

Residential Development at Rathellen House, Finisklin, Co. Sligo

Information to Support an EIA Screening Determination

Sligo County Council

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1 Introduction

This report has been collated to support An Bord Pleanála in undertaking a screening determination for Environmental Impact Report. Sligo County Council intends to provide a development of 63 homes and road works in a s177AE process pursuant to the Planning and Development Regulations 2001 as amended (the Regulations) where an application for approval is being made to An Bord Pleanála. The project description is as follows:

Sligo County Council intends to apply for permission at this site c.2.46 ha at Rathellen House, Finisklin, Co. Sligo. The proposed development includes:

- The demolition of derelict outbuildings (c.269.26 sqm).
- The construction of 57 residential units to include:
 - 39 No. houses all 2-storey high (15 no. 2-bed, 20 no. 3-bed, 3 no. 4-bed and 1 no. 5-bed); and
 - 18 no. duplex apartments (8 no. 1-bed and 10 no. 2-bed) up to three-storey high.
- The restoration of Rathellen House and associated outbuildings to accommodate 6 residential units (1 no. 1-bed, 3 no. 2-bed; 2 no. 3-bed).
- A new access to the site is proposed via Sea Road.
- A segregated cycle path is proposed to link from Finisklin Road to Sea Road.
- The proposed development also includes the realignment of Sea Road to the west of the site to include new bus stops and pedestrian crossings;
- The proposal includes on-street car parking (100 spaces), public and private open space, boundary treatments, public lighting, site drainage works, internal road networks and footpath, an ESB switchrooms/kiosks, landscaping, play area and all ancillary site services and development works above and below ground.

A Natura Impact Statement will accompany the application.

1.1 Legislation and Guidance

The EIA Screening Report has had regard to the following:

- Planning and Development Act 2000 as amended
- Planning and Development Regulations 2001 as amended
- Directive 2014/52/EU of 16 April 2014 amending Directive 2011/92/EU
- The European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018)
- Draft Guidelines on the information to be contained in Environmental Impact Assessment Reports, Environmental Protection Agency, 2017
- Environmental Impact Assessment of Projects: Guidance on Screening, European Commission, 2017
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment August 2018
- Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development 2003
- Circular Letter: PL 05/2018 27th August 2018 Transposition into Planning Law of Directive 2014/52/EU amending Directive 2011/92/EU on the effects of certain public and private projects on the environment (the EIA Directive) and Revised Guidelines for

Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment.

- Circular Letter: PL 10/2018 22 November 2018 Public notification of timeframe for application to An Bord Pleanála for screening determination in respect of local authority or State authority development
- Office of the Planning Regulator (May 2021) Environmental Impact Assessment Screening- Practice Note

1.2 Methodology

The EIA screening assesses the proposed scheme with reference to the relevant EIA legislation including the EIA Directive, and Planning and Development Regulations. The methodology has particular regard to the '3-Step' assessment process set out in the Office of the Planning Regulator (OPR) Environmental Impact Assessment Screening Practice Note PN02 (June 2021). Regard is also had to European and National guidance documents.

Pursuant to Article 81(ca) of the Regulations 2001, a Planning Authority must indicate its conclusion under article 120(1)(b)(i) (a preliminary examination) or screening determination under article 120(1B)(b)(i) in the public notices that form part of a Part 8 process.

Where a local authority proposes to carry out a subthreshold development, the authority shall carry out a preliminary examination of, at the least, the nature, size or location of the development.

Where the local authority concludes, based on such preliminary examination, that—

- (i) there is no real likelihood of significant effects on the environment arising from the proposed development, it shall conclude that an EIA is not required,
- (ii) there is significant and realistic doubt in regard to the likelihood of significant effects on the environment arising from the proposed development, it shall prepare, or cause to be prepared, the information specified in Schedule 7A for the purposes of a screening determination, or
- (iii) there is a real likelihood of significant effects on the environment arising from the proposed development, it shall— (I) conclude that the development would be likely to have such effects, and (II) prepare, or cause to be prepared, an EIAR in respect of the development.

1.3 Data Sources

The information is obtained from review of several online databases and public sources including:

- Geological Survey of Ireland (GSI) online dataset - <https://www.gsi.ie/>;
- Environmental Protection Agency (EPA) - <http://gis.epa.ie/Envision>;
- Myplan.ie
- Sligo County Development Plan 2017-2023
- Sligo and Environs Development 2013-2019
- GeoHive – <http://map.geohive.ie/mapviewer.html>;
- EPA Online dataset;

- EPA Catchments - <https://www.catchments.ie/>;
- Met Éireann - <http://www.met.ie/>;
- Office of Public Works (OPW) - <http://www.floodinfo.ie/map/floodmaps>; and,
- National Parks & Wildlife Service (<http://www.npws.ie/>).
- Planning applications website.
- EPA licences database
- Marine Institute's Marine Atlas

1.4 Qualifications

This EIAR Screening Report has been prepared by Sybil Berne, BSc, MRUP, MSc, MIPI, MEnvSc. Sybil is a land use and marine spatial planner with 9 years' experience in the private sector including the preparation of EIA and EIA Screening for infrastructure, commercial and residential development projects. She has a masters in regional and urban planning (UCD) and a MSc in marine spatial planning (Ulster University).

2 The Site and Surroundings

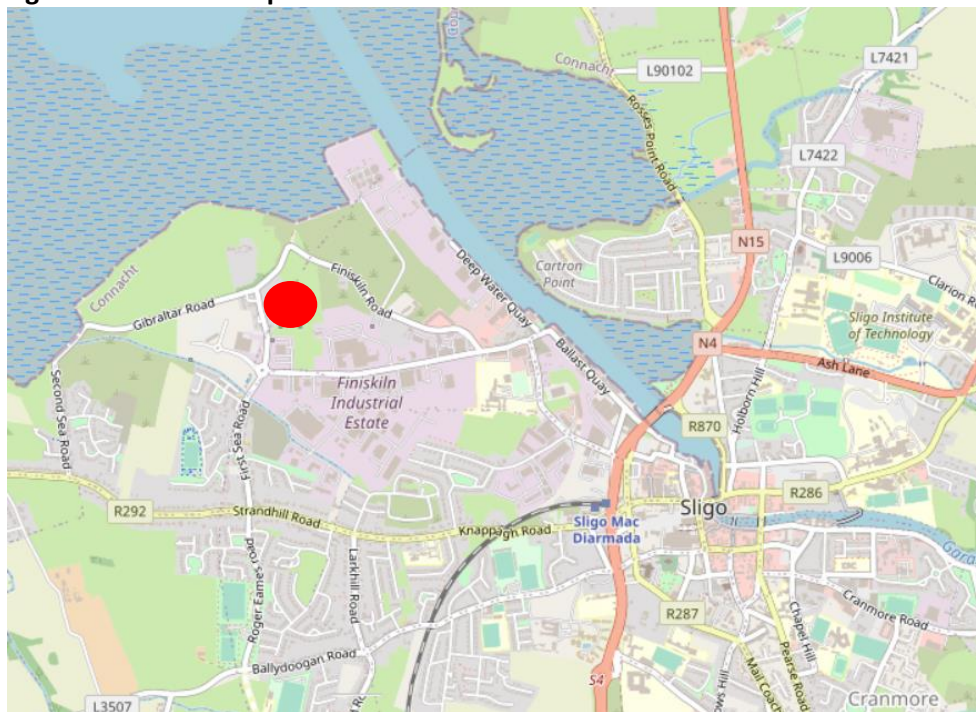
2.1 Site

The application site is located in Finisklin, c 3 km from the centre of Sligo, close to Sligo Port.

The application site is c.2.46 ha, site in an irregular shape and contains an existing period house which is in near derelict condition and a number of out-buildings. Rathellen House was built at the beginning of the nineteenth century as a dower house for the Woodville estate. It was purchased by Henry Lyons in 1860 and remained in the Lyons family until the 1940s. (Source:NUIG Landed estates data base).

The site rises to a high point centrally within the southern half of the site falling more steeply northwards to Cummeen Strand SPA, a Natura 2000 site, and more gradually to the south and east. The vacant Rathellen House, outbuildings and gardens are located on the higher part of the site. Standings of mature trees grow along the road boundaries and there are a number of specimen trees within the site. A 10kv overhead power line traverses the site north of Rathellen house.

Figure 1: Location Map



Source: EPA Mapping

2.2 The Surroundings

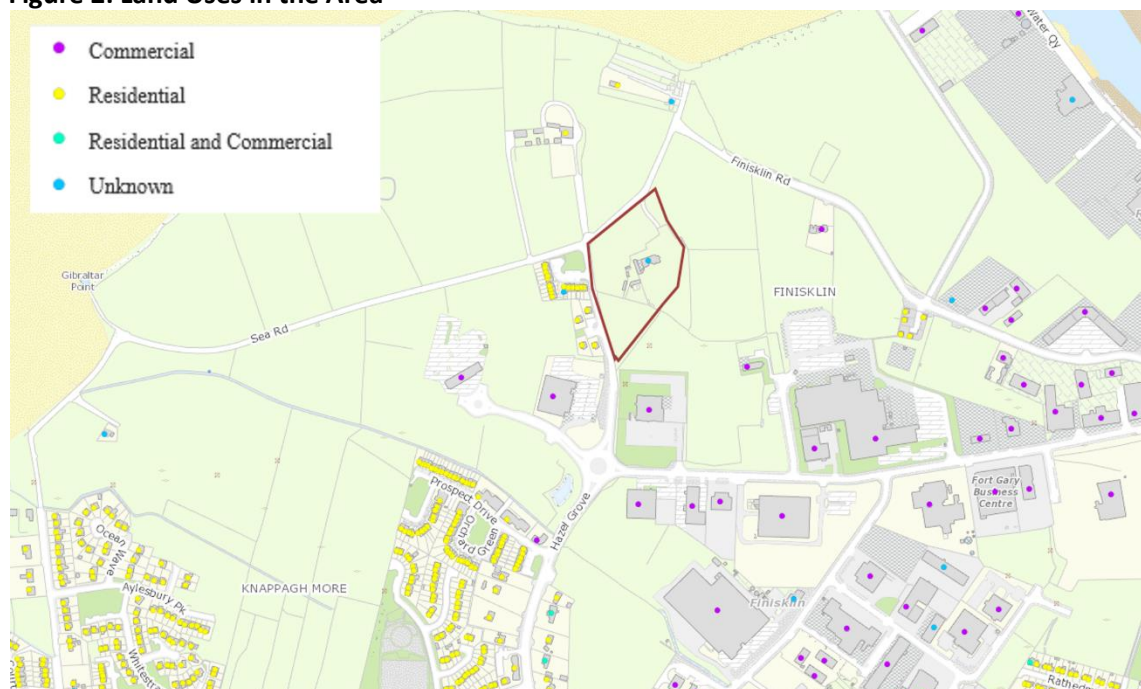
The former Finisklin landfill, located beside the Port area is c150 north-east of opposite the development site on the north eastern side of Finisklin Road and extends for several hectares. At the time of closure, a certain amount of remediation work was carried out, including fencing, landscaping and capping of the old landfill.

The site is bounded along the boundary to the north by Finisklin Road and contains a sharp bend. There are no footpaths on this road in the vicinity of the development site. A stone wall and

mature trees bound the road with a shallow ditch on the application site. The site contains copses of mature trees. To the west of the site is First Sea Road and a social housing estate is located on the opposite side of that road close to the junction with Finisklin Road. The section of First Sea Road with the housing estate opposite has a footpath on the western side of the road. The southern boundary of the site is delineated by the established hedge and tree boundary with agricultural land on the other side. To the south east of the site, the boundary traverses a field diagonally. To the south of the small field to the south of the development site is An Post sorting office and to the south east is located the large IDA industrial estate. There is a drainage ditch on the northern boundary, which drains north-east towards the coast, but is not connected to any watercourses.

Sligo airport is located c 6.5 km west.

Figure 2: Land Uses in the Area



Source: myplan.ie

Plate 1 Rathellen house



The site overlaps with two electoral divisions (ED) in the Central Statistic Office (CSO)'s census of population. The site falls for its vast majority in the Knockaree ED, and in the Sligo West ED. Between the 2011 and 2016 censuses of population Knockaree grew by 3.73% from 3,557 persons to 3,690 persons; and Sligo West by 1.26% from 7,129 persons to 7,219 persons.

2.3 Environmental Sensitivities of the Site

2.3.1 Soils and Geology

According to the Geological Survey Ireland the subsoil is characterised at metamorphic till. The bedrock is classified as dark fine limestone and calcareous shale part of Glencar Limestone Formation.

2.3.2 Hydrology

Garvogue Estuary / Cummeen Strand Bay, are c 100 m north of the proposed development site at the closest point. Knappagh Stream is c 250 m south-west of the proposed development and flows north-west to the coast c 750 m downstream.

The groundwater vulnerability is classified as 'High'. Subsoil permeability is classified as 'Medium'.

A Hydrological Assessment Report for the site (RPS Group, 2021), noted that *"Storm runoff from the site currently infiltrates to the ground, and any excess runoff drains northward and eventually discharges into Sligo Estuary as overland flow."*

Under the Water Framework Directive (WFD) status assessments 2013 – 2018, the transitional waters of the Garvogue Estuary / Cummeen Strand Code (IE_WE_470_0100) are of 'Moderate' status, the offshore coastal waters of Good status, and the Knappagh Stream is not monitored. The Ground Waterbody WFD Status 2013-2018 Code IE_WE_G_0044 overall status is 'Good'.

The site is located within water catchment areas Code:IE_WE_G_0044 Catchments:35 Sligo Bay & Drowse and 36 Erne. The WFD Risk is stated as "Review" and it is not a High Status objective.

2.3.3 Radon

This application site is a High Radon Area. More than twenty per cent of the homes in this 10km grid square are estimated to be above the reference Level.

2.3.4 Air Quality

Air Quality Index Regions indicate that Air Quality Index 3 Good.

2.3.5 Designated Sites – Special Area of Conservation

The Cummeen Strand/Drumcliff Bay (Sligo Bay) Special Area of Conservation, Site code 000627 is located c 216 m north of the site at the closest point.

The qualifying interests are

- Estuaries [1130]
- Mudflats and sandflats not covered by seawater at low tide [1140]
- Embryonic shifting dunes [2110]

- Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes) [2120]
- Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]
- *Juniperus communis* formations on heaths or calcareous grasslands [5130]
- Semi-natural dry grasslands and scrubland facies on calcareous substrates (*Festuco-Brometalia*) (* important orchid sites) [6210]
- Petrifying springs with tufa formation (*Cratoneurion*) [7220]
- *Vertigo angustior* (Narrow-mouthed Whorl Snail) [1014]
- *Petromyzon marinus* (Sea Lamprey) [1095]
- *Lampetra fluviatilis* (River Lamprey) [1099]
- *Phoca vitulina* (Harbour Seal) [1365]

The Lough Gill SAC is located c. 1.9 km east of the proposed development site.

2.3.6 Designated Sites – Special Protection Area

Cummeen Strand Special Protection Area (SAC) Site code 004035 is located c 209 m north of the site at the closest point.

Qualifying Interests

- Light-bellied Brent Goose (*Branta bernicla hrota*) [A046]
- Oystercatcher (*Haematopus ostralegus*) [A130]
- Redshank (*Tringa tetanus*) [A162]
- Wetland and Waterbirds [A999]

Other SPAs are outlined below. Full details are provided in the Natura Impact Statement (NM Ecology 2021) and winter bird survey report (MKO 2021) .

Drumcliff Bay SPA (004013) is c 3.8 km to the northwest of the proposed development site.

Ballysadare Bay SPA (004129) is c. 5.8 km southwest of the proposed development site.

Ballintemple and Ballygilgan SPA (004234) is c. 7 km northwest of the proposed development site.

Ardboline Island and Horse Island SPA (004135) is c. 12.9 km northwest of the proposed development site.

2.3.7 Archaeology and Heritage

The site is not located in a zone of notification. No sites or monuments are recorded on the site. 150 m north-west of the site, which is the subject of the road widening objective, is covered by SLO14-056 (Midden Site) in the Record of Monuments and Places. An Archaeological assessment followed by a geophysical survey and archaeological test trenching accompany the application. Test trenching did not encounter archaeological features, deposits or artefacts and on the basis of the results, it was concluded that the development will not impact on any below ground archaeological features or deposits. The site does not contain any structures on the site National Inventory of Architectural Heritage.

An architectural impact assessment accompanies the application documentation as a period house and outbuildings in very poor repair are located on the site.

2.3.8 Development Plan Specific Objectives

No specific objective applies to the application site. Other objectives on road works and traveller accommodation apply in the vicinity of the site.

2.3.9 Ecological Nature of the Site

An Ecological Impact Assessment (EclA) accompanies this application to An Bord Pleanála. The habitats on site were surveyed and classified as Improved agricultural grassland (WD1), Mixed broadleaved woodland (WD1), Hedgerow (WL1) and Scrub (WS1).

The site is characterised by a large two-storey nineteenth century house and surrounding by grassland. Around the boundaries, mature hedgerows and trees can be found. The trees have been assessed by the arboriculturist. Many were found to be of *'moderate to high value with many with many being of exceptional age and size, some are likely to have been planted as early as the mid-19th century at the time Rathellen House was constructed, others may even pre-date the house.'* The majority of the trees are sycamore and ash.

An invasive plant species survey was carried out. It identified two patches of Japanese knotweed.

The EclA was supported by bird surveys which did not identify protected bird species on the site. It found that herring gull lesser black-backed gull and mallard were observed foraging in grassland areas within or close to the site, making the site of negligible importance for them.

No terrestrial mammals were observed, nor characteristic field signs indicative of protected mammals.

A bat survey was undertaken. It identified a roost of a single whiskered bat in one of the outbuildings to the south-west of Rathellen House.

3 Proposed Development

Sligo County Council intends to apply for permission at this site c.2.46 ha at Rathellen House, Finisklin, Co. Sligo. The proposed development includes:

- The demolition of derelict outbuildings (c.269.26 sqm).
- The construction of 63 residential units to include:
 - 39 No. houses all 2-storey high (15. No. 1-bed, 20 no. 2-bed, 3. No. 4-bed and 1 no. 5-bed); and
 - 18 no. duplex apartments (8 no. 1-bed and 10 no. 2-bed) up to three-storey high.
 - The restoration of Rathellen House and associated outbuildings to accommodate 6 residential units (1 no. 1-bed, 3 no. 2-bed; 2 no. 3-bed).
- A new access to the site is proposed via Sea Road.
- A segregated cycle path is proposed to link from Finisklin Road to Sea Road.
- The proposed development also includes the realignment of Sea Road to the west of the site to include new bus stops and pedestrian crossings;
- The proposal includes on-street car parking (100 spaces), public and private open space, boundary treatments, public lighting, site drainage works, internal road networks and footpath, an ESB switchrooms/kiosks, landscaping, play area and all ancillary site services and development works above and below ground.

A Natura Impact Statement will accompany the application.

The existing foul sewer pipe will be upgraded from a 150 mm to a 225 mm diameter pipe and will outfall to the existing foul water network on the Finisklin Road to the south of the development. Surface water runoff from roofs and paved surfaces will be discharged to an underground infiltration tank in the north of the site, with smaller soakaways to the rear of dwellings. Rainwater on green areas will percolate to ground.

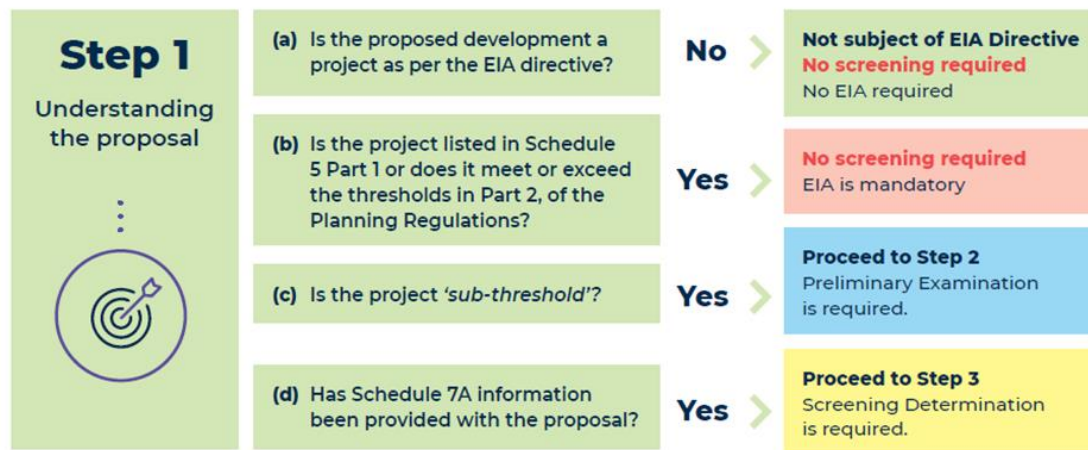
In relation to surface water and attenuation, as the existing site is largely soft landscaping, SuDS proposals will be provided to mimic the existing runoff from the site. All SuDS measures will be provided in accordance with the Greater Dublin Strategic Drainage Study Regional Drainage Policy Volume 2 – New Development (GSDSDS-RDP Volume 2).

4 Preliminary Examination in Context of the Proposed Development

4.1 Guidance on Environmental Impact Assessment Screening

The Office of the Planning Regulator has issued guidance in the form of the Environmental Impact Assessment Screening- Practice Note, May 2021 which aids Planning Authorities as the Competent Authority (CA) in this area.

Figure 3: Extract from Guidance Note



This report has had regard to the OPR guidance and methodology.

The proposed application is a project for the purpose of Environmental Impact Assessment (EIA) under Stage1 stage (a) of the OPR guidance.

4.2 Sub-threshold Development

A list of the types or classes of development that require EIA or screening for EIA is provided in Part 1 and Part 2 of Schedule 5 of the Planning and Development Regulations 2001, (Regulations) as amended. 'Sub-threshold development' comprises development of a type that is included in Part 2 of Schedule 5, but which does not equal or exceed a quantity, area or other limit (the threshold).

The specific nature of the proposed development is not stated in Part 1 of Schedule 5 of the Regulations. In Part 2 of schedule 5, the following is the relevant to assessment of sub threshold development.

10. Infrastructure projects

*(b) (i) Construction of more than **500 dwelling units**.*

(ii) Construction of a car-park providing more than 400 spaces, other than a car-park provided as part of, and incidental to the primary purpose of, a development.

(iii) Construction of a shopping centre with a gross floor space exceeding 10,000 square metres.

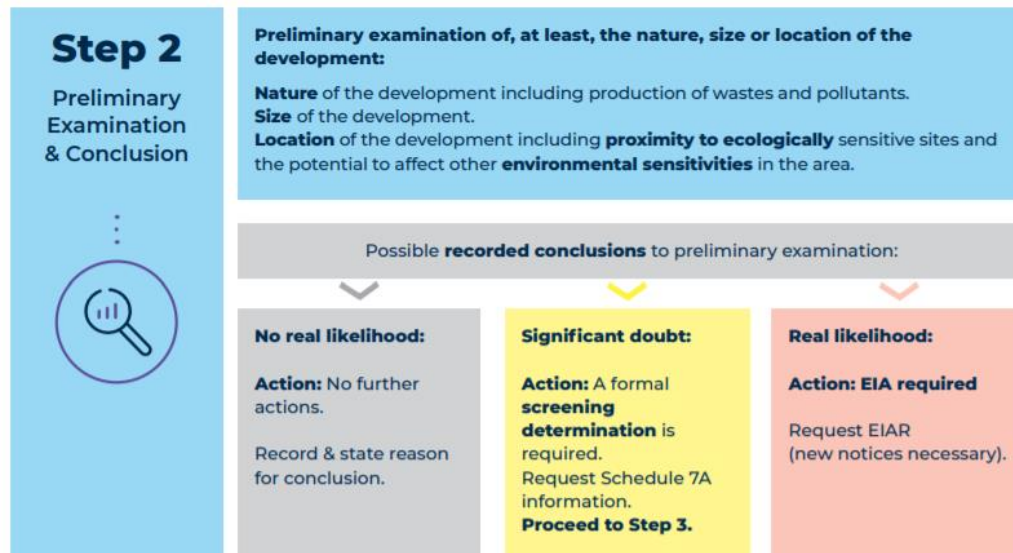
*(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and **20 hectares elsewhere**.*

("business district" means a district within a city or town in which the predominant land use is retail or commercial use.)

relation to proposed development none of the thresholds above are exceeded, but those highlighted in bold indicate the thresholds of relevance to the subject proposal.

Accordingly, the project is sub threshold development with reference to the above thresholds and under Step 1(b) of the OPR guidance, a preliminary examination is required under Step 2.

Figure 4: Extract from Guidance Note



4.3 Preliminary Examination considerations

Preliminary examinations must consider at least the following:

- The nature of the development including the production of wastes and pollutants;
- The size of the development; or
- The location of the development including the potential to impact on certain ecologically sensitive sites and the potential to affect other environmentally sensitive sites in the area.

This overlaps with submitted Appropriate Assessment (AA) and consideration to hydrological and other connections to European sites.

The OPR guidance states a number of questions to assist the preliminary examination.

4.4 Nature of the development:

4.4.1 *Is the nature of the proposed development exceptional in the context of the existing environment?*

The nature of the development is not exceptional in any way in the existing environment of residential use on zoned land. The proposed development is adjacent to other residential areas to its west, and employment uses generally located to its south and east.

4.4.2 Will the development result in the production of any significant waste, or result in significant emissions or pollutants?

The nature of the proposed use is residential, including the adaption of Rathellen House and outbuildings. The proposed residential development by its nature is designed not to cause any significant emissions or pollutants during construction or when operational.

4.5 Size of the Development

4.5.1 Is the size of the proposed development exceptional in the context of the existing environment?

The size of the development is not exceptional in the context of the existing environment. The existing environment is that of agricultural lands and residential lands with employment uses in the vicinity. The site is on serviced zoned lands. While the proposed development will transform the existing grassland into a built environment, this has been planned in the County Development and the Sligo Town and Environs Development Plan in the applicable zoning.

4.5.2 Are there cumulative considerations having regard to other existing and/or permitted projects?

P.A.Reg. Ref: 04977 - Planning permission was granted on the 11th November 2004 for the construction of a 2.1m high stone and render wall to a maximum of 2.4m high by 113m long and associated site works at Rathellan House. These works were within the curtilage of a protected structure as set out on the Sligo & Environs Development Plan 2004-2010 at that time. The building is not longer a protected structure.

The following is relevant planning history on neighbouring lands.

P.A Reg. Ref: 06347 - Planning permission was granted in October 2006 for development on the western side of First Sea Road for the demolition of existing house & outbuildings on site and the construction of 14 no. dwellings, 1 no. blocks apartment and 1 no. duplex in 4 no. blocks consisting of 1. One no.2 storey block consisting of 3 no. 2 bed terraced houses. (Block A) 2. One no. 3 storey block consisting of 2 no. 4 bed terraced houses, 1 no. 2 bed apartment and 1 no. 3 bed duplex. (Block B) 3. One no. 3 storey block consisting of 4 no. 4 bed terraced houses. (Block C) 4. one no. block consisting of 4 no. 3 storey 4 bed terraced houses and 1 no. attached 2 storey 3 bed house. (Block D) 5. New access road, connection to existing services and all associated site development works. This permission has been implemented.

P.A Reg. Ref: 05389 – Planning permission was granted in 2005 for alterations to the boundary wall of Seamount House on the western side of Finisklin Road.

EPA Ref: H0006-01 – A certificate of authorisation was issued by the EPA in 2018 in relation to the closed landfill on the northern side of Finisklin Road between the subject site and the Natura 2000 sites. It was accompanied by a Natura Impact Statement.

P.A Reg. Ref: 2182 – Permission granted in 2021 for a single-storey building extension and the alteration of waste facilities at a manufacturing facility to the east of the site.

P.A Reg. Ref: 18100 -Permission granted in 2018 for a minor expansion of works at a pharmaceutical facility c. 10 m south-west of the site

P.A Reg. Ref: 18458- Permission granted in 2019 for a cold-storage facility and reconfiguration of parking facilities c. 600 m south-east of the site

P.A Reg. Ref: 1577 -Permission granted in 2015 for the continuation of work and retention of buildings at a scrap metal yard c. 400m north-east of the site

P.A Reg. Ref: 17243 – Permission granted in 2017 for an expansion of operations at a hazardous waste treatment facility located c. 750 m east of the site.

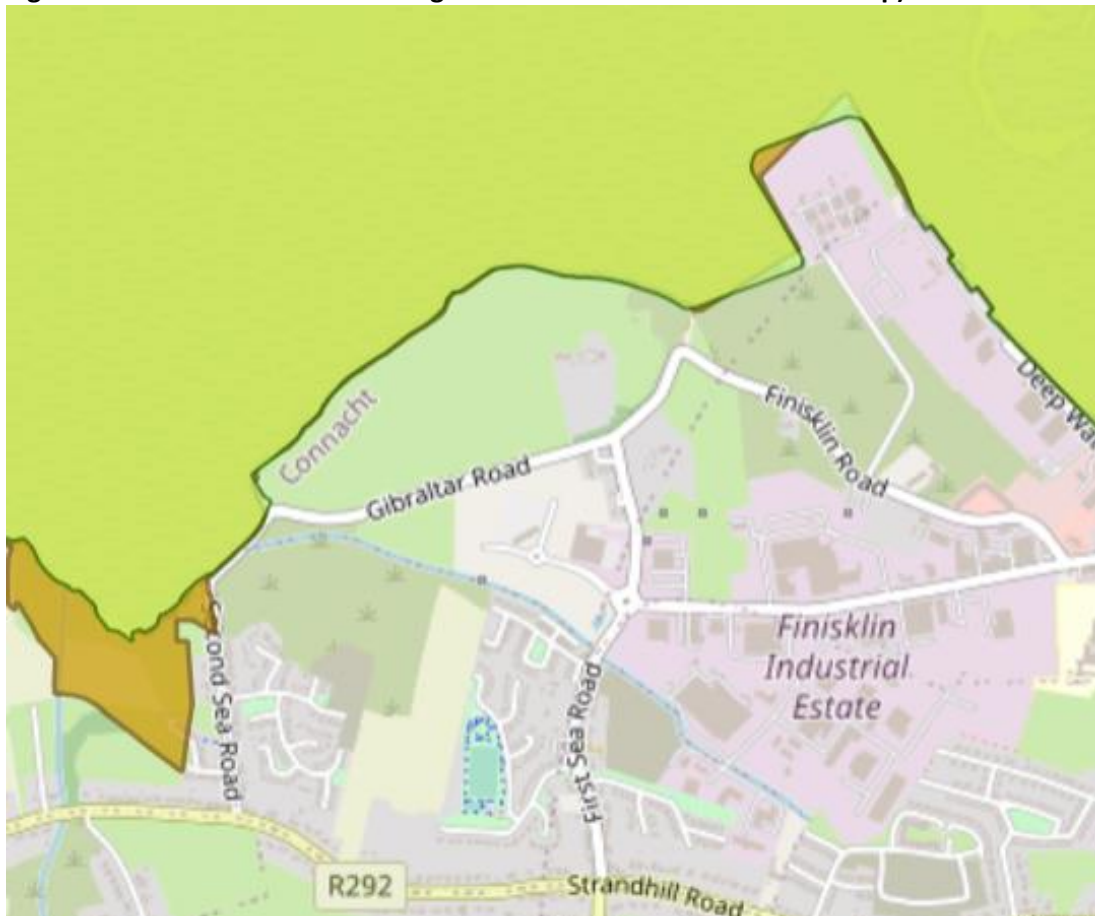
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4.6 Location:

4.6.1 *Is the proposed development located on, in, adjoining or does it have the potential to impact on an ecologically sensitive site or location?*

Designated Natura 2000 sites are detailed in the Figure below.

Figure 5: Natura 2000 Sites SPA in green and SAC in brown -Note overlap)



Source: EPA Mapping

In summary, potential pathways via surface water and groundwater are identified between the site and the Cummeen Strand / Drumcliff Bay SAC and the Cummeen Strand SPA. The AA screening assessment concludes that a Natura Impact Statement (NIS) is required. Sligo County Council as the Competent Authority have determined that an NIS is required. The NIS states the following:

“No rivers or streams directly link the Site with the SAC / SPA, but it is noted in the Hydrological Assessment Report for the site (RPS Group 2021) that “excess runoff [from the site] drains northward and eventually discharges into Sligo Estuary as overland flow”. There may also be surface water pathways to coastal waters via the drainage ditch in the north of the Site, or via other drains along adjoining roads. Considering that the bedrock is a locally-important aquifer and that the underlying soils are relatively free-draining, it is also possible that there could be a groundwater pathway to coastal waters. Air is not considered a feasible pathway, because windborne dust is unlikely to reach the coast in detectable concentrations.”

The Lough Gill SAC is located c. 1.9 km east of the Site, and pathways via groundwater, land or air can be ruled out due to the distances involved.

The Drumcliff Bay SPA is located c. 3.8 km north and pathways via groundwater, land and air can be ruled out due to the distances involved.

The Ballysadare Bay SPA is located c. 6 km south-west and due to the the distances involved, pathways via groundwater, land and air can be ruled out.

4.6.2 *Does the proposed development have the potential to affect other significant environmental sensitivities in the area?*

The detailed sensitivities of the site are outlined in section 2.2 above. While the site is not in a SAC or SPA, it is very close with potential pathways during construction phase.

No archaeological monuments are located on the site. An archaeological report accompanies the Part 10 application. The archaeological assessment, which included a geophysical survey and test trenching, considers that the proposed development will not impact on any below ground archaeological features or deposits and that no further archaeological work is recommended.

An EclA has been carried out. It considers pollution prevention measures proposed to minimise or avoid any negative impacts on water quality in the Garvogue Estuary / Cummeen Strand Bay. It also considers the protection of birds and small mammals during site clearance works and the management of Japanese knotweed.

The development has been designed to retain a significant number of trees.

Bat roosts were identified in the Rathellen House. A bat derogation licence was issued by the National Parks and Wildlife Service in relation to two roosts, including a whiskered bat and a myotis mystacinus. It authorises the demolition of the structure subject to conditions.

The proposed development is considered to be development located on, in, or adjoining an ecologically sensitive site or location and does have the potential to impact on an ecologically sensitive site or location.

4.7 Preliminary Examination Conclusion


Following preliminary examination, the competent authority is recommended to conclude that there are doubts regarding the likelihood of significant effects on the environment arising from the proposed development and to proceed to stage 3 a screening determination.

5 Screening Determination

Where the requirement to carry out EIA is not excluded at preliminary examination stage, the planning authority or An Bord Pleanála must carry out a screening determination.

The screening determination carried out on the basis of the Schedule 7A. In making its screening determination, the competent authority must have regard to:

- Schedule 7 criteria,
- Schedule 7A information,
- Any further relevant information on the characteristics of the development and its likely significant effects on the environment submitted by the applicant,
- Any mitigation measures proposed by the applicant,
- The available results, where relevant, of preliminary verifications or assessments carried out under other relevant EU environmental legislation, including information submitted by the applicant on how the results of such assessments have been taken into account (see Box 3), and
- The likely significant effects on certain sensitive ecological sites

<p>Step 3</p> <p>Formal Screening Determination</p> 	<p>Screening Exercise: Is the proposal likely to have significant effects on the environment?</p> <p>In making the determination, the planning authority must have regard to Schedule 7 criteria, Schedule 7A information, results of other relevant EU assessments, the location of sensitive ecological sites, or heritage or conservation designations. Mitigation measures may be considered.</p> <p>Screening Determination: Recorded outcomes to screening determination must state main reasons and considerations, with reference to the relevant criteria listed in Schedule 7 of the Regulations and mitigation if relevant.</p>
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The OPR's Practice Note on EIA Screening considers what are **likely significant effects**. Refer to Box 1 below.

Box 1: Likely Significant Effects

1. Are the effects identified likely to occur?

This refers to the effects that are expected to occur, those that can be reasonably foreseen as normal consequences of project construction and operation, including where relevant associated demolition, remediation and/or restoration.

2. Are the effects, which are likely to occur, significant?

EPA draft guidelines define a 'significant effect' as an effect, which, by its character, magnitude, duration or intensity alters a sensitive aspect of the environment. The same draft guidelines provide useful definitions in relation to quality of effects, significance of effects, context of effects, probability of effects and duration and frequency of effects.

3. Will identified likely significant effects impact the environment?

Likely significant effects should cover the direct and indirect, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the project.

The factors of the environment to be described and assessed are:

- **population and human health;**
- **biodiversity, with particular attention to protected species and habitats;**
- **land, soil, water, air and climate;**
- **material assets, cultural heritage and the landscape; and**
- **the interaction between the factors.**

5.1 Schedule 7 Criteria

5.1.1 Characteristics of Proposed Development

OPR guidance -If relevant, briefly describe the characteristics of the development (i.e. the nature and extent):

The characteristics of proposed development, in particular—

(a) the size and design of the whole of the proposed development,

The proposed development comprises the construction of 63 residential units on a grassland site of c.2.46 ha. Of the 63 units, six will be within the existing fabric of Rathellen House and outbuildings. The proposed development also includes road works.

(b) cumulation with other existing development and/or development the subject of a consent for proposed development for the purposes of section 172(1A)(b) of the Act and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment,

Section 4.5.2 of this report identifies relevant applications for the assessment of cumulative effects. Together, the application site and the other permitted developments are not likely to give rise to significant effects.

It is proposed to demolish 269.26 sqm of derelict outbuildings associated with Rathellen House. An asbestos survey was undertaken of Rathellen House and associated outbuildings with a view to identify Asbestos Containing Materials (ACM). One sample contained ACM.

The proposed development is for residential development on lands zoned for residential use. The site itself consists of the lands of Rathellen House, a structure of high architectural merit.

The layout was arranged to retain a maximum of existing mature trees and hedgerows of moderate to high quality which will support the retention of ecological corridors.

As part the design process, Irish Water was consulted with a pre-connection enquiry submitted. The nature of the proposed development will generate a demand for water, but this is for residential use and is not considered significant.

There is no flooding associated directly with the application site itself. However, review of the OPW flood map shows a flood prone area to the northwest of the site. This area and the road adjacent were flooded in November 2009 following prolonged rainfall.

No fluvial flooding was identified on the site on review of the Western CFRAM study as seen on the figure below.

Modelled Water Level (m OD)

Node Point	10% AEP	1% AEP	0.1% AEP
35KNAP00115A	5.33	5.43	5.5
35KNAP00104	4.55	4.67	4.57
35KNAP00303	4.15	4.4	4.75
35KNAP00304A	4.15	4.38	4.75
35KNAP00302	3.85	3.95	4.07

Modelled Flow (m³/s)

Node Point	10% AEP	1% AEP	0.1% AEP
35KNAP00104	0.28	0.39	0.62

Legend:

- 10% AEP Fluvial Extent (Dark Blue)
- 1% AEP Fluvial Extent (Medium Blue)
- 0.1% AEP Fluvial Extent (Light Blue)
- AFA Boundary (Red Dashed Line)
- Model Nodes (Yellow Circle)
- Modelled River Centreline (Orange Line)

IMPORTANT USER NOTE:
THE FLOWS PRESENTED IN THIS MAP ARE RELEVANT TO THE LOCATION SHOWN ONLY. THEY SHOULD NOT BE USED WITHOUT FIRST REFERRING TO THE HYDRAULIC MODELLING REPORT TO UNDERSTAND THE CONTEXT OF THE HYDROLOGY AT THE SITE.

THE VIEWER OF THIS MAP SHOULD REFER TO THE DISCLAIMER, GUIDANCE NOTES AND CONDITIONS OF USE THAT ACCOMPANY THIS MAP.

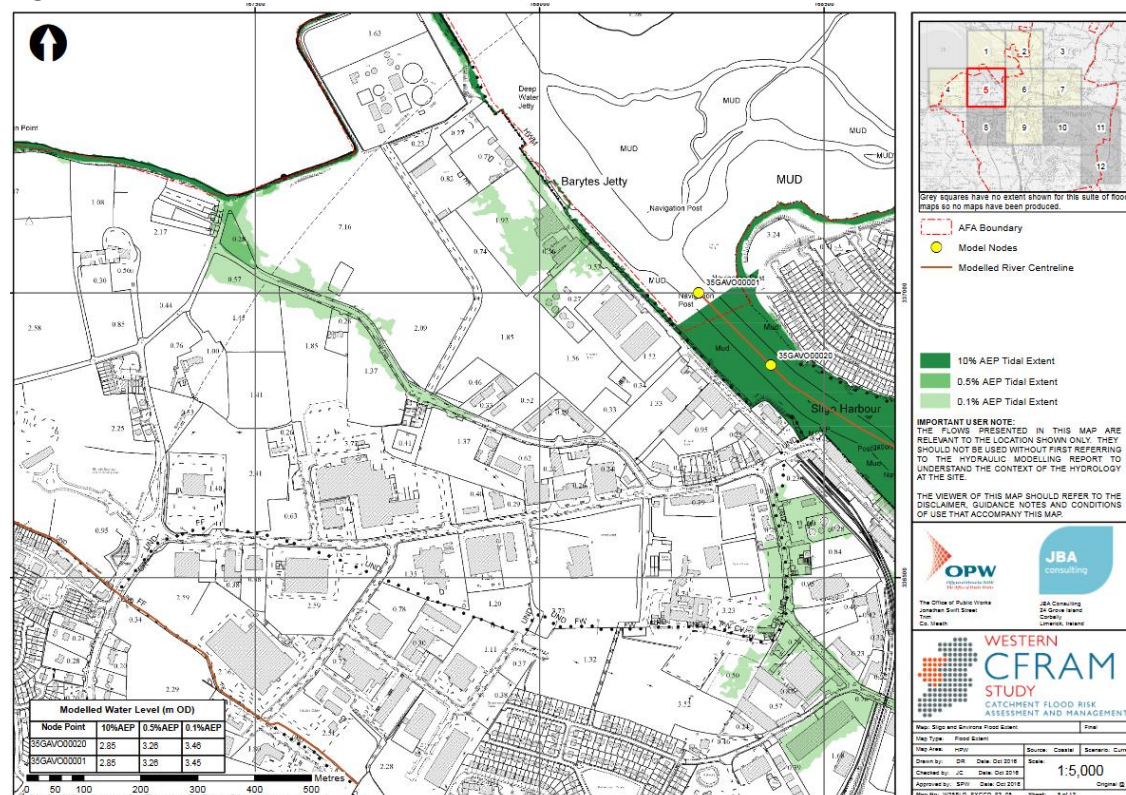
Logos: OPWm, JBA consulting, Western CFRAM STUDY

Metadata:
 Map: Stage and Division Flood Scenario
 Map Type: Flood Scenario
 Map Area: 100%
 Scale: 1:5,000
 Created by: JBA
 Checked by: JBA
 Approved by: JBA
 Date: Oct 2018
 Date: Oct 2018
 Date: Oct 2018

Source: Western CFRAM, OPW

The Western CFRAM also shows predicted coastal flooding as seen in the figure below. RPS was commissioned as part of this application to prepare a Hydrological Assessment Report which concludes that based on the CFRAM modelling there may be very minimal flooding for the present-day scenario. The proposed development would be located in Flood Z C which qualifies as a low-risk area with less than 0.1% chance of flooding from rivers, estuaries and the sea and which is therefore suitable for residential development.

Figure 7: Coastal Flood Extent



Source: Western CFRAM, OPW

(e) the production of waste,

It is not considered that the construction of 63 units to include the refurbishment of Rathellen House would give rise to types and quantum of waste that are exceptional.

At construction stage, it is also not expected that substantial quantum of waste would be generated owing to the small scale of the demolition works to be undertaken.

At operational stage, the residential development is of modest site and would not generate excessive quantum of waste beyond the usual amounts expected for domestic waste. Each unit is provided with segregated waste storage units.

The site is approximately 2.46 ha and has a total impermeable area of around 0.532ha which is to be drained to the new proposed surface water systems. Storm flows will be attenuated and will infiltrate to ground.

The proposed foul water drainage will be connected to the existing sewer on Sea Road. The pipe will be upgraded from a 150mm diameter pipe to a 225mm diameter pipe.

(f) pollution and nuisances,

It is not considered that the construction of 63 units would give rise to pollution and nuisances. Noise, vibration, lighting and dust arising from construction activities and construction traffic have the potential for pollution or nuisance. Any risk of surface water pollution can be avoided by adherence to best practice construction and environmental management during the construction phase which will ensure that the development would not result in pollution of groundwater or surface water. Dust nuisance during construction can be controlled by a dust minimisation plan. No operational impacts in this regard are anticipated.

The proposed development is primarily for residential development. Accordingly, there are no significant expected residues or emissions. Aspects of energy efficiency are incorporated into the modern energy efficient design of the buildings.

An asbestos survey was undertaken of Rathellen House and outbuildings with a view to identify potential ACMs. None were identified in the outbuildings either those proposed for retention or for demolition. One suspect ACM was found in the kitchen at the west of Rathellen House. One sample contained ACM.

An outline construction management plan was prepared as part of this application. It includes typical measures to minimise the potential for noise and vibration and the management of dust.

Significant negative effects on the environment are not likely to arise due to pollution or nuisance.

(g) the risk of major accidents, and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge, and

Standard construction practices will be employed throughout the construction phase. The subject lands are not proximate to any Seveso site. As discussed in point (d) above the risk of flooding is very minimal, the site being classified as a flood zone C.

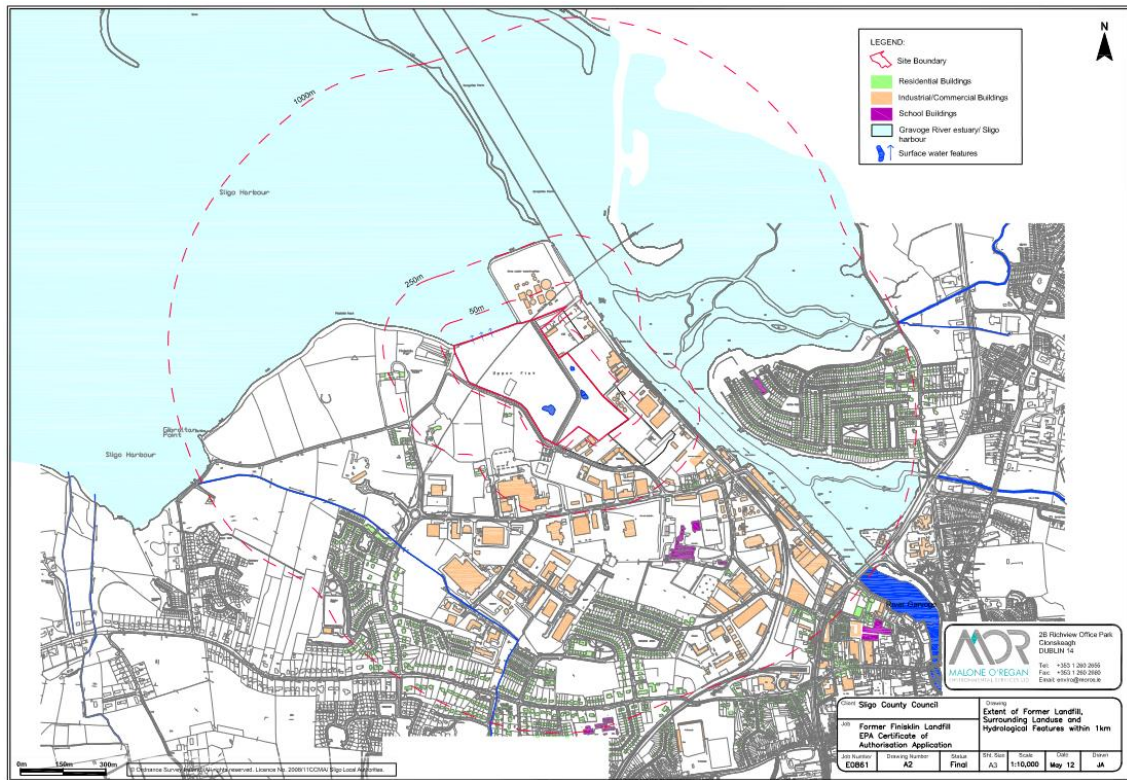
There is no significant risk of accidents or disasters.

(h) the risks to human health (for example, due to water contamination or air pollution).

The nature of the proposed development and the engineering provisions will not lead to the likelihood of any risk to human health. Any risk arising from construction will be localised and temporary in nature. The proposed development is of standard construction method and of appropriate scale and does not require the use of particular substances or use of technologies which of themselves are likely to give rise to significant environmental effects. The site is not at risk of flooding. Foul water will discharge to the public sewer. Surface water will discharge to the public sewer following attenuation. The application site is located just under 200m south west of a historic landfill which showed in figure 6 below. The former landfill was granted a certificate of authorisation (H0006-01) from the EPA in 2018. In granting the licence, the EPA set out conditions to ensure the appropriate protection of human health.

There is no risk to human health within the meaning of the Directive.

Figure 8: Location of Former Landfill



Source: MOR for SCC, EPA Licence H0006-01

5.1.2 Location of the Proposed Development

The environmental sensitivity of geographical areas likely to be affected by the proposed development, with particular regard to—

(a) the existing and approved land use,

The site is zoned for residential development R2 – low to moderate density in the Sligo County Development Plan 2017-2023. To the west of the site is a small residential estate. To the north east, lands are also zoned R2. To its south and east, land are zoned business, industry and technology park (BITP). The proposed development is aligned with the land use zoning of the site.

(b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground,

The main habitats within the site are improved agricultural grassland, broadleaved woodland, hedgerow and scrub. Part of the lands is occupied by Rathellen House and outbuildings. The subsoil is characterised as metamorphic till. To the south of the small field to the south of the development site is An Post sorting office and to the south east is located the large IDA industrial estate. There is a drainage ditch on the northern boundary, which drains north-east towards the coast, but is not connected to any watercourses. The closest watercourse is the Knappagh Stream, which is located approx. 250 m south-west of the proposed development. It flows north-west and meets the coast approx. 750 m downstream.

An invasive plant species survey was carried out. It identified two patches of Japanese knotweed.

The EclA was supported by bird surveys which did not identify protected bird species on the site. It found that herring gull lesser black-backed gull and mallard were observed foraging in grassland areas within or close to the site, making the site of negligible importance for them.

No terrestrial mammals were observed, nor characteristic field signs indicative of protected mammals.

A bat survey was undertaken. It identified a roost of a single whiskered bat in one of the outbuildings to the south-west of Rathellen House.

The application is accompanied by a number of documents setting out how the proposed development will be carried out with a view to minimise or avoid environmental impacts. Refer to 5.3 and 5.4 of this report.

These have informed the design and associated mitigation measures. The proposed development will not impact on the relative abundance, availability, quality and regenerative capacity of natural resources.

(c) the absorption capacity of the natural environment, paying particular attention to the following areas:

(i) wetlands, riparian areas, river mouths;

The nearest coastal wetland is the Cummeen Strand SPA (Code 4035) which is located c.100 north of the site. Another coastal wetland is located at Drumcliff Bay SPA (Code 4013), 3.8 km north of the site. Cummeen Strand's special conservation interests pertain species; as do those of the Drumcliff Bay SPA.

The application is accompanied by the Natura Impact Statement. It concludes:

'The proposed mitigation measures have been selected to prevent pollutants reaching the Garvogue Estuary / Cummeen Strand Bay in sufficient quantities to cause significant impacts on habitats or species in the Cummeen Strand / Drumcliff Bay SAC and the Cummeen Strand SPA. The site foreman will be responsible and liable for the implementation and monitoring of the proposed mitigation measures.

These measures will substantially reduce the likelihood and magnitude of pollution events to negligible levels, thus preventing a significant negative impact upon the conservation status of the qualifying interests (aquatic fauna and habitats) of the Cummeen Strand / Drumcliff Bay SAC and the Cummeen Strand SPA, or any other Natura 2000 sites. As a result, we conclude that the proposed development will not cause any significant negative impacts upon the integrity of any Natura 2000 sites.'

The proposed development will not impact on wetlands, riparian areas or river mouths.

(ii) coastal zones and the marine environment;

The site is located c.243m away from the Atlantic coast. There is a drainage ditch on the northern boundary of the Site, which drains north-east towards the coast, and is culverted under Far Finisklin Road. Under the Water Framework Directive status assessments 2013 – 2018, the transitional waters of the Garvogue Estuary / Cummeen Strand are of Moderate status, the offshore coastal waters of Good status.

The application is accompanied by a natura impact statement which considers the mitigation measures to be implemented as part of the construction and operational phases of the development. The proposed development is not likely to give rise to significant effects on coastal zones and the marine environment.

(iii) mountain and forest areas;

The nearest mountain area is Knocknarea Mountain, which is located c. 5 west of the site. The nearest forest areas are located c. 4.1 km west of the site at Coilte Rathcarrick and c.3.3 km east at Hazelwood Demesne. It is not likely the development would give rise to significant effects on mountains and forest areas.

(iv) nature reserves and parks;

The nearest nature reserve is Ballygilgan (c.6.8km north). The nearest park is at Hazelwood Demesne. It is not likely the development would give rise to significant effects on nature reserves and parks.

(v) areas classified or protected under legislation, including Natura 2000 areas designated pursuant to the Habitats Directive and the Birds Directive and;

The following Natura 2000 sites have been identified:

Table 1: Natura 2000 sites within 5 km of the proposed development site

Site Name	Distance	Reasons for designation
Cummeen Strand / Drumcliff Bay SAC, pNHA (site code 627)	0.1 km north	Annex I Habitats: estuaries; mudflats and sandflats; embryonic shifting dunes; shifting dunes with <i>Ammophila arenaria</i> ; fixed coastal dunes with herbaceous vegetation; <i>Juniperus communis</i> formations on heaths or calcareous grasslands; petrifying springs with tufa formation (Cratoneurion) Annex II Species: narrow-mouthed whorl snail, sea lamprey; river lamprey; common seal
Cummeen Strand SPA (4035)	0.1 km north	Habitats: coastal wetlands Special conservation interests: wintering populations of light-bellied brent goose, oystercatcher and redshank
Lough Gill SAC, pNHA (1976)	1.9 km east	Annex I Habitats: natural eutrophic lakes; old sessile oak woods; alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> Annex II Species: white-clawed crayfish, sea lamprey, brook lamprey, river lamprey, Atlantic salmon, otter
Drumcliff Bay SPA (4013)	3.8 km north	Habitats: coastal wetlands Special conservation interests: wintering populations of sanderling and bar-tailed godwit
Knocknarea Mountain and Glen pNHA (1670)	4.6 km south-west	Limestone cliffs, grassland and semi-natural woodland, supporting a range of rare plant species

Source: NME EclA

The proposed development was the subject of an appropriate assessment stage 1 screening, which concluded:

‘Having considered the particulars of the proposed development, we conclude that this application meets the third conclusion, because significant effects on the Cummeen Strand / Drumcliff Bay SAC and the Cummeen Strand SPA cannot be ruled out. However, it is noted that the potential surface water and groundwater pathways are quite tenuous, and they are being considered only under the precautionary principle.’

On foot of this conclusion, a natura impact statement was prepared. It concludes that the mitigation measures proposed as part of the development *‘will substantially reduce the likelihood and magnitude of pollution events to negligible levels, thus preventing a significant negative impact upon the conservation status of the qualifying interests (aquatic fauna and habitats) of the Cummeen Strand / Drumcliff Bay SAC and the Cummeen Strand SPA, or any other Natura 2000 sites. As a result, we conclude that the proposed development will not cause any significant negative impacts upon the integrity of any Natura 2000 sites.’*

(vi) areas in which there has already been a failure to meet the environmental quality standards laid down in legislation of the European Union and relevant to the project, or in which it is considered that there is such a failure;

The main surface water feature of the surrounding area is the transitional waters of the Garvogue Estuary / Cummeen Strand Bay, which are located approx. 200 m north of the Site at the closest point.

Under the Water Framework Directive status assessments 2013 – 2018, the transitional waters of the Garvogue Estuary / Cummeen Strand are of Moderate status, the offshore coastal waters of Good status, and the Knappagh Stream is not monitored.

The EclA considers potential changes in water quality as follows:

- During the construction phase: the potential to generate pollutant, including concrete and cement, suspended silt or other sediments and hydrocarbons.
- During the operational phase: arising from foul water discharge and surface water runoff.

The EclA notes that the construction phase potential to impact on water quality is considered under greater details in the Natura Impact Statement (NIS). It is satisfied that the operational phase would not generate changes in water quality.

As noted in previous sections, the NIS concludes that the construction of the proposed development, subject to a number of pollution prevention mitigation measures, would allow to avoid or minimise any negative impacts on water quality. An outline construction management plan accompanies this application.

(vii) densely populated areas;

The development is located within an existing suburban residential area. There are houses in the vicinity but no other sensitive land uses.

(viii) landscapes and sites of historical, cultural or archaeological significance.

A Zone of Archaeological Potential is located to the north of the application. Consequently, an archaeological impact assessment, accompanied by a geophysical survey and trench testing, was undertaken. The Archaeologist concluded that the proposed development would not impact on archaeological remains.

The proposed development includes the proposed refurbishment of Rathellen House. An Architectural Heritage Impact Assessment accompanies this application. It considers that although Rathellen House is not on the National Inventory of Architectural Heritage (NIAH), it is of significance as a surviving early-nineteenth century dower house. Using the assessment criteria and categories of special interests set out in the Architectural Heritage Protection Guidelines for Planning Authority (2011), it would qualify as being of architectural, artistic and historical interest. Using the NIAH criteria, the house would be a building of Regional Significance.

The house has been unoccupied for many years and has experienced significant deterioration due to water ingress. The condition of the outbuildings is similar to that of the house.

The proposed development includes the demolition of 269 sqm of outbuildings. It also includes the refurbishment of some outbuildings into two residential units. The House itself will accommodate four units.

The loss of 269 sqm of outbuildings is considered to be a permanent and negative effect. This effect is not deemed to be *significant* with reference to EPA Draft Guidelines, as it not of such a magnitude to alter the character of the retained structure, which is the principal focus for conservation. It should be viewed in the context of the overall positive effects brought by the development, which involves the preservation of the main house and the provision of residential accommodation.

The design of the development was overseen by a conservation architect. In summary, his recommendations were included as follows:

- The removal of derelict outbuilding and part of the stone walls to the west and south of the house allowed for the provision of sufficient space for the new housing development without encroaching on the sensitive landscape to the north of the house.
- The retention, conservation and refurbishment of the linear farm range to the immediate west of the house ensure that a representative example of the nineteenth century outbuildings survives.
- The stone rubble boundary wall is repaired and retained. This is an important feature on Finisklin road and makes a significant contribution to the setting of the house.
- Importantly, the retention, refurbishment and reuse of Rathellen House ensures the survival of the building.
- A number of modest contemporary interventions are proposed to the linear farm range. These have been designed to avoid overpowering the composition of the farm range.
- Traditional lime-based materials will be used for the refurbishment of the nineteenth century structures will ensure the vapour permeability of the traditional masonry construction will be maintained.
- Mature ornamental trees immediately adjacent to the house are retained.
- The new vehicular entrance via Sea Road will avoid visual impact on the landscaped grounds.

The conservation architect concludes that *‘the retention, adaptation and re-use of Rathellen House, together with one of more of its larger outbuildings, has potential to enhance the quality and character of the proposed new housing development. Particular care has been taken with the landscaping design of any the proposed development within the grounds of Rathellen House to include adequate space for the appropriate presentation of the house and its retained linear farm range’.*

5.1.3 Types and Characteristics of Potential Impacts

The likely significant effects on the environment of proposed development in relation to criteria set out under paragraphs 1 and 2, with regard to the impact of the project on the factors specified in paragraph (b)(i)(I) to (V) of the definition of ‘environmental impact assessment report’ in section 171A of the Act, taking into account—

- (a) the magnitude and spatial extent of the impact (for example, geographical area and size of the population likely to be affected),
- (b) the nature of the impact,
- (c) the transboundary nature of the impact,
- (d) the intensity and complexity of the impact,
- (e) the probability of the impact,
- (f) the expected onset, duration, frequency and reversibility of the impact,
- (g) the cumulation of the impact with the impact of other existing and/or development the subject of a consent for proposed development for the purposes of section 172(1A)(b) of the Act and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment,
- (h) the possibility of effectively reducing the impact.

I. Population and Human Health

Construction activities may require the use of potentially harmful materials, such as fuels and other such substances and give rise to waste for disposal. Such use will be typical of construction sites. Noise and dust emissions during construction are likely. Such construction impacts would be local and temporary in nature and last for the construction period. Operational waste will need to be managed. Other significant operational impacts are not anticipated. No likely significant effects are expected.

A detailed construction management plan will be prepared by the contractor in advance of construction. Waste collection will be operated as per the standard practices in County Sligo.

II. Biodiversity, with particular attention to species and habitats protected under the Habitats Directive and the Birds Directive

As the site is located near the Cummeen Strand SPA, the Drumcliff Bay SPA and Ballysadare SPA, which support a range of overwintering bird species. The Natura Impact Statement reviews the suitability of habitats for these birds. It concludes that based on the aforementioned survey findings, the application site is *‘of no importance for the qualifying interests of the Cummeen Strand SPA, the Drumcliff Bay SPA or any other SPA.’*

Sligo County Council carried out a screening for appropriate assessment. It concludes that there was no risk of significant impacts on Natura 2000 sites. Nonetheless, taken in combination with

development outlined in section 4.5.2 of this report, it was considered that while there no risk of significant impact on a Natura site individually, they could lead to in-combination effects, particularly as some chemicals used as part of construction may be harmful to fish and other aquatic or marine species.

On foot of this, a series on mitigation measures were specifically identified to avoid negative significant effects. These include pollution prevention measures associated with the construction phase, particularly regarding:

- concrete and cement;
- suspended sediments;
- hydrocarbons and chemicals

The NIS is satisfied that *'These measures will substantially reduce the likelihood and magnitude of pollution events to negligible levels, thus preventing a significant negative impact upon the conservation status of the qualifying interests (aquatic fauna and habitats) of the Cummeen Strand / Drumcliff Bay SAC and the Cummeen Strand SPA, or any other Natura 2000 sites. As a result, we conclude that the proposed development will not cause any significant negative impacts upon the integrity of any Natura 2000 sites.'*

III. Land, soil, water, air and climate

There are potential spills to surface water and ground water during the construction phase. These impacts will temporary and reversible. An outline construction management accompanies this application setting out how risks of pollution to land, soil, water, air and climate will be minimise.

The operational phase is not expected to give rise to likely significant effect on land, soil, water, air and climate.

IV. Material assets, cultural heritage and the landscape

The Traffic and Transport Impact Assessment indicates that there would be no adverse impacts upon the surrounding road network.

The Drainage and Watermain Design Report indicates that the public sewerage system has capacity to cater for the development and there is adequate potable water supply.

A geophysical survey was undertaken, followed by test trenching. It concluded that the test trenching this not encountered archaeological features, deposit or artefacts.

The existing Rathellen House is of regional significance and will be retained.

There are no significant landscapes, or protected views or vistas which would be adversely affected by the development.

V. Interaction of Effects

There is potential for interaction of effects during the construction phase in relation to soil, water, biodiversity and human health. The negative impacts arise from potential risk of pollution, dust and noise. However, mitigation measures will ensure that there are no significant effects on the environment.

VI. Cumulative effects

The NIS was prepared with a view to consider mitigation measures put in place to avoid the likelihood of the in-combination effects arising from the construction of permitted developments in the vicinity of the site. These are identified in the outline construction management plan and in the NIS. On foot of this, it is not expected that significant adverse effects would arise.

VII. Transboundary effects

Owing to the scale, nature and location of the proposed development there will be no transboundary effects, no measures are recommended to avoid or prevent such impacts.

5.2 Schedule 7A Information

1 A description of the proposed development, including in particular—

(a) a description of the physical characteristics of the whole proposed development and, where relevant, of demolition works, and

Response

Refer to Section 5.1.1 of this report.

(b) a description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected.

Response

Refer to Section 5.1.2 of this report.

2. A description of the aspects of the environment likely to be significantly affected by the proposed development.

Response

Refer to Section 5.1.2 of this report.

3. A description of any likely significant effects, to the extent of the information available on such effects, of the proposed development on the environment resulting from—

(a) the expected residues and emissions and the production of waste, where relevant, and

Response

The NIS concludes:

‘The proposed mitigation measures have been selected to prevent pollutants reaching the Garvogue Estuary / Cummeen Strand Bay in sufficient quantities to cause significant impacts on habitats or species in the Cummeen Strand / Drumcliff Bay SAC and the Cummeen Strand SPA. The site foreman will be responsible and liable for the implementation and monitoring of the proposed mitigation measures.

These measures will substantially reduce the likelihood and magnitude of pollution events to negligible levels, thus preventing a significant negative impact upon the conservation status of the qualifying interests (aquatic fauna and habitats) of the Cummeen Strand / Drumcliff

Bay SAC and the Cummeen Strand SPA, or any other Natura 2000 sites. As a result, we conclude that the proposed development will not cause any significant negative impacts upon the integrity of any Natura 2000 sites.'

(b) the use of natural resources, in particular soil, land, water and biodiversity.

There are potential spills to surface water and ground water during the construction phase. These impacts will temporary and reversible. A construction management plan accompanies this application setting out how risks of pollution to land, soil, water, air and climate will be minimised.

The operational phase is not expected to give rise to likely significant effect on land, soil, water, air and climate.

4. The compilation of the information at paragraphs 1 to 3 shall take into account, where relevant, the criteria set out in Schedule 7.

Response

Please refer to section 5.1 of this report.

5.3 Any further relevant information

Response

This application is accompanied by a suite of documentation to support the conclusions included in this report, this includes:

- Natura Impact Statement
- Winter Bird Survey
- Ecological Impact Assessment
- Drainage and Watermain Design Report
- Archaeological Impact Assessment
- Geophysical Survey Report
- Test Trenching Report
- Architectural Heritage Impact Assessment
- Bat Derogation
- Tree Survey Report
- Asbestos Survey Report
- Traffic and Transport Impact Assessment.
- Outline Construction Management Plan
- Japanese Knotweed Management Plan

A suite of architectural, engineering and landscape drawings and reports also accompanies the documentation detailing the proposed development.

5.4 Any mitigation measures

The following mitigation measures are proposed as part of this application:

Compliance with the mitigation measures set out in the Natura Impact Statement is necessary.

The measures included in the Outline Construction Management Plan should be implemented, and that included in the Asbestos Survey Report.

Measures detailed in the EcIA, which include:

- pollution-prevention measures,
- measures to protect birds and small mammals during site clearance works,
- the management of Japanese knotweed, which specific measures are detailed in the standalone Japanese Knotweed Management Plan.
- Measures associated with the protection of the roosting whiskered bat, as detailed in the terms of the derogation licence.
- Procedures for felling or pruning or mature trees.
- Bat sensitive lighting.

are also necessary.

5.5 Available results under other relevant EU environmental legislation,

Other relevant EU environmental legislation may include:

- SEA Directive [2001/42/EC]
- Birds and Habitats Directives [79/409/EEC, 2009/147/EC & 92/43/EEC]
- Water Framework Directive [2000/60/EC]
- Marine Strategy Framework Directive
- Ambient Air Quality Directive and Heavy Metals in the Ambient Air Directive
- Industrial Emissions Directive
- Seveso Directive
- Trans-European Networks in Transport, Energy and Telecommunication
- EU Floods Directive 2007/60/EC

Directive	Results
SEA Directive [2001/42/EC]	The proposed development is located of lands which have been zoned under the Sligo and Environs Development Plans 2013-2019 as incorporated into the Sligo County Development Plan 2017-2023. These have been subject to Strategic Environmental Assessment.
Birds and Habitats Directives [79/409/EEC, 2009/147/EC & 92/43/EEC]	A NIS accompanies this application. It considers that the application of mitigation measures will <i>'substantially reduce the likelihood and magnitude of pollution events to negligible levels, thus preventing a significant negative impact upon the conservation status of the qualifying interests (aquatic fauna and habitats) of the Cummeen Strand / Drumcliff Bay SAC and the Cummeen Strand SPA, or any other Natura 2000 sites. As a result, we conclude that the proposed development will not cause any significant negative impacts upon the integrity of any Natura 2000 sites.'</i>

Directive	Results
	<p>The EclA identifies a number of measures to minimize impacts on wildlife, specifically birds and bats. It is supported by a bat derogation license and a Japanese Management Plan.</p>
<p>Water Framework Directive [2000/60/EC]</p>	<p>Under the Water Framework Directive status assessments 2013 – 2018, the transitional waters of the Garvogue Estuary / Cummeen Strand are of Moderate status, the offshore coastal waters of Good status, and the Knappagh Stream is not monitored.</p> <p>The EclA considers potential changes in water quality as follows:</p> <ul style="list-style-type: none"> ▪ During the construction phase: the potential to generate pollutant, including concrete and cement, suspended silt or other sediments and hydrocarbons. ▪ During the operational phase: arising from foul water discharge and surface water runoff. <p>The EclA notes that the construction phase potential to impact on water quality is considered under greater details in the Natura Impact Statement (NIS). It is satisfied that the operational phase would not generate changes in water quality.</p> <p>As noted in previous sections, the NIS concludes that the construction of the proposed development, subject to a number of pollution prevention mitigation measures, would allow to avoid or minimise any negative impacts on water quality.</p>
<p>Marine Strategy Framework Directive</p>	<p>The site is located c. 3km east from the MSFD assessment area. There is no likely impact given the distance.</p> <p>There is a drainage ditch on the northern boundary of the Site, which drains north-east towards the coast, and is culverted under Far Finisklin Road.</p> <p>The application is accompanied by a natura impact assessment which considers the mitigation measures to be implemented as part of the construction and operational phases of</p>

Directive	Results
	the development. The proposed development is not likely to give rise to significant effects on coastal zones and the marine environment.
Ambient Air Quality Directive and Heavy Metals in the Ambient Air Directive	n/a to proposed development
Industrial Emissions Directive	n/a to proposed development
Seveso Directive	n/a to proposed development
Trans-European Networks in Transport, Energy and Telecommunication	n/a to proposed development
EU Floods Directive 2007/60/EC	No flood risk identified.

5.6 Likely significant effects on certain sensitive ecological sites

Response

Sensitive areas include:

i) a European site,

The NIS states:

'If a precautionary approach is adopted, it is possible that pollutants (suspended sediments, concrete / cement and hydrocarbons) generated during the construction of the proposed development could have an impact on aquatic habitats and fauna in the Cummeen Strand / Drumcliff Bay SAC and the Cummeen Strand SPA. In response, a range of mitigation measures will be implemented during the construction phase in order to avoid or minimise the risk that any pollutants could reach the SAC or SPA. Subject to the successful implementation of these measures, we conclude that the proposed development will not cause significant impacts on any Natura 2000 sites.'

It further sets a list of mitigation measures to prevent pollutants reaching the Garvogue Estuary / Cummeen Strand Bay in sufficient quantities to cause significant impacts on habitats or species in the Cummeen Strand / Drumcliff Bay SAC and the Cummeen Strand SPA.

The NIS concludes that

'These measures will substantially reduce the likelihood and magnitude of pollution events to negligible levels, thus preventing a significant negative impact upon the conservation status of the qualifying interests (aquatic fauna and habitats) of the Cummeen Strand / Drumcliff Bay SAC and the Cummeen Strand SPA, or any other Natura 2000 sites. As a result, we conclude that the proposed development will not cause any significant negative impacts upon the integrity of any Natura 2000 sites.'

ii) an area which is the subject of a notice under Section 16(2)(b) of the Wildlife (Amendment) Act 2000 (No. 38 of 2000),

Response

There is no such area near the site.

iii) an area designated as a Natural Heritage Area (NHA) under Section 18 of the Wildlife (Amendment) Act 2000),

Response

The Ecological Impact Assessment has not identified any likely significant effect on a Natural Heritage Areas.

iv) land established or recognised as a nature reserve within the meaning of Section 15 or 16 of the Wildlife Act 1976 (No. 39 of 1976),

Response

The Ecological Impact Assessment has not identified any likely significant effect on a nature reserve.

v) land designated as a refuge for flora or as a refuge for fauna under Section 17 of the Wildlife Act 1976,

Response

The Ecological Impact Assessment has not identified any likely significant effect on a refuge for flora or a refuge for fauna.

vi) a place, site or feature of ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan, draft development plan or draft local area plan, or proposed variation of a development plan, for the area in which the development is proposed, or

Response

It is not expected that the development would give rise to likely significant effect on SACs, SPAs and pNHA or a place, site or feature of ecological interest, preservation, conservation or protection of which is an objective of a development plan or local area plan on foot of the application of mitigation measures discussed in this report, the NIS, the EclA and the Outline Construction Management Plan.

vii) a proposed Natural Heritage Area (pNHA).

Cummeen Strand / Drumcliff Bay SAC is a pNHA (site code 627). Lough Gill SAC is also pNHA (site code 1976). On application of mitigation measures discussed in this document, the NIS and the EclA is not expected that the proposed development would give rise to likely significant effects.

6 Screening determination recommendation

Having regard to the nature and scale of the proposed development which is below the thresholds set out in Class 10 of Part 2 of Schedule 5, the criteria in Schedule 7, the information provided in accordance with Schedule 7A of the Planning and Development Regulations 2001, as amended, and the following:

- The scale, nature and location of the proposed impacts
- The potential impacts and proposed mitigation measures
- The results of the any other relevant assessments of the effects on the environment

It is considered that the proposed development would not be likely to have significant effects on the environment and it is recommended that environmental impact assessment report is not required.

