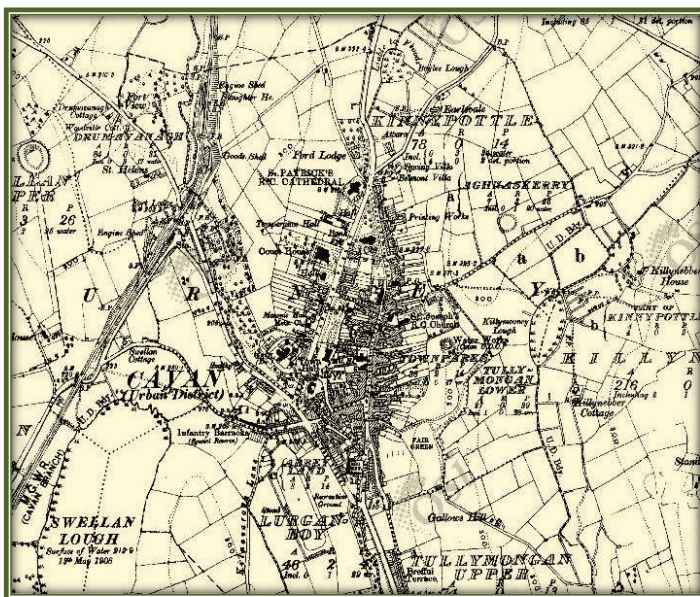




Whitehill
Edgeworthstown
Co. Longford
☎ (087) 4127248 / (043) 6672775
✉ noreen.mcloughlin@gmail.com

HABITATS DIRECTIVE SCREENING REPORT FOR A APPLICATION AT ELM GROVE, CAVAN, CO CAVAN

IN LINE WITH THE REQUIREMENTS OF ARTICLE 6(3) OF THE
EU HABITATS DIRECTIVE



Cavan County Council
c/o Wynne Gormley Gilsonan
Architects & Surveyors Ltd.
21 Churchview
Cavan
H12 NY29

December 2020

TABLE OF CONTENTS

1	INTRODUCTION	3
1.1	Background.....	3
1.2	Regulatory Context	3
2	METHODOLOGY	7
2.1	Appropriate Assessment	7
2.2	Statement of Competency	9
2.3	Desk Studies & Consultation	9
2.4	Assessment Methodology	9
3	SCREENING	11
3.1	Development Description.....	11
3.2	Site Location and Surrounding Environment	13
3.3	Natura 2000 Sites Identified	16
3.4	Impact Assessment	19
3.5	Finding of No Significant Effects	22
4	APPROPRIATE ASSESSMENT CONCLUSION	23

1 INTRODUCTION

1.1 BACKGROUND

Article 6 of the EU Habitat's Directive (Council Directive 92/43/EEC) requires that all plans and projects be screened for potential impacts upon Special Areas of Conservation (SACs) or Special Protection Areas (SPAs). The aim of this screening process is to establish whether or not a full Appropriate Assessment of the proposed plan or project is necessary.

A comprehensive assessment of the potential significant effects of a proposed residential development at Kinnypottle, Cavan Town, Co. Cavan and was carried out in December 2020 by Noreen McLoughlin, MSc, MCIEEM of Whitehill Environmental. The information provided in this report will allow the competent authority (in this case Cavan County Council) to undertake an Appropriate Assessment screening of the proposed project.

The location of the application site is within 15km of sites designated under European Law. As such and in accordance with Article 6(3) of the EU Habitat's Directive (Council Directive 92/43/EEC) regarding Appropriate Assessment, this screening exercise for Appropriate Assessment was carried out in order to identify whether any significant effects on designated sites are likely. This exercise will also determine the appropriateness of the proposed project, in the context of the conservation status of the designated sites.

1.2 REGULATORY CONTEXT

The Birds Directive (Council Directive 2009/147/EC) recognises that certain species of birds should be subject to special conservation measures concerning their habitats. The Directive requires that Member States take measures to classify the most suitable areas as Special Protection Areas (SPAs) for the conservation of bird species listed in Annex 1 of the Directive. SPAs are selected for bird species (listed in Annex I of the Birds Directive), that are regularly occurring populations of migratory bird species and the SPA areas are of international importance for these migratory birds.

The EU Habitats Directive (92/43/EEC) requires that Member States designate and ensure that particular protection is given to sites (Special Areas of Conservation) which are made up of or support particular habitats and species listed in annexes to this Directive.

Articles 6(3) and 6(4) of this Directive also call for the undertaking of an Appropriate Assessment for plans and projects not directly connected with or necessary to the management of, but which are likely to have a significant effect on any European designated

sites (i.e. SACs and SPAs). This is explained in greater detail in the following section (Section 1.2.2 and Section 1.2.3).

The Water Framework Directive (WFD) (2000/60/EC), which came into force in December 2000, establishes a framework for community action in the field of water policy. The WFD was transposed into Irish law by the European Communities (Water Policy) Regulations 2003 (S.I. 722 of 2003). The WFD rationalises and updates existing legislation and provides for water management on the basis of River Basin Districts (RBDs). RBDs are essentially administrative areas for coordinated water management and are comprised of multiple river basins (or catchments), with cross-border basins (i.e. those covering the territory of more than one Member State) assigned to an international RBD. The aim of the WFD is to ensure that waters achieve at least good status by 2021 and that status does not deteriorate in any waters.

Appropriate Assessment and the Habitats Directive

Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Fauna and Flora – the ‘Habitats Directive’ - provides legal protection for habitats and species of European importance. Article 2 of the Directive requires the maintenance or restoration of habitats and species of European Community interest, at a favourable conservation status. Articles 3 - 9 provide the legislative means to protect habitats and species of Community interest through the establishment and conservation of an EU-wide network of sites known as *Natura 2000*. Natura 2000 sites are Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas (SPAs) designated under the Conservation of Wild Birds Directive (79/409/EEC).

Articles 6(3) and 6(4) of the Habitats Directive sets out the decision-making tests for plans or projects affecting Natura 2000 sites. Article 6(3) establishes the requirement for Appropriate Assessment:

“Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.”

Article 6(4) deals with the steps that should be taken when it is determined, as a result of appropriate assessment, that a plan/project will adversely affect a European site. Issues dealing with alternative solutions, imperative reasons of overriding public interest and compensatory measures need to be addressed in this case.

Article 6(4) states:

"If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, the Member States shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.

Where the site concerned hosts a priority natural habitat type and/or a priority species, the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest."

The Appropriate Assessment Process

The aim of Appropriate Assessment is to assess the implications of a proposal in respect of a designated site's conservation objectives.

The 'Appropriate Assessment' itself is an assessment which must be carried out by the competent authority which confirms whether the plan or project in combination with other plans and projects will have an adverse impact on the integrity of a European site.

Screening for Appropriate Assessment shall be carried out by the competent authority as set out in Section 177U(1) and (2) of the Planning and Development Act 2000 (as amended) as follows:

(1) A screening for appropriate assessment of a draft Land use plan or application for consent for proposed development 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.

(2) A competent authority shall carry out a screening for appropriate assessment under subsection (1) before—

(a) a Land use plan is made including, where appropriate, before a decision on appeal in relation to a draft strategic development zone is made, or

(b) consent for a proposed development is given.'

The competent authority shall determine that an Appropriate Assessment is not required if it can be excluded, that the proposed development, individually or in combination with other plans or project will have a significant effect on a European site.

Where the competent authority cannot exclude the potential for a significant effect on a European site, an Appropriate Assessment shall be deemed required.

Where an Appropriate Assessment is required, the conclusions of the Appropriate Assessment Report (Natura Impact Statement (NIS)) should enable the competent authority to ascertain whether the plan or proposed development would adversely affect the integrity of the European site. If adverse impacts on the integrity of a European site cannot be avoided, then mitigation measures should be applied during the appropriate assessment process to the point where no adverse impacts on the site remain. Under the terms of the Habitats Directive consent can only be granted for a project if, as a result of the appropriate assessment either (a) it is concluded that the integrity of any European sites will not be adversely affected, or (b) after mitigation, where adverse impacts cannot be excluded, there is shown to be an absence of alternative solutions, and there exists imperative reasons of overriding public interest for the project should go ahead.

Section 177(V) of the Planning and Development Act 2000 (as amended) outlines that the competent authority shall carry out the Appropriate Assessment, taking into account the Natura Impact Statement (amongst any other additional or supplemental information). A determination shall then be made by the competent authority in line with the requirements of Article 6(3) of the Habitats Directive as to whether the plan or proposed development would adversely affect the integrity of a European site, prior to consent being given.

2 METHODOLOGY

2.1 APPROPRIATE ASSESSMENT

This Statement of Screening for Appropriate Assessment (Stage 1) has been prepared with reference to the following:

- European Commission (2000). Managing Natura 2000 Sites: The Provisions of Article 6 of the 'Habitats' Directive 92/43/EEC.
- European Commission (2002). Assessment of Plans and Projects Significantly Affecting Natura 2000 sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC.
- European Commission (2006). Nature and Biodiversity Cases: Ruling of the European Court of Justice.
- European Commission (2007). Clarification of the Concepts of: Alternative Solution, Imperative Reasons of Overriding Public Interest, Compensatory Measures, Overall Coherence, Opinion of the Commission.
- Department of Environment, Heritage and Local Government (2009). Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities.

The EC Guidance sets out a number of principles as to how to approach decision making during the process. The primary one is 'the precautionary principle' which requires that the conservation objectives of Natura 2000 should prevail where there is uncertainty.

When considering the precautionary principle, the emphasis for assessment should be on objectively demonstrating with supporting evidence that:

- There will be no significant effects on a Natura 2000 site;
- There will be no adverse effects on the integrity of a Natura 2000 site;
- There is an absence of alternatives to the project or plan that is likely to have an adverse effect to the integrity of a Natura 2000 site; and
- There are compensation measures that maintain or enhance the overall coherence of Natura 2000.

This translates into a four stage process to assess the impacts, on a designated site or species, of a policy or proposal.

The EC Guidance states that "each stage determines whether a further stage in the process is required". Consequently, the Council may not need to proceed through all four stages in undertaking the Appropriate Assessment.

The four-stage process is:

Stage 1: Screening – The process which identifies the likely impacts upon a Natura 2000 site of a project or plan, either alone or in combination with other projects or plans, and considers whether or not these impacts are likely to be significant;

Stage 2: Appropriate Assessment – The consideration of the impact on the integrity of the Natura 2000 site of the project or plan, either alone or in combination with other projects or plans, with respect to the site's structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts;

Stage 3: Assessment of Alternative Solutions – The process which examines alternative ways of achieving objectives of the project or plan that avoid adverse impacts on the integrity of the Natura 2000 site;

Stage 4: Assessment where no alternative solutions exist and where adverse impacts remain – An assessment of the compensatory measures where, in the light of an assessment of imperative reasons of overriding public interest (IROPI), it is deemed that the project or plan should proceed.

In complying with the obligations set out in Articles 6(3) and following the guidelines described above, this screening statement has been structured as a stage by stage approach as follows:

- Description of the proposed project;
- Identification of the Natura 2000 sites close to the proposed development;
- Identification and description of any individual and cumulative impacts on the Natura 2000 sites likely to result from the project;
- Assessment of the significance of the impacts identified above on site integrity. Exclusion of sites where it can be objectively concluded that there will be no significant effects;
- Description of proven mitigation measures.

2.2 STATEMENT OF COMPETENCY

This AA Screening report was carried out by Noreen McLoughlin, BA, MSc, MCIEEM. Noreen has an honours degree in Zoology and an MSc in Freshwater Ecology from Trinity College, Dublin and she has been a full member of the Chartered Institute of Ecology and Environmental Management for over thirteen years. Noreen has over 15 years' experience as a professional ecologist in Ireland.

2.3 DESK STUDIES & CONSULTATION

Information on the site and the area of the proposed development was studied prior to the completion of this statement. The following data sources were accessed in order to complete a thorough examination of potential impacts:

- National Parks and Wildlife Service - Aerial photographs and maps of designated sites, information on habitats and species within these sites and information on protected plant or animal species, conservation objectives, site synopses and standard data forms for relevant designated sites.
- Environmental Protection Agency (EPA)- Information pertaining to water quality, geology and licensed facilities within the area;
- Myplan.ie – Mapped based information;
- National Biodiversity Data Centre (NBDC) – Information pertaining to protected plant and animal species within the study area;
- Bing maps & Google Street View – High quality aerials and street images;
- WGG Architects and Surveyors Ltd – Plans and Information Pertaining to the Development
- Cavan County Council – Information on planning history in the area for the assessment of cumulative impacts.

2.4 ASSESSMENT METHODOLOGY

The proposed development was assessed to identify its potential ecological impacts and from this, the Zone of Influence (Zoi) of the proposed development was defined. Based on the potential impacts and their Zoi, the Natura 2000 sites potentially at risk from direct, indirect or in-combination impacts were identified. The assessment considered all potential impact sources and pathways connecting the proposed development to Natura 2000 sites, in view of the conservation objectives supporting the favourable conservation condition of the site's Qualifying Interests (QIs) or Special Conservation Interests (SCIs).

The conservation objectives relating to each Natura 2000 site and its QIs/SCIs are cited generally for SACs as “to maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or Annex II species for which the SAC has been selected”, and for SPAs “to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA”.

As defined in the Habitat’s Directive, the favourable conservation status of a habitat is achieved when:

- Its natural range and area it covers within that range is stable or increasing;
- The specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future;

The favourable conservation status of a species is achieved when:

- The population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats;
- The natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future;
- There is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

Where site-specific conservation objectives (SSCOs) have been prepared for a European site, these include a series of specific attributes and targets against which effects on conservation condition, or integrity, can be measured. Where potential significant effects are identified, then these SSCO should be considered in detail.

3 SCREENING

3.1 DEVELOPMENT DESCRIPTION

Cavan County Council have indicated their intention to shortly apply for planning permission for a proposed residential development at Elm Grove, Cavan, Co. Cavan. Permission will be sought under Part 8 of the Planning and Development Regulations 2001. The proposed development will consist of:

- *The construction of a residential housing estate (13 units) on a greenfield site to include provision of access roads and footpaths, along with connection to existing services;*
- *All associated site works.*

An extract from the planning drawings submitted is shown in Figure 1.



Figure 1 –Site Plan (as prepared by WGG Architects and Surveyors Ltd)

Foul Water Treatment

Foul water from the application site will be directed to the public sewer, for treatment in the Cavan wastewater treatment plant. This treatment plant is fully Licensed by the EPA (Reg No Doo20-01).

Surface Water

Surface water from the application site will be directed to an onsite attenuation tank via a Klargest petrol interceptor. Attenuated water will be discharged to the local storm water sewer via Hydrobrake, with flow limited to 3L/s.

3.2 SITE LOCATION AND SURROUNDING ENVIRONMENT

The site in question is approximately 0.39ha in area and it is located in the north-eastern outskirts of Cavan town, in the townland of Kinnypottle, approximately 612m north-east of the town centre. The site will be accessed via the creation of an entrance that is just off the entrance into the Elm Grove estate.

The site is surrounded by the residential areas of Elm Grove and Elm Bank Drive. The landscape in the area surrounding the site consists of the sub-urban habitats of Cavan town and the habitats associated with these areas include buildings and artificial surfaces and amenity grasslands and gardens. Beyond the urban areas of Cavan, the dominant land-use is agriculture and improved agricultural grassland is the dominant habitat. Other habitats represented in the rural areas around Cavan town include wet and neutral grasslands, hedgerows and treelines.

Site location maps can be seen in Figures 2 and 3, whilst an aerial photograph of the site and the surrounding habitats can be seen in Figure 4.



Figure 2 – Site Location Map (Site is Pinned)

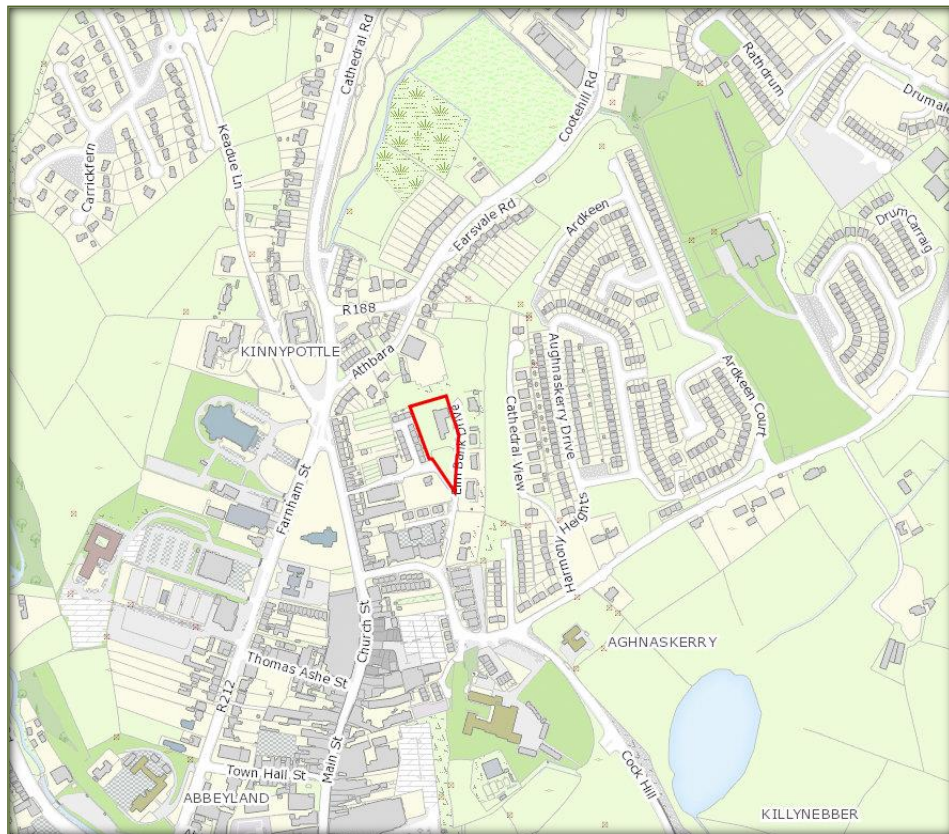


Figure 3 – Site Location Map (Site Outlined in Red)

HABITATS AND NOTABLE SPECIES

The application site itself does not lie within or adjacent to any area that has been designated for nature conservation purposes. The dominant habitats within the application site currently include buildings and artificial surfaces, i.e., the existing warehouse on site, and unmanaged grassland habitats. This site is of no biodiversity value.

An examination of the website of the National Biodiversity Data Centre, revealed that there are records for the presence of one protected mammal species from the relevant 1km square (H4205) of this proposed development. This species is the red squirrel (*Sciurus vulgaris*) and it is fully protected under the Irish Wildlife Acts. A custom polygon generated for this site revealed that these records do not pertain to the application site itself.



Figure 4 - Aerial Photographs of the Site (Outlined in Red).

WATER FEATURES AND QUALITY

The application site is located within the Erne Hydrometric Area (36) and Catchment (36) and the Cavan Sub-Catchment (010) and Sub-Basin (010). There are no drains or streams within or adjacent to the application site. The closest watercourse to the application site is the Kinnypottle Stream, which is 121m west of the application site. This stream rises in lands to the north-east of Cavan. It flows north, through Cavan town until it joins the Cavan River. The stream is culverted for much of its journey through Cavan town. The Cavan River flows north until it meets the Annalee River, west of Butlersbridge.

The EPA have classed the ecological status of the Kinnypottle Stream and the Cavan River downstream of Cavan as poor. Under the requirements of the Water Framework Directive, this is unsatisfactory and all water bodies are obliged to meet good status within a specified time frame.

3.3 NATURA 2000 SITES IDENTIFIED

In accordance with the guidelines issued by the Department of the Environment and Local Government, a list of Natura 2000 sites within 15km of the proposed development have been identified and described according to their site synopses, qualifying interests and conservation objectives. In addition, any other sites further than this, but potentially within its zone of interest were also considered. The zone of impact may be determined by an assessment of the connectivity between the application site and the designated areas by virtue of hydrological connectivity, atmospheric emissions, flight paths, ecological corridors etc.

For significant effects to arise, there must be a potential impact facilitated by having a *source*, i.e., the proposed development and activities arising out of its construction or operation, a *receptor*, i.e., the European site and its qualifying interests and a subsequent *pathway* or *connectivity* between the source and receptor, e.g., a water course. The likelihood for significant effects on the European site will largely depend on the characteristics of the source (e.g., nature and scale of the construction works), the characteristics of the existing pathway and the characteristics of the receptor, e.g., the sensitivities of the Qualifying Interests (habitats or species) to changes in water quality.

There are four Natura 2000 designated sites within 15km of the application site. These designated areas and their closest points to the application site are summarised in Table 2 and maps showing their locations relative to the application site are shown in Figures 6 and 7. A full description of the sites can be read on the website of the National Parks and Wildlife Service (www.npws.ie) and the Joint Nature Conservation Committee (jncc.defra.gov.uk). As part of this assessment, the location of the spread lands in relation to these designated sites was also considered.

Site Name & Code	Distance	Qualifying Interests	Potential Significant Effects
Lough Oughter and Associated Loughs SAC 000007	3km north-west	<ul style="list-style-type: none"> Natural eutrophic lakes with <i>Magnopotamion</i> or <i>Hydrocharition</i>-type vegetation Bog woodland Otter <i>Lutra lutra</i> 	<i>There is no hydrological connectivity between the application site and this SAC, therefore significant effects upon this SAC and its QIs arising from pollutant containing run-off during construction or operation can be ruled out.</i>

Lough Oughter Complex SPA 004049	3.4km north-west	<ul style="list-style-type: none"> • Great Crested Grebe (<i>Podiceps cristatus</i>) • Whooper Swan (<i>Cygnus cygnus</i>) • Wigeon (<i>Anas penelope</i>) • Wetlands & Waterbirds 	<i>There is no hydrological connectivity between the application site and this SPA, therefore significant effects upon this SAC and its QIs arising from pollutant containing run-off during construction or operation can be ruled out.</i>
Upper Lough Erne SAC UK0016614	14km north	<ul style="list-style-type: none"> • Natural eutrophic lakes with <i>Magnopotamion</i> or <i>Hydrocharition</i>-type vegetation • Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles • Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) • Otter (<i>Lutra lutra</i>) 	<i>Given the distance and the fact that there is no hydrological connectivity between the application site and this SAC, significant effects can be ruled out.</i>
Upper Lough Erne SPA UK9020071	14km north	<ul style="list-style-type: none"> • Whooper Swan <i>Cygnus cygnus</i> 	<i>Given the distance and the fact that there is no hydrological connectivity between the application site and this SPA, significant effects can be ruled out.</i>

Table 2 – Natura 2000 Sites Within 15km of the Application Site

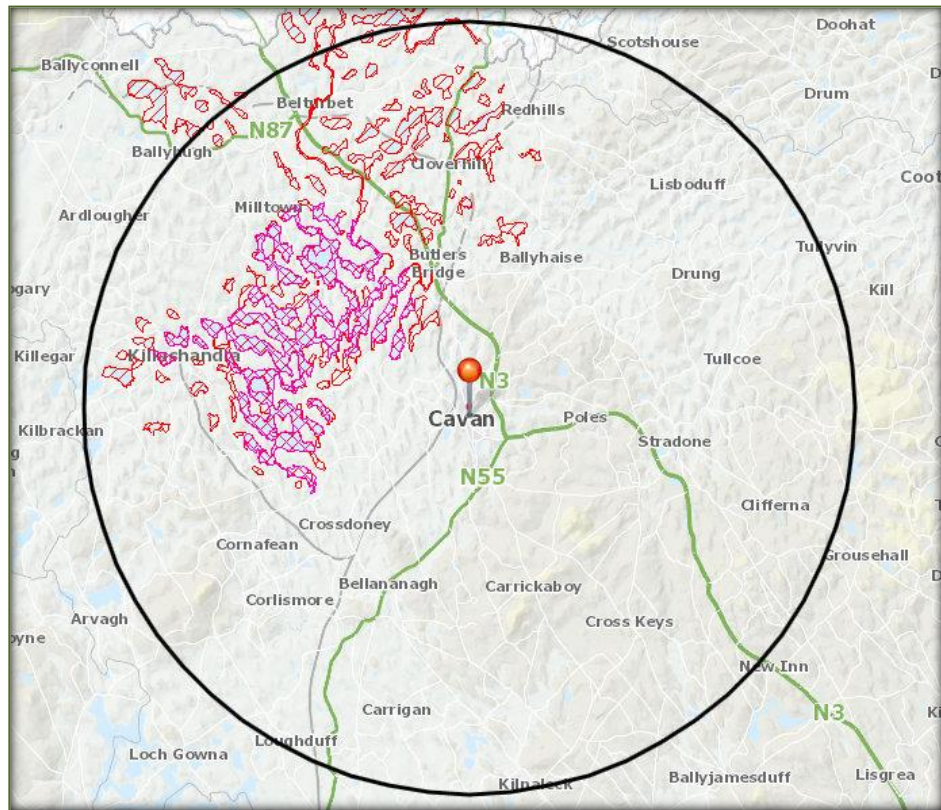


Figure 5 – The Application Site (Red Dot) in relation to the Natura 2000 Sites within 15km (SACs – Red Infill, SPAs – Pink Hatching)

3.4 IMPACT ASSESSMENT

The potential impacts of the proposed application on the Natura 2000 sites identified above are described below.

Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on nearby Natura 2000 site:

The proposed development will have no significant effects upon the designated sites identified within 15km of the proposed development site. There are no individual elements of the proposed project that are likely to give rise to negative impacts or effects on these aforementioned sites, either during the construction or operation of the proposed development. There will be no direct, indirect or cumulative impacts upon the Natura 2000 sites identified. There will be no impacts upon the qualifying interests of these sites.

Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the nearby Natura 2000 sites by virtue of:

Size and scale: Given the small size and scale of the development in relation to the overall size of the Natura 2000 sites identified, the likelihood of any direct, indirect or cumulative impacts on these designated sites are low.

Land-take: There will be no land-take from any designated site. There will be no interference with the boundaries of any designated site.

Distance from Natura 2000 site or key features of the site: There are four Natura 2000 sites within 15km of the proposed development. The closest of these is the Lough Oughter and Associated Loughs SAC and this is 3km north-west of the application site. As there are no direct hydrological pathways between the site and this or any other Natura site, this distance is sufficient to ensure that no impacts will arise.

Resource requirements (water abstraction etc.): No resources will be taken from any Natura 2000 site and there are no resource requirements that will impact upon any designated site.

Emissions: Neither the construction nor the operation of the proposed development will result in any direct emissions to the Natura 2000 sites identified. There are no drains or streams on the site and this will eliminate the potential for transfer of pollution via water. Surface water from the application site will be directed to the public storm water system.

Wastewater from the proposed development will be directed to the Cavan Treatment Plant, subject to an agreement with Irish Water.

Excavation requirements: Excavated material from the construction will be used on site. Any remaining will be disposed of in a responsible manner in a licensed facility away from any designated sites.

Transportation requirements: There will be no additional transportation requirements resulting from the proposed development and associated works that will have any impact upon the Natura 2000 sites identified.

Duration of construction, operation, decommissioning etc: Construction will take approximately one year. The operation of the site will be long term.

Describe any likely changes to the nearby Natura 2000 sites arising as a result of:

Reduction of habitat area: The proposed development lies outside the boundaries of the Natura 2000 sites identified in Section 3.3. There will be no reduction of designated habitat area. There will be no interference with the boundaries of any designated site. There will be no direct or indirect impacts or effects upon the habitat qualifying interests of the Lough Oughter and Associated Loughs SAC, i.e., natural eutrophic lakes or bog woodland. Neither of these habitats occur within the Zone of Influence of the application site.

Disturbance to key species: There will be no direct disturbance to any species listed in Annex I of the Birds Directive or Annex II of the Habitats Directive. There will be no direct or indirect impacts upon the otter, which is a qualifying interest of the Lough Oughter and Associated Loughs SAC. There will be no impacts upon the qualifying interests of the Lough Oughter Complex SPA, i.e., the great crested grebe, the whooper swan or the widgeon. There will be no reduction in water quality in any local watercourses that may affect these protected species. There are no habitats within the application site that are used by these bird species.

Habitat or species fragmentation: There will be no habitat or species fragmentation within any SAC or SPA. No ecological corridors between the proposed site and any SAC or SPA will be damaged or destroyed.

Reduction in species density: There will be no reduction in species density within the SAC and SPA.

Changes in key indicators of conservation value (water quality etc.): There will be no negative impacts upon surface or ground water quality within the SAC or SPA. There will be no negative impacts upon the water quality in any designated site, specifically in the Annalee River or Erne system.

Describe any likely impacts on the nearby Natura 2000 sites as a whole in terms of:

Interference with the key relationships that define the structure or function of the site: It is not considered likely that there will be any impacts on the key relationships that define the structure or function of the Natura 2000 sites identified.

Provide indicators of significance as a result of the identification of effects set out above in terms of:

Loss - Estimated percentage of lost area of habitat: None

Fragmentation: None

Disruption & disturbance: None

Change to key elements of the site (e.g. water quality etc.): None

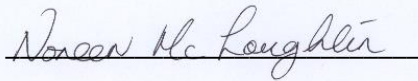
3.5 FINDING OF NO SIGNIFICANT EFFECTS

Finding of No Significant Effects Report Matrix	
Name of project	Construction of New Residential Development at Elm Grove, Cavan, Co. Cavan.
Name and location of Natura 2000 site	There are four Natura 2000 sites within 15km of the proposed development. The closest of these is the Lough Oughter and Associated Loughs SAC and this is 3km north-west of the application site. As there are no direct hydrological pathways, this distance is sufficient to ensure that no impacts will arise.
Description of project	A Proposed Residential Development
Is the project directly connected with or necessary to the management of the site?	No
Are there other projects or plans that together with project being assessed could affect the site?	No
The Assessment of Significance of Effects	
Describe how the project is likely to affect the Natura 2000 site	Having regard to the location, nature and scale of the proposed development, it is considered that there is no potential for significant effects either from the proposed development on its own or in combination with other plans and projects.
Explain why these effects are not considered significant	Not applicable as there is no potential for significant negative impacts
Describe how the project is likely to affect species designated under Annex II of the Habitats Directive.	No impacts likely
Data Collected to Carry out the Assessment	
Who carried out the assessment	Noreen McLoughlin, MSC, MCIEEM. Consultant Ecologist
Sources of data	NPWS, EPA, National Biodiversity Data Centre, Cavan County Council
Level of assessment completed	Stage1 Appropriate Assessment Screening
Where can the full results of the assessment be accessed and viewed	Full results included

4 APPROPRIATE ASSESSMENT CONCLUSION

In accordance with Article 6(3) of the Habitats Directive, the relevant case law and established best practice, this AA Screening Report has examined the details of the project in relation to the relevant Natura 2000 sites within 15km of the application site. This report has analysed the potential impacts and effects of the proposed project on the Special Conservation Interests of these designated sites.

In view of best scientific knowledge and on the basis of objective information, it can be concluded that this application, whether individually or in combination with other plans and projects, is unlikely to have significant impacts upon the Natura 2000 sites identified.



Noreen McLoughlin, MSc, MCIEEM.
Ecologist.

(PI Insurance details available on request)