

Proposed Large Scale Residential
Development at Rathgowan, Mullingar,
Co. Westmeath
Applicant: Marina Quarter Ltd.

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Volume II

Main Statement

CHAPTER 1

Introduction



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1 Introduction

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1.1 Introduction

This Environmental Impact Assessment Report (EIAR) sets out the results of the environmental assessments which have been completed for the proposed development to inform the planning consent process.

The assessment has been completed as a statutory environmental assessment. The environmental impact assessment process has been completed in line with Directive 2014/52/EU, based on the guidance presented in the Guidelines on the Information to be Contained in the Environmental Impact Assessment Reports (EPA, 2022).

EIA is a process for anticipating the effects on the environment caused by a development. The document produced as a result is termed the EIAR. Article 1(2)(g) of the 2014 Directive (2014/52/EU) states that:

“Environmental Impact Assessment means a process of consisting of:

- (i) The preparation of an environmental impact assessment report by the development, as referred to in Article 5(1) and (2).*
- (ii) The carrying out of consultations as referred to in Article 6 and, where relevant, Article 7.*
- (iii) The examination by the competent authority of the information present in the environmental impact assessment report and any supplementary information provided, where necessary, by the developer in accordance with Article 5(3), and any relevant information received through the consultations under Articles 6 and 7.*
- (iv) The reasoned conclusion by the competent authority on the significant effects of the project on the environment, taking into account the results of the examination referred to in point (iii) and, where appropriate, its own supplementary examination; and*
- (v) The integration of the competent authority’s reasoned conclusion into any of the decision referred to in Article 8a.”*

The EIAR is a presentation of the potential environmental impacts of the proposed development with a focus on significant impacts.

Chapter 1 introduces the project and describes the scope and methodology of the EIA process. The consultation process which was undertaken is outlined and the details of the environmental assessment team are also provided.

1.1.1 The Applicant

The applicant is Marina Quarter Ltd. which is a subsidiary of Glenveagh Homes.

Glenveagh are a leading Irish home builder founded in 2017, whose vision is to build homes and create sustainable communities through exemplary design. Their focus on people, homes, and communities has created successful developments nationally by understanding that well planned, well designed, and well built homes is the essence of thriving communities.

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1.2 Expertise & Qualifications

This chapter of the EIAR has been prepared by Saoirse Kavanagh, Executive Planning Consultant of McCutcheon Halley Planning Consultancy. Saoirse holds a bachelor's degree in Arts (International), majoring in Geography, and a Master's in Planning and Sustainable Development. She has over 4 years' experience working with multi-disciplinary teams and has provided input into a variety of projects. In particular, she has co-ordinated the preparation of the following three Environmental Impact Assessment Reports (EIARs) including the completion of the Introduction, Alternatives, and Population and Human Health chapters.

- Cooldown Commons Strategic Housing Development, Citywest, Dublin.
- Parkside 5B Strategic Housing Development, Belmayne, Dublin.
- Clonattin Strategic Housing Development, Gorey, Co. Wexford.

1.3 Proposed Development

A detailed description of the proposed development is provided in Chapter 2. To summarise, the applicant seeks permission for the construction of 181 no. residential units at Rathgowan, Mullingar, Co. Westmeath. The development will comprise Phases 1 and 2 for a three-phase residential development and will replace the separate Phase 1 and Phase 2 applications (Westmeath County Council References: 21/97 and 21/139) which were granted by the Council and appealed to An Bord Pleanála (ABP References: 312841 and 313091).

Phase 3 was granted under the LRD process, under Westmeath County Council Reference: 22/515, and will provide 213 no. residential units and a creche. An EIAR was prepared for the Phase 3 development and submitted with the application. This permitted development is currently under construction on site.

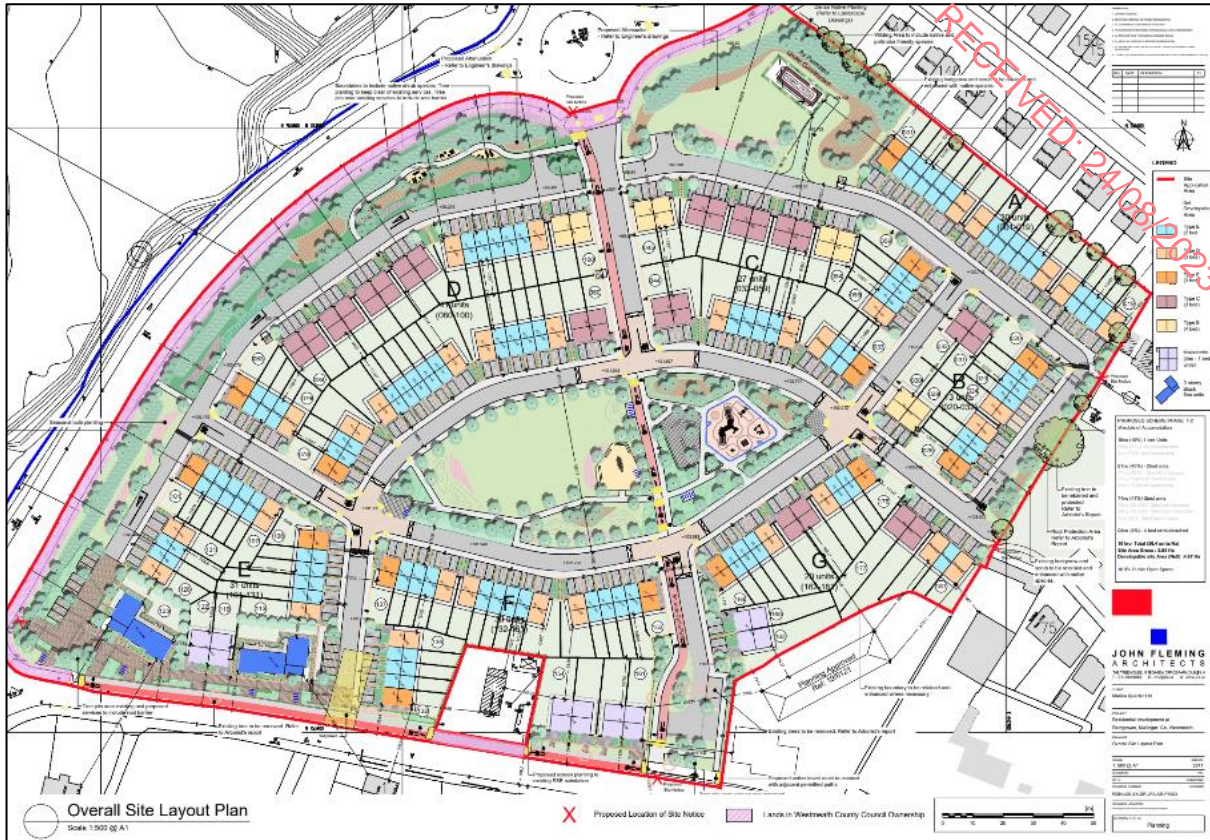


Figure 1.1 Proposed Site Layout

1.4 Methodology

This chapter has been prepared pursuant to Schedule 6 of the Planning and Development Regulations 2001 (as amended). Section 2 of the Schedule 6 sets out the additional information relevant to the specific characteristics of the project required, which includes a description of the likely significant effects on the environment of the proposed development.

The proposed project forms part of a larger development area which is proposed to develop on a phased basis. The subject application seeks permission for development of 181 no. residential units and all ancillary development site works which will comprise of Phase 1 and 2 of a residential development on a site area of c. 5.95ha and c. 13.58ha when all 3 Phases are considered.

A previous application for Phase 3 (Westmeath Planning Reference: 22/515) was submitted to and approved by Westmeath County Council for residential development within the larger site (refer to Chapter 2 for details). The cumulative impacts of the proposed project (Phases 1 and 2) in combination with the permitted Phase 3 will therefore be considered in this EIAR.

1.4.1 Relevant Legislation & Guidelines

This chapter has been prepared having regard to the following guidelines:

- Guidelines on the Information to be Contained in Environmental Impact Assessment Reports (Environmental Protection Agency (EPA), May 2022).

- Advice Notes on Current Practice in the Preparation of Environmental Impact Statements (EPA, 2003).
- EU Environmental Impact Assessment of Projects: Guidance on the Preparation of Environmental Impact Assessment Report (EU, 2017).
- EU Environmental Impact Assessment of Projects: Guidance on Scoping (EU, 2017).
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (OPR, 2018).

1.4.2 Background and Purpose of the EIAR

The proposed development falls within the class of development types requiring an EIA under Schedule 5 of the Planning and Development Regulations 2001 (as amended). The proposed development is subject to Part 2 of this Schedule (Section 10) which deals with infrastructure projects where EIA is required for:

10. b (iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectare in the case of other parts of a built up area and 20 hectares elsewhere

(in this paragraph “business district” means a district within a city or town in which the predominant land use is retail or commercial).

The proposed project comprises the construction of 181 no. residential units, on a gross site area of c. 5.95ha. Given the size and scale of the project, it does not in itself trigger the needs for an Environmental Impact Assessment and it is noted that an Environmental Impact Assessment was completed for the adjacent Phase 3 application.

However, in this case it is considered that an EIAR is required with regard to the potential cumulative impacts of the development when considered in combination with the other phase. The entire masterplan area (394 no. residential units, 3 phases in total) encompasses an area of c. 13.58ha, which exceeds the threshold for site area set out above (i.e. urban development which would involve an area greater than 10 hectares in a built up area). The Supreme Court decision in the case of Fitzpatrick v ABP (2017) IEHC 585 (known as the “Apple Data Centre case”) was taken into account when determining that an EIA was required.

In cases where a project is mentioned in Part 2 but is classed as “sub-threshold development”, planning authorities are required under Article 103 of the 2001 Regulations to request an EIAR where it is considered that the proposed development is likely to have significant environmental effects.

The criteria for assessing whether a development would or would not be likely to have significant effects on the environment are outlined in Schedule 7 of the 2001 Regulations and require the submission of information on the following:

- Characteristics of the proposed development
- Location of the proposed development, in terms of environmental sensitivity of geographical areas likely to be affected by the proposed development and

- Characteristics of the proposed impacts, in terms of the potential significant effects of the proposed development.

The Department of Housing, Local Government and Heritage issued Guidance for Consent Authorities regarding sub-threshold development (2020). In considering the characteristics of a proposed development, paragraphs 5.8 and 5.9 state that:

“One of the aims of the sub-threshold provisions contained in Irish EIA legislation is to address the issue of cumulations with other projects...Development of a large site e.g., redevelopment of an extensive brownfield site or housing development on a greenfield site, may be carried out on a phased basis, whether by one or a number of developers. The combination of individual projects may, over a period of years, have significant effects on the environment. While individual projects may not exceed mandatory EIA thresholds, the cumulative effect may be such that EIA would be appropriate in the case of some or all of the individual projects.”

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1.4.3 Information Required in an EIAR

The information provided in this EIAR is based on the relevant guidelines from the EPA, the OPR, and the EU. Further guidelines have been taken into account in each EIAR chapter, as relevant.

1.4.4 Description of Impacts

The significance of the effects of the development at Rathgowan have been assessed according to the EIAR guidance and with the professional judgement of the competent experts who assisted in preparing this EIAR (the study team are presented in Table 1.3 of this EIAR). In this EIAR the terms “effects” and “impacts” are used interchangeably, unless stated otherwise.

Significance of effects is usually understood to mean the importance of the outcome of the effects (the consequences of the changes). Significance is determined by a combination of (objective) scientific and subjective (social) concerns. The significance of effects for each discipline is described using the terms provided in the 2022 EPA Guidelines documents (Table 1.1 below).

Table 1.1 Description of Effects

<p>Quality of Effects</p> <p>It is important to inform the non-specialist reader whether an effect is positive, negative or neutral.</p>	<p>Positive Effect</p> <p>A change which improved the quality of the environment (for example, by increasing species diversity, of the improving reproductive capacity of an ecosystem, or by removing nuisances or improving amenities).</p>
	<p>Neutral Effect</p> <p>No effects or effects that are imperceptible, within normal bounds of variation or within the margin of forecasting error.</p>
	<p>Negative/Adverse Effects</p> <p>A change which reduces the quality of the environmental (for example, lessening species diversity or diminishing the reproductive capacity of an ecosystem, or damaging health or property or by causing nuisance).</p>

<p>Describing the Significance of Effects</p> <p>“Significance” is a concept that can have different meanings for different topics – in the absence of specific definitions for different topics the following definitions may be useful (also see Determining Significance below).</p>	<p>Imperceptible</p> <p>An effect capable of measurement but without significant consequences.</p>
	<p>Not significant</p> <p>An effect which causes noticeable changes in the character of the environment but without significant consequences.</p>
	<p>Slight effects</p> <p>An effect which caused noticeable changes in the character of the environment without affecting its sensitivities.</p>
	<p>Moderate effects</p> <p>An effect that alters the character of the environment in a manner that is consistent with existing and emerging baseline trends.</p>
	<p>Significant effects</p> <p>An effect which, by its character, magnitude, duration or intensity alters a sensitive aspect of the environment.</p>
	<p>Very significant</p> <p>An effect which, by its character, magnitude, duration or intensity alters most of a sensitive aspect of the environment.</p>
	<p>Profound effects</p> <p>An effect which obliterates sensitive characteristics.</p>
<p>Describing the Extent and Context of Effects</p> <p>Context can affect the perception of significance. It is importance to establish if the effect is unique of, perhaps, commonly or increasingly experienced.</p>	<p>Extent</p> <p>Describe the size of the area, the number of sites, and the proportion of a population affected by an effect.</p>
	<p>Context</p> <p>Describe whether the extent, duration, or frequency will conform or contrast with established(baseline) conditions (is it the biggest, longest effect ever?).</p>
<p>Describing the Probability of Effects</p> <p>Descriptions of effects should establish how likely it is that the predicted effects will occur – so that the CA can take a view of the balance of risk over advantage when making a decision.</p>	<p>Likely Effects</p> <p>The effects that can reasonably be expected to occur because of the planned project if all mitigation measures are properly implemented.</p>
	<p>Unlikely effects</p> <p>The effects that can reasonably be expected not to occur because of the planned project if all mitigation measures are properly implemented.</p>

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<p>Describing the Duration and Frequency of Effects</p> <p>'Duration' is a concept that can have different meanings for different topics – in the absence of specific definitions for different topics the following definitions may be useful.</p>	<p>Momentary Effects</p> <p>Effects lasting from seconds to minutes</p>
	<p>Brief effects</p> <p>Effects lasting less than a day</p>
	<p>Temporary effects</p> <p>Effects lasting less than a year</p>
	<p>Short term effects</p> <p>Effects lasting one to seven years</p>
	<p>Medium term effects</p> <p>Effects lasting seven to fifteen years</p>
	<p>Long term effects</p> <p>Effects lasting fifteen to sixty years</p>
	<p>Permeant effects</p> <p>Effects lasting over sixty years</p>
	<p>Reversible effects</p> <p>Effects that can be undone, for example through remediation or restoration.</p>
	<p>Frequency of effects</p> <p>Describe how often the effect will occur (once, rarely, occasionally, frequently, constantly – or hourly, daily, weekly, months, annually).</p>

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1.4.5 Study Area

In general, the study area comprises the entire masterplan area (Phases 1, 2 & 3). However, the study areas are defined individually for each environmental topic, according to guidance and the geographic scope of the potential impacts and/or the information required to assess those impacts. Details are provided by each discipline as part of the description of baseline conditions of the site.

1.4.6 Scope of Cumulative Effects

Directive 2014/52/EU substituted a new Annex IV into the Directive 2011/92/EU. Annex IV of the EIA Directive is to be read in conjunction with Article 5(1) and sets out the information to be included in an EIAR. Annex IV was transposed into national law via Article 97 of the European Union (Planning and Development) (Environment Impact Assessment) Regulations 2018 (under the “2018 Regulations”) which substituted a new Schedule 6 into the Planning and Development Regulations 2000, as amended. The Directive required that the EIAR described the cumulation of effects with other existing and/or approved projects. Cumulative effects may arise from

“The interaction between the various impacts within a single project; - The interaction between all of the differing existing and / or approved projects in the same areas as the proposed project.”

In August 2018, the Department of Housing, Planning and Local Government issued Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment. The Guidelines summarise cumulative effects in the following way on page 40:

“Effects are not to be considered in isolation but cumulatively i.e. when they are added to other effects. A single effect on its own may not be significant in terms of impact on the environment but, when considered together with other effects, may have a significant impact on the environment. Also, a single effect which may, on its own, have a significant effect, may have a reduced and insignificant impact when combined with other effect.”

Paragraph 2(i)(V) of Schedule 6 (paragraph 5(e) of Annex IV) provides as follows:

“The cumulative of effects with other existing or approved development, or both, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources.”

The proposed development forms part of a larger development area which is proposed to develop on a phased basis. To date, a separate phase 3 application has been submitted and granted by Westmeath County Council. The potential cumulative impacts of the proposed project (phases 1 and 2) in combination with the permitted phase 3 application (Westmeath County Council Reference: 22/515) will be considered in this EIAR.

In addition, the following projects have also been taken into account, where relevant, when determining potential cumulative impacts:

Table 1.2 Projects Considered for Cumulative Impacts

Proposal/Application	Link to Documents
Part 8 Housing Scheme – 22 no. units at St. Brigid’s Green, Mullingar, Co. Westmeath.	The construction of 22 no. Dwelling Units Adjacent to Ashfield/Abbeylands/Green Road and St Bridget’s Terrace, Mullingar, County Westmeath. Westmeath County Council (westmeathcoco.ie)
Part 8 Housing Scheme – 17 no. units at the junction of Delvin & Robinstown Road, Springfield TD, Mullingar, County Westmeath	The construction of 17 no. dwelling units on a site at the junction of Delvin & Robinstown Road, Springfield TD, Mullingar, County Westmeath Westmeath County Council (westmeathcoco.ie)
Part 8 Housing Scheme – 15 no. units on four sites at Ennell Court and Trinity Cottages, Mullingar, County Westmeath	To construct 15 no. single storey houses on four separate sites at Ennell Court and Trinity Cottages, Mullingar, County Westmeath. Westmeath County Council (westmeathcoco.ie)
Part 8 Housing Scheme – 32 no. units at Friar’s Mill Road/Canal Avenue, Mullingar, Co. Westmeath	Proposed Housing Development of 32 no. dwelling units consisting of 19 no. 2-bed units and 13 no. 1-bed units at Friar’s Mill Road/ Canal Avenue, Mullingar, County Westmeath Westmeath County Council (westmeathcoco.ie)

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1.5 Report Structure

The EIAR has been prepared according to the ‘Grouped Format Structure’. This means that each topic is considered as a separate section and is drafted by the relevant specialists.

The EIAR is divided into three volumes as follows:

- Volume 1: Non-Technical Summary
- Volume 2: Main Environmental Impact Assessment Report
- Volume 3: Appendices

Volume 1, the Non-Technical Summary (NTS), provides an overview of the project and the EIAR in non-technical terms. The summary is presented similar to the grouped format structure and discusses each environmental topic separately.

Volume 2, the main EIAR, provides the detailed information on the proposed development and the relevant environmental topics, with technical and detailed investigations of the topic areas as appropriate. This volume is prepared in the grouped format structure as it allows specialist studies to be completed for environmental topics in chapters.

Volume 3, the Appendices, contains supporting documentation and information on the EIAR.

1.6 EIAR Team

McCutcheon Halley Planning Consultants (MH Planning) are the planning consultants and project coordinators of the EIAR. The EIAR structure and consultant responsible for each of the chapters are presented in Table 1.3.

Table 1.3 EIAR Structure

Chapter	Chapter Title	Consultant
1.	Introduction	MH Planning
2.	Site Location & Project Description	MH Planning
3.	Alternatives Considered	John Fleming Architects
4.	Population & Human Health	MH Planning
5.	Land, Soils & Geology	Enviroguide Consulting
6.	Hydrology & Hydrogeology	Enviroguide Consulting
7.	Air Quality	AWN Consulting
8.	Climate	AWN Consulting
9.	Noise & Vibration	AWN Consulting
10.	Landscape & Visual Impact	Forestbird Design
11.	Material Assets – Waste	AWN Consulting
12.	Biodiversity	Enviroguide Consulting
13.	Material Assets – Traffic & Transport	Tobin Consulting Engineers

Chapter	Chapter Title	Consultant
14.	Material Assets – Site Infrastructure & Utilities	Tobin Consulting Engineers
15.	Cultural Heritage & Archaeology	John Cronin & Associates
16.	Significant Interactions of Impacts	MH Planning
17.	Summary of Mitigation Measures & Monitoring	MH Planning
18.	Screening for Major Accidents	MH Planning

The details of each consultancy within the EIAR team are provided in the table below. The qualifications of consultants responsible for each discipline is provided in the introduction to each chapter.

Table 1.4 Details of Each Consultancy

Consultancy	Address	Phone	Email
MH Planning	6 Joyce Square, Barrack House, Ballincollig, Cork.	021-4208710	info@mhplanning.ie
John Fleming Architects	The Tree House, 17 Richview Office Park, Clonskeagh, Dublin, D14 XR82.	01 6689888	info@ifa.ie
Tobin Consulting Engineers	Fairgreen House, Fairgreen Road, Galway.	094-565211	galway@tobin.ie
Enviroguide Consulting	Head Office, 3D, Core C, Block 71, The Plaza, Park West, Dublin 12.	01-5657430	info@enviroguide.ie
AWN Consulting	The Tecpro Building, Clonshaugh Business and Technology Park, Dublin 17	01-8474220	Ciara.nolan@awnconsulting.ie
John Cronin & Associates	3a, West Point Trade Centre, Ballincollig, Cork.	021-4810311	info@johncronin.ie
Forestbird Design	Cloyne Meadows, Commons West, Cloyne, Co. Cork.	085-7410232	mike@forestbirddesign.com

1.7 Scoping and Public Consultation

The EIAR was scoped following an appraisal of the 2022 EPA Guidelines on Information to be Contained within the EIAR, through design team meetings with the specialist consultants and the pre-planning meetings held with Westmeath County Council and decisions issued on previous applications on the subject site and the adjacent Phase 3 site.

Prior to lodging this application, the required information has been issued to the Department of Housing, Planning and Local Government's EIA Portal. The purpose of this tool is to inform the public in a timely manner, of applications that are accompanied by an EIAR.

The following prescribed bodies have been consulted in relation to the general scope of the EIAR.

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- Department of Housing, Local Government, and Heritage
- Department of Tourism, Culture, Arts, Gaeltacht, Sport & Media
- Department of Education
- Geological Survey Ireland (Department of the Environment, Climate and Communications)
- The Heritage Council
- Office of Public Works (OPW)
- Transport Infrastructure Ireland (TII)
- The National Transport Authority (NTA)
- The Health and Safety Authority (HSA)
- The Health Service Executive (HSE)
- Inland Fisheries Ireland
- Bat Conservation Ireland
- Uisce Éireann
- An Taisce
- Bord Gais
- ESB
- Environmental Protection Agency
- Fáilte Ireland

Responses received are presented in Appendix 1.1

1.8 References

Guidelines on the Information to be Contained in Environmental Impact Statements (Environmental Protection Agency (EPA), May 2022); https://www.epa.ie/publications/monitoring--assessment/assessment/EIAR_Guidelines_2022_Web.pdf

Advice Notes on Current Practice in the Preparation of Environmental Impact Statements (EPA, 2003). <https://www.epa.ie/publications/monitoring--assessment/assessment/advice-notes-on-current-practice-in-the-preparation-of-environmental-impact-stat.php>

EU Environmental Impact Assessment of Projects: Guidance on the preparation of the Environmental Impact Assessment Report (EU, 2017). https://ec.europa.eu/environment/eia/pdf/EIA_guidance_EIA_report_final.pdf

EU Environmental Impact Assessment of Projects: guidance on Scoping (EU, 2017). https://ec.europa.eu/environment/eia/pdf/EIA_guidance_Scoping_final.pdf

Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (OPR, 2018). <https://www.opr.ie/wp-content/uploads/2019/08/2018-Environmental-Impact-Assessment-1.pdf>