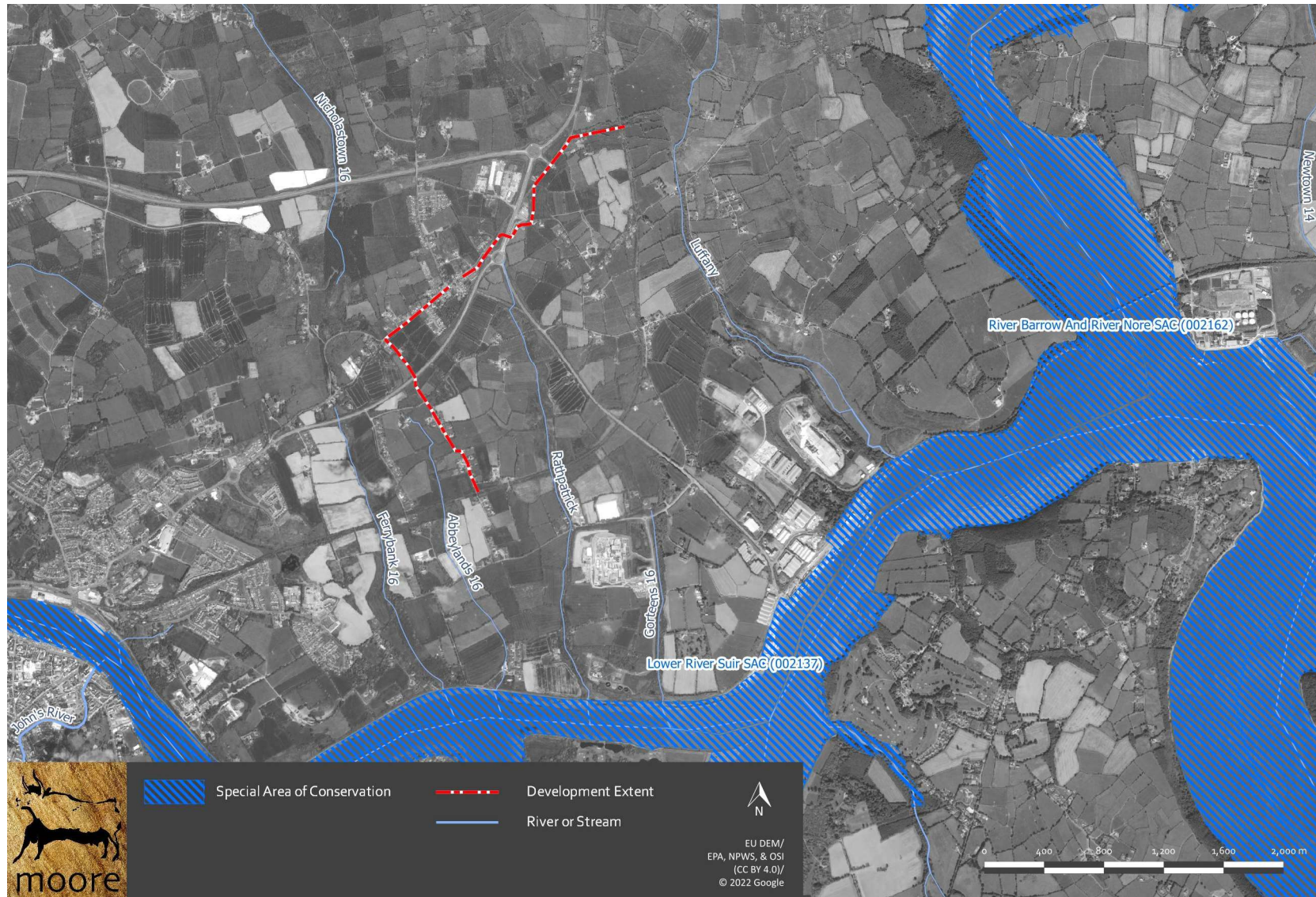


Figure 8. Detailed view of European sites in the nearer Potential Zone of Influence of the Slieverue section of the Proposed Development.

Table 2. Identification of relevant European sites using Source-Pathway-Receptor model and compilation of information QIs and conservation objectives. *Priority Habitats

European site name & Site code	Location Relative to the Proposed Development Site	Connectivity – Source-Pathway-Receptor	Considered further in Screening – Y/N
<p>Lower River Suir SAC (002137)</p> <p>1029 Freshwater Pearl Mussel <i>Margaritifera margaritifera</i></p> <p>1092 White-clawed Crayfish <i>Austropotamobius pallipes</i></p> <p>1095 Sea Lamprey <i>Petromyzon marinus</i></p> <p>1096 Brook Lamprey <i>Lampetra planeri</i></p> <p>1099 River Lamprey <i>Lampetra fluviatilis</i></p> <p>1103 Twaite Shad <i>Alosa fallax fallax</i></p> <p>1106 Salmon <i>Salmo salar</i></p> <p>1330 Atlantic salt meadows (Glauco-Puccinellietalia maritima)</p> <p>1355 Otter <i>Lutra lutra</i></p> <p>1410 Mediterranean salt meadows (Juncetalia maritimi)</p> <p>3260 Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation</p> <p>6430 Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels</p> <p>91A0 Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles</p> <p>91E0 Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae)</p> <p>91J0 <i>Taxus baccata</i> woods of the British Isles</p> <p>NPWS (2017) Conservation Objectives: Lower River Suir SAC 002137. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.</p>	<p>1.32km to the south of the Proposed Development</p>	<p>No</p> <p>There are no pathways or connectivity to the habitats and/or species of this site.</p>	<p>N</p>
<p>River Barrow And River Nore SAC (002162)</p> <p>1016 Desmoulin's whorl snail <i>Vertigo moulinsiana</i></p> <p>1029 Freshwater pearl mussel <i>Margaritifera margaritifera</i></p> <p>1092 White-clawed crayfish <i>Austropotamobius pallipes</i></p>	<p>0.00km to the west of the Proposed Development</p>	<p>No</p> <p>The proposed development crosses the Glenmore River, a part of the SAC; however the N25 intersection is relatively newly</p>	<p>N</p>

European site name & Site code	Location Relative to the Proposed Development Site	Connectivity – Source-Pathway-Receptor	Considered further in Screening – Y/N
<p>1095 Sea lamprey <i>Petromyzon marinus</i></p> <p>1096 Brook lamprey <i>Lampetra planeri</i></p> <p>1099 River lamprey <i>Lampetra fluviatilis</i></p> <p>1103 Twaite shad <i>Alosa fallax</i></p> <p>1106 Atlantic salmon <i>Salmo salar</i> (only in fresh water)</p> <p>1130 Estuaries</p> <p>1140 Mudflats and sandflats not covered by seawater at low tide</p> <p>1310 Salicornia and other annuals colonizing mud and sand</p> <p>1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>)</p> <p>1355 Otter <i>Lutra lutra</i></p> <p>1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>)</p> <p>1421 Killarney fern <i>Trichomanes speciosum</i></p> <p>1990 Nore freshwater pearl mussel <i>Margaritifera durrovensis</i></p> <p>3260 Water courses of plain to montane levels with the <i>Ranunculus fluitans</i> and <i>Callitriche-Batrachion</i> vegetation</p> <p>4030 European dry heaths</p> <p>6430 Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels</p> <p>7220 * Petrifying springs with tufa formation (Cratoneurion)</p> <p>91A0 Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles</p> <p>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>)</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>		constructed and there are no pathways to the stream or the receiving River Barrow.	

4.2. Ecological Network Supporting Natura 2000 Sites

A concurrent GIS 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 along with GIS investigation of European sites. It was assumed that these supporting roles mainly related to mobile fauna such as mammals and birds which may use pNHAs and NHAs as ecological corridors or “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 in the decision process and during the preparation of this AA Screening report.

The NHAs and pNHAs identified in Figure 4 are located outside the Zone of Influence, with the exception of those which share the boundaries of the associated River Nore and River Barrow SAC is considered under its higher conservation status as a European site.

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 proposed development crosses the Glenmore River, a part of the SAC; however only surface water drainage, as at present, will result from the development, and no significant impacts are likely.

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:
<p>Construction phase e.g.</p> <p>Vegetation clearance</p> <p>Demolition</p> <p>Surface water runoff from soil excavation/infill/landscaping (including borrow pits)</p> <p>Dust, noise, vibration</p> <p>Lighting disturbance</p> <p>Impact on groundwater/dewatering</p> <p>Storage of excavated/construction materials</p> <p>Access to site</p> <p>Pests</p>	<p>None</p> <p>The proposed links are located on existing artificial surfaces for the most part.</p> <p>The proposed development crosses the Glenmore River, a part of the SAC; however the N25 intersection is relatively newly constructed and there are no pathways to the stream or the receiving River Barrow.</p>
<p>Operational phase e.g.</p> <p>Direct emission to air and water</p> <p>Surface water runoff containing contaminant or sediment</p> <p>Lighting disturbance</p> <p>Noise/vibration</p> <p>Changes to water/groundwater due to drainage or abstraction</p> <p>Presence of people, vehicles and activities</p> <p>Physical presence of structures (e.g. collision risks)</p> <p>Potential for accidents or incidents</p>	<p>There is no real likelihood of any significant effects on European Sites in the wider catchment area.</p> <p>The facility is located at a distance of removal such that there will be no disturbance to qualifying interest species in any European sites.</p>
Describe any likely changes to the European site:	

<p>Examples of the type of changes to give consideration to include:</p> <p>Reduction or fragmentation of habitat area</p> <p>Disturbance to QI species</p> <p>Habitat or species fragmentation</p> <p>Reduction or fragmentation in species density</p> <p>Changes in key indicators of conservation status value (water quality etc.)</p> <p>Changes to areas of sensitivity or threats to QI</p> <p>Interference with the key relationships that define the structure or ecological function of the site</p> <p>Climate change</p>	<p>None.</p> <p>The Proposed Development site is located partly within a European site, however, due to its scale and nature, and use of existing river crossings, there is no risk of habitat loss or fragmentation or any effects on QI habitats or species directly or ex-situ.</p>
<p>Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?</p>	
<p>No</p>	<p>N/A</p>

On the basis of the information supplied, which is considered adequate to undertake a screening determination and having regard to:

- the nature and scale of the proposed development,
- the intervening land uses and distance from European sites,
- the lack of direct connections with regard to the Source-Pathway-Receptor model,

It may be concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' conservation objectives.

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 gaps in the area where the Proposed Development is located. The database was then queried for developments granted planning permission within 500m 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
19302	to erect a steel storage extension to existing industrial workshop and all ancillary works	No potential for in-combination effects given the scale and location of the project.
19400	for external and internal alterations with associated works to an existing fully serviced dwelling situated	No potential for in-combination effects given the scale and location of the project.
19415	to construct a new single storey pitched roof extension to the side of the existing house, consisting of a garage, boot room, WC, office and garden room, together with new ground floor bay window to the rear and all associated site works	No potential for in-combination effects given the scale and location of the project.
19685	for 2 no. storage sheds to side of existing workshop at	No potential for in-combination effects given the scale and location of the project.
1978	to retain a change of use from sports clubhouse & changing rooms to dwelling house & erect a single storey extension to the dwelling house with sewage treatment system & all ancillary works	No potential for in-combination effects given the scale and location of the project.
19905	for the construction of a single storey garage to the rear of our property, all with associated site development works	No potential for in-combination effects given the scale and location of the project.
20416	to temporary install a 10.9 x 7.3 meter single storey modular accommodation Masterkabin structure to provide playschool group and afterschool facilities and to connect foul drainage and surface water to combined public mains drainage located within the site boundary with all associated site works to the grounds of	No potential for in-combination effects given the scale and location of the project.
20553	for the following works to the existing school, the conversion of an existing classroom to 2 no. new offices, the construction of a new single storey extension consisting of 1 no. new classroom, 2 no. new resource rooms, 1 no. assisted user wc and a new link corridor together with all ancillary and associated site works	No potential for in-combination effects given the scale and location of the project.
2059	for the erection of an extension and alterations to an existing dwelling house and the erection of a vehicular entrance and driveway to serve same	No potential for in-combination effects given the scale and location of the project.
20624	for constructed granny flat extension to the South gable of dwelling house comprising of kitchen and bedroom and revised constructed front entrance porch and omitted sliding door to the North elevation from granted Planning Permission Ref No: 99/1200, Constructed additional external chimney to the North elevation, installed sliding door to the West elevation in place of previously granted window to my dwelling house	No potential for in-combination effects given the scale and location of the project.

Planning Ref.	Description of development	Comments
20669	of 3 no. one storey pitched roof-house extensions to the west, north, and east side of original one storey-3 bedroom dwelling, which now comprises 5 no. bedrooms, 2 no. toilets and living areas, together with all associated internal and external alterations. Permission is also sought to retain 2 no. one-storey storage outbuildings together with all boundary treatments, landscaping works and all related site works that were carried out	No potential for in-combination effects given the scale and location of the project.
20795	for constructed Granny flat to dwelling house as opposed to Garage with Bedroom and En-suite from previously granted Planning Permission Ref No: 99/70 with foul drainage connected to Public Mains in road with Planning Permission being sought for proposed Sunroom extension to the Granny flat and install new Velux rooflight and replace sliding door with new window to the Granny flat Kitchen/Dining room by my dwelling house	No potential for in-combination effects given the scale and location of the project.
2111	is being sought to form new vehicular site entrance and construct four bedroom dormer dwelling house and connect foul drainage to wastewater treatment system and percolation beds with all associated site works to my site	No potential for in-combination effects given the scale and location of the project.
21147	to erect a dwelling house, detached garage, sewage treatment system and all ancillary works	No potential for in-combination effects given the scale and location of the project.
21203	for 2 car parking spaces	No potential for in-combination effects given the scale and location of the project.
2122	to construct a single storey family extension to the rear of existing single storey dwelling and all associated works	No potential for in-combination effects given the scale and location of the project.
21722	to construct a new single storey pitched roof, garden and household store with art studio and workshop together with all associated site works	No potential for in-combination effects given the scale and location of the project.
2173	to erect a detached domestic Garage & office on my property	No potential for in-combination effects given the scale and location of the project.
21772	for: Erection of signage to the front elevation of the existing building containing the name of the school. Erection of free-standing signage to the front garden of the school containing the school's name and branding. All associated ancillary site development works	No potential for in-combination effects given the scale and location of the project.
21980	for the erection of a dwelling house, domestic garage, sewage treatment system and all ancillary works at	No potential for in-combination effects given the scale and location of the project.
21991	for change of use of fast food take away use to residential use to form part of the existing dwelling house adjacent and over the fast food take away, alterations and associated works	No potential for in-combination effects given the scale and location of the project.
22107	to erect a dwelling house, detached garage & all ancillary works	No potential for in-combination effects given the scale and location of the project.
22215	for alterations and extension to existing dwelling house comprising of the removal of an existing porch, construction of a single storey extension and all associated site works	No potential for in-combination effects given the scale and location of the project.
2287	to erect a dwelling house, detached garage, sewage treatment system and all ancillary works	No potential for in-combination effects given the scale and location of the project.

The Kilkenny 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 potential Zone of Influence 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 with 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 Kilkenny County Council which will determine the requirement for AA Screening as per the requirements of Article 6(3) of the Habitats Directive.

6. Conclusion

There are no predicted effects on any European sites given:

- There are no predicted emissions to air, water or the environment during the construction or operational phases that would result in significant effects.

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

1. The Proposed Development is not directly connected with, or necessary to the conservation management of the European sites considered in this assessment.
2. The Proposed Development is unlikely to either directly or indirectly significantly affect the Qualifying interests or Conservation Objectives of the European sites considered in this assessment.
3. The Proposed Development, 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 significant effects can be excluded at the screening stage.

It can 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.

An appropriate assessment is not, therefore, required.

A finding of no significant effects report is presented in Appendix A in accordance with the EU Commission's methodological guidance (European Commission, 2002).

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 (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.

European Commission (2021) Assessment of plans and projects in relation to Natura 2000 sites - Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC, Brussels 28.9.21.

European Commission (2021) Guidance document on the strict protection of animal species of Community interest under the Habitats Directive, Brussels 12.10.21.

NPWS (2019) 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 (2022) National Parks and Wildlife Service Metadata available online at <https://www.npws.ie/maps-and-data>

Office-of-the-Planning-Regulator (2021) Appropriate Assessment Screening for Development Management OPR Practice Note PN01. March 2021

Appendix A

FINDING OF NO SIGNIFICANT EFFECTS REPORT

Finding no significant effects report matrix

Name of project or plan

South East Greenway Links

Name and location of the Natura 2000 site(s)

The Glenmore section of the Proposed Development crosses a minor stream close to the N25, then runs alongside the Glenmore River, crossing the River at the village of Glenmore. The Glenmore River forms part of the River Barrow and River Nore SAC (Site Code 002162). The proposed development crosses the Glenmore River, a part of the SAC; however the N25 intersection is relatively newly constructed and there are no pathways to the stream or the receiving River Barrow. The Slieverue section of the Proposed Development lies over 1km from any European site. It does not intersect with any watercourses, and there is no connectivity to any European sites.

Description of the project or plan

The Proposed Development consists of the construction and operation of connecting links from the South East Greenway to the villages of Slieverue and Glenmore in Co. Kilkenny, to provide access to the villages from the Greenway for pedestrians and cyclists. Each route is approximately 1.8km, and consists of assorted improvements along these routes, including bridges, underpass, paths and bollards.

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 the National Planning Application Database was undertaken. The first stage of this review confirmed that there were no data gaps in the area where the Proposed Development is located. The database was then queried for developments granted planning permission within 500m of the Proposed Development within the last three years, these are presented in the Table below.

Planning applications granted permission in the vicinity of the Proposed Development.

Planning Ref.	Description of development	Comments
19302	to erect a steel storage extension to existing industrial workshop and all ancillary works	No potential for in-combination effects given the scale and location of the project.
19400	for external and internal alterations with associated works to an existing fully serviced dwelling situated	No potential for in-combination effects given the scale and location of the project.
19415	to construct a new single storey pitched roof extension to the side of the existing house, consisting of a garage, boot room, WC, office and garden room, together with new ground floor bay window to the rear and all associated site works	No potential for in-combination effects given the scale and location of the project.
19685	for 2 no. storage sheds to side of existing workshop at	No potential for in-combination effects given the scale and location of the project.
1978	to retain a change of use from sports clubhouse & changing rooms to dwelling house & erect a single storey extension to the dwelling house with sewage treatment system & all ancillary works	No potential for in-combination effects given the scale and location of the project.

Planning Ref.	Description of development	Comments
19905	for the construction of a single storey garage to the rear of our property, all with associated site development works	No potential for in-combination effects given the scale and location of the project.
20416	to temporary install a 10.9 x 7.3 meter single storey modular accommodation Masterkabin structure to provide playschool group and afterschool facilities and to connect foul drainage and surface water to combined public mains drainage located within the site boundary with all associated site works to the grounds of	No potential for in-combination effects given the scale and location of the project.
20553	for the following works to the existing school, the conversion of an existing classroom to 2 no. new offices, the construction of a new single storey extension consisting of 1 no. new classroom, 2 no. new resource rooms, 1 no. assisted user wc and a new link corridor together with all ancillary and associated site works	No potential for in-combination effects given the scale and location of the project.
2059	for the erection of an extension and alterations to an existing dwelling house and the erection of a vehicular entrance and driveway to serve same	No potential for in-combination effects given the scale and location of the project.
20624	for constructed granny flat extension to the South gable of dwelling house comprising of kitchen and bedroom and revised constructed front entrance porch and omitted sliding door to the North elevation from granted Planning Permission Ref No: 99/1200, Constructed additional external chimney to the North elevation, installed sliding door to the West elevation in place of previously granted window to my dwelling house	No potential for in-combination effects given the scale and location of the project.
20669	of 3 no. one storey pitched roof-house extensions to the west, north, and east side of original one storey-3 bedroom dwelling, which now comprises 5 no. bedrooms, 2 no. toilets and living areas, together with all associated internal and external alterations. Permission is also sought to retain 2 no. one-storey storage outbuildings together with all boundary treatments, landscaping works and all related site works that were carried out	No potential for in-combination effects given the scale and location of the project.
20795	for constructed Granny flat to dwelling house as opposed to Garage with Bedroom and En-suite from previously granted Planning Permission Ref No: 99/70 with foul drainage connected to Public Mains in road with Planning Permission being sought for proposed Sunroom extension to the Granny flat and install new Velux rooflight and replace sliding door with new window to the Granny flat Kitchen/Dining room by my dwelling house	No potential for in-combination effects given the scale and location of the project.
2111	is being sought to form new vehicular site entrance and construct four bedroom dormer dwelling house and connect foul drainage to wastewater treatment system and percolation beds with all associated site works to my site	No potential for in-combination effects given the scale and location of the project.
21147	to erect a dwelling house, detached garage, sewage treatment system and all ancillary works	No potential for in-combination effects given the scale and location of the project.
21203	for 2 car parking spaces	No potential for in-combination effects given the scale and location of the project.
2122	to construct a single storey family extension to the rear of existing single storey dwelling and all associated works	No potential for in-combination effects given the scale and location of the project.
21722	to construct a new single storey pitched roof, garden and household store with art studio and workshop together with all associated site works	No potential for in-combination effects given the scale and location of the project.
2173	to erect a detached domestic Garage & office on my property	No potential for in-combination effects given the scale and location of the project.

Planning Ref.	Description of development	Comments
21772	for: Erection of signage to the front elevation of the existing building containing the name of the school. Erection of free-standing signage to the front garden of the school containing the school's name and branding. All associated ancillary site development works	No potential for in-combination effects given the scale and location of the project.
21980	for the erection of a dwelling house, domestic garage, sewage treatment system and all ancillary works at	No potential for in-combination effects given the scale and location of the project.
21991	for change of use of fast food take away use to residential use to form part of the existing dwelling house adjacent and over the fast food take away, alterations and associated works	No potential for in-combination effects given the scale and location of the project.
22107	to erect a dwelling house, detached garage & all ancillary works	No potential for in-combination effects given the scale and location of the project.
22215	for alterations and extension to existing dwelling house comprising of the removal of an existing porch, construction of a single storey extension and all associated site works	No potential for in-combination effects given the scale and location of the project.
2287	to erect a dwelling house, detached garage, sewage treatment system and all ancillary works	No potential for in-combination effects given the scale and location of the project.

The Kilkenny 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 potential Zone of Influence 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.

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

Any new applications for the Proposed Development area will be assessed on a case by case basis *initially* 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.

The proposed development crosses the Glenmore River, a part of the SAC; however only surface water drainage, as at present, will result from the development, and no significant impacts are likely.

Explain why these effects are not considered significant.

There are no predicted effects on any European sites given:

- There are no predicted emissions to air, water or the environment during the construction or operational phases that would result in significant effects

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

The requirement for Appropriate Assessment Screening was determined during pre-planning discussion with 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. Fieldwork was carried out as part of the EIA process.

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

Kilkenny County Council Planning web portal.

OVERALL CONCLUSIONS

There are no predicted effects on any European sites given:

- There are no predicted emissions to air, water or the environment during the construction or operational phases that would result in significant effects.

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

1. The Proposed Development is not directly connected with, or necessary to the conservation management of the European sites considered in this assessment.
2. The Proposed Development is unlikely to either directly or indirectly significantly affect the Qualifying interests or Conservation Objectives of the European sites considered in this assessment.
3. The Proposed Development, 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 significant effects can be excluded at the screening stage.

It can 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.

An appropriate assessment is not, therefore, required.