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2025

**Residential Development, Boreen
Bradach, Kinnegad, Co. Westmeath
Appropriate Assessment Screening
Report**

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Appropriate Assessment Screening Report

Document Control Sheet

Client:	Corcom
Document No:	241139-ORS-XX-XX-RP-EN-13d-008

Revision	Status	Author:	Reviewed by:	Approved By:	Issue Date
P01	DRAFT	SB	LaM	JB	27/09/2024
P02	S2	SB	LaM	JB	22/11/2024
P03	S2	SB	LaM	JB	21/03/2025

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LRD Opinion response

The below summarises opinions raised by Westmeath County Council (WMCC) after the LRD Stage 2 meeting and our response to these items

Opinion / Recommendation	ORS Response
7.EIA and AA	
An EIAR Screening Report and Appropriate Assessment Screening Report with Natura Impact Statement, if required, to accompany any future planning application.	Both documents have been prepared and are submitted with this planning application as: <ul style="list-style-type: none"> EIA Screening Report.pdf (Ref: 241139-ORS-XX-XX-RP-EN-13d-001), and AA Screening Assessment.pdf (Ref: 241139-ORS-XX-XX-RP-EN-13d-008.pdf).
8.Other Matters	
Applicant to submit details in respect of the following:	
(i) All survey reports as noted in the Ecological impact Assessment such as the Bat Survey, Invasive Species, etc.	The Ecological Impact Assessment (EcIA.pdf - Ref: 241139-ORS-XX-XX-RP-EN-13d-007) addresses the detailed surveys conducted on the site as presented in Section 4 - Results. Invasive Species Survey can be found in the Section 4.3.1, page 23 of the EcIA, and the Preliminary Bat Roost Potential survey had its results included in Appendix B of the EcIA report.
(ii) A Construction and Environmental Management Plan (CEMP) to include a full tabled list of mitigation measures. Mitigation measures identified in the Ecological Impact Assessment, Invasive Species Report and any other reports submitted with any future application should be included in the CEMP.	The Construction and Environmental Management Plan (CEMP.pdf) has been prepared by ORS, 2025 (Ref: 241139-ORS-XX-XX-RP-EN-13d-002) for the construction phase of the development. Section 4 - Environmental Management Plan summarises the mitigation measures and incorporates the proposed measures contained in the following reports: <ul style="list-style-type: none"> Arboricultural Impact Assessment, by John Morris Arboricultural Consultancy Ltd, 2025 (Ref: 24-398-04) Invasive Species Survey Report, by ORS - 2025 (Ref: 241139-ORS-XX-XX-RP-EN-13d-005) Noise Impact Assessment, by Amplitude Acoustics, 2025 (Ref: D240912RP1) Ecological Impact Assessment, by ORS - 2025 (EcIA.pdf - Ref: 241139-ORS-XX-XX-RP-EN-13d-007) Archaeological Assessment Report, by IAC, 2025 (Ref: IAC Project J4402.pdf) Appendix B of the CEMP presents the Schedule of Mitigation Measures
(iii) A Noise Impact Assessment Report which assesses the existing noise impact (mainly traffic) on the proposed residential development. Reference	Amplitude Acoustics were commissioned to undertake a Noise Impact Assessment for the proposed development, resulting in a report NIA.pdf (Ref: D240912RP1) which accompanies this planning application. The report takes into account the Westmeath Noise Action Plan 2024-2028 and the WHO Guidelines for noise impacts at construction stage.

should be made to the Westmeath County Council Noise Action Plan 2024-2028 and the World Health Organisation Guidelines.	
(iv) A Construction and Demolition Resource Waste Management Plan for the proposed development.	A RWMP was carried out by ORS, 2025 (Ref: 241139-ORS-XX-XX-RP-EN-13d-003) and accompanies this planning application
(v) An Operational Waste Management Plan for the proposed development .	An OWMP has been prepared by ORS - 2025 - for the operational phase of the proposed development - OWMP.pdf (ref: 241139-ORS-XX-XX-RP-EN-13d-004) and accompanies this planning application. It also includes details and drawings of a 3-bin waste/compost/recycling facility for the Creche site.
(vi) A Site-Specific Flood Risk Assessment.	ORS 2025 has produced a Site-Specific Flood Risk Assessment - SSFRA.pdf (Ref: 241139-ORS-XX-XX-RP-EN-13d-009) for the development and is presented within the documentation which accompanies this planning application. It concludes that the Site is classified as Flood Zone C, and, therefore no justification test is required and it is not expected that its construction will increase the area flood risk. The proposed development is not exposed to any flood risk.
(vii) An updated Ecological report which considers all boundaries, trees and hedgerows located on site.	An updated Ecological Impact Assessment (EclA.pdf - Ref: 241139-ORS-XX-XX-RP-EN-13d-007) is submitted with the planning application documentation and takes into account all boundaries, trees and hedgerows on the site.

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 a full Appropriate Assessment of the proposed plan or project is necessary.

A full description of the development is provided in **Section 3.1**. A comprehensive assessment of the potential significant effects of the development on certain designated sites was carried out in September 2024 by Seán Burke, MSc, of ORS Building Consultants. This report will allow the relevant competent authority to undertake an Appropriate Assessment as required under the Article 6(3) of the EU Habitats Directive.

In accordance with Article 6(3) of the EU Habitat's Directive (Council Directive 92/43/EEC) regarding Appropriate Assessment, this screening exercise was carried out 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

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). This is explained in greater detail in the following **Section 1.3**.

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 based on 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 the status does not deteriorate in any waters.

1.3 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.”

1.4 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 AA Screening Methodology

2.1 Appropriate Screening

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

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

The EC Guidance sets out a number of principles as 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 involves:

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: Natura Impact Statement – 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.
- Description of proven mitigation measures.

2.2 Statement of Competency

This AA Screening report was carried out by Seán Burke, MSc. Seán has a bachelor's degree in science – Single Honours Biology from Maynooth University and a master's degree in Ecology & Biodiversity from Stockholm University. His academic experience has provided fundamental training in the scientific method and a strong knowledge of the theoretical background of biological and ecological processes. Seán has previous experience working in the agri-food sector developing biological control agents for the suppression of fungal pathogens which provided hands on experience in learning laboratory techniques and studying ecological interactions. His more recent work experience with ORS has provided the opportunity to take part in ecological field work consisting of macroinvertebrate sampling, bird surveying, habitat assessment and classification, preliminary bat surveying, mammal surveying, and ecological impact assessment. This experience has been applied to projects of varying size across commercial, industrial, and residential projects.

2.3 Desktop Studies & Consultation

Information regarding the site of the proposed development and its environs was studied prior to the completion of this statement. The following data sources were accessed 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.
- NPWS Appropriate Assessment of Plans and Projects in Ireland Guidance for Planning Authorities, 10 December 2009 (as revised 11 February 2010).
- Assessment of plans and projects significantly affecting Natura 2000 sites (2001)

- Managing Natura 2000 sites: The provisions of Article 6 of the ‘Habitats’ Directive (2018).
- NPWS (2013). The Status of Protected EU Habitats and Species in Ireland.
- Department of Arts, Heritage and the Gaeltacht, Dublin, Ireland.
- Environmental Protection Agency (EPA)- Information pertaining to water quality, geology and licensed facilities within the area.
- Myplan.ie – Map-based information.
- National Biodiversity Data Centre (NBDC) – Information pertaining to protected plant and animal species within the study area.
- National Planning Application Database.
- EPA Online Maps
- Bing maps & Google Street View – High quality aerials and street images.

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 Site Details

3.1 Project Description

The proposed development will comprise a Large-Scale Residential Development (LRD) on a site at Boreen Bradach, Kinnegad, Co. Westmeath. The proposed development will comprise 129 no. houses (1 bed, 2 beds, 3 beds and 4 beds) and the provision of a crèche facility. Provision of car, cycle and motorbike parking. Provision of a new vehicular access and additional pedestrian/cyclist access from L-5014 (Boreen Bradach Road) and associated upgrades to the local road. All associated site development works and services provision, bin stores, residential private open space, public open space, substation, boundary treatments, landscaping and all associated site development works.

3.2 Site Location and Environs

The proposed site consists of greenfield land of ca. 4.279ha (gross), in size located within Kinnegad town. The site is bounded to the north/northeast by Bun Daire housing estate. The site is bounded to the east by the Riverside Lawns estate and to the west by playing fields associated with St. Etchen's National School located immediately southwest of the site. The site is bounded to the south by properties associated with St. Etchen's Court estate and ruins of a Roman Catholic church on the lands of the Church of the Assumption located along the southeast boundary of the proposed site.

The site location and environs is presented in **Figure 3.1**.



Figure 3.1: Site location and environs (Map Data © Google, adapted by ORS, 2025)

3.3 Environmental Considerations

3.3.1 Topography

The site features a relatively uniform topography with a very slight elevation in gradient extending to the north. Elevation across the site lies at approximately 75.0m OD.

3.3.2 Hydrology

Maps generated by the Environmental Protection Agency (EPA) and featuring data from the EU Water Framework Directive (WFD) were consulted to assess the extent and quality of waterbodies present in the vicinity of the proposed development. The principal hydrological feature in the vicinity of the site consists of the Kinnegad River (KINNEGAD_020) which flows from southeast to northwest and located ca. 330m south of the proposed site. Additional waterbodies in the vicinity of the site are listed in **Table 3.1** below.

Waterbody	Code	Distance from Site	Direction from Site
Kinnegad River	IE_EA_07K010100	330m	South
Monganstown River	IE_EA_07K010100	1.9km	West
Correllstown River	IE_EA_07K010200	990m	Northeast
Aghnagillah River	IE_EA_07B040600	1.1km	East

The WFD runs in 6-year cycles with the most recent data being generated between 2016-2021. The Directive takes rivers, lakes, estuaries, groundwater and coastal waters into consideration and each waterbody can be awarded one of five statuses: High, Good, Moderate, Poor, and Bad. Additionally, waterbodies can be assigned a risk level (“At Risk”, “Not at Risk”, “Review”) which represents the risk of the waterbody of failing its WFD objectives by 2027.

According to the EPA maps, the risk level of the Kinnegad River is “under review” and possesses a WFD Status of “Poor”.

The site is located across two WFD river sub basins – KINNEGAD_030 and KINNEGAD_020; Catchment 07 – Boyne, Boyne_SC_030 Sub Catchment.

3.3.3 Geology & Hydrogeology

Teagasc soil mapping indicates that surface soils at the site are comprised of till derived chiefly from limestone. The Geological Survey of Ireland (GSI) bedrock database indicates that soils of the proposed site are underlain at depth by the Lucan Formation which is comprised of dark limestone and shale.

According to the Geological Survey of Ireland map viewer, the site is underlain by a locally important aquifer, i.e., bedrock which is moderately productive only in local zones. The groundwater vulnerability is classed as “High”.

3.4 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 the vicinity 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 influence were also considered. The zone of influence 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. The measurements used here are taken from the closest point along the proposed work area to the SAC / SPA.

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.

Taking the scale and nature of the project in question and its proximity to ecologically sensitive sites and pathways, a Zol of 5km has been used for the purposes of this assessment.

There are 4 no. designated sites located within 5km of the subject site which are summarised in **Table 3.2**. A map showing their locations relative to the works is shown in **Figure 3.2**. A full description of the sites can be read on the website of the National Parks and Wildlife Service (www.npws.ie).

Table 3.2: Natura 2000 and Natural Heritage Areas within 5km of Subject Site			
Site Name & Code	Distance & Direction from Site	Qualifying Interests	Screened In/Out
Mount Hevey Bog SAC/pNHA, 002342/001584	Located ca. 2.0km NE from site.	Active raised bogs [7110] Degraded raised bogs still capable of natural regeneration [7120] Depressions on peat substrates of the Rhynchosporion [7150]	Screened Out: The Kinnegad River flows in the direction of this SAC/pNHA however the Kilwarden River flowing from the designated site flows in the opposite direction. This means that a direct hydrological connection between the proposed site and the aforementioned designated site is not established. It is not foreseen that the proposed development will negatively affect the conservation objectives of this designated site.
Royal Canal pNHA, 002103	Located ca. 3.2km NE from site.	N/A	Screened Out: A hydrological connection to this designated site is established via the Kinnegad River which connects to the Royal Canal ca. 9.2km east of the proposed site after connecting with the River Boyne. Despite this, it is not reasonably expected that potential contaminants arising from the proposed site could reasonably travel over 9km via surface water to reach this receptor in the

			presence of best practice construction methods. The proposed site lies sufficient distance from the Kinnegad River and the Royal Canal watercourse for significant negative effects to be considered unlikely.
River Boyne and River Blackwater SAC, 002299	Located ca. 4.6km NE from site.	<p>Alkaline fens [7230]</p> <p>Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) [91E0]</p> <p><i>Lampetra fluviatilis</i> (River Lamprey) [1099]</p> <p><i>Salmo salar</i> (Salmon) [1106]</p> <p><i>Lutra lutra</i> (Otter) [1355]</p>	Screened Out: There are no direct hydrological links to this designated site nor is it reasonably expected that potential contaminants arising from the proposed site could travel over 4km to reach this sensitive receptor. It is not foreseen that the proposed development will have significant effects on the conservation objectives of this designated site.
River Boyne and River Blackwater SPA, 004232	Located ca. 4.6km NE from site.	Kingfisher (<i>Alcedo atthis</i>) [A229]	Screened Out: There are no direct hydrological links to this designated site nor is it reasonably expected that potential contaminants arising from the proposed site could travel over 4km to reach this sensitive receptor. It is not foreseen that the proposed development will have significant effects on the conservation objectives of this designated site.

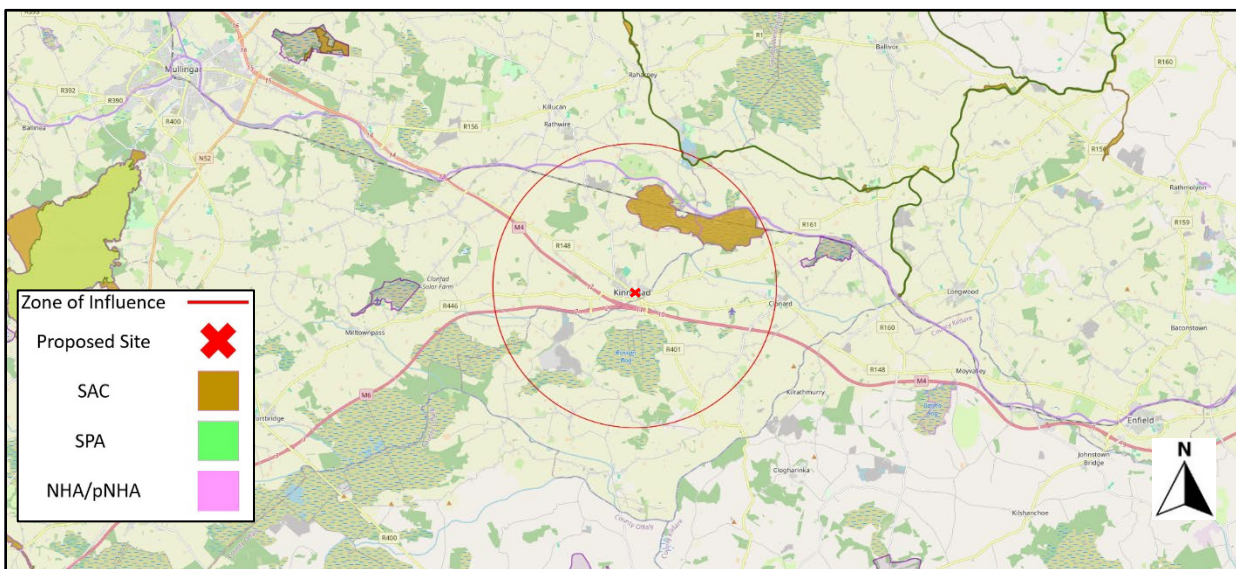


Figure 3.2: Protected sites within a 5km Zone of Influence of the proposed development.

3.5 Natura 2000 Impact Assessment

The potential significant effects of the proposed development on the European sites identified are described below in **Table 3.3**.

Table 3.3: Natura 2000 Threshold Levels
<p>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:</p> <p>The extent of the subject development consists of a residential development consisting of 129 no. units located towards the centre of Kinnegad Town. Potential impacts arising during development primarily consist of the generation of contaminants such as fuels, oils, and dust/silt which may travel via airborne transmission or move across hardstanding surfaces. Considering the application of best practice measures during the development works, it is not envisaged that significant effects on the nearest SPAs/SACs/NHAs should arise. The groundwater vulnerability of the site is classed as 'high' meaning best practice measures to avoid spills should be prioritised.</p>
<p>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:</p> <p>Size and scale: The proposed development will be contained within the existing site boundary. The size and scale of the development is substantial and consists of a large number of residential units. There is no direct hydrological connectivity to any designated sites and it is not considered likely that emissions emanating from the site will be significant when considering the implementation of best practice construction methods.</p> <p>Land-take: There will be no land-take from any designated site. There will be no interference with the boundaries of any designated site.</p> <p>Distance from Natura 2000 site or key features of the site: There are 4 no. Natura 2000 sites located within 5km of the proposed works. Taking best practice construction practices into account, it is not foreseen that the proposed works should generate such a significant degree of contaminants that could reasonably reach the nearest protected sites.</p> <p>Resource requirements (water abstraction etc.): No resources will be taken from any European site and there are no resource requirements that will impact upon any designated site.</p> <p>Emissions: There are no in stream works required as part of the proposed development. There will be no watercourse crossings. There should be no significant emissions into any water features arising from the works assuming best practice procedures and good housekeeping are implemented. Significant effects upon European sites arising from emissions into water are not likely foreseen to arise.</p> <p>Excavation requirements: Excavation work will be required for foundational and groundworks for the proposed development. Due consideration for protection of the locally important aquifer should be implemented as the groundwater vulnerability is considered 'high'.</p> <p>Transportation requirements: Delivery of materials via HGVs and movement of heavy machinery will be required on site. It is not expected that the delivery paths and movement of vehicles onsite will negatively impact any designated sites.</p> <p>In-Combination / Cumulative Impacts: Planning applications in the vicinity of the site were also assessed to identify potential cumulative effects posed to the aforementioned protected sites. There are no planned developments in the site vicinity that should give rise to significant cumulative effects on the nearest designated sites.</p> <p>Duration of construction, operation, decommissioning, etc: Estimated duration of works is 12-18 months.</p>

Describe any likely changes to the nearby Natura 2000 sites arising as a result of:
<p>Reduction of habitat area: The proposed development lies outside the boundaries of any European sites. It is not foreseen that there will be any reduction of designated habitat area within any SAC or SPA. There will likely be no impacts upon the habitat qualifying interests of any designated site. There will be no interference with the boundaries of any European site.</p> <p>Disturbance to key species: There will be no likely foreseen disturbance to any key species protected under the EU Habitats Directive or EU Birds Directive.</p> <p>Reduction in species density: There will be no habitat or species fragmentation within any European site. No ecological corridors between the proposed site and the European sites identified will be damaged or destroyed.</p> <p>Changes in key indicators of conservation value (water quality etc.): It is not foreseen that negative impacts upon surface or ground water quality within any European site.</p>
Describe any likely impacts on the nearby Natura 2000 sites as a whole in terms of:
<p>Interference with the key relationships that define the structure or function of the site: Significant effects are not likely to occur.</p>
Provide indicators of significance as a result of the identification of effects set out above in terms of:
<p>Loss - Estimated percentage of lost area of habitat: None likely</p> <p>Fragmentation: None likely</p> <p>Disruption & disturbance: None likely</p> <p>Change to key elements of the site (e.g. water quality etc.): None likely</p>

3.6 Finding of No Significant Effects

Table 3.4: Significant Effects Report Matrix	
Finding of No Significant Effects Report Matrix	
Name and Description of project	Residential Development, Boreen Bradach, Kinnegad, Co. Westmeath
Name and location of Natura 2000 site	Mount Hevey Bog SAC/pNHA, ca. 2.0km NE of site.
Is the project directly connected with or necessary to the management of the site?	No
Are there other projects or plans that together with project being assessed could affect the site?	No
The Assessment of Significance of Effects	
Describe how the project is likely to affect the Natura 2000 site	Having regard to the location, nature and scale of the development, it is considered that there is no likely potential for significant effects either from the development on its own or in combination with other plans and projects.
Explain why these effects are not considered significant	The site lies sufficient distance from designated sites for effects to be considered significant. No strong hydrological or airborne links to

	protected sites have been identified. It is not foreseen that the development will give rise to such quantities of contaminants to cause significant effects on any protected sites.
Describe how the project is likely to affect species designated under Annex II of the Habitats Directive.	No significant effects are likely.
Data Collected to Carry out the Assessment	
Who carried out the assessment	Seán Burke, MSc, Ecologist
Sources of data	NPWS, EPA, National Biodiversity Data Centre, Westmeath County Council
Level of assessment completed	Stage 1 Appropriate Assessment Screening
Where can the full results of the assessment be accessed and viewed	Full results included

4 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 designated sites within 5km of the application site.

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

1. 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;
2. 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 designated sites. Therefore, this proposed project does not need to proceed to Stage II of the Appropriate Assessment Process, i.e., a Natura Impact Statement (NIS).

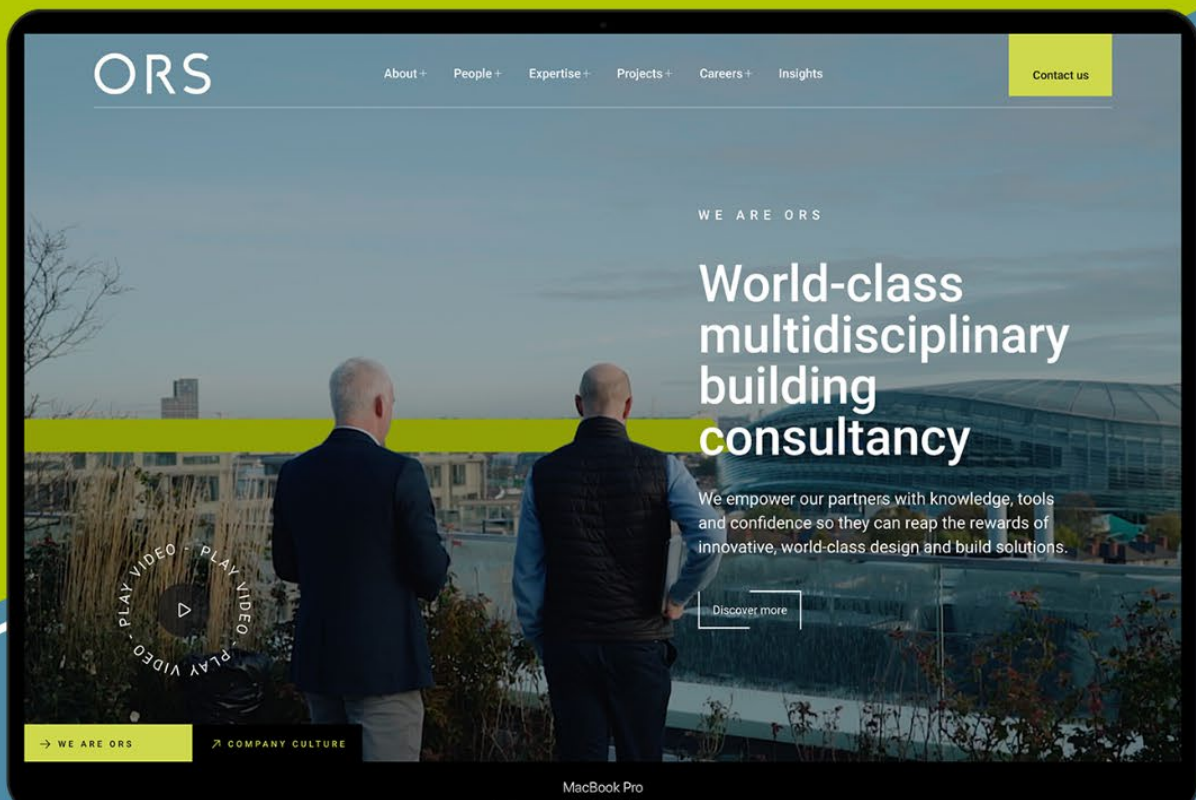
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