

Appropriate Assessment (AA) Screening Determination for proposed Local Authority Development

Project Name:	Residential Development at Rathellen, Far Finisklin, Co. Sligo
Ref No:	

**Description:**

Sligo County Council intend to apply for planning permission for a proposed residential development at Rathellen, Far Finisklin. The proposed development consists of the construction of 47 no. housing units and associated infrastructure.

**Legislative Context:**

This determination has considered the relevant legislative context and guidance, including;

- 1) Articles 6(3) and (4) of European Union (EU) Council Directive 92/43/EEC (Habitats Directive)
- 2) European Communities (Birds and Natural Habitats) Regulations S.I. No 477 of 2011 (as amended)
- 3) Assessment of plans and projects significantly in relation to Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (EU Commission, Brussels (2021)
- 4) Appropriate Assessment of plans and projects in Ireland: Guidance for planning authorities (DoEHLG, 2009), Appropriate Assessment Screening for Development Management (Office of the Planning Regulator, 2021).

**Screening Report:**

Sligo County Council requested that an Appropriate Assessment be prepared by Jennings O’ Donovan. The Report entitled “Provision of a 47-unit housing Development at Rathellen, Finisklin, Co. Sligo – Screening for Appropriate Assessment”.

The AA Screening Report screened out any potential for alone or in combination effects of the proposed project on any SAC or SPA. From the report and reviewed literature, it is apparent that;

- The nearest designated European sites are Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (000627 and Cummeen Strand SPA (004035) (0.1km).
- There is no direct pathway for noise, dust, visual or hydrological impacts to affect any European Sites.
- Any surface water discharged from the site during the operational phase will be collected via SuDS measures implemented to a design standard. It is noted the SuDS measures proposed do not require any in-stream works or additional mitigation measures during their construction for the protection of downstream SACs or SPAs.
- While the surface water network will discharge to Sligo Bay, the likelihood of significant inputs of silt or contaminants reaching downstream SACs or SPAs during these construction works is considered low as these works will be controlled by adhering to best practice.
- Any pollution from the site clearance and construction works would be minimal in quantity and if it entered Sligo Bay it would be so diluted as to be undetectable and would not impact Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC and Cummeen Strand SPA (004035). The assumption of dilution is supported in the literature<sup>1</sup>.

<sup>1</sup> The effect of dilution on the fate and behaviour of chemicals in the environment (marinebiodiversity.org)

The Project works were not predicted to have the potential to result in visual emissions that could generate disturbance to qualifying species of any European Sites during construction or operation. Construction and operation disturbance to a European site QI species can occur from removal of foraging/roosting habitat and disturbance. No QI wintering birds were noted utilising the site from the viewpoint surveys or the bird dropping inspection during the winter period either feeding or roosting. Therefore, we conclude that the Site is of no importance for the qualifying interests of the Cummeen Strand SPA, the Drumcliff Bay SPA or any other SPAs.

Human disturbance pathway: The potential for a human disturbance pathway, through which a proposed development could generate activity within European Sites and result in disturbance to qualifying habitats or species was identified as a potential pathway requiring examination. There is a boreen across the road from the proposed Site that leads to the foreshore and the European Sites (Cummeen Strand SPA and Cummeen Strand SAC). Future residents could use this as recreational walking route and dog walking. However, the rock armour along the foreshore is not suitable for dog walking or for walkers. Existing footpaths in the vicinity of the site along with the development of an amenity area (An Bord Pleanála Planning Reference: JP21.311863) close to the site will provide suitable recreational areas for new residents. Therefore, the increase in human activity is unlikely to pose a new or combined significant effect on any qualifying interests or special conservation interests of the nearby European Sites or any other European Site.

**Screening Determination:**

Sligo County Council have examined, analysed and evaluated the content of the proposed Residential Development at Rathellen, Far Finisklin, Co. Sligo, including the information and assessments presented in the screening for appropriate assessment report, and are in agreement with the conclusion of the screening for appropriate assessment report with respect to the potential for the proposed project to have a likely significant effect on any European sites.

Sligo County Council have determined that, in light of best scientific knowledge, including in particular the nature of the predicted impacts that may arise from the project, and in the absence of any measures intended to avoid or reduce any harmful effects on European sites, that the project is not likely to have a significant effect on any European sites, either alone or in combination with other plans or projects.

Signed: Emer  \_\_\_\_\_

Role/Department: A/Director of Infrastructure, Environment, Fire Services & Ballymote-Tubbercurry Municipal District

Date: 02/08/2024