



## Athboy Town Centre Project

### Appropriate Assessment Screening Report



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## 1.0 INTRODUCTION

TOBIN Consulting Engineers have been commissioned by Meath County Council to provide design and environmental consultancy services for the Athboy Town Centre Project in County Meath. This report forms an Appropriate Assessment (AA) Screening Report for the proposed development which will include the provisions of a designated bus stop facility including all ancillary highway works located NW of St. James Catholic Church and urban realm upgrade works up to the N51 Junction.

The purpose of this Screening Report is to inform the AA process, which is carried out by the competent authority (in this case, Meath County Council). Appropriate Assessment is an assessment of whether a plan or project, alone and/or in-combination with other plans or projects, may have significant effects on a European site, collectively known as the Natura 2000 network, in view of the site's conservation objectives.

The project design has sought to, in as far as possible, avoid impacts on European sites. This report considers the final design. It determines if direct, indirect and/or in-combination effects could arise, or if there is uncertainty regarding potential effects.

This report provides information to assist the competent authority in undertaking a Screening Assessment of the proposed development and was informed by a desktop study undertaken by Junior Ecologist, Una Butler (M.Sc.) and reviewed by Project Ecologist Áine Sands (B.Sc.) at TOBIN Consulting Engineers in November 2021.

## 2.0 THE APPROPRIATE ASSESSMENT PROCESS

The AA process is an assessment of the potential for likely significant effects or negative effects of a plan or project, alone and/or in-combination with other plans or projects, on the conservation objectives of a European site(s). The Natura 2000 network is made up of European sites including Special Protection Areas (SPAs), established under the EU Birds Directive (2009/147/EC) (more generally referred to as the 'Birds Directive') and Special Areas of Conservation (SACs), established under the EU Habitats Directive (92/43/EEC) (more generally referred to as the 'Habitats Directive'). The Natura 2000 network helps provide for the protection and long-term survival of Europe's most valuable and threatened species and habitats.

The Screening Stage of the AA process identifies any likely significant effects upon European sites from the proposed development alone or in-combination with other projects or plans. A series of questions are asked during the Screening Stage of the AA process to determine:

- 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
- whether the project or plan 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 or if residual uncertainty exists regarding potential impacts.

### 2.1 Legislative Context

The Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora, better known as the 'Habitats Directive', provides legal protection for 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 network.

Articles 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 AA:

*'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 or 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 implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.'*

Article 6(4) states:

*'If, in spite of a negative assessment of the implications for the [Natura 2000] site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, Member States shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.'*

The provision for an AA is transposed into Irish law by Part XAB of the Planning and Development Act 2010 (as amended). Section 177U (4) of the said Acts provides for screening for Appropriate Assessment as follows:

*'The competent authority shall determine that an appropriate assessment of [...] a proposed development [...] is required if it cannot be excluded, on the basis of objective information, that the [...] proposed development, individually or in combination with other plans or projects, will have a significant effect on a European site.'*

Section 177U (5) provides as follows:

*'The competent authority shall determine that an appropriate assessment of a [...] proposed development, [...], is not required if it can be excluded, on the basis of objective information, that the [...] proposed development, individually or in combination with other plans or projects, will have a significant effect on a European site.'*

An AA should be based on best scientific knowledge and the competent authority should ensure that expertise such as ecological, geological, and hydrological are utilised, where relevant.

The Court of Justice of the European Union (CJEU) has made a number of rulings in relation to AA, regarding when it is required, its purpose, and the standards it should meet. Consideration has been given to the evolution in interpretation and application of directives and national legislation arising from jurisprudence of the European and Irish courts, in respect of Article 6 of the Habitats Directive.

## 2.2 Stages Involved in the Appropriate Assessment Process

There are potentially four stages in the AA process; the result of each stage determines the requirement for assessment under the next.

### Stage 1: Screening / Test of Significance

This process identifies the likely significant effects upon a European site from a proposed project or plan. Its purpose is to determine, on the basis of a preliminary assessment and objective criteria, whether a plan or project which is not directly connected with or necessary to the management of the site as a European site, individually or in-combination with other plans or projects is likely to have a significant effect upon the European site, in view of its conservation objectives. A project may be 'screened-in' if there is a possibility or uncertainty of possible effects upon the European site, requiring a Stage Two AA. If there is no evidence to suggest significant effects due to the proposed plan or development the project is 'screened-out' from further assessment.

### Stage 2: Appropriate Assessment

In this stage, consideration is given to ascertain whether the plan or project would adversely affect the integrity of a European site(s), either alone or in- combination with other plans or projects, with respect to the European site's structure and function and its conservation objectives. This stage of the assessment is carried out by the consenting authority and is informed by a Natura Impact Statement (NIS). A NIS is required where there is uncertainty as to whether or not an adverse effect arises, uncertainty of the effect itself, or a potential effect has been defined which requires further procedures/mitigation to remove uncertainty of a defined impact (i.e. significant effects cannot be excluded). Where there are adverse effects, an assessment of the potential mitigation to ameliorate those effects is required. If the assessment results in a negative conclusion, i.e., adverse effects on the integrity of a site cannot be excluded (by design or mitigation) or there is uncertainty as to whether an adverse impact arises, then the process must consider alternatives (Stage 3) or proceed to Stage 4.

### Stage 3: Assessment of Alternatives

This stage of the potential process arises where adverse effects on the integrity of a European site cannot be excluded and examines alternative ways of achieving the objectives of the project or plan that avoid adverse impacts on the integrity of the European site. However, in circumstances where there will not be any adverse effects on any European site, the developer places no reliance upon this third stage of the process in the context of this application for planning permission for the proposed development.

### Stage 4: Assessment Where Adverse Effects Remain

This is the derogation process of Article 6(4), which examines whether there are imperative reasons of overriding public interest [IROPI] for allowing a project to proceed where adverse effects on the integrity of a European site have been predicted. Compensatory measures must be proposed and assessed as part of this stage and the EU Commission must be informed of the compensatory measures. Again, the developer places no reliance upon this stage of the process in the context of the application for planning permission for the proposed development.

## 2.3 Legislation and Guidance

This report has been carried out with reference to the following legislation and guidance:

- Communication from the Commission on the Precautionary Principle. Office for Official Publications of the European Communities, Luxembourg (European Commission [EC] 2000) (Publication Office of the European Union, 2021).
- Nature and Biodiversity Cases: Ruling of the European Court of Justice. Office for Official Publications of the European Communities, Luxembourg (EC, 2006).
- Managing Natura 2000 Sites – The provisions of Article 6 of the Habitats Directive 92/43/EEC. European Commission (EC, 2018).
- Interpretation Manual of European Union Habitats. Version EUR 28. European Commission (EC, 2013).
- Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government (DoEHLG, 2010).
- Guidance document on Article 6(4) of the 'Habitats Directive' 92/43/EEC – Clarification of the concepts of: alternative solutions, imperative reasons of overriding public interest, compensatory measures, overall coherence, opinion of the commission. Office for Official Publications of the European Communities, Luxembourg (EC, 2007).
- 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, Office for Official Publications of the European Communities, Luxembourg (EC, 2001).
- Appropriate Assessment Screening for Development Management. Office of the Planning Regulator (OPR) Practice Note PN01 (OPR, 2021).

This report has similarly been prepared with regard to relevant rulings by the Court of Justice of the European Union (CJEU), the High Court, and the Supreme Court.

Definitions of conservation status, integrity and significance used in this assessment are defined in accordance with '*Managing Natura 2000 sites: The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC*' (EC, 2018):

- Favourable conservation status (FCS) can only be defined and achieved at the level of the natural range of a species or a habitat type. A broad conservation objective aiming at achieving FCS can therefore only be considered at an appropriate level, such as for example the national, biogeographical or European level. The conservation measures have to correspond to the ecological requirements of the natural habitat types in Annex I and of the species in Annex II present on the site. The ecological requirements of those natural habitat types and species involve all the ecological needs which are deemed necessary to ensure the conservation of the habitat types and species. They can only be defined on a case-by-case basis and using scientific knowledge.
- The integrity of a European site is defined as the coherent sum of the site's ecological structure, function, and ecological processes, across its whole area, which enables it to sustain the habitats, complex of habitats and/or populations of species for which the site is designated.
- Significant effect should be determined in relation to the specific features and environmental conditions of the protected site concerned by the plan or project, taking particular account of the site's conservation objectives and ecological characteristics.



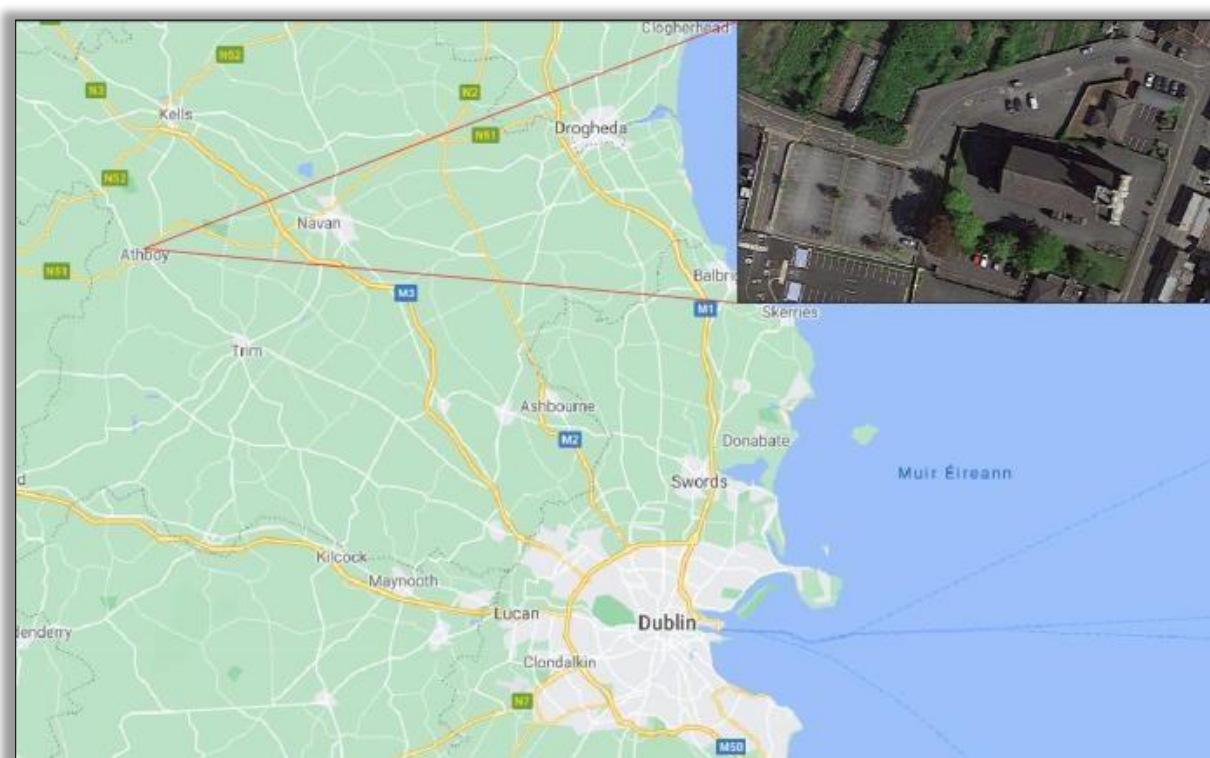
## 3.0 SCREENING ASSESSMENT

### 3.1 Introduction

This report comprises a Screening AA of the proposed development. Potential impacts on European sites arising from the proposed development are considered.

The proposed site location of the development is to the NW of St. James Catholic Church in Athboy, Co. Meath. Athboy lies within easy reach of Navan, Trim and Kells, to the west of County Meath. See Figure 3-1 below.

*Figure 3-1: Location and aerial view of proposed development*



The proposed development will consist of:

- Amendments to the junction between the N51 and Side Road.
- Road Alignment upgrades to remove a 90° bend close to Church, Creche and Primary School.
- Upgrade of the existing public car park
- Removal of undesignated parking zone adjacent to St. James' Catholic Church and creation of a designated bus stop and turning facility.
- All associated ancillary highway works relevant (drainage, utilities, public lighting, KFPA, signs and lines and pavement design).
- Removal of the bottle bank adjacent to St. James' Church on the side street and relocation to the Meath County Council Depot adjacent to Lower Bridge Street.

The Athboy Town Centre Project involves the proposal to provide a designated bus stop facility and associated urban realm upgrades within Athboy Co. Meath.

Key areas have been identified for improvements through the published documents of Athboy written Statement, Athboy Local Area Plan, and the Walkability Audit. These improvements have been envisaged with the goal of linking all areas of the town by introducing better walking facilities, pedestrian focused street space, and designated and controlled parking areas.

The relocation of the existing bus stops on Main St., located to the NE of the intersection of Main- Street (N51) and Connaught St. has been identified in each report. The existing bus stops have been criticized for causing traffic backups on the main street. The location of the current bus stop also requires passengers to make their way through parked cars in order to embark/disembark from the service which is a significant safety issue. The existing operation has a negative effect on both motorists and pedestrians.

The introduction of a defined bus stop would eliminate these issues. It would create a designated area for all passengers to access the bus services in a safe and comfortable manner, which will encourage use of the service. It will also help mitigate the issue of traffic congestion due to bus traffic, and therefore create improved traffic flow through the town. The traffic in Athboy is a mixture of heavy goods vehicles (HGVs), bus and utility service vehicles, as well as regional and local car traffic. Traffic is observed as relatively significant and constant throughout the day, particularly at peak times. As a relatively large urban area, it is important that Athboy maintains good transportation linkages to surrounding urban and rural areas, which is a key factor in attracting future economic and residential populations.

In addition to the provision of a designated bus stop facility and resulting improvement in traffic, the scheme will enhance the public space adjacent to St. James Catholic Church, through the development of new pedestrian facilities and an upgraded urban realm space.

### 3.2 Redesigned public car park

- The existing front boundary wall of the carpark will be removed and either re-used during the project or disposed of offsite.
- The concrete islands separating the carparks will be excavated and removed off site.
- The existing trees planted will be removed and replanted in green area of the new streetscape.
- A pavement overlay design is proposed in the carpark using the existing pavement as a basecourse.

### 3.3 Amended entrance to St James' Catholic Church and Shared Space

- A new entrance to St. James' Catholic Church will be established by the knocking of a segment of the wall where pillars will then be constructed (Historic Boundary wall will be extended and reconstructed using original material)
- The existing pavement will be milled to reach required formation level for the adjoining area.
- The excavated material will be disposed of offsite to a licensed landfill.

### 3.4 Designated Bus Stop and Turning Head

- The pavement will be milled to reach the required formation level for the construction of the bus turning area.
- The excavated material will be disposed of offsite to a licensed landfill.

- A new infill pavement design will then be used in this area with surrounding concrete footpaths.

### 3.5 Realignment of Side Road

- The realignment of Side Road will be a combination of inlay and newconstruction.
- Excavation of existing footpaths and milling of the existing road will be required, waste material will be disposed of offsite to a licensed landfill.
- The trees located along the back of the existing footpath will be removed.

### 3.6 Relocation of Bottle Bank

- The bottle bank adjacent to St. James' Church will be removed.
- This bottle bank will be relocated to the Meath County Council Depot, located off Lower Bridge Street via lorry. Refer to Figure 3-3
- Gullies to the existing sealed surface water drainage system will be installed along Lower Bridge Street.
- Kerbing footpaths will also be installed along Lower Bridge Street.
- The total area needed for proposed relocation site for the bottle bank is approx. 1,200m<sup>2</sup>. Drainage arrangements include for the use of existing carrier drains and gullies.
- The banks will be cleared approximately one a month via the N52 National Road.

It is anticipated that the proposed construction works will commence in the latter part of 2022 and last for an approximate duration of 8-12 weeks.

### 3.7 Operational Phase Activities

There may be additional lights installed for passenger safety, there will also be an increase in bus traffic to the area. All surface water run-off as part of the scheme will be diverted into existing storm drains.

*Figure 3-2: Aerial view of proposed site and construction location indication*

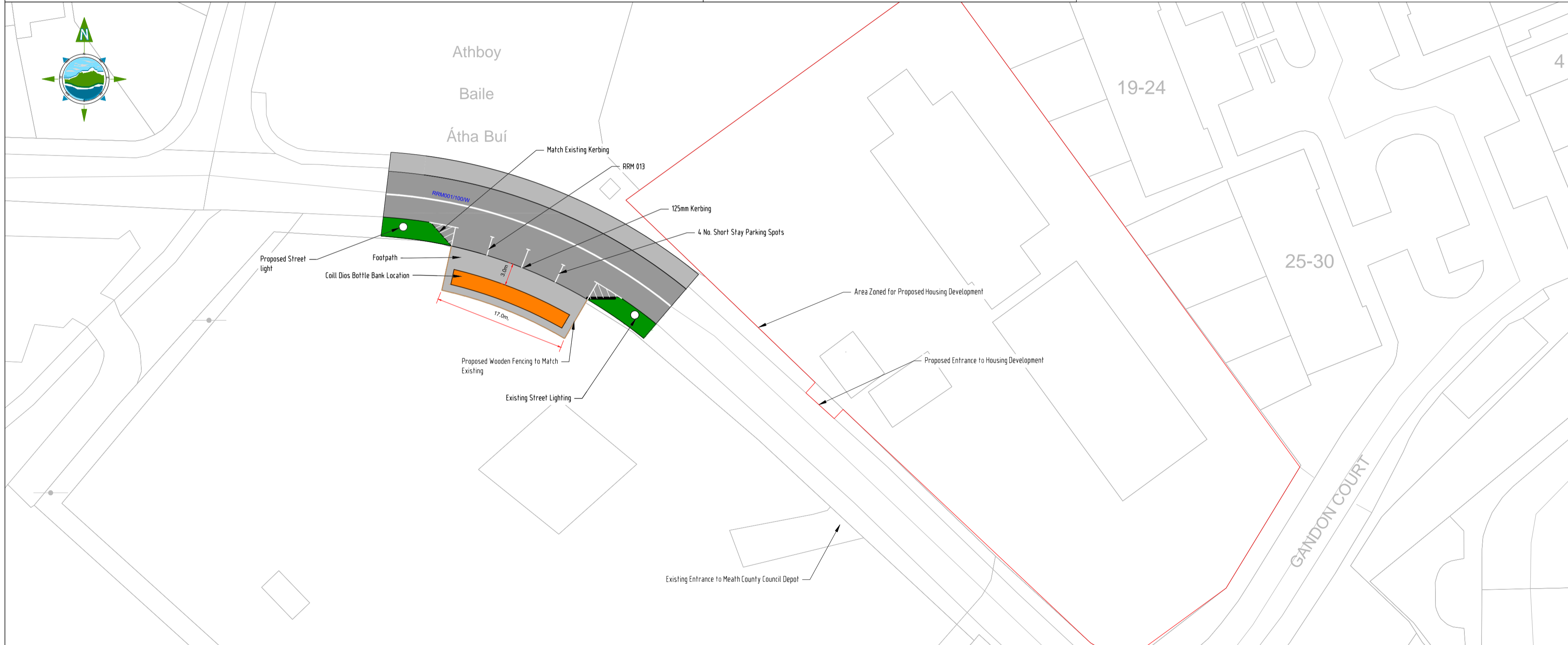




Existing Bottle Banks on Side Street to be Relocated



Match Existing Fencing and Kerbing



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D00	25/11/21	Planning Issue	DMcH	RM

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Project: **Athboy Town Centre Project**

Title: **Alternative Bottle Bank Facility Location**

Prepared by:	DMcH
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Figure 3-4: Proposed development plan



## 3.8 Description of the Existing Environment

### 3.8.1 Desktop Assessment and Information Sources

A desktop study was undertaken to inform this screening assessment. The desktop study comprised a review of the following key datasets and information sources:

- Identification of European sites within the Zone of Influence (ZoI) of the proposed development area through the identification of potential pathways/links from the proposed development area and European sites and/or supporting habitats.
- Review of the National Parks and Wildlife Service (NPWS) site synopsis, Natura 2000 data forms and Conservation Objectives for European sites identified through potential pathways from the proposed development (NPWS, 2021).
- NPWS datasets on Annex I habitats and Annex II species (Kingston, 2012).
- Review of available literature and web data. This included a detailed review of the NPWS and National Biodiversity Data Centre (NBDC) websites including mapping and available reports for relevant sites and in particular Qualifying Interests and Special Conservation Interests described and their Conservation Objectives (NPWS, 2021; NBDC, 2021).
- Review of Inland Fisheries Ireland (IFI) research data. This included reviewing research studies carried out for the Habitats Directive and Red Data Book Fish species within the receiving environment (IFI, 2021).
- Water Framework Directive (WFD) website (E.C., 2021).
- GIS Online mapping (GSI, 2021).
- EPA Mapping database (EPA, 2021)

Review of previous and current ecological assessments undertaken within the area was also undertaken. In addition, aerial photography (Google Maps, Bing Maps) and mapping (Ordnance Survey of Ireland, Geological Survey of Ireland) were used to identify non-designated habitats such as rivers, woodlands, and hedgerows of local ecological importance.

The findings of the desktop study are summarised hereunder.

### 3.8.2 Existing Environment

As previously mentioned, the proposed development is situated to the NW of St James Church, Athboy. The proposed development site is situated in an urban setting and the surrounding habit predominantly comprises Buildings and Artificial surfaces (BL3) with some Treelines (WL2) present.

There are no European sites located within or adjacent to the proposed development site. The closest European site is the River Boyne and Blackwater SAC (Site Code: 002299) which is located approximately 460m east of the proposed development site at its closest point.

Qualifying interests of this SAC include: Alkaline fens [7230], Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*) [91E0], River Lamprey (*Lampetra fluviatilis*) [1099], Salmon (*Salmo salar*) [1106] and Otter (*Lutra lutra*) [1355].

This SAC is an important site for otters and they can be found throughout the site (NPWS, 2014). The National Biodiversity Data centre (NBDC) species map for the European Otter has multiple records of otter within the 10km grid square which encompasses Athboy town and the proposed development site. However, there is no suitable habitat to support otter within the proposed development site. There are no watercourses located within the proposed development site boundary. The closest watercourse to the proposed development site is the River Athboy (EPA Code: IE\_EA\_07A010300), which is located approximately 460m from the proposed development site boundary. Water quality of the River Athboy which is located within the SAC is 'moderate' (EPA, 2021). There is no hydrological connectivity between the proposed development site and the River Athboy.

The River Boyne and River Blackwater SPA which is located approximately 460m east of the proposed development is under the E.U. Birds Directive with special conservation interest for the Kingfisher (*Alcedo atthis*) [A229], a species on Annex I of the E.U Birds Directive. A survey in 2010 recorded 19 pairs of Kingfisher (based on 15 probable and 4 possible territories) in the River Boyne and River Blackwater SPA. A survey conducted in 2008 recorded 20-22 Kingfisher territories within the SPA (NPWS, 2010).

Also within the 15km radius of the site is Girley (Drewstown) Bog SAC (Site Code: 002203) which is situated 5.5km north of Athboy and approximately 5.5km from the proposed development site. The Girley (Drewstown) Bog SAC qualifying interests include Degraded raised bogs still capable of natural regeneration [7120]. Girley (Drewstown) Bog SAC occurs within the larger raised bog system that is designated as Girley Bog NHA (001580) (NPWS, 2021).

There were no records of invasive plant species found within or near the proposed development site. There are also no records of Annex I habitats located within the confines of the proposed habitat (NBDC, 2021).

### 3.9 Overview of Potential Impacts

The proposed development site is not located within or directly adjacent to any designated European site. Therefore, there will be no direct impact on any European sites as a result of the proposed development.

There are several elements associated with the proposed development however that may give rise to indirect impacts that have the potential to result in likely significant effects during both the Construction and Operation Phases. The significance of these impacts depends on the scale of the impact as well as the ecological condition and the sensitivities of the qualifying interests/special conservation interests. Elements of the proposed development that may give rise to impacts which have been considered with regards to potential effects on European sites are discussed hereunder.

#### 3.9.1 Construction Phase

##### 3.4.4.1 Runoff of Sediment and/or Construction Pollution

Site clearance, excavation activities and the stockpiling of material have the potential to result in the runoff of sediment if not appropriately managed, however due to the lack of nearby



waterways, the likelihood of this is lower. All surface water run off as part of the scheme will be diverted into existing storm drains.

Excavation activities may also result in the temporary generation of dust in the locality of the works area. The Institute of Air Quality Management provide guidelines, which prescribes potential dust emission risk classes to ecological receptors (Holman et al., 2014). Following the guidelines and considering the size of the proposed development, the scale of the earthworks are considered small. The guidelines indicate that 'Small' trackout equates to dust occurring up to 50m from the site. The spatial limit of dust impacts was therefore determined as a 50m buffer from the proposed works area.

Surface water runoff can be contaminated by leaks and spills of fuel, oil or other construction material from construction vehicles/machinery if not appropriately managed.

The pouring of concrete will be required to facilitate the foundation works. The runoff of contaminated surface water can result in the degradation of water quality and impacts to aquatic fauna and flora.

The proposed development site is in an area of high groundwater vulnerability which could affect the water quality of groundwater bodies if deep foundations were needed for construction, however, there will be no deep excavations or deep drilling during this project therefore there is no risk of groundwater impacts.

#### *3.4.4.2 Noise an Disturbance*

The proposed construction works will result in an increase in noise levels during the works due to the presence of construction vehicles and machinery. The construction works will also result in an increase in personnel and traffic movement to and from the site. Some rock drilling may will be required during minor excavation activities. No blasting or piling will be undertaken.

A temporary increase in noise levels within the proposed development site may result in disturbance to wildlife within the immediate vicinity of the site. However, the proposed development site is situated in an urban setting where existing background noise levels are already elevated, disturbance to wildlife should be minimal.

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 (NRA, 2008). The proposed development site is set back approximately 460m from the closest European site.

#### *3.9.2 Operational Phase*

Impacts on the immediate area caused by the operational phase of this development may include: the addition of artificial lights (for passenger safety) which could add to light pollution in the area and also, an increase in vehicle noise from buses travelling to and from the bus stop. However, impacts will be minimal as the area is already a built-up area which will already have a certain level of noise and light pollution.

The operational phase is not likely to cause any effects due to the location of the proposed development site within a built up area which already has heavy traffic. The establishment of this bus stop should alleviate traffic as the bus will not obstruct other vehicles when passengers are embarking/disembarking from the bus.

The proposed project may result in an increase in artificial lighting in the immediate vicinity of the proposed development site, however, due to the area already being built-up, this is likely to have only a minimal impact.

### 3.10 Determining the Likely Zone of Influence

Guidance in AA of plans and projects in Ireland notes that a distance of 15km is recommended for the identification of relevant European sites ( DEHLG). For some projects the distance could be much less than 15km, and in some cases less than 100m, but this must be evaluated on a case-by-case basis with reference to the nature, size and location of the project, and the sensitivities of the ecological receptors, and the potential for in-combination effects.

Using the source-pathway-receptor model an examination of the potential effects of the proposed development was undertaken (alone and / or in-combination) to identify what European sites, and which of their qualifying interests or special conservation interest species were potentially at risk (OPW, 2012). This was required to determine the Zol for the proposed development. This conceptual model is a standard tool in environmental assessment. In order for an effect to occur, all three elements of this mechanism must be in place. The absence or removal of one of the elements of the mechanism means there is no likelihood for the effect to occur. In the context of the proposed development, the model comprises:

- Source(s) – potential impacts from the proposed development, e.g. the runoff of sediment/construction pollution;
- Pathway(s) – hydrological, physical or ecological connectivity between the proposed development and the European site; and
- Receptor(s) – qualifying interests and/or special conservation interests of the European sites.

The Chartered Institute of Ecology and Environmental Management (CIEEM) defines the Zol of a project as the area(s) over which ecological features may be affected by the biophysical changes caused by the proposed project and associated activities.

In order to establish the Zol of the proposed development works, the likely key biophysical changes associated with the works were determined having regard to the project characteristics set out in Section 3.2 of this report. The Zol of the proposed development is described hereunder.

Impacts associated with the loss of habitats will be confined to within the proposed development site boundary. The Zol was therefore defined as all lands within the Planning Application Boundary.

With regards potential habitat degradation effects associated with the release of sediment and other pollutants to surface water, the Zol of the proposed development is considered to include receiving waterbodies adjacent to or downstream of the proposed development site during the construction phase. The distance downstream is associated with the current biological condition of the accepting waterbody and its capacity to accept and assimilate sediment and other pollutants. It should be noted however that there is no hydrological connectivity between the proposed development site and any waterbody.

The spatial limit of dust impacts was established as 50m from the site entrance. The Zol for dust impacts was therefore established as 50m from the proposed development site boundary.

Noise from the construction activity has the potential to cause disturbance to resting, foraging and commuting qualifying and special conservation interest species. Individual species will elicit

differing behavioural responses to disturbance at different distances from the source of disturbance. Below is a summary of the documented zones of influence for varying species.

- 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 (TFI, 2021).
- Cutts *et al.* (2013) notes that different types of disturbance stimuli are characterised by different avifaunal reactions, however as a general rule of thumb, a distance of 300m can be used to represent the maximum likely disturbance distance for waterfowl.

The Zol for noise/disturbance was therefore established as the proposed development site plus a 300m buffer.

### 3.11 Identification of Relevant European Sites

As mentioned above, the source-receptor-pathway conceptual model was used to identify a list of 'relevant' European sites (i.e. those which could be potentially affected). Three European sites were identified within the 15km buffer and are listed in Table 3-1 below and illustrated in Figure 3-3. In addition, the three European sites and the potential for source-pathway-receptor links for effect was assessed and outlined in Table 3-2.

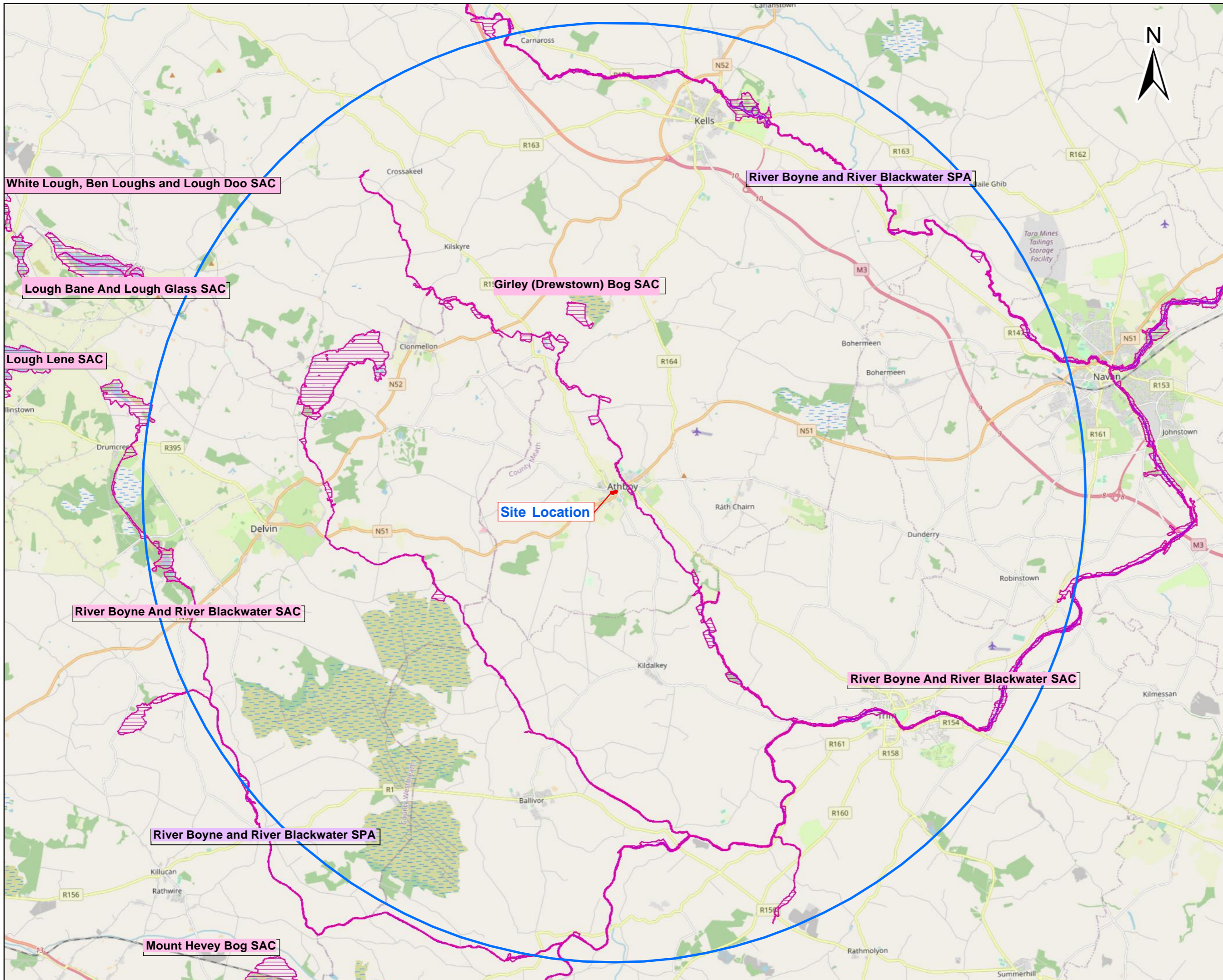
Table 3-1: European sites and proximity to proposed development site

Designated Sites	Approximate Distance from proposed development
River Boyne and Blackwater SAC (002299)	Ca. 460m from proposed development site
River Boyne and River Blackwater SPA (004232)	Ca. 460m from proposed development site
Girley (Drewstown) Bog SAC (002203)	Ca. 5.5km from proposed development site

Table 3-2: European Sites within 15 km and Assessment of Likely Significant Effects

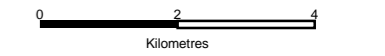
European Site	Qualifying Interests / Special Conservation Interests	Source-Pathway-Receptor Link	Possibility of Likely Significant Effects
River Boyne and Blackwater SAC (002299)	<ul style="list-style-type: none"> <li>• Otter</li> <li>• River Lamprey</li> <li>• Atlantic Salmon</li> </ul>	<p>The SAC is located approximately 460m from the proposed development site and thus occurs outside the Zol of direct habitat impacts and dusts effects. Similarly, due to the distance there is no potential for the introduction of invasive plant species within the SAC.</p> <p>There is no hydrological connectivity between the proposed development and the SAC. There is therefore no potential for water quality impacts on the aquatic designated species.</p> <p>The SAC is designated for otter. Otter breeding sites can be disturbed within 150m of works (NPWS, 2008). Considering the proposed development site is located 460m from the SAC site boundary, and there are no previous recorded of otter or suitable habitat within the proposed development site, there is no potential for the disturbance of the species.</p>	No potential for likely significant effects

European Site	Qualifying Interests / Special Conservation Interests	Source-Pathway-Receptor Link	Possibility of Likely Significant Effects
		No Source-Pathway-Receptor link exists between the development and the River Boyne and Blackwater SAC.	
River Boyne and Blackwater SPA (004232)	<ul style="list-style-type: none"> <li>Kingfisher</li> </ul>	<p>The SPA is located approximately 460m from the proposed development site and thus occurs outside the Zol of direct habitat impacts and dusts effects. Similarly, due to the distance there is no potential for the introduction of invasive plant species within the SPA.</p> <p>There is no hydrological connectivity between the proposed development and the SPA.</p> <p>The SPA is situated approximately 460m from the proposed development site. There is no suitable kingfisher habitat within or adjacent to the proposed development site. Considering the distance and lack of suitable habitat within the site, there is no potential for the disturbance of this species.</p> <p>No Source-Pathway-Receptor link exists between the development and the River Boyne and Blackwater SPA.</p>	No potential for likely significant effects
Girley (Drewstown) Bog SAC (002203)	Degraded raised bogs still capable of natural regeneration [7120]	<p>The SAC is located approximately 5.5km from the proposed development site and thus occurs outside the Zol of direct habitat impacts and dusts effects. Similarly, due to the distance there is no potential for the introduction of invasive plant species within the SAC.</p> <p>There is no hydrological connectivity between the proposed development and the SAC.</p> <p>No Source-Pathway-Receptor link exists between the development and the Girley Bog SAC.</p>	No potential for likely significant effects



**Legend**

- [Red outline] Site Boundary
- [Blue circle] 15km buffer from the Site boundary
- [Pink hatched box] SAC
- [Purple hatched box] SPA



- NOTES**
1. FIGURED DIMENSIONS ONLY TO BE TAKEN FROM THIS DRAWING
  2. ALL DRAWINGS TO BE CHECKED BY THE CONTRACTOR ON SITE
  3. ENGINEER TO BE INFORMED OF ANY DISCREPANCIES BEFORE ANY WORK COMMENCES
  4. ALL LEVELS RELATE TO ORDNANCE SURVEY DATUM AT MALIN HEAD

Issue	Date	Description	By	Chkd.
D01	09/11/2021	Draft issue	S.P	LK

Client:

comhairle chontae na mi meath county council

Project:

Athboy Town Centre

Title:

Overview of European Sites within 15km of the Site

Scale @ A3: 1:110,000

Prepared by: S.Pezzetta  
 Checked: L.Kennedy  
 Date: November 2021  
 Project Director: D.Grehan

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Figure 3-5

A02

## 4.0 IDENTIFICATION OF LIKELY SIGNIFICANT EFFECTS

### 4.1 Potential for Likely Significant Effects

As outlined in Table 3-2 no source-pathway-receptor link exists between the proposed development site and any European site. As no so source-pathway-receptor links were identified there is no potential for likely significant effects on any European site in view of their conservation objectives.

### 4.2 Potential for In-Combination Effects

Article 6(3) of the Habitats Directive requires that:

*“Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives.”*

It is therefore required that the potential impacts of the proposed development are considered in-combination with any other EIA relevant plans or projects. A review of Meath County Council planning portal and of the EIA portal was undertaken was therefore undertaken (M.C.C., 2021; Gov, 2021).

#### 4.2.1 Projects

All projects proposed and granted in the past 5 years and within a 100m radius of the proposed site were examined to determine whether they could in any way cause potential for In-Combination Effects with this proposed project . One planning application was found approximately 95m from the proposed development site .This development consists of a mix of commercial/residential developments (permission is pending). However, considering the small-scale and temporary nature of the commercial/residential development and lack of connectivity there is no potential for the in-combination of effects with the proposed development under appraisal in this report.

In addition, the planning portal indicated that a number of small scale residential developments / conversions are proposed in proximity to the proposed development site. The small residential developments however have no connectivity to the proposed development site or any European sites. Considering the small scale and temporary nature of the proposed residential developments, coupled with the lack of connectivity, and the absence of potential significant effects associated with the proposed development there is no potential for the in-combination of effects.

## 5.0 SCREENING ASSESSMENT CONCLUSION

This assessment determined, using best scientific knowledge, that potential impacts associated with the proposed development, either alone or in-combination with other plans and projects, will not result in likely significant effects on any European site in view of their conservation objectives. A Stage 2 Appropriate Assessment is therefore not required.

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