

## SLIGO COUNTY COUNCIL

### DETERMINATION BY THE PLANNING AUTHORITY IN ACCORDANCE WITH SECTION 177U OF THE PLANNING AND DEVELOPMENT ACT 2000 (AS AMENDED)

#### HABITATS DIRECTIVE ASSESSMENT - SCREENING

Art 27(1) of the European Communities (Natural Habitats) Regulations, 1997 (S.I. No. 94/1997) indicates that "A local authority when duly considering an application for planning permission, or the Board when duly considering an appeal on a application for planning permission, in respect of a proposed development that is not directly connected with, or necessary to the management of, a European site but likely to have a significant effect thereon either individually or in combination with other developments, shall ensure that an appropriate assessment of the implications for the site in view of the site's conservation objectives is undertaken."

#### Appropriate Assessment Screening Report

The application is accompanied by an Appropriate Assessment Screening Report prepared by NM Ecology Ltd. on behalf of Sligo County Council. The report assesses the development proposed on the site at Far Finisklin, Co.Sligo for the construction of up to 64 residential units.

The AA screening report includes the following:

- Details of the site location and surrounding environment.
- description of the Natura 2000 sites, their features of interest and conservation objectives;
- Geology and soils, hydrology,
- Details of connectivity between the site and works areas
- Assesses potential for groundwater connectivity to the Cummeen Strand / Drumcliff Bay SAC and the Cummeen Strand SPA during construction and operational phases
- Details of both construction and operation stages of the project on the subject site and the development.
- potential impacts and likelihood of significant effects;
  - no risk of habitat loss, fragmentation or any other direct impact.
  - no loss to any part of Natura 2000 site
  - no fragmentation to Natura 2000 site
  - no direct or indirect disturbance to Natura 2000 site
  - it is likely that the development would cause displacement of overwintering birds from the SPA at construction and operational stages.
  - no relative change to surface water
  - no significant direct or indirect impact to water quality
  - Conservation objectives of a European site will be met if development proceeds.
- Best practice measures

The report concludes the following:

- *this application currently meets the second conclusion, because there is uncertainty regarding potential effects on nearby Natura 2000 sites. It is possible that pollutants generated during the construction of the proposed development could reach the Cummeen*

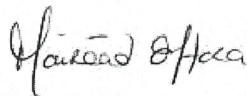
*Strand / Drumcliff Bay SAC and the Cummeen Strand SPA via land, surface water and/or groundwater pathways, where they could cause indirect impacts on estuarine / coastal habitats and species. The development of the site could permanently displace bird species (e.g. brent geese) associated with the Cummeen Strand SPA and Drumcliff Bay SPA from grasslands in the north of the proposed development site. There is also some uncertainty about the risk of in-combination effects*

- *In the absence of the survey data, and in accordance with the precautionary principle, it is not currently possible to screen out the requirement for Appropriate Assessment.*
- *If the surveys conclude that there is a risk of significant impacts on Natura 2000 sites, or that mitigation measures would be necessary to avoid or minimise impacts on these sites, then Appropriate Assessment will be required, and the applicant must submit a Natura Impact Statement.*

#### **Local Authority response**

Having examined all the information provided, it is considered possible that pollutants generated during the construction of the proposed development could reach the Cummeen Strand / Drumcliff Bay SAC and the Cummeen Strand SPA via land, surface water and/or groundwater pathways, where they could cause indirect impacts on estuarine / coastal habitats and species.

Having regard to the nature and scale of the development, the distance from the EU designated sites in the Natura 2000 network and the Appropriate Assessment Screening Report submitted by the applicant, the Planning Authority concurs with the findings of the screening report and considers that the proposed development requires further investigation works and a NIS to be submitted so AA can be undertaken.

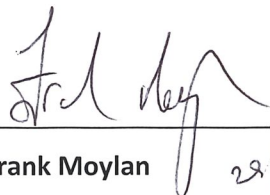


Signed: \_\_\_\_\_

**Mairéad O'Hara**

**Executive Planner**

29<sup>th</sup> April 2021



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

**Frank Moylan**

**Senior Planner**

29/4/21