

Article 6 (3) Appropriate Assessment Screening Report

Residential Development, Droim na Gaoithe, Claregalway, Co. Galway



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Screening Report

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INTRODUCTION

1.1 Background

1.

MKO has been appointed to provide the information necessary to allow the competent authority to conduct an Article 6(3) Screening for Appropriate Assessment of a proposed residential development in Claregalway, Co. Galway (grid ref: M 37312 32235).

Screening for Appropriate Assessment is required under Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive). Where it cannot be excluded that a project or plan, either alone or in combination with other projects or plans, would have a significant effect on a European Site then same shall be subject to an appropriate assessment of its implications for the site in view of the site's conservation objectives. The current project is not directly connected with, or necessary for, the management of any European Site consequently the project has been subject to the Appropriate Assessment Screening process.

The assessment in this report is based on a field survey undertaken in February 2022 and a desk study undertaken in May 2022. It specifically assesses the potential for the proposed development to result in significant effects on European sites in the absence of any best practice, mitigation or preventative measures.

This Appropriate Assessment Screening Report has been prepared in accordance with the European Commission's Assessment of Plans and Projects Significantly affecting Natura 2000 Sites: Methodological Guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC (EC, 2021) and Managing Natura 2000 Sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC (EC, 2018) as well as the Department of the Environment's Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities (DoEHLG, 2010) and the Appropriate Assessment Screening for Development Management. Office of the Planning Regulator, Dublin 7, Ireland OPR (2021).

In addition to the guidelines referenced above, the following relevant documents were also considered in the preparation of this report:

- Council of the European Commission (1992) Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora. Official Journal of the European Communities. Series L 20, pp. 7-49.
- 2. EC (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 interest, compensatory measures, overall coherence. Opinion of the commission.
- 3. EC (2013) Interpretation Manual of European Union Habitats. Version EUR 28. European Commission.

1.2 Appropriate Assessment

Screening for Appropriate Assessment

Screening is the process of determining whether an Appropriate Assessment is required for a plan or project. Under Part XAB of the Planning and Development Act, 2000, as amended, screening must be carried out by the Competent Authority. As per Section 177U of the Planning and Development Act, 2000, as amended 'A screening for appropriate assessment shall be carried out by the competent authority to assess, in view of best scientific knowledge, if that Land use plan or proposed development, individually or in combination with another plan or project is likely to have a significant effect on the European site'. The Competent Authority's determination as to whether an Appropriate Assessment is required must be made on the basis of objective information and should be recorded. The Competent Authority may request information to be supplied to enable it to carry out screening.

Consultants or project proponents may provide for the competent authority, the information necessary for them to determine whether an Appropriate Assessment is required and provide advice to assist them in the Article 6(3) Appropriate Assessment Screening decision.

Where it cannot be excluded beyond reasonable scientific doubt at the Screening stage, that a proposed plan or project, individually or in combination with other plans and projects, would have a significant effect on the conservation objectives of a European site, an Appropriate Assessment is required.

Where an Appropriate Assessment is required, the Competent Authority may require the applicant to prepare a Natura Impact Statement.

The term Natura Impact Statement (NIS) is defined in legislation¹. An NIS, where required, should present the data, information and analysis necessary to reach a definitive determination as to 1) the implications of the plan or project, alone or in combination with other plans and projects, for a European site in view of its conservation objectives, and 2) whether there will be adverse effects on the integrity of a European site. The NIS should be underpinned by best scientific knowledge, objective information and by the precautionary principle.

This Article 6(3) Appropriate Assessment Screening Report has been prepared in compliance with the provision of section 177U of the Planning & Development Act 2010 as amended.

Statement of Authority

Baseline ecological surveys were undertaken on the 16th of February 2022 by Aran von der Geest Moroney (B.Sc.) of MKO. This report has been prepared by Aran von der Geest Moroney (B.Sc.) and reviewed by Rachel Walsh (B.Sc.) who has over 2 years' experience in ecological assessment.

¹ As defined in Section 177T of the Planning and Development Act, 2000 as amended, an NIS means a statement, for the purposes of Article 6 of the Habitats Directive, of the implications of a proposed development, on its own and in combination with other plans and projects, for a European site in view of its conservation objectives. It is required to include a report of a scientific examination of evidence and data, carried out by competent persons to identify and classify any implications for the European site in view of its conservation objectives

2. DESCRIPTION OF THE PROPOSED DEVELOPMENT

2.1 Site Location

The proposed development site is located in Claregalway, Co. Galway (grid ref: M 37312 32235). The site is a greenfield site of approximately 6.9ha which is bordered by the R381 to the west and Lakeview Road to the south.

The location in of the development site is shown in Figure 2.1.

2.2 Characteristics of the Proposed Development

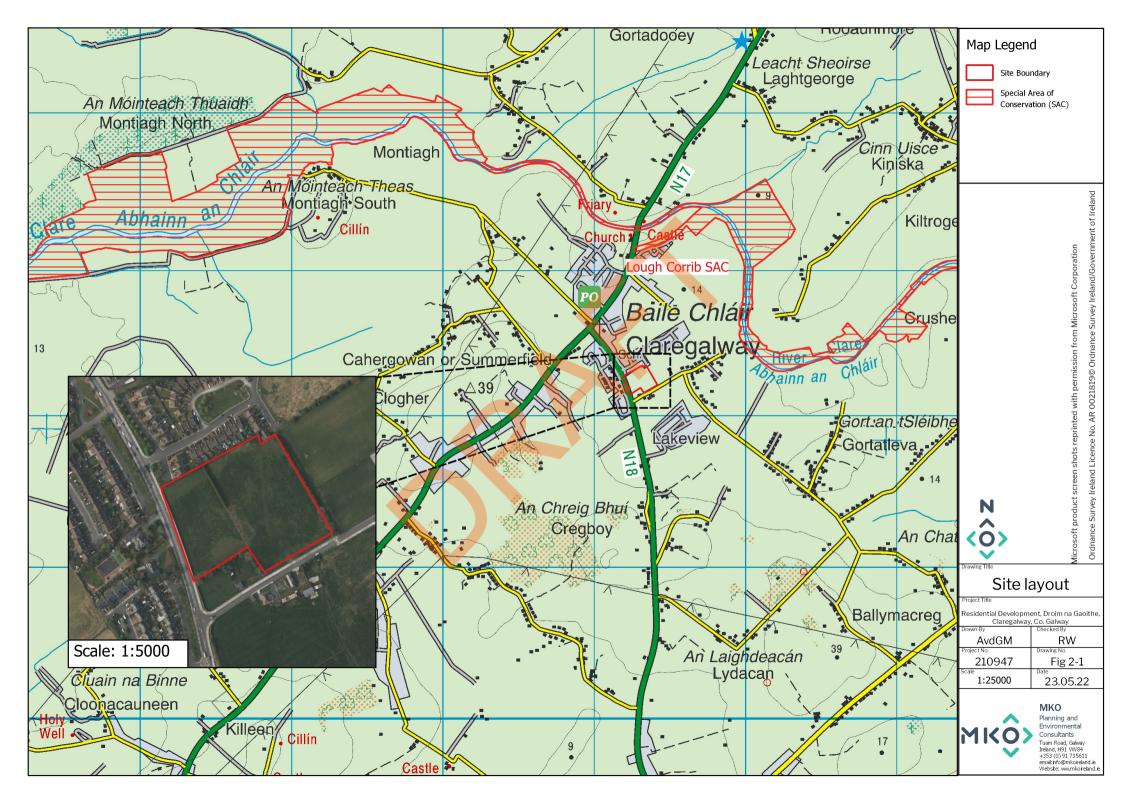
The residential development at Cluain na Gaoithe, Baile an Chláir includes a total of 90 social and affordable residential units, with two estate entrances, one from R381 (to Oranmore) and one from the L7110. The proposed units are as follows:

- 2 four bedroom two storey house,
- > 18 three bedroom two storey houses,
- > 19 two bedroom two storey houses,
- 16 three bedroom apartments,
- > 22 two bedroom apartments,
- > 13 one bedroom apartments.

The development also includes a children's playground, landscaped amenity open space, and IW pumping station and all necessary site development works

The gross floor area of the proposed development is $x m^2$.

The proposed site layout is provided in Figure 2.2.





2.2.1 Description of the Baseline Ecological Environment

Assessing the impacts of any project and associated activities requires an understanding of the ecological baseline conditions prior to and at the time of the project proceeding. Ecological Baseline conditions are those existing in the absence of proposed activities (CIEEM 2018).

A multidisciplinary ecological walkover survey of the site was conducted on the 16th of February 2022 in line with NRA (2009) guidelines (Ecological Surveying Techniques for Protected Flora and Fauna during the Planning of National Road Schemes) by Aran von der Geest Moroney (B.Sc., QCIEEM) and Cillian Burke (B.Sc.). All habitats were readily identifiable during the time of the walkover survey.

The proposed development site consists predominantly of grassland habitat classified as Improved agricultural grassland (GA1) (Plate 2-1). The areas of Improved agricultural grassland were dominated by perennial rye grass (*Lollium perenne*) with broad leaved dock (*Rumex obtusifolius*), clover (*Trifolium repens*), creeping buttercup (*Ranunculus repens*), daisy (*Bellis perennis*), dandelion (Taraxacum officinale agg.) and Rhytidiadelphus squarrosus occurring throughout. The grassland was heavily poached and at times wet underfoot.

The site is bordered to the west and partially to the south by stone walls classified as Stone walls and other stonework (BL1) (Plate 2-2), with a scattered mature ash dominated treeline (WL2) comprising the remainder of the southern boundary (Plate 2-3). The site is bordered to the north by a combination of concrete block wall classified as Buildings and artificial surfaces (BL3) and a bramble (Rubus fruticosus), blackthorn (Prunus spinosa) and hawthorn (Crataegus monogyna) dominated hedgerow (WL1) (Plate 2-4). The site is bordered to the east by an ivy (Hedera spp.), bramble, blackthorn and hawthorn dominated hedgerow (WL1) with occasional mature ash trees (Fraxinus excelsior) (Plate 2-5).

A blackthorn and hawthorn tall hedgerow (WL1) runs in a south easterly direction from the northern boundary and partially bisects the site (Plate 2-6). There are two areas of recolonising gravel classified as recolonising bare ground (ED3) located within the site boundary (Plate 2-7).

There were no drains located within the site or leading off the site.

The site is bordered by the R381 to the west (Plate 2-8), lakeview road and an area of land with a mosaic of grassland, scrub and artificial habitats to the south (Plate 2-9), a residential area to the north and GAA sports pitches to the east.

No species listed as a Third Schedule Invasive Alien Species (IAS) of the European Communities Regulations 2011 (S.I. 477 of 2015) was recorded within the development site boundary.

There were no Annex I habitats or Annex II fauna associated with the Lough Corrib SAC or SCI species of the Lough Corrib SPA recorded during the site visit



Plate 2-1 Improved agricultural grassland (GA1) heavily poached in areas.



Plate 2-2 Stone wall boundary to the south of the site classified as Stone walls and other stonework (BL1).



Plate 2-3 Scattered mature ash dominated treeline (WL2) at south eastern boundary of site.



Plate 2-4 Combination of concrete block wall classified as Buildings and artificial surfaces (BL3) and a bramble, blackthorn and hawthorn dominated hedgerow (WL1) located at the north of the site.



Plate 2-5 Ivy, bramble, blackthorn and hawthorn dominated hedgerow (WL1) with occasional mature ash trees in the background with heavily poached agricultural grassland in the foreground.



Plate 2-6 Blackthorn and hawthorn tall hedgerow (WL1) which partially bisects the site.



Plate 2-7 Area of recolonising gravel classified as recolonising bare ground (ED3) located in the north western corner of the site



Plate 2-8 R381 located west of the site.



Plate 2-9 Lakeview Road and area of land with a mosaic of grassland, scrub and artificial habitats located south of the site.

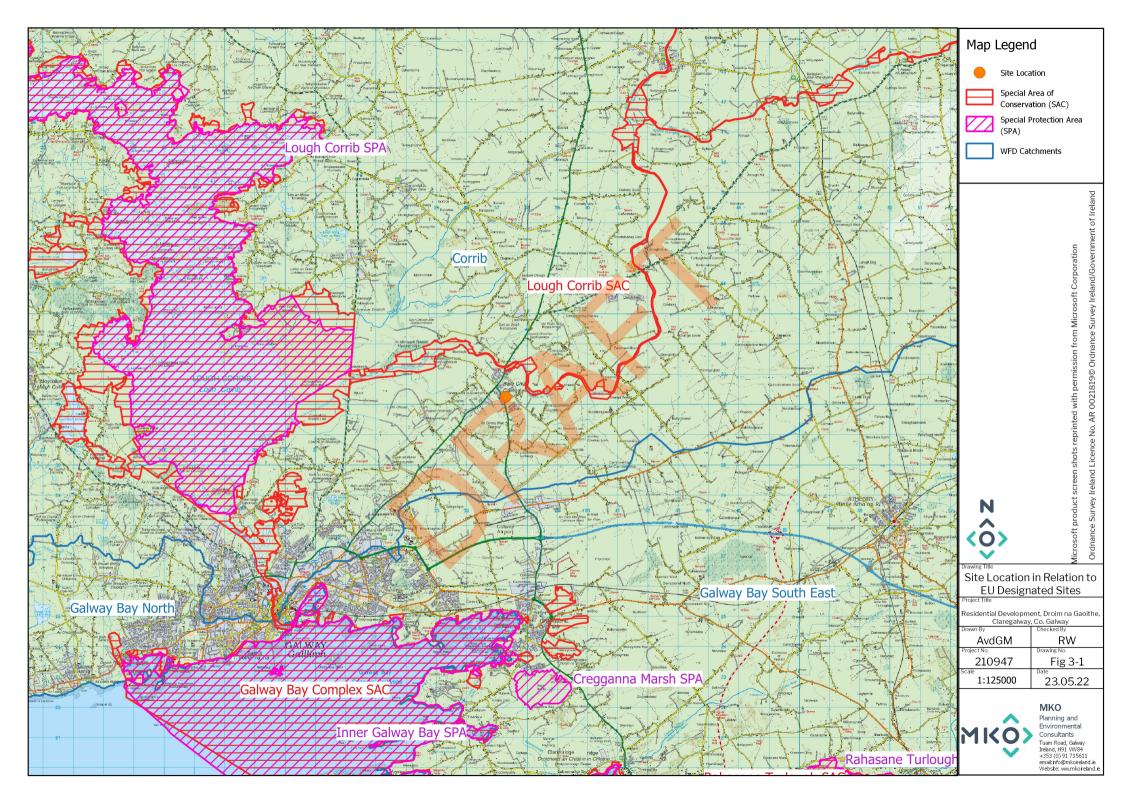
3. IDENTIFICATION OF RELEVANT EUROPEAN SITES

Identification of the European Sites within the Likely Zone of Impact

The following methodology was used to establish which European Sites are within the Likely Zone of Impact of the proposed development:

- Initially the most up to date GIS spatial datasets for European designated sites and water catchments were downloaded from the NPWS website (www.npws.ie) and the EPA website (www.epa.ie) on the 23/05/2022. The datasets were utilized to identify European Sites which could feasibly be affected by the proposed development.
- All European Sites that could potentially be affected were identified using a source-pathway receptor model. To provide context for the assessment, European Sites within a distance of 15km surrounding the development site are shown on Figure 3.1. Information on these sites according to the site-specific conservation objectives is provided in Table 3-1₂. Sites that were further away from the proposed development were also considered and no source-pathway-receptor chain for significant effect was identified for any European Site that was further than 15km from the site.
- The catchment mapping was used to establish or discount potential hydrological connectivity between the site of the proposed development and any European Sites. The hydrological catchments are also shown in Figure 3-1. Additionally, the groundwater bodies are shown Figure 3-2.
- In relation to Special Protection Areas, in the absence of any specific European or Irish guidance in relation to such sites, the Scottish Natural Heritage (SNH) Guidance, 'Assessing Connectivity with Special Protection Areas (SPA)' (2016) was consulted. This document provides guidance in relation to the identification of connectivity between proposed development and Special Protection Areas. The guidance takes into consideration the distances species may travel beyond the boundary of their SPAs and provides information on dispersal and foraging ranges of bird species which are frequently encountered when considering plans and projects.
- Table 3.1, provides details of all relevant European Sites as identified in the preceding steps and assesses which are within the likely Zone of Impact. The assessment considers any likely direct or indirect impacts of the proposed development, both alone and in combination with other plans and projects, on European Sites by virtue of the following criteria: size and scale, land-take, distance from the European Site or key features of the site, resource requirements, emissions, excavation requirements, transportation requirements and duration of construction, operation and decommissioning were considered in this screening assessment.
- The site synopses and conservation objectives of these sites, as per the NPWS website (www.npws.ie), were consulted and reviewed at the time of preparing this report 23/05/2022.
- Where potential pathways for Significant Effect are identified, the site is included within the Likely Zone of Impact and further assessment is required.

² Office of the Planning Regulator (2021) guidance; 'OPR Practice Note PN01 Appropriate Assessment Screening for Development Management', utilises the Source-Pathway-Receptor model. This Appropriate Assessment Screening Report follows this guidance as well as providing information on European sites located within 15km of the proposed development as recommended in guidance provided by DEHLG (2010).



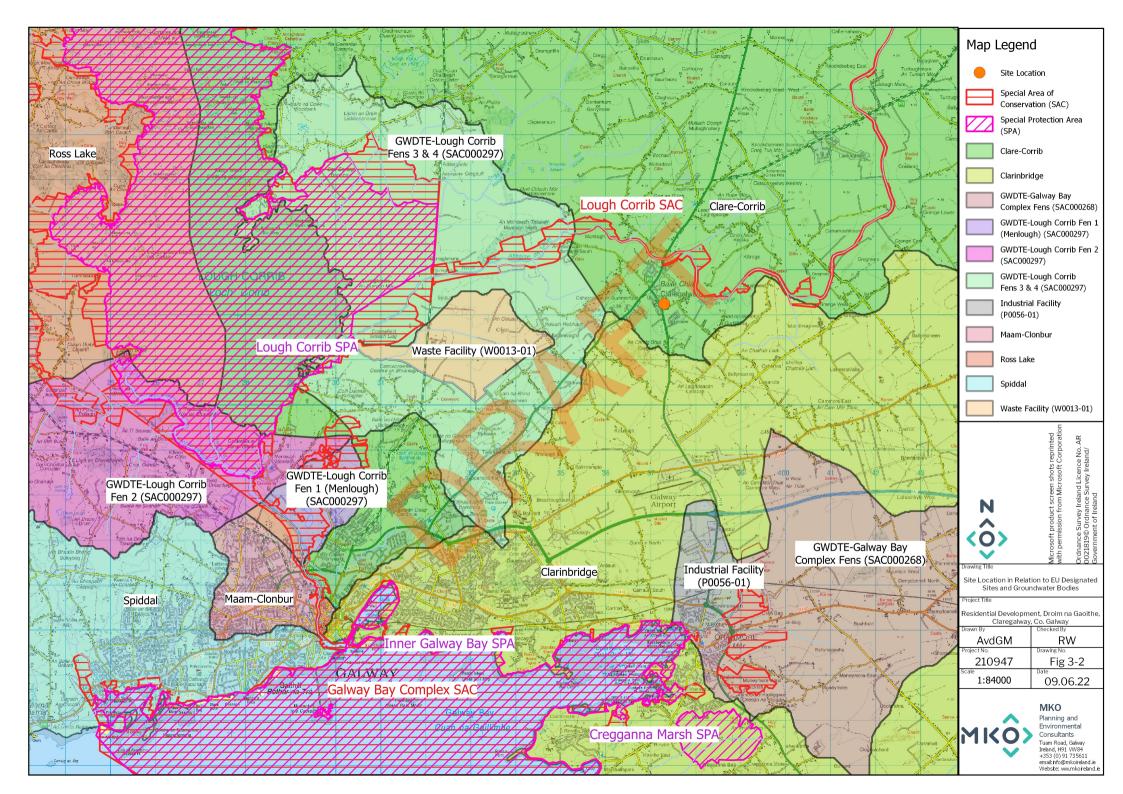


Table 3.1 Identification of Designated sites within the Likely Zone of Impact				
European Sites and distance from proposed development	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie on the 23/05/2022	Conservation Objectives	Likely Zone of Impact Determination	
Special Areas of 0	Conservation (SAC)			
Lough Corrib SAC (000297) Distance: 630m	 > 1029 Freshwater Pearl Mussel Margaritifera margaritifera > 1092 White-clawed Crayfish Austropotamobius pallipes > 1095 Sea Lamprey Petromyzon marinus > 1096 Brook Lamprey Lampetra planeri > 1106 Salmon Salmo salar > 1303 Lesser Horseshoe Bat Rhinolophus hipposideros > 1355 Otter Lutra lutra > 1393 Slender Green Feather-moss Drepanocladus vernicosus > 1833 Slender Naiad Najas flexilis > 3110 Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) > 3130 Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or Isoeto-Nanojuncetea > 3140 Hard oligo-mesotrophic waters with benthic vegetation of Chara spp. > 3260 Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation 	Detailed conservation objectives for this site, (Version 1, April 2017, were reviewed as part of the assessment and are available at www.npws.ie	The development site is located completely outside of this SAC, therefore there is no potential for direct effects. A potential for indirect effect was identified via deterioration in water quality as a result of construction and operation of the development. The SAC is within the Likely Zone of Impact and further assessment is required.	

	 6210 Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) 6410 Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) 7110 Active raised bogs 7120 Degraded raised bogs still capable of natural regeneration 7150 Depressions on peat substrates of the Rhynchosporion 7210 Calcareous fens with Cladium mariscus and species of the Caricion davallianae 7220 Petrifying springs with tufa formation (Cratoneurion) 7230 Alkaline fens 8240 Limestone pavements 91A0 Old sessile oak woods with Ilex and Blechnum in the British Isles 91D0 Bog woodland 		
Galway Bay Complex SAC (000268) Distance: 6.4km	 1140 Mudflats and sandflats not covered by seawater at low tide 1150 Coastal lagoons* 1160 Large shallow inlets and bays 1170 Reefs 1220 Perennial vegetation of stony banks 1310 Salicornia and other annuals colonising mud and sand 1330 Atlantic salt meadows (Glauco-Puccinellietalia maritimae) 1355 Otter Lutra lutra 1365 Harbour seal Phoca vitulina 1410 Mediterranean salt meadows (Juncetalia maritimi) 	Detailed conservation objectives for this site, dated April 2013, were reviewed as part of the assessment and are available at www.npws.ie	The development site is located completely outside of this SAC, therefore there is no potential for direct effects. Indirect effects on the following QIs can be ruled out due to the terrestrial nature of the habitats/species, the distance from the proposed development site and the absence of a complete source-pathway-receptor chain for effect: > 1220 Perennial vegetation of stony banks > 5130 Juniperus communis formations on heaths or calcareous grasslands > 6210 Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco Brometalia) (*important orchid sites)

	 3180 Turloughs* 5130 Juniperus communis formations on heaths or calcareous grasslands 6210 Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco Brometalia)(*important orchid sites) 7210 Calcareous fens with Cladium mariscus and species of the Caricion davallianae* 7230 Alkaline fens 		Indirect effects on the following groundwater dependent QIs can be excluded due to the SAC being located in a separate groundwater body to the development site and therefore the absence of a complete source-pathway-receptor chain for effect: 3180 Turloughs* 7210 Calcareous fens with Cladium mariscus and species of the Caricion davallianae* 7230 Alkaline fens Potential hydrological connectivity was identified between the proposed development and the SAC via the Clare-Corrib groundwater body, River Clare, Lough Corrib and the River Corrib which discharges to the transitional and marine waters of Galway Bay Complex SAC downstream of the development site. However, due to the attenuative and assimilative capacity of the River Clare, Lough Corrib and the River Corrib the potential for significant indirect effect on aquatic QIs of the SAC is considered to be negligible. Therefore, no complete source-pathway-receptor chain for effect was identified between the proposed development and the aquatic QIs for which this site has been designated. This site is not within the Likely Zone of Impact and no further assessment is required.
Special Protection A	Area (SPA)		
Lough Corrib SPA (004042) Distance: 5.1km	 A051 Gadwall Anas strepera A056 Shoveler Anas clypeata A059 Pochard Aythya ferina A061 Tufted Duck Aythya fuligula A065 Common Scoter Melanitta nigra A082 Hen Harrier Circus cyaneus A125 Coot Fulica atra A140 Golden Plover Pluvialis apricaria A179 Black-headed Gull Chroicocephalus ridibundus 	This site has the generic conservation objective: 'To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA'	There is no potential for direct effect as the development site is located completely outside of the SPA. A potential for indirect effect was identified via deterioration of water quality during construction and operation of the development, thus affecting the SCI supporting habitat and all SCI species which rely on it. The SPA is within the Likely Zone of Impact and further assessment is required.

	 A182 Common Gull Larus canus A193 Common Tern Sterna hirundo A194 Arctic Tern Sterna paradisaea A395 Greenland White-fronted Goose Anser albifrons flavirostris A999 Wetlands and waterbirds 	This site has a second conservation objective: 'To maintain or restore the favourable conservation condition of the wetland habitat at Lough Corrib SPA as a resource for the regularly-occurring migratory waterbirds that utilise it.' (NPWS Generic version 9.0, 2022)	
Inner Galway Bay SPA [004031] Distance 6.9km	 A003 Great Northern Diver Gavia immer A017 Cormorant Phalacrocorax carbo A028 Grey Heron Ardea cinerea A046 Brent Goose Branta bernicla hrota A050 Wigeon Anas penelope A052 Teal Anas crecca A056 Shoveler Anas clypeata A069 Red-breasted Merganser Mergus serrator A137 Ringed Plover Charadrius hiaticula 	Detailed conservation objectives for this site (Version 1, May 2013) were reviewed as part of the assessment and are available at www.npws.ie	There is no potential for direct effect as the proposed development is outside of the SPA boundary. The proposed development site consists predominantly of agricultural grassland habitats which are common in the wider area. The site does not provide significant supporting habitat for the SCI species for which the SPA is designated and none of the SCI species were recorded within the site during the ecological surveys. Therefore, no potential for significant habitat loss or displacement effect exists.
	 A140 Golden Plover Pluvialis apricaria A142 Lapwing Vanellus vanellus A149 Dunlin Calidris alpina alpina A157 Bar-tailed Godwit Limosa lapponica A160 Curlew Numenius arquata A162 Redshank Tringa totanus A169 Turnstone Arenaria interpres A179 Black-headed Gull Chroicocephalus ridibundus A182 Common Gull Larus canus A191 Sandwich Tern Sterna sandvicensis 		Potential hydrological connectivity was identified between the proposed development and the SPA via the Clare-Corrib groundwater body, River Clare, Lough Corrib and the River Corrib which discharges to the marine waters of Inner Galway Bay SPA downstream of the development site. However, due to the attenuative and assimilative capacity of the River Clare, Lough Corrib and the River Corrib the potential for significant indirect effect on SCIs of the SPA is considered to be negligible. In addition, the SPA is located in a separate ground water body to the development site. Therefore, no complete source-pathway-receptor chain for effect was identified between the proposed development and the SCIs for which this site has been designated.

	>	A193 Common Tern <i>Sterna hirundo</i> A999 Wetlands		This site is not within the Likely Zone of Impact and no further assessment is
				required.
Cregganna Marsh SPA [004142] Distance: 9.0km	>	[A395] Greenland White-fronted Goose (Anser albifrons flavirostris)	This site has the generic conservation objective: 'To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA' (NPWS Generic version 9.0, 2022)	This SPA is located 9.0km from the proposed development site. There is no potential for direct effect as the proposed development is outside of the SPA boundary. The site consists predominantly of agricultural grassland habitats and does not provide significant suitable habitat for the SCI species. Given the distance of the SPA from the proposed development and the absence of significant supporting habitat for the SCI species, no potential for indirect effects in the form of ex-situ disturbance or displacement exists. Furthermore, the development site is located outside of the core foraging range for Greenland White-fronted Goose (5-8km, SNH 2016). This site is not within the Likely Zone of Impact and no further assessment is required.

Likely Cumulative Impact of the Proposed Works on European Sites, in-combination with other plans and projects

Where potential pathways for effect have been identified in Table 3.1, the potential for cumulative effects resulting from the proposed development, when considered in combination with other plans and projects, cannot be discounted at this stage and further assessment is required.



4. ARTICLE 6(3) APPROPRIATE ASSESSMENT SCREENING STATEMENT AND CONCLUSIONS

The findings of this Screening Assessment are presented following the European Commission's Assessment of Plans and Projects Significantly affecting Natura 2000 Sites: Methodological Guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC (EC, 2021) and Managing Natura 2000 Sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC (EC, 2018) as well as the Department of the Environment's Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities (DoEHLG, 2010).

Data Collected to Carry Out Assessment

In preparation of the report, the following sources were used to gather information:

- Review of NPWS Site Synopses, Conservation Objectives for the European Sites
- Review of 2019, 2013 and 2007 EU Habitats Directive (Article 17) Reports.
- Review of OS maps and aerial photographs of the site of the proposed project.
- Site visits conducted on the 16th of February 2022 by Aran von der Geest Moroney (B.Sc., QCIEEM).

4.2 Concluding Statement

It cannot be excluded beyond reasonable scientific doubt, in view of best scientific knowledge, on the basis of objective information and in light of the conservation objectives of the relevant European sites, that the proposed development, individually or in combination with other plans and projects, would be likely to have a significant effect on the Lough Corrib SAC and SPA.

As a result, an Appropriate Assessment is required, and a Natura Impact Statement shall be prepared in respect of the proposed development.

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