

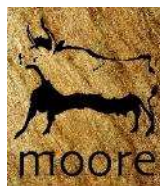
Report for the purposes of Appropriate Assessment Screening

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

Proposed Development of a Temporary Coach/Car Park at Abbeyquarter, Kilkenny

Prepared by: Moore Group – Environmental Services

10th May 2018



On behalf of Kilkenny County Council

Client	Kilkenny County Council
Project	Proposed Development of a Temporary Coach/Car Park at Abbeyquarter, Kilkenny
Title	Report for the purposes of Appropriate Assessment Screening Proposed Development of a Temporary Coach/Car Park at Abbeyquarter, Kilkenny



Project Number	18097	Document Ref	18097 Abbeyquarter Temp Coach & Car Park AAS1 Rev1
Revision	Description	Author	Date
Rev0	Issued to client	G. O'Donohoe 	8 th May 2018
Rev1	Edits to project description	G. O'Donohoe 	10 th May 2018
Moore Archaeological and Environmental Services Limited			

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Appendix A – Finding of No Significant Effects Report

1. Introduction

1.1. General Introduction

This report contains information required for the competent authority to undertake an Appropriate Assessment (AA) process on the effects of a Project consisting of the development of a Temporary Coach/Car Park at Abbeyquarter, Kilkenny City.

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.

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, unless potential impacts clearly can be avoided through the modification or redesign of the plan or project, in which case 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 report has been prepared by Moore Group - Environmental Services for Kilkenny County Council and assesses the potential for the proposed development 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 over 20 years' experience in environmental impact assessment and has completed numerous Appropriate Assessment Screening Reports and Natura Impact Statements in terrestrial and aquatic habitats.

The report assesses the potential for the proposed development to impact on sites of European-scale ecological importance. It is necessary that the 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 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 European Union context.

The Birds Directive (Council Directive 79/409/EEC as codified by Directive 2009/147/EC), 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.

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.”*

This Report for Screening is a documentary record of the Appropriate Assessment process on the effects of a project consisting of the development of a Temporary Coach/Car Park at Abbeyquarter, Kilkenny City, referred to in this case as the Project.

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 1-2 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.

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.

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 Project complies fully with the requirements of Article 6 of the Habitats Directive and all relevant Irish transposing legislation, Moore Group compiled this report for screening of the Project on behalf of Kilkenny County Council to determine if Stage 2 AA is required.

2.1. Guidance

The AA 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.

2.2. Data Sources

- Sources of information that were used to collect data on the Natura 2000 network of sites are listed below:
- Ordnance Survey of Ireland mapping and aerial photography available from www.osi.ie and Google Earth and Bing aerial photography 1995-2018.
- Online data available on Natura 2000 sites as held by the National Parks and Wildlife Service (NPWS) from www.npws.ie including; the Natura 2000 network Data Form; Site Synopsis; Generic Conservation Objective data;
 - Online database of rare, threatened and protected species,
 - Publicly accessible biodiversity datasets.
- Status of EU Protected Habitats in Ireland. (National Parks & Wildlife Service, 2013),
- Relevant Development Plans and Local Area Plans in neighbouring areas.

3. Description of the Project

This report presents screening assessment for the development of a Temporary Coach/Car Park at Abbeyquarter, Kilkenny City. Figure 1 shows the location of the proposed development, and Figure 2 shows a detailed view of the existing site. Figure 3 is a plan showing the location of the proposed development.

The proposed development will provide parking for 7 no. coaches and 132 car parking spaces.

The car/coach park will be accessed from St Francis Bridge and the Central Access Scheme. A right turning lane will be provided from the Central Access Scheme into the car park.

The existing roadside boundary either side of the proposed entrance will be modified to provide sightlines of 45m in each direction.

The proposed car and coach park will be constructed on top of the existing concrete slab, with the slab to be overlaid with a bituminous layer to provide a level surface.

The north west corner of the site, which is currently lower than the surrounding concrete slab will be raised by approx. 500mm to match the level of the concrete slab. The raised area will be stopped approx. 3 m away from the upstanding wall of the Bull Inn, see Figure 3.

The proposed parking area will use the existing drainage system in the concrete yard. There are currently two surface water outfalls to the River Breagagh from this concrete yard, both of which incorporate petrol interceptors. These outfalls will be used to discharge surface water runoff from the car/coach park to the River Breagagh. It is not intended to construct any new outfall as part of the proposed development.

The site of the proposed parking is protected by the Kilkenny Flood Relief Scheme against a 1 in 100-year flood event. This is the same level of protection as provided to the city centre area generally.

The proposed development does not result in the provision of any additional hard standing on the site and thus, surface water runoff from the site will be similar to the existing.

The existing public lighting heads on the Central Access Scheme leading to St Francis Bridge will be modified by way of installing a second lighting head that will be directed into the car/coach park site.

Light spillage onto the adjoining River Breagagh will be limited to less than 1.0 Lux to avoid impact on the River Breagagh.

It is intended that the proposed car and coach park will be used for a period of up to 5 years. Kilkenny County Council is currently looking at development proposals for this site. Should any of these development proposals

be progressed within a shorter timeframe than the proposed 5 year period, the car and coach park may operate for a shorter period.

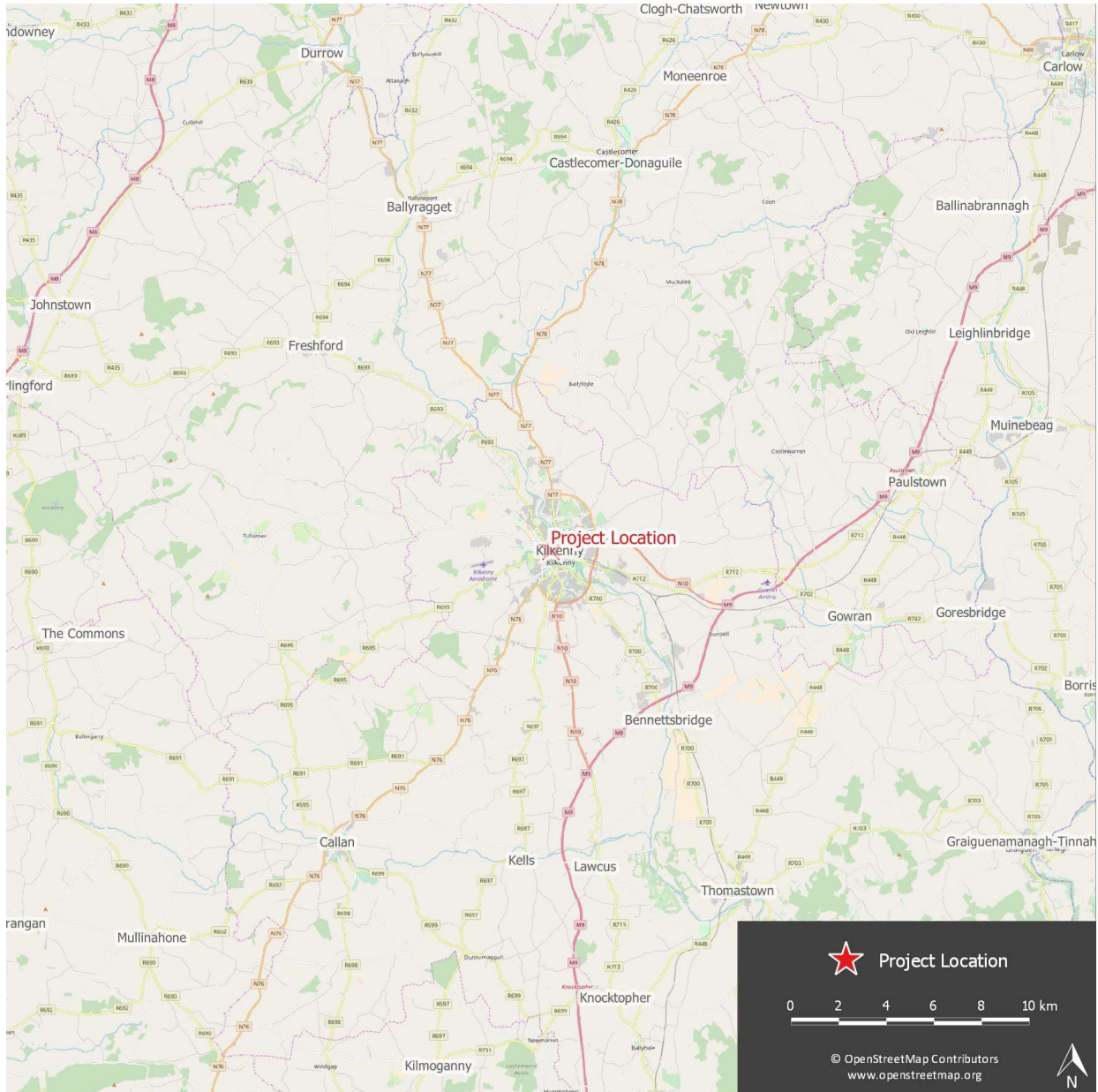


Figure 1. Showing the Project location at Kilkenny.

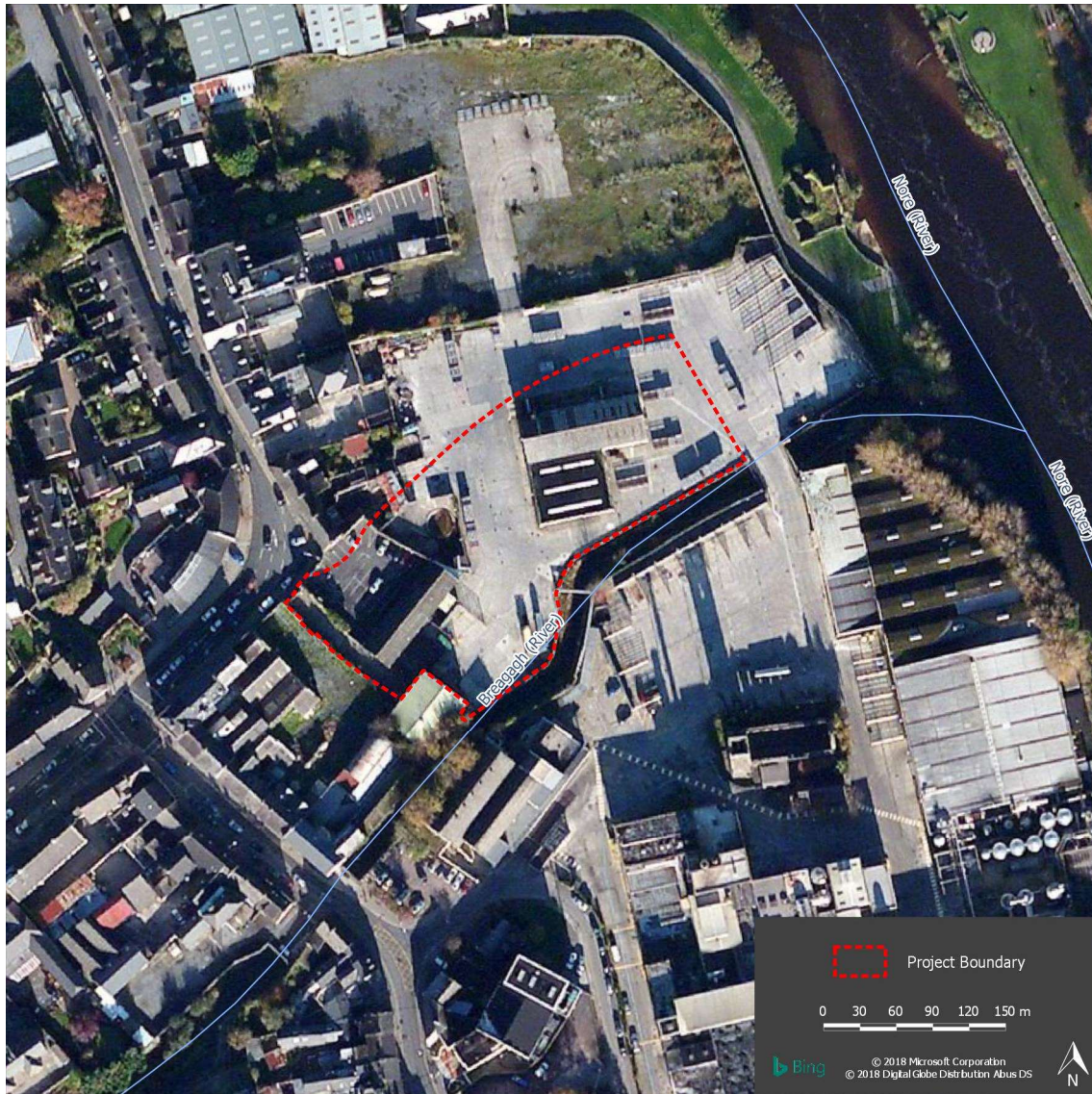


Figure 2. Detailed view of the Project location at Abbeyquarter, Kilkenny.

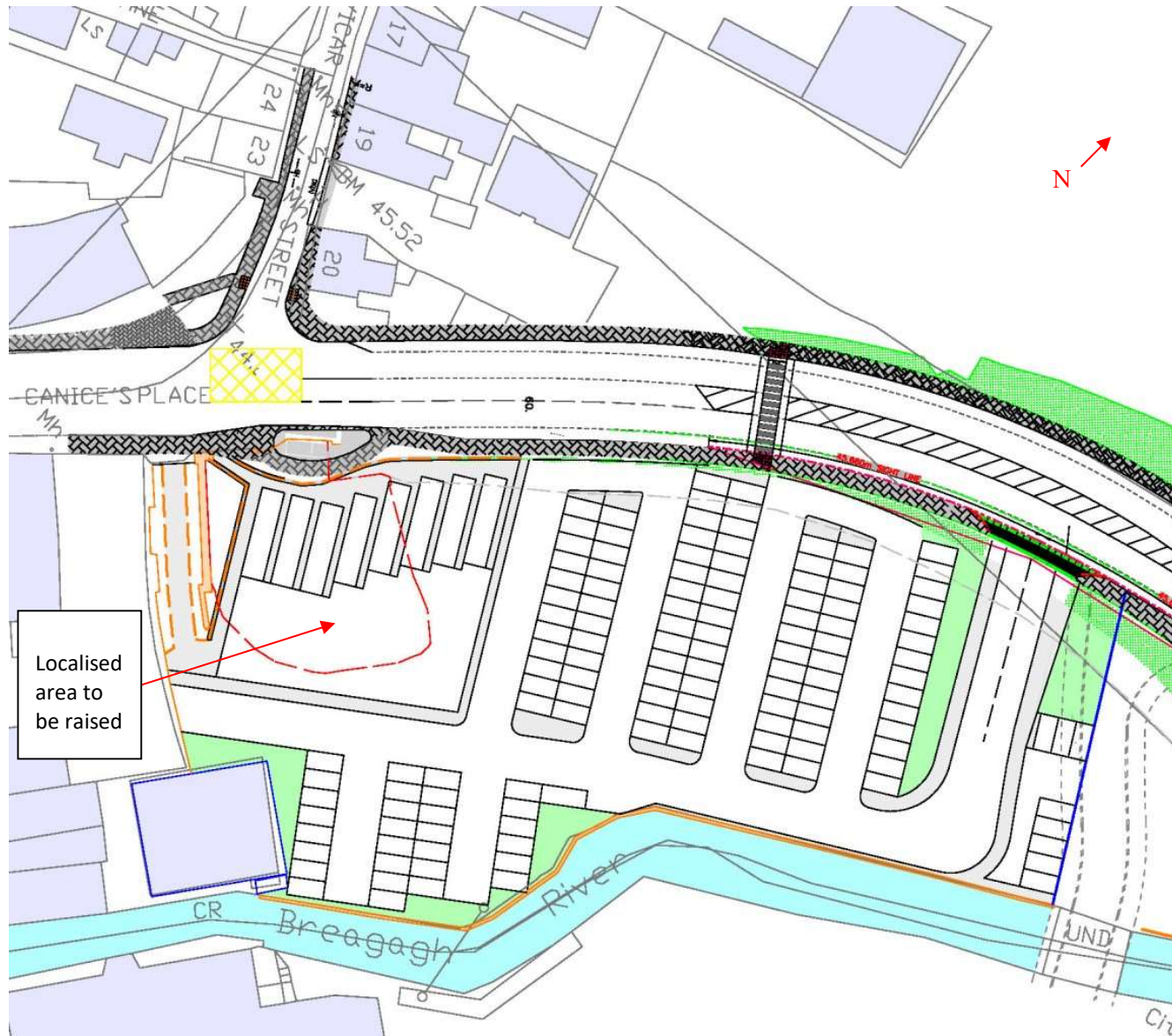


Figure 3. Plan showing location of proposed Temporary Coach/Car Park.

4. Identification of Natura 2000 Sites

4.1. Description of European Sites Potentially Affected

Departmental guidance suggests an assessment of European sites within a zone of influence of 15 km which can be revised depending on the nature and location of the proposed development and the connectivity with European sites in terms of catchment-based assessment.

A zone of influence may be determined by connectivity to the 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 project site is located adjacent to the Breagagh River which flows into the River Nore c. 40m from the site (see Figure 3). The River Nore is designated as part of the River Barrow and River Nore SAC (Site Code 002162) and the River Nore SPA (Site Code 004233) in this area, see Figure 4 and Figure 5 below. European sites that are located within 15 km of the Project are listed in Table 1.

Table 1 Natura Sites located within 15km of the Project.

Site Code	Site name	Distance (km)
002162	River Barrow and River Nore SAC	0.07
004233	River Nore SPA	0.04

Details of the qualifying interests of the River Barrow and River Nore SAC are listed in Table 2 2 below and details of the River Nore SPA are listed in Table 3. Site Synopses for all sites are available from the NPWS metadata website. Spatial boundary data on the Natura 2000 network was extracted from the NPWS website on the 8th of May 2018.

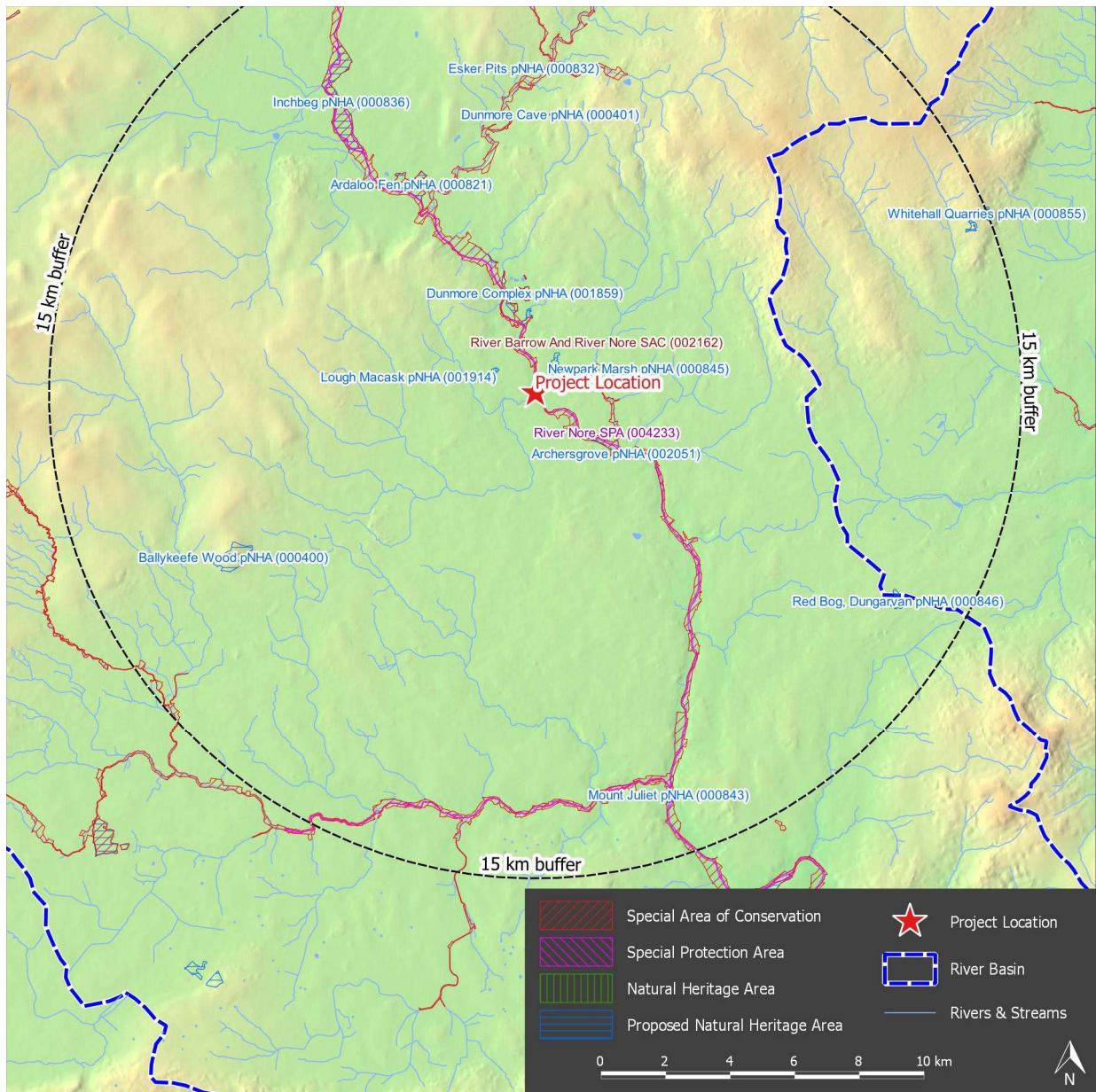


Figure 4. Showing Natura 2000 sites and NHAs/pNHAs in the vicinity of the Project.

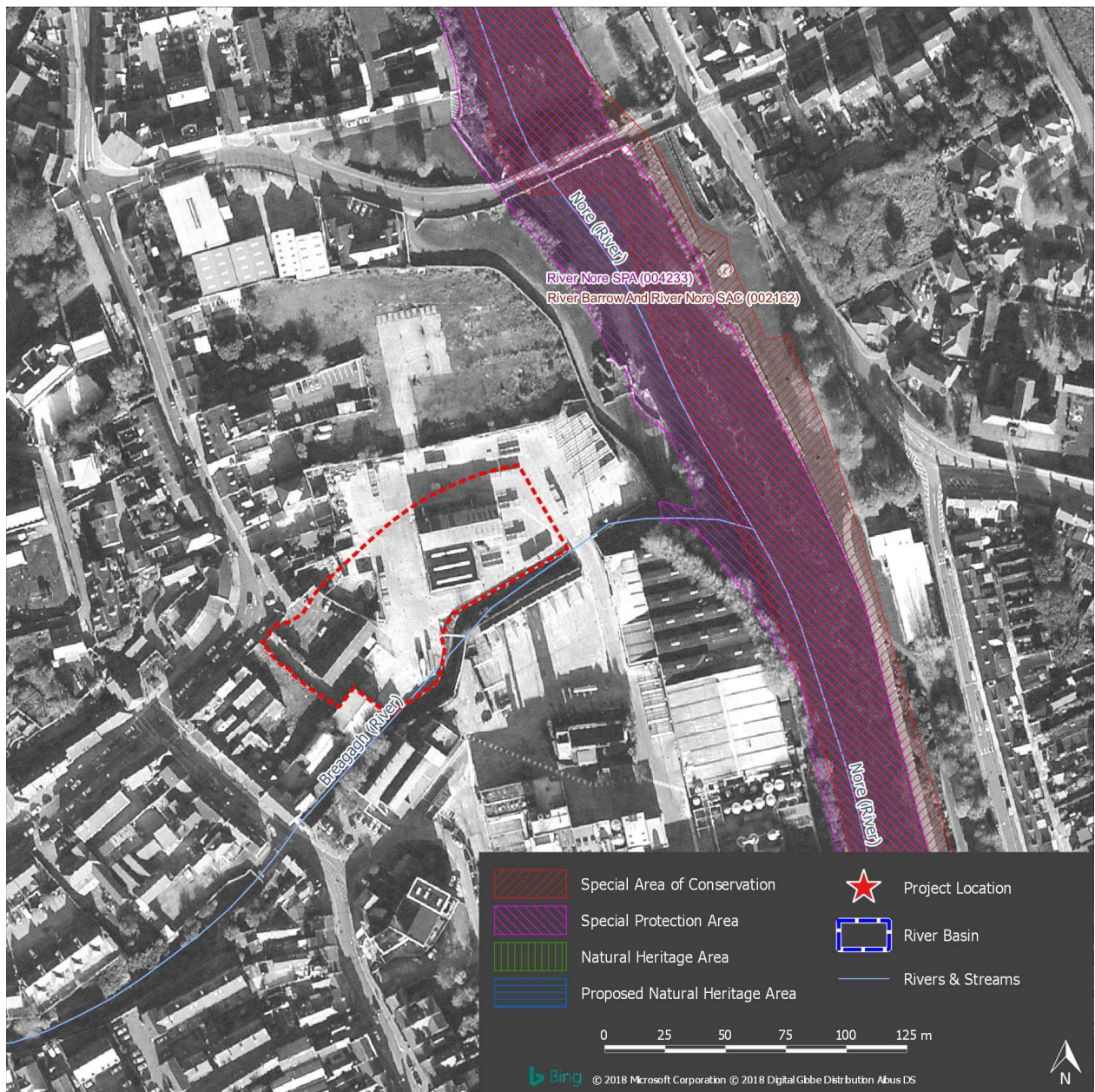


Figure 5. Detailed view of the River Barrow and River Nore European site in relation to the Project site.

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	<p>Species:</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>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>1355 Otter <i>Lutra lutra</i></p> <p>1421 Killarney fern <i>Trichomanes speciosum</i></p> <p>1990 Nore freshwater pearl mussel <i>Margaritifera durrovensis</i></p> <p>Habitats:</p> <p>1130 Estuaries</p> <p>1140 Mudflats and sandflats not covered by seawater at low tide</p> <p>1310 <i>Salicornia</i> and other annuals colonizing mud and sand</p> <p>1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>)</p> <p>1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>)</p> <p>3260 Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-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 (<i>Cratoneurion</i>)</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>

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	<p>Species:</p> <p>A229 Kingfisher <i>Alcedo atthis</i></p>

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 maritima*)

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 *Callitriche-Batrachion* vegetation

To maintain the favourable conservation condition of Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitriche-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 5.0; 15th August 2016

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

A229 Kingfisher *Alcedo atthis*

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 <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i> ,	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.

Qualifying Interests	Key environmental conditions supporting site integrity	Current Threats to Qualifying Interests	Potential Impacts
<i>Alnion incanae</i> , <i>Salicion albae</i>			
Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>)	Marine and groundwater dependent. Medium sensitivity to hydrological change. <i>maritima</i>) Changes in salinity and tidal regime. Overgrazing, erosion and accretion.	Overgrazing; erosion; invasive species, particularly common cordgrass (<i>Spartina anglica</i>); infilling and reclamation.	This habitat does not occur in the zone of influence of the project and will not be affected.
Brook Lamprey (<i>Lampetra planeri</i>)	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 inclusion of surface water interception in the project design.
Desmoulin's whorl snail (<i>Vertigo moulinsiana</i>)	Stable wetland water table. Emergent vegetation. Groundwater supply.	Climate Change, Flooding, Urbanisation (Habitat Encroachment, Pesticides, Fertilised, Grazing, Undergrazing, Afforestation, Stock Feeding, Burning, Peat Extraction, Communications Networks, Paths & Tracks, Walking/horse riding & non-motorised vehicles, Water Pollution, Landfill, Drainage, Modifying structures of inland watercourses.	This species does not occur in the zone of influence of the project and will not be affected.
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 (<i>Margaritifera margaritifera</i>)	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 inclusion of surface water interception in the project design.
Hydrophilous tall herb fringe communities of plains and of the	Habitats are formed on gleyed soils, rich in nutrients, sand, silty and sand-silty ones with a high ground water level.	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. .

Qualifying Interests	Key environmental conditions supporting site integrity	Current Threats to Qualifying Interests	Potential Impacts
montane to alpine levels	Usually these nitrophilous communities are located in the form of the narrow strips near riverbeds and channels and occupy a small area.		
Killarney fern (<i>Trichomanes speciosum</i>)	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 inclusion of surface water interception in the project design.
Kingfisher (<i>Alcedo atthis</i>)	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 inclusion of surface water interception in the project design. There will be no significant impact from lighting as Light spillage onto the adjoining River Breaghagh will be limited to less than 1.0 Lux to avoid impact on the River Breaghagh.
Mediterranean salt meadows (<i>Juncetalia maritimi</i>)	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 (<i>Spartina anglica</i>); 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 (<i>Margaritifera durrovensis</i>)	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 inclusion of surface water interception in the project design.
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.

Qualifying Interests	Key environmental conditions supporting site integrity	Current Threats to Qualifying Interests	Potential Impacts
Otter (<i>Lutra lutra</i>)	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 inclusion of surface water interception in the project design. There will be no significant impact from lighting as Light spillage onto the adjoining River Breaghagh will be limited to less than 1.0 Lux to avoid impact on the River Breaghagh.
* 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 (<i>Lampetra fluviatilis</i>)	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 inclusion of surface water interception in the project design.
Salmon (<i>Salmo salar</i>) (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 inclusion of surface water interception in the project design.
Sea Lamprey (<i>Petromyzon marinus</i>)	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 inclusion of surface water interception in the project design.
<i>Salicornia</i> 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 (<i>Alosa fallax</i>)	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 inclusion of surface

Qualifying Interests	Key environmental conditions supporting site integrity	Current Threats to Qualifying Interests	Potential Impacts
			water interception in the project design.
Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-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 habitat. Potential indirect impacts are unlikely given the inclusion of surface water interception in the project design.
White-clawed Crayfish (<i>Austropotamobius pallipes</i>)	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 inclusion of surface water interception in the project design.

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 no NHAs or pNHAs with meaningful hydrological or biological connectivity to the Project (Figure 4 and Figure 5).

5. Identification of Potential Impacts & Assessment of Significance

The 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 and describes any likely significant effects of implementation of the Project.

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

There would be no direct impacts on the River Barrow and River Nore SAC or on the River Nore SPA and there would be no habitat loss or fragmentation as a result of the proposed development. Having considered direct impacts and ruling them out, indirect impacts are then considered in terms of source vector pathways.

A worst-case scenario may be considered whereby the project would result in 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 habitats or food sources for which the SAC species are designated.

However, significant adverse indirect impacts are unlikely given the nature of the proposed development in a previously developed site, and the inclusion in the project design of existing surface water interceptors.

There will be no significant impact from lighting as Light spillage onto the adjoining River Breagagh will be limited to less than 1.0 Lux to avoid impact on the River Breagagh.

5.2. Assessment of Potential Cumulative 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 works, other relevant projects and plans in the region must also be considered at this stage. This step aims to identify at this early stage any possible significant in-combination or cumulative effects / impacts of the proposed development with other such plans and projects on the Natura 2000 sites.

The Abbeyquarter area is subject to various planning application 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 Kilkenny Central Access 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.

No in-combination impacts on the adjacent European sites are predicted as a result of the proposed car park project and therefore in-combination impacts with the Central Access Scheme will not arise.

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 car park will not arise.

The development of the Mayfair Building and the Brewhouse on the former brewery site on the southern side of the Breagh 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 car park will not arise.

The development of a Cinema currently under construction 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 car park 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.

In-combination effects are unlikely, given the scale of the proposed development and the inclusion of existing appropriate surface water treatment.

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 zone of influence 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 and surrounding townlands 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.

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. Screening Statement

Potential source vector pathways were addressed in considering the hydrological connectivity between the Project and the River Barrow and River Nore SAC. Were the development to proceed, there would be no direct impact on River Barrow or its associated European site designation and so potential indirect impacts are then considered.

However, significant adverse indirect impacts are unlikely given the nature of the proposed development in a previously developed site, and the inclusion in the project design of existing surface water interceptors.

There will be no significant impact from lighting as Light spillage onto the adjoining River Breagagh will be limited to less than 1.0 Lux to avoid impact on the River Breagagh.

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

1. The project 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 indirectly, significantly affect the Qualifying interests or Conservation Objectives of the European sites considered in this assessment.
3. The 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 rule out likely significant impacts on any European sites considered in the assessment.
5. It is possible to conclude that there would be no significant effects, no potentially significant effects and no uncertain effects if the 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 92/43/EEC. 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.

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 (2016) Conservation objectives for River Nore SPA [004233]. Generic Version 5.0. Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.

Appendix A

FINDING OF NO SIGNIFICANT EFFECTS REPORT

Finding no significant effects report matrix

Name of project or plan

Proposed Development of a Temporary Coach/Car Park at Abbeyquarter, Kilkenny.

Name and location of the Natura 2000 site(s)

The project site is located adjacent to the Breagh River which flows into the River Nore c. 40m from the site. The River Nore is designated as part of the River Barrow and River Nore SAC (Site Code 002162) and the River Nore SPA (Site Code 004233) in this area.

Description of the project or plan

This report presents screening assessment for the development of a Temporary Coach/Car Park at Abbeyquarter, Kilkenny City. Figure 1 shows the location of the proposed development, and Figure 2 shows a detailed view of the existing site. Figure 3 is a plan showing the location of the proposed development.

The proposed development will provide parking for 7 no. coaches and 132 car parking spaces.

The car/coach park will be accessed from St Francis Bridge and the Central Access Scheme. A right turning lane will be provided from the Central Access Scheme into the car park.

The existing roadside boundary either side of the proposed entrance will be modified to provide sightlines of 45m in each direction.

The proposed car and coach park will be constructed on top of the existing concrete slab, with the slab to be overlaid with a bituminous layer to provide a level surface.

The north west corner of the site, which is currently lower than the surrounding concrete slab will be raised by approx. 500mm to match the level of the concrete slab. The raised area will be stopped approx. 3 m away from the upstanding wall of the Bull Inn, see Figure 3.

The proposed parking area will use the existing drainage system in the concrete yard. There are currently two surface water outfalls to the River Breagh from this concrete yard, both of which incorporate petrol interceptors. These outfalls will be used to discharge surface water runoff from the car/coach park to the River Breagh. It is not intended to construct any new outfall as part of the proposed development.

The site of the proposed parking is protected by the Kilkenny Flood Relief Scheme against a 1 in 100-year flood event. This is the same level of protection as provided to the city centre area generally.

The proposed development does not result in the provision of any additional hard standing on the site and thus, surface water runoff from the site will be similar to the existing.

The existing public lighting heads on the Central Access Scheme leading to St Francis Bridge will be modified by way of installing a second lighting head that will be directed into the car/coach park site.

Light spillage onto the adjoining River Breagh will be limited to less than 1.0 Lux to avoid impact on the River Breagh.

It is intended that the proposed car and coach park will be used for a period of up to 5 years. Kilkenny County Council is currently looking at development proposals for this site. Should any of these development proposals be progressed within a shorter timeframe than the proposed 5 year period, the car and coach park may operate for a shorter period.

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

The Abbeyquarter area is subject to various planning application 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 Kilkenny Central Access 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.

No in-combination impacts on the adjacent European sites are predicted as a result of the proposed car park project and therefore in-combination impacts with the Central Access Scheme will not arise.

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 car park will not arise.

The development of the Mayfair Building and 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 car park will not arise.

The development of a Cinema currently under construction 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 car park 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.

In-combination effects are unlikely, given the scale of the proposed development and the inclusion of existing appropriate surface water treatment.

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 zone of influence 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 and surrounding townlands 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 would be no direct impacts on the River Barrow and River Nore SAC or on the River Nore SPA and there would be no habitat loss or fragmentation as a result of the proposed development. Having considered direct impacts and ruling them out, indirect impacts are then considered in terms of source vector pathways.

A worst-case scenario may be considered whereby the project would result in 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 habitats or food sources for which the SAC species are designated.

Explain why these effects are not considered significant.

However, significant adverse indirect impacts are unlikely given the nature of the proposed development in a previously developed site, and the inclusion in the project design of existing surface water interceptors.

There will be no significant impact from lighting as Light spillage onto the adjoining River Breagagh will be limited to less than 1.0 Lux to avoid impact on the River Breagagh.

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 would be no direct impacts on the River Barrow and River Nore SAC or on the River Nore SPA and there would be no habitat loss or fragmentation as a result of the proposed development. Having considered direct impacts and ruling them out, indirect impacts are then considered in terms of source vector pathways.

A worst-case scenario may be considered whereby the project would result in 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 habitats or food sources for which the SAC species are designated.

However, significant adverse indirect impacts are unlikely given the nature of the proposed development in a previously developed site, and the inclusion in the project design of existing surface water interceptors.

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

1. The project 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 indirectly, significantly affect the Qualifying interests or Conservation Objectives of the European sites considered in this assessment.
3. The 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 rule out likely significant impacts on any European sites considered in the assessment.
5. It is possible to conclude that there would be no significant effects, no potentially significant effects and no uncertain effects if the 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.