
Screening for Appropriate Assessment

Market House, Trim, Co. Meath

07 July 2022



NM Ecology Ltd - Consultant Ecologists

38 Maywood Avenue, Raheny, Dublin 5

Website: www.nmecology.com

Email: info@nmecology.com

Tel: 087-6839771

Executive Summary

This *Screening for Appropriate Assessment* report has been prepared by NM Ecology Ltd on behalf of Meath County Council (the applicant), as part of a planning application at Market House, Trim, Co. Meath. The proposed development will involve extensive renovations to Trim Market House (a protected structure) and its conversion to a visitor centre for the adjacent Trim Castle.

The proposed development site is approx. 100 m from the River Boyne, which is designated an SAC and SPA. In accordance with their obligations under the *European Communities (Birds and Natural Habitats) Regulations 2011* (SI 477/2011), the competent authority must assess whether the proposed development could have 'likely significant effects' on these or any other Natura 2000 sites.

This document provides supporting information to assist the competent authority with an Appropriate Assessment screening exercise, including: a description of the proposed development, details of its environmental setting, and a map and list of Natura 2000 sites within the potential zone of impact. Following a review of potential source-pathway-receptor linkages with the SAC / SPA, we conclude that the proposed development will not cause direct or indirect impacts on any Natura 2000 sites, and thus that Appropriate Assessment is not required.

1 Introduction

1.1 Background to Appropriate Assessment

Approximately 10% of the land area of Ireland is included in the European Network of Natura 2000 sites, which includes Special Protection Areas (SPAs) to protect important areas for birds, and Special Areas of Conservation (SACs) to protect a range of habitats and species. Legislative protection for these sites is provided by the *European Council Birds Directive (79/409/EEC)* and *E.C. Habitats Directive (92/43/EEC, as amended)*, which are jointly transposed into Irish law by the *European Communities (Birds and Natural Habitats) Regulations 2011 (SI 477/2011, as amended)*.

Regulation 42 (1) states that: “*Screening for Appropriate Assessment of a plan or project for which an application for consent is received [...] shall be carried out by the public authority to assess, in view of best scientific knowledge and in view of the conservation objectives of the site, if that plan or project, individually or in combination with other plans or projects is likely to have a significant effect on [any Natura 2000 sites].*” To ensure compliance with this regulation, planning authorities must screen all planning applications for potential impacts on Natura 2000 sites. Supporting information may be requested from the applicant to assist with this process.

This document provides background information to assist the planning authority with a *Screening for Appropriate Assessment* exercise for the proposed development. It includes a description of the proposed development, a review of the site’s environmental setting, details of Natura 2000 sites within the potential zone of impact, an appraisal of *source-pathway-receptor* relationships, and an assessment of potential impacts.

1.2 Statement of authority

This report was written by Nick Marchant, the principal ecologist of NM Ecology Ltd. He has an MSc in Ecosystem Conservation and Landscape Management from NUI Galway and a BSc in Environmental Science from Queens University Belfast. He is a member of the Chartered Institute of Ecology and Environmental Management, and operates in accordance with their code of professional conduct.

He has fifteen years of professional experience, including twelve years as an ecological consultant, one year as a local authority biodiversity officer, and two years managing an NGO in Indonesia. He provides ecological assessments for developments throughout Ireland and Northern Ireland, including wind farms, infrastructural projects (roads, water pipelines, greenways, etc.), and a range of residential and commercial developments.

1.3 Methods

This report has been prepared with reference to the following guidelines:

- *Appropriate Assessment of Plans and Projects in Ireland* (National Parks and Wildlife Service, 2009)
- *OPR Practice Note PN01: Appropriate Assessment Screening for Development Management* (Office of the Planning Regulator 2021)
- *Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4), E.C., 2002*
- *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal* (Chartered Institute of Ecology and Environmental Management, 2018)

In accordance with Section 3.2 of *Appropriate Assessment of Plans and Projects in Ireland*, a screening exercise comprises the following steps:

1. Description of the project and local site characteristics
2. Identification of relevant Natura 2000 sites, and compilation of information on their qualifying interests and conservation objectives
3. Assessment of potential impacts upon Natura 2000 sites, including:
 - Direct impacts (e.g. loss of habitat area, fragmentation)
 - Indirect impacts (e.g. disturbance of fauna, pollution of surface water)
 - Cumulative / 'in-combination' effects associated with other concurrent projects
4. Screening Statement with conclusions

A desk-based study was carried out using data from the following sources:

- Plans and specifications provided by the project design team
- Qualifying interests / conservation objectives of Natura 2000 sites from www.npws.ie
- Bedrock, soil, subsoil, surface water and ground water maps from the Geological Survey of Ireland webmapping service (dcenr.maps.arcgis.com), the National Biodiversity Data Centre (<http://maps.biodiversityireland.ie/>), and the Environmental Protection Agency web viewer (gis.epa.ie/EPAMaps/)
- The *Meath County Development Plan 2021-2027* and details of permitted or proposed developments from the local authority's online planning records

All web-based resources were accessed between November 2021 and July 2022.

2 Description of the Project

2.1 Environmental setting

Site location and surroundings

The proposed development site is in an urban setting in the centre of Trim. Market House is a c. 1850s two-storey protected structure that has historically been used as a town hall. The grounds of Trim Castle are located to the south and east of the site. The western boundary of the site adjoins Castle Street, and French's Lane is located to the north. The broader surroundings are characterised by public open space (Trim Castle and associated green areas), shops and small residential developments.

Geology and soils

The site is underlain by shale and sandstone, which is a poor aquifer. Sub-soils and soils are made ground.

Hydrology

The closest major watercourse is the River Boyne, which is located approx. 100 m north-east of the proposed development site. There are no other substantial watercourses (as per the EPA database of rivers and streams) in the vicinity of the site. The Boyne flows north-east through County Meath and reaches the coast at Drogheda approx. 60 km downstream. Under the Water Framework Directive Status Assessments 2013 – 2018, the River Boyne is of Moderate to Good status throughout its freshwater and estuarine sections.

Existing site drainage

All land within the site boundary consists of buildings and hard surfaces, so it is effectively isolated from the underlying bedrock, soils and groundwater. A Utility Survey Report for the site was prepared by Murphy Geospatial in 2021, in which it was found that both foul water and surface water (from roofs and hardstanding areas) drain to a local authority combined sewer on Castle Street. The combined sewer conveys the discharge to the Trim Waste Water Treatment Works.

2.2 Description of the proposed development

The proposed development will involve extensive renovations to Trim Market House (a protected structure) and its conversion to a visitor centre for Trim Castle. It will involve the demolition of 20th century extensions to the structure, renovation of the original 18th century structure, and construction of a 2 storey extension to the rear within the curtilage of the existing Dance Hall.

All services will be upgraded to modern specifications. It is intended that foul water and surface water will be separated, so that discharge to the combined sewer can cease. Rainwater from

the roof of the structure will be harvested and re-used. The landscaping scheme will incorporate some vegetation and other soft features, thus allowing surface water to percolate to ground.

2.3 Other nearby developments (potential in-combination effects)

The proposed development site is in an urban setting in the centre of Trim. Under the *Meath County Development Plan 2021-2027* it was included in Zone B1 - Commercial Town or Village Centre. This zone also covers most of the urban area to the west and north of the site. Trim Castle and grounds are in Zone H1 - High Amenity.

To consider potential in-combination effects, planning applications in the vicinity of the site were reviewed on the online planning records of Meath County Council. Two relevant applications were identified, both of which were associated with Trim Castle Hotel approx. 50 m south of the proposed development site. They can be summarised as follows:

- Permission was granted in 2018 for a ground-floor office extension over the existing basement carpark (planning reference TA180191). At the time of writing in November 2021 it is not clear if it has been constructed.
- Permission was granted in 2020 for a 3 - 4 storey extension comprising 43 bedrooms over the existing car parks (planning reference TA190860). At the time of writing in November 2021 the construction of this development has not commenced.

Screening for Appropriate Assessment was carried out for each application by Meath County Council (as outlined in the planner's reports), and it was concluded that neither posed a risk of impacts on Natura 2000 sites. All other planning applications in the surrounding area were for small-scale developments such as residential extensions.

3 Description of Natura 2000 sites

3.1 Identification of Natura 2000 sites within the zone of influence

The proposed development site is not located within or adjacent to any Natura 2000 sites. Potential indirect impacts were considered within a zone of influence¹ of 5km. A map of nearby Natura 2000 sites is shown in Figure 1, and details of relevant sites are provided in Table 1.

¹ In NPWS (2009) guidance, it is stated that the potential zone of influence for projects can range from 100 m to 15 km depending on the characteristics of the development. In this case we consider 5 km to be a proportionate zone of influence due to the moderate scale of the development and its suburban setting.

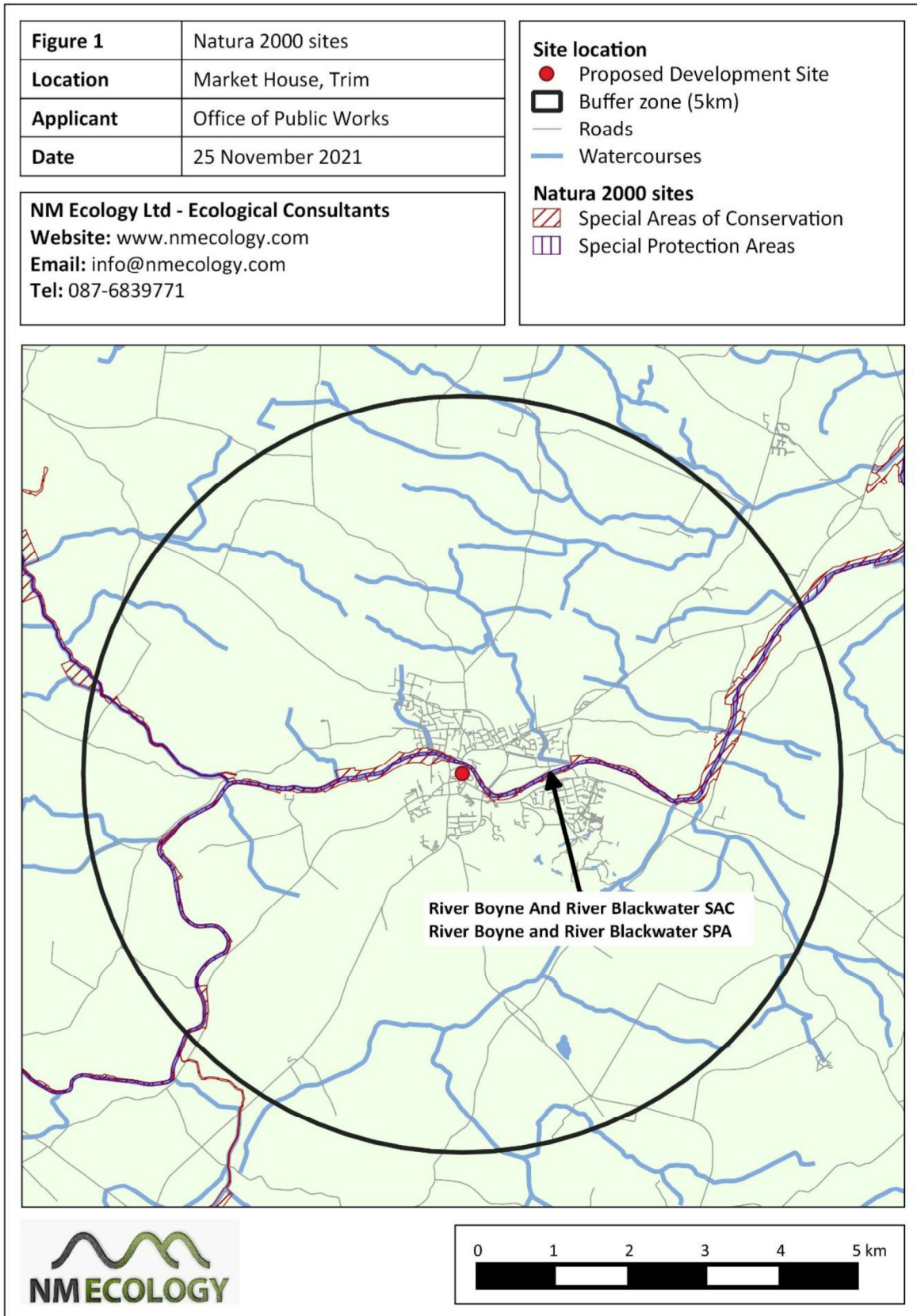


Table 1: Natura 2000 sites within 5 km of the proposed development site

Site Name	Distance	Qualifying Interests
River Boyne and River Blackwater SAC (site code 2299)	100 m north-east	Annex I habitats: alkaline fens, alluvial forests Annex II species: river lamprey, salmon, otter
River Boyne and River Blackwater SPA (4232)	100 m north-east	Special Conservation Interests: kingfisher

3.2 Conservation objectives

The standard conservation objective for all SACs and SPAs in Ireland is “to maintain or restore the favourable conservation condition of the qualifying interests for which the SAC / SPA has been selected”. In addition, the Department of Housing, Local Government and Heritage has produced detailed conservation objectives for the Natura 2000 sites listed in Table 1. They can be viewed on the website of the National Parks and Wildlife Service (<http://www.npws.ie/protected-sites>), but are not reproduced here in the interests of brevity.

3.3 Identification of potential pathways for indirect impacts

Indirect impacts can occur if there is a viable pathway between the source (the proposed development site) and the receptor (the habitats and species for which a Natura 2000 site has been designated). The most common pathway for impacts is surface water, e.g. if a pollutant is washed into a river and carried downstream into a Natura 2000 site. Other potential pathways are groundwater, air (e.g. airborne dust or sound waves), or land (e.g. flow of liquids, vibration). The zone of effect for hydrological impacts can be several kilometres, but for air and land it is rarely more than one hundred metres. An appraisal of potential pathways for impacts on Natura 2000 sites is provided below.

The *River Boyne and River Blackwater* SAC is located 100 m north-east of the proposed development site. It has been designated to protect freshwater habitats (alluvial forests, alkaline fens) and species (salmon, lamprey and otter). The *River Boyne and River Blackwater* SPA is located 100 m north-east of the proposed development site. It has been designated to protect kingfishers, a riparian bird species. There is a considerable degree of overlap between the SAC and SPA, so pathways to the two sites can be considered in combination.

There are no rivers, streams or drains linking Market House with the River Boyne. The proposed development site consists entirely of buildings and hard surfaces, which effectively isolate it from the underlying bedrock, soils and groundwater. All surface water and foul water from the site is conveyed via a combined sewer to the Trim Waste Water Treatment Works (WWTW). Therefore, pathways via surface water and groundwater can be screened out. There is no pathway over land, because any runoff from the site would be captured by roadside drains on Castle Street. A pathway via air can be ruled out due to distance.

4 Assessment of potential impacts

4.1 Direct impacts

The proposed development site is not located within or adjacent to any Natura 2000 sites, so there is no risk of habitat loss, fragmentation or any other direct impacts.

4.2 Indirect impacts

Potential changes in water quality (construction phase)

Construction works typically generate fine sediments, and may occasionally cause accidental spills of oil or other toxic chemicals, which can be harmful to aquatic / marine habitats and species. However, no potential pathways were identified between the proposed development site and the SAC / SPA, so there is no risk that pollutants from the construction site could cause significant negative impacts on any Natura 2000 sites, even in a worst-case scenario and in the absence of standard site-management measures.

Foul water discharge (operational phase)

Foul water from the proposed development will be discharged to a local authority foul sewer and treated in the Trim Waste Water Treatment Works. The WWTW's latest Annual Environmental Report² on the EPA website was reviewed. It has a population equivalent of 12,000 and provides tertiary treatment, with a final discharge into the River Boyne. The discharge was compliant with the ELVs set in the wastewater discharge licence, and it did not have an observable impact either on water quality or Water Framework Directive status downstream of the discharge point. Irish Water has confirmed that there is capacity in the WWTW to accommodate additional input from the proposed development. Therefore, foul water from the development is not expected to have any impact on the SAC or SPA.

Surface water discharge (operational phase)

The proposed development will incorporate a number of SUDS principles, including harvesting / recycling rainwater from the roof of the structure and the replacement of some built surfaces with soft landscaping. Residual surface water output from the site will be discharged to a public authority sewer on Castle Street. A small quantity of surface water will percolate to ground in areas of soft landscaping within the site.

Rainwater is unpolluted, so it will not pose a risk to surface water or groundwater, and there is no risk that the surface water outflow could have a negative impact on the qualifying interests of the SAC or SPA.

² Annual Environmental Report 2019 for the Trim Waste Water Treatment Works http://epawebapp.epa.ie/licences/lic_eDMS/090151b2807786fd.pdf

4.3 Potential in-combination effects

Two approved developments were identified at the Trim Castle Hotel approx. 50 m south of the proposed development site (refer to Section 2.3). Screening for Appropriate Assessment was carried out for each application by Meath County Council, and it was concluded that neither posed a risk of impacts on Natura 2000 sites.

As both developments have received planning consent in recent years, it is expected that they will be constructed in advance of the proposed development. Even if constructed concurrently, no potential impacts were identified for any of these developments that could act in-combination to cause significant effects on the SAC / SPA.

5 Conclusion of Stage 1: Screening Statement

In Section 3.2.5 of *Appropriate Assessment of Plans and Projects in Ireland* (NPWS 2010), it is stated that the first stage of the AA process can have three possible conclusions:

1. AA is not required

Screening, followed by consultation and agreement with the NPWS, establishes that the plan or project is directly connected with or necessary to the nature conservation management of the site.

2. No potential for significant effects / AA is not required

Screening establishes that there is no potential for significant effects and the project or plan can proceed as proposed.

3. Significant effects are certain, likely or uncertain

The project must either proceed to the second stage of the AA process, or be rejected.

Having considered the particulars of the proposed development, we conclude that this application meets the second conclusion, because there is no risk of direct or indirect impacts on any Natura 2000 sites. Therefore, with regard to Article 42 (7) of the *European Communities (Birds and Natural Habitats) Regulations 2011*, it can be excluded on the basis of objective scientific information following screening, that the plan or project, individually or in combination with other plans or projects, will have a significant effect on a European site. As a result, we conclude that Appropriate Assessment is not required.

References

Chartered Institute of Ecology and Environmental Management, 2018. *Guidelines for Ecological Impact Assessment in the U.K and Ireland: Terrestrial, Freshwater and Coastal* (2nd Edition). C.I.E.E.M., Hampshire, England.

Department of the Environment, Heritage and Local Government, 2009. *Appropriate Assessment of Plans and Projects in Ireland*. National Parks and Wildlife Service, DAHG, Dublin, Ireland.

European Commission. 2002. *Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*. Office for Official Publications of the European Communities, Luxembourg.

Office of the Planning Regulator 2021. Practice Note PN01: Appropriate Assessment Screening for Development Management. Available online at opr.ie