Rialtas na hÉireann
Government of Ireland

Screening for Appropriate Assessment

Determination on Conservation measures at Lullymore West Bog Nature Reserve in accordance with Regulation 42A EC (Birds and Natural) Habitats Regulations 2011-2021

Prepared by the Department of Housing, Local Government and Heritage
npws.ie

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1. Introduction

This determination on Screening for Appropriate Assessment (AA) has been made by the Ecological Assessment Unit (EAU) of the Department of Housing, Local Government and Heritage (DHLGH) in accordance with Regulation 42A(8) of the European Communities (Birds and Natural Habitats) Regulations 2011-2021 ('the 2011 Regulations").[1]

On the 16th January 2026, in accordance with the requirements of Regulation 42A(3) of the 2011-2021 Regulations, the Minister for Housing, Local Government and Heritage ('the Minister') furnished the EAU with a request for a Screening for Appropriate Assessment (AA) determination for the proposed conservation measures at Lullymore West Bog Nature Reserve. Hereafter referred to as "the project".

The EAU have evaluated and analysed the information contained in the referred to above documents and location maps provided and carried out a determination. The purpose of this document is to provide a record and an audit trail of the EAU reasoned thinking in view of best scientific information and the Conservation Objectives of European Sites. This determination does not constitute consent or authorisation for the proposed works. The proponent is responsible for ensuring that all other necessary consents, licences, or permissions are obtained, including, where relevant, a declaration under Section 5 of the Planning and Development Act 2000 (as amended).

[1] As inserted by Regulation 7 of the European Union (Birds and Natural Habitats) (Amendment).

2. Background

Pursuant to Regulation 42A(1) of the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. 477 of 2011), a Screening for AA is required to be carried out on the project. AA is a process required under Article 6(3) of the EU Habitats Directive. Article 6(3) is transposed in Ireland by the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011), as amended, and by Part XAB of the Planning and Development Act, 2000, as amended.

All plans and projects which are not directly connected with or necessary to the management of a European Site, but which either individually or in combination with other plans or projects, are likely to have a significant effect on a “European Site”, require an AA of these effects to determine if they will adversely affect the integrity of these sites. The proposed monitoring is considered to fall under the requirements of AA as applied to all plans and projects.

The Screening for AA process scrutinises the plan or project to determine if there is potential for likely significant effects either individually or in combination with other plans or projects, on a European Site. European Sites are part of the Natura 2000 network and include those designated as Special Areas of Conservation (SAC), Candidate SACs (cSACs) or Special Protection Areas (SPA). This Screening for Appropriate Assessment describes the outcome of this analysis in respect of the project.

3. Legislation and Guidance

This section provides details on the adopted methodology with sources of guidance and information gathered to inform the preparation of the report.

3.1. Guidance and Data Sources

- Communication from the Commission on the precautionary principle. European Commission (2000);
- European Commission. (2001) Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites: Methodical Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC;
- European Commission. (2007) Guidance Document on Article 6(4) of the Habitats Directive 92/43/EEC;
- Department of Environment, Heritage and Local Government. (2010) Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities;
- Appropriate Assessment under Article 6 of the Habitats Directive; Guidance for Planning Authorities. Circular NPW 1/10 and PSSP 2/10;
- European Commission. (2018) Managing Natura 2000 Sites: The Provision of Article 6 of the Habitats Directive 92/43/EEC;
- Office of the Planning Regulator. (2021) Practice Note PN01 - AA Screening for Development Management;
- Official Journal of the European Union. (2021) Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (Volume 64; 2021/C 437/01); and,

3.2. Assessment Methodology

This report is based on review of desktop data. Sources of information utilised for this report and accessed during February 2026 include the following:

- National Parks & Wildlife Service (NPWS) Designations Viewer[2]; and,
- National Biodiversity Data Centre (NBDC) Maps[3].

3.3. Legislative Background

According to the EU Habitats Directive (92/43/EEC) and the EU Birds Directive (79/409/EEC), Member States are required to establish a Natura 2000 network of sites of highest biodiversity importance for rare and threatened habitats and species across the EU.

In Ireland, the Natura 2000 network of European sites comprises SACs, candidate SACs and SPAs.

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 all migratory birds and their habitats. The Annex habitats and species, for which each site is selected, are the Qualifying Interests (QI) for SACs and Special Conservation Interests (SCI) for SPAs of each site. Conservation Objectives for the site are defined for these QI or SCI.

A key requirement of the Habitats Directive is that the effects of any plan or project, which is not directly connected with or necessary to the management of a European Site, but which alone, or in combination with, other plans or projects, are likely to have a significant effect on a European Site, should be assessed before any decision is made to allow that plan or project to proceed. The obligation to undertake a screening for AA, and if necessary, an AA, derives from Article 6(3) of the Habitats Directive and both involve a number of steps and tests that need to be applied in sequential order.

Article 6(3) is concerned with the strict protection of sites, while Article 6(4) is the procedure for allowing derogation from this strict protection in certain restricted circumstances.

[2] National Parks & Wildlife Service Designation Viewer. Accessed at ArcGIS Web Application 25/02/2026

[3] National Biodiversity Data Centre Maps. Accessed at Maps - Biodiversity Maps (biodiversityireland.ie) 25/02/2026

Article 6(3) of the Habitats Directive states:

> "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 and 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 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) 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 social or economic nature, the Member State 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 competent authority is required to carry out a screening for AA, and if necessary, an AA as required by Article 6(3) of the Habitats Directive. If the competent authority determines that the plan or project will adversely affect the integrity of a European site, it may only authorise that plan or project by following the Article 6(4) procedure.

The Article 6(3) and 6(4) procedures are outlined as follows:

Stage 1 - Screening for Appropriate Assessment – to assess, in view of best scientific knowledge, if the project or plan, individually or in combination with another plan or project is likely to have a significant effect on the Natura 2000 site.

Stage 2 - Appropriate Assessment – This is required if it cannot be excluded, on the basis of objective information, that the project or plan, individually or in combination with other plans or projects, will have a significant effect on a Natura 2000 site. The AA must include a final determination by the competent authority as to whether or not a proposed project would adversely affect the integrity of a Natura 2000 site. In order to reach a final determination, the competent authority must undertake examination, analysis and evaluation, followed by findings, conclusions and a final determination. The appropriate assessment must contain complete, precise and definitive findings and conclusions, and may not have lacunae or gaps.

Stage 3 – Assessment of alternative solutions - the process which examines alternative ways of achieving the 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 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.

Under Regulation 42A(1) of the European Communities (Birds and Natural Habitats) Regulations, 2011-2021 (S.I. 293 of 2021), the Ecological Assessment Unit is the competent authority in relation to screening for AA of projects and plans (such as the proposed monitoring) which the Minister proposes to undertake or adopt.

4. Project Overview

Lullymore West bog nature reserve is an abandoned cutaway that has regenerated with a mosaic of habitats including species rich wet grassland, woodland and open water habitat. The site is managed for the diversity of butterflies on the reserve with 26 of Ireland's 35 butterfly species being recorded on the site since 2007. Of particular interest is the population of Marsh Fritillary butterflies. Lullymore West Bog Nature Reserve is not a designated site and is not adjacent to another designated site.

4.1. Purpose

This project proposes to upgrade both the pedestrian access and conservation grazing donkeys reserve access and replace 100 metres of reserve boundary two wire fencing which has fallen into disrepair. To raise the profile of the project and to support biodiversity engagement it is proposed to print 1,000 each of the IPCC leaflets "Bonding with Butterflies" and "A Guide to Lullymore West Bog Nature Reserve" to engage members of the public in the importance of this habitat for both people and biodiversity.

5. Project Description

The project includes physical works replacing 100metre of two wire rotten fencing to secure part of the boundary to minimise the risk of the conservation grazing donkeys escape and upgrades to both access gates with durable metal material (Figure 1).

The reserve is managed for its diversity of butterflies including the Marsh Fritillary. The reserve is one of the pilot reserves for the national Butterfly Monitoring Scheme of the National Biodiversity Data Centre (beginning in 2007) which the IPCC have annually contributing to, to monitor long term populations changes in butterflies. To maintain the open rich wet peatland grassland for butterflies, bumblebees, dragonflies, moths and damselflies, the site has been bi-annually grazed with two conservation donkeys. The current wooden posts and access style are now in need of replacement to allow safe access for people, to maintain a stock proof boundary for the conservation grazing donkeys and prevent access to the reserve for motorised vehicles.

6. Part 1: Necessary conservation measures

Answer these questions if the activity is "directly connected with or necessary to the management of the site". Otherwise go to Part 2.

a). List the European site(s) and the relevant Conservation Objectives (include version number of the Conservation Objective).

b). State how this activity furthers the Conservation Objective(s)

Under Article 6 of the EU Habitats Directive, DHLGH is required to ensure the favourable conservation status of all Annex I habitats and Annex II species within SACs.

The Conservation Objectives seek to maintain protected SAC feature(s) where evidence exists that it is in favourable condition in the site, or where there is uncertainty concerning the assessed condition of a feature but no reason to suspect deterioration in condition since designation.

Where evidence exists that a feature is declining and/or damaged and therefore not in a favourable condition in the site, the Conservation Objectives will seek to restore the protected feature.

This site is not within or adjacent to a Natura 2000 site. However the implementation of the restoration measures within the site as outlined above will enable the habitat to be maintained for the Vulnerable Marsh Fritillary.

c). Does this activity have the potential to impact negatively on any Conservation Objective (CO), Qualifying Interest (QI)/Special Conservation Interest (SCI) for this or any other European site?

Yes ☐ No ☑

d). Are there aspects of this activity which are NOT directly connected with the management of the site?

Yes ☐ No ☑

If the answer to EITHER of the above questions is **Yes** a Screening for AA is required, go to Part 2.

If the answer to BOTH questions is **No** go to Part 5.

7. Part 2: Identification of European Sites within the Potential Zone of Influence of proposed activities

List all European sites which may be affected by this activity because they are linked by an ecological pathway. If the site has a second European designation (SAC, SPA) this also needs to be considered.

8. Part 3: Assess the likelihood of significant effects

Provide this information for **each site** listed in Part 2.

List the QI/SCIs for the site(s), their current conservation condition and the Site Specific Conservation Objectives (SSCO) for that QI/SCI. Then answer the questions about the impact on that QI/SCI.

Tick all the boxes below which may apply.

Your answer will determine if the activity is likely to have a (negative) effect on this QI/SCI. Negative effects may arise because of the activity's location within the site; its proximity to the QI/SCI or the size of the land take involved; the abstraction of water or minerals; emissions or waste arising; the types of transport or machinery being used; the length of time involved or seasonality of the work.

a). There is likely to be a reduction in the area of QI/SCI habitat ☐

b). The physical/chemical quality of the environment is likely to be changed in a way which may cause the deterioration of the QI/SCI habitat (e.g. applying lime to an acidic soil) ☐

c). The structure of the ecological community is likely to be altered (e.g. through altered species composition) in a way which will have negative impact on the QI/SCI. ☐

d). A QI/SCI species is likely to be disturbed (e.g. through noise, vibrations) ☐

e). The population size, characteristics or reproductive success of a QI/SCI species is likely to be changed either directly or indirectly (e.g. lighting close to a bat roost entrance) ☐

f). QI/SCI species or habitats are likely to be more vulnerable to change or less resilient to external change (e.g. to flooding, fire or drought) ☐

g). There are likely to be effects on other species /habitats (not a QI/SCI for this site) which are ecologically linked with this QI/SCI and, as a consequence, there are likely to be negative effects on this QI/SCI (e.g. the impacts on geese which are the SCI when their non-QI feeding areas are damaged). ☐

h). This activity will cause a deterioration in the conservation condition of this QI/SCI. ☐

i). There are likely to be other ecological effects not listed above which are likely to have a significant effect on the QI/SCI. ☐

Explain the effects**:** _____

If you have ticked a box for any QI/SCI in any of the sites affected by this activity the likelihood of a significant effect cannot be ruled out and the activity MUST be screened IN for AA.

9. Part 4: In Combination Effects

Is this activity likely to cause negative effects in combination with any other plan or project?

(In answering this question you should consider any other consents which have been applied for or granted. For example, other ARCs, planning consents, forestry consents, or activities authorised as part of an agreed farm or land management plan. List the plans or projects considered).

_____

_____

No ☑ **Yes** ☐ **Uncertain** ☐

If the answer is Yes or Uncertain the activity MUST be screened IN for AA. Fill in Part 5 accordingly.

10. Part 5: Findings of the Screening for AA

Screening not carried out as the activity is “directly connected with or necessary to the management of the site”. ☑

Likely significant effects are expected or uncertain.

This activity Screens **IN** and AA **is** required. ☐

Likely significant effects are NOT expected.

This activity Screens **OUT** and AA **is not** required. ☐

Prepared by: Donna Gavigan, Ecological Assessment Unit

Date: 25th February 2026

11. Part 6: Conclusion

Following an analysis of the activity, the EAU determines[5], in accordance with Regulation 42A(8) of the 2011 Regulations, that the proposed improvement works at Lullymore West Bog Nature Reserve are necessary for the management of the site and will not pose a threat to any Natura 2000 sites.

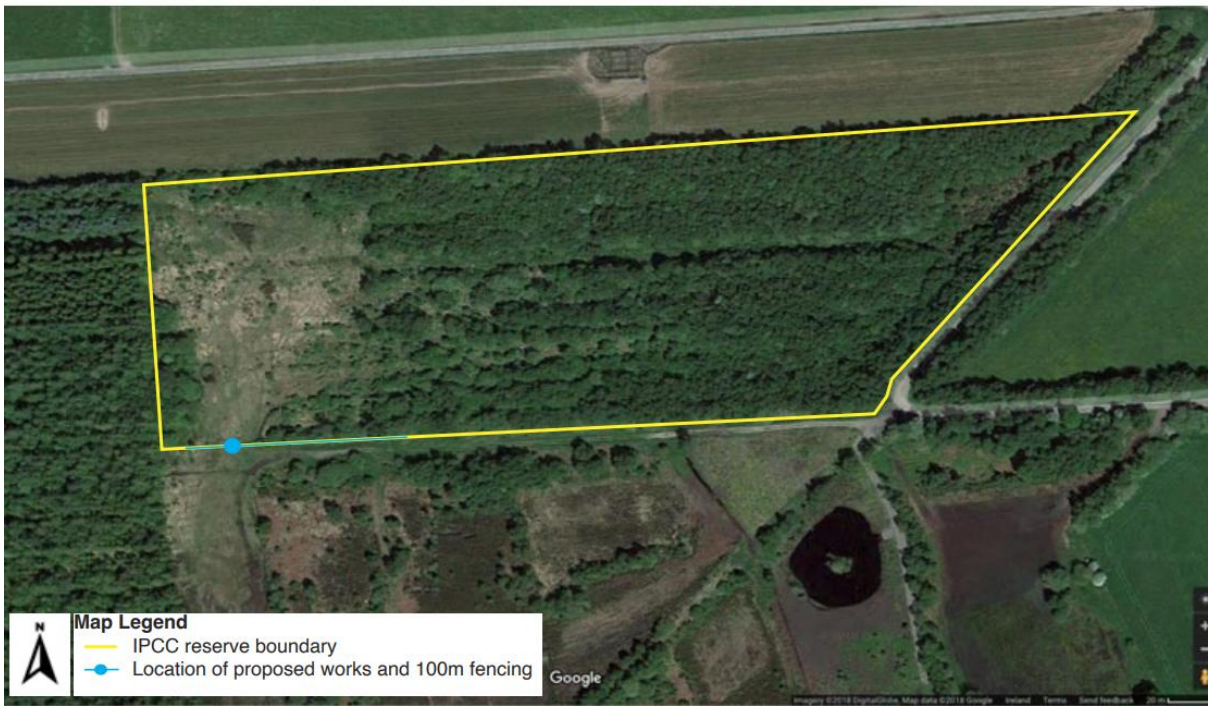
Signed off by:

Date:

12. Supplementary Information

Figure 1. (below): Location of the proposed fence and access points maintenance works.

Irish Peatland Conservation Council
Lullymore West Bog Nature Reserve boundary map
coordinates: 53.280201, -6962050



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