

Castlepollard Quarry, Deerpark, Castlepollard, Co. Westmeath

Castlepollard Quarry

Environmental Impact Assessment Report

Appendix 8

Appropriate Assessment Screening Report

February 2022



Part of the Breedon Group

Prepared by:

J Sheils Planning & Environmental Ltd

31 Athlumney Castle, Navan, Co. Meath

Westmeath County Council Planning Authority - Inspection Purposes Only!

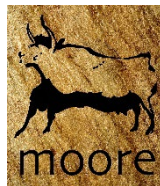
Report for the purposes of Appropriate Assessment Screening

as required under Article 6(3) of the Habitats Directive
(Council Directive 92/43/EEC)

Castlepollard Quarry, Deerpark

Prepared by: Moore Group – Environmental Services

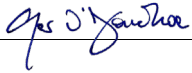
15 December 2021



On behalf of Lagan Materials Ltd

Westmeath County Council Planning Authority - Inspection Purposes Only

Project Proponent	Lagan (Breedon Group)
Project	Castlepollard Quarry Development
Title	Report for the purposes of Appropriate Assessment Screening Castlepollard Quarry Development

Project Number	21024	Document Ref	JSPE_277_Castlepollard_EIAR_Appendix8_AAS	
Revision	Description	Author		Date
Rev1	Client Edits	G. O'Donohoe		15 December 2021
Moore Archaeological and Environmental Services Limited				

Westmeath County Council Planning Authority - Inspection Purposes Only!

TABLE OF CONTENTS

8	APPENDIX 8 APPROPRIATE ASSESSMENT	1
8.1	INTRODUCTION	1
8.1.1	General Introduction	1
8.1.2	Legislative Background - The Habitats and Birds Directives	2
8.2	METHODOLOGY	3
8.2.1	Guidance	3
8.2.2	Data Sources	4
8.3	DESCRIPTION OF THE PROPOSED DEVELOPMENT	6
8.4	IDENTIFICATION OF NATURA 2000 SITES	11
8.4.1	Description of Natura Sites Potentially Affected	11
8.4.2	Ecological Network Supporting Natura 2000 Sites	13
8.5	IDENTIFICATION OF POTENTIAL IMPACTS & ASSESSMENT OF SIGNIFICANCE	17
8.5.1	Assessment of Likely Significant Effects	17
8.5.2	Assessment of Potential In-Combination Effects	18
8.6	CONCLUSIONS	21
8.7	REFERENCES	22

Westmeath County Council Planning Authority - Inspection Purposes Only!

LIST OF TABLES AND FIGURES

Table 1 European Sites located within Potential Zone of Influence of Proposed Development..... 13

Table 2 Identification of Relevant European Sites using Source-Pathway-Receptor Model and
 Compilation of Information QIs and Conservation Objectives 16

Table 3 Assessment of Likely Significant Effects..... 17

Table 4 Planning Applications granted Permission in Vicinity of Proposed Development 18

Figure 1. Map Showing Proposed Development Location at Deerpark, Castlepollard, Co. Westmeath.
 8

Figure 2. Aerial Image Showing Proposed Development Boundary. 9

Figure 3. Site Plan - Proposed. 10

Figure 4. Physiographic Map Showing European Sites And NHAs/pNHAs within 15 Km of Proposed
 Development. 14

Figure 5 Aerial Photograph Showing Detailed View of European Sites in Vicinity of Proposed
 Development. 15

Westmeath County Council Planning Authority - Inspection Purposes Only!

Abbreviations

AA	Appropriate Assessment
EEC	European Economic Community
EPA	Environmental Protection Agency
EU	European Union
GIS	Geographical Information System
LAP	Local Area Plan
NHA	Natural Heritage Area
NIS	Natura Impact Statement
NPWS	National Parks and Wildlife Service
OSI	Ordnance Survey Ireland
pNHA	proposed Natural Heritage Area
SAC	Special Area of Conservation
SPA	Special Protection Area
SuDS	Sustainable Drainage System
WFD	Water Framework Directive

Westmeath County Council Planning Authority - Inspection Purposes Only!

8 APPENDIX 8 APPROPRIATE ASSESSMENT

8.1 INTRODUCTION

8.1.1 GENERAL INTRODUCTION

This report for the purposes of Appropriate Assessment (AA) Screening has been prepared to support a Planning Application for the Proposed Development (described in Section 3 below). This report contains information required for the competent authority to undertake screening for Appropriate Assessment (AA) on the potential for the proposed continuation and deepening of the existing quarry at Deerpark, Castlepollard, Co. Westmeath (hereafter referred to as the Proposed Development) to significantly affect European sites.

Screening is the process that addresses the first two tests of Article 6(3) of Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (as amended) (referred to as the Habitats Directive):

- i. whether a plan or project is directly connected to or necessary for the management of the site; and
- ii. whether a plan or project, alone or in combination with other plans and projects, is likely to have significant effects on a Natura 2000 site in view of its conservation objectives.

Having regard to the provisions of the Planning and Development Act 2000 (section 177U and 177V), the purpose of a screening exercise under section 177U of the PDA 2000 is to assess, in view of best scientific knowledge, if the proposed development, individually or in combination with another plan or project is likely to have a significant effect on a Natura 2000 site (Described in Section 1.2).

If it cannot be excluded on the basis of objective information that the proposed development, individually or in combination with other plans or projects, will have a significant effect on a European site then it is necessary to carry out a Stage 2 appropriate assessment.

When screening the project, there are two possible outcomes:

- the project poses no risk of a significant effect and as such requires no further assessment; and
- the project has potential to have a significant effect (or this is uncertain) and AA of the project is necessary.

This report has been prepared by Moore Group - Environmental Services, in order to support an application for planning permission for the Proposed Development to allow Westmeath County Council to carry out AA screening in relation to the Proposed Development. The report was compiled by Ger O'Donohoe (B.Sc. Applied Aquatic Sciences (GMIT 1993) & M.Sc. Environmental Sciences (TCD 1999)) who has 25 years' experience in environmental impact assessment and has completed numerous Appropriate Assessment Screening Reports and Natura Impact Statements on terrestrial and aquatic habitats for various development types.

8.1.2 LEGISLATIVE BACKGROUND - THE HABITATS AND BIRDS DIRECTIVES

It is necessary that the Proposed Development has regard to Article 6 of the Habitats Directive. This is transposed into Irish Law by the European Communities (Birds and Natural Habitats) Regulations, 2011 to 2015 (referred to as the Habitats Regulations). The Planning and Development Act 2000 (section 177U and 177V) govern the requirement to carry out appropriate assessment per Section 1.1 above.

The Habitats Directive is the main legislative instrument for the protection and conservation of biodiversity in the European Union (EU). Under the Habitats Directive, Member States are obliged to designate Special Areas of Conservation (SACs) which contain habitats or species considered important for protection and conservation in an EU context.

The Birds Directive (Council Directive 2009/147/EC on the Conservation of Wild Birds), transposed into Irish law by the Habitats Regulations 2011, is concerned with the long-term protection and management of all wild bird species and their habitats in the EU. Among other things, the Birds Directive requires that Special Protection Areas (SPAs) be established to protect migratory species and species which are rare, vulnerable, in danger of extinction, or otherwise require special attention.

SACs designated under the Habitats Directive and SPAs, designated under the Birds Directive, form a pan-European network of protected sites known as Natura 2000. The Habitats Directive sets out a unified system for the protection and management of SACs and SPAs. These sites are also referred to as European sites.

Articles 6(3) and 6(4) of the Habitats Directive set out the requirement for an assessment of proposed plans and projects likely to affect Natura 2000 sites.

Article 6(3) establishes the requirement to screen all plans and projects and to carry out a further assessment if required (Appropriate Assessment (AA)). Article 6(4) establishes requirements in cases of imperative reasons of overriding public interest:

Article 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 subjected to an appropriate assessment of its implications for the site in view of the site’s conservation objectives. In light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.”

Article 6(4): “If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, Member States shall take all compensatory measures necessary to ensure that the overall coherence of the 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 the beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.”

8.2 METHODOLOGY

The Commission's methodological guidance (EC 2002; 2018, see Section 2.1 below) promotes a four-stage process to complete the AA and outlines the issues and tests at 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.

Stages 1 and 2 deal with the main requirements for assessment under Article 6(3). Stage 3 may be part of Article 6(3) or may be a necessary precursor to Stage 4. Stage 4 is the main derogation step of Article 6(4).

Stage 1 Screening: This stage examines the likely effects of a project either alone or in combination with other projects upon a Natura 2000 site and considers whether it can be objectively concluded that these effects will not be significant. In order to screen out a project, it must be excluded, on the basis of objective information, that the Proposed Development, individually or in combination with other plans or projects, will have a significant effect on a European site.

Stage 2 Appropriate Assessment: In this stage, there is a consideration of the impact of the project with a view to ascertain whether there will be any adverse effect on the integrity of the Natura 2000 site either alone or in combination with other projects or plans, with respect to the site's structure and function and its conservation objectives. Additionally, where there are predicted impacts, an assessment of the potential mitigation of those impacts is considered.

Stage 3 Assessment of Alternative Solutions: This stage examines alternative ways of implementing the project that, where possible, avoid any adverse impacts on the integrity of the Natura 2000 site.

Stage 4 Assessment where no alternative solutions exist and where adverse impacts remain: Where imperative reasons of overriding public interest (IROPI) exist, an assessment to consider whether compensatory measures will or will not effectively offset the damage to the sites will be necessary.

To ensure that the Proposed Development complies fully with the requirements of Article 6 of the Habitats Directive and all relevant Irish transposing legislation, the Moore Group compiled this report to support an application for planning permission in respect of the Proposed Development. The report will allow the competent authority to carry out AA screening in relation to the Proposed Development and determine whether the Proposed Development, individually or in combination with another plan or project will have a significant effect on a Natura 2000 site.

8.2.1 GUIDANCE

This report has been compiled in accordance with guidance contained in the following documents:

- Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities. (DoEHLG 2010 rev.);

- Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities. Circular NPWS 1/10 & PSSP 2/10;
- Assessment of Plans and Projects Significantly Affecting Natura 2000 sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (European Commission Environment Directorate-General 2001), hereafter referred to as the EC Article Guidance Document;
- Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC (EC Environment Directorate-General 2000), hereafter referred to as MN2000;
- Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC (EC 2018);
- Guidance document on the strict protection of animal species of Community interest under the Habitats Directive (EC 2021);
- 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 (EC 2021); and OPR Practice Note PN01 Appropriate Assessment Screening for Development Management (OPR 2021).

8.2.2 DATA SOURCES

Sources of information that were used to collect data on the Natura 2000 network of sites, and the environment within which they are located, are listed below:

- The following mapping and Geographical Information Systems (GIS) data sources, as required:
 - National Parks & Wildlife (NPWS) protected site boundary data;
 - Ordnance Survey of Ireland (OSI) mapping and aerial photography;
 - OSI/Environmental Protection Agency (EPA) rivers and streams, and catchments;
 - Open Street Maps;
 - Digital Elevation Model over Europe (EU-DEM);
 - Google Earth and Bing aerial photography 1995-2021.
- Online data available on Natura 2000 sites as held by the National Parks and Wildlife Service (NPWS) from www.npws.ie, including:
 - Natura 2000 - Standard Data Form;
 - Conservation Objectives;
 - Site Synopses.
- National Biodiversity Data Centre records;
 - Online database of rare, threatened and protected species;
 - Publicly accessible biodiversity datasets.

- Status of EU Protected Habitats in Ireland. (National Parks & Wildlife Service 2019); and
- Relevant Development Plans;
 - Westmeath County Development Plan 2021-2027.

Westmeath County Council Planning Authority - Inspection Purposes Only!

8.3 DESCRIPTION OF THE PROPOSED DEVELOPMENT

The proposed development will consist of the continued use and operation of the existing quarry (permitted under P.A. Ref. 01/525), including deepening of the quarry along with minor amendments to the permitted quarry layout comprising an extraction area of c. 4 ha within an overall application area of c. 11.4 ha. The development will include provision of new site infrastructure, including water management system, wheelwash and other ancillaries.

The floor of the existing quarry is at c. 88 m AOD. It is proposed to develop an additional bench to c. 70 m AOD. The development will include upgrading of the Water Management System. The proposed discharge to surface water will be subject to a licence to discharge to surface water as required under Section 4 of the Local Government (Water Pollution) Act, 1977.

The asphalt plant previously granted planning permission under P.A. Ref. 01/525 has been removed and will not be reinstalled as part of this proposed application.

There will be no changes to the method of extraction and processing (crushing, screening, rinsing, etc) as a result of this planning application. Drilling and blasting will continue to be utilised with processing of extracted rock using mobile crushing and screening plant located within the quarry void. This will reduce handling of material and will also have the benefit of screening these activities from outside views, and being at depth, will also mitigate impacts associated with noise and dust.

A wheeled loading shovel and/or backhoe excavator will be used to feed the blasted rock to the mobile crushing and screening plant that will be relocated close to the working face so as to reduce handling of materials. This is the extraction method that has been in use at the quarry over many years.

The aggregates produced will then be stockpiled and subsequently loaded out by a front-end loader to road trucks for transport off-site to market.

It is proposed that surface/groundwater water accumulating within the processing and extraction area will be conveyed to a new series of settlement tanks via the quarry sump. This water will be utilised for dust suppression, if required, and/or discharged off-site to an external watercourse subject to a Discharge licence.

The final site restoration will contain a landscaped woodland / amenity with water feature. The intention is to create a habitat suitable for aquatic life and birds, such that the disused workings will eventually become of considerable amenity value.

In summary, the final restoration will consist of the following:

- Landscaping works will be undertaken during the working life of the quarry, where required;
- At the end of quarrying, all plant and machinery will be removed off the site;
- All site boundaries will be secured;
- Additional planting of trees and shrubs may be necessary in some areas; and

- The water abstraction pumps will be switched off and groundwater will be allowed to return to natural equilibrium, at which sump water levels will be maintained by way of an existing overflow to natural existing drainage channels.

Figure 1 shows the Proposed Development location, Figure 2 shows a detailed view of the Proposed Development boundary on recent aerial photography, and Figure 3 shows the layout of the Proposed Development.

Westmeath County Council Planning Authority - Inspection Purposes Only

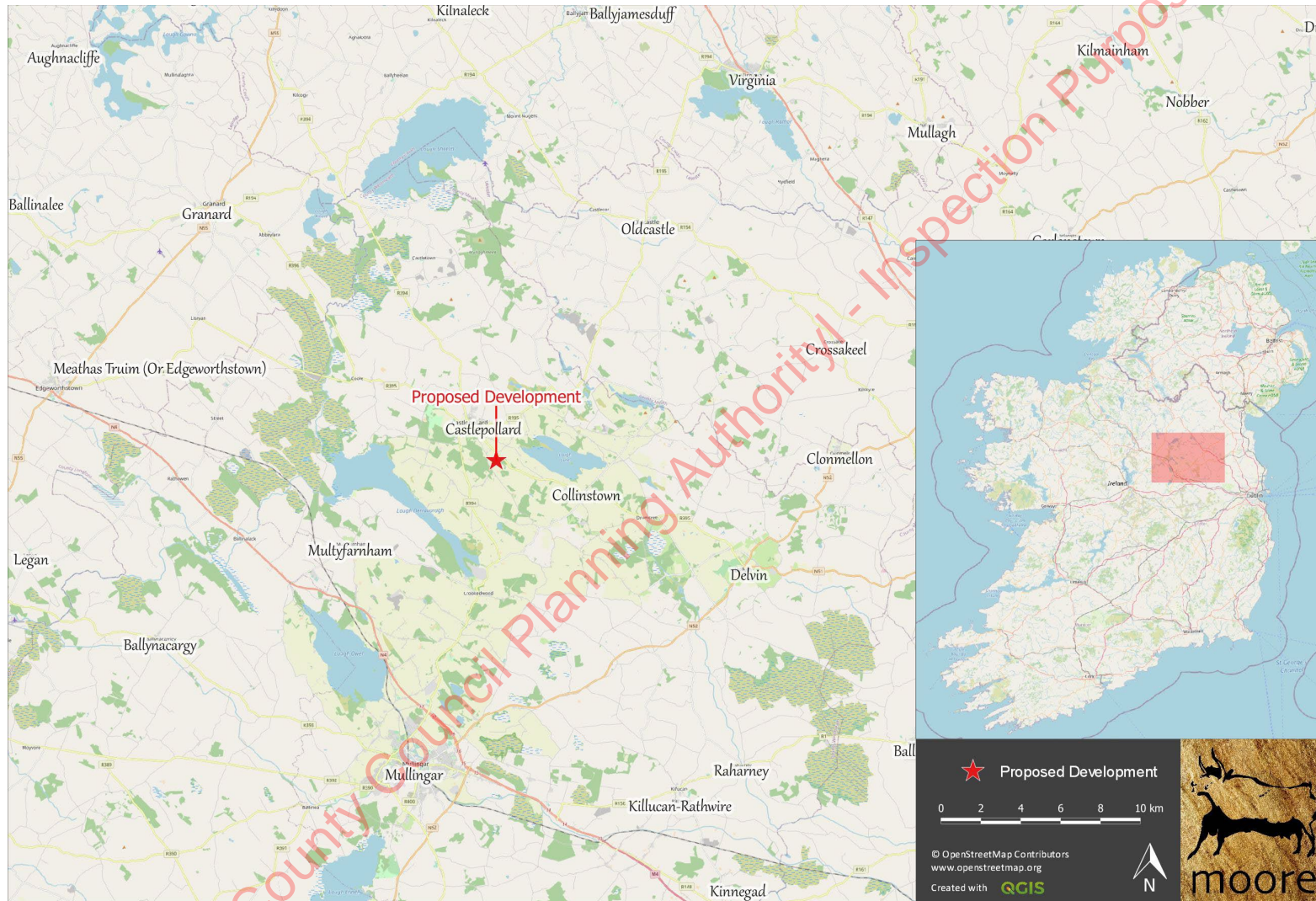
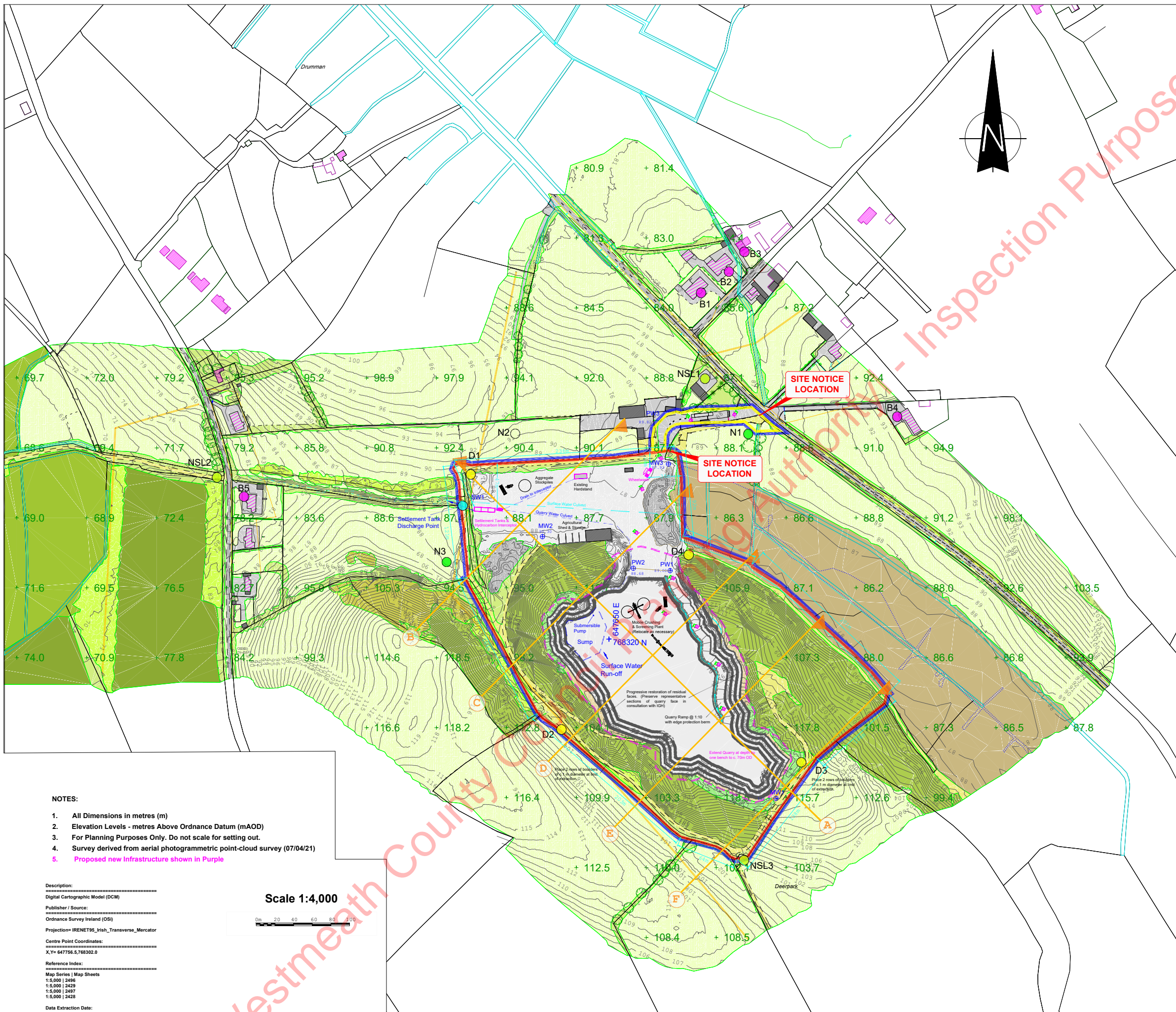


Figure 1. Map showing Proposed Development Location at Deerpark, Castlepollard, Co. Westmeath.



Figure 2. Aerial Image showing Proposed Development Boundary.



- NOTES:**
1. All Dimensions in metres (m)
 2. Elevation Levels - metres Above Ordnance Datum (mAOD)
 3. For Planning Purposes Only. Do not scale for setting out.
 4. Survey derived from aerial photogrammetric point-cloud survey (07/04/21)
 5. Proposed new Infrastructure shown in Purple

Description:
Digital Cartographic Model (DCM)
Publisher / Source:
Ordnance Survey Ireland (OSi)
Projection: IRENET95_Irish_Transverse_Mercator
Centre Point Coordinates:
X,Y: 647756.5,768302.0
Reference Index:
Map Series / Map Sheets
1:5,000 | 2486
1:5,000 | 2429
1:5,000 | 2487
1:5,000 | 2428
Data Extraction Date:
Date: 10-May-2021



Legend

- Lands under Operators Control (c.11.7 ha)
- Application Area (c. 11.4 ha)
- Wayleave
- Extraction Area (c. 4 ha)
- Quarry Area
- Pasture
- Rough Pasture
- Scrubland
- Buildings/Structures
- Hedgerows
- Gorse
- Berms - Plant with native barrier species (e.g Hawthorn, Blackthorn)
- Distance of Structures from Boundaries of Site
- Fence
- Gate
- Contours (mAOD)
- Irish Transverse Mercator (ITM) geographic coordinates
- Sections (Refer to Drawing D06)
- D1 Dust Monitoring Points
- N1 Noise Monitoring Points
- NSL1 Noise Sensitive Location
- B1 Blast Monitoring Points
- SW1 Surface Water Monitoring Points
- PW Groundwater Monitoring Points & Wells
- MP
- Hard Standing/Asphalt
- Track
- Marshy Area
- Aggregate Stockpiles
- Telephone Lines
- Power Lines
- Forestry
- Residence
- Surface Water Culvert
- Traffic In
- Traffic Out
- Spot Levels (mAOD)

JSPE
31 Athlumney Castle,
Navan, Co Meath
Phone: 046 9073997
Email: johnsheils@jspe.ie
Web: jspe.ie

J SHEILS PLANNING & ENVIRONMENTAL LTD

CLIENT	Lagan Materials Ltd		
DRAWING	Site Plan - Proposed		
LOCATION	Deerpark, Castlepollard, Co. Westmeath		

Drawn by	John Sheils	Scale	1: 4,000
Checked by	John Sheils	Job No.	JSPE 277
Date	15/12/21	Figure No.	3
		Rev.	0

8.4 IDENTIFICATION OF NATURA 2000 SITES

8.4.1 DESCRIPTION OF NATURA SITES POTENTIALLY AFFECTED

The Department of Housing, Planning and Local Government (previously DoEHLG)'s Guidance on Appropriate Assessment (2009) recommends an assessment of European sites within a Zone of Influence (Zoi) of 15 km. This distance is a guidance only and a 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).

The Zone of Influence may be determined by connectivity to the Proposed Development in terms of:

- Nature, scale, timing and duration of works and possible impacts, nature and size of excavations, storage of materials, flat/sloping sites;
- Distance and nature of pathways (dilution and dispersion; intervening 'buffer' lands, roads etc.); and
- Sensitivity and location of ecological features.

The potential for source pathway receptor connectivity is firstly identified and detailed information is then provided on sites with connectivity. European sites that are located within the potential Zone of Influence of the Proposed Development are listed in Table 1 and presented in Figures 4 and 5, below. Spatial boundary data on the Natura 2000 network was extracted from the NPWS website (www.npws.ie) on the 11 November 2021.

The nearest European sites to the Proposed Development are associated with Lough Lene and include the Lough Lene SAC (Site Code 002121), which is located just over 1.18 km to the east. However, this site is located in a different hydrological catchment.

The Proposed Development is located within the hydrological catchment of two streams.

1. Castlepollard Stream – this is the northernmost of the streams in the vicinity of the site and Castlepollard village is located within its catchment. Historical mapping shows that the pond adjacent to the northern boundary previously outfallled at its northwestern end to the headwater of the Castlepollard Stream. This northern outfall ditch has become inactive. The stream is now mapped by the EPA as rising 300 m north of the site entrance. It travels westwards from this point towards the village, and is culverted below the R395, 1 km northwest of the site entrance. The Castlepollard Stream outfalls to the Yellow River 2.6 km west of the site.
2. Deerpark Stream – This is a small stream / drainage channel that connects the site to the Yellow (Castlepollard)_030. The northwestern corner of the site is connected to this drainage channel. The Deerpark Stream passes a tract of forestry before joining the Yellow (Castlepollard)_030 at a distance of almost 400 m from the site. The marshy pond

to the east of the working quarry reaches the northwestern corner of the site by overflow through an underground 300 mm diameter culvert that traverses the northern part of the site. There is a steep sided drain at the northwestern site boundary that transmits waters to the Deerpark Stream, which then flows beneath the local road (L5739).

Downstream, the waters of these streams enter the Yellow River which in turns flows west into Lough Derravaragh with its European site, the Lough Derravaragh SPA (Site Code 004043), which is located approximately 4 km west of the proposed development and c. 7 river km downstream of the quarry discharge point.

The most recent EPA Biological Water Quality results from the closest station to the site, 3km downstream on the Yellow River, persistently returns Q Ratings of 4, which indicates Good Ecological Status (see Chapter 7).

The Qualifying Interests (QIs) and Special Conservation Interests (SCIs) of the European sites in the vicinity of the Proposed Development are provided in Table 2 below.

Westmeath County Council Planning Authority - Inspection Purposes Only

Table 1 European Sites located within Potential Zone of Influence of Proposed Development

Site Code	Site name	Distance (km) ¹
002121	Lough Lene SAC	1.18
004043	Lough Derravaragh SPA	4.00

8.4.2 ECOLOGICAL NETWORK SUPPORTING NATURA 2000 SITES

An analysis of the proposed Natural Heritage Areas (pNHA) and designated Natural Heritage Areas (NHA) in terms of their role in supporting the species using Natura 2000 sites was undertaken. It was assumed that these supporting roles mainly related to mobile fauna such as mammals and birds which may use pNHAs and NHAs as “stepping stones” between Natura 2000 sites.

Article 10 of the Habitats Directive and the Habitats Regulations 2011 place a high degree of importance on such non-Natura 2000 areas as features that connect the Natura 2000 network. Features such as ponds, woodlands and important hedgerows were taken into account during the preparation of this AA Screening report.

There are no other areas of conservation concern that would be affected by the Proposed Development.

The NHAs and pNHAs identified in Figure 4 are located outside the Zone of Influence. There are no areas of supporting habitat that will be affected by the Proposed Development.

¹ Distances indicated are the closest geographical distance between the Proposed Development and the European site boundary, as made available by the NPWS. Connectivity along hydrological pathways may be significantly greater.

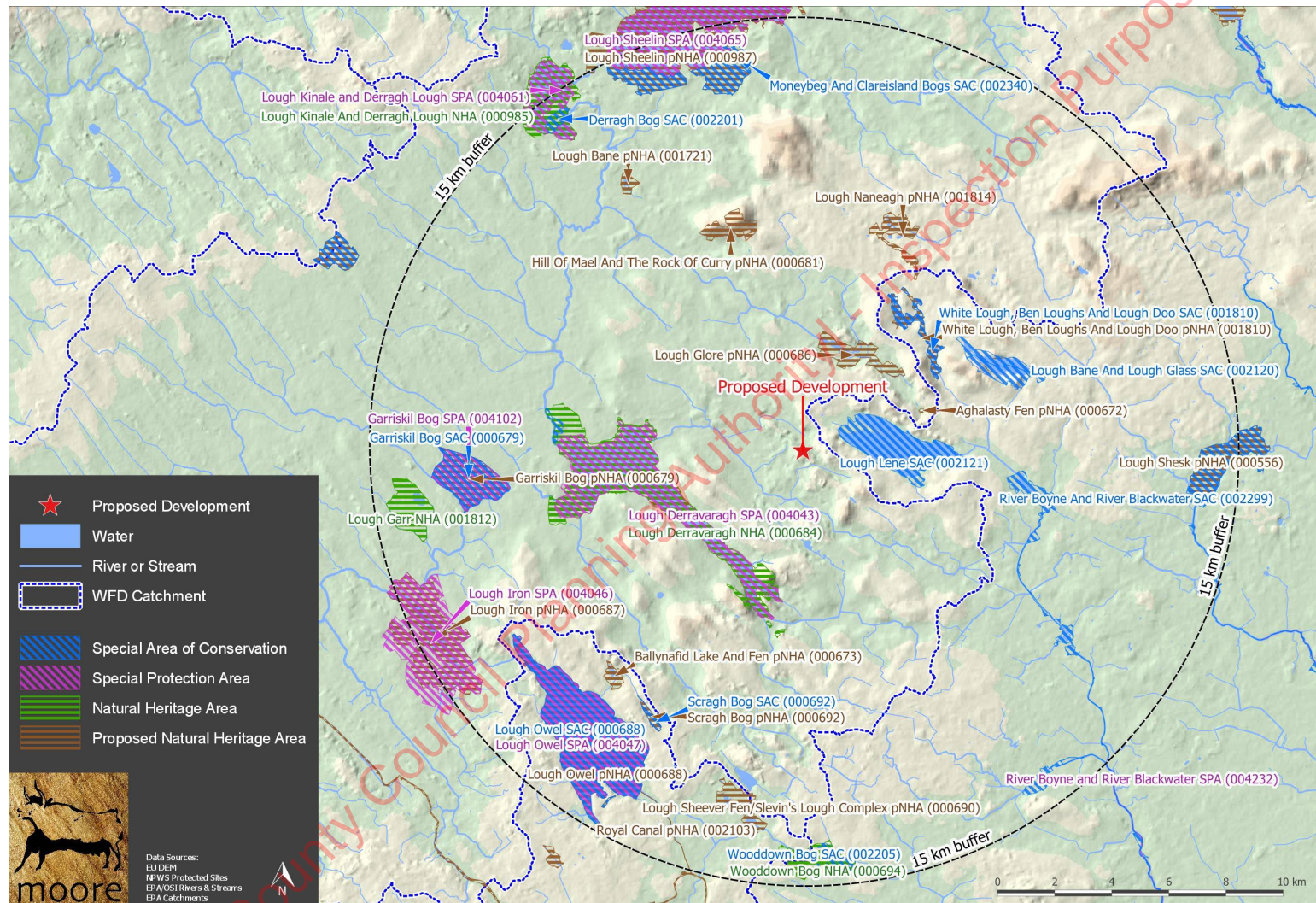


Figure 4. Physiographic Map showing European Sites and NHAs/pNHAs within 15 km of Proposed Development.

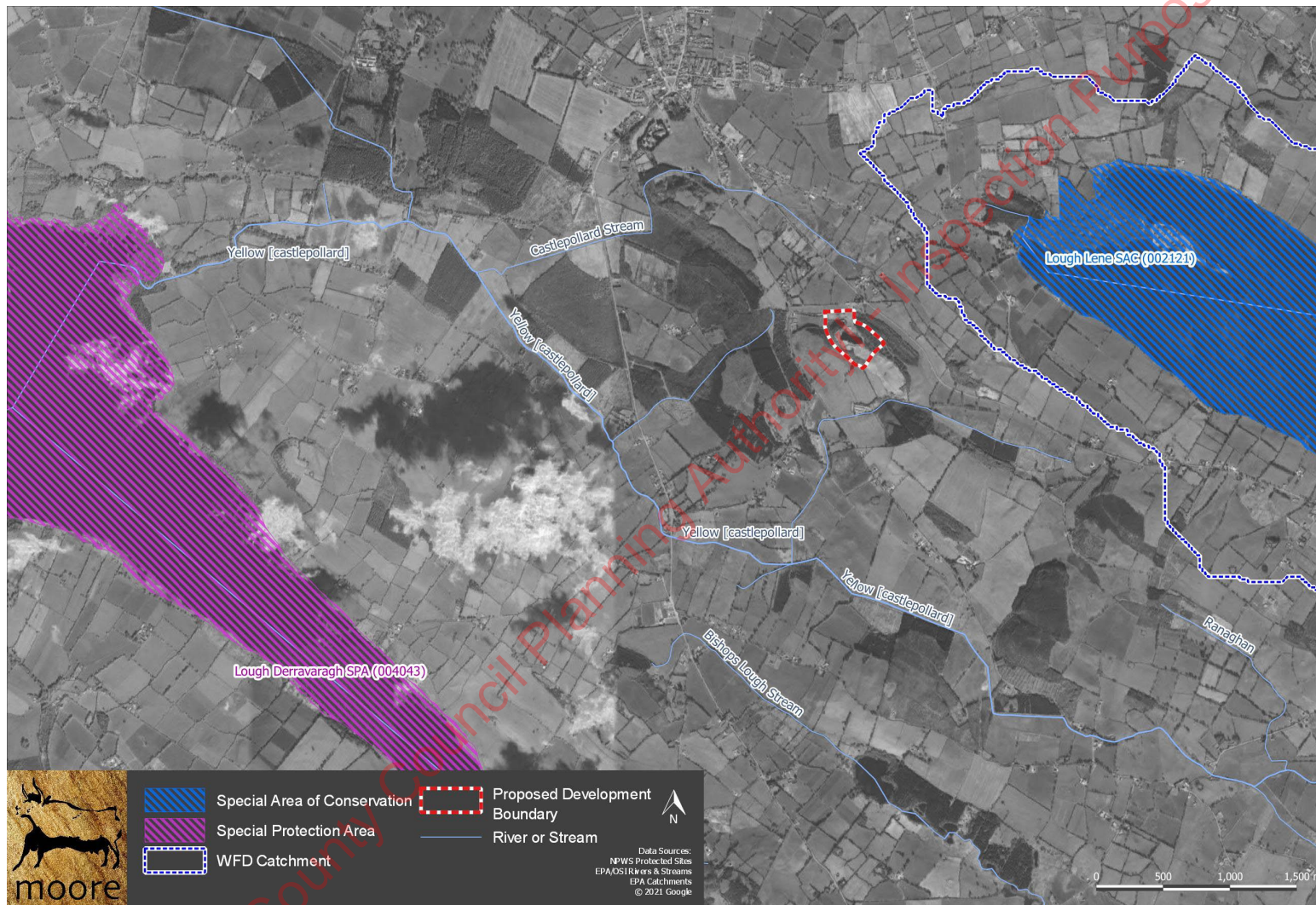


Figure 5 Aerial Photograph showing Detailed View of European Sites in Vicinity of Proposed Development.

Table 2 Identification of Relevant European Sites using Source-Pathway-Receptor Model and Compilation of Information QIs and Conservation Objectives

European site name & Site code	Location Relative to the Proposed Development Site	Connectivity – Source-Pathway-Receptor	Considered further in Screening – Y/N
<p>Lough Lene SAC (002121) [3140] Hard oligo-mesotrophic waters with benthic vegetation of <i>Chara</i> spp. [1092] White-clawed Crayfish (<i>Austropotamobius pallipes</i>) NPWS (2021) Conservation objectives for Lough Lene SAC [002121]. Generic Version 8.0. Department of Housing, Local Government and Heritage.</p>	<p>1.18 km to the east of the Proposed Development.</p>	<p>No There are no pathways or connectivity to the habitats or species of this site located in a different catchment.</p>	<p>N</p>
<p>Lough Derravaragh SPA (004043) Whooper Swan (<i>Cygnus cygnus</i>) [A038] Pochard (<i>Aythya ferina</i>) [A059] Tufted Duck (<i>Aythya fuligula</i>) [A061] Coot (<i>Fulica atra</i>) [A125] Wetland and Waterbirds [A999] NPWS (2021) Conservation objectives for Lough Derravaragh SPA [004043]. Generic Version 8.0. Department of Housing, Local Government and Heritage.</p>	<p>4 km to the west of the Proposed Development and c. 7 river km downstream of the quarry discharge point.</p>	<p>Yes There are pathways and connectivity to the habitats and species of this site. There is surface water connectivity to the Lough Derravaragh catchment to the west via the Yellow River and tributaries and thus, the Lough Derravaragh SPA (004043).</p>	<p>Y</p>

Westmeath County Council Planning Authority - Inspection Purposes Only!

8.5 IDENTIFICATION OF POTENTIAL IMPACTS & ASSESSMENT OF SIGNIFICANCE

The Proposed Development is not directly connected with or necessary to the management of the Natura 2000 sites that were considered in this assessment, and therefore the potential impacts must be identified and considered.

8.5.1 ASSESSMENT OF LIKELY SIGNIFICANT EFFECTS

The consideration of all potential direct and indirect impacts that may result in significant effects on the conservation objectives of a European site, taking into account the size and scale of the Proposed Development are presented in Table 3.

Table 3 Assessment of Likely Significant Effects

Identification of all potential direct and indirect impacts that may result in significant effects on the conservation objectives of a European site, taking into account the size and scale of the project.	
Impacts: Construction phase e.g. Vegetation clearance Demolition Surface water runoff from soil excavation/infill/landscaping (including borrow pits) Dust, noise, vibration Lighting disturbance Impact on groundwater/dewatering Storage of excavated/construction materials Access to site Pests	Significance of Impacts: The Proposed Development site is located within the boundary of the existing quarry site, which has been cleared and prepared for development. There will be no direct effects on qualifying habitats or species. In the absence of mitigation, contaminated surface water runoff has the potential to have adverse effects on Annexed bird species and supporting wetlands.
Operational phase e.g. Direct emission to air and water Surface water runoff containing contaminant or sediment Lighting disturbance Noise/vibration Changes to water/groundwater due to drainage or dewatering Presence of people, vehicles and activities Physical presence of structures (e.g., collision risks) Potential for accidents or incidents	In the absence of mitigation, contaminated discharge water (surface water and/or groundwater) has the potential to have adverse effects on Annexed bird species and supporting wetlands.
In-combination/Other	The Proposed Development site is located within the boundary of the existing quarry site, which has been mostly cleared and prepared for development. No likely significant in-combination effects are identified.
Describe any likely changes to the European site:	
Examples of the type of changes to give consideration to include: Reduction or fragmentation of habitat area Disturbance to QI species Habitat or species fragmentation Reduction or fragmentation in species density Changes in key indicators of conservation status value (water quality, etc.) Changes to areas of sensitivity or threats to QI Interference with the key relationships that define the structure or ecological function of the site Climate change	In the absence of mitigation, contaminated discharge water (surface water and/or groundwater) has the potential to have adverse effects on Annexed bird species and supporting wetlands.
Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?	
Yes	Development of the quarry at depth may require dewatering and discharge to SW subject to a Water Discharge licence

8.5.2 ASSESSMENT OF POTENTIAL IN-COMBINATION EFFECTS

In-combination effects are changes in the environment that result from numerous human-induced, small-scale alterations. In-combination effects can be thought of as occurring through two main pathways: first, through persistent additions or losses of the same materials or resource, and second, through the compounding effects as a result of the coming together of two or more effects.

As part of the Screening for an Appropriate Assessment, in addition to the Proposed Development, other relevant plans and projects in the area must also be considered at this stage. This step aims to identify at this early stage any possible significant in-combination effects of the Proposed Development with other such plans and projects on European sites.

A review of the National Planning Application Database was undertaken. The first stage of this review confirmed that there were no data outages in the area where the Proposed Development is located. The database was then queried for developments granted planning permission within 2000 m of the Proposed Development within the last three years, these are presented in Table 4 below.

Table 4 Planning Applications granted Permission in Vicinity of Proposed Development

Planning Ref.	Description of development	Comments
186038	private dwelling house, connection to public foul drainage infrastructure, entrance onto public road, domestic garage and all ancillary site services.	A screening exercise has been carried out in relation to this development and it has deemed that the development is unlikely to have significant effects on the Natura 2000 network.
186058	construction of a bell mouth entrance onto public road to facilitate access to forestry plantation together with internal access road and all associated site works.	It is considered that the proposal would not give rise to significant adverse direct, indirect or secondary impacts on the integrity of any nearby Natura 2000 sites having regard to their conservation objectives.
186059	construction of three bell mouth entrances A, B and C onto public roads to facilitate access to forestry plantations together with internal access roads and turning heads and all associated site works.	It is considered that the proposal would not give rise to significant adverse direct, indirect or secondary impacts on the integrity of any nearby Natura 2000 sites having regard to their conservation objectives.
186061	development of an existing entrance and upgrade it to forestry harvesting standard (bell mouth entrance) onto public road to facilitate access to forestry plantation together with internal access road and all associated site works.	It is considered that the proposed development would not give rise to significant adverse direct, indirect or secondary impacts on the integrity of any nearby Natura 2000 sites having regard to their conservation objectives.
186281	construction of a single storey extension at the rear of the existing building for use in primary healthcare provision, change of use of the existing building for use in primary healthcare provision, alterations to layout at ground floor level of the existing building, demolition of existing blockwork shed attached to the rear eastern side of the existing building, widen the existing vehicular entrance onto the public road, provision of carparking spaces to the rear of the building and all ancillary site services. This building and its environs is a protected structure.	It is considered that the proposal would not give rise to likely significant effects on any nearby Natura 2000 sites, due to location and the fact that the proposal is serviced via existing public watermains and sewerage system.
186318	private dwelling house, property effluent treatment system and percolation area, domestic garage, entrance onto public road and all ancillary site services.	An appropriate assessment was carried out. The report found that the proposed development is unlikely to have significant effects on any Natura 2000 sites.

Planning Ref.	Description of development	Comments
196076	extension to accommodate an after-school room and associated toilets to the western side of the existing crèche building, extension to the southern side of the existing crèche building to accommodate a sleep room, 2 no. playrooms and associated toilets, retention permission for the existing 32 sqm shelter covering the play area immediately to the rear of the existing building and all ancillary site services	A screening exercise has been carried out in relation to this development and it has deemed that the development is unlikely to have significant effects on the Natura 2000 network.
196082	demolition of existing domestic garage & store, construction of a single storey rear extension to existing dwelling incorporating kitchen & living area, utility, bathroom & plant room, make internal alterations & modifications to existing dwelling, construction of a replacement domestic garage & store and all associated site development works	A screening exercise has been carried out in relation to this development and it has deemed that the development is unlikely to have significant effects on the Natura 2000 network.
196116	private dwelling house, proprietary effluent treatment system and percolation area, domestic garage, entrance onto public road and all ancillary site services	It is considered that the proposal would not give rise to likely significant effects on any nearby Natura 2000 sites, due to location and scale.
196117	partial material change of use to extend the existing dwelling house into the existing garage area, demolition works to the existing building, construction of an extension to the rear of the existing dwelling and modifications to the existing elevations	It is considered that the proposed development would not give rise to significant adverse direct, indirect or secondary impacts on the integrity of any nearby Natura 2000 sites having regard to their conservation objectives.
196123	alterations to existing church including the provision of a ramped access to the front door. St Michael's Church is a Protected Structure (Ref 007-027)	It is considered that the proposal would not give rise to likely significant effects on any nearby Natura 2000 sites, due to location and the fact that the proposal is serviced via existing public watermains and sewerage system.
196224	Construction of 4 No. 3 bed two storey semi-detached dwellings and 6 No. 3 bed two storey townhouse dwellings, all associated carparking, access roadways and connection onto public road, connections to the existing public drainage infrastructure, all private and public open spaces and all ancillary site services.	It is considered that the proposed development would not give rise to significant adverse direct, indirect or secondary impacts on the integrity of any nearby Natura 2000 sites having regard to their conservation objectives.
196251	a storey and a half type dwelling, detached domestic garage and store, install a proprietary wastewater treatment system and all associated site development works	It is considered that the proposed development would not give rise to significant adverse direct, indirect or secondary impacts on the integrity of any nearby Natura 2000 sites having regard to their conservation objectives.
196277	a private dwelling house, proprietary effluent treatment system and percolation area, domestic garage, entrance onto public road and all ancillary site services	It is considered that the proposed development would not give rise to significant adverse direct, indirect or secondary impacts on the integrity of any nearby Natura 2000 sites having regard to their conservation objectives.
206246	open an off-licence sales facility in their premises	It is considered that the proposed development would not give rise to significant adverse direct, indirect or secondary impacts on the integrity of any nearby Natura 2000 sites having regard to their conservation objectives.
206301	Permission for a private dwelling house, connection to public foul drainage infrastructure, entrance onto public road, domestic garage and all ancillary site services	It is considered that the proposed development would not give rise to significant adverse direct, indirect or secondary impacts on the integrity of any nearby Natura 2000 sites having regard to their conservation objectives.
206339	permission for as-constructed 85.5 sqm attic floor space, 14.4 sqm conservatory and a 43 sqm domestic garage, retention permission is also sought for alterations to the front, rear and side elevations, roof type and height of existing dwelling	It is considered that the proposed development would not give rise to significant adverse direct, indirect or secondary impacts on the integrity of any nearby Natura 2000 sites having regard to their conservation objectives.

There are no predicted in-combination effects, given that the reasons discussed in the 'Comments' column of Table 4 above and given that the Proposed Development is unlikely to have any adverse effects on the Lough Derravaragh SPA.

The Westmeath County Development Plan, in complying with the requirements of the Habitats Directive, requires that all Projects and Plans that could affect the Natura 2000 sites in the same zone of impact of the Proposed Development site would be initially screened for Appropriate Assessment, and if requiring Stage 2 AA, that appropriate employable mitigation measures would be put in place to avoid, reduce or ameliorate negative impacts. In this way any, in-combination impacts with Plans or Projects for the proposed development area and surrounding townlands in which the proposed development site is located, would be avoided.

The listed developments have been granted permission in most cases with conditions relating to sustainable development by the consenting authority in compliance with the relevant Local Authority Development Plan and in compliance with the Local Authority requirement for regard to the Habitats Directive. The development cannot have received planning permission without having met the consenting authority requirement in this regard. There are no predicted in-combination effects given that it is predicted that the Proposed Development will have no effect on any European site.

Any new applications for the Proposed Development area will be assessed on a case by case basis *initially* by Westmeath County Council, which will determine the requirement for AA Screening as per the requirements of Article 6(3) of the Habitats Directive.

Westmeath County Council Planning Authority - Inspection Purposes Only

8.6 CONCLUSIONS

A worst-case scenario may be considered whereby the proposed development would be the source of a significant detrimental change in water quality in Lough Derravaragh, either alone or in combination with other projects or plans, as a result of indirect pollution from contaminated discharge water (surface water and/or groundwater). The effect would have to be considered in terms of changes in water quality that would affect the species and/or habitats or food sources for which the Lough Derravarragh SPA is designated.

The potential for significant adverse effects on the Lough Derravarragh SPA (004043) is uncertain in the absence of control on potential pollution of discharge water during operation.

The proposed development will require a Water Management Plan to avoid potential impacts on the receiving environment of the Yellow River and Lough Derravaragh downstream.

In the absence of mitigation measures for the control of surface water discharge, it cannot be excluded, on the basis of objective information, that the proposed development, individually or in combination with other plans or projects, will have a significant effect on a European site and as such Stage 2 AA is required.

8.7 REFERENCES

- DoEHLG (2010). *Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities*. Department of the Environment, Heritage and Local Government (DoEHLG), Dublin, Ireland.
- European Commission (2000). *Managing Natura 2000 Sites: The Provisions of Article 6 of the 'Habitats' Directive 92/43/EEC*. European Commission, Office for Official Publications of the European Communities, Luxembourg.
- European Commission (2002). *Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*. European Commission, Office for Official Publications of the European Communities, Luxembourg.
- European Commission (2007). *Guidance document on Article 6(4) of the 'Habitats Directive' 92/43/EEC: Clarification of the Concepts of: Alternative Solutions, Imperative Reasons of Overriding Public Interests, Compensatory Measures, Overall Coherence and Opinion of the Commission*. European Commission, Office for Official Publications of the European Communities, Luxembourg.
- European Commission (2018). *Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC*. European Commission, Brussels, Belgium.
- European Commission (2021). *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 28.9.21.
- European Commission (2021). *Guidance document on the strict protection of animal species of Community interest under the Habitats Directive*, Brussels 12.10.21.
- NPWS (2019). *The Status of EU Protected Habitats and Species in Ireland*. National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht, Dublin, Ireland.
- NPWS (2021). *National Parks and Wildlife Service Metadata*. Available online at <https://www.npws.ie/maps-and-data>.
- OPR (2021). *Appropriate Assessment Screening for Development Management*, OPR Practice Note PN01, Office-of-the-Planning-Regulator, Dublin, Ireland.