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Appropriate Assessment Screening Report

PRESENTED TO

Kerry County Council

Milltown Town Centre First Masterplan, for Milltown, Co. Kerry

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Environmental Consultancy Services

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1 INTRODUCTION

1.1 Background

Enviroguide Consulting was commissioned by Kerry County Council to prepare an Appropriate Assessment (AA) Screening Report in relation to the 'Proposed Masterplan' Milltown Town Centre First Masterplan at Milltown, Co Kerry, hereafter referred to as 'Proposed Masterplan' or 'Site', when referring to the application area. This report contains information to enable the Competent Authority to undertake Stage 1 Appropriate Assessment screening in respect of the Proposed Masterplan.

1.2 Quality Assurance and Competence

Enviroguide Consulting is a multi-disciplinary consultancy specialising in the areas of the Environment, Waste Management and Planning. All Enviroguide consultants carry scientific or engineering qualifications and have a wealth of experience working within the Environmental Consultancy sectors, having undergone extensive training and continued professional development.

Enviroguide Consulting as a company remains fully briefed in European and Irish environmental policy and legislation. Enviroguide staff members are highly qualified in their field. Professional memberships include the Chartered Institution of Wastes Management (CIWM), the Irish Environmental Law Association and Chartered Institute of Ecology and Environmental Management (CIEEM).

All surveying and reporting have been carried out by qualified and experienced ecologists and environmental consultants. SOB undertook the desktop research for this report.

SOB has a B.A. in Zoology from Trinity College Dublin and a M.Sc. Hons. in Wildlife Conservation and Management from University College Dublin, and has experience in desktop research, report writing, and literature scoping-review, as well as practical field and laboratory experience (Pollinator surveying, sampling and identification, habitat surveying, invasive species surveying, etc.). SOB has prepared Stage I and Stage II Appropriate Assessment (AA) Reports, Invasive Species Surveys, Ecology Statements, EclAs, and Biodiversity Chapters of EIARs.

1.3 Description of Proposed Masterplan

1.3.1 Milltown Location and Description

Milltown is a regional town located along the N70 road, Co. Kerry, approximately 13.5km south of Tralee and 16.5km northwest of Killarney.

The modern-day settlement at Milltown was developed by Captain John Godfrey in the 1750s as the central town of their estate. The development of Milltown was a deliberate attempt at urban planning by the Godfreys who hoped such development would increase the income and prosperity of their estate through rents, market tolls and the promotion of industries. The Milltown GAA club was founded in 1889, though the exact date is unknown. The lands to the north and west of the Square in Milltown appears as a predominantly small-scale agricultural landscape leading towards the Maine river.

Milltown’s population stood at 1,118 in April 2022, representing a growth of 190 people since 2016 (a growth rate of +20.5%). Previously, Milltown has undergone significant growth over the last 20 years recording a rate of 236.7% since 2002.

Milltown is located on the National Secondary Route N70 and is part of the Wild Atlantic Way. Milltown is served by both Bus Eireann main line and Local Link Services. There are currently 4x Local Link Services to the town (R82 Killorglin– Tralee, R33 Milltown– Killarney, R16 Inch– Killarney and R32 Beaufort–Tralee). The bus stops are currently located on the N70, a short distance on the north side of the town.

1.3.2 Proposed Masterplan Description

The building blocks that framed Milltown Town Centre First (TCF) Masterplan are driven from: (1) A comprehensive review of the submissions previously made to the Local Area Plan for the Corca Dhuibhne Electoral Area Local Area Plan 2021-2027, (2) submissions to the Pre-Draft Stage Public Consultation Milltown TCF Masterplan, and (3) baseline analysis of the Town in collaboration with Kerry County Council and relevant stakeholders including several site visits of Milltown. Table 1 details the objectives of the TCF Masterplan within the key themes/priority areas.

TABLE 1. OBJECTIVES FOR PRIORITY AREAS OF THE MILLTOWN TCF MASTERPLAN

Objective	PUBLIC REALM/PLACEMAKING
1.	Enhancing the Townscape of Milltown
2.	Developing a Street Furniture Plan for Milltown
3.	Developing Zones of Intervention
Objective	HERITAGE, IDENTITY & VISITOR EXPERIENCE
1.	Celebrate and Utilise the Rich Heritage Assets of the Town
Objective	GREEN INFRASTRUCTURE
1.	Reintroducing Green Infrastructure to Milltown
Objective	COMMUNITY
1.	RE-generation of Milltown (Providing for a Town Centre Responsive to all Age Groups)
Objective	ENTERPRISE & SUSTAINABLE GROWTH
1.	Enhancing the Town Centre Dynamic & Local Economy
Objective	MOBILITY & SUSTAINABLE TRANSPORT
1.	Promoting Active Travel
2.	Traffic Calming of the Town Centre & Promoting Road Safety for all Road Users
3.	Car Parking Management

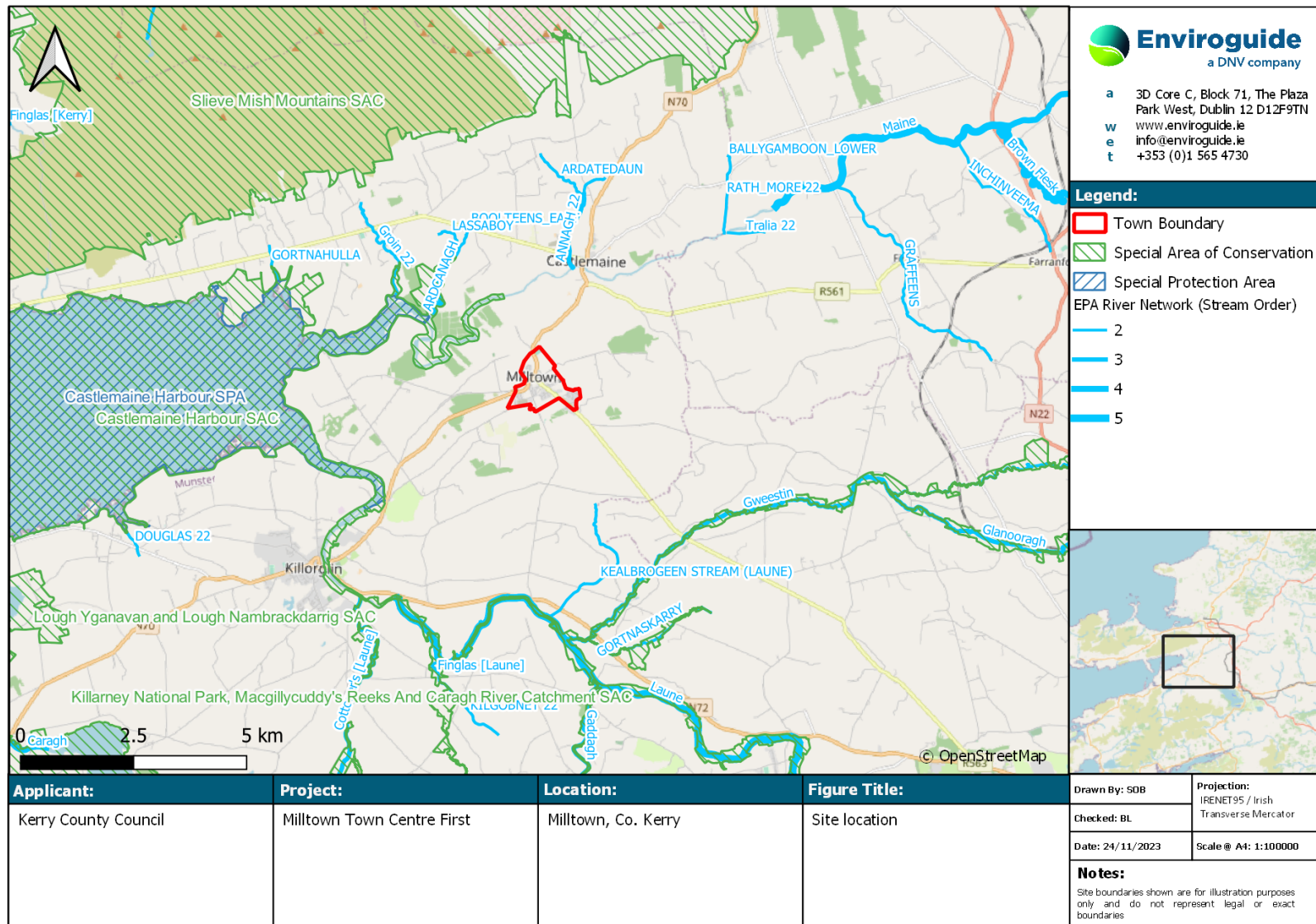


FIGURE 1. SITE LOCATION



FIGURE 2. PROPOSED ZONES OF INTERVENTION

2 LEGISLATIVE AND POLICY CONTEXT

2.1 Legislative Background

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) seeks to protect birds of special importance by the designation of Special Protection Areas (SPAs). The Habitats Directive has been transposed into Irish law through the EC (Birds and Natural Habitats) Regulations 2011 (SI 477 of 2011).

It is the responsibility of each Member State to designate SPAs and SACs, both of which will form part of the Natura 2000 Network, a network of protected sites throughout the European Community. These designated sites are referred to as “Natura 2000 sites” or “European sites”. SACs are selected for the conservation of Annex I habitats (including priority types which are in danger of disappearance) and Annex II species (other than birds). SPAs are selected for the conservation of Annex I birds and other regularly occurring migratory birds and their habitats. The annexed habitats and species for which each site is selected correspond to the Qualifying Interests (QIs) and Special Conservation Interests (SCIs) of the sites; from these the conservation objectives of the site are derived.

An AA is a required assessment to determine the likelihood of significant effects, based on best scientific knowledge, of any plans or projects on European sites. A screening for AA determines whether a plan or project, either alone or in combination with other plans and projects, is likely to have significant effects on a European site, in view of its conservation objectives.

This AA Screening has been undertaken to determine the potential for significant effects on relevant European sites. The purpose of this assessment is to determine, the appropriateness, or otherwise, of the Proposed Masterplan in the context of the conservation objectives of such sites.

2.1.1 Legislative Context

2.1.1.1 *Planning and Development Act 2024*

An Appropriate Assessment (AA) is required under Article 6 of the Habitats Directive where a project or plan may give rise to significant effects upon a European site. Paragraph 3 states that:

“6(3) 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.”

The obligations in relation to AA have been implemented in Ireland under the Planning and Development Act 2024. Chapter 3 of Part 6 of the Act provides a detailed framework for the

AA of 'Development and Proposed Development' to ensure compliance with the Habitats Directive and the Birds Directive¹.

The relevant sections in relation to screening for AA have been summarised below:

Section 212 of the Planning and Development Act 2024 mandates that the competent authority must conduct a screening for appropriate assessment of relevant development projects². This applies to developments that are not directly connected with, or necessary for, the management of a European site, but which have the potential to cause a significant impact.

1. **Subsection (1)** specifies that the screening is required for:
 - Applications for permission for relevant developments.
 - Determining if the Proposed Development, individually or in combination with other plans or projects, is likely to significantly affect a European site, considering its conservation objectives.
2. **Subsection (2)** extends the screening requirement to:
 - Alterations or extensions of permissions for development.
 - Determining if such changes, individually or in combination with other plans or projects, are likely to significantly affect a European site, considering its conservation objectives.
3. **Subsection (3)** allows the competent authority to:
 - Request additional information or clarification from the applicant.
 - Consult with appropriate persons to facilitate the screening process.
4. **Subsection (4)** states that if the applicant fails to provide the requested information within the specified period, the competent authority may refuse to grant permission.

The Appropriate Assessment (AA) screening under Section 212 can result in several determinations:

1. **No Likely Significant Effect:** If the screening concludes that the Proposed Development, either alone or in combination with other plans or projects, is not likely to have a significant effect on a European site, considering its conservation objectives, the project can proceed without further assessment.

¹ A framework for Appropriate Assessment of Plans is given in Chapter 2 of Part 6 of the Planning and Development Act 2024.

² In the context of the Planning and Development Act 2024, a "relevant development" generally refers to any project or activity that requires planning permission and has the potential to impact the environment, particularly European sites. This includes new construction projects; material changes in use; alterations or extensions; and some exempted developments (certain developments that are typically exempt from requiring permission but may still need to be assessed if they impact European sites). Further details can be found in Part 2 of the Act.

2. **Likely Significant Effect:** If the screening determines that the Proposed Development is likely to have a significant effect on a European site, an Appropriate Assessment must be carried out. This involves a more detailed examination of the potential impacts on the site's conservation objectives and the preparation of a Natura Impact Statement (NIS).
3. **Insufficient Information:** If the competent authority finds that there is insufficient information to make a determination, it can request additional information from the applicant. The screening process will be paused until the necessary information is provided.
4. **Refusal Due to Non-Compliance:** If the applicant fails to provide the requested information within the specified timeframe, the competent authority may refuse to grant permission for the development.

These determinations ensure that any potential impacts on European sites are thoroughly considered and addressed, promoting sustainable development and environmental protection.

Where a NIS is required, the report may be prepared and submitted by the applicant as part of the application for permission.

For full details of the Planning and Development Act 2024 in relation to AA Screening (including details of AA for plans and local or state authority developments), please refer to the full Planning and Development Act 2024 documentation available on the Irish Statute Book website³.

2.1.1.2 Other relevant context

According to the ruling delivered in open court in Luxembourg on 15th June 2023 regarding the interpretation of Article 6(3) of Directive 92/43, the Article must be interpreted as meaning that:

“In order to determine whether it is necessary to carry out an appropriate assessment of the implications of a plan or project for a site, account may be taken of the features of that plan or project which involve the removal of contaminants and which therefore may have the effect of reducing the harmful effects of the plan or project on that site, where those features have been incorporated into that plan or project as standard features, inherent in such a plan or project, irrespective of any effect on the site”.

As such, standardised embedded mitigation (such as the use of Sustainable Drainage Systems (SuDS) in large-scale residential developments), that are incorporated into the design of a proposal or project and which may result in a reduction of effects impacting European sites, but where the primary reason of the embedded mitigation is not to protect a European site, are permitted for consideration during the undertaking of AA.

³ <https://www.irishstatutebook.ie/eli/2024/act/34/enacted/en/print>

2.2 Policy Context

2.2.1 Kerry County Development Plan 2022 – 2028

KCDP 9-81: Support the existing diverse nature of the marine sector in Kerry, and identify and promote sustainable growth opportunities, while protecting European sites. This shall be achieved through engagement and partnership with the relevant agencies, sectoral representatives and local communities.

KCDP 11-1: Ensure that the requirements of relevant EU and national legislation, are complied with by the Council in undertaking its functions, including the requirements of the EU Birds and Habitats Directives.

KCDP 11-2: Maintain the nature conservation value and integrity of Special Areas of Conservation, Special Protection Areas, Natural Heritage Areas (NHAs) and proposed Natural Heritage Areas (pNHAs). This shall include any other sites that may be designated at national level during the lifetime of the plan in co-operation with relevant state agencies.

KCDP 11-3: Work with all stakeholders in order to conserve, manage and where possible enhance the County's natural heritage including all habitats, species, landscapes and geological heritage of conservation interest and to promote increased understanding and awareness of the natural heritage of the County.

KCDP 11-4: Promote nature-based solutions to meet national objectives towards achieving a carbon neutral economy by 2050.

KCDP 11-5: Support and facilitate the actions in the National Biodiversity Action Plan and Kerry County Councils Biodiversity Action Plan 2022 – 2028.

KCDP 11-11: Work with NPWS and other partners to support the Kerry UNESCO Biosphere Reserve and the implementation of initiatives contained in the Periodic Review 2017.

KCDP 11-12: Support the protection of the biodiversity and tourism-value of Killarney National Park by proactively engaging with all stakeholders to tackle Rhododendron infestation and combating illegal fires.

KCDP 11-13: Support the sustainable use of wetlands, including our Ramsar sites, for educational, recreational and or tourism uses where appropriate and compatible with environmental protection designations.

KCDP 11-15: Facilitate and support the protection and enhancement of wetlands as nature-based solutions to flood management, climate change, and the biodiversity crisis.

KCDP 11-16: Ensure invasive species are managed in compliance with the provisions of the EC (Birds and Habitats) Regulations (SI 477 of 2011), as amended, particularly Sections 49, 50 and the Third Schedule. Best practices, as produced and updated by relevant authorities, are to be adhered to in the management of invasive species particularly on sites proposed for development.

KCDP 11-17: Facilitate, in collaboration with relevant stakeholders increased awareness and the implementation of biosecurity measures to prevent the spread of invasive species, particularly along watercourses.

KCDP 11-18: Facilitate the provision of an appropriate site in the County for the disposal and management of invasive species and contaminated soil, further to best practice guidelines and the provisions of the EC (Birds and Habitats) Regulations (SI 477 of 2011), as amended.

KCDP 11-19: Support actions from the All-Ireland Pollinator Plan including the plan's recommendations for grassland management and pollinator friendly species.

KCDP 11-20: Support the management of appropriate green areas to become natural biodiversity areas to encourage natural wildflowers to recolonise and support enhanced bee and insect populations.

KCDP 11-21: Require, where necessary, proposals to be accompanied by a habitat map prepared in accordance with the Heritage Councils Best Practice Guidance for Habitat Survey and Mapping, 2011.

KCDP 11-22: Encourage and facilitate the retention and creation of features of local biodiversity value, ecological corridors and networks that connect areas of high conservation value such as watercourses, woodlands, hedgerows, earth banks and wetlands.

KCDP 11-23: Identify key areas in the County, in collaboration with other relevant bodies, where habitat mapping would be of particular benefit to record existing features of local biodiversity and where applicable to integrate this information in the development management and plan preparation process.

KCDP 11-24: Promote the integration and improvement of natural watercourses in development proposals having regard to the IFI's guidance *Planning for Watercourses in the Urban Environment*.

KCDP 11-25: Support projects such as the swift nesting project (that are compatible with protection of our architectural heritage); pollinator friendly initiatives, tree planting, nature based sustainable urban drainage systems and other actions that seek to enhance urban wildlife.

KCDP 11-26: Facilitate and support the actions of the tree management strategy for the respective municipal districts.

KCDP 11-27: Support the preservation and enhancement of the general level of broadleaf tree cover throughout the County in both urban and rural areas and ensure that development proposals satisfactorily retain existing trees and/or provide additional native planting. A Tree Survey Report shall inform applications where appropriate.

KCDP 11-28: Encourage the provision of locally provenanced native tree species including those recommended by the All-Ireland Pollinator Plan as part of development landscaping schemes.

KCDP 11-29: Work with stakeholders to protect and sustainably enhance the biodiversity and where appropriate the landscape and recreational interests of woodlands in the County.

KCDP 11-42: Require proposals for development that include the provision of external lighting, to clearly demonstrate that the lighting scheme is the minimum needed for security and working purposes and also to ensure that external lighting and lighting schemes are designed so that the incidence of light spillage is minimised ensuring that the amenities of adjoining properties, wildlife and the surrounding environment are protected.

KCDP 11-44: Take into consideration the *Bat Conservation Trust 2018 Note 08/18 Bats and Artificial Lighting in the UK* Guidelines when choosing lighting specifications for developments and/or Bat specialist advice, so as to ensure the requirements of the Habitats Directive are adhered to, including Article 10.

2.2.2 Kerry County Council's Biodiversity Action Plan 2022-2028

Objective 1: Mainstreaming biodiversity into decision making within the Local Authority.

Objective 2: To conserve, protect and enhance biodiversity and ecosystem services in the county.

Objective 3: That biodiversity underpins KCC's responses to the challenges of climate change.

Objective 4: Work with a range of stakeholders to ensure protection and enhancement of biodiversity in the county.

Objective 5: Increase awareness and appreciation of biodiversity within KCC and the community.

Objective 6: Support the strengthening of the knowledge base, information and data on biodiversity in the county.

2.2.3 Corca Dhuibhne Electoral Area Local Area Plan (LAP) 2021-2027

D-NE-1: Promote the development of a catchment wide invasive species management plan with relevant stakeholders.

D-NE-2: Support the protection of local biodiversity in the plan area, including actions identified in the All Ireland Pollinator Plan and by ensuring that all development proposals appropriately manage sediment and storm water run-off.

D-NE-3: Support Kerry County Councils Local Authority Climate Action Plan 2024-2029.

D-NE-4: Protect and where appropriate enhance the provision of biodiversity features in the area and settlements.

D-NE-5: Promote clean air policies to enhance and protect the quality of the air in the Municipal District (MD) area.

D-NE-6: Support the provision of locally led Agri-environmental initiatives in the plan area.

D-NE-7: Support the roll out of the second and future cycles of the Water Framework Directive including integrated catchment based approaches to the protection of water in collaboration with key stakeholders.

D-NE-8: Facilitate the protection of sand dunes in the area (which includes annexed habitats) and prohibit any development that would damage the integrity of these areas.

OS-09: Ensure that all development, projects and objectives are carried out in a sustainable manner and at appropriate locations having regard to the Habitats Directive, integrity of the Natura 2000 network and the Flood Risk management Guidelines and all other statutory guidelines.

2.3 Stages of Appropriate Assessment

This AA Screening Report (the 'Screening Report') has been prepared by Enviroguide Consulting. It considers whether the Proposed Masterplan is likely to have a significant effect on a European site and whether a Stage 2 AA is required.

The AA process is a four-stage process. Each stage requires different considerations, assessments and tests to ultimately arrive at the relevant conclusion for each stage. An important aspect of the process is that the outcome at each successive stage determines whether a further stage in the process is required.

The four stages of an AA, can be summarised as follows:

- **Stage 1: Screening.** The Screening for AA considers whether a plan or project is directly connected to or necessary for the management of a European site, or whether a plan or project, alone or in combination with other plans and projects, is likely to have significant effects on a European site in view of its conservation objectives.
- **Stage 2: Natura Impact Statement (NIS).** Where Stage 1 determines that significant effects are likely, uncertain or unknown, the preparation of a NIS is required. The NIS must include a scientific examination of evidence and data to classify potential impacts on any European site(s) in view of their conservation objectives in the absence of mitigation. The NIS will identify appropriate mitigation to remove the potential for likely significant adverse effects on any European site(s). If the competent authority determines that the plan or project would have an adverse effect on the integrity of any European site(s) despite mitigation, it can only grant consent after proceeding through stages 3 and 4.
- **Stage 3: Assessment of alternative solutions.** If the outcome of Stage 2 is negative i.e., adverse impacts to the sites cannot be scientifically ruled out, despite mitigation, the plan or project should proceed to Stage 3 or be abandoned. This stage examines alternative solutions to the proposal.
- **Stage 4: Assessment where no alternative solutions exist and where adverse impacts remain.** The final stage is the main derogation process examining whether there are imperative reasons of overriding public interest (IROPI) for allowing a plan or project to adversely affect a European site, where no less damaging solution exists.

The Habitats Directive promotes a hierarchy of avoidance, mitigation, and compensatory measures. First the project should aim to avoid any negative effects on European sites by identifying possible effects early in the planning stage and designing the project to avoid such effects. Second, mitigation measures should be applied, if necessary, during the AA process to the point where no adverse impacts on the site(s) remain. If the project is still likely to result in adverse effects, and no further practicable mitigation is possible, a refusal for planning permission may be recommended. In this case, the project will generally only be considered where no alternative solutions are identified and the project is required for IROPI, or, in the case of priority habitats, considerations of health or safety, or beneficial consequences of primary importance for the environment or to other IROPI. Then compensation measures are required for any remaining adverse effects.

3 AA SCREENING METHODOLOGY

3.1 Guidance

This Screening Report has been undertaken in accordance with the following guidance:

- *Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities.* (Department of Environment, Heritage and Local Government, 2010 revision);
- *Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities.* Circular NPW 1/10 & PSSP 2/10;
- *Communication from the Commission on the precautionary principle* (European Commission, 2000);
- *Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC* (European Commission, 2019);
- *Assessment of plans and projects in relation to Natura 2000 sites - Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC* Brussels, 28.9.2021 C (European Commission, 2021); and
- *Appropriate Assessment Screening for Development Management, OPR Practice Note PN01, Office of the Planning Regulator March 2021.*

3.2 Screening Steps

Screening for AA involves the following steps:

- Establish whether the plan or project is directly connected with or necessary for the management of a European site;
- Description of the baseline existing environment at the Site of the Proposed Masterplan;
- Identification of relevant European site(s) potentially affected;
- Identification and description of potential effects on the relevant European site(s);
- Assessment of the likely significance of the effects identified on the relevant European site(s);
- Description and characterisation of other projects or plans that in combination with the Proposed Masterplan have the potential for having significant effects on the European site; and
- Exclusion of sites where it can be objectively concluded that there will be no significant effects.

It should be noted that any targeted ecological mitigation measures and/or measures intended or included for the purposes of avoiding adverse effects arising as a result of the Proposed Masterplan on any European site **have not been considered** as part of this Screening Report.

3.3 Desk Study

A desktop study was carried out to collate and review available information, datasets and documentation sources relevant for the completion of this Screening Report. The desktop study relied on the following sources:

- Information on the network of European Sites, boundaries, QIs and conservation objectives, obtained from the National Parks and Wildlife Service (NPWS) at www.npws.ie;
- Text summaries of the relevant European sites taken from the respective Standard Data Forms and Site Synopses available at www.npws.ie;
- Information on waterbodies, catchment areas and hydrological connections obtained from the Environmental Protection Agency (EPA) at www.gis.epa.ie ;
- Information on bedrock, groundwater, aquifers and their statuses, obtained from Geological Survey Ireland (GSI) at www.gsi.ie;
- Satellite imagery and mapping obtained from various sources and dates including Google, Digital Globe, Bing and Ordnance Survey Ireland; and
- Information on the existence of permitted developments, or developments awaiting decision, in the vicinity of the Proposed Masterplan from the National Planning Database (DHLGH, 2025).

For a complete list of the specific documents consulted as part of this assessment, see *Section 6 References*.

3.4 Identification of Relevant European sites

The Zone of Influence (ZOI) for a project is the area over which ecological features may be affected by changes as a result of a development and associated activities. This is likely to extend beyond the development site, for example where there are ecological or hydrological links beyond the site boundaries (CIEEM, 2018). Furthermore, ZOI in relation to European sites is described as follows in the 'OPR Practice Note PN01 - Appropriate Assessment Screening for Development Management' (OPR, 2021):

“The zone of influence of a proposed development is the geographical area over which it could affect the receiving environment in a way that could have significant effects on the Qualifying Interests of a European site. This should be established on a case-by-case basis using the Source-Pathway-Receptor framework and not by arbitrary distances (such as 15 km).”

Thus, to identify the European sites that potentially lie within the ZOI of the Proposed Masterplan, a Source-Pathway-Receptor (S-P-R) method was adopted, as described in OPR PN01 (OPR 2021). This note was published to provide guidance on screening for AA during the planning process, and although it focuses on the approach a planning authority should take in screening for AA, the methodology is also readily applied in the preparation of Screening Reports such as this.

The relevant European sites were identified based on the following:

- Identification of potential sources of effects based on the Proposed Masterplan description and details, including changes to potentially suitable ex-situ habitats at the Site (i.e., habitats utilised by SCI bird species outside of their designated SPAs);
- Use of up-to-date GIS spatial datasets for European designated sites and water catchments – downloaded from the NPWS website (www.npws.ie) and the EPA website (www.epa.ie) to identify European sites which could potentially be affected by the Proposed Masterplan; and
- Identification of potential pathways between the Site of the Proposed Masterplan and any European sites within the ZOI of any of the identified sources of effects.
 - The catchment data were used to establish or discount potential hydrological connectivity between the Proposed Masterplan and any European sites.
 - Groundwater and bedrock information used to establish or discount potential hydrogeological connectivity between the Proposed Masterplan and any European sites.
 - Air and land connectivity assessed based on Proposed Masterplan details and proximity to European sites.
 - Consideration of potential indirect pathways, e.g., impacts to flight paths, ex-situ habitats, etc.
- Defining the likely ZOI based on the identified sources of effects and potential pathways between the Proposed Masterplan and any European sites.

3.5 Assessment of Significant Effects

The conservation objectives of the European sites identified to lie within the ZOI were reviewed and assessed in order to establish whether the construction and operation of the Proposed Masterplan has the potential to have a negative impact on any of the QIs and/or conservation objectives listed for the site.

The assessment framework is taken from the best practice guidelines issued by the European Commission, i.e., “*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*”.

The potential for significant effects that may arise from the Proposed Masterplan was considered through the use of key indicators:

- Habitat loss or alteration.
- Habitat/species fragmentation.
- Disturbance and/or displacement of species.
- Changes in population density.
- Changes in water quality and resource.

In addition, information pertaining to the conservation objectives of the European sites, the ecology of the designated habitats and species and known or perceived sensitivities of the habitats and species were considered.

3.6 Limitations

No limitations were encountered which would prevent robust conclusions being drawn as to the potential impacts of the Proposed Masterplan on the relevant European sites.

4 STAGE 1 SCREENING ASSESSMENT

4.1 Existing Environment

4.1.1 Desk Study Results

4.1.1.1 Geology, Hydrology and Hydrogeology

The Site of the Proposed Masterplan is within the *Laune-Maine-Dingle Bay* catchment (Catchment ID: 22) and *Maine_SC_040* sub-catchment (Sub-Catchment ID: 22_2). Three first order tributaries of the River Maine, referred to as Rathpoge West Stream, Rathpoge East Stream, and Milltown Stream (all of which are assigned the EU Code: IE_SW_22M010800), flow through Milltown from the south and east in a northwesterly direction before discharging to Castlemaine Harbour (EU Code: IE_SW_230_0200) 2.5km northwest of Milltown.

These streams are currently under review as to whether they will meet their Water Framework Directive (WFD) objectives for the most recent survey period of 2016 – 2021, and were assigned a *Moderate* ecological status (EPA, 2023). There are no EPA monitoring stations on or downstream of these watercourses, however the closest EPA monitoring station to Milltown (RS22M010700), located 7.5km northeast of Milltown, assigned a Good (Q-Value: 4) status to the River Maine (EPA, 2023).

The Site is situated primarily on the *Scartaglin* (EU Code: IE_SW_G_073) groundwater body, with the northwest area of Milltown located on the *Castlemaine* (EU Code: IE_SW_G_026) groundwater body, both of which are *Not at Risk* of not meeting its WFD objectives. The predominant aquifer type within the Site boundary is a *Locally Important Aquifer* (LI) on bedrock which is *Moderately Productive only in Local Zones*, with *Regionally Important Aquifer – Karstified (diffuse) (Rkd)* underlying the northwest of the Site. The groundwater rock units underlying the aquifers are classified as *Namurian Undifferentiated* and *Dinantian Pure Unbedded Limestones* (GSI, 2023). The level of vulnerability of the Site to groundwater contamination via human activities ranges from *Low* vulnerability within the north, increasing to *High* in the Town Centre, with the east and west areas of the Site categorised as *Extreme* and *Rock at or near surface* (Figure 3).

The soils on Site are classified as Clashmore, Kilrush, and Urban, with the subsoils underlying the Site categorised as Alluvium undifferentiated (A), Sandstone till (Devonian) (TDSs), Man made (Made), Bedrock at or near surface (Rck), and Shales and sandstones till (Namurian) (TNSSs) (EPA, 2023).

The Waterbody Status for river, lake and groundwater water bodies relevant to the Site as recorded by the EPA (2023) in accordance with European Communities (Water Policy) Regulations 2003 (SI no. 722/2003) are provided in Table 2.

TABLE 2. WFD RISK AND WATER BODY STATUS

Waterbody Name	Water body; EU code	Location from Site	Distance from Site (km)	WFD water body status (2016-2021)	WFD 3 rd cycle Risk Status	Hydraulic Connection to the Site
Surface Water Bodies						
Rathpoge West Stream Rathpoge East Stream Milltown Stream River Maine	IE_SW_22M010800	On Site	On Site	Moderate	Not at risk	Potential hydrological connection via surface water discharge
Transitional Water Bodies						
Castlemaine Harbour	IE_SW_230_0200	NW	2.5	Poor	At risk	Potential hydrological connection via surface water discharge
Coastal Water Bodies						
Outer Dingle Bay	IE_SW_230_0000	SW	15.3	High	Under review	Potential hydrological connection via surface water discharge
Groundwater Bodies						
Scartaglin	IE_SW_G_073	N/A	N/A	Good	Not At Risk	Underlying groundwater-body
Castlemaine	IE_SW_G_026	N/A	N/A	Good	Not At Risk	Underlying groundwater-body

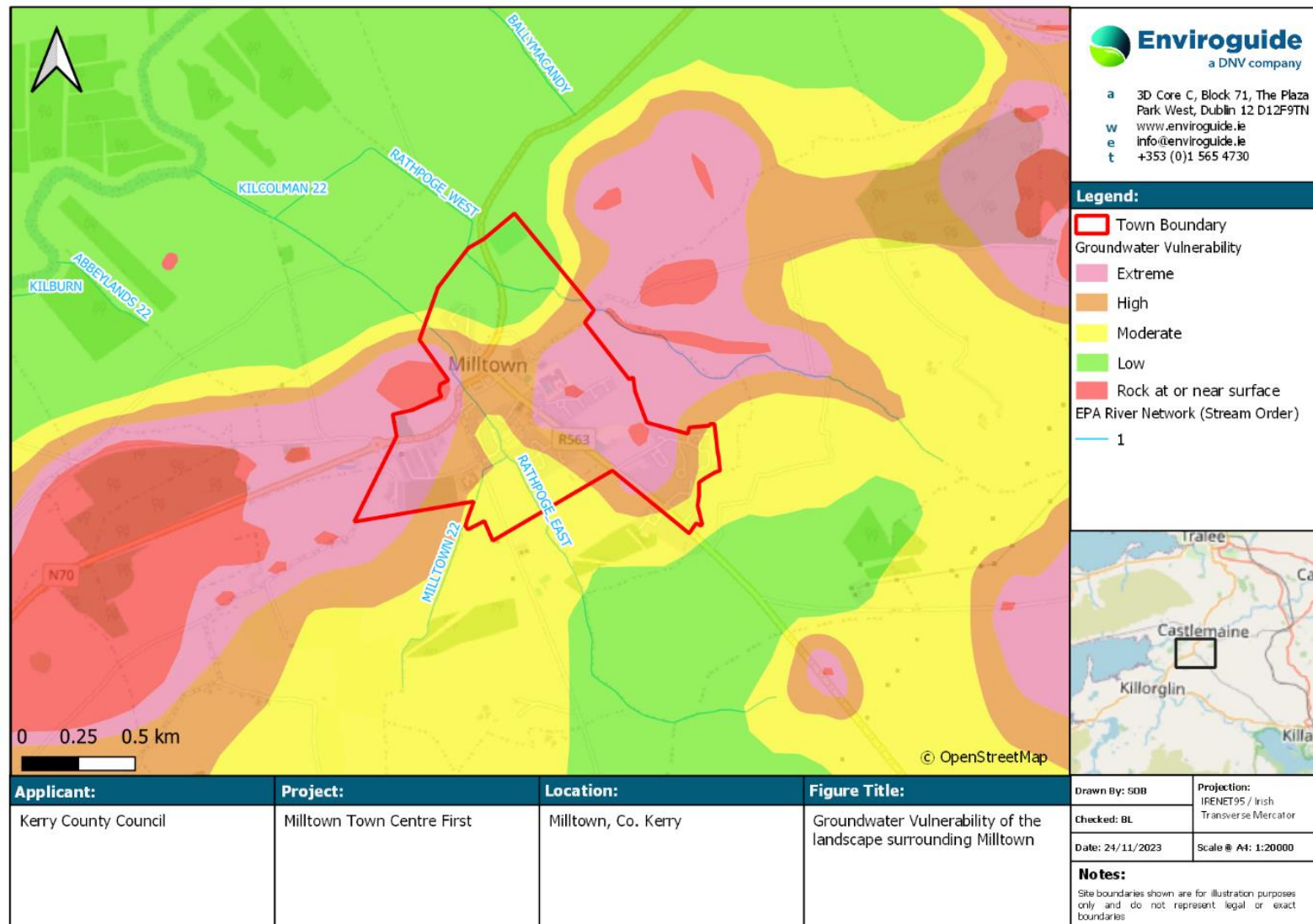


FIGURE 3. GROUNDWATER VULNERABILITY OF THE LANDSCAPE SURROUNDING MILLTOWN

4.2 Identification of Relevant European Sites

4.2.1 Potential Impacts

The Proposed Masterplan will act as a non-statutory framework for the enhancement of Milltown. Therefore, potential sources of effects do not directly relate to specific development proposals or works but are identified to represent *potential development projects* undertaken under advice from the Proposed Masterplan.

The following elements of the Proposed Masterplan were identified and assessed for their potential to cause likely significant effects on European sites:

- Uncontrolled releases of surface water containing silt/sediments and other pollutants into the Rathpoge West Stream, Rathpoge East Stream, and Milltown Stream, and the downstream River Maine from potential road improvement projects.
- Uncontrolled releases of surface water containing pollutants into the ground water during road improvement projects.
- Accidental spread of invasive plants during greening projects.
- Increased traffic and associated pollution as a result of increased visitors by private car.
- Increased human presence due to promoting visitors.
- Increased lighting / noise due to improved public realm safety.

Although assessed here as part of the Proposed Masterplan, any future development projects undertaken with cognisance to the Proposed Masterplan are subject to the appropriate environmental assessments as per the policies set out in the KCDP 2022-2028 and the Corca Dhuibhne Electoral Area LAP 2021-2027.

4.2.2 Potential Pathways to European Sites

For the above listed potential sources of effects to have the potential to cause likely significant effects on any European site, a pathway between the source of potential effects (i.e., the Site of the Proposed Masterplan) and the receptor is required.

4.2.2.1 Direct Pathways

4.2.2.1.1 Hydrological pathways

Rathpoge West Stream, Rathpoge East Stream, and Milltown Stream all flow through the area of the Proposed Masterplan into Castlemaine Harbour, which is within both the Castlemaine Harbour SAC (000343) and Castlemaine Harbour SPA (004029). Therefore, a direct hydrological pathway to these downstream European sites exist.

No other European sites are linked to the Site via hydrological means.

4.2.2.1.2 Hydrogeological pathways

During groundworks and other construction activities that may result from developments made under the Proposed Masterplan, the ground will be exposed and any potential accidental discharges to ground could potentially migrate vertically downward to the underlying bedrock aquifer and laterally within the aquifer to downgradient receiving surface waterbodies, i.e., Rathpoge West Stream, Rathpoge East Stream, Milltown Stream, and Castlemaine Harbour.

As such, a potential hydrogeological pathway exists between the Proposed Masterplan and the Castlemaine Harbour SAC (000343) and Castlemaine Harbour SPA (004029).

No other European sites are linked to the Site via hydrogeological means.

4.2.2.1.3 Air and land pathways

No air or land pathways from the Proposed Masterplan to any European sites were identified, as the distance between the Site and the nearest European site (Castlemaine Harbour SAC (000343) approx. 1.2km northwest) is deemed sufficient to exclude any potential for impacts from increases in noise, lighting and/or dust or other airborne pollutants, along with any potential impacts due to increased human presence at the Site of the Proposed Masterplan.

4.2.2.2 Indirect pathways

No significant indirect pathways (e.g., disruptions to migratory paths) were identified.

4.2.3 Relevant European sites

European sites relative to the Proposed Masterplan discussed in the context of potential S-P-R connections are shown in Table 3 and below in Figure 4 below.

TABLE 3. EUROPEAN SITES CONSIDERED WITH THE SOURCE-PATHWAY-RECEPTOR (S-P-R) METHOD TO ESTABLISH NOTABLE LINKS BETWEEN THE SOURCES OF EFFECTS ARISING FROM THE PROPOSED MASTERPLAN, AND ANY RELEVANT EUROPEAN SITES. THOSE SITES WITH NOTABLE S-P-R LINKS ARE HIGHLIGHTED IN GREEN (IF ANY). QIs AND SCIs TAKEN FROM THE RELEVANT CONSERVATION OBJECTIVE DOCUMENTS (NPWS 2011) AND STANDARD DATA FORMS (EEA, 2020).

Site Name & Site Code	Qualifying Interests (*= priority habitats) ⁴	Potential Pathways
Special Areas of Conservation (SAC)		
Castlemaine Harbour SAC (000343) Linear Distance to Proposed Masterplan approx. 1.2km NW	Habitats 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] <i>Salicornia</i> and other annuals colonising mud and sand [1310] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</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]	Hydrological and hydrogeological pathways via Rathpoge West Stream, Rathpoge East Stream, and Milltown Stream. No other potential pathways identified.

⁴ The Standard Natura Data Forms are accurate to the 2020 update for the Conservation Objectives published in 2000. The full species list included in this table is as per the 2020 Standard Data Form. Conservation Objectives are not yet available for the newly added habitats/species but are assumed, for the purposes of assessment, to follow the same format as for other feature habitats/species.

Site Name & Site Code	Qualifying Interests (*= priority habitats) ⁴	Potential Pathways
	<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>Species <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]</p>	
Special Protection Areas (SPAs)		
<p>Castlemaine Harbour SPA (004029)</p> <p>Linear Distance to Proposed Masterplan approx. 2.3km NW</p>	<p>SCI Birds Red-throated Diver (<i>Gavia stellata</i>) [A001] Cormorant (<i>Phalacrocorax carbo</i>) [A017] Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Wigeon (<i>Anas penelope</i>) [A050] Mallard (<i>Anas platyrhynchos</i>) [A053] Pintail (<i>Anas acuta</i>) [A054] Scaup (<i>Aythya marila</i>) [A062] Common Scoter (<i>Melanitta nigra</i>) [A065] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Ringed Plover (<i>Charadrius hiaticula</i>) [A137] Sanderling (<i>Calidris alba</i>) [A144] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Redshank (<i>Tringa totanus</i>) [A162] Greenshank (<i>Tringa nebularia</i>) [A164] Turnstone (<i>Arenaria interpres</i>) [A169] Chough (<i>Pyrhocorax pyrrhocorax</i>) [A346] Wetland and Waterbirds [A999]</p> <p>Additional species as per SDF update 2020 Great Norther Diver (<i>Gavia immer</i>) [A003] Shelduck (<i>Tadorna tadorna</i>) [A048] Teal (<i>Anas crecca</i>) [A052] Red-breasted Merganser (<i>Mergus serrator</i>) [A069] Golden Plover (<i>Pluvialis apricaria</i>) [A140] Grey Plover (<i>Pluvialis squatarola</i>) [A141] Lapwing (<i>Vanellus vanellus</i>) [A142] Red Knot (<i>Calidris canutus</i>) [A143] Dunlin (<i>Calidris alpina</i>) [A149] Black-tailed Godwit (<i>Limosa limosa</i>) [A156] Curlew (<i>Numenius arquata</i>) [A160] Black-headed Gull (<i>Larus ridibundus</i>) [A179] Common Gull (<i>Larus canus</i>) [A182] Lesser black-backed gull (<i>Larus fuscus</i>) [A183]</p>	<p>Hydrological and hydrogeological pathways via Rathpoge West Stream, Rathpoge East Stream, and Milltown Stream.</p> <p>No other potential pathways identified.</p>

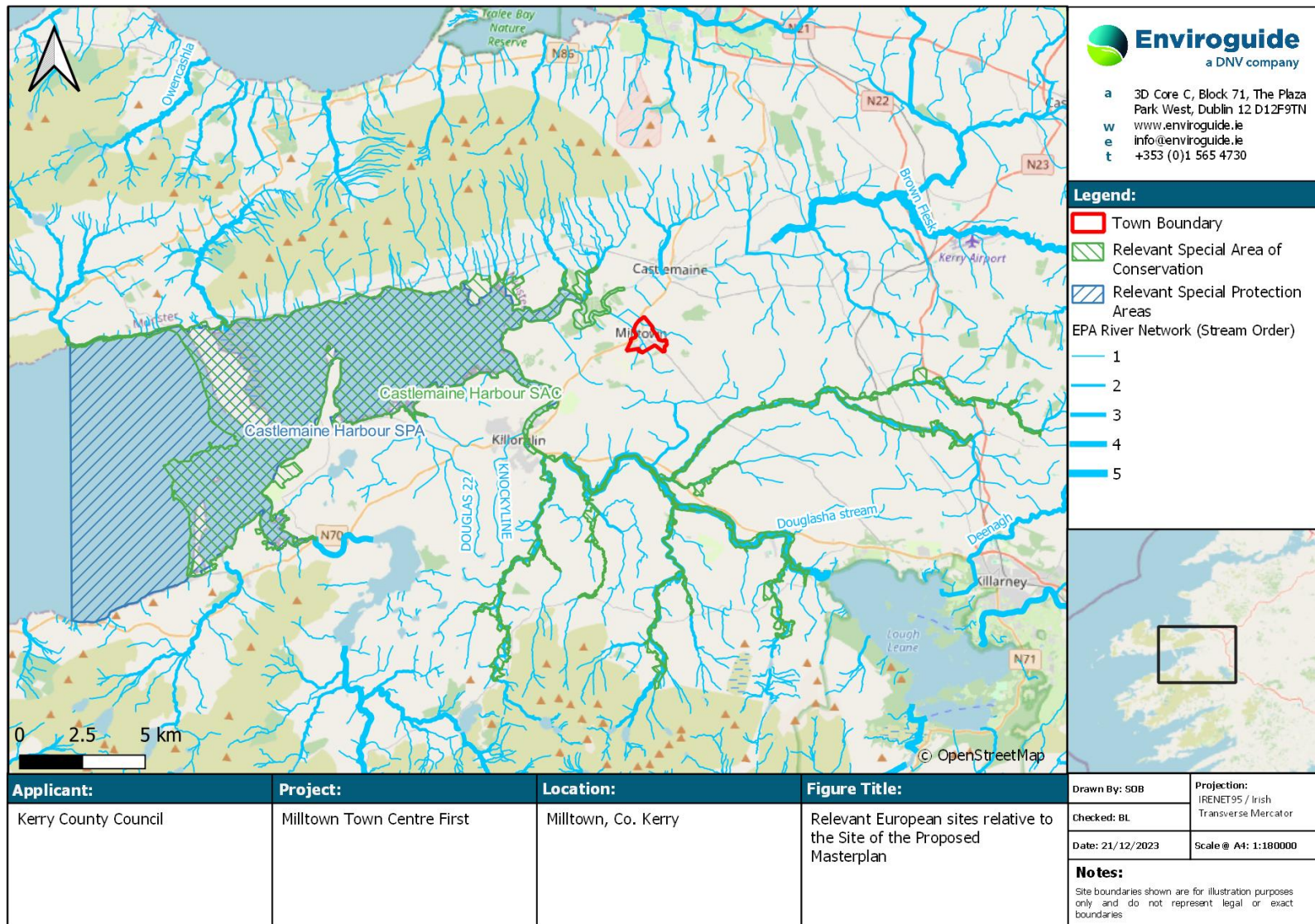


FIGURE 4. RELEVANT EUROPEAN SITES RELATIVE TO THE SITE OF THE PROPOSED MASTERPLAN

4.2.3.1 Castlemaine Harbour SAC (000343)

The following descriptions of the Castlemaine Harbour SAC (000343) are extracted from the Site Synopsis (NPWS, 2015) for the site:

“This is a large site located on the south-east corner of the Dingle Peninsula, Co. Kerry. It consists of the whole inner section of Dingle Bay, i.e. Castlemaine Harbour, the spits of Inch and White Strand/Rosbehy and a little of the coastline to the west. The River Maine, almost to Castlemaine, and much of the River Laune catchment, including the Gaddagh, Gweestion, Glanooragh, Cottoner’s River and the River Loe, are also included within the site.”

*“Inch Spit holds a fine sand dune system. It is one of the largest and best remaining dune systems in the country. Fore dunes are found on the western side of Rosbehy and Inch. In these younger, mobile dunes, Marram (*Ammophila arenaria*) is common, with Groundsel (*Senecio vulgaris*), Sea Rocket (*Cakile maritima*) and Dandelion (*Taraxacum agg.*) also present. Other characteristic species include Sand Couch (*Elymus farctus*), Lyme-grass (*Leymus arenarius*) and Sea Spurge (*Euphorbia paralias*). Fixed dune, a priority habitat under the E.U. Habitats Directive, is well-represented at the site, and in particular towards the tip of Inch Spit. Such areas support species such as Lady’s Bedstraw (*Galium verum*), Common Bird’s-foot-trefoil (*Lotus corniculatus*), Wild Thyme (*Thymus praecox*), Kidney Vetch (*Anthyllis vulneraria*), Wild Pansy (*Viola tricolor*), Biting Stonecrop (*Sedum acre*), Common Centuary (*Centaurium erythraea*), Thyme-leaved Sandwort (*Arenaria serpyllifolia*) and Common Whitlowgrass (*Erophila verna*), among others. There is also a rich lichen and bryophyte flora. The slightly damper conditions which prevail in dune slacks support Creeping Bent (*Agrostis stolonifera*), Crested Dog’s-tail (*Cynosurus cristatus*), Glaucous Sedge (*Carex flacca*), Creeping Willow (*Salix repens*) and Jointed Rush (*Juncus articulatus*). The rare bryophyte Petalwort (*Petalophyllum ralfsii*), which is listed on Annex II of the E.U. Habitats Directive, has been recorded in this system. A smaller spit, with a similar diversity of dune types, occurs at Rosbehy on the southern shore, from where Yellow Centaury (*Cicendia filiformis*) and Knotted Pearlwort (*Sagina nodosa*) have been recorded from a dune slack along with other, more common, species.”*

*“The coastline is fringed in many places by saltmarsh. The vegetation here includes Thrift (*Armeria maritima*), Common Saltmarsh-grass (*Puccinellia maritima*), Sea Aster (*Aster tripolium*), Sea Rush (*Juncus maritimus*) and Sea Plantain (*Plantago maritima*). Upper saltmarsh communities extend inland, along estuarine channels, where they are mixed with freshwater communities. Sea Club-rush (*Scirpus maritimus*) and Common Reed (*Phragmites australis*) occur at these locations. Common Cord-grass (*Spartina anglica*) has colonised the lower part of the saltmarsh at Inch and extends out onto the open mudflat. Glassworts (*Salicornia spp.*) occur in association with saltmarsh.”*

*“Much of the site consists of intertidal sand and mudflats, supporting a number of soft sediment communities, including beds of eelgrass (mostly *Zostera noltii*) in some places. A subtidal mixed sediment community complex is also present in the channel between Rossbehy Point and Inch Point.”*

*The rivers and their associated habitats also make up a considerable portion of the site. These associated habitats include wet grassland, woodland, scrub and bog/heath. In the valley up-river of Killorglin, is an interesting area of alluvial wet woodland, dominated by Alder (*Alnus glutinosa*) and willows (*Salix* spp.). The vegetation is quite diverse, and there are spectacular tussocks of Greater Tussocksedge (*Carex paniculata*). Other species which occur include Ash (*Fraxinus excelsior*), Wild Angelica (*Angelica sylvestris*), Cuckooflower (*Cardamine pratensis*), Meadowsweet (*Filipendula ulmaria*), Common Nettle (*Urtica dioica*), Remote Sedge (*Carex remota*) and a range of bryophytes. While small in area, this is one of the few examples in Ireland of woodland on riverine alluvium dominated by native tree species.*

*Five plants listed in the Irish Red Data Book have been recorded at this site: Sea-kale, Corn Cockle (*Agrostemma githago*), Sea Pea, Pennyroyal (*Mentha pulegium*) and Irish Lady's-tresses (*Spiranthes romanzoffiana*). The three last-named are legally protected under the Flora (Protection) Order, 1999, as is the rare bryophyte, Petalwort. Other scarce species which occur here are Yellow Bartsia (*Parentucellia viscosa*), Laxflowered Sea-lavender (*Limonium humile*) and Blue-eyed-grass (*Sisyrinchium bermudiana*).*

The vicinity of Castlemaine Harbour is also important as one of few areas in Ireland (all of which are in Co. Kerry) where the Natterjack Toad naturally occurs. This amphibian is listed in the Irish Red Data Book and on Annex IV of the E.U. Habitats Directive.

The site also supports a small colony of Common Seal, while two Lamprey species have been recorded in the Laune river catchment. The Laune catchment is used by Otter and is also an important Salmon system with nurseries, riffles pools and glides.”

In summary “Castlemaine Harbour is of major ecological importance. It contains a range of coastal habitats of excellent quality, including many that are listed on Annex I of the E.U. Habitats Directive, and two which are listed with priority status (fixed dunes and alluvial forests). It also includes long stretches of river and stream which are excellent habitats for Salmon, Lamprey and Otter. Inch dunes are recognised as among the finest in the country, with particularly well-developed dune slacks. The site supports internationally important waterfowl populations, rare plant species, the rare Natterjack Toad, as well as populations of several animal species that are listed on Annex II of the E.U. Habitats Directive. Part of the site is designated a Special Protection Area (SPA) and is listed as a site under the Ramsar Convention. Part of Castlemaine Harbour is a Statutory Nature Reserve, while Inch and Rosbehy are Wildfowl Sanctuaries.”

4.2.3.2 Castlemaine Harbour SPA (004029)

The following descriptions of the Castlemaine Harbour SPA (004029) are extracted from the Site Synopsis (NPWS, 2014) for the site:

“Castlemaine Harbour SPA is a large coastal site occupying the innermost part of Dingle Bay. It extends from the lower tidal reaches of the River Maine and River Laune to west of the Inch and Rosbehy peninsulas (c. 16 km from east to west).

The average width of the estuary is 4-5 km though it is c. 11 km wide at the outer limit. The site comprises the estuaries of the River Maine and the River Laune, both substantial rivers, and has extensive areas of intertidal sand and mud flats. A number of other rivers, e.g. the Caragh and the Emlagh, flow into the site, as well as numerous small streams. Conditions in the bay are very sheltered due to the presence of three protruding sand spits on its seaward side. These spits overly gravel bars. Two of the spits, Rosbehy and Inch, are included within the site. Salt marshes fringe much of the shoreline. A very large dune system occurs on the Inch peninsula. A substantial area of shallow marine water is included in the site.

*The intertidal flats are mostly muds or muddy sands and have high densities of polychaete worms such as Ragworm (*Hediste diversicolor*) and Lugworm (*Arenicola marina*), along with a good variety of bivalves and molluscs. Eelgrass (*Zostera spp.*) is common in places. The introduced Common Cord-grass (*Spartina anglica*) is found in sheltered areas of the intertidal flats and has colonised the lower part of the saltmarsh at Inch. Salt marsh vegetation includes Thrift (*Armeria maritima*), Common Saltmarsh-grass (*Puccinellia maritima*), Sea Aster (*Aster tripolium*), Sea Rush (*Juncus maritimus*) and Sea Plantain (*Plantago maritima*). The sand dune system at Inch is the largest and arguably the best remaining intact dune system in the country and includes large areas of embryo dunes, Marram (*Ammophila arenaria*) dunes and fixed dunes, as well as dune slacks.*

The site is a Special Protection Area (SPA) under the E.U. Birds Directive, of special conservation interest for the following species: Red-throated Diver, Cormorant, Light-bellied Brent Goose, Wigeon, Mallard, Pintail, Scaup, Common Scoter, Oystercatcher, Ringed Plover, Sanderling, Bar-tailed Godwit, Redshank, Greenshank, Turnstone and Chough. The E.U. Birds Directive pays particular attention to wetlands and, as these form part of this SPA, the site and its associated waterbirds are of special conservation interest for Wetland & Waterbirds.

Castlemaine Harbour SPA is one of the most important sites for wintering waterfowl in the south-west. It provides habitats for an excellent diversity of waterbirds, including divers and seaduck. It is of international importance for its Light-bellied Brent Goose population (694) - figures given are mean peaks for the five winters 1995/96-1999/2000, as well as nationally important populations of a further fourteen waterbird species, i.e. Red-throated Diver (56), Cormorant (136), Wigeon (6,819), Mallard (487), Pintail (145), Scaup (74), Common Scoter (3,637), Oystercatcher (1,035), Ringed Plover (206), Sanderling (335), Bar-tailed Godwit (397), Redshank (341), Greenshank (46) and Turnstone (144). The population of Wigeon is of note, being 7.6% of the all-Ireland total, while that of Sanderling is over 5%. Other species which occur include Great Northern Diver (22), Shelduck (90), Teal (287), Redbreasted Merganser (29), Golden Plover (972), Grey Plover (46), Knot (199), Dunlin (933), Curlew (474) and Black-headed Gull (538). The site provides good quality habitat for the feeding and roosting requirements of the various bird species which winter here. Whilst not breeding within the site, Chough occur in nationally important numbers and are regularly found on the sand dunes at Inch where they feed and socialise; during the autumn in 2002/03 and 2003/04 the dunes at Inch held flocks of up to 40 and 64 birds respectively. Castlemaine Harbour SPA is a very important ornithological site, with one species, Light-bellied

Brent Goose, occurring in numbers of international importance. In addition, it supports nationally important populations of a further fifteen species. Of particular note is that five species that occur regularly are listed on Annex I of the E.U. Birds Directive, i.e. Red-throated Diver, Great Northern Diver, Golden Plover, Bar-tailed Godwit and Chough. Castlemaine Harbour is a Ramsar Convention site and parts of Castlemaine Harbour SPA are designated as a Statutory Nature Reserve and as Wildfowl Sanctuaries.”

4.2.3.3 Qualifying Interests and Conservation Objectives

The QIs/SCIs and their respective conservation objectives for each of the relevant European site(s) are detailed in Table 4 below.

TABLE 4. QUALIFYING INTERESTS (QIs) / SPECIAL CONSERVATION INTERESTS (SCIs) AND THEIR CONSERVATION OBJECTIVES FOR THE RELEVANT EUROPEAN SITES. THE CONSERVATION STATUS OF EACH QI / SCI WAS SOURCED FROM THE RELEVANT STANDARD DATA FORM(S) (SOURCE: EEA (2023)), AND THE LATEST NATIONAL STATUS IS TAKEN FROM THE LATEST ARTICLE 17 REPORT (NPWS, 2019A & 2019B) AND BOCCI⁵ RESPECTIVELY.

QI / SCI (* = priority habitat)	Conservation Status	National Status	Conservation Objective
Castlemaine Harbour SAC (000343)			
Estuaries [1130]	Good	Inadequate	To <u>maintain</u> the favourable conservation condition of these habitats in Castlemaine Harbour SAC.
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]		Favourable	
<i>Salicornia</i> and other annuals colonising mud and sand [1310]		Inadequate	
Atlantic salt meadows (<i>Glaucopuccinellietalia maritimae</i>) [1330]			
Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]	Excellent	Bad	To <u>restore</u> the favourable conservation condition of this habitat in Castlemaine Harbour SAC.
Embryonic shifting dunes [2110]			
Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]	Good	Inadequate	To <u>maintain</u> the favourable conservation condition of these habitats in Castlemaine Harbour SAC.
Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]			
Dunes with <i>Salix repens</i> ssp. <i>argentea</i> (<i>Salicion arenariae</i>) [2170]	Excellent	Inadequate	To <u>maintain</u> the favourable conservation condition of these habitats in Castlemaine Harbour SAC.
Humid dune slacks [2190]			

⁵ Birds of Conservation Concern in Ireland (BOCCI) 2020-2026 (Gilbert, Stanbury & Lewis, 2021). The colours represent the species designation on the various BOCCI lists.

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]	Poor	Bad	To <u>restore</u> the favourable conservation condition of this habitat in Castlemaine Harbour SAC.
<i>Petromyzon marinus</i> (Sea Lamprey) [1095]	Good	Unknown	To <u>maintain</u> the favourable conservation condition of these species in Castlemaine Harbour SAC.
<i>Lampetra fluviatilis</i> (River Lamprey) [1099]		Inadequate	
<i>Salmo salar</i> (Salmon) [1106]		Favourable	
<i>Lutra lutra</i> (Otter) [1355]	Excellent		To <u>maintain</u> the favourable conservation condition of this species in Castlemaine Harbour SAC.
<i>Petalophyllum ralfsii</i> (Petalwort) [1395]			
Castlemaine Harbour SPA (004029)			
Red-throated Diver (<i>Gavia stellata</i>) [A001]	Excellent	Amber	To <u>maintain</u> the favourable conservation condition of these species in Castlemaine Harbour SPA.
Cormorant (<i>Phalacrocorax carbo</i>) [A017]			
Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]			
Wigeon (<i>Anas penelope</i>) [A050]			
Mallard (<i>Anas platyrhynchos</i>) [A053]			
Pintail (<i>Anas acuta</i>) [A054]			
Scaup (<i>Aythya marila</i>) [A062]	Good	Red	
Common Scoter (<i>Melanitta nigra</i>) [A065]	Excellent	Amber	
Oystercatcher (<i>Haematopus ostralegus</i>) [A130]		Green	
Ringed Plover (<i>Charadrius hiaticula</i>) [A137]		Red	
Sanderling (<i>Calidris alba</i>) [A144]	Good		
Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]			

Redshank (<i>Tringa totanus</i>) [A162]	Excellent		
Greenshank (<i>Tringa nebularia</i>) [A164]		Green	
Turnstone (<i>Arenaria interpres</i>) [A169]		Amber	
Chough (<i>Pyrhocorax pyrrhocorax</i>) [A346]	Good		
Wetland and Waterbirds [A999]	n/a	n/a	To <u>maintain</u> the favourable conservation condition of the wetland habitat in Castlemaine Harbour SAC
Great Northern Diver (<i>Gavia immer</i>) [A003]	Excellent	Amber	No CO available to date.
Shelduck (<i>Tadorna tadorna</i>) [A048]			No CO available to date.
Teal (<i>Anas crecca</i>) [A052]			No CO available to date.
Red-breasted Merganser (<i>Mergus serrator</i>) [A069]	Good		No CO available to date.
Golden Plover (<i>Pluvialis apricaria</i>) [A140]	Excellent	Red	No CO available to date.
Grey Plover (<i>Pluvialis squatarola</i>) [A141]			No CO available to date.
Lapwing (<i>Vanellus vanellus</i>) [A142]			No CO available to date.
Red Knot (<i>Calidris canutus</i>) [A143]			No CO available to date.
Dunlin (<i>Calidris alpina</i>) [A149]			No CO available to date.
Black-tailed Godwit (<i>Limosa limosa</i>) [A156]			No CO available to date.
Curlew (<i>Numenius arquata</i>) [A160]			No CO available to date.
Black-headed Gull (<i>Larus ridibundus</i>) [A179]	Good	Amber	No CO available to date.
Common Gull (<i>Larus canus</i>) [A182]			No CO available to date.
Lesser black-backed gull (<i>Larus fuscus</i>) [A183]			No CO available to date.

4.3 Assessment of Likely Significant Effects

The following sections discuss the potential for likely significant effects on the relevant European sites, taking into consideration their QIs, SCIs and SSCOs, and assesses whether the Proposed Masterplan has the capacity to adversely affect the integrity of any of the relevant European sites.

4.3.1 Habitat Loss or Alteration

The Proposed Masterplan is not within any European site boundaries and is thus not expected to lead to direct removal of habitats or alteration of same. Habitat loss or alteration may occur as a result of potential changes in water quality due to an increase in contaminants and nutrients that may reduce the oxygen levels available in the water and suffocate local flora. However, potential for water quality deterioration is discussed in more detail below in section 4.3.3.

Habitat loss or alteration can also occur as a result of invasive species introductions, for example from any new planting that may be proposed as part of the Proposed Masterplan. The proposed projects and key recommendations put forward by the Proposed Masterplan are subject to detailed design and individual planning, which must accord to the KCDP 2022-2028 and the Corca Dhuibhne Electoral Area LAP 2021-2027 objectives and policies. Additionally, the KCDP 2022-2028 and the Corca Dhuibhne Electoral Area LAP 2021-2027 provides for protection of designated sites via policies on the overall protection of the European sites network, as well as specific policies regarding potential spread of invasive species, as outlined in section 2.2 above.

Any potential projects arising as advised by the Proposed Masterplan must adhere to the policies of the KCDP 2022-2028 and the Corca Dhuibhne Electoral Area LAP 2021-2027 to protect European sites and to prevent the spread of invasive species. Thus, the potential for significant habitat loss/alteration as a result of invasive species spread arising from the preparation of the Proposed Masterplan can be excluded.

All projects and key recommendations implemented as a result of the Proposed Masterplan are subject to the appropriate environmental assessments, including the AA process.

4.3.2 Habitat / Species Fragmentation

Habitat fragmentation has been defined as the 'reduction and isolation of patches of natural environment' (Hall et al., 1997 cited in Franklin et al., 2002) usually due to an external disturbance such that an alteration of the spatial composition of a habitat occurs that alters the habitat and 'create[s] isolated or tenuously connected patches of the original habitat' (Wiens, 1989 cited in Franklin et al., 2002). This results in spatial separation of habitat units which had previously been in a state of greater continuity.

As there will be no habitat loss within any European sites (see section 4.3.1), no habitat fragmentation will arise as a result of the Proposed Masterplan.

4.3.3 Changes in Water Quality and Resource

All works carried out as part of the Proposed Masterplan will comply with all Statutory Legislation including the Local Government (Water Pollution) acts, 1977 and 1990 and the contractor will cooperate fully with the Environment Section of Kerry County Council in this regard.

The Proposed Masterplan does not propose any direct works that could result in emissions (e.g., silt/sediments/hydrocarbons) to groundwater, surface water systems or the watercourses flowing through Milltown directly. The potential for likely significant effects on water quality and/or resource arising from the Proposed Masterplan can be ruled out.

It is important to note that all future developments within the Site will be subject to the appropriate environmental assessments at detailed design stage as set out in the KCDDP 2022-2028.

4.3.4 Disturbance and / or Displacement of Species

As outlined in section 4.3.3 above, the hydrological link between the Site and the European sites that is assessed here does not have the potential to cause disturbance and/or displacement to the habitats or species associated with the above European sites due to effects on the water quality and resource indicator during both the Construction and Operational Phases.

As outlined in section 4.3.1, potential projects arising as advised by the Proposed Masterplan must adhere to the policies of the KCDDP 2022-2028 to protect European sites and to prevent the spread of invasive species. Thus, the potential for significant disturbance and / or Displacement of Species as a result of invasive species spread arising from the preparation of the Proposed Masterplan can be excluded.

It should be noted however, that any future developments arising as a result of the Proposed Masterplan should be carefully considered under the AA process for potential impacts on the QIs of the nearby designated sites.

4.3.5 Changes in Population Density

The Proposed Masterplan does not have the capacity to cause any significant changes in the population density of any species within any European site.

4.3.6 Potential for In-combination Effects

Although the Proposed Masterplan is not considered to have the capacity to cause significant effects on any European sites alone, it is important to consider the potential for cumulative effects with other plans and/or projects. The following sections outline existing granted or pending planning permissions in the vicinity of the Proposed Masterplan and assess the potential for adverse in-combination effects on any European sites.

4.3.6.1 Existing Planning Permissions

Any planning applications listed as granted or decision pending from within the last five years were assessed for their potential to act in-combination with the Proposed Masterplan and cause likely significant effects on the relevant European sites. Long-term developments granted outside of this time period were also considered where applicable.

There are several existing planning permissions on record in the area, approximately 500m surrounding the Site, ranging from small-scale extensions and alterations to existing residential and commercial properties to larger-scale developments. The larger scale developments identified either within approximately 500m of the Proposed Masterplan, which may also have a hydrological connection to the Castlemaine Harbour via surface water discharges are as follows:

TABLE 5. EXISTING GRANTED PLANNING PERMISSIONS WITHIN APPROXIMATELY 500M OF THE PROPOSED MASTERPLAN SITE. LOCATION AND DISTANCE GIVEN IS RELATIVE TO THE PROPOSED MASTERPLAN.

Planning Reference	Planning Authority	Status	Location
22117	Kerry County Council	Grant Permission	Within the Site of the Proposed Masterplan
<p>Development Description Construct 19 dwelling houses with associated site works and services.</p> <p>Potential for In-combination effects No potential for in-combination effects. The Planner's Report for this project concluded, due to the nature and scale of the Proposed Development, there would be no potential for significant impacts to any European sites. As such, and accounting for the lack of potential impacts from the Proposed Masterplan, it is determined there is no potential for in-combination effects between the Proposed Masterplan and this development.</p>			
22122	Kerry County Council	Grant Permission	Within the Site of the Proposed Masterplan
<p>Development Description Construct 19 no. dwelling houses with associated site works, site services, vehicular entrance, access road, footpaths and open areas.</p> <p>Potential for In-combination effects No potential for in-combination effects. The Planner's Report for this project concluded, due to the nature and scale of the Proposed Development, there would be no potential for significant impacts to any European sites. As such, and accounting for the lack of potential impacts from the Proposed Masterplan, it is determined there is no potential for in-combination effects between the Proposed Masterplan and this development.</p>			
224	Kerry County Council	Grant Permission	Within the Site of the Proposed Masterplan
<p>Development Description Revise residential scheme to be centrally managed specifically for the provision of housing for older persons/people with disability/supported living at Cherry Drive, Ard Na Greine (as previously granted under planning permission 18/631). The revised scheme will incorporate 16 no. two bedroom single storey semi-detached dwellings and a three storey residential building consisting of 28 apartments (incorporating 11 no. one bed apartments and 17 no. two bed apartments including associated communal facilities and services) and all associated parking facilities, communal bin storage, site works and site services, all with vehicular access via the existing estate road to Ard Na Greine from the Lyre Road.</p> <p>Potential for In-combination effects No potential for in-combination effects. The Planner's Report for this project concluded, due to the nature and scale of the Proposed Development, there would be no potential for significant impacts to any European sites. As such, and accounting for the lack of potential impacts from the Proposed Masterplan, it is determined there is no potential for in-combination effects between the Proposed Masterplan and this development.</p>			
221343	Kerry County Council	Grant Permission	Within the Site of the Proposed Masterplan
<p>Development Description Construct 45 number two storey houses, all associated site works, boundaries, footpaths, open spaces together with a new vehicular entrance onto existing maple drive which leads to the lyre road.</p> <p>Potential for In-combination effects</p>			

No potential for in-combination effects. The Planner's Report for this project concluded, due to the nature and scale of the Proposed Development, there would be no potential for significant impacts to any European sites. As such, and accounting for the lack of potential impacts from the Proposed Masterplan, it is determined there is no potential for in-combination effects between the Proposed Masterplan and this development.			
2088	Kerry County Council	Grant Permission	Within the Site of the Proposed Masterplan
Development Description			
Construct 68 no. Houses comprising 44 no. 3 bed semi detached two storey dwellings, 18 no 4 bed semi detached two storey dwellings and 6 no. 2 bed semi detached two storey dwellings and all ancillary works to above including associated site works, site services, access roads, footpaths, boundaries and open areas and entrance onto the R563.			
Potential for In-combination effects			
No potential for in-combination effects. The Planner's Report for this project concluded, due to the nature and scale of the Proposed Development, there would be no potential for significant impacts to any European sites. As such, and accounting for the lack of potential impacts from the Proposed Masterplan, it is determined there is no potential for in-combination effects between the Proposed Masterplan and this development.			
20887	Kerry County Council	Grant Permission	Within the Site of the Proposed Masterplan
Development Description			
(a) The demolition of an existing three storey building onto the square and construction of a new three storey building comprising 2 no. ground floor one bedroom apartments and 2 no. two bedroom duplexes overhead, (b) a new pedestrian entrance to the square, (c) renovations to the existing derelict structure within the site to create a two bedroom dwelling house, (d) the demolition of an existing derelict structure on castlemaine road, (e) construction of a new three storey building to the rear comprising 3 no. four bedroom terraced dwelling houses, (f) alterations to the existing site entrances at castlemaine road and (g) all associated services and site works including connection to the public sewer, provision of car parking, bin stores, bicycle stores, services, boundaries and landscaping, the development which is located within an architectural conservation area.			
Potential for In-combination effects			
No potential for in-combination effects. The Planning Authority concluded there would be no potential for significant impacts to any European sites. As such, and accounting for the lack of potential impacts from the Proposed Development, it is determined there is no potential for in-combination effects between the Proposed Development and this development.			
21313	Kerry County Council	Grant Permission	Within the Site of the Proposed Masterplan
Development Description			
Demolish existing ruin and permission to construct a new dwelling house together with all associated site works.			
Potential for In-combination effects			
No potential for in-combination effects. The Planner's Report for this project concluded, due to the nature and scale of the Proposed Development, there would be no potential for significant impacts to any European sites. As such, and accounting for the lack of potential impacts from the Proposed Masterplan, it is determined there is no potential for in-combination effects between the Proposed Masterplan and this development.			
201166	Kerry County Council	Grant Permission	Within the Site of the Proposed Masterplan
Development Description			

Demolish existing building and construct 6 nr apartments, all in accordance with plans and particulars submitted.

Potential for In-combination effects

No potential for in-combination effects. The Planner's Report for this project concluded, due to the nature and scale of the Proposed Development, there would be no potential for significant impacts to any European sites. As such, and accounting for the lack of potential impacts from the Proposed Masterplan, it is determined there is no potential for in-combination effects between the Proposed Masterplan and this development.

223	Kerry County Council	Grant Permission	Within the Site of the Proposed Masterplan
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Development Description

Renovate and extend existing 2 storey dwelling house for use as 2 no.1 bed apartments with associated private open space amenities and for the connection of proposed apartments to existing public foul, storm and watermains and for ancillary site development.

Potential for In-combination effects

No potential for in-combination effects. The Planner's Report for this project concluded, due to the nature and scale of the Proposed Development, there would be no potential for significant impacts to any European sites. As such, and accounting for the lack of potential impacts from the Proposed Masterplan, it is determined there is no potential for in-combination effects between the Proposed Masterplan and this development.

20355	Kerry County Council	Grant Permission	Within the Site of the Proposed Masterplan
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Development Description

(a) To change the use of the building from public house and residential to mixed use commercial and residential, comprising of mixed use commercial unit on the ground floor and 2 no. apartments on the 1st and 2nd floors, (b) to demolish the existing 2 storey extensions to the rear of the building, (c) to reconstruct a new 2 storey extension to the rear of the building to incorporate an entrance courtyard all within the footprint of the existing structure, (d) to carry out alterations and renovations to the original structure including the introduction of a new door on ground floor and closing up of 2nd floor window, replacing of signage and other elevational changes where shown, together with all associated and ancillary site works.

Potential for In-combination effects

No potential for in-combination effects. The Planner's Report for this project concluded, due to the nature and scale of the Proposed Development, there would be no potential for significant impacts to any European sites. As such, and accounting for the lack of potential impacts from the Proposed Masterplan, it is determined there is no potential for in-combination effects between the Proposed Masterplan and this development.

22715 (ABP-316055-23)	Kerry County Council	Grant Permission	Within the Site of the Proposed Masterplan
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Development Description

Construct (a) a residential respite care centre consisting of 46 number en-suite bedrooms, public reception areas, treatment rooms, activity rooms, dining and lounge rooms, resident day space areas, staff facilities and ancillary support rooms (b) an assisted living community consisting of 12 number 2 bedroom single storey dwelling units served by their own private outdoor amenity spaces and (c) a detached medical storage unit, the development will be served by a common access road and also provisions will be made for common car parking for residents and visitors, public outdoor amenity areas, and a common service plant building, all units to be connected to public services and also to include all associated site works.

Potential for In-combination effects

No potential for in-combination effects. The Planner's Report for this project concluded, due to the nature and scale of the Proposed Development, there would be no potential for significant impacts to any European sites. As such, and accounting for the lack of potential impacts from the Proposed Masterplan, it is determined there is no potential for in-combination effects between the Proposed Masterplan and this development.

2460599	Kerry County Council	Grant Permission	Within the Site of the Proposed Masterplan
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Development Description

Construction of 9 No dwellings comprising 8 No semi-detached houses , 1 No detached house, access road and all associated site services, in lieu of the previous 9 No dwellings, previously granted under planning ref 04/597, which was part of the original housing estate at Millbrook Village.

Potential for In-combination effects

No potential for in-combination effects. The Planner's Report for this project concluded, due to the urban location, the associated planning history and the distance of the project site from any SAC or SPA, there would be no potential for significant impacts to any European sites. As such, and accounting for the lack of potential impacts from the Proposed Masterplan, it is determined there is no potential for in-combination effects between the Proposed Masterplan and this development.

4.3.6.2 Relevant Policies and Plans

The local policies and plans detailed in section 2.2 were reviewed and considered for possible in-combination effects with the Proposed Masterplan. Each of these plans has undergone AA, and where potential for likely significant effects has been identified (e.g., in the case of the Kerry County Development Plan), an NIS has been prepared which identifies appropriate mitigation. As such, it is considered that the plans and policies listed will not result in in-combination effects with the Proposed Masterplan. The Kerry County Development Plan 2022 – 2028 and the Corca Dhuibhne Electoral Area LAP 2021 – 2027 has directly addressed the protection of European sites and biodiversity through specific objectives. The above listed plans are not being relied upon to rule out potential significant effects on European sites.

TABLE 6. SUMMARY OF IMPACT ASSESSMENT ON EUROPEAN SITES AS A RESULT OF THE PROPOSED MASTERPLAN.

Site	Habitat Loss / Alteration	Habitat or Species Fragmentation	Disturbance and/or Displacement of Species	Changes in Population Density	Changes in Water Quality and/or Resource	In-combination effects	Stage 2 AA Required
SAC							
Castlemaine Harbour SAC (000343)	No	No	No	None	None	None	NO
SPA							
Castlemaine Harbour SPA (004029)	No	No	No	None	None	None	NO

5 APPROPRIATE ASSESSMENT SCREENING CONCLUSION

The Proposed Town Centre First Masterplan at Milltown, Co Kerry has been assessed taking into account:

- The nature, size and location of the proposed works and possible impacts arising from the construction works and operational activity.
- The qualifying interests and conservation objectives of the European sites.
- The potential for in-combination effects arising from other plans and projects.

In conclusion, upon the examination, analysis and evaluation of the relevant information and applying the precautionary principle, it is concluded by the authors of this report that the possibility **may be excluded** that the Proposed Masterplan will have a significant effect on any of the European sites listed below:

- Castlemaine Harbour SAC (000343).
- Castlemaine Harbour SPA (004029).

In carrying out this AA screening, mitigation measures have not been taken into account. Standard best practice construction measures which could have the effect of mitigating any effects on any European Sites have similarly not been taken into account.

On the basis of the screening exercise carried out above, it can be concluded, on the basis of the best scientific knowledge available and objective information, that the possibility of any significant effects on the above listed European sites, whether arising from the project itself or in combination with other plans and projects, can be excluded in light of the above listed European sites' conservation objectives. Thus, there is no requirement to proceed to Stage 2 of the AA process and the preparation of a NIS is not required.

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