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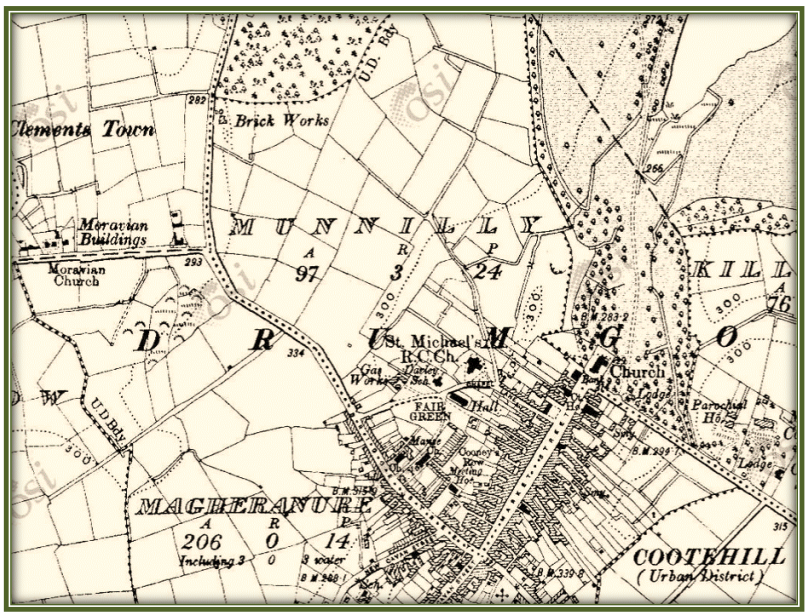
HABITATS DIRECTIVE SCREENING REPORT FOR A APPLICATION AT LOIS NA RÍ, MUNNILLY, COOTEHILL, CO CAVAN

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



Cavan County Council

c/o Wynne Gormley Gilsenan
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21 Churchview
Cavan

June 2025

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1 INTRODUCTION

1.1 BACKGROUND

A comprehensive assessment of the potential effects of proposed works at Lois na Rí, Munnilly, Cootehill, Co. Cavan on certain designated European sites was carried out in January 2022 by Noreen McLoughlin, MSc, MCIEEM of Whitehill Environmental. This report allowed potential ecological impacts associated with the proposed development on designated sites to be assessed.

The location of the proposed development is within the Zone of Influence of sites designated under European Law. As such and in accordance with Article 6(3) of the EU Habitat's Directive (Council Directive 92/43/EEC) regarding Appropriate Assessment, this screening exercise for Appropriate Assessment was carried out in order to identify whether any significant impacts on designated sites are likely.

This report contains information required by the competent authority (in this instance Cavan County Council) to undertake an Appropriate Assessment determination. It is the responsibility of the competent authority to make a decision as to whether or not the proposed development is likely to have significant effects on European Sites, either individually or in combination with other plans or projects. In accordance with the Legislation and National Guidance, the competent authority should issue an AA Screening Determination, which should set out their decision regarding AA, including the main reasons and considerations on which the determination is based.

1.2 REGULATORY CONTEXT

LEGISLATIVE CONTEXT

The Birds Directive (Council Directive2009/147/EC) recognises that certain species of birds should be subject to special conservation measures concerning their habitats. The Directive requires that Member States take measures to classify the most suitable areas as Special Protection Areas (SPAs) for the conversation of bird species listed in Annex 1 of the Directive. SPAs are selected for bird species (listed in Annex I of the Birds Directive), that are regularly occurring populations of migratory bird species and the SPA areas are of international importance for these migratory birds.

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

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

The Water Framework Directive (WFD) (2000/60/EC), which came into force in December 2000, establishes a framework for community action in the field of water policy. The WFD was transposed into Irish law by the European Communities (Water Policy) Regulations 2003 (S.I. 722 of 2003). The WFD rationalises and updates existing legislation and provides for water management on the basis of River Basin Districts (RBDs). RBDs are essentially administrative areas for coordinated water management and are comprised of multiple river basins (or catchments), with cross-border basins (i.e. those covering the territory of more than one Member State) assigned to an international RBD. The aim of the WFD is to ensure that waters achieve at least good status by 2027 and that status does not deteriorate in any waters.

Appropriate Assessment and the Habitats Directive

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

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

"Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having

ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public."

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

Article 6(4) states:

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

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

The Appropriate Assessment Process

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

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

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

'(1) A screening for appropriate assessment of a draft Land use plan or application for consent for proposed development shall be carried out by the competent authority to assess, in view of best scientific knowledge, if that Land use plan or proposed development, individually or in combination with another plan or project is likely to have a significant effect on the European site.

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

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

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

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

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

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

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

2 METHODOLOGY

2.1 APPROPRIATE ASSESSMENT

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

- European Commission (2018). Managing Natura 2000 Sites: The Provisions of Article 6 of the 'Habitats' Directive 92/43/EEC.
- European Commission (2021). Assessment of Plans and Projects Significantly Affecting Natura 2000 sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC.
- European Commission (2006). Nature and Biodiversity Cases: Ruling of the European Court of Justice.
- European Commission (2007). Clarification of the Concepts of: Alternative Solution, Imperative Reasons of Overriding Public Interest, Compensatory Measures, Overall Coherence, Opinion of the Commission.
- Department of Environment, Heritage and Local Government (2009). Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities.

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

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

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

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

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

The four-stage process is:

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

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

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

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

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

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

2.2 STATEMENT OF COMPETENCY

This AA Screening report was carried out by Noreen McLoughlin, BA, MSc, MCIEEM. Noreen has an honours degree in Zoology and an MSc in Freshwater Ecology from Trinity College, Dublin and she has been a full member of the Chartered Institute of Ecology and Environmental Management for over 18 years. Noreen has over 20 years' experience as a professional ecologist in Ireland.

2.3 DESK STUDIES & CONSULTATION

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

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

2.4 ASSESSMENT METHODOLOGY

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

The conservation objectives relating to each Natura 2000 site and its QIs/SCIs are cited generally for SACs as "to maintain or restore the favourable conservation condition of the

Annex I habitat(s) and/or Annex II species for which the SAC has been selected", and for SPAs "to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA".

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

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

The favourable conservation status of a species is achieved when:

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

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

3 SCREENING

3.1 DEVELOPMENT DESCRIPTION

Cavan County Council have indicated their intention to undertake a development on a site at the Lois na Rí Residential Estate, at Munnilly, Cootehill, Co. Cavan. Proposed works will involve:

- The completion of external works and refurbishment of 13 no. substantially completed dwellings that were previously constructed.
- Alterations to the site layout and revisions to the site boundary, road and footpath layout, and layout of open space;
- The construction of 26 no. 2 storey units comprising of 34 semi-detached units and 2 no. blocks of three townhouses
- The completion of site services and all associated site works.

(The development is partially constructed and pertains to previous grant of permission Planning Reg. No. 05/696). Permission for these works will be sought under Part VIII of planning process. The land is zoned for proposed / existing residential under the Cavan County Development Plan 2014 – 2020.

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

Wastewater Treatment

Foul water from the site will be directed to the public sewer. A pumping station will be installed on site to pump waste towards the sewer line that lies along the Lios na Rí access road.

Surface water Treatment

Surface water from the site will be dealt with in accordance with SUDS. Infiltration will occur on a large part of the site. Excess waster from roads and parking areas will be attenuated on site prior to discharge to the local surface water network via a Hydrobrake with flow limited to 9.4l/s.

3.2 SITE LOCATION AND SURROUNDING ENVIRONMENT

The site in question is approximately 2.5ha and it is located on the northern outskirts of Cootehill town, approximately 315m north of the town centre. The site encompasses the existing area of the Lios an Rí residential estate, which consists of 13 partially finished semi-detached dwellings. The site will be accessed via the extension and completion of the access road that was initially constructed for the estate. The entrance to this access road is just off Ballamont View.

The land-use immediately surrounding the site is predominantly urban and it consists of the residential and commercial areas of Cootehill. The main habitats associated with these areas include buildings and artificial surfaces, along with amenity grasslands, gardens and scattered trees. Beyond the urban areas of Cootehill, agriculture is the dominant land use and improved and semi-improved / neutral grasslands are the main habitats associated with these areas. Other habitats represented locally include wet grasslands, mixed broadleaved woodlands and coniferous forestry. There are a number of lakes north of Cootehill, whilst the Dromore River and its riparian habitats are approximately 1m north of Cootehill.

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

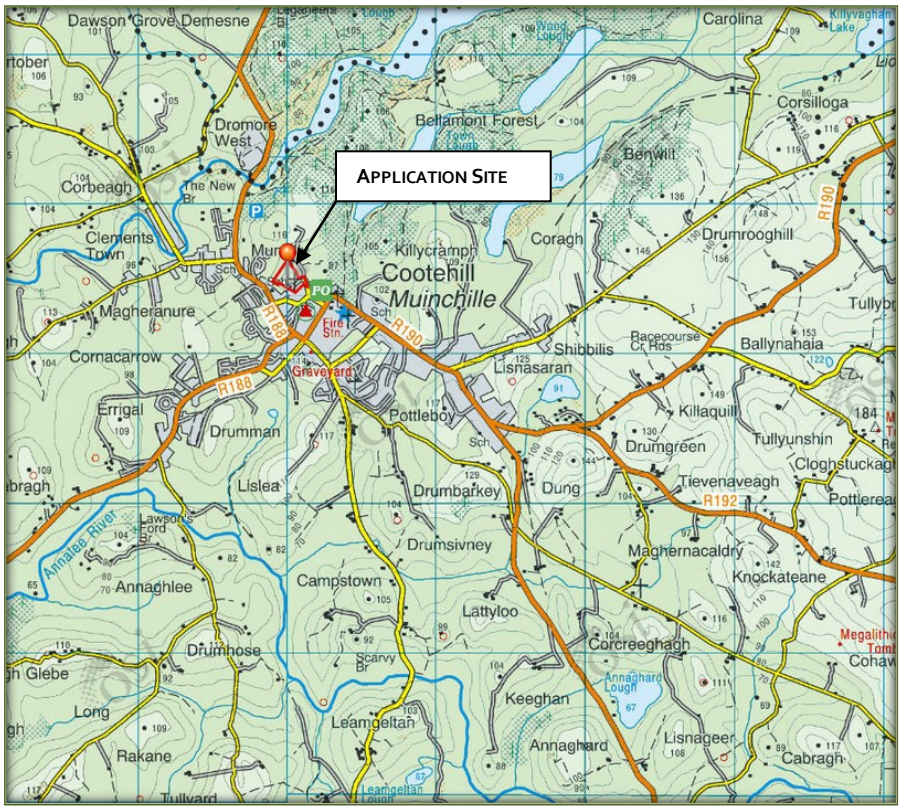


Figure 2 – Site Location Map (Site is Pinned)

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

HABITATS AND NOTABLE SPECIES

The application site itself does not lie within or immediately adjacent to any area that has been designated for nature conservation purposes. The habitats within the site consist of buildings and artificial surfaces (the existing uncompleted houses, parking areas and access road), spoil and bare ground, recolonising bare ground and unimproved grasslands. The north-western and south-western boundaries consist of hedgerows. There are also some scattered trees and groups of trees within the application site.

An examination of the website of the National Biodiversity Data Centre, revealed that there are records for the presence of one protected species from the relevant 1km square (H5914, H6014) of this proposed development. This species is the Natterer's bat (*Myotis nattereri*) and it is fully protected under the Irish Wildlife Acts. A custom polygon that was generated for the site revealed that these records do not pertain to the application site itself.

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

WATER FEATURES AND QUALITY

The application site is within the Erne Hydrometric Area (36) and Catchment (36), the Annalee (020) Sub-Catchments (020) and the Dromore (060) Sub-Basins. There are no drains or streams within or immediately adjacent to the application site. The Dromore River is 465m north of the site.

The Dromore River rises near the townland of Dromore, Co. Monaghan. It flows through the town of Ballybay and through a number of lakes, including White Lake, Clossagh Lough and Dromore Lough before it flows north of Cootehill. From Cootehill, it flows generally in a south-westerly direction until its confluence with the Annalee River near Tullyvin, approximately 7km downstream of Cootehill. The Annalee River is a tributary of the River Erne.

The EPA has classified the ecological status of the Dromore River upstream of Cootehill as being of poor ecological status. In 2019, it received a Q value of 3 at New Bridge in Cootehill. This was also the result obtained in 2013 and 2017. Dromore Lough has been classed as moderate ecological status, which is an improved ecological status since the last monitoring period. Downstream of Cootehill, the ecological status of the Dromore River improves to good status, whilst the Annalee River near Tullyvin has been classed as good ecological status. Under the requirements of the Water Framework Directive, all waterbodies must achieve good status within a specified time period.

3.3 NATURA 2000 SITES IDENTIFIED

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

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

There is one Natura 2000 designated site within 15km of the application site, plus one other site that lies within the same catchment area as this application site. These designated areas and their closest points to the application site are summarised in Table 1 and a map showing their locations relative to the application site is shown in Figure 5. A full description of the sites can be read on the website of the National Parks and Wildlife Service (www.npws.ie).

Site Name & Code	Distance	Qualifying Interests	Potential Significant Effects
Lough Oughter and Associated Loughs SAC 000007	14.9km west	• Natural eutrophic lakes with *Magnopotamion* or *Hydrocharition*-type vegetation • Bog woodland • Otter *Lutra lutra*	*Having regard to the lack of hydrological and ecological connectivity between the application site and this SAC, combined with the overall separation distance, significant effects upon this SAC arising from construction and operation of this site can be ruled out. There will be no direct or indirect impacts or significant effects upon the QIs of this SAC.*

Lough Oughter Complex SPA 004049	20.5km west	• Great Crested Grebe (*Podiceps cristatus*) • Whooper Swan (*Cygnus cygnus*) • Wigeon (*Anas penelope*) • Wetlands & Waterbirds	*Having regard to the lack of hydrological and ecological connectivity between the application site and this SPA, combined with the overall separation distance, significant effects upon this SPA arising from construction and operation of this site can be ruled out. There will be no direct or indirect impacts or significant effects upon the QIs of this SPA.*

Table 1 – Natura 2000 Sites Within 15km of the Application Site

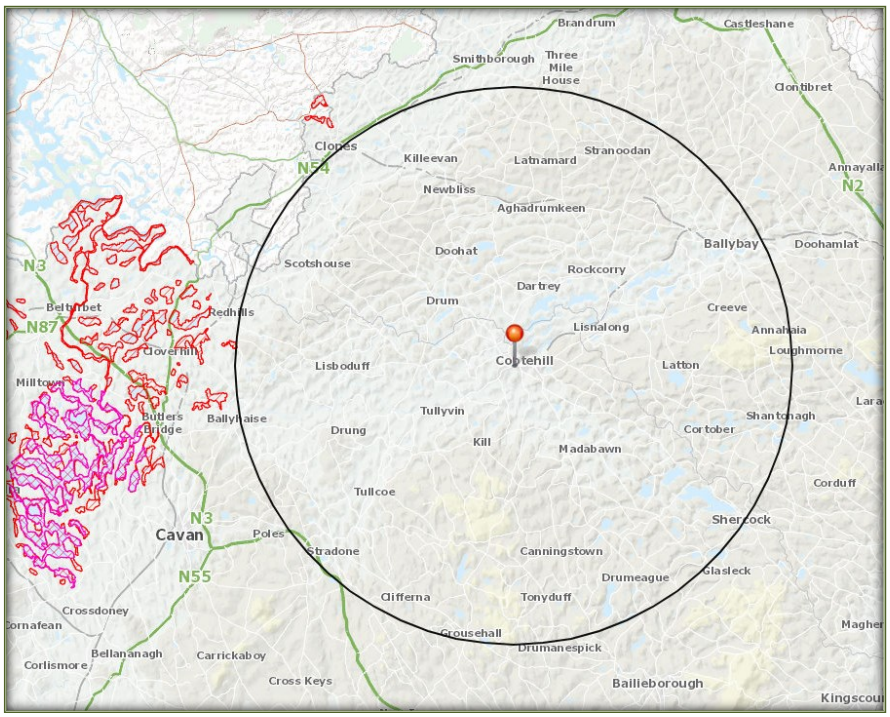


Figure 5 – The Application Site (Red Dot) in relation to the Natura 2000 Sites within 15km (SACs – Red Hatching, SPAs – Pink Hatching)

3.4 IMPACT ASSESSMENT

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

Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on nearby Natura 2000 site:
The completion of the construction and future operation of the residential estate at Lios na Rí, Cootehill will not to lead to any significant effects upon the Lough Oughter and Associated Loughs SAC or the Lough Oughter Complex SPA. There are no pollution pathways between the application site and the SAC/SPA, and this will prevent emissions from the construction or site operation from affecting the SAC and SPA. There are no individual elements of the proposed project that are likely to give rise to negative impacts on Lough Oughter SAC / SPA either during the construction or operation of the proposed development. There will be no direct, indirect or cumulative impacts upon the Natura 2000 sites identified. There will be no impacts upon the qualifying interests of this sites.
Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the nearby Natura 2000 sites by virtue of:
Size and scale: Given the small size and scale of the development in relation to the overall size of the Natura 2000 sites identified, then the likelihood of any direct, indirect or cumulative impacts upon the Lough Oughter and Associated Loughs SAC and the Lough Oughter Complex SPA is low. **Land-take:** There will be no land-take from any designated site. There will be no interference with the boundaries of any designated site. There will be no loss of any undesignated priority habitats. **Distance from Natura 2000 site or key features of the site:** The closest Natura 2000 Sites to the application site is the Lough Oughter and Associated Loughs SAC and this is 14.9km west of the site. There is no connectivity between the application site and this SAC. **Resource requirements (water abstraction etc.):** No resources will be taken from any Natura 2000 site and there are no resource requirements that will impact upon the Lough Oughter and Associated Loughs SAC or the Lough Oughter Complex SPA. **Emissions**: There are no pollution pathways between the area of construction and operational works and the Lough Oughter SAC/SPA, therefore the potential for significant effects arising from the construction and operation of the site can be excluded. Surface water from the site once operational will be directed into the surface water network. Foul water will be directed to the public sewer, subject to agreement with Irish Water. **Excavation requirements:** Excavated material from the construction will be used on site. Any remaining will be disposed of in a responsible manner in a licensed facility away from any designated

sites.

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

In-Combination / Cumulative Impacts: An examination of the planning portal on the website of Cavan County Council was undertaken for information pertaining to other recent or pending planning applications in the general Cootehill. In the preceding three years, many other developments have been granted planning permission and where necessary, these applications were screened for AA or else full AA was carried out and an NIS submitted. In the future, any application that has the potential to impact upon the SAC/SPA will be subjected to Appropriate Assessment as required under Articles 6(3) of the Habitats Directive. The proposed development will not lead to any cumulative effects upon the SAC when it is considered on its own or in combination with other plans or projects.

Duration of construction, operation, decommissioning etc: Once construction begins, it should be complete within two years.

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

Reduction of habitat area: The construction works lie outside the boundaries of the Natura 2000 sites identified in Section 3.3. There will be no reduction of designated habitat area. There will be no interference with the boundaries of any designated site. There will be no direct, indirect or cumulative impacts upon the qualifying interests of the Lough Oughter and Associated Loughs SAC, i.e., natural eutrophic lakes or bog woodland.

Disturbance to key species: There will be no direct disturbance to any species listed in Annex I of the Birds Directive or Annex II of the Habitats Directive. There will be no loss of any territory likely to be used by the otter, which is a qualifying interest of the Lough Oughter and Associated Loughs SAC. There will be no disturbance to the bird species which are of Special Conservation Interests of Lough Oughter Complex SPA.

Habitat or species fragmentation: There will be no habitat or species fragmentation within any SAC or SPA. No ecological corridors between the proposed site and the Lough Oughter and Associated Loughs SAC or SPA will be impacted upon.

Reduction in species density: There will be no reduction in species density in any designated site.

Changes in key indicators of conservation value (water quality etc.): There will be no negative impacts upon surface or ground water quality within the Lough Oughter and Associated Loughs SAC or SPA.

Describe any likely impacts on the nearby Natura 2000 sites as a whole in terms of:
Interference with the key relationships that define the structure or function of the site: It is not considered likely that there will be any significant impacts on the key relationships that define the structure or function of the Natura 2000 sites identified.
Provide indicators of significance as a result of the identification of effects set out above in terms of:
Loss - Estimated percentage of lost area of habitat: None **Fragmentation**: None **Disruption & disturbance**: None **Change to key elements of the site (e.g. water quality etc.):** Unlikely to be significant

3.5 FINDING OF NO SIGNIFICANT EFFECTS

Finding of No Significant Effects Report Matrix	
Name of project	Completion of a Residential Estate at Munnilly, Cootehill, Co. Cavan.
Name and location of Natura 2000 site	The closest Natura 2000 Sites to the application site is the Lough Oughter and Associated Loughs SAC and this is 14.9km west of the site. There is no connectivity between the application site and this SAC.
Description of project	A Residential Development (Part VIII)
Is the project directly connected with or necessary to the management of the site?	No
Are there other projects or plans that together with project being assessed could affect the site?	No
The Assessment of Significance of Effects	
Describe how the project is likely to affect the Natura 2000 site	Having regard to the location, nature and scale of the proposed development, it is considered that there is no potential for significant effects either from the proposed development on its own or in combination with other plans and projects.
Explain why these effects are not considered significant	Not applicable as there is no potential for significant negative impacts
Describe how the project is likely to affect species designated under Annex II of the Habitats Directive.	No impacts likely
Data Collected to Carry out the Assessment	
Who carried out the assessment	Noreen McLoughlin, MSC, MCIEEM. Consultant Ecologist
Sources of data	NPWS, EPA, National Biodiversity Data Centre, Cavan County Council
Level of assessment completed	Stage1 Appropriate Assessment Screening
Where can the full results of the assessment be accessed and viewed	Full results included

4 APPROPRIATE ASSESSMENT CONCLUSION

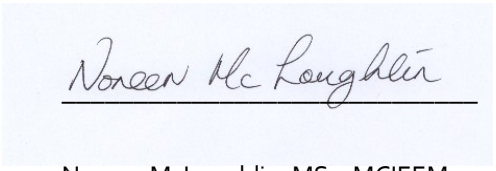
In accordance with Article 6(3) of the Habitats Directive, the relevant case law, established best practice and the precautionary principle, this AA Screening Report has examined the details of the project in relation to the relevant Natura 2000 sites within 15km of the application site.

At this stage of the AA process, it is for the competent authority, i.e., Cavan County Council, to carry out the screening for AA and to reach one of the following determinations:

a) AA of the proposed development is required if it cannot be excluded, on the basis of objective information, that the proposed development, individually or in combination with other plans or projects, will not have a significant effect on any European sites;

b) AA of the proposed development is not required if it can be excluded, on the basis of objective information, that the proposed development, individually or in combination with other plans or projects, will not have a significant effect on any European sites.

It is of the opinion of the author that an AA of the proposed development is not required as it can be excluded, on the basis of objective information provided in this report, that the proposed development, individually or in combination with other plans or projects, will not have a significant effect on any European sites. Therefore, this proposed project does not need to proceed to Stage II of the Appropriate Assessment Process, i.e., a Natura Impact Statement (NIS).



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Ecologist.

(PI Insurance details available on request)

Appendix I: FURTHER ECOLOGICAL RECOMMENDATIONS

Whilst the proposed development will have no impacts upon the integrity of any area that has been designated as a Natura 2000 site, it is usually best practice to undertake certain mitigation measures during the construction and operation of any development. These measures will help to protect the local biodiversity of the surrounding area and ensure the protection of local wildlife and water quality. Therefore, it is recommended that the following measures are implemented: *It should be noted that these recommended measures are not designed for the protection of any Natura 2000 site and that they are fully outside of the Appropriate Assessment process.*

- The existing hedgerows and treelines around the site should be retained in so far as possible. The removal of any tree and hedgerows should be done outside of the bird nesting season, i.e., between September and the end of February.
- Any mature trees that need to be felled and any existing buildings that require demolition should be checked for the presence of bats prior to removal.