

MWP

APPROPRIATE ASSESSMENT

SCREENING REPORT

Port Road Housing Development

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Appendix 1: ABP Order

Project No.	Doc. No.	Rev.	Date	Prepared By	Checked By	Approved By	Status
19554	6001	B	16/11/2021	MKy	PR	MKe	Final
19554	6001	C	08/08/2023	PR	KF	KF	Draft
19554	6001	D	24/08/2023	KF	KF	KF	Draft
19554	6001	E	29/04/2024	PR	KF	KF	Final

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1. Introduction

A Large-scale Residential Development (LRD) Planning Application is being lodged to Kerry County Council by Portal Asset Holdings Ltd. for a site at Port Road, Killarney, Co. Kerry. Malachy Walsh and Partners (MWP) has been engaged by HW Planning to undertake a screening for Appropriate Assessment of the project.

In August 2022 An Bord Pleanála (ABP) refused permission for a previous application for this proposal [ABP-312987-22] on the grounds that it could not be concluded that the proposed development would not adversely affect the integrity the Killarney National Park, MacGillycuddy's Reeks and Caragh River Catchment SAC (000365) in view of the site's Conservation Objectives, specifically with regard to impacts on the foraging activities of the population of lesser horseshoe bat (*Rhinolophus hipposideros*) for which the site is selected. A copy of the board's Order [ABP-312987-22] is included in Appendix 1.

This screening for Appropriate Assessment has been undertaken to determine whether the proposal is likely to have a significant effect on any European site (i.e. Natura 2000 Sites), in view of the sites' Conservation Objectives.

1.1 Legislative Context

The Habitats Directive (92/43/EEC) seeks to conserve natural habitats and wild fauna and flora by the designation of Special Areas of Conservation (SACs) and the Birds Directive (2009/147/EC)¹ seeks to protect birds of special importance by the designation of Special Protection Areas (SPAs). It is the responsibility of each member state to designate SPAs and SACs, both of which form part of Natura 2000, a network of protected sites throughout the European Community. Further information is available at:

<http://ec.europa.eu/environment/nature/legislation/habitatsdirective/>

<http://www.npws.ie/planning/appropriateassessment/>

The current assessment was conducted within this legislative framework and also the relevant guidelines. As outlined in these, it is the responsibility of the proponent of the project, in this case Portal Asset Holdings Ltd., to provide a comprehensive and objective screening for Appropriate Assessment, which can then be used by the competent authority.

1.2 Stages of Appropriate Assessment

The Appropriate Assessment process is a three-stage process with issues and tests at each stage. The purpose of the screening assessment is to record in a transparent and reasoned manner the likely effects on Natura 2000 sites of a proposed development. An important aspect of the process is that the outcome at each successive stage determines whether a further stage in the process is required.

¹ This is the codified version of Directive 79/409/EEC as amended (see http://ec.europa.eu/environment/nature/legislation/birdsdirective/index_en.htm)

2. Assessment Methodology

2.1 Appropriate Assessment Guidance

This screening for Appropriate Assessment, or Stage 1, has been undertaken with regard to the European Commission Methodological Guidance on the provision of Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC (EC 2001, 2021), the European Commission Guidance 'Managing Natura 2000 Sites' (EC 2000, 2018), *Appropriate Assessment of Plans & Projects - Guidance for Planning Authorities* prepared by the NPWS (DoEHLG, 2009) and *Appropriate Assessment Screening for Development Management* prepared by the Office of the Planning Regulator (OPR, 2021).

2.2 Desk Study

In order to complete the screening for Appropriate Assessment certain information on the existing environment is required. A desk study was carried out to collate available information on the subject site's natural environment. This comprised a review of the following publications, data and datasets:

- OSI Aerial photography and 1:50000 mapping
- National Parks and Wildlife Service (NPWS)
- National Biodiversity Data Centre (NBDC) (on-line map-viewer)
- BirdWatch Ireland
- Teagasc soil area maps (NBDC website)
- Geological Survey Ireland (GSI) area maps
- Environmental Protection Agency (EPA) water quality data
- South Western River Basin District (SWRBD) datasets (Water Framework Directive)
- Other information sources and reports footnoted in the course of the report

2.3 Field Surveys

Field surveys were undertaken between 2018 and 2021 and repeated in 2023. These included habitat surveys and mapping, mammal surveys including a bat activity transect, badger activity surveys, aquatic habitat value surveys, bird surveys and invasive alien plant species surveys.

3. Screening for Appropriate Assessment

The task of establishing whether a plan or project is likely to have an effect on a Natura 2000 Site is based on a preliminary impact assessment using available information and data, including that outlined above, and other available environmental information, supplemented as necessary by local site information and ecological surveys. This is followed by a determination of whether there is a risk that the effects identified could be significant. The precautionary principle approach is required.

Once the potential impacts that may arise from the proposal are identified the significance of these is assessed through the use of key indicators:

- Habitat loss
- Habitat alteration
- Habitat or species fragmentation
- Disturbance and/or displacement of species
- Water quality and resource.

Screening for Appropriate Assessment (Stage 1) determines the need for a full Appropriate Assessment (Stage 2) and consists of a number of steps, each of which is addressed in the following sections of this report:

- 3.1** Establish whether the proposal is necessary for the management of a Natura 2000 Site
- 3.3** Description of the proposal
- 3.5** Identification of Natura 2000 Sites potentially affected
- 3.6** Identification and description of potential individual and cumulative impacts of the works
- 3.7** Assessment of the significance of the impacts on the integrity of Natura 2000 Sites
- 3.8** Conclusion of screening stage

The purpose of the screening assessment is to record in a transparent and reasoned manner the likely effects, on relevant Natura 2000 Sites, of the proposed works.

3.1 Management of Natura 2000 Sites

The proposal is not connected with or necessary to the conservation management of a Natura 2000 Site.

3.2 Description of the Site

The proposed development site comprises an agricultural grassland (greenfield) site that slopes from a highpoint in the northwest down to Port Road on the west, and to the southeast. Along the western boundary of the site is a connection to the R877 road. Also, along this boundary are the rear gardens of the Port Road Cottages. The northern and eastern boundaries of the site adjoin existing residential developments. The southern boundary adjoins the playing fields of Killarney Community College. The lands subject to the permitted development are unoccupied and undeveloped. Previously the site was used for the grazing of livestock as it once formed part of the Mercy Order farm and school. The existing land-uses in the vicinity of the subject site comprise primarily residential properties, with a number of local amenities in the form of a national school, two secondary schools, churches, a community hospital, and a nursing home (within 500 m).

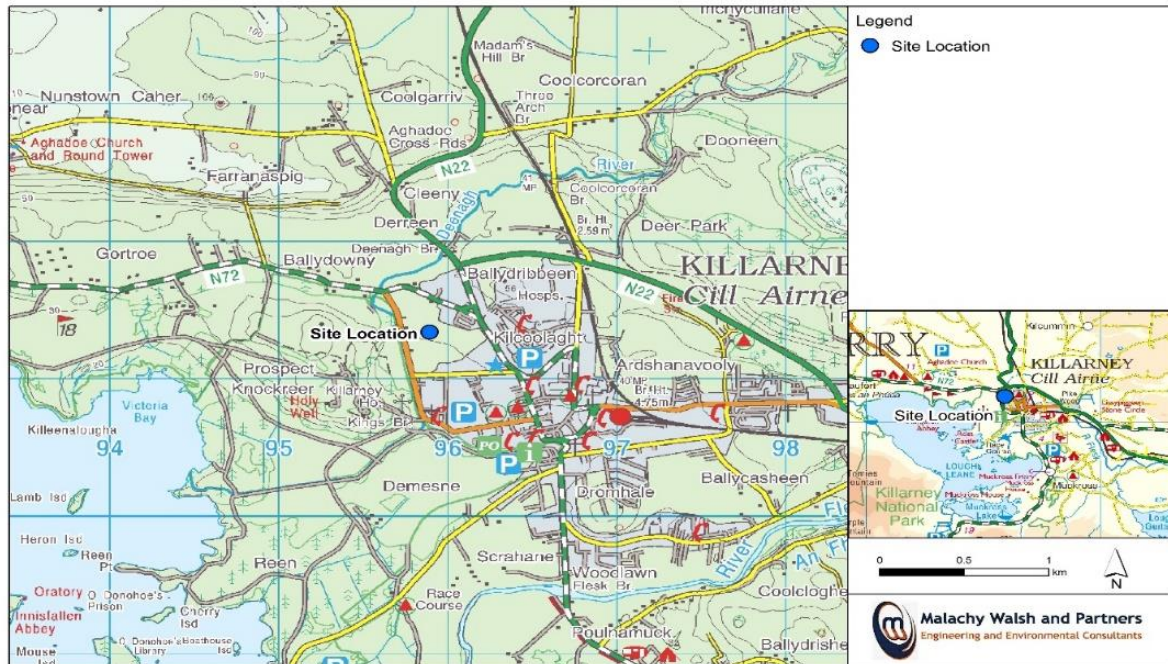


Figure 1: Site location map



Figure 2: Lands within and adjacent to the PD

There is 1 site access point located in the northwestern corner of the site across the road from Killarney National Park. This serves the crèche initially and then connects into the residential aspect of the scheme. A footpath connecting the development to Port Road links the site with local bus routes and Killarney town centre ensuring that alternative modes of transport are provided as a substitute for the car.

The northern part of the subject site is generally flat with the terrain lowering towards the Folly Stream at the southern boundary. The proposed scheme has been carefully considered to respond to the existing topography in order to minimise cut/fill on site. Most of the existing hedgerows, treelines and riparian woodland along the site boundaries will be retained. The trees along the boundaries are not suitable for roosting lesser horseshoe bats, a species which has a low dependence on trees as roosting sites (Kelleher *et al.*, 2006) and the site is sub-optimal for foraging lesser horseshoe bat.

The site is within the Deenagh sub-catchment 22_1. However, there are no watercourses within the site that join the Deenagh River which is located 100 m to the west on the opposite side of the R877/Port Road and within the Killarney National Park, MacGillycuddy's Reeks and Caragh River Catchment SAC (000365). The river channel is situated below the level of the road and is delineated by a high embankment of trees and concrete walls and is separated from the road by a stone wall and footpath on the western side of the R877 (see Photograph 1). The proposed development site is further separated from the river by the Port Road Cottages which are located between the western boundary of the site and the R877/Port Road.

The Folly Stream, a watercourse that has little to no habitat value for fish or other aquatic prey, forms the boundary of the Inch and Coolagrean townlands (see **Figure 3**). It is not connected to, or tributary of, any other watercourse and comprises a shallow, shaded, slow moving and ephemeral drain, with heavy silt and mud substrate. It rises to the east of Port Road, within the site, 400 metres upstream of New Road. The old 6" and 25" maps show the stream extending south to what is now the Killarney Plaza Hotel and it does not appear on the surface beyond this point. The last 350 metres is now covered over, and it flows into a culvert about 250 m to the south of New Street, where it joins the municipal combined storm and sewer network which is directed to the Killarney WWTP at Ross Road. The total exposed length is now 650 metres².

Three invasive plant species listed in the European Communities (Birds and Natural Habitats) Regulations (2011-2021) are present in an area of previously disturbed ground the south-eastern section of the site. These are Japanese knotweed (*Fallopia japonica*), montbretia (*Crocasmia X crocosmiflora*) and butterfly bush (*Buddleja davidii*).

Evidence of red fox (*Vulpes vulpes*) and rabbit (*Oryctolagus cuniculus*) were recorded at the main PD site. An active badger (*Meles meles*) sett was identified in a cluster of oak trees (*Quercus* spp.) that separates the western and south-eastern sections of the site. Subsequent surveys identified one active main sett and three outlier setts within the boundary of the site. Badgers are not protected under the EU Habitats Directive (92/43/EEC). They are, however, protected under the Wildlife Act 1976, as amended and, therefore, the management and protection of this sett is considered in the Ecological Impact Assessment that will be submitted as part of the planning application.

² MWP (2014) Flood Level Assessment New Road

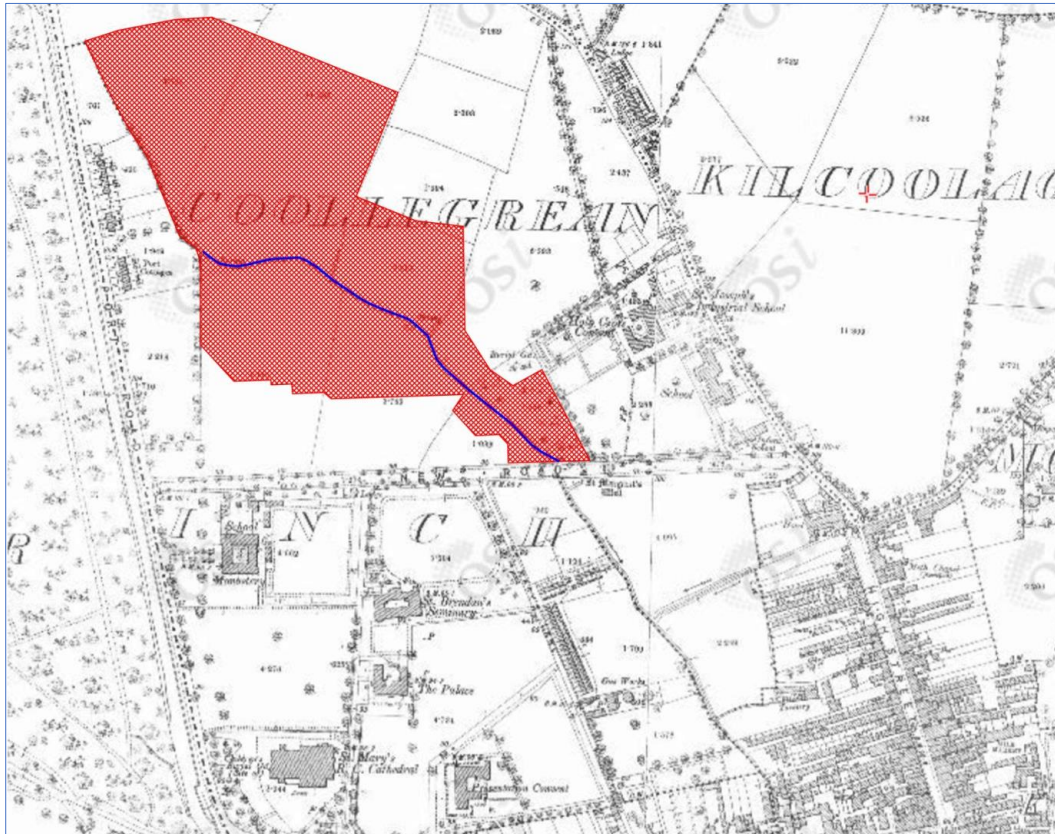


Figure 3: Course of field boundary drain



Photograph 1: R877 Port Road facing south, with eastern bank of River Deenagh on RHS of image

3.3 Description of Project

Portal Asset Holdings Ltd. intend to apply for planning permission for a Large-Scale Residential Development (LRD) at Port Road and St Margaret's Road, Coolegrean, Inch, Knockreer, Ardnamweely, Derreen (townlands), Killarney, Co. Kerry. The proposed development (PD) will comprise 224. residential units, consisting of 76 housing units, 52 ground floor and duplex apartments, and 96 apartment units within 3 blocks. The development also includes a 2 storey crèche, and all associated site development works. The proposed scheme and the layout has been

organised into specific areas with larger housing units at the entrance to the north-west, higher density duplex units to the south and large apartment blocks on the south-eastern part of the site, the eastern field. It includes for 320 car parking spaces and 26 E.V. parking spaces and 350 bicycle spaces. Ancillary infrastructure development works on the main PD site will include relocation/undergrounding of ESB powerlines, wastewater infrastructure including foul pumping station, surface water storage/infiltration, improvements to the stormwater network on St. Margaret’s Road’, water utility services, public lighting, bin stores, bicycle stores, ESB substation, and all associated site development works.

The PD will provide for a new vehicular access and pedestrian entrances onto Port Road, upgrades to Port Road comprising reduction in carriageway widths, provision of shared pedestrian/cycle path and uncontrolled pedestrian crossing, and a pedestrian connection to Millwood Estate. Construction site access will use the main access. A main spine road and connected local roads will connect the housing units on site while the main spine road will access the apartment blocks close to the northern site boundary.

A summary description of the proposal is provide in the table below, Further detail is then provided in **Sections 3.3.1 and 3.3.2.**

<p><i>Size, scale, area, land-take</i></p>	<p>The residential developable area is 4.75 ha.</p> <p>There will be no land-take from any Natura 2000 site.</p>
<p><i>Details of physical changes that will take place during the various stages of implementing the proposal</i></p>	<ul style="list-style-type: none"> • Construction of 224 residential units, a 2 storey crèche, and associated green space. • On site vehicle streets with associated car parking provision. • A mix of independent pedestrian and cyclist infrastructure together with shared street spaces. • Drainage and water supply infrastructure to accommodate the proposed development. • Public lighting, power and communications infrastructure to accommodate the development. • Diversion of existing 10 kV ESB overhead electrical cables. • Improvement works along nearside footpath on R877 for pedestrian/cycle way. • All ancillary ground works including car parking, fencing and landscaping.
<p><i>Description of resource requirements for the construction/operation and decommissioning of the proposal (water resources, construction material, human presence etc)</i></p>	<p><i>Plant and machinery</i></p> <ul style="list-style-type: none"> • Hydraulic excavators. • Mobile cranes. • Dumpers. • Concrete saw cutting. • Volvo dump trucks. • Ready-mix concrete trucks. • Pump unit for ready-mix. • Concrete. • Vibrating rollers. • HGV – 20-foot trailers. • HGV – 40-foot trailers. • Telescopic site handlers. • Road sweeping equipment.

	<ul style="list-style-type: none"> • Welding gear. • Elevation platforms. • Small tools – grinders, saws, drills, kango hammers, powerfloats, temporary lights, water pumps, concrete vibrators. <p><i>No. of personnel</i></p> <ul style="list-style-type: none"> • 50 <p><i>Materials</i></p> <ul style="list-style-type: none"> • Concrete, sub-structures • Steel reinforcement used in concrete. • Structural steelwork used for equipment support, roof structure, hand railings. • Partitions incorporating studwork and panelled walls. • Secondary steel work. • Masonry concrete block work. • Stone fill. <p>Water supply for the construction facilities will be taken from the mains supply which is adjacent the site. Power for the pumps and small power requirements for construction activities will be supplied from diesel generators until such time as the permanent site power supply is available.</p> <p>The operational development will be connected to the mains water supply and the municipal foul and storm network.</p>
<p><i>Description of timescale for the various activities that will take place as a result of implementation (including likely start and finish date)</i></p>	<p>Phasing as described above is expected to take a combined 3.5 years, with an expected start date of October 2025.</p>
<p><i>Description of wastes arising and other residues (including quantities) and their disposal</i></p>	<p>During the construction phase, typical wastes arising include:</p> <ul style="list-style-type: none"> • Excavation wastes • Construction waste from building materials such as Off Cuts of Metal and Insulation • Pipe Off Cuts, Wrapping, Insulation, Weld Rods • Materials Wrapping • Oils, Filters and Cleaning Materials • Food Waste, Packaging Materials, Dry Recyclables • Metal, Wire • Construction water • Topsoil excavated will be stored for re-use on the site. <p>All waste will be managed, collected, stored, and segregated in separate areas and removed off site by a licensed waste management contractor at regular intervals during the works. All concrete trucks will have to return to their respective yards for washout.</p>
<p><i>Identification of wastes arising and other residues (including quantities) that may be of particular concern</i></p>	<p>It is anticipated that a significant amount of material arising from the works will be classified for re-use as fill material under roads and pavements. The objective is to ensure the absolute minimum amount of material leaves the site as waste.</p>

<p><i>in the context of the Natura 2000 network</i></p>	<p>Construction wastewater will be collected in filter drains and directed towards an interceptor & soak away where it will disperse to ground.</p>
<p><i>Description of any additional services required to implement the project or plan, their location and means of construction</i></p>	<p>A temporary site compound will be established within the Phase 1 construction area, and will include provisions for:</p> <ul style="list-style-type: none"> • Offices, canteen and toilet / changing facilities c/w temporary water supplies and wastewater treatment unit. • Secure compound and containers for storage of materials and plant. • Temporary vehicle parking areas. • Contained area for machinery refuelling and construction chemical storage. • Wheel-washing facilities for vehicles leaving the site.

3.3.1 Construction Phase

It is proposed to develop the site in three phases over a 3.5-year period.

1. Phase 1: The total developable Phase 1 site is to contain 76 dwellings in total and the childcare facility and is envisaged to take approximately 15 months to complete.
2. Phase 2: The total developable Phase 2 site is to contain 52 duplex units and is envisaged to take 12 months to complete.
3. Phase 3: The total developable Phase 3 site is to contain 96 apartments, including undercroft parking, and is envisaged to take 15 months to complete.

A temporary site compound will be established in the centre of the northern part of the site. It will contain offices, canteen, changing facilities, water supply, portable toilets and wastewater treatment unit. It will provide secure storage for materials, plant and chemicals, and a refuelling area.

The main stages of construction will proceed as follows:

- Enabling works including set-up of temporary compound.
- Site clearance will include bult excavation and cut and fill.
- Construction of drainage, water supply and utility services.
- Construction of buildings.
- Landscaping.
- Building fit-out and commissioning.

The PD also includes offsite works to the carriageway and footpath at Port Road and sewer network at St. Margarets Road.

Details of the construction methodology are set out in the Construction Environmental Management Plan (CEMP) and are summarised here. Pre-construction activities will include demarcation of the site, detailed ground investigations, excavation and burial of invasive species, establishment of temporary site compound. Construction activities for each phase will involve bulk excavation – removal and temporary storage of large amount of soil, rock or other material in preparation for construction - and associated cut and fill of that material (approximate earthworks volume: 33,500 m³ cut, 5,700 m³ fill) with excess material will be removed off site to an appropriately licenced waste facility. Early works will involve the installation of underground utilities to provide the infrastructure required for stormwater drainage, foul water drainage, water supply, power and building utility

systems. Civil works will include the pouring of foundations followed by concrete block construction followed by external finishing and roofing. Works on external services including water mains, foul sewers, storm sewers, roads, footpaths and public lighting will be carried out in conjunction with the completion of the units. Landscaping works will take place in tandem with other construction. Details of a temporary internal roadway and associated drainage to be constructed on site and a list of typical construction plant and equipment is provided in the CEMP. Principal construction material used on site will include stone, concrete, timber, and steel.

Working hours will be between 7 a.m. and 7 p.m. Monday to Friday, and to 4 p.m. on Saturday. No work on Sundays or bank holidays. The working day may extend at times when critical elements of work need to be advanced. Longer working days can occur when there is a planned concrete pour. If extended working hours are required, these will be agreed in advance with the planning authority. It is expected that a maximum of 50 construction personnel will be on site daily. 7,000 mm³

3.3.1.1 Landscaping

The design approach directly relates to defining the existing natural features that exist on site and incorporating them into the scheme where possible to give the development a very distinctive quality that is unique to its location. There are treelines, a barrow³ and a stream that exist on site that are proposed to be integrated into the scheme. A detailed Landscaping Plan has been developed incorporating high quality, usable spaces. Areas of high-quality existing vegetation have been mostly preserved and existing sensitive areas have been identified and removed from the buildable area of the proposal.

A pocket of mature specimen oak (*Quercus* spp.) trees adjacent to the active badger sett divides the main PD site into two areas – a western and eastern field. The southern boundary of the site is outlined by mature specimen trees most of which are located outside of the site boundary on the neighbouring college lands. Pockets of wet grassland/marsh habitat occur inside the site near the stream here. A mix of trees and scrub to the rear of residential gardens form a substantial landscape along the western boundary. A mixed fragmented hedgerow forms along the northern field boundaries of both fields and the eastern boundary of the western field.

For the most part existing hedgerow and trees will be maintained and protected at the main PD site with gaps to be filled with native species. Trees will be lost in the eastern field and around the site entrance with the removal of scrub and woodland. There will be selected removal of vegetation in the northern hedgerow and retained trees will be protected by temporary fencing during construction works. In an anti-clockwise direction from the proposed site entrance, the Landscaping Plan proposes to:

- strengthen the western site boundary between the site entrance and the rear of the cottages with planting a dense/tightly spaced strip of native species with oak (on the outside/boundary side) and a mix of birch (*Betula* spp.) and Scots pine (*Pinus sylvestris*) inside.
- strengthen the western site boundary along the rear of the cottages and existing residential trees and hedgerow with planting a dense/tightly spaced strip of native species including birch, alder (*Alnus glutinosa*), oak and Scots pine.
- retain existing trees and hedgerow on the southern college fields boundary of the western field with planting of a few scattered birch.
- retain existing trees and hedgerow on the southern boundary of the eastern field and remove adjacent woodland and replace with planting of oak, birch and alder, mainly.
- remove hedge on eastern side of eastern field and replace with a 'Screen Planting' mix of holly (*Ilex aquifolium*), wild cherry (*Prunus avium*), dog rose (*Rosa canina*), blackthorn (*Prunus spinosa*), hawthorn

³ An archaeological feature.

(*Crataegus monogyna*) and hazel (*Corylus avellana*) inside which a treeline mix of oak, birch, alder, wild cherry and Dutch elm (*Ulmus hollandica*) cultivar⁴ will be planted.

- remove hedge on northern side of eastern field and replace with a 'Native Hedgerow Planting Mix' mix of holly, blackthorn and hawthorn inside which a treeline mix of oak, birch, wild cherry and rowan (*Sorbus aucuparia*) will be planted.
- retain existing trees and hedgerow for the most part on the northern boundary of the western field and plant up gaps with oak, rowan and birch inside which some further planting of oak, birch and rowan will be done.

Further planting of native trees is proposed within the LRD associated with the housing units and green spaces. The area of hedgerow and oak trees separating the western and eastern fields will be retained. It is proposed to retain the existing wet grassland/marsh habitat where feasible near the southern boundary of the western field. Full details of the Landscaping Plan are provided in the Landscape Design Report and drawings accompany this application.

3.3.1.2 Water

The site will connect to an existing watermain at the entrance to the PD site. Kerry Central Regional Water Supply Scheme, which abstracts water from Lough Guitane and Owgariff River, supplies water to Killarney as well as other parts of Kerry. Lough Guitane via the Finow River flows into the Owgariff River before joining the River Flesk, which in turn flows into Lough Leane.

3.3.1.3 Stormwater Management

The MHL Engineering Report (2024) report confirms that storm water management proposals for the site have been informed by the relevant standards and comply with best practice in terms of SuDS (Sustainable Urban Drainage Design). Rainfall falling on roofs, paved areas, roads, soft landscaped/green areas will infiltrate to ground through a mix of gullies, permeable paving, soakaways and bioretention features (swales, catchpits, treepits and rain gardens) into a piped stormwater network. Green roofs, which are planted surfaces, will be incorporated into the proposed apartment blocks which will intercept rainfall before being discharged to the network. Underground attenuation and associated flow control devices will restrict stormwater flows to greenfield runoff rates before being discharged via full retention Class 1 oil interceptors. Four underground attenuation tanks are proposed, the two northerly tanks, 1 and 2, will infiltrate to ground (with Tank 2 having overflow to Tank 3) while the two southerly tanks, 3 and 4, will discharge to the Folly Stream via headwalls. Flows from large rainfall events will bypass the bio-retention area and be conveyed directly to the sewer system. Stormwater entering bioretention features will also infiltrate to soils and groundwater. Infiltration storage to be provided up to the 100-year storm event allowing for 10% climate change.

According to the engineering report, regular maintenance of the flow control device will be required to remove any blockages, particularly in the wake of heavy rainfall events or local floods. It recommends that the petrol interceptors be fitted with an audible high-level silt and oil alarm for maintenance and safety purposes. Regular inspection and maintenance are recommended for the petrol interceptors.

⁴ Extremely resistant to Dutch elm disease. Source: https://en.wikipedia.org/wiki/Ulmus_%27Columella%27

3.3.1.4 Wastewater Management

The estimated Dry Weather Flow (DWF)⁵ average from the PD is 9.635 l/s. Uisce Éireann (UÉ) reviewed the applicants PD wastewater design in 2022 and based upon details concluded that the proposals were compliant with their code of practice. Once approved by UÉ the PD site will be connected to the existing foul sewer network, which is drained by gravity and flows into Killarney WWTP. The Killarney sewer system is a combined sewer carrying both wastewater and surface water in a single pipe. According to UÉ⁶, due to limited capacity in the existing foul/combined network in the local area, storm water separation from the existing 450 mm diameter combined sewer will be required for an area of 0.2ha to accommodate the proposed connection. Sections of surface water loading from the combined sewer along St. Margaret's Road will be removed from the combined system and assigned to a separate existing storm sewer network, which discharges directly to Lough Leane via the Deenagh River. This will alleviate current loading in the existing foul sewer network, thereby providing capacity for the site's generated foul flows. Works will be carried out by the developer. On site wastewater infrastructure includes underground sewer lines and foul pumping station including 24- hour emergency storage.

3.3.1.5 Lighting

Residential lighting comprises streetlights and internal and external lighting from housing units and apartments. As part of this application, it is proposed to move the street lighting along Port Road from its current location along the eastern side of Port Road to the western side of the road and replace the existing public lighting heads/lanterns with LEDs.

3.3.1.6 Traffic

The AADT (Annual Average Daily Traffic) for Port Road has been approximated at 10,000 veh/day based on 2023 traffic counts. 1,100 veh/day will be generated by the PD.

3.3.1.7 Waste management

A Construction and Demolition Waste Management Plan has been prepared and included in the CEMP. It lists the types of waste likely to be generated. It stipulates that wastes will be managed, collected, stored, and segregated in separate areas and removed off site by a licensed waste management contractor at regular intervals during the works. All concrete trucks will have to return to their respective yards for washout. Turfs and topsoil will be stored separately. Stock-piles will be located away from drainage features.

3.3.2 Operational Phase

The site will be connected to the municipal foul network. The existing foul/combined network in the local area was identified at pre-planning stage as having limited capacity to accommodate emissions from the site. It has been decided to remove sections of surface water loading from the combined sewer along St. Margaret's Road. This section of road will be removed from the combined system and assigned to a separate storm sewer line. The effect of this will be to alleviate current loading in the existing foul network, thereby providing capacity for the site's generated foul flows. This proposal has been agreed with Irish Water.

The proposed landscape will play a key role in helping to achieve green field runoff rates on the development. Carparking will be on permeable grasscrete material. The development layout creates contiguous greenspaces,

⁵ The average daily flow to a waste water treatment works (WWTW) during a period without rain.

⁶ Letter dated 10-04-2024 from UÉ to MHL & Associates

particularly at the centre and around the western and southern edge, that provide larger permeable surface area. The retention of existing trees supported by additional tree, hedgerow and shrub planting in these areas will increase evapotranspiration rates. Green roofs will be incorporated into the proposed apartment blocks which will intercept and slow the surface water run off rate at source. Soakaways will be incorporated in the gardens of the individual dwelling houses to contribute to take advantage of the permeability of the site. This design will ensure that the proposed development's runoff rate matches the existing site's greenfield runoff rate.

A network of bioswales will be incorporated into streets and open spaces across the scheme. Surface water will be diverted into these features where it will percolate at a reduced rate into the ground. The bioswale features will include overflow pipes that will take excess water away to buried storage tanks in extreme weather events. These tanks will connect to a new outfall to the Folly stream at the southern boundary of the site. Storm water will be attenuated on site through infiltration and will only be discharged to the Folly stream when required i.e., during extreme weather events.

Foul and storm water emissions will be discharged to the mains from the operational development. The proposed works on St. Margaret's Road, will alleviate the local capacity issues and ultimately provide separate storm and foul networks in this area. The site will then be connected to the municipal foul network which is directed to and treated at the Killarney WWTP. The Killarney WWTP provides tertiary Nitrogen & Phosphorus removal to the wastewater it processes. The most recent Annual Environmental Report (AER) (2022)⁷ reports that the final effluent is non-compliant with Emission Limit Values (ELVs) set in the Wastewater Discharge Licence. The ecological status of Ross Bay, into which the Folly stream discharges, is Poor and restoration measures are planned to restore compliance with the WFD.

3.4 Identification of Other Projects or Plans or Activities

The plans relevant to this proposal are the Kerry County Development Plan (2022-2028), the Killarney Municipal District LAP (2018-2024) and Variation No. 4 to the Killarney Town Development Plan (2009-2015).

Developments in the vicinity of the proposal include construction, alteration, extension, and retention of private and community residences. The proposal site, and the sites surrounding it have been subject to a number of planning applications over the years which have lapsed. The most recent applications in the vicinity of the site are:

- Planning Ref No. 19813: Planning approval granted to the Kerry Education and Training Board (for the development of an ASD unit in lands located to the south of the proposal site, within the grounds of the Killarney Community College,
- Planning Ref. No. 23267: Planning approval to construct staff accommodation on the grounds of the existing Lake Hotel on Muckcross Road comprising of 4 detached single storey units, each individual unit consists of 4 single bedrooms and 1 double bedroom, and all associated site works at a location approximately 3 km to the south
- Planning Ref. No. 23305: An application to construct 9 dwelling houses with all associated site works adjacent to the north of this application's proposed site entrance off Port Road.
- Planning Ref. No. 23523: Planning approval to demolish existing garage and boiler house, construct a two storey granny flat with link corridor at both levels, and construct a double garage and all associated site works at a location approximately 200 m to the north west.

⁷ https://www.water.ie/docs/aers/2022/D0037-01_2022_AER.pdf

The site is situated within the urban fabric of Killarney town. The Killarney National Park is located west of the proposal site. The on-going activities in the area are recreation, and wastewater treatment. The Killarney Waste Water Treatment Plant (WWTP) discharges to Lough Leane at Ross Bay, c. 2 km downstream of the proposal site.

3.5 Identification of Natura 2000 Sites

3.5.1 Zone of Impact Influence

The identification of relevant European sites was undertaken using the Source-Pathway-Receptor approach to establish ecological connections or links between the proposal site and SAC's/SPA's or European sites.. The zone of impact is the area over which ecological features may be subject to significant effects as a result of the proposed development and associated activities (CIEEM, 2018). The zone of impact will vary with different ecological features, depending on their sensitivities to an environmental change. SACs and SPAs within the zone of potential significant impact influence of the proposal site, including their proximity are shown in **Table 1** below.

Table 1. Natura 2000 Sites potentially within zone of influence

Designated Site	Site Code	Proximity of Site to Nearest Point of Designated Site	Hydrological/Ecological Connection?
Killarney National Park, MacGillycuddy's Reeks and Caragh River Catchment SAC	000365	100 m W	Direct connection due to proximity of PDS to SAC. Indirect connection via the Folly stream through Killarney WWTP to Lough Leane.
Killarney National Park SPA	004038	100 m W	Direct connection due to proximity of PDS to SAC. Indirect connection via the Folly stream through Killarney WWTP to Lough Leane.
Sheheree (Ardagh) Bog SAC	000382	3.7 km SE	No connection
Castlemaine Harbour SAC	000343	5 km N	Indirect connection via the Folly stream through Killarney WWTP and Lough Leane to the Laune River
Old Domestic Building Curraglass Wood	002041	15 km SE	No Connection
Erik Bog SPA	004108	16.5 km SW	No Connection

3.5.2 Characteristics of Natura 2000 Sites

Table 2 lists the Qualifying Interests (QI) of SACs of Special Conservation Interest (SCI) for SPA's that potentially lie within the zone of impact of the subject site. Information pertaining to the Natura 2000 sites is from site synopses, conservation objectives and other information available on www.npws.ie.

Table 2. Natura 2000 sites with qualifying features of Special Conservation Interest.⁸

Natura 2000 Site	Qualifying features of Special Conservation Interest
Killarney National Park, MacGillycuddy's Reeks and Caragh River Catchment SAC (000365)	<p>Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>) [3110]</p> <p>Oligotrophic to mesotrophic standing waters with vegetation of the <i>Littorelletea uniflorae</i> and/or <i>Isoeto-Nanojuncetea</i> [3130]</p> <p>Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation [3260]</p> <p>Northern Atlantic wet heaths with <i>Erica tetralix</i> [4010]</p> <p>European dry heaths [4030]</p> <p>Alpine and Boreal heaths [4060]</p> <p>Juniperus communis formations on heaths or calcareous grasslands [5130]</p> <p>Calaminarian grasslands of the <i>Violetalia calaminariae</i> [6130]</p> <p>Molinia meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>) [6410]</p> <p>Blanket bogs (* if active bog) [7130]</p> <p>Depressions on peat substrates of the Rhynchosporion [7150]</p> <p>Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0]</p> <p>Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) [91E0]*</p> <p><i>Taxus baccata</i> woods of the British Isles [91J0]*</p> <p><i>Geomalacus maculosus</i> (Kerry Slug) [1024]</p> <p><i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel) [1029]</p> <p><i>Euphydryas aurinia</i> (Marsh Fritillary) [1065]</p> <p><i>Petromyzon marinus</i> (Sea Lamprey) [1095]</p> <p><i>Lampetra planeri</i> (Brook Lamprey) [1096]</p> <p><i>Lampetra fluviatilis</i> (River Lamprey) [1099]</p> <p><i>Salmo salar</i> (Salmon) [1106]</p> <p><i>Rhinolophus hipposideros</i> (Lesser Horseshoe Bat) [1303]</p> <p><i>Lutra lutra</i> (Otter) [1355]</p> <p><i>Trichomanes speciosum</i> (Killarney Fern) [1421]</p> <p><i>Najas flexilis</i> (Slender Naiad) [1833]</p> <p><i>Alosa fallax killarnensis</i> (Killarney Shad) [5046]</p>
Killarney National Park SPA (004038)	<p>Merlin (<i>Falco columbarius</i>) [A098]</p> <p>Greenland White-fronted Goose (<i>Anser albifrons flavirostris</i>) [A395]</p>

⁸ Asterisk indicates a priority habitat under the Habitats Directive.

Natura 2000 Site	Qualifying features of Special Conservation Interest
Sheheree (Ardagh) Bog SAC (000382)	Active raised bogs [7110]* Degraded raised bogs still capable of natural regeneration [7120]
Castlemaine Harbour SAC (000343)	Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] Perennial vegetation of stony banks [1220] Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) [1330] Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410] Embryonic shifting dunes [2110] Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]* Dunes with <i>Salix repens</i> ssp. <i>Argentea</i> (<i>Salicion arenariae</i>) [2170] Humid dune slacks [2190] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i> , <i>Alnion incanae</i> , <i>Salicion albae</i>) [91E0]* <i>Petromyzon marinus</i> (Sea Lamprey) [1095] <i>Lampetra fluviatilis</i> (River Lamprey) [1099] <i>Salmo salar</i> (Salmon) [1106] <i>Lutra lutra</i> (Otter) [1355] <i>Petalophyllum ralfsii</i> (Petalwort) [1395]
Old Domestic Building Curraglass Wood SAC (002041)	<i>Rhinolophus hipposideros</i> (Lesser Horseshoe Bat) [1303]

3.5.3 Conservation Objectives

According to the Habitats Directive, the *conservation status of a natural habitat* will be taken as ‘favourable’ within its biogeographic range when:

- its natural range and areas it covers within that range are stable or increasing, and
- 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, and
- the conservation status of its typical species is favourable as defined below.

According to the Habitats Directive, the conservation status of a species means the sum of the influences acting on the species concerned that may affect the long-term distribution and abundance of its populations. The conservation status will be taken as ‘favourable’ within its biogeographic range when:

- 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, and
- the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and

- there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

Conservation Objectives Series documents are available for the following sites:

- Killarney National Park, MacGillycuddy’s Reeks and Caragh River Catchment SAC 000365. Published 23 October 2017.
- Castlemaine Harbour SAC 000343. Published 19 July 2011.
- Sheheree (Ardagh) Bog SAC 000382. Published 12 November 2015.
- Old Domestic Building Curraglass Wood 002041. Published 27 August 2018

First Order Site-specific Conservation Objectives were available for:

- Killarney National Park SPA 004038. Published 12/10/2022.

These were accessed on the 29/04/2024. No management plan is available for any of these sites. All conservation objectives together with other Natura 2000 site information are available on <http://www.npws.ie/protectedsites/>.

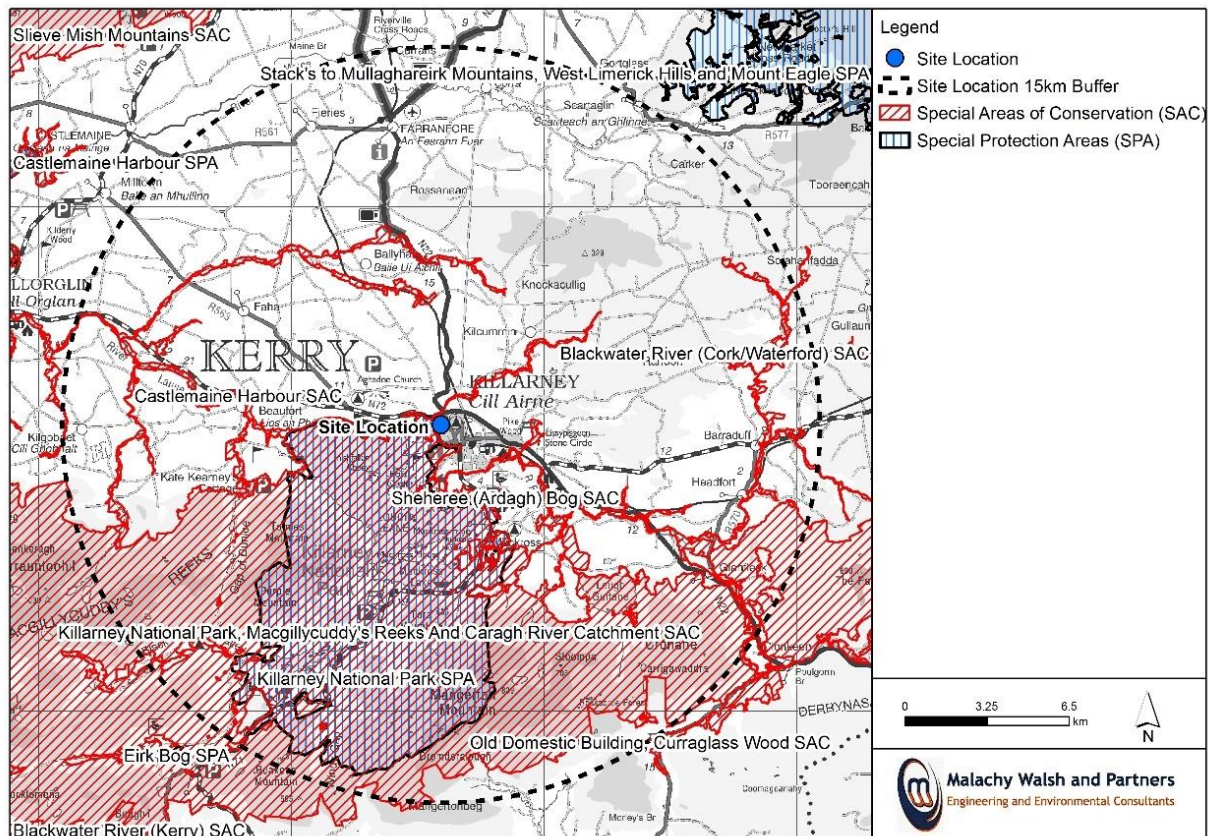


Figure 4: Natura 2000 sites potentially within zone of impact

3.6 Identification of Potential Impacts

Potential likely ecological impacts arising from the project are identified in this section.

<p><i>Description of elements of the project likely to give rise to potential ecological impacts.</i></p>	<p>Excavations and earthworks to form levels. Associated increased noise and activity. Foul and storm water emissions</p>
<p><i>Describe any likely direct, indirect or secondary ecological impacts of the project (either alone or in combination with other plans or projects) by virtue of:</i></p> <p><i>Size and scale;</i></p> <p><i>Land-take;</i></p> <p><i>Distance from Natura 2000 Site or key features of the Site;</i></p> <p><i>Resource requirements;</i></p> <p><i>Emissions;</i></p> <p><i>Excavation requirements;</i></p> <p><i>Transportation requirements;</i></p> <p><i>Duration of construction, operation etc.; and</i></p> <p><i>Other.</i></p>	<p><u>Size and scale</u></p> <p>The area of development is 4.75 ha. Boundaries will be retained. There will be additional works at Port Road and St, Margaret’s Road, within the existing footprint.</p> <p><u>Land-take</u></p> <p>There will be no land-take from any Natura 2000 site.</p> <p><u>Distance from Natura 2000 sites or key features of the site</u></p> <p>The Killarney National Park SAC is located west of site, across the R877 Port Road. The site is indirectly hydrologically connected to the SAC through the Folly stream which joins the combined sewer network under Killarney town at New Street and eventually discharges to Lough Leane via the Killarney WWTP c. 2 km downstream (SE) of the site.</p> <p><u>Resource requirements</u></p> <p>The resources required for the project are described in Section 3.3, above.</p> <p><u>Emissions</u></p> <p>Noise emissions will increase during the construction and operation of the project. Water emissions will be to ground during the construction phase. New foul water connections will be established on the mains for the operational development. Storm water will be infiltrated. Attenuated storm water during heavy rainfall events will be discharged to the Folly stream at Greenfield rates. Air emission sources during construction include gases and particulates associated with vehicles, machinery, plant equipment as well as indirect emissions associated with material extraction, manufacturing, and transport. Air emission sources during operation of the development include gases and particulates associated with electricity usage.</p> <p>During the operational phase, the new street lighting may alter the light levels within the commuting corridors used by lesser horseshoe bats within the woodland most adjacent to Port Road.</p> <p><u>Excavation requirements</u></p> <p>The areas of the site which are currently above the required levels shall be excavated using machinery to remove the topsoil, subsoil, and underlying bedrock, as necessary.</p> <p>The materials removed from the cut areas shall where possible be used to provide the fill to raise the height of lower areas on site.</p>

	<p>While any excess materials which are surplus to the fill requirements will be removed from site, minimising the volume of material to be removed from site will be a key consideration in the civil design, and in the determination of the most appropriate site levels.</p> <p><u>Transportation requirements</u></p> <p>Deliveries will be coordinated to prevent queuing of vehicles which could adversely affect traffic flow and to minimise disruption to local traffic.</p> <p>Deliveries will be timed and coordinated to avoid conflict with collection of waste, other deliveries (particularly adjoining landowners) and rush hour traffic (AM & PM peak hours as identified in the Traffic & Transportation report).</p> <p>Large deliveries will be scheduled outside peak hours to minimise disruption.</p> <p>On occasion, with the agreement of the planning authority, out of hours deliveries and collections shall be implemented to facilitate the smooth continuation of works and minimise disruption.</p> <p><u>Duration of construction and operation</u></p> <p>The combined construction duration, consisting of three separate phases, will be 3.5 years. The operation of the proposed development will be permanent.</p>
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3.7 Assessment of Significance of Potential Impacts

This section considers the list of sites identified in **Section 3.5**, above, together with the potential ecological impacts identified in the previous section and determines whether the project is likely to have significant effects on a European site. When assessing impact, European sites are only considered relevant where a credible or tangible source-pathway-receptor link exists between the proposed development and a protected species or habitat type. In order for an impact to occur there must be a risk initiated by having a 'source' (e.g. excavation), and an impact pathway between the source and the receptor (e.g. a waterbody which connects the proposal site to the protected species or habitats). An evaluation based on these factors to determine which European sites are the plausible ecological receptors for potential impacts of the proposed works will be conducted in **Sections 3.7.1 to 3.7.4**, below. The evaluation takes cognisance of the scope, scale, nature and size of the project, its location relative to the European sites listed in **Table 1**, above, and the degree of connectedness that exists between the project and each European site's potential ecological receptors.

The likelihood of significant effects to a European site from the project was determined based on several indicators including:

- Water quality and resource
- Habitat loss
- Habitat alteration
- Habitat or species fragmentation
- Disturbance and/or displacement of species

The likelihood of significant in-combination effects is assessed in **Section 3.7.5**.

3.7.1 Water Quality

3.7.1.1 Killarney National Park, MacGillycuddy's Reeks and Caragh River Catchment SAC (000365)

In light of ABP's determination that it cannot be concluded that significant disturbance or displacement to the population of lesser horseshoe bats for which the Killarney National Park, MacGillycuddy's Reeks and Caragh River Catchment SAC (000365) has been selected, will not occur, it will be necessary to prepare a Natura Impact Statement (NIS). The purpose of the NIS will be to provide adequate information to enable ABP to undertake and complete an Appropriate Assessment of the proposed development. It will comprise a scientific examination of the proposed development and the aforementioned SAC. It will identify and characterise any possible implications of the proposed development, on its own or in combination with other plans or projects, on the conservation objectives of said SAC. It will include an assessment of the potential for adverse water quality effects.

3.7.1.2 Killarney National Park SPA (004038)

Notwithstanding that the SPA site boundary encompasses the water of Lough Leane, the Upper Lake and some of the connected river systems, the site is not selected for the protection of any SCI species reliant on, or strongly associated with, riparian or lacustrine habitats (see **Section 3.7.3.2** for detail). It is concluded, therefore, that significant direct, indirect, or secondary impacts as a result of water quality impacts ensuing from the proposed development on Killarney National Park SPA (004038) are not likely, in view of the sites' conservation objectives.

3.7.1.3 Sheherree (Ardagh) Bog SAC (000382)

This bog is ombrotrophic,⁹ i.e., it receives water and nutrients from precipitation, rather than from streams or springs. As a result, there is no hydrological link between the proposed development site and the SAC and, therefore, no impact pathway exists. In light of the characteristics of the project described in **Section 3.3**, bearing in mind the impacts identified in **Section 3.6**, and the evidence provided in the preceding sentence, it is concluded that significant direct, indirect, or secondary water quality impacts ensuing from the proposed development on Sheherree (Ardagh) Bog SAC (000382) are not likely, in view of the sites' conservation objectives..

3.7.1.4 Castlemaine Harbour SAC (000343)

The waters of Lough Leane, which intervene between the environs of Killarney and this SAC, drain to the SAC at its point outflow to the River Laune. There is, therefore, a viable impact pathway, for waterborne impacts, connecting the proposed development site to the SAC. However, the surface area of Lough Leane is 1,978 ha and it has a mean depth of 13 m and a maximum depth of 66 m¹⁰. Using the surface area and the mean depth, the volume within the lake was calculated as being 257,140,000 m³. It is clear, therefore, in light of the volume of water within the lake, that the potency of the pathway is, at best, tenuous and weak, due to diluting and attenuating effect of the volume of water within the lake, even for adulterants held in solution.

The SAC is not selected for the protection of any aquatic annexed habitat types therefore, no annexed aquatic habitats will be exposed to direct, indirect, or secondary impacts. In light of the characteristics of the project

⁹ https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000382.pdf

¹⁰ https://www.fisheriesireland.ie/sites/default/files/2023-02/fish_stock_survey_leane_2021.pdf

described in **Section 3.3**, bearing in mind the impacts identified in **Section 3.6**, and the evidence provided in the preceding sentence and paragraph, it is concluded that significant direct, indirect, or secondary water quality impacts ensuing from the proposed development on Castlemaine Harbour SAC (000343) are not likely, in view of the sites' conservation objectives.

The SAC is, however, selected for the protection of populations of 3 QI fish species, 1 semi-aquatic QI species of mammal, and 1 QI woodland habitat type that is restricted in its distribution to riparian, river bank, corridors. An assessment of waterborne, indirect or secondary, disturbance or displacement of species impacts is provided in **Section 3.7.3.3**. An assessment of waterborne, indirect or secondary, habitat loss or alteration impacts is provided in **Section 3.7.2.4**.

3.7.1.5 Old Domestic Building Curraglass Wood SAC (002041)

This site is situated at a remove of 15 km from the proposed development site and is not selected for any ground or surface water associated habitat. Neither pathway nor receptor exists. Significant direct, indirect, or secondary water quality impacts ensuing from the proposed development on this SAC are not likely, in view of the sites' conservation objectives.

3.7.2 Habitat Loss, Alteration, or Degradation

3.7.2.1 Killarney National Park, MacGillycuddy's Reeks and Caragh River Catchment SAC (000365)

In light of ABP's determination that it cannot be concluded that significant disturbance or displacement to the population of lesser horseshoe bats for which the Killarney National Park, MacGillycuddy's Reeks and Caragh River Catchment SAC (000365) has been selected, will not occur, it will be necessary to prepare a Natura Impact Statement (NIS). The purpose of the NIS will be to provide adequate information to enable ABP to undertake and complete an Appropriate Assessment of the proposed development. It will comprise a scientific examination of the proposed development and the aforementioned SAC. It will identify and characterise any possible implications of the proposed development, on its own or in combination with other plans or projects, on the conservation objectives of said SAC. It will include an assessment of the potential for adverse habitat loss or alteration effects.

3.7.2.2 Killarney National Park SPA (004038)

Notwithstanding that the SPA site is encompassed within the SAC it is not selected for the protection of any annexed habitat. Therefore, in light of the characteristics of the project described in **Section 3.3**, and bearing in mind the impacts identified in **Section 3.6**, it is concluded that significant direct, indirect, or secondary habitat loss or alteration impacts, are not likely, in view of the sites' conservation objectives.

An assessment of disturbance or displacement of species impacts is provided in **Section 3.7.3.2**.

3.7.2.3 Sheheree (Ardagh) Bog SAC (000382)

Section 3.7.1.3 concluded that that significant water quality impacts ensuing from the proposed development on Sheheree (Ardagh) Bog SAC (000382) are not likely. In light of this finding, it is concluded that significant direct, indirect, or secondary habitat loss or alteration impacts, as a result of water quality impacts ensuing from the proposed development on Sheheree (Ardagh) Bog SAC (000382) are not likely, in view of the sites' conservation objectives for the Annex 1 habitat for which it is selected (see **Table 2**).

3.7.2.4 Castlemaine Harbour SAC (000343)

This site is selected for the protection of 13 Annex 1 habitat types which are all, with the exception of 1 alluvial woodland habitat type, coastal or halophytic in their distributions. Included amongst these are saltmarsh, sand dune, estuarine and shore habitat types. Mapping of the distributions of these (NPWS, 2011) indicates that all of these coastal habitats are at a remove of in excess of 20 river kilometres downstream of the point of outflow of Lough Leane to the River Laune. There are 5 sites within the SAC that support the alluvial woodland habitat type; 2 of these are located downstream of Lough Leane (Map 7: NPWS 2011). The nearest of these (Site No. 1915) is approximately 8 river kilometres downstream of the point of outflow of Lough Leane to the River Laune.

The coastal and halophytic distributions of the other annexed habitat types and their ecological characteristics¹¹, preclude any significant habitat loss or alteration impacts as a result of water quality impacts, ensuing from the proposed development. A viable pathway, comprising Lough Leane and the River Laune, to the alluvial woodland at Site No. 1915 does exist. However, because the habitat type is terrestrial rather than aquatic, albeit reliant on periodic flooding, it is not continuously exposed to the river waters. This characteristic, when combined with the diluting effect of the volume of waters in Lough Leane and the River Laune, will reduce any impacts to an imperceptible level.

In light of the characteristics of the project described in **Section 3.3**, bearing in mind the impacts identified in **Section 3.6** and the evidence provided in the preceding sentences, it is concluded that significant direct, indirect, or secondary habitat loss or alteration impacts, as a result of water quality impacts ensuing from the proposed development on Castlemaine Harbour SAC (000343) are not likely, in view of the sites' conservation objectives for these habitats (see **Table 2**).

3.7.2.5 Old Domestic Building Curraglass Wood SAC (002041)

This site is situated at a remove of 15 km from the proposed development site and no pathway exists for habitat loss or alteration impacts. In light of the impacts identified in **Section 3.6**, and bearing in mind that the intervening distance precludes any habitat loss or alteration impacts, it is concluded that significant direct, indirect, or secondary habitat loss or alteration impacts ensuing from the proposed development on this SAC are not likely, in view of the sites' conservation objectives.

3.7.3 Disturbance and/or Displacement of Species

3.7.3.1 Killarney National Park, MacGillycuddy's Reeks and Caragh River Catchment SAC (000365)

ABP refused permission for a previous application for this proposal [ABP-312987-22] on the grounds that it could not be concluded that the proposed development would not adversely affect the integrity the Killarney National Park, MacGillycuddy's Reeks and Caragh River Catchment SAC (000365) in view of the site's Conservation Objectives, specifically with regard to impacts on the foraging activities of the population of lesser horseshoe bat for which the site is selected.

In light of the board's determination, it cannot be concluded that significant disturbance and/or displacement of species impacts to the Killarney National Park, MacGillycuddy's Reeks and Caragh River Catchment SAC (000365) are not, in view of the site's conservation objectives, likely. Potential for indirect effects to foraging and

¹¹ See mapping in NPWS, 2011.

commuting lesser horseshoe bats in the woodland west of Port Road is possible as a result of lighting associated with the development.

In light of ABP's determination, it will be necessary to prepare a Natura Impact Statement (NIS). The purpose of the NIS will be to provide adequate information to enable ABP to undertake and complete an Appropriate Assessment of the proposed development. It will comprise a scientific examination of the proposed development and the aforementioned SAC. It will identify and characterise any possible implications of the proposed development, on its own or in combination with other plans or projects, on the conservation objectives of said SAC. It will include an assessment of the potential for adverse species disturbance or displacement effects.

3.7.3.2 Killarney National Park SPA (004038)

This site is selected for the protection of 2 SCI species, namely:

- Merlin (*Falco columbarius*) [A098]
- Greenland white-fronted goose (*Anser albifrons flavirostris*) [A395]

3.7.3.2.1 Merlin

The SPA is selected for the protection of a breeding population of this species (estimated, in 2014, to be 5 pairs¹²). The species breeds in open and semi open areas such as moorland, mountain, and blanket bog. In open country eggs are laid in a scrape on the ground amid bushes, but in forested areas the tree nests of crows, rooks, or magpies are used. A hunting merlin will normally set up a vigil from an elevated perch like a fence post or tree stump awaiting smaller birds, typically in the 1 to 2-ounce range, that it catches in midair. Once on the wing it is nimble in flight and will pursue its prey for extended periods, accelerating towards the prey throughout. They attack at high speed, horizontally or even from below, chasing the prey upwards until they tire.

As can be seen from **Section 3.2**, the habitats within the site are not suitable as breeding habitat for this SCI species. It is concluded, therefore, that direct, indirect, or secondary impacts on the breeding activity of the population of this species for which this site is selected are not reasonably foreseeable.

While there is some limited possibility that the species hunts at the site, it is unlikely that the site is essential to the ecological resources, within and around the SPA, that support the structure and function of the resident population. The natural range of the species within the SPA will not be reduced, as a result of the proposed development and there is, and will continue to be, a sufficiently large habitat to maintain its population on a long-term basis in the 10, 328 ha¹³ encompassed within the site boundary.

In light of the characteristics of the project described in **Section 3.3**, bearing in mind the impacts identified in **Section 3.6** and the evidence provided in the preceding paragraphs, it is concluded, therefore, that significant direct, indirect or secondary disturbance or displacement effects as a result of the proposed works on Killarney National Park SPA (004038) are not, in view of the sites' conservation objectives for this species, likely as a result of either the construction or operational phases of the proposed development.

3.7.3.2.2 Greenland white-fronted goose

The SPA is selected for the protection of a non-breeding, over-wintering population¹⁴ of this species. Traditionally, the species wintered predominantly in bogs. Over time, due to habitat damage, flocks began to winter increasingly

¹² <https://www.npws.ie/sites/default/files/protected-sites/synopsis/SY004038.pdf>

¹³ <https://natura2000.eea.europa.eu/Natura2000/SDF.aspx?site=IE0004038>

¹⁴ < 20 birds (see <https://www.npws.ie/sites/default/files/protected-sites/synopsis/SY004038.pdf>)

in freshwater marshes, wet grasslands¹⁵ and on intensively managed grasslands. Flocks are highly sensitive to disturbance and have abandoned favoured feeding areas if the level of human disturbance increases (Fox *et al.*, 1998).

As can be seen from **Section 3.2**, the habitats within the site are not suitable as foraging or rooting habitat for this SCI species. In fact, the urban setting alone is sufficient to ensure that the species has and will continue to actively avoid the location. In light of these characteristics, it is considered that the population of this species for which this site is selected will not be present within the zone of influence of any impact identified in **Section 3.6**. The natural range of the species within the SPA will not be reduced and there is, and will continue to be, a sufficiently large habitat to maintain its population on a long-term basis.

In light of the characteristics of the project described in **Section 3.3**, bearing in mind the impacts identified in **Section 3.6** and the evidence provided in the preceding paragraphs, it is concluded that significant direct, indirect or secondary disturbance or displacement effects, as a result of the proposed development on Killarney National Park SPA (004038) are not, in view of the sites' conservation objectives for this species, likely as a result of either the construction or operational phases of the proposed development.

3.7.3.3 Castlemaine Harbour SAC (000343)

The SAC is selected for the protection of populations of 3 QI fish species, 1 semi-aquatic QI species of mammal and a non-vascular plant QI species. As outlined previously, in **Section 3.7.1.4**, The waters of Lough Leane, which intervene between the environs of Killarney and this SAC comprise a volume in excess of 257,140,000 m³. It is clear, therefore, in light of the volume of water within the lake, that the potency of the pathway is, at best, tenuous and weak, due to diluting and attenuating effect of the volume of water within the lake, even for adulterants held in solution.

3.7.3.3.1 Sea Lamprey, River Lamprey & Salmon

In the case of these species, it is secondary disturbance or displacement impacts, due to a reduction in the extent and distribution of spawning habitat, or a reduction in water quality, due to impacts ensuing from the proposed development, which must be assessed. The key indicator is whether the impacts identified in **Section 3.6** are likely to cause a reduction in the Q value¹⁶ in the waters of the Laune which for salmon, the species, of these three, with the highest requirements, must be maintained at least at Q4 (WFD Status: Good) (NPWS, 2011).

In light of the characteristics of the project described in **Section 3.3**, and bearing in mind the impacts identified in **Section 3.6** and considering the content in **Section 3.7.1.4**, summarised at **3.7.3.3**, preceding, it is concluded that the requirement that at least 85% of all sites sampled on the Laune by the EPA must achieve at least Q4 (NPWS, 2011) will not be compromised by the proposed development and there will be no reduction in the extent and distribution of spawning habitat for any of these species.

It is concluded that significant indirect, or secondary disturbance or displacement impacts as a result of water quality impacts ensuing from the proposed development on Castlemaine Harbour SAC (000343) are not likely, in view of the sites' conservation objectives for these species.

3.7.3.3.2 Otter

In the case of this species, it is secondary disturbance or displacement impacts due to a reduction in fish prey biomass caused by water quality impacts ensuing from the proposed development that must be assessed. In light

¹⁵ <https://www.wexfordwildfowlreserve.ie/wildlife-2/greenland-goose/>

¹⁶ Biotic indices ("Q Values") reflect average water quality at any location. See <https://epawebapp.epa.ie/qvalue/webusers/>

of the impacts identified in **Section 3.6** and, bearing in mind the conclusion in **Section 3.7.3.3.1**, preceding, it is concluded that significant indirect, or secondary, disturbance or displacement impacts as a result of water quality impacts ensuing from the proposed development on Castlemaine Harbour SAC (000343) are not likely, in view of the sites' conservation objectives for this species.

3.7.3.3.3 Petalwort

This species of liverwort is restricted in its distribution within the SAC to dune slacks at Inch and Rosbehy In excess of 25 km from the proposed development site. Therefore, no plausible impact pathway connects these locations to the proposed development site. As a result, impacts of any kind on this species as a result of the proposed development are not reasonably foreseeable. In light of the characteristics of the project described in **Section 3.3**, bearing in mind the impacts identified in **Section 3.6** and the evidence provided in the preceding sentences, it is concluded that significant, indirect or secondary, disturbance or displacement impacts ensuing from the proposed development on Castlemaine Harbour SAC (000343), as a result of water quality impacts, are not likely, in view of the sites' conservation objectives for this species.

3.7.3.4 Old Domestic Building Curraglass Wood SAC (002041)

This site, which is selected for the protection of a population of lesser horseshoe bats and the internationally significant summer roost they occupy (NPWS, 2018) is situated some 15 km from the proposed development site, a distance which precludes any of the impacts identified in **Section 3.6** from exerting any impact or effect on this population. In light of the impacts identified in **Section 3.6** and bearing in mind that the intervening distance precludes any impacts it is concluded that significant direct, indirect, or secondary disturbance or displacement impacts ensuing from the proposed development on this SAC are not likely, in view of the sites' conservation objectives.

3.7.4 Habitat or Species Fragmentation

Habitat fragmentation has been defined as 'reduction and isolation of patches of natural environment' (Hall *et al.*, 1997 cited in Franklin *et al.*, 2002) which results in spatial separation of habitat areas which had previously been in a state of greater continuity. Adverse effects of habitat fragmentation on species or populations can include the increased isolation of populations which can detrimentally impact on the resilience or robustness of the populations thereby reducing overall species diversity and altering species abundance.

3.7.4.1 Killarney National Park, MacGillycuddy's Reeks and Caragh River Catchment SAC (000365)

In light of ABP's determination that it cannot be concluded that significant disturbance or displacement to the population of lesser horseshoe bats for which the Killarney National Park, MacGillycuddy's Reeks and Caragh River Catchment SAC (000365) has been selected, will not occur, it will be necessary to prepare a Natura Impact Statement (NIS). The purpose of the NIS will be to provide adequate information to enable ABP to undertake and complete an Appropriate Assessment of the proposed development. It will comprise a scientific examination of the proposed development and the aforementioned SAC. It will identify and characterise any possible implications of the proposed development, on its own or in combination with other plans or projects, on the conservation objectives of said SAC. It will include an assessment of the potential for adverse habitat or species fragmentation effects.

3.7.4.2 Killarney National Park SPA (004038)

Section 3.7.1.2 concluded that significant direct, indirect or secondary water quality impacts within this SPA are not, in view of the site's conservation objectives, likely. **Section 3.7.2.2** concluded that direct, or indirect, significant habitat loss, alteration, or degradation effects within this SPA are not expected to ensue and **Section 3.7.3.2** concluded that significant species disturbance or displacement impacts are not predicted. Having regard to the location, nature and scale of the proposed works and the conclusions cited, it is concluded that significant direct, indirect, or secondary habitat or species fragmentation effects within the Killarney National Park SPA (004038) are not, in view of the site's conservation objectives, likely as a result of either the construction or operational phases of the proposed development.

3.7.4.3 Sheheree (Ardagh) Bog SAC (000382)

Section 3.7.1.3 concluded that significant direct, indirect or secondary water quality impacts within this SAC are not, in view of the site's conservation objectives, likely. **Section 3.7.2.3** concluded that direct, or indirect, significant habitat loss, alteration, or degradation effects within this SPA are not expected to ensue and, as the site is not selected for the protection of any QI species, there is no potential for significant species disturbance or displacement impacts. Having regard to the location, nature and scale of the proposed works and the conclusions cited, it is concluded that significant direct, indirect, or secondary habitat or species fragmentation effects within the Sheheree (Ardagh) Bog SAC (000382) are not, in view of the site's conservation objectives, likely as a result of either the construction or operational phases of the proposed development.

3.7.4.4 Castlemaine Harbour SAC (000343)

Section 3.7.1.4 concluded that significant direct, indirect or secondary water quality impacts within this SAC are not, in view of the site's conservation objectives, likely. **Section 3.7.2.4** concluded that significant direct, indirect, or secondary habitat loss, alteration, or degradation effects within this SPA are not expected to ensue and **Section 3.7.3.3** concluded that significant species disturbance or displacement impacts are not predicted. Having regard to the location, nature and scale of the proposed works and the conclusions cited, it is concluded that significant habitat or species fragmentation effects within the Castlemaine Harbour SAC (000343) are not, in view of the site's conservation objectives, likely as a result of either the construction or operational phases of the proposed development.

3.7.4.5 Old Domestic Building Curraglass Wood (002041)

Section 3.7.1.5 concluded that significant direct, indirect or secondary water quality impacts within this SPA are not, in view of the site's conservation objectives, likely. **Section 3.7.2.5** concluded that significant direct, or indirect habitat loss, alteration, or degradation effects within this SPA are not expected to ensue and **Section 3.7.3.4** concluded that significant species disturbance or displacement impacts are not predicted. Having regard to the location, nature and scale of the proposed works and the conclusions cited, it is concluded that significant direct, indirect, or secondary habitat or species fragmentation effects within the Old Domestic Building Curraglass Wood (002041) are not, in view of the site's conservation objectives, likely as a result of either the construction or operational phases of the proposed development.

3.7.5 In-combination Impacts

When in-combination impacts are assessed, it is necessary to identify the types of impacts that may ensue from the project under consideration and from other sources in the existing environment that, cumulatively, are likely to affect the relevant Natura 2000 sites (EC, 2001, EC, 2021). The Plans and the existing and proposed

developments with which the proposed development could interact synergistically to create significant effects on the integrity of the Natura 2000 sites listed in **Table 1** have been identified in **Section 3.4**, above.

When assessing in combination impacts it is necessary not only to take full consideration of the magnitude, duration or intensity of the impacts ensuing from the proposal and from the other plans or projects, but to also be cognisant of the requirement that, for synergistic interaction to occur, a plausible and functional source-pathway-receptor link must exist between the proposed development and the other plans or projects. An additional consideration is that there are different boundaries for different kinds of impacts and for different ecological receptors: the boundary that pertains to species disturbance or displacement impacts is likely to be quite localised while the boundary that pertains to water quality impacts may, if there is a hydrological link, extend to locations at a remove from the proposed development itself.

3.7.5.1 Killarney National Park, MacGillycuddy's Reeks and Caragh River Catchment SAC (000365)

In light of ABP's determination that it cannot be concluded that significant disturbance or displacement to the population of lesser horseshoe bats for which the Killarney National Park, MacGillycuddy's Reeks and Caragh River Catchment SAC (000365) has been selected, will not occur, it will be necessary to prepare a Natura Impact Statement (NIS). The purpose of the NIS will be to provide adequate information to enable ABP to undertake and complete an Appropriate Assessment of the proposed development. It will comprise a scientific examination of the proposed development and the aforementioned SAC. It will identify and characterise any possible implications of the proposed development, on its own or in combination with other plans or projects, on the conservation objectives of said SAC. It will include an assessment of the potential for adverse in-combination effects.

3.7.5.2 Other Natura 2000 Sites

The Kerry County Development Plan (2022-2028), the Killarney Municipal District LAP (2018-2024) and Variation No. 4 to the Killarney Town Development Plan (2009-2015) will have the necessary environmental safeguards in place to prevent significant effects to Natura 2000 sites. Adherence to the overarching policies and objectives of the Kerry County Development Plan (2022-2028) and any future development plans will ensure that local planning applications and subsequent grant of planning will comply with the core strategy of proper planning and sustainability and with the requirements of relevant EU Directives, National Legislation and environmental considerations, and will ensure that there is no potential for significant in combination effects on the other Natura 2000 sites listed in **Table 1**.

With regard to the other development applications identified in **Section 3.4**: in light of the nature of the proposed developments, and bearing in mind the assessments in **Sections 3.7.1 to 3.7.4**, inclusive, it is unlikely that the magnitude, duration or intensity of any putative impacts ensuing from these projects, would be sufficient to synergistically interact with the impacts described in **Section 3.6**.

In light of the impacts identified in **Section 3.6** and having regard to the location, nature and scale of the proposed works, described in **Section 3.3**, and the assessments in **Sections 3.7.1 to 3.7.4**, inclusive, it is concluded that significant in-combination effects as a result of synergistic interaction between the proposed works and other plans and projects, identified in **Section 3.4**, within the other Natura 2000 sites listed in **Table 1** are not, in view of those sites' conservation objectives, likely as a result of either the construction or operational phases of the proposed development. The Natura 2000 sites are:

- Killarney National Park SPA (004038)
- Sheheree (Ardagh) Bog SAC (000382)
- Castlemaine Harbour SAC (000343)

- Old Domestic Building Curraglass Wood (002041)

3.8 Conclusion of Screening Stage

In conclusion, to determine the potential impacts, if any, of the project on nearby Natura 2000 sites, a screening process for Appropriate Assessment was undertaken. It has been concluded beyond reasonable scientific doubt, based on objective information, and considering the conservation objectives of the relevant European sites, that significant impacts from the project, individually or in combination with other plans and projects, on the following Natura 2000 sites can be excluded:

- Killarney National Park SPA (004038)
- Sheheree (Ardagh) Bog SAC (000382)
- Castlemaine Harbour SAC (000343)
- Old Domestic Building Curraglass Wood (002041)

The rationales supporting this conclusion are summarised in **Table 3**, below.

Table 3: Summary of Assessment Rationales

Natura 2000 Site	Water Quality	Habitat Loss, Alteration, or Degradation	Species Disturbance/Displacement	Habitat or Species Fragmentation
Killarney National Park SPA (004038)	See Section 3.7.1.2. Notwithstanding that the SPA site boundary encompasses the water of Lough Leane, the Upper Lake and some of the of the connected river systems, the site is not selected for the protection of any SCI species reliant on, or strongly associated with, riparian or lacustrine habitats.	See Section 3.7.2.2 and column 2 'Water Quality'. Notwithstanding that the SPA site is encompassed within the SAC it is not selected for the protection of any annexed habitat type. There is no overlap between the proposed development and the SPA. All habitat loss or alteration impacts will be restricted to the proposed development site.	See Section 3.7.3.2. The SPA is selected for a breeding population of merlin and a migratory, overwintering, population of Greenland white-fronted geese. Habitats within the proposed development site are not suitable as either breeding or foraging habitat for either of the SCI species and the locations within the SPA utilised by these species are not in proximity to the proposed development site.	See Section 3.7.4.2.
Sheheree (Ardagh) Bog SAC (000382)	See Section 3.7.1.3. This bog is ombrotrophic, i.e., it receives water and nutrients from precipitation, rather than from streams or springs. As a result, there is no hydrological link between the proposed development site and the SAC and, therefore, no impact pathway exists.	See Section 3.7.2.3 and column 2 'Water Quality'. There is no overlap between the proposed development and the SAC which is situated at a remove of 3.7 km. There is no pathway for indirect, or secondary, waterborne impacts.	This site is not selected for the protection of any QI or SCI species.	See Section 3.7.4.3.
Castlemaine Harbour SAC (000343)	See Section 3.7.1.4. The SAC is not selected for the protection of any aquatic annexed habitat types. Therefore, while there is a hydrological link between the proposed development site and the SAC, no receptor annexed aquatic habitats will be exposed to direct, indirect, or secondary impacts. The site is, however, selected for the protection of 1 woodland habitat type that is distributed along riparian, river bank, corridors. As a result, there is some albeit limited potential for indirect or secondary habitat loss, alteration or degradation impacts as a result of waterborne impacts. (See Section 3.7.2.4 and	See Sections 3.7.2.4 and 3.7.1.4. This site is selected for the protection of 13 Annex 1 habitat types which are all, with the exception of 1 woodland habitat, coastal or halophytic in their distributions and at a remove of in excess of 20 river kilometres downstream of the point of outflow of Lough Leane to the River Laune NPWS, 2011). The nearest of the woodland habitat sites (Site No. 1915) is approximately 8 river kilometres downstream of the point of outflow of Lough Leane to the River Laune. The distances intervening, when combined with the diluting effect of the volume of	See Section 3.7.3.3. This site is selected for the protection, during the freshwater phases of their life cycles, of the following aquatic QI fish species; sea lamprey, river lamprey & salmon; for otter and for the QI plant species petalwort. For the reasons outlined in Section 3.7.3.3 significant, indirect or secondary, disturbance or displacement impacts ensuing from the proposed development on these species are not likely.	See Section 3.7.4.4.

Natura 2000 Site	Water Quality	Habitat Loss, Alteration, or Degradation	Species Disturbance/Displacement	Habitat or Species Fragmentation
	<p>Column 3 “Habitat Loss, Alteration or Degradation”)</p> <p>The site is also selected for the protection, during the freshwater phases of their life cycles, of the following aquatic QI fish species; sea lamprey, river lamprey & salmon; for otter and for the QI plant species petalwort. See Section 3.7.3.3 and Column 4 “Species Disturbance/Displacement”</p>	<p>waters in Lough Leane, and those of the River Laune, any impacts will be reduced to an imperceptible level.</p>		
<p>Old Domestic Building Curraglass Wood SAC (002041)</p>	<p>See Section 3.7.1.5. This SAC is situated at a remove of 15 km from the proposed development site and is not selected for any ground or surface water associated habitat. Neither pathway nor receptor exists.</p>	<p>See Section 3.7.2.5 The SAC it is not selected for the protection of any annexed habitat type. There is no overlap between the proposed development and the SAC, and a separation distance of 15 km intervenes.</p>	<p>See Section 3.7.3.4. This site is selected for the protection of a population of lesser horseshoe bat. The roosts the population, for which the SAC is selected, are situated some 15 km from the proposed development site, a distance which precludes any significant impacts.</p>	<p>See Section 3.7.4.5.</p>

With regard to the remaining site, namely the Killarney National Park, MacGillycuddy's Reeks and Caragh River Catchment SAC (000365), ABP refused permission for a previous application for this proposal [ABP-312987-22] on the grounds that it could not be concluded that the proposed development would not adversely affect the integrity the Killarney National Park, MacGillycuddy's Reeks and Caragh River Catchment SAC (000365) in view of the site's Conservation Objectives, specifically with regard to impacts on the foraging activities of the population of lesser horseshoe bat (*Rhinolophus hipposideros*) for which the site is selected.

In light of ABP's determination, it will be necessary to prepare a Natura Impact Statement (NIS). The purpose of the NIS will be to provide adequate information to enable ABP to undertake and complete an Appropriate Assessment of the proposed development. It will comprise a scientific examination of the proposed development and the aforementioned SAC. It will identify and characterise any possible implications of the proposed development, on its own or in combination with other plans or projects, on the conservation objectives of the Killarney National Park, MacGillycuddy's Reeks and Caragh River Catchment SAC (000365).

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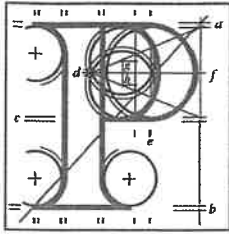
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Appendix 1

ABP Order



An
Bord
Pleanála

Board Order
ABP-312987-22

Planning and Development Acts 2000 to 2021

Planning Authority: Kerry County Council

Application for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, in accordance with plans and particulars, lodged with An Bord Pleanála on the 11th day of March 2022 by Portal Asset Holdings Limited care of HW Planning of 5 Joyce House, Barrack Square, Ballincollig, County Cork.

Proposed Development comprises of the following:

The construction of a residential development of 228 number residential units with ancillary two storey crèche, landscaping, road improvements, pedestrian and cycleways, storm water upgrades and associated site development works.

- (a) The proposed development makes provision for 76 number houses comprising of:
- eight number two storey two-bed semi-detached,
 - 28 number two storey three-bed townhouses,
 - 10 number two storey three-bed semi-detached,
 - 30 number two storey four-bed semi-detached.
- (b) The proposed development includes 152 number apartments and duplexes to be provided as follows:
- Block 1 (seven number two-bed and three number two-bed over three storeys),

- Block 2 (three number two-bed and three number two-bed over three storeys),
 - Block 3 (four number 1-bed, 10 number two-bed and six number three-bed over three storeys),
 - Block 4 (10 number one-bed and 10 number two-bed over three storeys),
 - Block J (32 number two-bed over four storeys),
 - Block K (16 no. one-bed apartments and 16 number two-bed apartments over four storeys)
 - Block L (32 number two-bed apartments over four storeys).
- (c) The proposed development will provide for a new vehicular access and pedestrian entrances onto Port Road, upgrades to Port Road comprising reduction in carriageway widths, provision of shared pedestrian and bicycle path and uncontrolled pedestrian crossing, and a pedestrian connection to Millwood Estate.
- (d) It is proposed to upgrade the stormwater network on Saint Margaret's Road (approximately 140 metres north of the main development site) to support the development.
- (e) Ancillary infrastructure development works will include relocation and undergrounding of electricity supply board powerlines, wastewater infrastructure including foul pumping station, surface water attenuation, water utility services, public lighting, bin stores, bicycle stores, electricity supply board substation, and all associated site development works all located at Port Road and Saint Margaret's Road, Coollegrean, Inch, Knockreer, Ardnamweelt, Derreen, Killarney, County Kerry.

Decision


Refuse permission for the above proposed development based on the reasons and considerations under and subject to the conditions set out below.

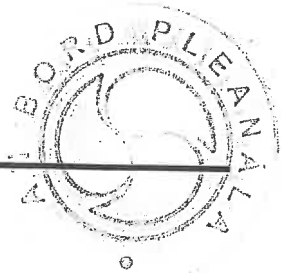
Reasons and Considerations

Having regard to the proximity of the subject site to the Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment candidate Special Area of Conservation (Site Code: 000365) it is considered that:

The proposed development may result in increased artificial lighting generated at both the construction and operational phases of the development and that may impact on Lesser Horseshoe Bats that commute along routes to the west of the Port Road and Deenagh River. The submitted Appropriate Assessment Screening Report does not provide sufficient scientific reasoning to clearly eliminate the likelihood of significant adverse effects.

In view of the site's Conservation Objectives and qualifying interests, the applicant has failed through the submitted Appropriate Assessment Screening Report to demonstrate that the proposed development would not adversely affect the integrity of a European Site and it is considered that the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.


Michelle Fagan
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.



Dated this 22nd day of August 2022

