Habitats Directive Appropriate Assessment Screening Report & Screening Determination

Project: Construction of Dwellings at Carrig Rossa, Rossmore.

Cork County Council
Comhairle Contae Chorcaí

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Date: July 30th, 2021

Contents

1 Introduction

This document includes the Habitats Directive Screening Assessment and Screening Determination of Cork County Council in respect of three proposed dwellings at Carrig Rossa, Rossmore. It is noted that currently only two units are proposed, however a third unit may be added in the future given the availability of land. Therefore, this report has been made in respect of all three units. The assessment is based on a project drawing and details provided by the Architects Department of the Housing Directorate of Cork County Council.

Part XAB of the Planning and Development Act as amended, provides for the implementation of the EU Habitats Directive, and Section 177 of the Act, requires Planning Authorities to assess the impacts of land use plans and on proposed developments on sites that are designated for the protection of nature (European Sites[1]) prior to the giving consent for development of such projects. This is to determine whether or not the projects could have negative consequences for the habitats, or plant and animal species for which these sites are designated. This assessment process is called a **Habitats Directive Assessment** (HDA). The requirements emanate from Article 6(3) of the Habitats Directive which states

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 subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the 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.

EU and National Guidance sets out two main stages to the assessment process which are as follows:

Stage One: Screening

The process which identifies what might be likely impacts arising from a project or a plan on a Natura 2000 site, either alone or in combination with other projects or plans and considers whether these impacts are likely to be significant. No further assessment is required if no significant impacts on Natura 2000 sites are identified to be likely to arise, during the screening stage. The findings of the screening assessment are normally contained in a **Habitats Directive Screening Report**.

Stage Two: Appropriate Assessment

Where the possibility of significant impacts has not been discounted by the screening process, a more detailed assessment is required. This is called an Appropriate Assessment, and is completed by the Competent Authority, being authority delegated to give consent for the project. It involves the compilation of a **Natura Impact Statement** by the project proponent, which is a report of scientific evidence and data relating to European sites for which significant negative impacts have not been previously screened out. This is used by the Competent Authority to identify and classify any implications of the project for these sites in view of their conservation objectives. The Appropriate Assessment must include a determination as to

whether or not the project would adversely affect the integrity of any European site or sites. The project may only be consented if adverse effects on the integrity of European sites can be ruled out during the Appropriate Assessment process. The project may not be consented on foot of an Appropriate Assessment, if it is found that it will give rise to adverse impacts on one or more European sites, or if uncertainty remains in relation to potential impacts on one or more European sites.

The directive provides for a **derogation procedure** which can allow a plan or project to proceed in spite of a finding that the plan or project could / would give rise to adverse effects on the overall integrity of one or more Natura 2000 sites. Derogation procedures can only be progressed in very limited circumstances which are set out in Article 6(4) of the Directive (see below).

Habitats Directive 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, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.

EU and National Guidance identifies the procedures which must be followed in circumstances where a derogation from the Habitats Directive is sought to allow a project or a plan to proceed, despite a finding that it will give rise to adverse effects on the integrity of one or more Natura 2000 sites. These procedures can only been invoked where it has been shown that there are no alternative ways to implement the plan/project which avoid adverse effects on the integrity of one or more European sites, where it has been demonstrated that there are imperative reasons of overriding public interest for which the plan/project must proceed and where measures have been developed and provided to compensate for any losses to be incurred. These further stages are described below.

Stage Three: Assessment of alternative solutions

In circumstances where the potential for a plan or project to give rise to adverse effects on the integrity of a European site or sites has not been ruled out during the appropriate assessment process, it can only be considered for authorization where it is demonstrated that there are no alternative solutions and that there Imperative Reasons of Overriding Public Interest (IROPI) which can allow the plan or project to proceed. Stage three of a Habitats Directive Assessment involves the assessment of alternative solutions.

Stage Four: Assessment where no alternative solutions exist and where adverse impacts remain

The fourth stage of the Habitats Directive Assessment process involves demonstrating that Imperative Reasons of Overriding Public Interest exist, and the assessment of the compensatory measures which are proposed to be implemented. In every case in which a local authority envisages approving or proceeding with a plan or project on grounds of IROPI, the Minister for Culture, Heritage and the Gaeltacht must be consulted.

The assessment may stop at any of the above stages if significant impacts on Natura 2000 sites can be ruled out.

Regulation 250 of the Planning and Development Regulations requires the Local Authority to complete Habitats Directive Screening in respect of development it proposes to progress.

This document presents the outcomes of the screening assessment of Cork County Council in respect of 3 No. Dwellings at Carrig Rossa, Rossmore. All European sites within or close to the proposed works site, or that might have an ecological linkage to the proposed development have been identified and screened to determine whether there is potential for this project to give rise to significant impacts on the qualifying features of these sites.

2 Proposed Works

It is currently proposed to construct two units at a landbank at Carrig Rossa, Rossmore, however a third unit may be added in the future given the availability of land.

The landbank will connect to the existing storm drain in the adjacent public road. Surface water will ultimately pass through 3 no attenuation tanks, each having 8000-gallon capacity with a hydro brake, before discharging into the Argideen 020 Stream (EPA name).

Foul water from the proposal will be directed to the Rossmore wastewater treatment plant for treatment. Irish Water have issued a confirmation of feasibility with regard to the three units.

3 Site Details

The site which is subject to this applicant is located within a greenfield site just east of Kilmeen Kilbree GAA club, within the village of Rossmore. The site slopes moderately east to west and is of low ecological value. There are no natural watercourses on site and the site is not located within an area which is identified to be at risk of flooding. The Argideen 020 Stream is located approximately 230m west of the proposed development site.

4 Proximity of the Proposed Development Site to European Sites

The site does not overlap with any European site. There are a number of European Sites within 15km of the site where works are proposed. These are set out in Table 1. However, given the intervening distances, lack of hydraulic or any other significant connections, no impact on these designated sites will occur.

Site Code	Site Name	Distance from proposed works
002171	Bandon River SAC	6.9km
000091	Clonakilty Bay SAC	9.1km
001061	Kilkeran Lake and Castlefreke Dunes SAC	11.2km
004081	Clonakilty Bay SPA	9.1km
004190	Galley Head to Duneen Point SPA	12.7km

A source-pathway-receptor link has been identified between the source (proposed development site) and the receptors (Courtmacsherry Estuary SAC (Site Code 001230) and Courtmacsherry Bay SPA (Site Code 004219)) via a potential pathway (Discharge of surface water run-off and wastewater during operation). Wastewater discharging from the proposed development will be conveyed to the Rossmore WWTP for treatment prior to discharging into the Argideen 020 Stream which flows into the SAC and SPA approximately 20km downstream of the site. Protected species/habitats within these designated sites could be impacted via a reduction in water quality. It is noted that there is no direct hydrological link between the proposed development site and the Courtmacsherry Estuary SAC and Courtmacsherry Bay SPA.

Consideration is given to potential for the proposed works to give rise to negative effects on these sites below. No other sites have been identified which could be affected by the proposed development.

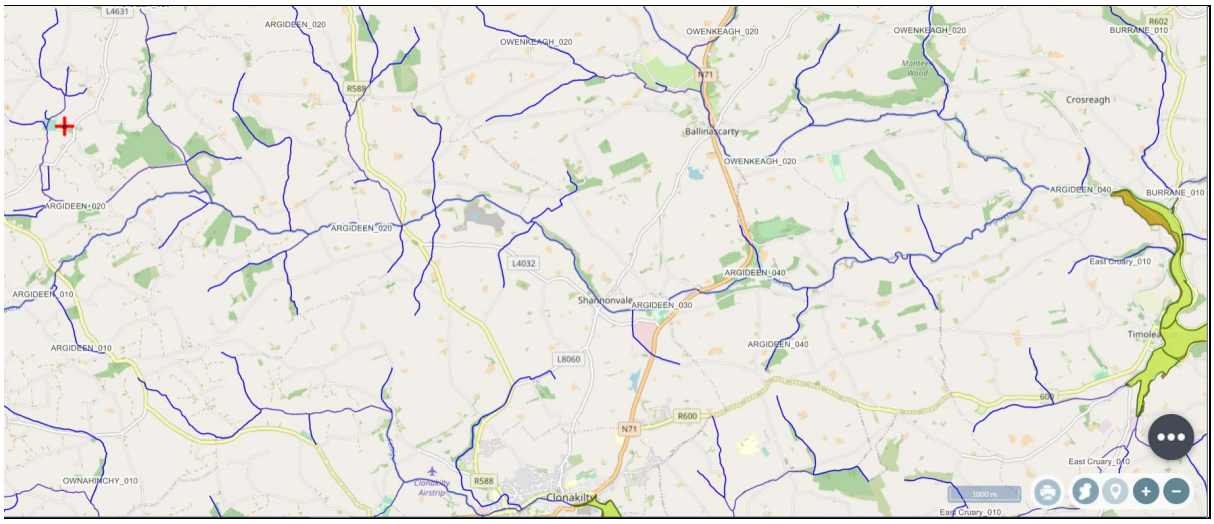

Figure 2: Site Location relative to the Courtmacsherry Estuary SAC & Courtmacsherry Bay SPA – Source https://gis.epa.ie/EPAMaps/AAGeoTool

5 Natura 2000 Sites Information

The following constitutes the Habitats Directive Screening Assessment of CCC in respect of this application.

Preliminary review indicates that there is no hydrological, physical or other ecological connectivity linking the proposed development to European designated sites listed in Table 1 above. Accordingly, potential for the proposed development to give rise to negative effects can be screened out, as no potential pathway for impact to these sites has been identified.

The proposed development has an indirect hydrological linkage to both the Courtmacsherry Estuary SAC and Courtmacsherry Bay SPA. Further consideration of potential for the proposed development to give rise to negative effects on these sites is set out below.

The ***Courtmacsherry Estuary Special Area of Conservation*** consists of an estuary at the mouth of a valley which opens into the Celtic sea. The site includes large areas of sand and mudflats as well as small sand dune systems and shingle ridges at the mouth of small streams. Interesting salt and freshwater marshes flank the riverbanks of the main river. The transition from salt marsh to freshwater marsh is well developed and a small sandspit and associated salt marsh also occur. The estuarine mud and sand flats support duck and wader winter populations.

The Courtmacsherry Estuary Special Area of Conservation is designated for a range of coastal and marine habitats, namely;

- Estuaries [1130]

- Mudflats and sandflats not covered by seawater at low tide [1140]
- Annual vegetation of drift lines [1210]
- Perennial vegetation of stony banks [1220]
- Salicornia and other annuals colonising mud and sand [1310]
- Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*) [1330]
- Mediterranean salt meadows (*Juncetalia maritimi*) [1410]
- Embryonic shifting dunes [2110]
- Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes) [2120]
- Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]

The Conservation Objectives for this site were published by the National Parks and Wildlife Service in 2014 (Ver 1). The objectives are set out below as are a summary of the attributes and targets which are required to be met to achieve the objectives.

Table 2 Targets for achieving or restoring favourable conservation condition of the qualifying features of the Courtmacsherry Estuary SAC

Qualifying Feature	**Conservation Objective**	**Targets**
Estuaries	To maintain the favourable conservation condition	Habitat area - The permanent habitat area is stable or increasing, subject to natural processes.
		Community distribution - Conserve the following community types in a natural condition: Sandy mud to mixed sediments with Tubificoides benedii and Hediste diversicolor community complex; Sand to mixed sediment with oligochaetes community complex; Sand with Nephtys cirrosa community complex
Mudflats and sandflats not covered by seawater at low tide	To maintain the favourable conservation condition	Habitat area - The permanent habitat area is stable or increasing, subject to natural processes.
		Community distribution - Conserve the following community types in a natural condition: Sandy mud to mixed sediments with Tubificoides benedii and Hediste diversicolor community complex; Sand to mixed sediment with oligochaetes community complex; Sand with Nephtys cirrosa community complex.
Annual vegetation of drift lines	To maintain the favourable conservation condition	Habitat area - Area stable or increasing, subject to natural processes, including erosion and succession.
		Habitat distribution - No decline, or change in habitat distribution, subject to natural processes.
		Physical structure: functionality and sediment supply - Maintain the natural circulation of sediment and organic matter, without any physical obstructions
		Vegetation structure: zonation - Maintain the range of coastal habitats including transitional zones, subject to natural processes including erosion and succession
		Vegetation composition: typical species and subcommunities - Maintain the presence of species-poor communities with typical species: sea rocket (Cakile maritima), sea sandwort (Honckenya peploides), prickly saltwort (Salsola kali) and oraches (Atriplex spp.)

Qualifying Feature	Conservation Objective	Targets
		Vegetation composition: negative indicator species - Negative indicator species (including non-natives) to represent less than 5% cover
Perennial vegetation of stony banks	To maintain the favourable conservation condition	Habitat area - Area stable or increasing, subject to natural processes, including erosion and succession.
		Habitat distribution - No decline, or change in habitat distribution, subject to natural processes.
		Physical structure: functionality and sediment supply - Maintain the natural circulation of sediment and organic matter, without any physical obstructions
		Vegetation structure: zonation - Maintain the range of coastal habitats including transitional zones, subject to natural processes including erosion and succession
		Vegetation composition: typical species and subcommunities - Maintain the typical vegetated shingle flora including the range of subcommunities within the different zones.
		Vegetation composition: negative indicator species - Negative indicator species (including non-natives) to represent less than 5% cover
Salicornia and other annuals colonizing mud and sand	To restore the favourable conservation condition	Habitat area - Area increasing, subject to natural processes, including erosion and succession.
		Habitat distribution - No decline, or change in habitat distribution, subject to natural processes.
		Physical structure: sediment supply - Maintain, or where necessary restore, natural circulation of sediments and organic matter, without any physical obstructions
		Physical structure: creeks and pans - Maintain creek and pan structure, subject to natural processes, including erosion and succession
		Physical structure: flooding regime - Maintain natural tidal regime
		Vegetation structure: zonation - Maintain the range of coastal habitats including transitional zones, subject to natural processes including erosion and succession
		Vegetation structure: vegetation height - Maintain structural variation within sward
		Vegetation structure: vegetation cover - Maintain more than 90% of area outside creeks vegetated
		Vegetation composition: typical species and subcommunities - Maintain the presence of species-poor communities listed in SMP (McCorry and Ryle, 2009)
		Vegetation structure: negative indicator species - Spartina anglica - No significant expansion of common cordgrass (Spartina anglica). No new sites for this species and an annual spread of less than 1% where it is already known to occur
Atlantic salt meadows (Glauco-Puccinellietalia maritimae)	To restore the favourable conservation condition	Habitat area - Area increasing, subject to natural processes, including erosion and succession.
		Habitat distribution - No decline, or change in habitat distribution, subject to natural processes.
		Physical structure: sediment supply – Maintain natural circulation of sediments and organic matter, without any physical obstructions

Qualifying Feature	Conservation Objective	Targets
		Physical structure: creeks and pans - Maintain creek and pan structure, subject to natural processes, including erosion and succession
		Physical structure: flooding regime - Maintain natural tidal regime
		Vegetation structure: zonation - Maintain the range of coastal habitats including transitional zones, subject to natural processes including erosion and succession
		Vegetation structure: vegetation height - Maintain structural variation within sward
		Vegetation structure: vegetation cover - Maintain more than 90% of area outside creeks vegetated
		Vegetation composition: typical species and subcommunities - Maintain range of subcommunities with typical species listed in SMP (McCorry and Ryle, 2009)
		Vegetation structure: negative indicator species - Spartina anglica - No significant expansion of common cordgrass (Spartina anglica). No new sites for this species and an annual spread of less than 1% where it is already known to occur
Mediterranean salt meadows (Juncetalia maritimi)	To maintain the favourable conservation condition	Habitat area - Area increasing, subject to natural processes, including erosion and succession.
		Habitat distribution - No decline subject to natural processes.
		Physical structure: sediment supply – Maintain / restore natural circulation of sediments and organic matter, without any physical obstructions
		Physical structure: creeks and pans - Maintain creek and pan structure, subject to natural processes, including erosion and succession
		Physical structure: flooding regime - Maintain natural tidal regime
		Vegetation structure: zonation - Maintain the range of coastal habitats including transitional zones, subject to natural processes including erosion and succession
		Vegetation structure: vegetation height - Maintain structural variation within sward
		Vegetation structure: vegetation cover - Maintain more than 90% of area outside creeks vegetated
		Vegetation composition: typical species and subcommunities - Maintain range of subcommunities with typical species listed in SMP (McCorry and Ryle, 2009)
		Vegetation structure: negative indicator species - Spartina anglica - No significant expansion of common cordgrass (Spartina anglica), with an annual spread of less than 1% where it is known to occur
Embryonic shifting dunes	To maintain the favourable conservation condition	Habitat area - Area stable or increasing, subject to natural processes, including erosion and succession.
		Habitat distribution - No decline subject to natural processes.
		Physical structure: functionality and sediment supply – Maintain the natural circulation of sediment and organic matter, without any physical obstructions
		Vegetation structure: zonation - Maintain the range of coastal habitats including transitional zones, subject to natural processes including erosion and succession

Qualifying Feature	Conservation Objective	Targets
		Vegetation composition: plant health of foredune grasses - More than 95% of sand couch grass (Elytrigia juncea) and/or lyme grass (Leymus arenarius) should be healthy (i.e. green plant parts above ground and flowering heads present)
		Vegetation composition: typical species and subcommunities - Maintain the presence of species-poor communities with typical species: sand couch grass (Elytrigia juncea) and/or lyme grass (Leymus arenarius)
		Vegetation composition: negative indicator species - Negative indicator species (including non-native species) to represent less than 5% cover
Shifting dunes along the shoreline with Ammophila arenaria (white dunes)	To maintain the favourable conservation condition	Habitat area - Area stable or increasing, subject to natural processes, including erosion and succession.
		Habitat distribution - No decline, or change in habitat distribution, subject to natural processes
		Physical structure: functionality and sediment supply – Maintain the natural circulation of sediment and organic matter, without any physical obstructions
		Vegetation structure: zonation - Maintain the range of coastal habitats including transitional zones, subject to natural processes including erosion and succession
		Vegetation composition: plant health of foredune grasses - More than 95% of marram grass (Ammophila arenaria) and/or lymegrass (Leymus arenarius) should be healthy (i.e. green plant parts above ground and flowering heads present)
		Vegetation composition: typical species and subcommunities - Maintain the presence of species-poor communities dominated by marram grass (Ammophila arenaria) and/or lymegrass (Leymus arenarius)
		Vegetation composition: negative indicator species - Negative indicator species (including non-native species) to represent less than 5% cover
Fixed coastal dunes with herbaceous vegetation (grey dunes)	To maintain the favourable conservation condition	Habitat area - Area stable or increasing, subject to natural processes, including erosion and succession.
		Habitat distribution - No decline, or change in habitat distribution, subject to natural processes
		Physical structure: functionality and sediment supply – Maintain the natural circulation of sediment and organic matter, without any physical obstructions
		Vegetation structure: zonation - Maintain the range of coastal habitats including transitional zones, subject to natural processes including erosion and succession
		Vegetation structure: bare ground - Bare ground should not exceed 10% of fixed dune habitat, subject to natural processes
		Vegetation structure: sward height - Maintain structural variation within sward
		Vegetation composition: typical species and subcommunities - Maintain range of subcommunities with typical species listed in Ryle et al. (2009)
		Vegetation composition: negative indicator species (including Hippophae rhamnoides) - Negative indicator

Qualifying Feature	Conservation Objective	Targets
		species (including non-natives) to represent less than 5% cover
		Vegetation composition: scrub/trees - No more than 5% cover or under control

Activities affecting water quality, natural hydrological conditions and/or sediment flow patterns could have the potential to interfere with the achievement of the Conservation Objectives established for this site.

The ***Courtmacsherry Bay Special Protection Area*** is of ornithological importance for the wintering waders and wildfowl that feed on mudflat habitat within the site. The site holds internationally important numbers of Black-tailed Godwit and nationally important numbers of a further eleven species, including three that are listed on Annex I of the E.U. Birds Directive, i.e. Great Northern Diver, Golden Plover and Bar-tailed Godwit.

The Conservation Objectives for this site were published by the National Parks and Wildlife Service in 2014 (Ver 1). The objectives are set out below as are a summary of the attributes and targets which are required to be met to achieve the objectives.

Table 3 Targets for achieving or restoring favourable conservation condition of the qualifying features of the Courtmacsherry Bay SPA

Qualifying Feature	Conservation Objective	Targets
Great Northern Diver Shelduck Wigeon Red-breasted Merganser Golden Plover Lapwing Dunlin Black-tailed Godwit Bar-tailed Godwit Curlew Black-headed Gull Common Gull	To maintain the favourable conservation condition	Population trend - Long term population trend stable or increasing
		Distribution - No significant decrease in the range, timing or intensity of use of areas by each species, other than that occurring from natural patterns of variation.
Wetlands	To maintain the favourable conservation condition	Habitat area - The permanent area occupied by the wetland habitat should be stable and not significantly less than the area of 1,299 hectares, other than that occurring from natural patterns of variation

Taking account of the targets set for each of the above sites, activities associated with this proposal could have the potential to interfere with the achievement of the conservation objectives which have been set for the Courtmacsherry Bay SPA due to the following:

- The loss of the availability or decline in quality of feeding or roosting habitat of waterbird species;
- Significant disturbance to waterbirds.

Therefore, given the indirect hydrological connectivity linking the proposed development site to these designated sites, it is considered that there may be a potential risk of impact to water quality in the Estuary / Bay, and that there may be consequential potential for negative effects arising for habitats and species which are qualifying interests of the SAC and SPA.

6 Screening Assessment

Courtmacsherry Estuary SAC

Courtmacsherry Estuary Special Area of Conservation			
Qualifying Interests	**Occurrence Adjacent to the Proposed Development Site**	**Source-pathway-receptor link**	**Potential for Impact**
• Estuaries • Mudflats and sandflats not covered by seawater at low tide • Annual vegetation of drift lines • Perennial vegetation of stony banks • Salicornia and other annuals colonizing mud and sand • Atlantic salt meadows (Glauco-Puccinellietalia maritimae) • Mediterranean salt meadows (Juncetalia maritimi) • Embryonic shifting dunes	No	Primary potential risk identified as inadequate treatment of surface water and wastewater could lead to a net increase in nutrients entering the Argideen 020 Stream and in turn the Courtmacsherry Estuary / Bay via the Rossmore WWTP, which may have a negative impact on the qualifying habitats of the SAC.	None identified. Given the following: 1. lack of spatial overlap; 2. no works or interventions are proposed within the SAC; 3. the distances involved in relation to the qualifying habitats of the SAC relative to the proposal i.e. approx. 15km overland and 20km downstream; 4. the WWTP has capacity to cater for the additional loading which would be generated by this development; 5. there is no direct surface water linkage to the Argideen 020 Stream and as such there is no potential pathway for introducing potentially silt or potentially toxic contaminants to the stream via surface water during the construction

• Shifting dunes along the shoreline with Ammophila arenaria (white dunes) • Fixed coastal dunes with herbaceous vegetation (grey dunes)			6. there is no potential for significant contamination by silt or hydrocarbons during operation - surface water is to be attenuated on site and will be passed through a hydrocarbon interceptor prior to discharge to the public sewer. Discharge rates to the public sewer will be maintained at Greenfield rates of run off; 7. the high level of dilution provided in both the riverine and estuarine/marine environment; and 8. the robust nature of these habitats, no potential impacts on these habitats have been identified.

Courtmacsherry Bay Special Protection Area

Courtmacsherry Bay Special Protection Area			
Qualifying Interests	**Occurrence Adjacent to the Proposed Development Site**	**Source-pathway-receptor link**	**Potential for Impact**
Wetland birds & Wetland habitats	No	Primary potential risk identified as inadequate treatment of surface water and wastewater could lead to a net increase in nutrients entering the Argideen 020 Stream and in turn the Courtmacsherry Estuary / Bay via the Rossmore WWTP, which may have a negative impact on the qualifying habitats of the SAC.	None identified. Given the following: 1. lack of spatial overlap; 2. no works or interventions are proposed within the SPA; 3. the distances involved in relation to the SPA and associated habitats relative to the proposal i.e. approx. 15km overland and 20km downstream. Given intervening distance there is no risk of disturbance / displacement effects; 4. there are no features or habitats of value within the proposed development site which would differentiate it as a critical ex-situ resource

Courtmacsherry Bay Special Protection Area			
Qualifying Interests	**Occurrence Adjacent to the Proposed Development Site**	**Source-pathway-receptor link**	**Potential for Impact**
			from similar habitats in the surrounding area for species of conservation interest of the SPA; 5. the WWTP has capacity to cater for the additional loading which would be generated by this development; 6. there is no direct surface water linkage to the Argideen 020 Stream and as such there is no potential pathway for introducing potentially silt or potentially toxic contaminants to the stream via surface water during the construction 7. there is no potential for significant contamination by silt or hydrocarbons during operation - surface water is to be attenuated on site and will be passed through a hydrocarbon interceptor prior to discharge to the public sewer. Discharge rates to the public sewer will be maintained at Greenfield rates of run off; 8. the high level of dilution provided in both the riverine and estuarine/marine environment; and 9. the robust nature of the habitats within the SPA, no potential impacts on the qualifying interests of the SPA have been identified.

In-combination Impacts

This assessment has concluded that there is no risk of impact to habitats which are qualifying interests of both the SAC and the SPA, and that there is no risk of activities associated with the construction or operational phase causing disturbance to birds. It is considered therefore, that there is no potential for the proposed project to contribute to cumulative negative effects on either the Courtmacsherry Estuary SAC or the Courtmacsherry Bay SPA.

7 Screening Determination

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the objective information provided in this report, it is concluded beyond reasonable scientific doubt that the proposed works, individually or in combination with other plans/projects are not likely to have a significant effect on a European site (Natura 2000 site). It is therefore considered that a Stage 2 Appropriate Assessment under Section 177V of the Planning and Development Act 2000 (as amended), is not required.

Reasons for Determination

The scale and nature of the proposed works at Carrig Rossa, Rossmore is not considerable enough to lead to significant negative effects on the habitats and species in the Courtmacsherry Estuary SAC and the Courtmacsherry Bay SPA. There will be no loss, alteration or fragmentation to the habitats that occur within the SAC or SPA. Qualifying interest species of the SPA will not be significantly disturbed or negatively impacted by the works.

8 Finding of No Significant Effects Report

Name of project	**Construction of 3 Dwellings at Carrig Rossa, Rossmore**
Name and location of Natura 2000 sites identified for screening	1. Courtmacsherry Estuary SAC (Site Code 001230) 2. Courtmacsherry Bay SPA (Site Code 004219)
Description of the project or plan	The construction two, possibly three dwellings units at a landbank at Carrig Rossa, Rossmore. (Assessment made based on the construction of three units)
Is the project or plan directly connected with or necessary to the management of the sites listed above?	The project is not directly connected with or necessary to the management of any European Site.
The assessment of significance of effects	

Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 Site.	No potential for impacts on either of these sites have been identified for the following reasons; • There is no spatial overlap between the proposed development site and any Natura 2000 site. • The risk of surface water emissions associated with the proposed development is considered low during the construction phase and imperceptible during the post construction phase. The Rossmore WWTP has capacity to cater for the additional loading which would be generated by this development. It is further noted that the due to the scale of the works, intervening distance (approx. 15km overland & 20km downstream), the large expanse of buffers between the work area and the SAC and SPA, the dilution provided in both the riverine and estuarine environment and naturally fluctuating levels of silt, impacts are only likely to arise from extremely severe levels of siltation or nutrient loading during construction and/or operation. The risk of significant levels of contaminates being generated is low given the scope of the proposed development. • The development will not cause disturbance / displacement impacts on bird species that form qualifying interests of the Courtmacsherry Bay SPA due to the relatively large distance between the development site and the SPA (min. 15km over land) combined with the existing screening and the lack of suitable habitat for the qualifying species of the SPA at the development site. There are no features or habitats of value within the proposed development site which would differentiate it as a critical resource from similar habitats in the surrounding area. • No direct loss, alteration or fragmentation of habitats will occur within any Natura 2000 site. Overall, the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of any European site, in view of the sites Conservation Objectives.
Explain why these effects are not considered significant.	Negative impacts are not predicted.

Data collected to carry out the assessment			
Who carried out the assessment	**Sources of data**	**Level of assessment completed**	**Where can the full results of the assessment be accessed and viewed**
Ian McDermott	NPWS site data.	Screening	This report

9 References

NPWS Site Data

Information relating to individual Natura 2000 sites including Article 17 Conservation Assessment Reports for Habitats and Species In Ireland (2019), individual site synopses, Natura 2000 data forms, and information relating to the qualifying features and conservation objectives of individual sites was sourced from the NPWS database (www.NPWS.ie).

Guidance used in the preparation of this report included the following:

- European Communities, Managing Natura 2000 sites. The provisions of Article 6 of the Habitats Directive 92/43/EEC. European Communities, 2000.
- European Communities, 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 Communities, 2001.
- Environment, Heritage and Local Government. Appropriate Assessment of Plans and Projects in Ireland. Guidance for Planning Authorities. 2009.