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## **HABITATS DIRECTIVE SCREENING OF A PROPOSED PART 8 DEVELOPMENT AT GORMANSTOWN, STAMULLEN, CO. MEATH**



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# 1 INTRODUCTION

## 1.1 BACKGROUND

Article 6 of the EU Habitat's Directive (Council Directive 92/43/EEC) requires that all plans and projects be screened for potential impacts upon Special Areas of Conservation (SACs) or Special Protection Areas (SPAs). The aim of this screening process is to establish whether or not a full Appropriate Assessment of the proposed plan or project is necessary.

A comprehensive assessment of the potential significant effects of a proposed Part 8 development in Gormanstown, Stamullen, Co. Meath on European designated sites was carried out in September 2022 (Revised in April 2023) by Noreen McLoughlin, MSc, MCIEEM of Whitehill Environmental. This assessment will allow the Competent Authority, i.e., Meath County Council, to undertake an Appropriate Assessment determination, as required under Article 6(3) of the Habitats Directive. Permission for these works will be sought under Part 8 of the Planning Process.

The location of the proposed development is within 15km of sites designated under European Law. As such and in accordance with Article 6(3) of the EU Habitat's Directive (Council Directive 92/43/EEC) regarding Appropriate Assessment, this screening exercise for Appropriate Assessment was carried out in order to identify whether any significant impacts on designated sites are likely. This exercise will also determine the appropriateness of the proposed project, in the context of the conservation status of the designated sites.

## 1.2 REGULATORY CONTEXT

### RELEVANT LEGISLATION

The Birds Directive (Council Directive 2009/147/EC) recognises that certain species of birds should be subject to special conservation measures concerning their habitats. The Directive requires that Member States take measures to classify the most suitable areas as Special Protection Areas (SPAs) for the conservation of bird species listed in Annex 1 of the Directive. SPAs are selected for bird species (listed in Annex I of the Birds Directive), that are regularly occurring populations of migratory bird species and the SPA areas are of international importance for these migratory birds.

The EU Habitats Directive (92/43/EEC) requires that Member States designate and ensure that particular protection is given to sites (Special Areas of Conservation) which are made up of or support particular habitats and species listed in annexes to this Directive.

Articles 6(3) and 6(4) of this Directive also call for the undertaking of an Appropriate Assessment for plans and projects not directly connected with or necessary to the management of, but which are likely to have a significant effect on any European designated sites (i.e. SACs and SPAs).

The Water Framework Directive (WFD) (2000/60/EC), which came into force in December 2000, establishes a framework for community action in the field of water policy. The WFD was transposed into Irish law by the European Communities (Water Policy) Regulations 2003 (S.I. 722 of 2003). The WFD rationalises and updates existing legislation and provides for water management on the basis of River Basin Districts (RBDs). RBDs are essentially administrative areas for coordinated water management and are comprised of multiple river basins (or catchments), with cross-border basins (i.e. those covering the territory of more than one Member State) assigned to an international RBD. The aim of the WFD is to ensure that waters achieve at least good status by 2027 and that status does not deteriorate in any waters.

### **Appropriate Assessment and the Habitats Directive**

Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Fauna and Flora – the ‘Habitats Directive’ - provides legal protection for habitats and species of European importance. Article 2 of the Directive requires the maintenance or restoration of habitats and species of European Community interest, at a favourable conservation status. Articles 3 - 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*. *Natura 2000* sites 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).

Articles 6(3) and 6(4) of the Habitats Directive sets out the decision-making tests for plans or projects affecting *Natura 2000* sites. Article 6(3) establishes the requirement for Appropriate Assessment:

“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. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only 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) deals with the steps that should be taken when it is determined, as a result of appropriate assessment, that a plan/project will adversely affect a European site. Issues dealing with alternative solutions, imperative reasons of overriding public interest and compensatory measures need to be addressed in this case.

Article 6(4) states:

“If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, the 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.

Where the site concerned hosts a priority natural habitat type and/or a priority species, the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.”

#### The Appropriate Assessment Process

The aim of Appropriate Assessment is to assess the implications of a proposal in respect of a designated site’s conservation objectives.

The ‘Appropriate Assessment’ itself is an assessment which must be carried out by the competent authority which confirms whether the plan or project in combination with other plans and projects will have an adverse impact on the integrity of a European site.

Screening for Appropriate Assessment shall be carried out by the competent authority as set out in Section 177U(1) and (2) of the Planning and Development Act 2000 (as amended) as follows:

‘(1) A screening for appropriate assessment of a draft Land use plan or application for consent for proposed development shall be carried out by the competent authority to assess, in view of best scientific knowledge, if that Land use plan or proposed development, individually or in combination with another plan or project is likely to have a significant effect on the European site.

(2) A competent authority shall carry out a screening for appropriate assessment under subsection (1) before—

(a) a Land use plan is made including, where appropriate, before a decision on appeal in relation to a draft strategic development zone is made, or

(b) consent for a proposed development is given.'

The competent authority shall determine that an Appropriate Assessment is not required if it can be excluded, that the proposed development, individually or in combination with other plans or project will have a significant effect on a European site.

Where the competent authority cannot exclude the potential for a significant effect on a European site, an Appropriate Assessment shall be deemed required.

Where an Appropriate Assessment is required, the conclusions of the Appropriate Assessment Report (Natura Impact Statement (NIS)) should enable the competent authority to ascertain whether the plan or proposed development would adversely affect the integrity of the European site. If adverse impacts on the integrity of a European site cannot be avoided, then mitigation measures should be applied during the appropriate assessment process to the point where no adverse impacts on the site remain. Under the terms of the Habitats Directive consent can only be granted for a project if, as a result of the appropriate assessment either (a) it is concluded that the integrity of any European sites will not be adversely affected, or (b) after mitigation, where adverse impacts cannot be excluded, there is shown to be an absence of alternative solutions, and there exists imperative reasons of overriding public interest for the project should go ahead.

Section 177(V) of the Planning and Development Act 2000 (as amended) outlines that the competent authority shall carry out the Appropriate Assessment, taking into account the Natura Impact Statement (amongst any other additional or supplemental information). A determination shall then be made by the competent authority in line with the requirements of Article 6(3) of the Habitats Directive as to whether the plan or proposed development would adversely affect the integrity of a European site, prior to consent being given.

## 2 METHODOLOGY

### 2.1 APPROPRIATE ASSESSMENT

This Statement of Screening for Appropriate Assessment (Stage 1) has been prepared with reference to the following:

- European Commission (2018). Managing Natura 2000 Sites: The Provisions of Article 6 of the 'Habitats' Directive 92/43/EEC.
- European Commission (2021). 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 (2006). Nature and Biodiversity Cases: Ruling of the European Court of Justice.
- European Commission (2007). Clarification of the Concepts of: Alternative Solution, Imperative Reasons of Overriding Public Interest, Compensatory Measures, Overall Coherence, Opinion of the Commission.
- Department of Environment, Heritage and Local Government (2009). Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities.

The EC Guidance sets out a number of principles as to how to approach decision making during the process. The primary one is 'the precautionary principle' which requires that the conservation objectives of Natura 2000 should prevail where there is uncertainty.

When considering the precautionary principle, the emphasis for assessment should be on objectively demonstrating with supporting evidence that:

- There will be no significant effects on a Natura 2000 site;
- There will be no adverse effects on the integrity of a Natura 2000 site;
- There is an absence of alternatives to the project or plan that is likely to have an adverse effect to the integrity of a Natura 2000 site; and
- There are compensation measures that maintain or enhance the overall coherence of Natura 2000.

This translates into a four stage process to assess the impacts, on a designated site or species, of a policy or proposal.

The EC Guidance states that "each stage determines whether a further stage in the process is required". Consequently, the Council may not need to proceed through all four stages in undertaking the Appropriate Assessment.

The four-stage process is:

**Stage 1: Screening** – The process which identifies the likely impacts upon a Natura 2000 site of a project or plan, either alone or in combination with other projects or plans, and considers whether or not these impacts are likely to be significant;

**Stage 2: Appropriate Assessment** – The consideration of the impact on the integrity of the Natura 2000 site of the project or plan, either alone or in combination with other projects or plans, with respect to the site's structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts;

**Stage 3: Assessment of Alternative Solutions** – The process which examines alternative ways of achieving objectives of the project or plan that avoid adverse impacts on the integrity of the Natura 2000 site;

**Stage 4: Assessment where no alternative solutions exist and where adverse impacts remain** – An assessment of the compensatory measures where, in the light of an assessment of imperative reasons of overriding public interest (IROPI), it is deemed that the project or plan should proceed.

In complying with the obligations set out in Articles 6(3) and following the guidelines described above, this screening statement has been structured as a stage by stage approach as follows:

- Description of the proposed project;
- Identification of the Natura 2000 sites close to the proposed development;
- Identification and description of any individual and cumulative impacts on the Natura 2000 sites likely to result from the project;
- Assessment of the significance of the impacts identified above on site integrity. Exclusion of sites where it can be objectively concluded that there will be no significant effects.



## **2.1 STATEMENT OF COMPETENCY**

This AA Screening report was carried out by Noreen McLoughlin, BA, MSc, MCIEEM. Noreen has an honours degree in Zoology and an MSc in Freshwater Ecology from Trinity College, Dublin and she has been a full member of the Chartered Institute of Ecology and Environmental Management for over sixteen years. Noreen has over 17 years' experience as a professional ecologist in Ireland.

## **2.2 DESK STUDIES & CONSULTATION**

Information on the site and the area of the proposed development was studied prior to the completion of this statement. The following data sources were accessed in order to complete a thorough examination of potential impacts:

- National Parks and Wildlife Service - Aerial photographs and maps of designated sites, information on habitats and species within these sites and information on protected plant or animal species, conservation objectives, site synopses and standard data forms for relevant designated sites.
- Environmental Protection Agency (EPA)- Information pertaining to water quality, geology and licensed facilities within the area;
- Myplan.ie – Mapped based information;
- National Biodiversity Data Centre (NBDC) – Information pertaining to protected plant and animal species within the study area;
- Bing maps & Google Street View – High quality aerials and street images;
- Meath County Council – Plans and Information Pertaining to the Development. Information on planning history in the area for the assessment of cumulative impacts.
- EurGeol. Dr Robert Meehan – Hydrogeological Assessment of the Site.

## **2.3 FIELD BASED STUDIES**

The site of the proposed works was visited on September 5<sup>th</sup> 2022, when habitats within the site were noted and recorded in accordance to Level 3 of Fossit (2000).

## 2.4 ASSESSMENT METHODOLOGY

The proposed development was assessed to identify its potential ecological impacts and from this, the Zone of Influence (Zoi) of the proposed development was defined. Based on the potential impacts and their Zoi, the Natura 2000 sites potentially at risk from direct, indirect or in-combination impacts were identified. The assessment considered all potential impact sources and pathways connecting the proposed development to Natura 2000 sites, in view of the conservation objectives supporting the favourable conservation condition of the site's Qualifying Interests (QIs) or Special Conservation Interests (SCIs).

The conservation objectives relating to each Natura 2000 site and its QIs/SCIs are cited generally for SACs as "to maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or Annex II species for which the SAC has been selected", and for SPAs "to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA".

As defined in the Habitat's Directive, the favourable conservation status of a habitat is achieved when:

- Its natural range and 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;

The favourable conservation status of a species is achieved when:

- The population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats;
- The natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future;
- There is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

Where site-specific conservation objectives (SSCOs) have been prepared for a European site, these include a series of specific attributes and targets against which effects on conservation condition, or integrity, can be measured. Where potential significant effects are identified, then these SSCO should be considered in detail.

### **3 SCREENING**

#### **3.1 DEVELOPMENT DESCRIPTION**

Meath County Council have indicated their intention to develop a new burial ground at Gormanstown, Stamullen, Co. Meath. The proposed development will consist of the provision of a playground, woodland walk, and burial ground constructed on two tiers with associated works including:

- A total of 1,322 no. single Burial Plots, Garden of Remembrance for 90 no. Urn Plots and Columbarium Walls for the interment of Urns.
- A Playground with an area of 1,650 m.sq with a 2.1m high natural stone boundary wall;
- Internal Access Roads and footpaths to accommodate vehicular and pedestrian access with low level Public lighting and walking access isles.
- Utilisation of the existing agricultural entrance from the Local Road L-1617-8 (Gormanston - Stamullen) with provision of a new entrance layout to include natural stone piers, gates and railings.
- Carparking within the development for a total of 92 car-parking spaces with Public Lighting.
- A Caretaker's office/canteen and toilet facilities.
- Installation of Solar PV panels on the Caretaker Building Roof
- Importation of 19,500 tonnes of Soil and Stone by-product to raise the existing ground levels to construct the tiered cemetery; to ensure adequate separation distance from Burials to groundwater; for general landscaping; landscaping burial plots; and the construction of the attenuation system including an attenuation pond.
- Woodland walk comprising of natural walkways, new tree planting with access from the Burial Ground with potential access to the Devlin River Linear walk from an adjoining development.
- All associated works including boundary fencing, landscaping, surface water drainage and attenuation system, attenuation pond, ducting, piping, and ancillary works.

Permission for these works will be sought under Part VIII of planning process.



Figure 1 – Extract from Planning Drawings

### Surface Water

Surface Water from the carpark, internal roads, roof of caretaker and public toilet building will be managed in accordance with SUDS by way of SW attenuation pond after treatment through a petrol interceptor with final discharge in to the River Delvin.

### Wastewater

Wastewater from the public toilets on site will be directed into the existing public sewer that is located along the Gormanstown Road.

### Hydrogeological Assessment

A Hydrogeological Assessment of the site has been prepared by EurGeol Dr Robbie Meehan. This report concluded that that the locality is suitable for burials, especially given the well-drained nature of the surrounding land and the general absence of drains adjacent to the site. No burials will take place at a depth below 2.05m, and this will maintain at least 0.9m depth of unsaturated subsoil between all burials and the water table. In the south-eastern most portion of the site, where groundwater was met at depths between 2.4m and 2.95 m below current ground level, and as mottling was observed in one trial hole at 2.1m below ground level, no burials will take place here at depths below 1.2 m below ground level. In this area, ideally, approximately 0.9 m depth suitable soil and subsoil should be imported across the site, to level it, and to ensure that sufficient depth to water table is maintained beneath burials across the entire site

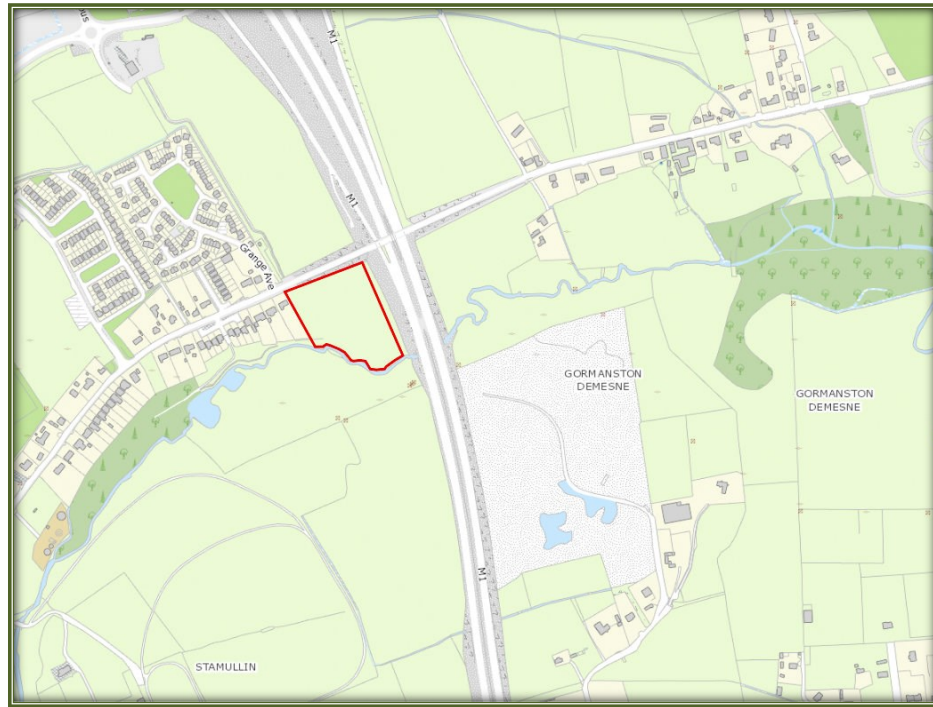
### 3.2 SITE LOCATION AND SURROUNDING ENVIRONMENT

The application site is 2ha and it is situated in the townland of Gormanstown, on the north-eastern outskirts of Stamullen town, approximately 700m north-east of the town centre. The site will be accessed via the creation of an entrance that is just off the Gormanstown Road. The site is bounded to the north by the Gormanstown Road, to the east by the M1 motorway corridor, to the south by the Delvin River and to the west by a private, residential site.

The land use surrounding the site is mixed. The sub-urban lands of Stamullen extend to the west of the site and the main habitats associated with these largely residential areas include buildings and artificial surfaces and amenity grasslands and gardens. Beyond these areas and in the rural areas to the north, south, west and east of the site, agriculture is the dominant land use. The main habitats associated with this use include improved agricultural grasslands and arable / tillage lands. Other habitats represented locally include semi-improved grasslands, hedgerows, treelines, woodlands and watercourses. The location of the site is shown in Figures 2 and 3, whilst an aerial photo of the site and its surrounding habitats is shown in Figure 4.



Figure 2 – Site Location Map (Site Pinned)



**Figure 3 – Site Location Map. Application Site Outlined in Red.**

### **HABITATS WITHIN THE SITE**

No part of the site lies within any area that has been designated for nature conservation purposes. The habitats within the site were recorded during the site walkover. The dominant habitat within the application site is arable crops (recently harvested). This habitat does not provide any biodiversity value. The site boundaries largely consist of hedgerows / treelines that were included as part of the landscaping scheme for the Gormanstown Road and the M1 motorway. The southern section of the site extends down towards the Delvin River. The ground here is wet and poorly drained and it consists of an area of wet grassland and woodland, that is dominated by birch and willow. Additional planting is proposed in this area, along with a proposed woodland walk.

Photographs of the site are provided in Appendix I.

## **WATER FEATURES AND QUALITY**

The application site lies within the Nanny-Delvin Hydrometric Area (o8) and Catchment (o8), and the Delvin Sub-Catchment (o1o) and Sub-Basin (o4o). The Delvin River flows along the southern boundary of the application site in an easterly direction. It flows into the Irish Sea at Knocknagin, which is approximately 4km downstream (2.5km east) of the application site.

The EPA have classified the ecological status of the Delvin River and its tributaries at points close to the application site as poor. Under the requirements of the Water Framework Directive, this is unsatisfactory and all waterbodies must achieve good status within a specified time frame.



**Figure 4 – Aerial Photograph of the Site (Outlined in Red) and its Surrounding Habitats**

### 3.3 NATURA 2000 SITES IDENTIFIED

In accordance with the guidelines issued by the Department of the Environment and Local Government, a list of Natura 2000 sites within 15km of the proposed development have been identified and described according to their site synopsis, qualifying interests and conservation objectives. In addition, any other sites further than this, but potentially within its zone of interest were also considered. The zone of impact may be determined by an assessment of the connectivity between the application site and the designated areas by virtue of hydrological connectivity, atmospheric emissions, flight paths, ecological corridors etc.

For significant effects to arise, there must be a potential impact facilitated by having a source, i.e., the proposed development and activities arising out of its construction or operation, a receptor, i.e., the European site and its qualifying interests and a subsequent pathway or connectivity between the source and receptor, e.g., a water course. The likelihood for significant effects on the European site will largely depend on the characteristics of the source (e.g., nature and scale of the construction works), the characteristics of the existing pathway and the characteristics of the receptor, e.g., the sensitivities of the Qualifying Interests (habitats or species) to changes in water quality.

There are eight Natura 2000 designated sites within 15km of the application site. These designated areas and their closest points to the application site are summarised in Table 1 and a map showing their locations relative to the application site is shown in Figure 5. A full description of all these sites can be read on the website of the National Parks and Wildlife Service (npws.ie).

Site Name & Code	Distance	Qualifying Interests	Screened In / Out
River Nanny Estuary and Shore SPA 004158	2.8km north-east	<ul style="list-style-type: none"> <li>• Oystercatcher (<i>Haematopus ostralegus</i>)</li> <li>• Ringed Plover (<i>Charadrius hiaticula</i>)</li> <li>• Golden Plover (<i>Pluvialis apricaria</i>)</li> <li>• Knot (<i>Calidris canutus</i>)</li> <li>• Sanderling (<i>Calidris alba</i>)</li> <li>• Herring Gull (<i>Larus argentatus</i>)</li> <li>• Wetlands &amp; Waterbirds</li> </ul>	<i>Screened Out - There is no hydrological connectivity between the application site and this SPA. There is a sufficient distance between the proposed works and this SPA to ensure that significant effects upon this site and its QIs can be ruled out.</i>
Boyne Coast and Estuary SAC 001957	7.5km north	<ul style="list-style-type: none"> <li>• Estuaries</li> <li>• Mudflats and sandflats not covered by</li> </ul>	<i>Screened Out - This SAC is in a separate hydrological catchment area to the</i>



		<p>seawater at low tide</p> <ul style="list-style-type: none"> <li>• Salicornia and other annuals colonizing mud and sand</li> <li>• Spartina swards (<i>Spartinion maritimae</i>)</li> <li>• Atlantic salt meadows (<i>Glauca Puccinellietalia maritimae</i>)</li> <li>• Mediterranean salt meadows (<i>Juncetalia maritimi</i>)</li> <li>• Embryonic shifting dunes</li> <li>• Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes)</li> <li>• Fixed coastal dunes with herbaceous vegetation (grey dunes)</li> </ul>	<p>application site. Therefore, there are no source-pathway-receptor linkages between the application site and this SAC and significant effects arising from pollution during construction or operation can be ruled out.</p> <p>There will be no direct or indirect impacts or significant effects upon the QIs of this SAC.</p>
The Boyne Estuary SPA 004080	9.5km north	<ul style="list-style-type: none"> <li>• Shelduck (<i>Tadorna tadorna</i>)</li> <li>• Oystercatcher (<i>Haematopus ostralegus</i>)</li> <li>• Golden Plover (<i>Pluvialis apricaria</i>)</li> <li>• Grey Plover (<i>Pluvialis squatarola</i>)</li> <li>• Lapwing (<i>Vanellus vanellus</i>)</li> <li>• Knot (<i>Calidris canutus</i>)</li> <li>• Sanderling (<i>Calidris alba</i>)</li> <li>• Black-tailed Godwit (<i>Limosa limosa</i>)</li> <li>• Redshank (<i>Tringa totanus</i>)</li> <li>• Turnstone (<i>Arenaria interpres</i>)</li> <li>• Little Tern (<i>Sterna albifrons</i>)</li> <li>• Wetlands &amp; Waterbirds</li> </ul>	<p>Screened Out - This SPA is in a separate hydrological catchment area to the application site. Therefore, there are no source-pathway-receptor linkages between the application site and this SPA and significant effects arising from pollution during construction or operation can be ruled out.</p> <p>There will be no direct or indirect impacts or significant effects upon the QIs of this SPA.</p>
The River Boyne and River Blackwater SAC 002299	10.1km north-west	<ul style="list-style-type: none"> <li>• River lamprey (<i>Lampetra fluviatilis</i>)</li> <li>• Salmon (<i>Salmo salar</i>)</li> <li>• Otter (<i>Lutra lutra</i>)</li> <li>• Alkaline fens</li> <li>• Alluvial forests with alder <i>Alnus glutinosa</i> and ash <i>Fraxinus excelsior</i></li> </ul>	<p>Screened Out - This SAC is in a separate hydrological catchment area to the application site. Therefore, there are no source-pathway-receptor linkages between the application site and this SAC and significant effects arising from pollution during construction or operation can be ruled out.</p> <p>There will be no direct or indirect impacts or significant effects upon the QIs of this SAC.</p>

Skerries Islands SPA 004122	11.8km south-east	<ul style="list-style-type: none"> <li>• Cormorant <i>Phalacrocorax carbo</i></li> <li>• Shag <i>Phalacrocorax aristotelis</i></li> <li>• Light-bellied Brent Goose <i>Branta bernicla hrota</i></li> <li>• Purple Sandpiper <i>Calidris maritima</i></li> <li>• Turnstone <i>Arenaria interpres</i></li> <li>• Herring Gull <i>Larus argentatus</i></li> </ul>	<p><i>Screened Out - There are no source-pathway-receptor linkages between the application site and this SPA and significant effects arising from pollution during construction or operation can be ruled out.</i></p> <p><i>There will be no direct or indirect impacts or significant effects upon the QIs of this SPA.</i></p>
Rockabill to Dalkey Island SAC 003000	12.7km south-east	<ul style="list-style-type: none"> <li>• Reefs</li> <li>• <i>Phocoena phocoena</i> (Harbour Porpoise)</li> </ul>	<p><i>Screened Out - There are no source-pathway-receptor linkages between the application site and this SAC and significant effects arising from pollution during construction or operation can be ruled out.</i></p> <p><i>There will be no direct or indirect impacts or significant effects upon the QIs of this SAC.</i></p>
Rockabill SPA 004014	13km south-east	<ul style="list-style-type: none"> <li>• Roseate Tern (<i>Sterna dougallii</i>)</li> <li>• Common Tern (<i>Sterna hirundo</i>)</li> <li>• Arctic Tern (<i>Sterna paradisaea</i>)</li> <li>• Purple Sandpiper (<i>Calidris maritima</i>)</li> </ul>	<p><i>Screened Out - Impacts upon this site are unlikely as there is no significant hydrological connectivity. The distance is also sufficient to ensure that impacts don't arise.</i></p>
The River Boyne and Blackwater SPA 004232	13.2km north-west	<ul style="list-style-type: none"> <li>• Kingfisher <i>Alcedo atthis</i></li> </ul>	<p><i>Screened Out - This SPA is in a separate hydrological catchment area to the application site. Therefore there are no source-pathway-receptor linkages between the application site and this SPA and significant effects arising from pollution during construction or operation can be ruled out.</i></p> <p><i>There will be no direct or indirect impacts or significant effects upon the QIs of this SPA.</i></p>

Table 1 – Natura 2000 Sites Within 15km of the Proposed Site

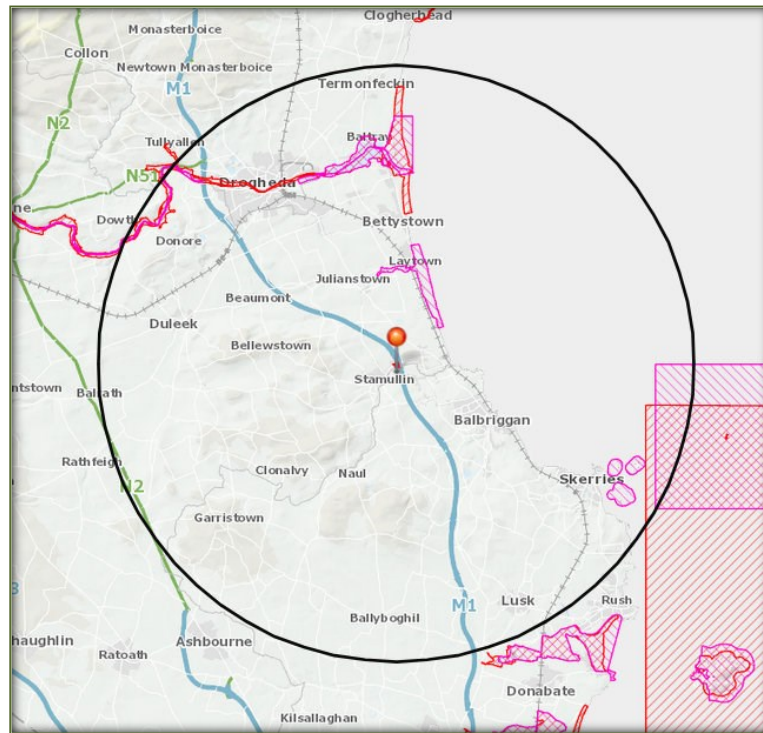


Figure 5 – The Application Site (Pinned) in relation to the Natura 2000 Sites Within 15km (SACs – Red Hatching, SPAs – Pink Hatching)

### 3.4 IMPACT ASSESSMENT

The potential impacts of the proposed Part 8 development on the European Sites identified in Table 1 are described below.

**Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on nearby Natura 2000 site:**

The development of the burial ground and associated works at this site will have no significant effects upon the designated sites identified. There are no individual elements of the proposed project that are likely to give rise to negative impacts on these aforementioned sites. The application site is close to the SAC/SPA; however, there are no watercourses on the site and there are no direct source-pathway-receptor linkages between the application site and the SAC / SPA, therefore significant effects upon this site are unlikely to arise. As determined by the Hydrogeological report, there will be no impacts upon groundwater under the site, therefore risks to any SAC / SPA and its QIs arising from pollution to groundwater will not occur.

**Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the nearby Natura 2000 sites by virtue of:**

**Size and scale:** Having regards to small size and scale of the development in relation to the overall size of the designated sites identified, the likelihood of any direct, indirect or cumulative impacts on these designated sites arising from the construction and operation of the proposed graveyard is low.

**Land-take:** There will be no land-take from any designated site. There will be no interference with the boundaries of any designated site.

**Distance from Natura 2000 site or key features of the site:** There are eight European sites within 15km of the application site. At its closest point, the proposed development site is 2.8km south-west of the River Nanny Estuary and Shore SPA. In this instance, having regards to the lack of hydrological connectivity, this distance is sufficient to ensure that no impacts will arise as there are no direct pollution pathways between the application site and this SPA or any other the SAC/SPA, therefore the potential for pollution and subsequent effects to arise is low.

**Resource requirements (water abstraction etc.):** No resources will be taken from any Natura 2000 site and there are no resource requirements that will impact upon any designated site.

**Emissions:** Neither the construction nor the operation of the graveyard will result in any emissions to any designated site. There are no pollutant pathways (source-pathway-receptor linkages) to any designated site and there will be no run-off from the site into any local watercourse that leads to any designated site. The River Delvin discharges to the Irish Sea outside of all European site

boundaries. During operation and following attenuation surface water from the site will be discharged via an oil interceptor to the River Delvin. This will not lead to any significant effects upon any SAC / SPA.

Wastewater will be directed to the public sewer.

**Excavation requirements:** Excavated material from the works will be disposed of in a responsible manner in a licensed facility away from any designated sites.

**Transportation requirements:** There will be no additional transportation requirements resulting from the proposed development and associated works that will have any impact upon the Natura 2000 sites identified.

**In-Combination / Cumulative Impacts:** The proposed application was considered in combination with other developments or proposed developments in the Gormanstown/Stamullen area and potential cumulative impacts were considered. A number of other developments have been granted planning permission in the general area in the last five years. Where necessary these developments were screened for AA, or else AA was carried out and an NIS was submitted.

The proposed development will have no cumulative impacts upon any designated sites when considered in combination with other developments that have been screened properly for AA (Stage I) or where AA has taken place (Stage II). Any future individual application that has the potential to impact upon a Natura 2000 site will be subject to Appropriate Assessment as required under Articles 6(3) of the Habitats Directive.

**Duration of construction, operation, decommissioning etc:** Once construction begins, it should be complete within one year. Operation of the site as a burial ground will continue long-term.

#### Describe any likely changes to the nearby Natura 2000 sites arising as a result of:

**Reduction of habitat area:** The proposed development lies outside the boundaries of the Natura 2000 sites identified in Section 3.3. There will be no reduction of designated habitat area within any SAC or SPA. There will be no impacts upon the habitat qualifying interests of any SAC / SPA.

**Disturbance to key species:** There will be no disturbance of any key species within any SAC or SPA. There will be no habitat loss within the application site which would significantly affect any protected species.

**Habitat or species fragmentation:** There will be no habitat or species fragmentation within any designated site. No ecological corridors between the proposed site and the Natura 2000 sites identified will be damaged or destroyed.

**Reduction in species density:** There will be no reduction in species density within any designated site.

**Changes in key indicators of conservation value (water quality etc.):** There will be no negative impacts upon surface or ground water quality within any designated site. There will be no negative impacts upon the water quality in any designated site. There will be no changes in groundwater

quantity or quality which would lead to impacts upon the protected habitats of any designated site.

**Describe any likely impacts on the nearby Natura 2000 sites as a whole in terms of:**

**Interference with the key relationships that define the structure or function of the site:** It is not considered likely that there will be any impacts on the key relationships that define the structure or function of the Natura 2000 sites identified.

**Provide indicators of significance as a result of the identification of effects set out above in terms of:**

**Loss** - Estimated percentage of lost area of habitat: None

**Fragmentation:** None

**Disruption & disturbance:** None

**Change to key elements of the site** (e.g. water quality etc.): None

### 3.5 FINDING OF NO SIGNIFICANT EFFECTS

Finding of No Significant Effects Report Matrix	
<b>Name of project</b>	Development of a Burial Ground and Associated Works at Gormanstown, Stamullen, Co. Meath
<b>Name and location of Natura 2000 site</b>	There are eight European sites within 15km of the application site. At its closest point, the proposed development site is 2.8km south-west of the River Nanny Estuary and Shore. In this instance, having regards to the lack of hydrological connectivity, this distance is sufficient to ensure that no impacts will arise as there are no direct pollution pathways between the application site and the SAC/SPA, therefore the potential for pollution and subsequent effects to arise is low.
<b>Description of project</b>	A Part 8 Development for Meath County Council
<b>Is the project directly connected with or necessary to the management of the site?</b>	No
<b>Are there other projects or plans that together with project being assessed could affect the site?</b>	No
The Assessment of Significance of Effects	
<b>Describe how the project is likely to affect the Natura 2000 site</b>	Having regard to the location, nature and scale of the proposed development, it is considered that there is no potential for significant effects either from the proposed development on its own or in combination with other plans and projects.
<b>Explain why these effects are not considered significant</b>	There will be no landtake or fragmentation of habitats within any SAC / SPA. There will be no emissions from the work into any SAC / SPA that could give rise to negative effects.
<b>Describe how the project is likely to affect species designated under Annex II of the Habitats Directive.</b>	No impacts likely
Data Collected to Carry out the Assessment	
<b>Who carried out the assessment</b>	Noreen McLoughlin, MSC, MCIEEM. Consultant Ecologist
<b>Sources of data</b>	NPWS, EPA, National Biodiversity Data Centre, Meath County Council
<b>Level of assessment completed</b>	Stage1 Appropriate Assessment Screening
<b>Where can the full results of the assessment be accessed and viewed</b>	Full results included

## 4 APPROPRIATE ASSESSMENT CONCLUSION

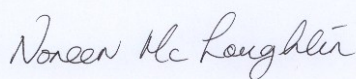
In accordance with Article 6(3) of the Habitats Directive, the relevant case law, established best practice and the precautionary principle, this AA Screening Report has examined the details of the project in relation to the relevant Natura 2000 sites within 15km of the application site.

At this stage of the AA process, it is for the competent authority, i.e., Meath County Council, to carry out the screening for AA and to reach one of the following determinations:

a) AA of the 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 not have a significant effect on any European sites;

b) AA of the 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 not have a significant effect on any European sites.

It is of the opinion of the author that an AA of the proposed development is not required as it can be excluded, on the basis of objective information provided in this report, that the proposed development, individually or in combination with other plans or projects, will not have a significant effect on any European sites.



Noreen McLoughlin, MSc, MCIEEM.  
Ecologist.

(PI Insurance details available on request)



## Appendix I: PHOTOGRAPHS



**Area Bordering the River Delvin**



**Grassland / Hedgerow within the Site**



**Arable Crops**



**Southern Area of Site, Near River**