

# Appropriate Assessment – Stage 1: Screening Report

# **Substitute Consent Application**

at

# Murrens Quarry, Oldcastle, Co. Meath

# On behalf of

# J.J. Flood & Sons Manufacturing Limited





# Form ES - 04



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# Appropriate Assessment – Stage 1: Screening Report Substitute Consent Application J.J. Flood & Sons Manufacturing Limited Murrens Quarry

# <u>Contents</u>

1	INT	RODUCTION	1
	1.1	Background	2
	1.1.1	Planning History	3
	1.1.2	Relevant Planning Applications History	3
	1.2	Statement of Authority	4
	1.3	Regulatory Context	4
	1.4	Stages of Appropriate Assessment	5
2	SC	REENING FOR APPROPRIATE ASSESSMENT	6
	2.1	Methodology	6
	2.1.1	Determining Zone of Influence	6
	2.1.2	Source-Pathway-Receptor Model	7
	2.1.3	Desk Based Studies	7
	2.1.4	Field Survey	8
3	DE	SCRIPTION OF THE DEVELOPMENT10	D
	3.1	Site Context and Description10	0
	3.2	Watercourses within the Vicinity of the Site	0
	3.2.1	Drainage Ditches12	2
	3.3	Development Description12	2
	3.3.1	Water Supply13	3
	3.3.2	Settlement Ponds1	3
4	IDE	ENTIFICATION OF EUROPEAN SITES14	4
	4.1	Identification of European Sites within Zol1	5
	4.1.1	Habitat Loss / Degradation1	5
	4.1.2	Water Quality Impairment22	2
	4.1.3	Air Quality Impairment2	2

	4.1.4	Noise / Disturbance	. 23
	4.1.5	Invasive Species	. 23
	4.2	Zol Conclusion	. 24
	4.3	Conservation Objectives	. 24
5	SC	REENING AND ASSESSMENT OF POTENTIAL IMPACTS .	.25
	5.1	Analysis of 'In-Combination' Effects	. 25
6	SC	REENING CONCLUSIONS AND STATEMENT	.27
7	RE	FERENCES	.28

# **FIGURES**

Figure 1-1: Site Location	2
Figure 2-1: WeBS Subsites	8
Figure 3-1: Site Boundaries	. 10
Figure 3-2: Watercourses in the Vicinity of the Site	. 11
Figure 3-3: Drainage Districts in Close Proximity to the Site	. 12
Figure 4-1: European sites within 15km of the Site	. 14
Figure 4-2: Habitats present within the Site from 1995 Aerial Imagery	. 17
Figure 4-3: Historical Aerial Imagery of the from 1995-2022	. 18
Figure 4-4: Habitat Map	. 21

# TABLES

Table 1-1: Relevant Planning Application History	3
Table 2-1: I-WeBS Subsites	8
Table 4-1: European Designated Sites within 15km of the Site	15

# 1 INTRODUCTION

Malone O'Regan Environmental ('MOR Environmental') was commissioned by Patrick McCaffrey & Sons Ltd ('the Applicant') to undertake an Appropriate Assessment ('AA') for development at Murrens Quarry, Oldcastle, Co. Meath ('the Site') (ITM OS Reference 652523 774771).

The Applicant operates a quarry comprising gravel and soft rock reserves, known as Murrens Quarry, south of Oldcastle in County Meath. The quarry is recognised as having pre-1963 origins. MOR Environmental have been commissioned to prepare the necessary environmental assessments and project management for the submission of this application to seek retrospective consent for the historic activities at the Site in relation to Environmental Impact Assessment ('EIA') and Appropriate Assessment ('AA').

In 2012, in accordance with its obligation under Section 261A of the amended legislation, Meath County Council conducted a review of registered quarry QY35 and directed the quarry to apply for Substitute Consent following a decision in respect of this development made under Section 261A(3)(a) of the Planning and Development Act 2000, as amended. This determination was appealed to the Bord, who, in 2013, upheld the Council's decision (ABP Ref. QV17.0015).

In respect of the need for AA, ABP specifically noted in their Determination:

'(c) the potential cumulative impact on these European sites of quarrying operations at this site and an adjoining location (planning authority register reference number QY24), and,

(d) the uncertainty regarding the hydrological linkages between this quarry and the European sites.'

Within the Bord Inspector's report, it was also noted that the effects of noise, dust, and disturbance were improbable given the distance between the two Natura 2000 sites and the Site. The AA screening has taken into account the determination from ABP and the inspector's report. A detailed assessment of potential impacts is presented.

Substitute Consent is being sought under Section 177E of the Planning and Development Act, 2000, as amended to regularise a 39-hectare ('ha') area of land within the Applicant's landholding which has been subject to rock extraction and processing ('the Development'). The Site is required to be brought into compliance with EU legislation, including the EIA Directive in relation to historic development; in Irish law, this is done through the provisions of the Substitute Consent process. The Substitute Consent process allows developers to apply to An Bord Pleanála ('ABP') seeking permission to bring into compliance developments that are deemed to have required EIA or Appropriate Assessment ('AA') for their development but which was not done due to exceptional circumstances. This AA has been prepared to support the application for substitute consent to An Bord Pleanála. The application does not include provisions for future development.

The Site is located on a site that is circa ('ca.') 39ha in size and is located within the townland of Murrens, Oldcastle, Co. Meath, ca. 5.5km south of the town of Oldcastle and ca. 7.3km north of the town centre of Castlepollard to the south and is shown in Figure 1-1 ('the Site'). This assessment relates to the land used for excavations and processing of aggregate, along with adjoining lands integral to the operations within the Site.

This AA has been prepared in support of the Substitute Consent to assess likely significant effects, if any, on nearby sites with European conservation designations (i.e., Natura 2000 sites) from the Development, which was carried out without the required AA.

The purpose of this assessment was to determine the appropriateness, or otherwise, of the Development in the context of the conservation objectives of European sites through the research and interpretation of the best scientific, geographic and engineering knowledge. This report seeks to determine whether the Development has or is, on its own or in combination with other plans / projects, having a significant effect on the integrity of European sites within a defined zone of influence of the Site. This AA has been prepared without considering measures intended to avoid or reduce an impact on a European site.





## 1.1 Background

In 2005, the quarry was registered under Section 261 of the Planning and Development Act ('PDA') 2000, and Meath County Council ('MCC') imposed conditions to its future operations pursuant to Section 261(6) of the PDA 2000.

In 2012, in accordance with its obligation under Section 261A of the amended legislation, MCC conducted a review and directed the quarry to apply for substitute consent. The Applicant maintained that this direction was invalid for a number of reasons, the most fundamental of which was the Applicant's claim that a quarry which stays within its pre-1964 user is not subject to the Directives because it does not require development consent; this being, it maintained, a condition of the non-applicability of the Directives.

An Bord Pleanála ('ABP') upheld MCC's decision. The Applicant maintained that ABP's decision was also invalid. They also maintained that Section 261A of the PDA 2000 was unconstitutional in failing to provide for adequate procedures in a process which, they said, wrongly and unfairly removed rights which were "vested" in it pre-1964.

The Applicant sought the following reliefs:

- An order of certiorari quashing the decision of ABP, dated 27<sup>th</sup> June 2013, wherein ABP purported to make a determination pursuant to Section 261A, confirming the earlier determination of MCC on 20<sup>th</sup> July 2012;
- An order of certiorari quashing the decision of MCC made pursuant to Section 261A on 20<sup>th</sup> July 2012; and,
- A declaration that Section 261A is unconstitutional.

In summary, the applicant fundamentally disagreed with the findings of ABP and sought to judicially review the decision primarily on the basis that the decision failed to vindicate the established and constitutionally protected property rights.

On 20<sup>th</sup> April 2020, the judgement of Ms. Justice Ní Raifeartaigh rejected the submission that a quarry that commenced operations prior to 1964, even one which stays within its pre-1964 user, is automatically by virtue of that user rendered immune from the Directives. She rejected the submission that MCC was not entitled to issue a direction to the Applicant to apply for substitute consent in circumstances where it had previously imposed conditions which envisaged further quarrying for 20 years following the quarry's registration under Section 261. She also found that the legislation was not unconstitutional for the reasons put forward by the Applicant.

Following the judgement, MOR Environmental was contracted in Q4 2024 to prepare a remedial Environmental Impact Assessment ('rEIAR') and AA to support a substitute consent planning application for the Site<sup>1</sup>.

This rEIAR is structured as follows:

- Volume 1 Non-Technical Summary ('NTS');
- Volume 2 Main Report (this document); and,
- Volume 3 Appendices with supporting technical reports, drawings and historical documents.

## 1.1.1 Planning History

The Site has a substantial history of quarry activities, with accepted pre-1963 origins. It is important to note that this rEIAR has been limited by the availability, completeness and accessibility of publicly available data from the period of time applicable to the Development subject to the substitute consent.

## 1.1.2 Relevant Planning Applications History

Previous relevant planning application cases for the Site are listed in Table 1-1 below.

Planning Reference Applicant		Development	Decision	Grant Year
971223	J.J. Flood	New entrance	Granted (Conditional)	1997
98967	J.J. Flood & Sons Ltd.	To construct an MV E.S.B. sub- station in existing quarry	Granted (Conditional)	1999

Table 1-1: Relevant Planning Application History

<sup>&</sup>lt;sup>1</sup> Sourced from V|Lex on 28/01/2025 at website: <u>https://ie.vlex.com/vid/flood-sons-manufacturing-ltd-844293465</u>

## **1.2 Statement of Authority**

This report was reviewed and approved by Mr. Dyfrig Hubble, Associate Director - Ecologist. Dyfrig is a full member of the Chartered Institute of Ecology and Environmental Management (CIEEM"). Dyfrig has over 18 years' experience working in the ecological consultancy sector, including habitat surveys and appraisals and specialist protected species surveys in support of Appropriate Assessments.

#### **1.3 Regulatory Context**

The following guidance documents were adhered to for the preparation of this AA report:

- Office of Public Relations ('OPR') Practice Note PN01, Appropriate Assessment for Screening for Development Management, The Office of the Planning Regulator [1];
- 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 [2];
- *Guidelines for Ecological Impact Assessment in the UK and Ireland*, Chartered Institute of Ecology and Environmental Management [3];
- Managing Natura 2000 Sites: The Provision of Article 6 of the Habitats Directive 92/43/EEC, European Commission [4];
- Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities, DoEGLH [5]; and,
- Appropriate Assessment under Article 6 of the Habitats Directive; Guidance for Planning Authorities. Circular NPW 1/10 and PSSP 2/10, DoEGLH [6].

This AA was prepared in accordance with and in compliance with the following legislation:

The Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Flora and Fauna better known as "The Habitats Directive". This provides the framework for the legal protection of habitats and species of European importance. Articles 3 to 9 provide the legislative means to protect habitats and species of community interest through the establishment and conservation of an EU-wide network of sites known as Natura 2000. The Habitats Directive was transposed into Irish law by the Planning and Development Act 2000 (as amended) and the European Communities (Birds and Natural Habitats) Regulations (S.I. 477 / 2011) (as amended) [7].

For completeness, the Planning and Development Act 2000 (as amended) states "*European site*" means:

- a. A candidate site of Community Importance;
- b. A site of Community Importance ('SCI');
- c. A Special Area of Conservation ('SAC');
- d. A candidate Special Area of Conservation ('cSAC'); or,
- e. A Special Protection Area ('SPA').

These are Special Areas of Conservation ('SACs') designated under the Habitats Directive and Special Protection Areas ('SPAs') designated under the Conservation of Wild Birds Directive (79/409/EEC as amended 2009/149/EC) (better known as "The Birds Directive"). The Birds Directive was also transposed into Irish law through the Planning and Development Act 2000 (as amended) and S.I 477 / 2011 [7].

Article 6(3) and 6(4) of the Habitats Directive set out the decision-making tests for plans and projects likely to affect European sites (Annex 1.1). Article 6(3) establishes the requirement for Appropriate Assessment.

"Any plan or project not directly connected with or necessary to the management of the [Natura 2000] site but likely to have a significant effect thereon, either individually or in combination with other plans and projects, shall be subjected to 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 implication 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 Habitats Directive promotes a hierarchy of avoidance, mitigation, and compensatory measures. First, the project should aim to avoid any negative impacts on European sites by identifying possible impacts early in the planning stage and designing the project in order to avoid such impacts. 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, it must be rejected unless it follows the process established under Article 6(4). If the project is required for imperative reasons of overriding public interest ('IROPI test') under Article 6(4) of the Habitats Directive, then compensation measures are required for any remaining adverse effects.

## 1.4 Stages of Appropriate Assessment

There are four distinct stages to undertaking an AA as outlined in current European Union ('EU') and Department of Environment, Heritage and Local Government ('DoEHLG') guidance:

#### Stage 1: Screening

This process identifies the potential impacts of a plan or project on a Natura site, either alone or in combination with other plans and projects and considers whether these impacts are likely to be significant. If potentially significant impacts are identified, the plan or project cannot be screened out and must proceed to Stage 2.

#### Stage 2: Appropriate Assessment

Where potentially significant impacts are identified, an assessment of the potential mitigation of those impacts is required; this stage considers the appropriateness of those mitigation measures in the context of maintaining the integrity of the Natura 2000 sites. If potential significant impacts cannot be eliminated with appropriate mitigation measures, the assessment must proceed to Stage 3.

#### Stage 3: Assessment of Alternatives Solutions

This process examines alternative ways to achieve the objectives of the plan or project that avoid adverse impacts on the integrity of the Natura 2000 site if mitigation measures are deemed insufficient.

#### Stage 4: Imperative Reasons of Overriding Public Interest ('IROPI')

Assessment where no alternative solution exists for a plan or project and where adverse impacts remain. This includes an assessment of compensatory measures, where in the case of projects or plans, can be considered necessary for IROPI.

# 2 SCREENING FOR APPROPRIATE ASSESSMENT

Screening determines whether Appropriate Assessment is necessary by examining:

- 1. Whether a plan or project can be excluded from AA requirements because it is directly connected with, or necessary to, the management of a European site; and,
- 2. Whether the project will have a potentially significant effect on a European site, either alone or in combination with other projects or plans, in view of the site's conservation objectives.

Screening involves the following:

- 1. Description of a plan or project;
- 2. Identification of relevant European sites and compilation of information on their qualifying interests and conservation objectives;
- Assessment of likely effects direct, indirect, and cumulative undertaken on the basis of available information as a desk study or field survey or primary research as necessary; and,
- 4. Screening Statement with conclusions.

#### 2.1 Methodology

#### 2.1.1 Determining Zone of Influence

The starting point for this assessment was to determine the Zone of Influence ('Zol'). The Zol comprises the area in which the Development may potentially affect the conservation objectives (or qualifying interests) of a European site.

Guidance in Appropriate Assessment of plans and projects in Ireland notes that a distance of 15km is recommended for the identification of relevant European sites [5]. However, guidance from the National Parks and Wildlife Services ('NPWS') recommends that the distance should be evaluated on a case-by-case basis with reference to the nature, size and location of the project, the sensitivities of the ecological receptors, and the potential for in-combination effects (cumulative) [6]. For some projects, the distance could be greater than 15km and, in some cases, less than 100m.

The definition of the zone of influence for the proposed works includes evaluating the following:

- Identification of the European sites that are situated within, in close vicinity or downstream within the zone of influence of the Development;
- Identification of the designated habitats and species and Conservation Objectives for the identified European sites;
- Identification of the environmental conditions that stabilise and increase the qualifying interests of the European sites towards favourable conservation status;
- Identification of the threats / impacts actual or potential that could negatively impact the conservation objectives for the European sites;
- Identifying the activities of the proposed works that could give rise to significant adverse impacts; and,
- Identification of other plans or projects, for which in-combination impacts would likely have significant adverse effects.

## 2.1.2 Source-Pathway-Receptor Model

European sites are only at risk from significant effects where a source-pathway-receptor link exists between a Development and European sites. This can take the form of a direct impact (e.g. where the Development is located within / in close vicinity to the boundary of a European site), or an indirect impact, where impacts outside of the European site but affect ecological receptors within (e.g. impacts to water quality which can affect estuarine habitats at a distance from the impact source).

The likely effects of the Development on any European site have been assessed using a source-pathway-receptor model. A source-pathway-receptor model is a standard tool used in environmental assessment [8, 9]. The model comprises:

- A source: any potential impacts from the Development, e.g. the runoff of sediment / construction pollution;
- A pathway: the means or route by which a source can affect the ecological receptor; and,
- A receptor: the qualifying interests and / or special conservation interests of the European sites.

In order to establish the Zone of Influence of the Development works, the likely key environmental impacts / changes associated with the Development were determined having regard to the project characteristics set out in Section 3.3 of this report. Zone of Influence for various potential impact pathways are discussed in Section 4.1.

#### 2.1.3 Desk Based Studies

A desk-based review of information sources was completed, which included the following sources of information:

- Review of aerial maps of the Site and surrounding area;
- The National Parks and Wildlife Service ('NPWS') website was consulted with regard to the most up to date detail on conservation objectives for the European sites relevant to this assessment [10];
- The National Biodiversity Data Centre ('NBDC') website was consulted with regard to species distributions [11];
- The Environmental Protection Agency ('EPA') Maps website was consulted to obtain details about watercourses in the vicinity of the Site [12];
- The MCC Planning Portal to obtain details about existing / proposed developments in the vicinity of the Site [13];
- The Department of Housing, Local Government and Heritage's planning portal the National Planning Application Database was reviewed to obtain details about existing / proposed developments in the vicinity of the Site [14]; and,
- BirdWatch Ireland The Irish Wetland Bird Survey ('I-WeBS') data, which is coordinated by BirdWatch Ireland and under contract to the NPWS, was reviewed with regard to wintering waterbird population within the vicinity of the Site [15].

The Desk study also included a comprehensive examination and comparison of historic aerial imagery as a means of evaluating the expansion of the Site and the habitats that were previously present within the area, using the following sources:

• Geological Survey Ireland ('GSI') area maps website with regard to historic maps [16];

- The GeoHive Hub website was consulted for the examination and comparison of historical aerial imagery [17]; and,
- Google Earth website with regard to evaluating the expansion of the Site and the habitats which previously occurred within that area [18].

## 2.1.3.1 I-WeBS Data Request

As mentioned above, I-WeBS data was reviewed in order to understand the potential assemblages of wintering bird populations that tend to occur within the vicinity of the Site.

As part of this review, a data request was submitted to the I-WeBS on 22<sup>nd</sup> January 2025. The data request was made for all available data from the nearest subsites to the east and west of the Site, as listed in Table 2-1 below. See Figure 2-1 for the location of the subsites in relation to the Site.

#### Table 2-1: I-WeBS Subsites

Site Name	Subsite Name	Site Code	Subsite Code
Wetlands at Greenan / Garrynabolile	Wetlands at Greenan / Garrynabolile	0V005	0V005
Lough Bane	Lough Bane	0V099	0V099
White / Annagh Lough	White / Annagh Lough	0W011	0W011



#### Figure 2-1: WeBS Subsites

# 2.1.4 Field Survey

A Site walkover was undertaken on the 16<sup>th</sup> January 2025 by two suitably qualified and experienced MOR Environmental Ecologists to assess the extent and the quality of habitats

present on the Site and to identify any potential ecological receptors associated with the European sites.

The habitat survey was undertaken for the Development utilising the Heritage Council's – 'A *Guide to Habitats in Ireland*' [19]. This is the standard habitat classification system used in Ireland and includes both a desk-based and field-based assessment.

The assessments were also extended to identify the potential for these habitats to support other features of nature conservation importance, such as species afforded legal protection under either Irish or European legislation.

#### 2.1.4.1 Survey Limitations

As with all AAs, the key limitation of these assessments is that they are based on the availability, completeness, and accessibility of publicly available data from the period applicable to the Development subject to the substitute consent. This application seeks to assess the works onsite from 1990 to the present day. However, OSI aerial imagery is only available from 1995 onwards. Therefore, there is an information gap from 1990-1995.

It should also be noted that the retrospective identification of certain ecological impacts is not possible based on historical mapping information alone. Therefore, reliance on professional judgment is required.

In addition, the field survey was undertaken outside of the optimal season for botanical surveys. However, given the disturbed nature of the habitats onsite, it is not considered that these limitations will alter the findings of this assessment and. Therefore, no further surveys are considered necessary as part of the AA.

# **3 DESCRIPTION OF THE DEVELOPMENT**

## 3.1 Site Context and Description

The Site has been used to extract and process stone, with origins prior to 1963.

The Site is ca. 39ha in size and is primarily comprised of exposed bedrock, with the main processing area located centrally, along with the settlement canal. Refer to Figure 3-1 below.

The Site is located within the townland of Murrens and is situated ca. 5.5km south of the town centre of Oldcastle and ca. 7.3km north of the town centre of Castlepollard, which is connected by the R195 Regional Road that passes the Site. The Site entrance is located in the northernmost corner, onto R195 Regional Road. The R195 immediately to the east of the Site provides the primary transport route for Heavy Goods Vehicles ('HGVs') accessing and egressing the Site.

The lands within the vicinity of the Site are primarily agricultural, with scattered one-off dwelling developments off the R195 and the access road into the Site. The eastern boundary of the Site is bordered by the R195, the western boundary of the Site is shared with an adjoining quarry development, with an embankment of untouched ground separating the two developments, and to the south is a mature forest.



#### Figure 3-1: Site Boundaries

## 3.2 Watercourses within the Vicinity of the Site

As per EPA maps, there are no designated watercourses or waterbodies located within the Site.

Within the wider area, there are a number of loughs and watercourses. The closest EPAdesignated hydrological feature to the Site is the Bane South (Lough), which is located ca. 340m north of the Site. This lough is linked to the Moylagh River, which flows in a north / northwesterly direction into the Rathmea River, which discharges into numerous loughs. It should also be noted that a number of loughs located within the White Lough, Ben Loughs and Lough Doo SAC are located ca. 800m to the south of the Site. These loughs are not hydrologically linked to the Site.

Under the Water Framework Directive ('WFD') 2000/60/EC, the EPA classifies the status and the risk of not achieving good water quality status for all waterbodies in Ireland [12]. According to the river waterbody WFD 2016-2021, the water quality within the Moylagh River is considered to be 'good,' and the status is considered 'not at risk' [12].

In addition, under the WFD 2000/60/EC, all lake waterbodies with areal extents over 0.5km<sup>2</sup>, or less than 0.5km<sup>2</sup> but located within a protected area, are assessed under the WFD. As such, the Bane South (Lough) is less than 0.5km<sup>2</sup> is size and is not located within a protected area; hence, it is not assessed under the WFD. Furthermore, a number of the loughs located within the White Lough, Ben Loughs and Lough Doo SAC are also less than 0.5km<sup>2</sup> and therefore are not assessed under the WFD. However, Doo Lough and Ben Lough are considered to have 'good' water quality, and their risk status is currently under 'review' [12]. In addition, the Annagh Lough or White Lough is considered to have a 'high' water quality status, and the risk status of this lough is currently under 'review' [12].

The majority of the Site is situated within the Upper Shannon WFD Catchment [Catchment\_ID: 26F] and the Inny [Shannon]\_SC\_010 subcatchment [Subcatchment\_ID: 26F 6] [12]. The southern portion of the Site is partially located within the Boyne WFD Catchment [Catchment ID 07] and the Deel [Raharney]\_SC\_010 subcatchment [Subcatchment ID 07\_7].

The location of the key surface water features in the vicinity of the Site are illustrated in Figure 3-2 below.





## 3.2.1 Drainage Ditches

The Office of Public Works ('OPW') Flood Maps identifies Drainage Districts, Arterial Drainage Schemes and Benefited Areas [20]. Arterial Drainage Schemes were works that were carried out under the Arterial Drainage Act, 1945 to improve land for agriculture and to mitigate flooding. The Benefited Land identifies land that was drained as part of the Drainage District with the aim to improve land for agriculture and to mitigate flooding.

The OPW has not identified any drainage ditches onsite that are part of Drainage Districts or Arterial Drainage Schemes, nor has the OPW identified any areas Benefited Areas within the Site [20].

The OPW Flood Maps has identified the River Rathmea, located ca. 440m north of the Site, as part of an Arterial Drainage Scheme (Ref: C61/2/1), and Benefitted lands under this drainage scheme have been identified ca. 130m north of the Site [14]. Please see Figure 3-3 below. However, it should be noted that the benefited lands and the River Rathmea are not located within the Site boundary and no drainage ditches were identified onsite.



#### Figure 3-3: Drainage Districts in Close Proximity to the Site

#### 3.3 Development Description

The Site has a total area of 39ha, and there is a long history of quarrying associated with the Site. The Site has evidence of pre-1963 origins. The Site has been in possession of the Applicant since the commencement of works and continues to be in regular use.

The entrance gate to the Site is off the R195 regional road on the east boundary. The Site office and welfare facilities, storage shed, maintenance shed, fuel tanks, and vehicle parking are located in the northern portion of the Site.

- Extraction area;
- Dry mobile screening plant;

- Wet semi-mobile screening plant;
- Semi mobile crushing plant;
- Settlement canal system;
- Associated settlement ponds;
- Stockpiles of aggregate;
- Site access road;
- On-site haulage routes;
- Site office and toilets;
- Wastewater treatment and percolation;
- Storage shed;
- Maintenance Shed;
- Two fuel tanks;
- Vehicle parking;
- Weighbridge; and,
- Aggregate additives for making 'arena footing'.

The extraction area comprises most of the Site. Stockpiles are present throughout the quarry floor, and the settlement canal system is located in the centre of the Site.

The south quarry generally comprises of a quarry floor with haul routes extending to the aforementioned screening plant and equipment. Figure 3-1 above details the primary site infrastructure.

#### 3.3.1 Water Supply

Potable water used for office facilities, including faucets and toilet facilities, is obtained from a small onsite well in the northern section of the Site.

#### 3.3.2 Settlement Ponds

The on-Site settlement ponds consist of three settlement ponds and a settlement canal located within the north-central area of the Site, which are part of the water treatment system implemented on the Site. Water is pumped from the settlement ponds to the washing plant, and sediment-laden water from the plant is directed into the settlement canal, which slowly flows by gravity in a winding manner to encourage the settlement of fines out of suspension. The water then flows by gravity to the settlement ponds via an underground pipe. These settlement ponds allow for more sediment to fall out of suspension and settle before the water is recycled and pumped back to the washing plant.

There are no receiving waters for the Development, and no water monitoring is carried out at the Site, and the Development does not require any form of water discharge licence.

# 4 IDENTIFICATION OF EUROPEAN SITES

In accordance with the European Commission Methodological Guidance [21], a list of European sites that can be potentially affected by the Development has been compiled. Guidance for Planning Authorities prepared by the Department of Environment Heritage and Local Government [5] states that defining the likely zone of impact for the screening and the approach used will depend on the nature, size, location and the likely significant effects of the project. The key variables determining whether or not a particular European site is likely to be negatively affected by a project are:

- The physical distance from the Site to the European site;
- The presence of impact pathways;
- The sensitivities of the ecological receptors; and,
- The potential for in-combination effects.

All SPAs and SACs within 15km have been considered to assess their ecological pathways and functional links. As acknowledged in the OPR guidelines [1], few projects have a zone of influence this large; however, the identification of European sites within 15km has become widely accepted as the starting point for the screening process. For this reason, all SPAs and SACs within 15km have been identified for consideration as part of the screening.

There are 11 European sites located within 15km of the Site - these are identified in Figure 4-1 and Table 4-1.



Figure 4-1: European sites within 15km of the Site

Site Name	Code	Distance (km)	Direction from the Site			
Special Areas of Conservation ('SAC')						
White Lough, Ben Loughs and Lough Doo SAC	001810	Ca. 0.8km	SW			
Lough Bane and Lough Glass SAC	002120	Ca. 2.0km	SE			
Lough Lene SAC	002121	Ca. 5.1km	SE			
River Boyne and River Blackwater SAC	002299	Ca. 7.2km	SE			
Moneybeg and Clareisland Bogs SAC	002340	Ca. 9.2km	NW			
Derragh Bog SAC	002201	Ca. 13.9km	NW			
Garriskil Bog SAC	000679	Ca. 14.0km	SW			
Special Protection Area ('SPA')						
Lough Sheelin SPA	004065	Ca. 9.9km	NW			
Lough Derravaragh SPA	004043	Ca. 11.2km	SW			
River Boyne and River Blackwater SPA	004232	Ca. 12.7km	NE			
Lough Kinale and Derragh Lough SPA	004061	Ca. 13.3km	NW			

#### Table 4-1: European Designated Sites within 15km of the Site

#### 4.1 Identification of European Sites within Zol

The Zol comprises the area in which the Development may potentially affect the conservation objectives (or qualifying interests) of a European site. The definition of Zol for the Development, as outlined in Section 2.1, is evaluated by multiple factors and discussed below. Please note that the extent of Zol differs for different environmental aspects, e.g. air, water, etc.

#### 4.1.1 Habitat Loss / Degradation

#### Historic Habitats

Aerial imagery from 1995, 2000, 2005, 2014, and 2022 provides evidence of changes within the Site. Through a desktop study of these images, the baseline habitats considered likely to be present during each year were identified and analysed.

#### Historic Habitat - 1995

The earliest available aerial imagery for the Site dates back to 1995. The habitats identified within this image included active quarries and mines, hedgerows and treelines, improved agricultural grassland, and other artificial lakes and ponds. Refer to Figure 4-3 for context.

#### Active Quarry and Mines (ED4)

The assessment of the historical aerial imagery in 1995 indicates that this habitat dominated the central portion of the Site. A review of the aerial maps estimates that this habitat covered an area of ca. 8ha of the Site in 1995.

Based on the available information and based on an assessment of similar habitats within the surrounding area, it is considered that this habitat would have been of low ecological value. However, it was considered unlikely that this habitat would have been classified as an Annex

I habitat. Furthermore, it is considered unlikely that this habitat would have been of significant value for any designated species.

#### Improved Agriculture Grassland (GA1)

The assessment of the historical aerial imagery in 1995 indicated that the onsite quarry was predominantly surrounded by improved agricultural grassland. A review of the aerial maps indicates that this habitat covered an area of ca. 30ha of the Site in 1995. This habitat was divided into smaller fields by hedgerows / treelines as described below.

Based on the available information and based on an assessment of similar habitats within the surrounding area, it is considered likely that this habitat was utilised from grazing livestock and would have been of low ecological value. It is also considered unlikely that this habitat would have been classified as an Annex I habitat. Furthermore, it is considered unlikely that this habitat this habitat would have been of significant value for any designated species.

#### Hedgerows and Treelines (WL1/WL2)

The assessment of historical aerial imagery from 1995 indicated that hedgerow / treelines were present throughout the Site. Hedgerow / treelines formed the principal field boundaries within the improved agricultural grassland described above and were present around the perimeter of the Site. It is estimated that ca. 4km of hedgerow / treelines were present within and along the boundary of the Site in 1995.

Based on the available information and based on an assessment of similar habitats within the surrounding area, it is considered that this habitat would have been of high local ecological value for biodiversity. However, it was considered unlikely that this habitat would have been classified as an Annex I habitat. Furthermore, it is considered unlikely that this habitat would have been of significant value for any designated species.

#### Mixed Broadleaved Woodland (WD1)

The 1995 historical aerial imagery shows a potential area of mixed broadleaved woodland present in the northern section of the Site, adjacent to the active quarry and mines. From a review of the aerial maps, it is estimated that this habitat covered an area of ca 0.08ha of the Site in 1995.

Based on the available information and an assessment of similar habitats within the surrounding area, it is considered that this habitat would have been of high local ecological value for local species. However, it is considered unlikely that this habitat would have been classified as an Annex I habitat. Furthermore, it is considered unlikely that this habitat would have been of significant value for any designated species.

#### Other Artificial lakes and Ponds (FL8)

Based on the historic aerial imagery from 1995, there were potentially two ponds located within the Site. The ponds were located within the improved agricultural grasslands:

- One pond was located ca. 50m west of the quarry and covered an area of ca. 970m<sup>2</sup>; and,
- The other pond was located ca. 120m east of the quarry and covered an area of ca. 340m<sup>2</sup>.

Based on the available information and an assessment of similar habitats within the surrounding area, it is considered that these two ponds would have been of high ecological value for local species. However, it was considered unlikely that this habitat would have been classified as an Annex I habitat. Furthermore, it is considered unlikely that this habitat would have been of significant value for any designated species.

Please see Figure 4-2 below, which shows the habitats that appeared to be present on the Site in 1995 by reference to the earliest aerial black-and-white imagery available.



Figure 4-2: Habitats present within the Site from 1995 Aerial Imagery.

Aerial Imagery Historical Maps

A review of the historical aerial imagery from 2000, 2005, 2014 and 2020 illustrates the progressive expansion of the active quarry and mines habitat within the Site from the earliest imagery in 1995. The improved agricultural grassland, broadleaved woodland, hedgerow / treelines and other artificial lakes and ponds consistently decreased in size as the active quarry habitat expanded across the Site (see Figure 4-3).

Furthermore, as shown below, the field survey conducted in 2025 confirmed the loss of these habitats within the Site, please see below.



Figure 4-3: Historical Aerial Imagery of the from 1995-2022

#### Existing Habitats

This section provides a description of the habitats and features of ecological significance that were identified as part of the field-based assessment that was undertaken for the Site on 16<sup>th</sup> January 2025. These are outlined below and illustrated in Figure 4-4 below.

#### Active Quarry and Mines (ED4)

This habitat was the dominant habitat within the Site. During the survey, steep quarry faces and exposed rock were key features of this habitat.

Given the level of disturbance from quarry works, and ongoing stockpile removal works, minimum vegetation was present within this habitat. However, a number of herbaceous plant species were recorded, including selfheal (*Prunella vulgaris*), creeping thistle (*Cirsium arvense*), dandelion (*Taraxacum spp.*), oxeye daisy (*Leucanthemum vulgare*), buttercup (*Ranunculus spp.*), black medic (*Medicago lupulina*), white clover (*Trifolium repens*), scarlet pimpernel (*Anagallis arvensis*), yarrow (*Achillea millefolium*), fringed willowherb (*Epilobium ciliatum*), thyme-leaved speedwell (*Veronica serpyllifolia*), coltsfoot (*Tussilago farfara*), hogweed (*Heracleum sphondylium*) and bird's-eye pearlwort (*Sagina procumbens*).

Grass species were also noted within this habitat, including perennial ryegrass (*Lolium perenne*), creeping bent (*Agrostis stolonifera*) and Yorkshire fog (*Holcus lanatus*). In addition, young gorse (*Ulex europaeus*) was noted within this habitat in less disturbed areas.

#### Buildings and Artificial Surfaces (BL1)

This habitat was located in the northern part of the Site and included buildings such as the Site office and storage sheds. An access road also connected the Site to the R195 regional road from this area.

Vegetation was noted recolonising the road margins, which included dandelion, mouse-ear hawkweed (*Pilosella officinarum*), and Yorkshire fog.

#### Recolonising Bare Ground (ED3)

Areas of recolonising bare ground were noted within the main quarry area. These habitats were primarily identified on undisturbed stockpiles within the Site. This habitat was most prominent in the northeast and extended down the central area to the southeast. Over time, these stockpiles have naturally been recolonised by vegetation.

The following species were identified within the recolonising bare ground onsite: mouse-ear hawkweed, dandelion, oxeye daisy, unidentified sphagnum moss species, common hogweed, yarrow, fringed willowherb, colts-foot, nettle (*Urtica dioica*), creeping buttercup (*Ranunculus repens*), hairy bittercress (*Cardamine hirsuta*), bramble (*Rubus fructicosus*), common chickweed (*Stellaria media*), bull thistle (*Cirsium vulgare*), broad-leaved dock (*Rumex obtusifolius*), white clover, daisy (*Bellis perennis*) and tansy ragwort (*Jacobaea vulgaris*).

Grasses, such as creeping bent, Yorkshire fog and orchard grass (*Dactylis glomerata*) were also identified growing within this habitat. In addition, immature willow (Salix spp.), hawthorn (*Crataegus monogyna*) and sycamore (*Acer pseudoplatanus*) trees were identified scattered throughout the recolonising bare ground onsite. Butterfly bush (*Buddleja davidii*), a medium impact species that is not regulated under the European Union (Invasive Alien Species) Regulations 2024 (S.I. No. 374/2024) [22], was identified in this habitat.

#### Earth Banks (BL2)

Earth banks were located in the northeastern region of the Site, forming Earth banks were located in the northeastern region of the Site, forming field boundaries within and bordering the Site.

The earth banks were covered in ruderals, weeds and grasses. The following species were noted in this habitat: Yorkshire fog, dandelion, thistle, bramble, yarrow, hogweed, daisy, bull thistle, tansy ragwort, willow saplings, butterfly bush, nettle, white clover, ribwort plantain (*Plantago lanceolata*), creeping bent, gorse, creeping buttercup, orchard grass, broad-leaved dock, colts-foot, hawksbeard (*Crepis spp.*), and hairy willowherb (*Epilobium hirsutum*).

#### Hedgerow / Treeline (WL1 / WL2)

Hedgerows / treelines and managed hedgerows were identified onsite during the field survey.

Hedgerows / treelines bordered the eastern, southern and western boundaries of the Site. In addition, a small section of hedgerow/treelines was present along the northern boundary of the Site. The dominant species identified within these linear habitats were hawthorn, sycamore, ash (*Fraxinus excelsior*) and hazel (*Corylus avellana*).

The understorey of the hedgerow / treelines comprised of bramble, dandelion, hogweed, broadleaved dock, gorse, nettles, tansy ragwort, buttercup, ivy (Hedera helix), young holly (*Ilex acquifolium*), wild carrot (*Dacus carota*), hart's-tongue fern (*Asplenium scolopendrium*), dog rose (*Rosa canina*), box-leaf honeysuckle (*Lonicera niteda*), silvergreen byrum moss (*Bryum argenteum*), bracken (*Pteridium aquilinum*) and grasses included creeping bent, Yorkshire fog and perennial ryegrass.

Managed hedgerows were located within the northern portion of the Site, at the entrance to the quarry. These managed hedgerows ran along both sides of the access road and extended down to the weighbridge. These hedgerows primarily consisted of Monterey cypress (*Cupressus macrocarpa*). A section of young hawthorn hedgerow was located in the southwest portion of the Site.

#### Scrub (WS1)

This habitat was found mainly in the western portion of the Site. However, scattered scrub was also identified within the central region of the Site.

The scrub habitats onsite comprised of gorse, willow, holly and sycamore. An understory of brambles, dandelion, ash saplings, creeping bent, bracken, hogweed, clover, horsetail (*Equisetum arvense*), ribwort plantain, common rush (*Juncus effusus*) and ground ivy (*Glechoma hederacea*) was recorded in these areas. Butterfly bush was also recorded in scrub habitats onsite.

#### Other Artificial Lakes and Ponds (FL8)

A number of ponds were located within the Site. The majority of these ponds appeared to be seasonal, pluvial surface water ponds. No botanical species were noted within these ponds.

However, as outlined in Section 3.3, the onsite looped water settlement system utilised three settlement ponds and a settlement stream. These features were located within the north-central area of the Site at the time of the survey and formed part of the water treatment system implemented onsite.

Species identified around these waterbodies included common rush (*Juncus effusus*), bog bullrush (*Schoenoplectiella mucronata*), broadleaf cattail (*Typha latifolia*), shield fern (*Polystichum setiferum*), knapweed (*Centaurea nigra*), duckweed (*Lemna minor*), hawthorn saplings, willow, bramble, ribwort plantain, horsetail, thistle and nettle.

In addition, one invasive species, butterfly bush, was recorded in this habitat.

#### Figure 4-4: Habitat Map



#### Evaluation of Potential Habitat Loss / Degradation

The Site is not located within or directly adjacent to any European Designated sites. The closest European Designated site is the White Lough, Ben Loughs and Lough Doo SAC, ca. 800m south of the Site; however, there are no impact pathways linking the Site to this SAC and the *Hard oligo-mesotrophic waters with benthic vegetation of Chara spp.* [3140] designated for this SAC is not located onsite.

Furthermore, during the review of aerial imagery of the Site, the Site appeared to be comprised of active quarry and common habitats expected within a rural landscape (i.e., improved agricultural grassland, hedgerow / treelines, small ponds, etc.)

Therefore, given the lack of designated habitats onsite given the distance separating the Site from any European sites, the Development has not resulted in any direct loss or degradation of designated habitats.

Furthermore, it is considered that the stockpile removal activities at the Site will not result in any direct habitat loss or degradation to any European sites, given the lack of impact pathways and the distance and lands separating the Site from European sites.

#### 4.1.2 Water Quality Impairment

Potential water quality impacts would typically be associated with the release of sediment and other pollutants to surface water during the development's Operational Phase. Therefore, the Zol would be considered to include the receiving waterbodies adjacent to and downstream of the Site during the operational phase within 5km.

As outlined in Section 3.3, the onsite looped water settlement system utilised three settlement ponds and a settlement stream located within the north-central area of the Site, which are part of the water treatment system implemented onsite. Therefore, there is no hydrological connection between the Site and any nearby watercourses. Furthermore, there were no drainage ditches located within the Site nor within the proximity of the Site.

The hydrogeological assessment conducted for the Site as part of the rEIA concluded that the groundwater flow direction under the Site is in a northeast direction. The flow direction is away from the nearest Natura 2000 Sites to the Site.

Furthermore, groundwater samples were collected as part of this assessment on the 27<sup>th</sup> of January 2025 by MOR Environmental and analysed by Element Ltd. The data were compared to Groundwater Regulations 2010 (S.I. No. 9 of 2010) as amended and Surface Water Regulations 2009 (S.I. No. 272 of 2009) as amended. There were no exceedances of the threshold values stated in the regulations, indicating the groundwater underneath the site is of good quality status.

It can therefore be objectively concluded that there will be no likely significant effects on the White Lough, Ben Loughs and Lough Doo SAC, the Lough Bane and Lough Glass SAC, the Lough Lene SAC, the River Boyne and River Blackwater SAC, the Moneybeg and Clareisland Bogs SAC, the Derragh Bog SAC, the Garriskil Bog SAC, the Lough Sheelin SPA, the Lough Derravaragh SPA, the River Boyne and River Blackwater SPA and the Lough Kinale and Derragh Lough SPA without taking mitigation measures into account and as such both have been screened out from further consideration.

#### 4.1.3 Air Quality Impairment

According to the Institute of Air Quality Management ('IAQM') Guidelines, the potential adverse effects from dust arising from construction to ecological receptors occurs within 50m of a construction site and / or 50m of the route(s) used by construction vehicles on the public highway of up to 250m from the Site entrance [23]. In addition, potential adverse effects from mineral dust on ecological receptors can occur within 250m of dust-generating activities from

sand / gravel quarries [24]. However, taking a precautionary the Zol for air quality impairment was established for a 400m buffer of the Site.

Although the Development does not constitute a construction or mineral operation, many activities traditionally associated with mineral extraction will occur as part of the Development, such as;

- Site preparation / restoration (working soil and overburden);
- Materials handling;
- Sand and gravel extraction by mechanical means; and,
- Transportation.

The nearest European site is the White Lough, Ben Loughs and Lough Doo SAC, ca. 800m south of the Site. Therefore, there are no European sites located within the ZoI for air quality impairment. As such, it can be concluded that no impacts associated with dust will occur as a result of the Development, given the distance separating the Site from the European sites.

## 4.1.4 Noise / Disturbance

Noise from anthropogenic activity has the potential to cause disturbance to resting, foraging and commuting qualifying species of the European sites. Individual species will provoke different behavioural responses to disturbances at different distances from the source of the disturbance:

- Transport Infrastructure Ireland (formally the National Roads Authority) has produced a series of best practice planning and construction guidelines for the treatment of certain protected mammal species (i.e. otter), which indicate that disturbance to terrestrial mammals would not extend beyond 150m [25]; and,
- Studies have noted that different types of disturbance stimuli are characterized by different avifaunal reactions. However, in general, a distance of 300m can be used to represent the maximum likely disturbance distance for waterfowl [26].

The ZoI for noise / disturbance is therefore established as the Site with a 300m buffer.

The Moneybeg and Clareisland Bogs SAC, the Derragh Bog SAC and the Garriskil Bog SAC are only designated for habitats and not for any species. Therefore, there is no potential for any noise / disturbance impacts to these European sites.

Furthermore, the White Lough, Ben Loughs and Lough Doo SAC, the Lough Bane and Lough Glass SAC and the Lough Lene SAC are all designated for Hard oligo-mesotrophic waters with benthic vegetation of Chara spp. [3140] and *Austropotamobius pallipes* (White-clawed Crayfish) [1092]. Therefore, given the distance separating the Site from these European sites and the lack of in-river works taking place at the Site, it is considered that there is no potential for any noise / disturbance impacts to these European sites.

Although the River Boyne and River Blackwater SAC is designated for otter and the Lough Sheelin SPA, the Lough Derravaragh SPA, the River Boyne and River Blackwater SPA and the Lough Kinale and Derragh Lough SPA are designated for a number of wetland bird species, these European sites are all located over 7km from the Site. Therefore, given the distance separating the Site from these European sites, it is considered that the Development will not result in any disturbances on any designated species.

## 4.1.5 Invasive Species

No high-impact invasive species (including those that are regulated under the European Union (Invasive Alien Species) Regulations 2024 (S.I. No. 374/2024) [27]) were recorded within the Site. The only invasive species identified onsite was butterfly bush. However, as previously

noted this medium impact species is not regulated under the European Union (Invasive Alien Species) Regulations 2024 (S.I. No. 374/2024) [22].

However, the Site is not located within or directly adjacent to any European sites. Furthermore, given the lack of impact pathways connecting the Site to any European site and the distance separating the Site from any European sites, it is considered that the Development has not and will not result in any unintentional introduction of invasive species to any European site.

## 4.2 Zol Conclusion

The Site is not located within or directly adjacent to any European Designated sites; however, the boundaries of 11 are located within 15km from the Site.

Given the distance separating the Site from the European Designated sites and the lack of impact pathways, it is considered that the Development will not result in adverse effects on the White Lough, Ben Loughs and Lough Doo SAC, the Lough Bane and Lough Glass SAC, the Lough Lene SAC, the River Boyne and River Blackwater SAC, the Moneybeg and Clareisland Bogs SAC, the Derragh Bog SAC, the Garriskil Bog SAC, the Lough Sheelin SPA, the Lough Derravaragh SPA, the River Boyne and River Blackwater SPA and the Lough Kinale or the Derragh Lough SPA. These sites have therefore been screened out from further consideration.

#### 4.3 Conservation Objectives

European and national legislation places a collective obligation in Ireland and its citizens to maintain favourable conservation status areas designated as candidate Special Areas of Conservation. The Government and its agencies are responsible for the implementation and enforcement of regulations that will ensure the ecological integrity of these sites.

According to the EU Habitats Directive, favourable conservation status of a habitat is achieved when:

- Its natural range, and the area it covers within that range, is stable or increasing;
- The specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future; and,
- The conservation status of its typical species is favourable, as defined below.

The favourable conservation status of a species is achieved when:

- Population data on the species concerned indicate that it is maintaining itself;
- The natural range of the species is neither being reduced or likely to be reduced for the foreseeable future; and,
- There is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

Conservation objectives for all identified Natura 2000 SAC sites are as follows:

'To maintain or restore the favourable conservation condition of the Annex I habitat(s) and the Annex II species for which the SAC has been selected.'

Conservation objectives for all identified Natura 2000 SPA sites are as follows:

'To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.'

# 5 SCREENING AND ASSESSMENT OF POTENTIAL IMPACTS

Using professional experience, guidance and judgement, the following factors have been taken into account in identifying potential significant impacts on the identified European Designated sites:

- Distance from any European Designated site;
- Qualifying Interests;
- Special Conservation Interests;
- Conservation Objectives;
- The nature of the onsite habitats;
- The location of the Site; and,
- The lack of impact pathways between the Site and any European Designated site.

Based on these factors, no potential significant impact has been taken forward for further consideration. This is based on the available information from field and desk-based assessment as outlined in Section 4.

Overall, the screening exercise did not identify any other factors that could result in any direct or indirect loss or disturbance to any of the Annex I habitats or Annex I or II species for which the European Designated sites are designated. It can be stated that the Development has not and will not cause:

- Any reduction in the area of the habitat or European site;
- Direct or indirect damage to the physical quality of the environment of any European Designated site;
- Any serious or ongoing disturbance to species or habitats for which any European Designated site is designated; or,
- Direct or indirect damage to the size, characteristics or reproductive ability of populations at any European Designated site.

On the basis of the Source-Pathway-Receptor ('SPR') risk assessment principle, there is no ecological or functional link between the Development and any European Designated sites.

## 5.1 Analysis of 'In-Combination' Effects

The Habitats Directive requires competent authorities to make an appropriate assessment of any plan or project which is likely to have a significant effect alone or in-combination with other plans and projects.

As described above, the Development alone is unlikely to have had any direct or indirect adverse effects on any of the European sites located within 15km of the Site.

A review of the Meath County Council Planning ePlan website did not identify any current granted plans or projects within the Site. However, there were

- MCC Ref: 971223:
  - Decision: Granted 08/12/1997;
  - Description: 'New entrance'.
- MCC Ref: 98967:
  - Decision: Granted 09/12/1999;

- Description: 'To construct an MV E.S.B. sub-station in existing quarry'.
- MCC Ref: KA802993:
  - Decision: Granted 18/08/2009;
  - Expiration Date: 17/08/2014;
  - Description: 'An extension of the existing sand & gravel pit over an area of 4.4 hectares'.

It is considered there were no impacts to any European sites as a result of the abovementioned permission based on the lack of impact pathways connecting the Site to any European sites and the distance separating the Site from any European sites.

In addition, the majority of nearby planning permissions are related primarily to one-off dwellings and light manufacturing (MCC Ref: 24315) [13]. It is considered unlikely that the Development and these planning permissions would result in any in-combination significant impacts on European sites given the small-scale nature of the permissions granted.

However, one planning application was permitted directly to the south of the Site:

#### MCC Ref: KA141129 & ABP Ref: PL.17.245257

- MCC Decision: Granted 07/07/2015;
- Expiration Date: 15/12/2036;
- Description: 'The development will consist of: Extension of the existing sand & gravel pit (Quarry Ref: QY24) to include: an extraction area of c.23.9 hectares; perimeter landscaped screening berms; all other associated site works/ancillary activities; and restoration to a beneficial agricultural & ecological after-use within an overall planning application area of c.28.5 hectares. This planning application will be accompanied by an Environmental Impact Statement (EIS). Significant further information/revised plans submitted on this application'.

As part of this application, a screening for Appropriate Assessment concluded that the proposed extension of quarrying operations was not likely to have any impacts on the Natura 2000 network.

This permission was appealed to An Bord Pleanála ('ABP'), and according to ABP's Inspector's Report, the Inspector concluded:

'Overall, it is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on White Lough, Ben Loughs and Lough Doo SAC (Site Code: 001810), or any other European site, in view of the site's Conservation Objectives, and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.'

ABP granted this permission on the 16<sup>th</sup> December 2016.

Overall, it is concluded that the Development has not and will not result in any in-combination effects on any European sites with any planning permissions or projects based on the following:

- I. The distances separating the Site from European sites; and,
- II. The lack of impact pathways between the Site and any European sites.

Taking the above into account, it is concluded that there will not be any significant incombination contribution by the Development to possible adverse effects on any European sites.

# 6 SCREENING CONCLUSIONS AND STATEMENT

The screening process has examined the details of the Development and has considered the potential for causing adverse effects on European sites and their qualifying features of interests within a 15km radius of the Site.

11 designated sites - the White Lough, Ben Loughs and Lough Doo SAC, the Lough Bane and Lough Glass SAC, the Lough Lene SAC, the River Boyne and River Blackwater SAC, the Moneybeg and Clareisland Bogs SAC, the Derragh Bog SAC, the Garriskil Bog SAC, the Lough Sheelin SPA, the Lough Derravaragh SPA, the River Boyne and River Blackwater SPA and the Lough Kinale and Derragh Lough SPA - are located within a 15km radius of the Site. However, given the lack of impact pathways between the Site and European sites and the distance separating the Site from any European sites, as described in Section 4 and Section 5, it can be concluded that the Development has not and will not result in any significant impacts either directly or indirectly on the conservation objectives or status of the listed European sites and will not result in the direct loss or disturbance of any Annex I habitats and / or Annex II species for which the European sites are designated.

It has been objectively concluded, following an examination, analysis, and evaluation of the relevant information, that the Development either alone, or in-combination with other plans, projects or land uses, has not had and will not have any direct or indirect significant effects on any European sites in light of the site's conservation objectives and best scientific knowledge, and no reasonable scientific doubt exists in relation to this conclusion.

Accordingly, the progression to Stage 2 of the Appropriate Assessment process (i.e., preparation of a remedial Natura Impact Statement) is not considered necessary, and that Stage 1 Screening for Appropriate Assessment is sufficient.

The preparation and conclusion of this AA has taken cognisance of the Determination made by ABP and the inspector's report.

# 7 REFERENCES

- [1] OPR, "Appropriate Assessment Screening for Development Management," 2021.
- [2] EC, "Assessment of plans and projects in relation to Natura 2000 sites Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC," 2021.
- [3] CIEEM, "Guidelines for Ecological Impact Assessment in the UK and Ireland (Terrestrial, Freshwater, Coastal and Marine), Version 1.2," 2022.
- [4] EC, "Managing Natura 2000 Sites: The Provision of Article 6 of the Habitats Directive 92/43/EEC," European Commision, 2018.
- [5] DoEHLG, "Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities.," Department of Environment, Heritage and Local Government, 2010.
- [6] DoEHLG, "Appropriate Assessment under Article 6 of the Habitats Directive; Guidance for Planning Authorities. Circular NPW 1/10 and PSSP 2/10," Department of Environment,Heritage and Local Government, 2010.
- [7] Statutory Instruments, "S.I No. 477/2011 European Communities (Bird and Natural Habitats) Regulations 2011," European Commission, 2011.
- [8] L. M. Cooper, "Guidelines for Cumulative Effects Assessment in SEA of plans.," Imperial College London., 2004.
- [9] OPW, "ArteriaDrainage Maintenance categories, Source » Pathway » Receptor Chains for Appropriate Assessment," OPW, Galway, 2012.
- [10] NPWS, "National Parks and Wildlife Service," [Online]. Available: https://www.npws.ie. [Accessed 2025].
- [11] NBDC, "National Biodiveristy Live Maps," [Online]. Available: http://maps.biodiversityireland.ie/. [Accessed 2025].
- [12] EPA, "EPA Map Viewer," 2025. [Online]. Available: http://gis.epa.ie/Envision. [Accessed 2025].
- [13] M. C. Council, "Online Planning Services," [Online]. Available: www.meath.ie/council/council-services/planning-and-building. [Accessed 2025].
- [14] Department of Housing, Local Government and Heritage, "National Planning Application Database," [Online]. Available: https://housinggovie.maps.arcgis.com/apps/webappviewer/index.html?id=9cf2a097 99d74d8e9316a3d3a4d3a8de. [Accessed January 2025].

- [15] B. W. Ireland, "Irish Wetland Bird Survey," [Online]. Available: https://birdwatchireland.ie/our-work/surveys-research/research-surveys/irishwetland-bird-survey/. [Accessed January 2025].
- [16] GSI, "GSI Spatial Resources Ireland," GSI, 2025. [Online]. Available: https://dcenr.maps.arcgis.com/apps/MapSeries/index.html?appid=a30af518e87a4c 0ab2fbde2aaac3c228. [Accessed 2025].
- [17] Tailte Éireann, "GeoHive: Ireland's National Geospatial Data Hub," [Online]. Available: https://www.geohive.ie/. [Accessed 2025].
- [18] Google, "Google Earth," 2025. [Online]. Available: https://earth.google.com/web/. [Accessed 2025].
- [19] J. A. Fossitt, A Guide to Habitats in Ireland, Dublin: The Heritage Council, 2000.
- [20] OPW, "Flood Maps," 2024. [Online]. Available: http://www.floodinfo.ie/map/floodmaps/#.
- [21] European Commission, "Assessment of plans and projects significantly affecting Natura 2000 sites. Methodological guidance on the provisions of articles 6(3) and (4) of the Habitats Directive 92/43/EEC.," Luxembourg: Office for official publications of the European Communities , 2002.
- [22] EC, "S.I. No. 374/2024 European Union (Invasive Alien Species) Regulations 2024," European Union, 26 07 2024. [Online]. Available: https://www.irishstatutebook.ie/eli/2024/si/374/made/en/print.
- [23] IAQM, "Guidelines on the assessment of dust from demolition and construction," 2014.
- [24] IAQM, "Guidance on the Assessment of Mineral Dust Impacts for Planning," Institute of Air Quality and Management, London, 2016.
- [25] National Roads Authority, "Guidelines for the Treatment of Otters prior to the Construction of National Road Schemes," National Roads Authority, 2006.
- [26] N. H. K. S. J. Cutts, "Waterbird Disturbance Mitigation Toolkit Informing Estuarine Planning and Construction Projects," 2013.
- [27] Statutory Instruments, "S.I. No. 384/2024 European Union (Invasive Alien Species) Regulations 2024," European Union, 2024.
- [28] CIRIA, "C532 Control of Water Pollution from Construction, Guidance for Consultants and Contractors," 2011.
- [29] LCC, "Louth County Council Planning Portal," 2022. [Online]. Available: https://www.eplanning.ie/LouthCC/searchexact.

- [30] NBDC, "National Biodiveristy Live Maps," 2023. [Online]. Available: http://maps.biodiversityireland.ie/.
- [31] CIRIA, "C811 Environmental Good Practice on Site (5th edition)," CIRIA, 2023.
- [32] NPWS, "National Parks and Wildlife Service," 2024. [Online]. Available: https://www.npws.ie.