

Article 6 (3) Appropriate Assessment Screening Report

Proposed Residential
Development at 102 Main
Street, Portlaoise, Co. Laois

DRAFT





DOCUMENT DETAILS

Client: **Cluid Housing**

Project Title: **Proposed Residential Development at 102 Main Street Portlaoise, Co. Laois**

Project Number: **200413**

Document Title: **Appropriate Assessment Screening Report**

Document File Name: **AASR D5 - 2024.05.20 - 200413**

Prepared By: **MKO
Tuam Road
Galway
Ireland
H91 VW84**



Planning and
Environmental
Consultants

Rev	Status	Date	Author(s)	Approved By
05	Draft	20/05/2024	CLS	KOD

Table of Contents

1.	INTRODUCTION.....	3
1.1	Background.....	3
1.2	Statement of Authority.....	3
2.	DESCRIPTION OF THE PROPOSED DEVELOPMENT.....	4
2.1	Site Location.....	4
2.2	Characteristics of the Proposed Development.....	6
2.2.1	Description of the project.....	6
2.2.2	Drainage.....	8
2.2.2.1	Foul Water Drainage.....	8
2.2.2.2	Surface Water Drainage.....	8
2.2.3	Description of the Baseline Ecological Environment.....	11
3.	IDENTIFICATION OF RELEVANT EUROPEAN SITES.....	14
3.1	Identification of the European Sites within the Likely Zone of Impact.....	14
3.2	Likely Cumulative Impact of the Proposed Works on European Sites, in-combination with other plans and projects.....	21
3.2.1	Conclusion of in-combination/cumulative assessment.....	29
4.	ARTICLE 6(3) APPROPRIATE ASSESSMENT SCREENING STATEMENT AND CONCLUSIONS.....	30
4.1	Data Collected to Carry Out Assessment.....	30
4.2	Concluding Statement.....	30
	BIBLIOGRAPHY.....	31
	TABLE OF TABLES	
	<i>Table 3-1: Identification of Designated sites within the Likely Zone of Impact.....</i>	<i>16</i>
	<i>Table 3-2 Review of Plans.....</i>	<i>24</i>
	TABLE OF PLATES	
	<i>Plate 2-1 Outside of the derelict building at 102 Main Street, Portlaoise, with stands of Buddleia growing from the roof.....</i>	<i>12</i>
	<i>Plate 2-2 Inside of the derelict building at 102 Main Street, Portlaoise.....</i>	<i>12</i>
	<i>Plate 2-3 Area of refuse and waste at the back of the derelict building at 102 Main Street, Portlaoise.....</i>	<i>13</i>
	TABLE OF FIGURES	
	<i>Figure 2-1: Site Location.....</i>	<i>5</i>
	<i>Figure 2-2 Site Layout Drawing.....</i>	<i>7</i>
	<i>Figure 2-3: Drainage Plan.....</i>	<i>10</i>
	<i>Figure 3-1 European Designated Sites.....</i>	<i>15</i>



APPENDICES

Appendix 1Uisce Eireann Confirmation of Feasibility

DRAFT

1. INTRODUCTION

1.1 Background

MKO has been appointed to provide the information necessary to allow the competent authority to conduct an Article 6(3) Screening for Appropriate Assessment of a residential development at 102 Main Street, Portlaoise, Co. Laois (ITM 647207, 698374).

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

The assessment in this report is based on a desk study and field surveys undertaken during April 2024. It specifically assesses the potential for the proposed development to result in significant effects on European sites in the absence of any best practice, mitigation or preventative measures.

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

1.2 Statement of Authority

Baseline ecological surveys were undertaken by Kevin McElduff (B.Sc.) on the 6th of September 2022 and by Ciara Lynn Sheehan (B.Sc.) and Laura McEntegart (B.Sc.) of MKO on the 11th of April 2024. This report has been prepared by Ciara Lynn Sheehan (B.Sc.) who has the necessary qualifications and experience to undertake this assessment. This report has been reviewed by Kate O'Donnell (B.Sc., ACIEEM) who is an experienced ecologist with over 4 years' professional ecological consultancy experience.

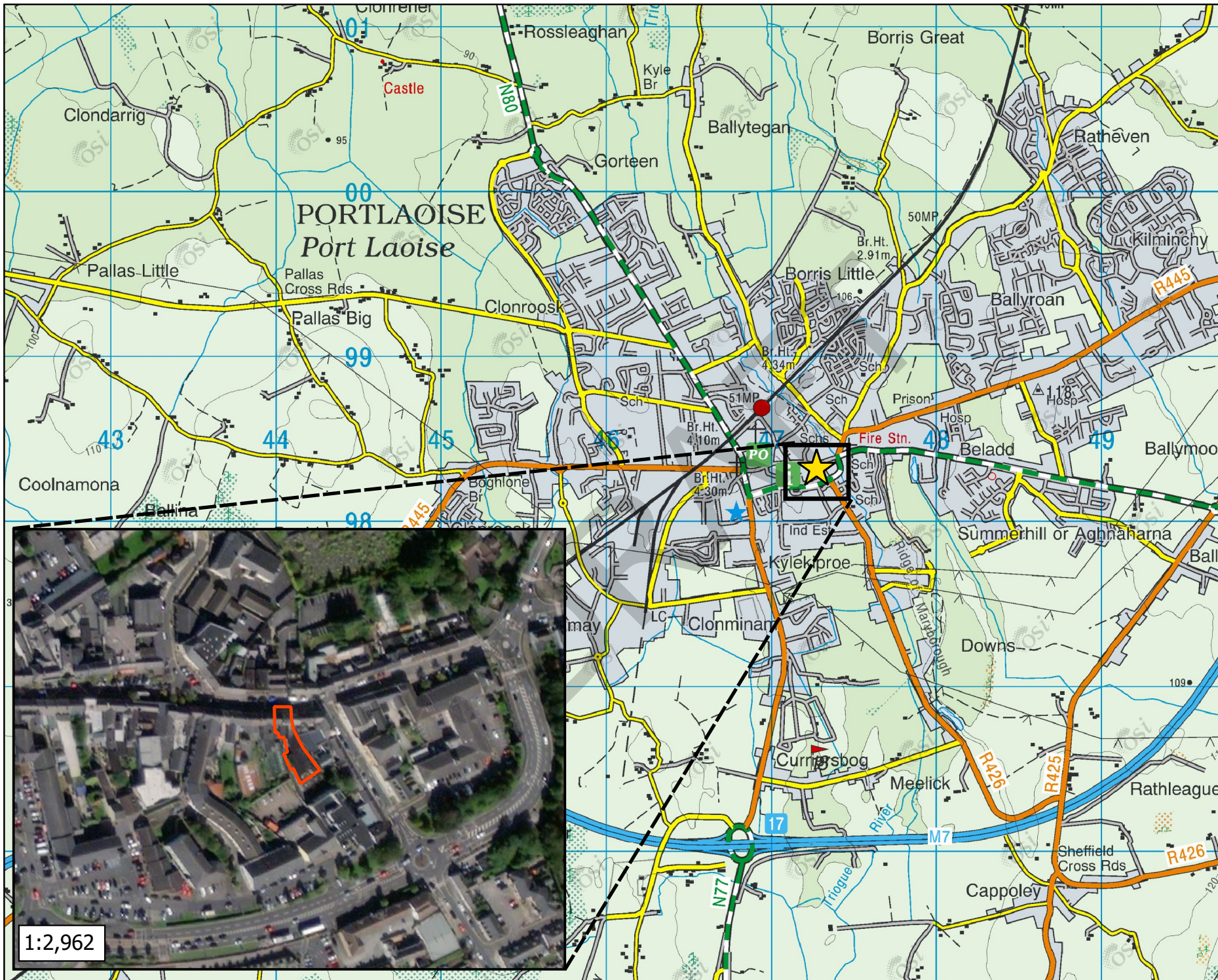
2. DESCRIPTION OF THE PROPOSED DEVELOPMENT

2.1 Site Location

The proposed development is located at 102 Main Street in Portlaoise town, Co. Laois (ITM 647207, 698374). Portlaoise is approximately 20km from Portarlinton. The site is accessed via Main Street, L63101, which joins with the N80. The site is surrounded primarily by commercial developments and residential dwellings.

A Site Location map is provided in Figure 2-1.

DRAFT



Map Legend

- Site Boundary
- ★ Site Location



Drawing Title

Site Location

Project Title
Proposed Residential Development at
102 Main Street, Portlaoise, Co. Laois

Drawn By	Checked By
CLS	KOD
Project No. 200413	Drawing No. Figure 2-1
Scale 1:30,000	Date 15/05/2024

MKO
Planning and
Environmental
Consultants

Tuam Road, Galway
Ireland, H91 VW84
+353 (0) 91 735611
email: info@mkofireland.ie
Website: www.mkofireland.ie

Microsoft product screen shots reprinted with permission from Microsoft Corporation
© Ordnance Survey Ireland. All rights reserved. Licence number CYAL50267517

1:2,962

2.2 Characteristics of the Proposed Development

2.2.1 Description of the project

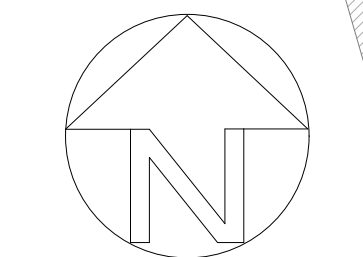
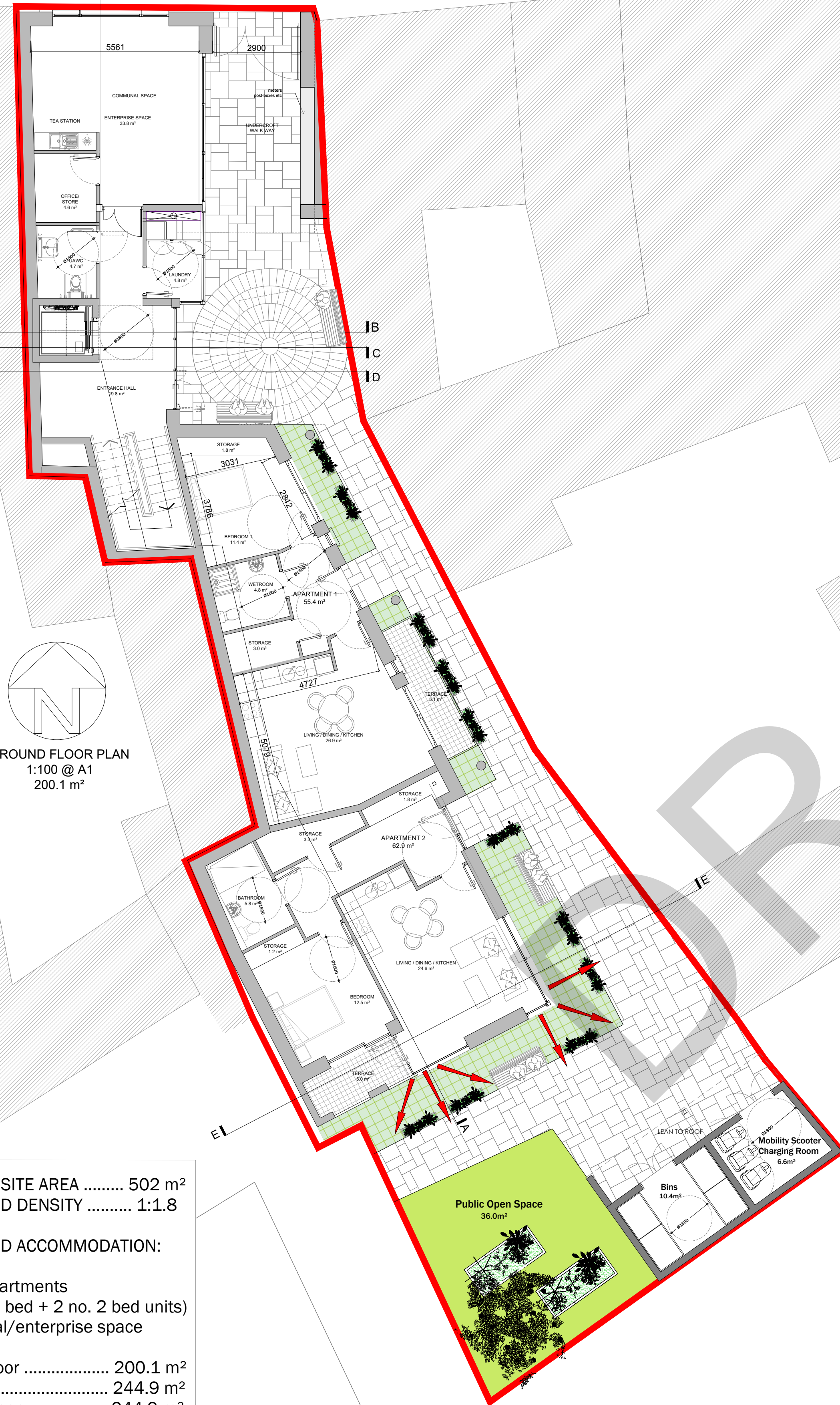
The project brief for this new residential development and its associated works at 102 Main Street, Portlaoise, Co. Laois was to design and construct a new residential building. The development will include demolition and redesign of existing front building (formerly ‘County Hotel’) and design of a new residential extension to the rear of the property.

As a general overview, the proposed development comprises:

- a) new residential apartment block, ranging in height from 2 to 3 storeys, accommodating 10 no. apartments consisting of:
 - 8 no. 1 bed units
 - 2 no. 2 bed units
 - a communal/enterprise space at ground level
 - services and plant area at roof level
- b) public open space provided to the south of the site
- c) terraces and balconies provided for each apartment
- d) mobility scooter charging room
- e) refuse storage
- f) all associated site development works necessary to facilitate the proposed development
- g) proposed pedestrian gate in the south-west corner of the site

The proposed site layout is shown in Figure 2-2.

MAIN STREET



GROUND FLOOR PLAN
1:100 @ A1
200.1 m²

OVERALL SITE AREA 502 m²
 PROPOSED DENSITY 1:1.8

PROPOSED ACCOMMODATION:

10 no. apartments
 (8 no. 1 bed + 2 no. 2 bed units)
 communal/enterprise space

ground floor 200.1 m²
 first floor 244.9 m²
 second floor 244.9 m²
 third floor 173.3 m²
 OVERALL FLOOR AREA = 863.2 m²

LEGEND:

- OVERALL SITE AREA
- PUBLIC OPEN SPACE
- PRIVATE OPEN SPACE
- DECORATIVE SHRUB PLANTING TO PRIVACY STRIP 450mm topsoil
- INTERNAL COURTYARD AND WALK WAY
- ↔ PASSIVE SURVEILLANCE

SITE STATISTICS:

Site Area (Outlined in RED) = 502m²/ 0.05Ha

Plot Ratio: 1.7
 Site Coverage: 39.8%

OPEN SPACE PROVISION:

Public Open Space: 36.0m² (7.1%)

Private Open Space for proposed apartments is provided in the form of private terraces for ground floor units and private balconies for upper floor units, in compliance with the recommended areas required by the current Laois County Development Plan 2021-2027.



FOR INFORMATION

Rev	Description	By	Date

VINCENT HANNON ARCHITECTS E: info@vha.ie www.vha.ie	Galway Suite 4 Cloch Mhíle, Dublin Road, Galway, H91 V97E T: 091 483 934	Sligo 1-3 Abbey Street, Abbeyquarter North, Sligo, F91 X160 T: 071 915 0022	Maynooth Office 20, Block B Maynooth Business Campus, Kildare T: 071 915 0022
	Client: Clúid Housing Project: Proposed Residential Development 102 Main Street, Portlaoise, Co. Laois		
© THIS DRAWING IS PROTECTED BY COPYRIGHT AND IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT SPECIFICATIONS AND DRAWINGS. USE ONLY FIGURED DIMENSIONS. DO NOT SCALE OFF THIS DRAWING. IT IS THE CONTRACTOR'S RESPONSIBILITY TO ENSURE COMPLIANCE WITH ALL ASPECTS OF THE CURRENT BUILDING REGULATIONS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO ENSURE COMPLIANCE WITH ALL CONDITIONS IMPOSED BY THE LOCAL PLANNING AUTHORITY. IF IN DOUBT ASK.	Drawing Description: Propose Site Layout Plan Status: Planning Date: April 2024	Scale: 1:100 @ A1 Drawing No: 200301-03-103 Drawn by: PS Checked by: BF	Rev: -

2.2.2 Drainage

2.2.2.1 Foul Water Drainage

The wastewater infrastructure has been designed in accordance with Uisce Eireann's latest standard details, code of practice and Building Regulations Part H.

Due to the location of the existing pipe within the site and the requirement within Uisce Eireann's code of practice for private connections to be at 90 degrees to the main, two connections are required to accommodate this. Two private inspection chamber will be provided within the site adjacent to the existing public main.

A Pre-Connection application was issued to Uisce Eireann on the 13th October 2021. A Confirmation of Feasibility letter was received on the 23rd March 2022 and is provided in Appendix 1. The development can be accommodated without infrastructure upgraded works however a build over application is required. A build over application will be made to Uisce Eireann once planning is granted.

2.2.2.2 Surface Water Drainage

It is proposed to construct a new surface water conveyance system within the site, which will provide treatment, storage and infiltration to the existing surface water public main.

All surface water collected on site will pass through green Sustainable Urban Drainage System (SuDs), this will allow for a certain level of treatment of the surface water and also infiltration into the ground. It is proposed to construct underground pipes to convey surface water from source to the SuDs infrastructure. The underground pipes will have slopes between 1:200 and 1:40 to ensure self-cleansing velocities are achieved.

The surface water infrastructure has been designed in accordance with the "Greater Dublin Regional Code of Practice for Drainage Works" (Draft version 6.0) and Laois County Council's Development Plan 2021-2027.

The surface water drainage network has been designed and simulated for a range of storm events (including 1 in 5, 1 in 30 and 1 in 100-year storm events) using the Source Control module of MicroDrainage.

SuDS measures proposed for the site are detailed in the sections below.

Permeable Surfacing

It is proposed to install permeable surfacing within the common paving area on the ground floor of the site. The water, once permeated into the pavement, will be allowed to infiltrate into the ground. The inclusion of the permeable paving will slow the surface water run off at source, treat the surface water runoff and provide storage.

Soakaway

It is proposed to install a soakaway within the landscape area to the South of the site. The surface water will be collected through gullies and underground pipes and directed to a perforated pipe within the soakaway. The perforated pipe will allow the collected water to discharge into the soakaway. The collected water will be allowed to infiltrate into the groundwater.

When the rate of water being collected by the underground pipes exceeds the infiltration rate into the ground, the collected water will be stored within the porous stone and allowed to discharge into the existing 375mm Diameter pipe in Main Street.

Filter Trench

It is proposed to install two filter trenches within the landscape areas adjacent the building. The surface water discharging from the site will pass through the filter trenches and be allowed to infiltrate into the ground through the use of perforated pipes.

Treatment Train

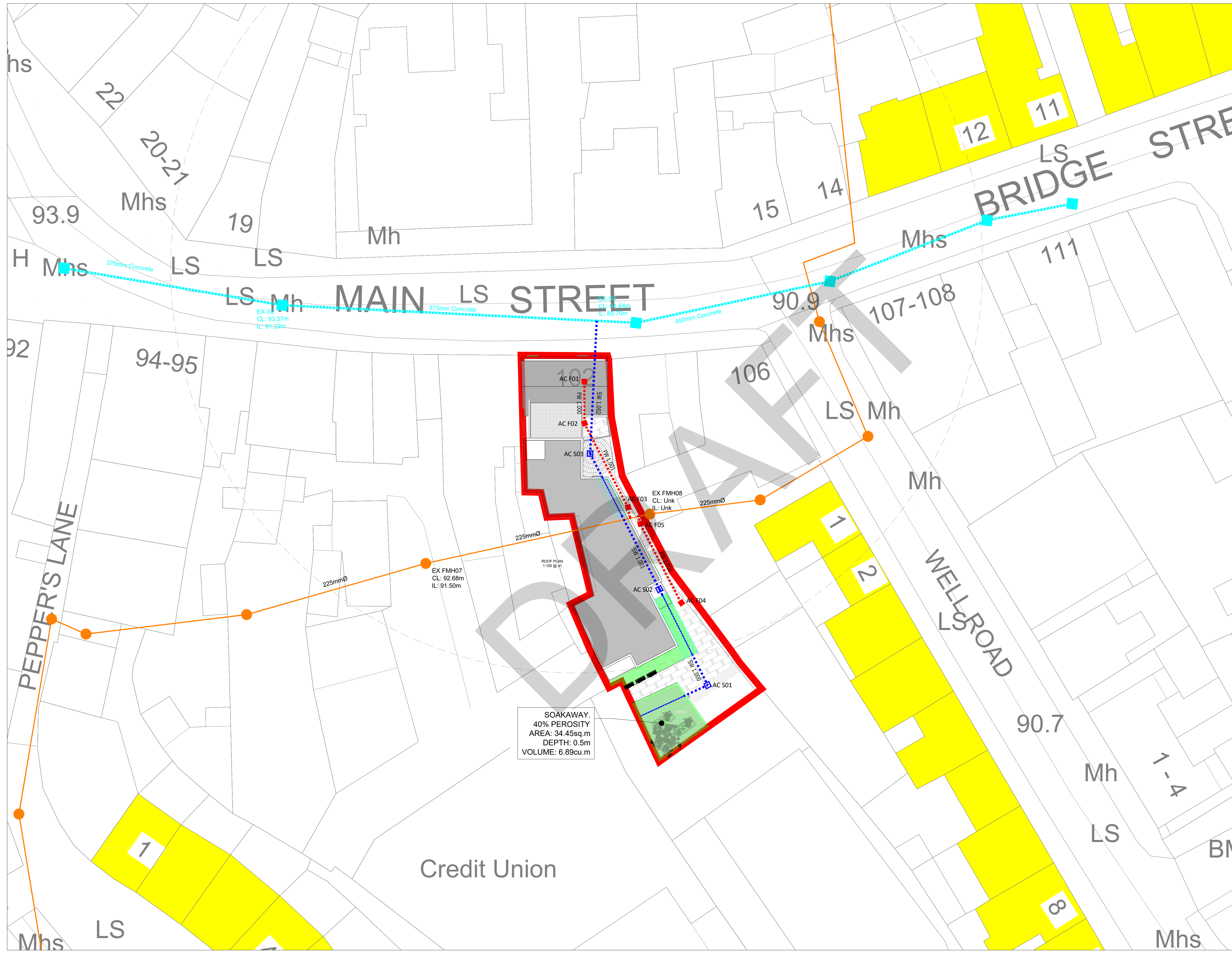
Through the SuDs measures described above, the surface water management (treatment train) approach has been incorporated into the development in accordance with the GDSDS. This will assure the surface water runoff quantity and quality issues are addressed.

Interception

Interception storage has been provided on site by the permeable paving, soakaway and filter trench. The initial 5-10mm of rainfall falling onto the car parking areas will be allowed to infiltrate through the permeable paving and further infiltrate into the ground by the soakaway and filter trench.

Rainfall falling onto the impermeable roof will be collected through gutters and downpipes. The collected water will discharge to the perforated pipes within the Soakaway, and filter trench. The perforated pipes will allow the water to seep out into the soakaway and filter trench and infiltrate into the ground.

The initial rainfall falling onto the roofs will either be discharged to the soakaway or filter trench.



LEGEND:

- SITE BOUNDARY: Red solid line
- EXISTING FOUL PIPE: Orange dashed line
- EXISTING FOUL MANHOLE: Orange circle
- EXISTING SURFACE WATER PIPE: Cyan dashed line
- EXISTING SURFACE WATER MANHOLE: Cyan square
- PROPOSED FOUL PIPE: Red dashed line
- PROPOSED FOUL INSPECTION CHAMBER: Red square
- PROPOSED SURFACE WATER PIPE: Blue dashed line
- PROPOSED SURFACE WATER INSPECTION CHAMBER: Blue square
- PROPOSED SOAKAWAY: Green shaded area
- PROPOSED INFILTRATION TRENCH WITH PERFORATED PIPE: Blue hatched area
- PROPOSED PERFORATED PIPE: Blue dashed line

- NOTES:**
- FIGURED DIMENSIONS ONLY TO BE TAKEN FROM THIS DRAWING.
 - ALL DRAWINGS TO BE CHECKED BY THE CONTRACTOR ON SITE.
 - ENGINEER/EMPLOYERS REPRESENTATIVE, AS APPROPRIATE, TO BE INFORMED BY THE CONTRACTOR OF ANY DISCREPANCIES BEFORE ANY WORK COMMENCES.
 - THE CONTRACTOR SHALL UNDERTAKE A THOROUGH CHECK FOR THE ACTUAL LOCATION OF ALL SERVICES/UTILITIES, ABOVE AND BELOW GROUND, BEFORE ANY WORK COMMENCES.
 - ALL LEVELS SHOWN RELATE TO ORDNANCE SURVEY DATUM AT MALIN HEAD.

Rev	Date	Description	By	Chkd.
P01	26/03/2024	ISSUED FOR PLANNING	PF	KH

Client: **clúd housing**

Project: **102 MAIN STREET PORTLAOIS SOCIAL HOUSING**

Title: **PROPOSED DRAINAGE LAYOUT**

Scale @ A1: 1:200

Prepared by:	Checked:	Date:
P. FANNING	K. HIGGINS	MAR' 24
Project Director:	BRIAN CARROLL	
Drawing Status:	PLANNING	

TOBIN
CONSULTING ENGINEERS
TOBIN Consulting Engineers,
Block 10-4, Blanchardstown Corporate Park,
Dublin 15, Ireland.
tel: +353-(0)1-8030406
fax: +353-(0)1-8030409
e-mail: dublin@tobin.ie
www.tobin.ie

Drawing No.:	10911-2010 P01	Revision:	
--------------	----------------	-----------	--

2.2.3 Description of the Baseline Ecological Environment

Assessing the impacts of any project and associated activities requires an understanding of the ecological baseline conditions prior to and at the time of the project proceeding. Ecological Baseline conditions are those existing in the absence of proposed activities (CIEEM 2018, updated 2022).

A multidisciplinary walkover survey was conducted on the 6th of September 2022 and the 11th of April 2024 by Ciara Lynn Sheehan (B.Sc.), Laura McEntegart (B.Sc.) and Kevin McElduff (B.Sc.) of MKO in line with NRA (2009) guidelines (Ecological Surveying Techniques for Protected Flora and Fauna during the Planning of National Road Schemes). Habitats were identified in accordance with the Heritage Council's 'Guide to Habitats in Ireland' (Fossitt, 2000). Plant nomenclature for vascular plants follows 'New Flora of the British Isles' (Stace, 2010), while mosses and liverworts nomenclature follows 'Mosses and Liverworts of Britain and Ireland - a field guide' (British Bryological Society, 2010). During the surveys, the site was searched for species listed on the Third Schedule of the European Communities (Birds and Natural Habitats) Regulations (S.I. 477 of 2011).

The proposed development site consisted primarily of an existing 3-story derelict building classified as **Building and artificial surfaces (BL3)** (Plate 2-1) with stands of Butterfly Bush (*Buddleja davidii*) growing from the roof of the building (Plate 2-2).

An area of **Refuse and other waste (ED5)** existed at the back of the building within the southeastern section of the site boundary (Plate 2-3). Species present included Red Valerian (*Centranthus ruber*), Goat Willow (*Salix caprea*) and Dandelion (*Taraxacum officinale agg.*).

There were no watercourses recorded within the boundary of the proposed development.

No habitats listed under Annex I of the EU Habitats Directive were recorded within the site of the Proposed Development and no suitable supporting habitat for species listed under Annex II of the EU Habitats Directive was identified during the walkover survey. No birds listed under Annex I of EU Birds Directive, nor significant suitable habitat, were recorded within the Proposed Development site.

There were no species found listed under the Third Schedule of the European Communities Regulations 2011 (S.I. 477 of 2011).



Plate 2-1 Outside of the derelict building at 102 Main Street, Portlaoise, with stands of Buddleia growing from the roof.



Plate 2-2 Inside of the derelict building at 102 Main Street, Portlaoise.



Plate 2-3 Area of refuse and waste at the back of the derelict building at 102 Main Street, Portlaoise.

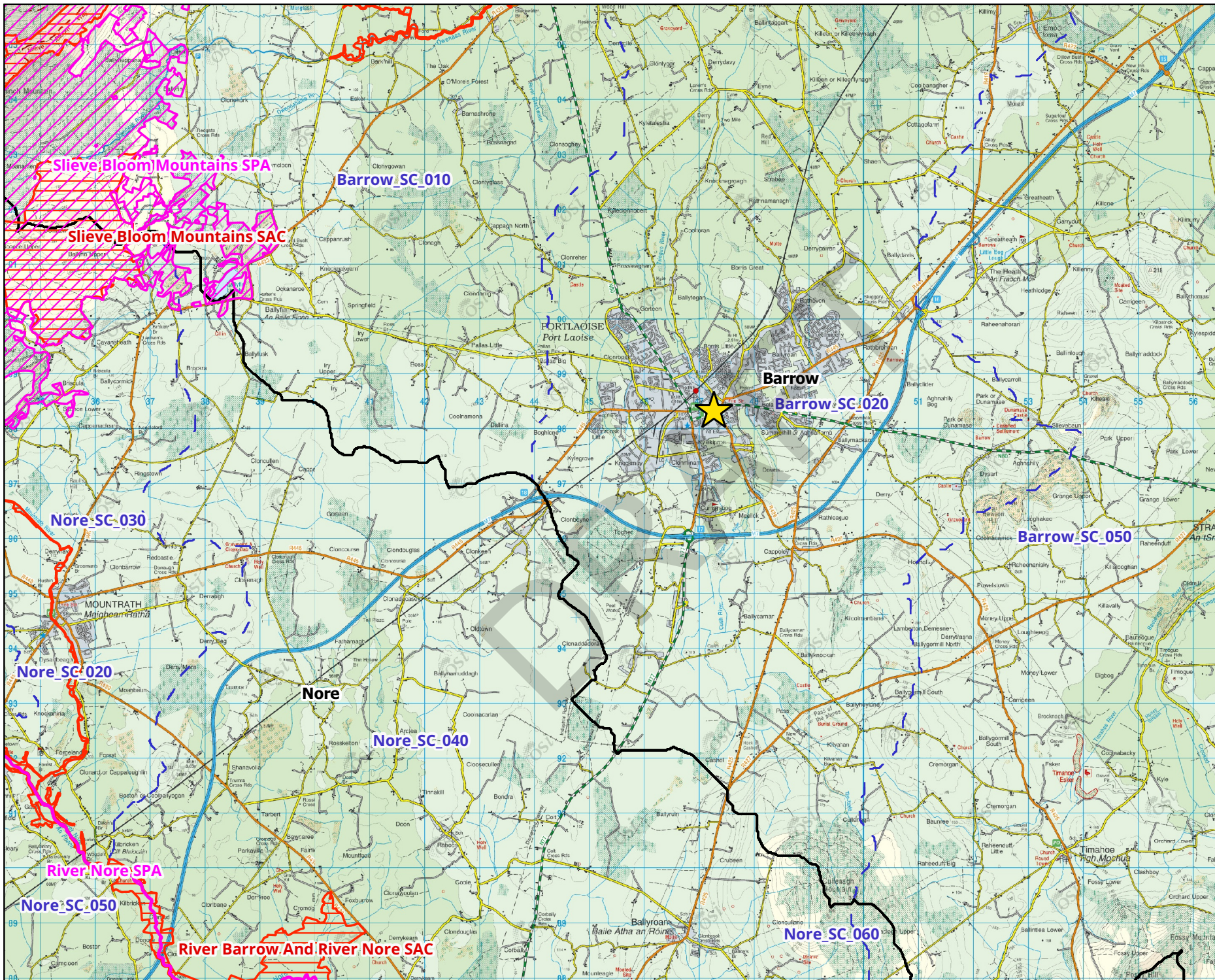
DRAFT

3. IDENTIFICATION OF RELEVANT EUROPEAN SITES

3.1 Identification of the European Sites within the Likely Zone of Impact

The following methodology was used to establish any European Sites upon which there is a potential for a likely significant effect to occur either individually or in combination with other plans and projects as a result of the proposed development:

- Initially the most up to date GIS spatial datasets for European designated sites and water catchments were downloaded from the NPWS website (www.npws.ie) and the EPA website (www.epa.ie) on the 08/04/2024.
- All European Sites that could potentially be affected were identified using a source-pathway - receptor model. To provide context for the assessment, European Sites surrounding the development site are shown on Figure 3-1. Information on these sites according to the site-specific conservation objectives is provided in Table 3-1. Sites that were further away from the proposed development were also considered and no complete source-pathway-receptor chain for significant effect was identified for any other European Site.
- The catchment mapping was used to establish or discount potential hydrological connectivity between the site of the proposed development and any European Sites. The hydrological catchments are also shown in Figure 3-1.
- In relation to Special Protection Areas, in the absence of any specific European or Irish guidance in relation to such sites, the Scottish Natural Heritage (SNH) Guidance, '*Assessing Connectivity with Special Protection Areas (SPA)*' (2016) was consulted. This document provides guidance in relation to the identification of connectivity between proposed development and Special Protection Areas. The guidance takes into consideration the distances species may travel beyond the boundary of their SPAs and provides information on dispersal and foraging ranges of bird species which are frequently encountered when considering plans and projects.
- Table 3-1, provides details of all relevant European Sites as identified in the preceding steps and assesses the potential for likely significant effects on each.
- The assessment considers any likely direct or indirect impacts of the proposed development, both alone and in combination with other plans and projects, on European Sites by virtue of criteria including the following: size and scale, land-take, distance from the European Site or key features of the site, resource requirements, emissions, excavation requirements, transportation requirements and duration of construction, operation and decommissioning were considered in this assessment.
- The site synopses and conservation objectives of these sites, as per the NPWS website (www.npws.ie), were consulted and reviewed at the time of preparing this report 08/04/2024.
- The potential for the proposed development to result in cumulative impacts on any European Sites in combination with other plans and projects was considered in the assessment that is presented in Table 3-1. Plans and projects considered include those that are listed in Section 3.2.



Map Legend

-  Site Location
-  Special Area of Conservation (SAC)
-  Special Protection Area (SPA)
-  WFD Hydrological Catchments
-  WFD Hydrological Subcatchments



Microsoft product screen shots reprinted with permission from Microsoft Corporation
© Ordnance Survey Ireland. All rights reserved. Licence number CYAL50267517

Drawing Title

European Designated Sites

Project Title

Proposed Residential Development at
102 Main Street, Portlaoise, Laois

Drawn By: **CLS** Checked By: **KOD**

Project No: **200413** Drawing No: **Figure 3-1**

Scale: **1:90,000** Date: **15/05/2024**

Scale: **1:90,000** Date: **15/05/2024**



MKO
Planning and
Environmental
Consultants

Tuam Road, Galway
Ireland, H91 WY84
+353 (0) 91 735611
email: info@mkofireland.ie
Website: ww.mkofireland.ie

Table 3-1: Identification of Designated sites within the Likely Zone of Impact

European Sites and distance from proposed development	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie on the 08/04/2024	Conservation Objectives	Identification of Source-Pathway-Receptor chain and Likely Zone of Impact Determination
Special Areas of Conservation (SAC)			
<p>River Barrow and River Nore SAC [002162]</p> <p>Distance: 8.21km</p>	<ul style="list-style-type: none"> ➤ [1016] Desmoulin's whorl snail <i>Vertigo moulinsiana</i> ➤ [1029] Freshwater pearl mussel <i>Margaritifera margaritifera</i> ➤ [1092] White-clawed crayfish <i>Austropotamobius pallipes</i> ➤ [1095] Sea lamprey <i>Petromyzon marinus</i> ➤ [1096] Brook lamprey <i>Lampetra planeri</i> ➤ [1099] River lamprey <i>Lampetra fluviatilis</i> ➤ [1103] Twaite shad <i>Alosa fallax</i> ➤ [1106] Atlantic salmon (<i>Salmo salar</i>) (only in fresh water) ➤ [1130] Estuaries ➤ [1140] Mudflats and sandflats not covered by seawater at low tide ➤ [1310] Salicornia and other annuals colonizing mud and sand ➤ [1330] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) ➤ [1355] Otter <i>Lutra lutra</i> 	<p>Detailed conservation objectives for this site, (Version 1, July 2011), were reviewed as part of the assessment and are available at www.npws.ie</p>	<p>There is no potential for direct effects as the proposed development site is located entirely outside the SAC boundary.</p> <p>There is no surface water connectivity between this SAC and the proposed development. There are no watercourses located within or adjacent to the site of the proposed development which could act as conduits for pollution. The nearest watercourse is the Triogue River, located 130m from the proposed development and 13.4km upstream of the SAC and there is no surface water connectivity between the proposed development site and this river. Given the nature and scale of the proposed development, and the distance between the development and the stream, no potential for significant run-off of pollutants to the river is anticipated.</p> <p>Both the Proposed Development and the SAC are underlain by the Bagenalstown Upper groundwater body. However, given the nature and scale of the works and the distance between the works and the SAC there is no potential for significant indirect effects on the SAC as a result of pollution via groundwater pathways.</p> <p>Given the nature and scale of the development, the absence of connectivity between the Proposed Development and the</p>

European Sites and distance from proposed development	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie on the 08/04/2024	Conservation Objectives	Identification of Source-Pathway-Receptor chain and Likely Zone of Impact Determination
	<ul style="list-style-type: none"> ➤ [1410] Mediterranean salt meadows (<i>Juncetalia maritimi</i>) ➤ [1421] Killarney fern <i>Trichomanes speciosum</i> ➤ [1990] Nore freshwater pearl mussel <i>Margaritifera durrovensis</i> ➤ [3260] Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation ➤ [4030] European dry heaths ➤ [6430] <i>Hydrophilous</i> tall herb fringe communities of plains and of the montane to alpine levels ➤ [7220] * Petrifying springs with tufa formation (<i>Cratoneurion</i>) ➤ [91A0] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles ➤ [91E0] * Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>)* 		<p>SAC and the distance between the development and the SAC, it is concluded that there is no pathway for Likely Significant Effects on the SAC during construction or operation of the Proposed Development.</p> <p>➤ As a result, the site is not within the Likely Zone of Impact and no further assessment is required.</p>
<p>Mountmellick SAC [002141]</p> <p>Distance: 10.17km</p>	<ul style="list-style-type: none"> ➤ [1016] Desmoulin's Whorl Snail <i>Vertigo moulinsiana</i> 	<p>Detailed conservation objectives for this site, (Version 1, March 2021), were reviewed as part of the assessment and are available at www.npws.ie</p>	<p>There is no potential for direct effects as the proposed development site is located entirely outside the SAC boundary.</p>

European Sites and distance from proposed development	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie on the 08/04/2024	Conservation Objectives	Identification of Source-Pathway-Receptor chain and Likely Zone of Impact Determination
			<p>There is no surface water connectivity between this SAC and the proposed development. There are no watercourses located within or adjacent to the site of the proposed development which could act as conduits for pollution. The nearest watercourse is the Triogue River which is not hydrologically connected to this SAC.</p> <p>The SAC and the site of the proposed works are underlain by different groundwater bodies. Therefore, there will be no potential for significant indirect effects on the SAC as a result of pollution via groundwater.</p> <p>Given the nature and scale of the development, the absence of connectivity between the Proposed Development and the SAC and the distance between the development and the SAC, it is concluded that there is no pathway for Likely Significant Effects on the SAC during construction or operation of the Proposed Development.</p> <p>As a result, the site is not within the Likely Zone of Impact and no further assessment is required.</p>
<p>Slieve Bloom Mountains SAC [000412]</p> <p>Distance: 10.68km</p>	<ul style="list-style-type: none"> ➤ [4010] Northern Atlantic wet heaths with <i>Erica tetralix</i> ➤ [7130] Blanket bogs (* if active bog) ➤ [91E0] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> 	<p>Detailed conservation objectives for this site, (Version 1, September 2016), were reviewed as part of the assessment and are available at www.npws.ie</p>	<p>There is no potential for direct effects as the proposed development site is located entirely outside the SAC boundary.</p> <p>There is no surface water connectivity between this SAC and the proposed development. There are no watercourses</p>

European Sites and distance from proposed development	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie on the 08/04/2024	Conservation Objectives	Identification of Source-Pathway-Receptor chain and Likely Zone of Impact Determination
	<p>(<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>)*</p>		<p>located within or adjacent to the site of the proposed development which could act as conduits for pollution. The nearest watercourse is the Triogue River which is not hydrologically connected to this SAC.</p> <p>▶ The SAC and the site of the proposed works are underlain by different groundwater bodies. Therefore, there will be no potential for significant indirect effects on the SAC as a result of pollution via groundwater.</p> <p>Given the nature of the proposed works and absence of hydrological connectivity, it is concluded that the site is not within the Likely Zone of Impact and no further assessment is required.</p>
<p>Ballyprior Grassland SAC [002256]</p> <p>Distance: 11.75km</p>	<p>▶ [6210] Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>) (* important orchid sites)</p>	<p>Detailed conservation objectives for this site, (Version 1, November 2021), were reviewed as part of the assessment and are available at www.npws.ie</p>	<p>There is no potential for direct effects as the proposed development site is located entirely outside the SAC boundary.</p> <p>The SAC is designated for a terrestrial habitat. Due to the distance between the site and the SAC and the terrestrial nature of the habitat, no complete source pathway receptor chain for effect was identified between the proposed works and the SAC, therefore the site is not within the Likely Zone of Impact and no further assessment is required.</p>
<p>Special Protection Area (SPA)</p>			

European Sites and distance from proposed development	Qualify Interests/Special Conservation Interests for which the European site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie on the 08/04/2024	Conservation Objectives	Identification of Source-Pathway-Receptor chain and Likely Zone of Impact Determination
<p>Slieve Bloom Mountains SPA [004160]</p> <p>Distance: 8.49km</p>	<p>➤ [A082] Hen Harrier <i>Circus cyaneus</i></p>	<p>Generic conservation objectives for this site, (Version 1, September 2022), were reviewed as part of the assessment and are available at www.npws.ie</p>	<p>There is no potential for direct effects as the proposed development site is located entirely outside the SPA boundary.</p> <p>The site of the proposed works is outside the 2km core foraging range of Hen Harrier (SNH, 2016). Therefore, there is no potential for habitat loss or ex-situ disturbance to this SCI species.</p> <p>As a result, no complete pathway for effect was identified between the proposed works and the SPA, therefore the site is not within the Likely Zone of Impact and no further assessment is required.</p>
<p>River Nore SPA [004233]</p> <p>Distance: 12.54km</p>	<p>➤ [A229] Kingfisher <i>Alcedo atthis</i></p>	<p>Generic conservation objectives for this site, (Version 1, October 2022), were reviewed as part of the assessment and are available at www.npws.ie</p>	<p>There is no potential for direct effects as the proposed development site is located entirely outside the SPA boundary.</p> <p>The site of the proposed works is outside the core foraging range of Kingfisher. Therefore, there is no potential for habitat loss or ex-situ disturbance to this SCI species.</p> <p>As a result, no complete pathway for effect was identified between the proposed works and the SPA, therefore the site is not within the Likely Zone of Impact and no further assessment is required.</p>

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

The potential for the proposed development to contribute to a cumulative impact on European Sites was considered. The online planning system for Laois County Council was consulted on the 09/04/2024. Plans and projects in the vicinity of the Proposed Development within the last 5 years include extensions to houses, retention permission, change of use, small alterations, and the following:

- Permission to construct a new dormer dwelling house and a new site entrance and all associated siteworks (planning ref: 2360376).
- Permission to construct a 3-storey apartment block containing 9 no. apartments and utilising the existing shared vehicular access onto Harpur's Lane and to carry out all associated site boundary and site development works at No. 2 Harpur's Lane, Portlaoise, Co. Laois, R32 TXF7, which is within the curtilage of a protected structure (NIAH reference number - 12504235, record of protected structures reference number - RPS 185_B) (planning ref: 22530).
- Permission to revise the plans previously granted under planning ref no. 19/504. Permission is sought to construct a two-storey building comprising of 2 no. two bedroom apartments, 2 no. one bedroom apartments, storage room & plant room together with all ancillary services and associated site works (planning ref: 22639).
- Permission for the construction of 49 no. residential units consisting of 15 no. terraced, two-storey houses (1 no. 4-bedroom house and 14 no. 3-bedroom houses) and 34 no., two-bed apartments arranged in 2-storey blocks of 12 apartments (1 no. block), 8 apartments (2 no. blocks) and 6 apartments (1 no. block). Proposed access will be through the existing entrance (serving Mill Court) off Green Mill Lane and works will include new estate roads, parking courts, boundaries, landscaping, a play area, related and ancillary services including bin storage and cycle shelters along with the demolition/removal of the existing boundary wall fronting Green Mill Lane and all associated site-works at Green Mill Lane, Portlaoise (planning ref: 2260005).
- Permission to construct 2 no. apartment blocks (Blocks 6 & 7), ranging from 2 to 4 storeys, totalling 28 apartments consisting of 2 no. one-bedroom apartment, 25 no. two-bedroom apartments, 1 no. three bed apartment. Block 6 will include a 22 child space creche. Block 7 will include a manager's office. All associated site works including modification of permitted vehicular entrance off Harpur's Lane permitted under Reg. Ref. 17/449, spine road, car parking, cycle parking, bin storage, open space and landscaping. 2 no. apartment will be used for short term use by the close relatives of the nursing home in the case of a health crisis (planning ref: 22271).
- Permission to construct a single storey dwelling house, garage, connection to existing public sewer and water services, new entrance and all associated site works on existing vacant site (planning ref: 22759).
- Permission to develop at 7-8 Well Road, Portlaoise, Co. Laois with access from Well Road Court (Similar to the proposed development in the grant of planning permission for building 'A' in P.A. 08/1430). The development will consist of the demolition of the derelict building on the site, the construction of a three-storey building with five apartments (three X 1-bedroom and two X 2-bedroom), the provision of bike and bin stores, the provision of landscaping including boundary treatments, and all ancillary site development and utility work (planning ref: 22165).
- Permission to create an open pedestrian area at the entrance to the train station, reorganise parking by providing 28 car parking spaces to the rear of the site, the plans involve works within the curtilage of a protected structure, new bicycle shelter with 30 no. bicycle spaces, footpaths, fencing, kerbing, drainage, road markings, public lighting, CCTV, ticketing machine, EV charging points, relocation of existing bus stop and all other associated site works (planning ref: 21831).
- Permission to subdivide existing plot and construct new dwelling house and all associated works (planning ref: 22254).

- Permission to construct a new recording studio inclusive of offices and a chapel, a new entrance onto Lismard Business Park and all associated site works (planning ref: 2231).
- Permission to construct 1 no. apartment block (Block 3), along with all associated site works including vehicular entrance off Harpur's Lane, new spine road, car parking, cycle parking, bin storage, water tank, store, open space and landscaping. Apartment Block 3 will be 5 storeys high and contain 19 no. apartments (14 no. 2-bed apartments and 5 no. one-bed apartment (planning ref: 2151).
- Permission to construct 2 no. apartment blocks (Blocks 4 and 5), along with all associated site works including vehicular entrance off Harpur's Lane, new spine road, car parking, cycle parking, bin storage, open space and landscaping. Apartment Block 4 will be 4 storeys high and contain 27 no. 2-bed apartments. Apartment Block 5 will be 5 storeys high and contain 38 no. 2-bed apartments and 1 no. 1-bed apartment. 2 apartments will be used for short term use by the close relatives of the nursing home residents in the case of a health crisis (planning ref: 2164).
- Permission to amend previously granted permission 15/544 to include amending the previously approved site layout, site boundary and house designs. The revised permission applied for is to construct 12 no. two storey, three bed semi-detached dwelling houses, 2 no. two storey end of terrace 3-bedroom houses and 1 no. two storey mid-terrace 3 bedroom house incorporating footpaths, parking spaces, foul & storm water drainage, public open space and all ancillary site works and services (planning ref: 2056).
- construct a 101-bed nursing home (gfa 5184.85 sqm) ranging from 1-3 storeys high along with all associated site works including vehicular entrance off Harpur's Lane, new spine road, car parking, cycle parking, bin storage, open space and landscaping (planning ref: 2052).
- Permission to construct 2 number training rooms at first floor level and new fire escape door and all ancillary services (planning ref: 19585).
- Permission to construct a new commercial storage building with all ancillary site works (planning ref: 19567).
- Permission to construct two no. two bedroomed apartments, winter gardens, amend elevations and all associated site works (former Portlaoise arms Building Protected Structure RPS no. 227) (planning ref: 19489).
- Permission to construct a self-contained domestic unit attached to rear of existing dwelling. The works include the demolition of existing outbuilding and partial removal of North boundary wall with all associated site works and services (planning ref: 19431).
- Permission to construct a single storey place of worship with external signage and car parking and connection to existing services and all ancillary site works, within the curtilage of protected structure IBS House (planning ref: 19220).
- Permission to construct (a) a single, detached, 3 storey block (Block 1) containing 40 no. 2 bed apartments for Independent and Assisted Living for the Elderly & Disabled; (b) a spine road and haul road which will both serve the proposed development and future development of the applicant's wider landholding (subject to planning permission). All associated site works including modification of permitted vehicular entrance off Harpur's Lane permitted under Reg. Ref. 17/449, car parking, cycle parking, bin storage, open space, landscaping (planning ref: 19151).
- Permission to construct a new dwelling house and all associated site works adjacent to No.74 Borris Little, Borris Road (planning ref: 18658).
- Permission to construct a 3 unit housing development consisting of 2 no. two storey two bed end of terrace houses and 1 no. two storey 2 bed mid terraced house. The proposed development will be accessed from the existing public roadway along the Western boundary of the subject site which connects onto the Old Knockmay Road. The proposed development will include access roads, footpaths, public open space, foul and surface water drainage, landscaping and all associated infrastructure works and services (planning ref: 19106).

The following Plans were also reviewed and considered as part of this assessment:

- > Laois County Development Plan 2021 – 2027
- > Ireland’s 4th National Biodiversity Action Plan 2023-2030
- > Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019-2031

The review of these Plans is provided below in Table 3-2.

DRAFT

Table 3-2 Review of Plans

Plans	Key Policies/Issues/Objectives Directly Related to European Sites in The Zone of Influence	Assessment of Potential Effects on European Sites
<p>Laois County Development Plan 2021-2027</p>	<p>RTP 17 Ensure that all proposed town centre projects and any associated improvement works or associated infrastructure such as parking facilities, individually or in combination with other plans and projects, are subject to Appropriate Assessment to ensure there are no likely significant effects on the integrity of any Natura 2000 sites in the County.</p> <p>ES 27 Ensure the protection of groundwater dependant Natura 2000 sites which rely on the continued supply of groundwater resources to secure the key environmental conditions that support the integrity of the site and through the protection of groundwater standards as defined by the National River Basin Management Plan 2018 – 2021 (and any subsequent Plan). Where no detailed Plan for protection of a specific source is available wastewater discharge will not be permitted within a radius of 200 metres of that source.</p> <p>ES 50 Ensure that external lighting and lighting schemes are designed so that light spillage is minimised, thereby limiting light pollution into the surrounding environment and protecting the amenities of nearby properties and wildlife, including protected species</p> <p>BNH 1 Protect, conserve, and seek to enhance the county’s biodiversity and ecological connectivity.</p> <p>BNH 2 Conserve and protect habitats and species listed in the Annexes of the EU Habitats Directive (92/43/EEC) (as amended) and the Birds Directive (2009/147/EC), the Wildlife Acts 1976 and 2010 (as amended) and the Flora Protection Orders.</p> <p>BNH 3 Support and co-operate with statutory authorities and others in support of measures taken to manage proposed or designated sites in order to achieve their conservation objectives and maintain the favourable conservation status and conservation value of Sites under National and European legislation and International Agreements and maintain and /develop linkages between them where feasible.</p> <p>BNH 4 Protect and maintain the conservation value of all existing and future Natural Heritage Areas, Nature Reserves, Ramsar Sites, Wildfowl Sanctuaries and Biogenetic Reserves in the county.</p>	<p>The Development Plan was comprehensively reviewed, with particular reference to Policies and Objectives that relate to the Natura 2000 network and other natural heritage interests.</p> <p>No potential pathway for significant effects on any European Site as a result of the Proposed Development were identified.</p> <p>No potential for negative cumulative impacts when considered in conjunction with the Proposed Development were identified.</p>

	<p>BNH 5 Projects giving rise to significant cumulative, direct, indirect or secondary impacts on Natura 2000 sites arising from their size or scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation requirements, duration of construction, operation, decommissioning or from any other effects shall not be permitted on the basis of this Plan (either individually or in combination with other plans or projects)[1]. Screening for AAs and AAs undertaken shall take into account invasive species as relevant.</p> <p>BNH 6 Assess, in accordance with the relevant legislation, all proposed developments which are likely to have a significant effect (directly or through indirect or cumulative impact) on designated natural heritage sites, sites proposed for designation and protected species.</p> <p>BNH 10 Support the objectives of the All Ireland Pollinator Plan 2015-2020 by encouraging the planting of pollinator friendly trees and plants within grass verges along public roads and existing and future greenways, new hedgerows, public parks and public open spaces in towns and villages, including part of mixed use and residential developments.</p> <p>BNH 11 Support measures to protect Swift population such as the creation of Swift nest cavities in all new commercial and public buildings (schools/libraries, etc).</p> <p>BNH 13 It is a policy objective of the Council to require new developments to identify, protect and enhance ecological features by making provision for local biodiversity (for example, through provision of swift boxes or bricks, bat roost boxes, green roofs, etc.) and improve the ecological coherence of wider green infrastructure.</p> <p>BNH 14 It is an objective of the Council to protect existing swift roosts as identified in the County Swift Survey and ensure existing nest sites are not lost through inappropriate renovation or destruction.</p> <p>BNH 15 In dealing with applications for new developments, the Planning Authority will have regard to the following: • Inclusion of swift nesting opportunities in new buildings through use of swift brick or swift nest boxes where appropriate.</p> <p>BNH 23 Encourage, pursuant to Article 10 of the Habitats Directive, the management of features of the landscape, such as traditional field boundaries and laneways, important for the ecological coherence of The Natura 2000 network and essential for the migration, dispersal and genetic exchange of wild species.</p>	
--	---	--

	<p>LCA 2 Protect and enhance the county’s landscape, by ensuring that development retains, protects and, where necessary, enhances the appearance and character of the existing local landscape and conserve valuable habitat including any European and National Designations.</p> <p>LCA 24 Conserve valuable habitats including any European and national designations.</p> <p>CS 03 In the assessment of development proposals, to take account of transport corridors, environmental carrying capacity, availability and/or capacity to provide waste water and water supply services, potential to conflict with Water Framework Directive objectives, potential to impact on the integrity of European sites and Annexed Habitats and species, features of biodiversity value including ecological networks, impact on landscape and visual characteristics, education and other socioeconomic objectives.</p> <p>SWD 1 Support in conjunction with Irish Water the improvement of storm water infrastructure to improve sustainable drainage and reduce the risk of flooding in urban environments.</p> <p>SWD 5 Ensure that in public and private developments in urban areas, both within developments and within the public realm, seek to minimise and limit the extent of hard surfacing and paving and require the use of sustainable drainage techniques for new development or for extensions to existing developments, in order to reduce the potential impact of existing and predicted flooding risks.</p>	
--	--	--

<p>Ireland’s 4th National Biodiversity Action Plan 2023-2030</p>	<p>Objective 2: Meet urgent conservation and restoration needs</p> <p>Outcome 2A: The protection of existing designated areas and species is strengthened and conservation and restoration within the existing protected area network are enhanced</p> <p>Outcome 2B: Biodiversity and ecosystem services in the wider countryside are conserved and restored – agriculture & forestry</p> <p>Outcome 2C: Biodiversity and ecosystem services in the wider countryside are conserved and restored – peatlands & climate action</p> <p>Outcome 2D: Biodiversity and ecosystem services in the marine and freshwater environment are conserved and restored</p> <p>Outcome 2H: Invasive alien species (IAS) are controlled and managed on an all-island basis to reduce the harmful impact they have on biodiversity and measures are undertaken to tackle the introduction and spread of new IAS to the environment</p>	<p>The Biodiversity Action Plan was comprehensively reviewed, with particular reference to Policies and Objectives that relate to the Natura 2000 network and other natural heritage interests.</p> <p>There is no potential for significant effects on QIs/SCIs of European Sites, as a result of the development.</p> <p>No potential for negative cumulative impacts when considered in conjunction with the Proposed Development were identified.</p>
--	--	---

<p>Eastern and Midland Regional Assembly</p> <p>2019-2031</p>	<p>Regional Policy Objective (RPO) 4.73: Support the vision and objectives of the J17 National Enterprise Park Masterplan, where appropriate, which aims to deliver a viable economic zone within Portlaoise which will accommodate a range of potential businesses and industries whilst having regard to spatial planning, infrastructural, environmental and transportation requirements and compatibility with adjoining land uses. This is subject to compliance with the requirements of the SEA, Habitats and Floods Directive.</p> <p>RPO 7.9: Local authorities shall consider measures to minimise the harmful effects of light pollution in the future provision of outdoor lighting, including improving their approach to street lighting and ensuring that new developments are lit appropriately and to ensure that environmentally sensitive areas are protected.</p> <p>RPO 7.16: Support the implementation of the Habitats Directives in achieving an improvement in the conservation status of protected species and habitats in the Region and to ensure alignment between the core objectives of the EU Birds and Habitats Directives and local authority development plans.</p> <p>RPO 7.17: Facilitate cross boundary co-ordination between local authorities and the relevant agencies in the Region to provide clear governance arrangements and coordination mechanisms to support the development of ecological networks and enhanced connectivity between protected sites whilst also addressing the need for management of alien invasive species and the conservation of native species.</p> <p>RPO 7.21: Local authorities shall promote an Ecosystem Services Approach⁴⁹ in the preparation of statutory land use plans.</p>	<p>The Spatial and Economic Policy was comprehensively reviewed, with particular reference to Policies and Objectives that relate to the Natura 2000 network and other natural heritage interests.</p> <p>No potential pathway for significant effects on any European Site as a result of the Proposed Development were identified. There will be potential for significant effects on QIs/SCIs of European Sites, as a result of the development.</p> <p>No potential for negative cumulative impacts when considered in conjunction with the Proposed Development were identified.</p>
---	---	---

3.2.1 Conclusion of in-combination/cumulative assessment

The review of plans and projects that is described above did not reveal any additional potential pathways for effect on European Sites that may have arisen as a result of those plans or projects.

There were no Annex I habitats identified within the works site boundary and there was no evidence of Annex II species or SCI species using the areas of habitat surveyed. There was no evidence of protected fauna using the proposed study area.

No pathway or mechanism for the development works to result in any significant effect on any European Site, was identified when considered on its own during the assessment process and therefore, there is no potential for it to contribute to any such effects when considered in-combination with any other development.

DRAFT

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

4.1 Data Collected to Carry Out Assessment

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

- > Review of NPWS Site Synopses, Conservation Objectives for the European Sites
- > Review of 2019, 2013 and 2007 EU Habitats Directive (Article 17) Reports.
- > Review of online web-mappers: National Parks and Wildlife Service (NPWS), EPA, Water Framework Directive (WFD)
- > Review of Birds of Conservation Concern (BoCCI) in Ireland 2020-2026 (Gilbert *et al.*, 2021).
- > Review of OS maps and aerial photographs of the site of the proposed project.
- > Review of relevant databases including National Biodiversity Ireland Database and available literature of previous surveys conducted in the area.
- > Review of other plans and projects within the area.

4.2 Concluding Statement

It is concluded beyond reasonable scientific doubt, in view of best scientific knowledge, on the basis of objective information and in light of the conservation objectives of the relevant European sites, that the proposed development, individually or in combination with other plans and projects, will not have a significant effect on any European Site.

BIBLIOGRAPHY

Atherton, I., Bosanquet, S. and Lawley, M. eds. (2010) Mosses and liverworts of Britain and Ireland: a field guide. Plymouth: British Bryological Society.

Birds Directive (2009/47/EC) – http://ec.europa.eu/environment/nature/legislation/birdsdirective/index_en.htm

CIEEM, 2018, Guidelines for Ecological Impact Assessment in the UK and Ireland. Terrestrial, Freshwater, Coastal and Marine.

Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (Habitats Directive) and Directive 2009/147/EC (codified version of Directive 79/409/EEC as amended) (Birds Directive) – transposed into Irish law as European Communities (Birds and Natural Habitats) Regulations 2011 (SI 477/2011).

DoEHLG (2010). Appropriate Assessment of Plans and Projects in Ireland. Guidance for Planning Authorities. Revision, February, 2010. Department of the Environment, Heritage and Local Government.

EC (2018) Managing Natura 2000 Sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC, Office for Official Publications of the European Communities, Luxembourg. European Commission.

EC (2021) Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites: Methodological guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC, Office for Official Publications of the European Communities, Luxembourg. European Commission.

EC (2006) Nature and biodiversity cases: Ruling of the European Court of Justice. Office for Official Publications of the European Communities, Luxembourg.

EC (2007a) Guidance document on Article 6(4) of the 'Habitats Directive' 92/43/EEC – Clarification of the concepts of: alternative solutions, imperative reasons of overriding public interest, compensatory measures, overall coherence, opinion of the commission. Office for Official Publications of the European Communities, Luxembourg. European Commission.

EC (2007b) Interpretation Manual of European Union Habitats. Version EUR 27. European Commission, DG Environment.

European Communities (Conservation of Wild Birds) Regulations, 1985, SI 291/1985 & amendments – <http://www.irishstatutebook.ie>

European Communities (Natural Habitats) Regulations, SI 94/1997, SI 233/1998 & SI 378/2005 – <http://www.irishstatutebook.ie>

Fossitt, J. A. (2000). A Guide to Habitats in Ireland. Dublin: The Heritage Council.

Gilbert, G., Stanbury, A. and Lewis, L., 2021. Birds of conservation concern in Ireland 4: 2020–2026. Irish Birds, 43, pp.1-22. Habitats Directive (92/43/EEC).

NPWS (2008) The Status of EU Protected Habitats and Species in Ireland. Conservation Status in Ireland of Habitats and Species listed in the European Council Directive on the Conservation of Habitats, Flora and Fauna 92/43/EEC.

NPWS (2019) The Status of EU Protected Habitats and Species in Ireland. Habitat Assessments Volume 2. Version 1.0. Unpublished Report, National Parks and Wildlife Services. Department of Arts, Heritage and the Gaeltacht, Dublin, Ireland.

NPWS (2019), The Status of EU Protected Habitats and Species in Ireland. Species Assessments Volume 3, Version 1.0. Unpublished Report, National Parks and Wildlife Services. Department of Arts, Heritage and the Gaeltacht, Dublin, Ireland.

NPWS Protected Site Synopses and maps available on <http://www.npws.ie/en/ProtectedSites/>

NRA (2009). Ecological Surveying Techniques for Protected Flora and Fauna during the Planning of National Road Schemes. Dublin: National Roads Authority.

OPR. (2021). Appropriate Assessment Screening for Development Management. OPR Practice Note PN01 March 2021.

Scottish Natural Heritage (SNH) (2016) Assessing Connectivity with Special Protection Areas (SPA)

S.I. No 477 of 2011 - Third Schedule of the European Communities (Birds and Natural Habitats) Regulations 2011.

SNH (2016). Assessing connectivity with Special Protection Areas (SPAs). Scottish Natural Heritage, Inverness, Scotland. Available at: <https://www.nature.scot/sites/default/files/2022-12/Assessing%20connectivity%20with%20special%20protection%20areas.pdf>

Stace, C. A. (1997). New Flora of the British Isles. Cambridge: Cambridge University Press.

DRAFT

DR

APPENDIX 1

**UISCE EIREANN CONFIRMATION
OF FEASIBILITY LETTER**

Patrick Fanning
 Block 10-4
 Blanchardstown
 Corporate Park
 Dublin
 D15X98N
 Ireland

Uisce Éireann
 Bosca OP 448
 Oifig Sheachadta na
 Cathrach Theas
 Cathair Chorcaí

Irish Water
 PO Box 448,
 South City
 Delivery Office,
 Cork City.

www.water.ie

23 March 2022

Re: CDS22002071 pre-connection enquiry - Subject to contract | Contract denied

Connection for Multi/Mixed Use Development of 11 unit(s) at 102 Main Street, Portlaoise, Co. Laois

Dear Sir/Madam,

Irish Water has reviewed your pre-connection enquiry in relation to a Water & Wastewater connection at 102 Main Street, Portlaoise, Co. Laois (the **Premises**). Based upon the details you have provided with your pre-connection enquiry and on our desk top analysis of the capacity currently available in the Irish Water network(s) as assessed by Irish Water, we wish to advise you that your proposed connection to the Irish Water network(s) can be facilitated at this moment in time.

SERVICE	OUTCOME OF PRE-CONNECTION ENQUIRY <u>THIS IS NOT A CONNECTION OFFER. YOU MUST APPLY FOR A CONNECTION(S) TO THE IRISH WATER NETWORK(S) IF YOU WISH TO PROCEED.</u>
Water Connection	Feasible without infrastructure upgrade by Irish Water
Wastewater Connection	Feasible without infrastructure upgrade by Irish Water
SITE SPECIFIC COMMENTS	
Wastewater Connection	As there is an existing sewer running under the existing building an IW build Over/Near application will have to be applied for before a IW connection agreement can be obtained, Please contact diversions@water.ie to apply for build over agreement.
<p>The design and construction of the Water & Wastewater pipes and related infrastructure to be installed in this development shall comply with the Irish Water Connections and Developer Services Standard Details and Codes of Practice that are available on the Irish Water website. Irish Water reserves the right to supplement these requirements with Codes of Practice and these will be issued with the connection agreement.</p>	

The map included below outlines the current Irish Water infrastructure adjacent to your site:



Reproduced from the Ordnance Survey of Ireland by Permission of the Government. License No. 3-3-34

Whilst every care has been taken in its compilation Irish Water gives this information as to the position of its underground network as a general guide only on the strict understanding that it is based on the best available information provided by each Local Authority in Ireland to Irish Water. Irish Water can assume no responsibility for and give no guarantees, undertakings or warranties concerning the accuracy, completeness or up to date nature of the information provided and does not accept any liability whatsoever arising from any errors or omissions. This information should not be relied upon in the event of excavations or any other works being carried out in the vicinity of the Irish Water underground network. The onus is on the parties carrying out excavations or any other works to ensure the exact location of the Irish Water underground network is identified prior to excavations or any other works being carried out. Service connection pipes are not generally shown but their presence should be anticipated.

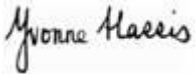
General Notes:

- 1) The initial assessment referred to above is carried out taking into account water demand and wastewater discharge volumes and infrastructure details on the date of the assessment. **The availability of capacity may change at any date after this assessment.**
- 2) This feedback does not constitute a contract in whole or in part to provide a connection to any Irish Water infrastructure. All feasibility assessments are subject to the constraints of the Irish Water Capital Investment Plan.
- 3) The feedback provided is subject to a Connection Agreement/contract being signed at a later date.
- 4) A Connection Agreement will be required to commencing the connection works associated with the enquiry this can be applied for at <https://www.water.ie/connections/get-connected/>
- 5) A Connection Agreement cannot be issued until all statutory approvals are successfully in place.

- 6) Irish Water Connection Policy/ Charges can be found at <https://www.water.ie/connections/information/connection-charges/>
- 7) Please note the Confirmation of Feasibility does not extend to your fire flow requirements.
- 8) Irish Water is not responsible for the management or disposal of storm water or ground waters. You are advised to contact the relevant Local Authority to discuss the management or disposal of proposed storm water or ground water discharges
- 9) To access Irish Water Maps email datarequests@water.ie
- 10) All works to the Irish Water infrastructure, including works in the Public Space, shall have to be carried out by Irish Water.

If you have any further questions, please contact Tony Scanlan from the design team on 021 42 18905 or email toscanlon@water.ie For further information, visit **www.water.ie/connections**.

Yours sincerely,



Yvonne Harris

Head of Customer Operations

DRAFT