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2023  
Appropriate Assessment Screening  
Report

## Appropriate Assessment Screening Report

Active Travel Scheme  
 Dublin Road (R446), Kilbeggan, Co. Westmeath

### Document Control Sheet

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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 development (an active travel scheme) at the Dublin Road, Kilbeggan, Co. Westmeath on certain designated sites was carried out in June 2023 by Noreen McLoughlin, MSc, MCIEEM of Whitehill Environmental. This report will allow the competent authority, in this case Westmeath County Council, to undertake an Appropriate Assessment as required under the Article 6(3) of the EU Habitats Directive.

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

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.

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.

### 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:

- a) 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.
- b) 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.

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**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.
- Description of proven mitigation measures.

## 2.2 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 seventeen years. Noreen has over 18 years' experience as a professional ecologist in Ireland.

## 2.3 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



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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.
- Westmeath County Council – Plans and information pertaining to the development.
- Westmeath County Council - Information on planning history in the area for the assessment of cumulative impacts.

## 2.4 Assessment Methodology

The proposed development was assessed to identify its potential ecological impacts and from this, the Zone of Influence (Zol) of the proposed development was defined. Based on the potential impacts and their Zol, 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's should be considered in detail.

## 3. Screening

### 3.1 Project Description

Mercy Secondary School is currently constructing a new school in Kilbeggan on the R446 (Dublin Road). As part of the project, they are making provision for walking and cycling infrastructure, including the construction of a 4m shared pedestrian/cycle facility along the R446, taking in the frontage of the school site and back along the R446 towards town, to the existing speed limit gateway. Under an Active Travel Scheme, Westmeath County Council are proposing to extend the pedestrian/cycle facilities back along the R446 to the junction with the R389 Tullamore Road (approximate length of 520m). Proposals will include for a new R446/R389 junction layout to provide for pedestrian and cyclist friendly measures which may include the signalisation of the junction.

The works will generally consist of the following:

- Excavation of bituminous road surface, concrete footpath, soils and subsoils
- Disposal of surplus Construction and Demolition waste and soil off site to an authorised waste facility
- Drainage works
- Importation, placement and compaction of hardcore (crushed stone)
- Installation of macadam surfacing and concrete/macadam footpaths
- Ducting for and provision of public lighting
- Localised landscaping works
- Noise and general construction disturbance during daytime hours
- Works duration expected to be approximately 6 months.

A plan of the proposed realigned route is presented in Figures 1a and b.

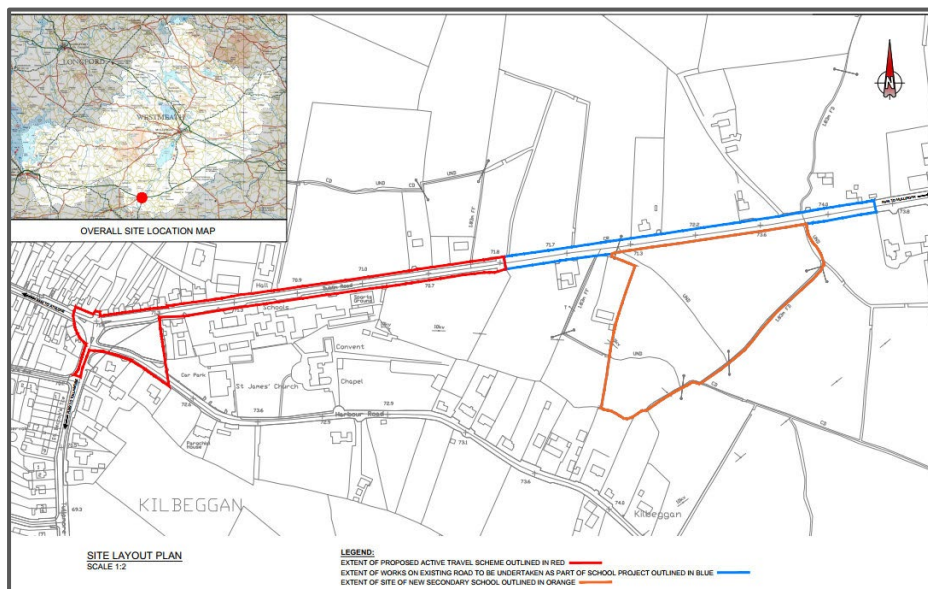
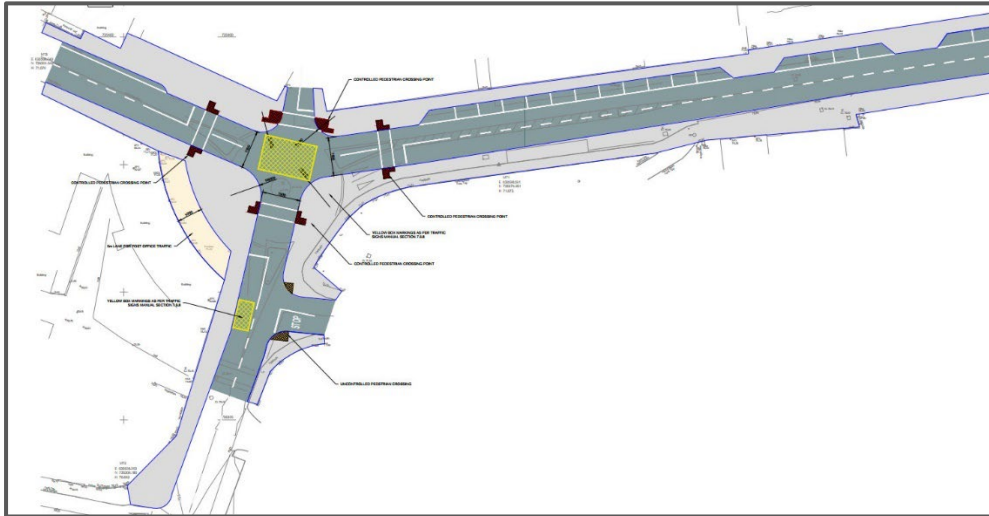


Figure 1a: Extract from Planning Drawings (as prepared by ORS on Behalf of Westmeath County Council)



**Figure 1b: Extract from Planning Drawings, Proposed Signal Junction (as prepared by Westmeath County Council)**

## 3.2 Site Location and Surrounding Environment

### 3.2.1 Location of Proposed Works

The works will be confined to a stretch of the R446 (Dublin Road) on the eastern outskirts of Kilbeggan town, from the roundabout at the Dublin Road / Tullamore Junction for a length of approximately 520m. They will also extend down the R389, Tullamore Road. The works will extend east until they meet the adjoining Active Travel Scheme that is being undertaken for the new Mercy Secondary School site located on the Dublin Road. All works will take place along the existing road corridor and no additional lands either side of the existing road will be required. The existing road width is being reduced here to allow for the construction of a larger footpath / cycle path.

The land-use in the area surrounding the site is largely urban (residential, commercial, educational) and the dominant habitats associated with this use includes buildings and artificial surfaces and amenity grasslands and gardens. In the rural lands surrounding Kilbeggan, agriculture is the dominant land use and improved agricultural grassland is the dominant habitat. Other habitats represented in the rural areas include semi-improved and wet grasslands, hedgerows, treelines and watercourses. Site location maps are shown in **Figures 2 and 3**, whilst an aerial photograph of the site and its surrounding habitats is shown in **Figure 4**.

Figure 2: Site Location Map [Reproduced under OSI Licence No. EN 0079022]

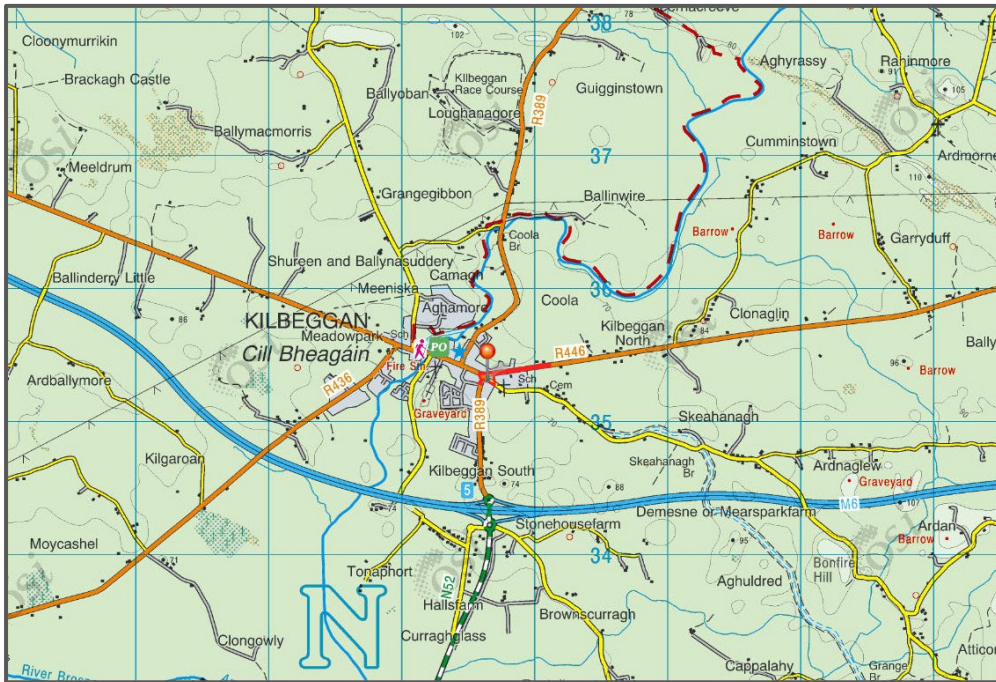
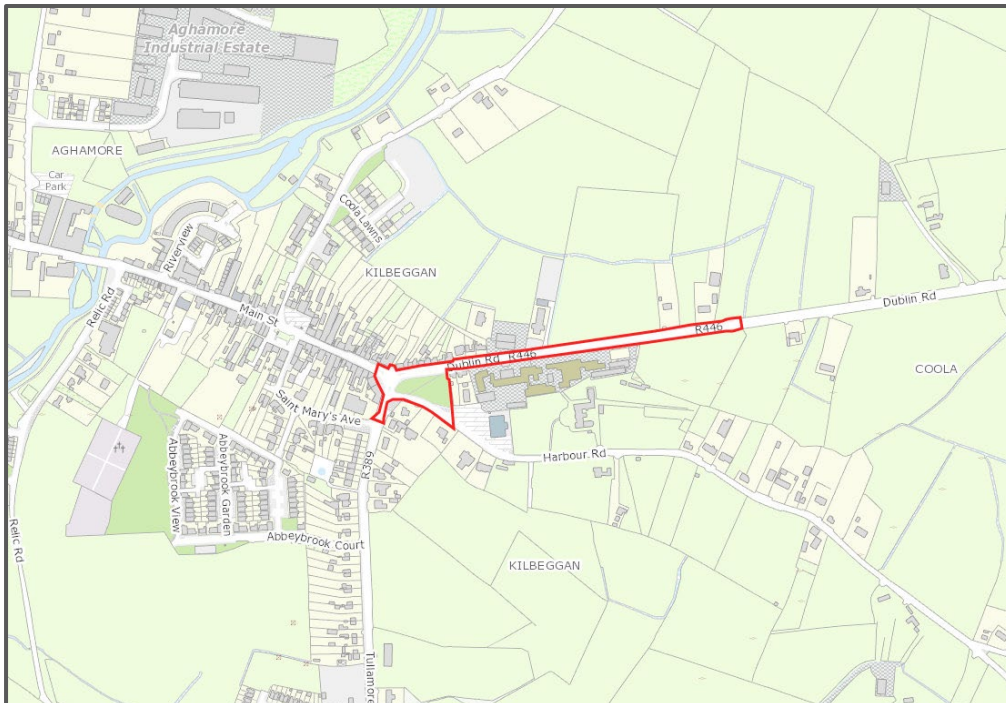


Figure 3: Site Location Map. [Reproduced under OSI Licence No. EN 0079022]



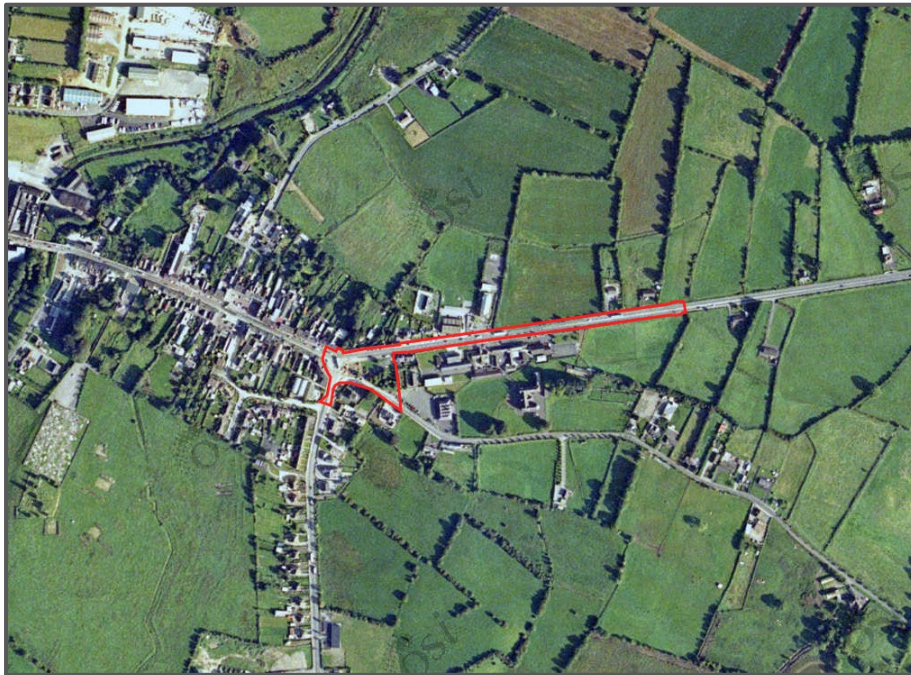
### 3.2.2 Habitats within the Proposed Works Area

The proposed works will be fully confined to the existing R446 corridor. The dominant habitat within the application site is Buildings and Artificial Surfaces. There are some narrow

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amenity grassland verges along the road at certain points. There is also an area of amenity grassland with some scattered trees at the junction near the roundabout. There are no watercourses along the route of the proposed realignment. No river crossings will be required and there are no drainage ditches alongside the road. Overall, the proposed scheme will not give rise to the loss of any habitats or features of biodiversity value.

**Figure 4: Aerial View of Locations of Works. [Reproduced under OSI Licence No. EN 0079022]**



### **3.2.3 Water Features and Quality**

The application site is within the Lower Shannon Hydrometric Area (25) and Catchment (25A), and the Brosna Sub-Catchment (020) and Sub-Basin (060). There are no drains or streams within the application site or along the road where the proposed works are planned. There is a drain approximately 3.7m east of the eastern end of the proposed works. This drain and the others that are in lands to the north of the site are likely to lead to the River Brosna. At its closest point to the works, the River Brosna is approximately 270m north of the new active travel scheme corridor. The River Brosna is a tributary of the River Shannon, and its confluence with the River Shannon is near Shannon Harbour, over 53km downstream of Kilbeggan.

The EPA have classified the River Brosna at points close to the application site and at points upstream and downstream of Kilbeggan town as good. Under the requirements of the Water Framework Directive in Ireland, this is satisfactory and this status must be maintained.

### 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 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. There are six Natura 2000 designated sites within 15km of the application site. Sites that area downstream of the River Brosna in Kilbeggan have also been considered as they are potentially within the Zone of Influence of the works. These designated areas and their closest points to the proposed development site are summarised in **Table 1** and maps showing their locations relative to the works are shown in **Figures 5 and 6**. A full description of the sites can be read on the website of the National Parks and Wildlife Service ([www.npws.ie](http://www.npws.ie)).

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

Site Name & Code	Distance	Qualifying Interests	Screened In / Out?
Split Hills and Long Hills Esker SAC 001831	2.6km north	<ul style="list-style-type: none"> <li>Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco Brometalia) (*important orchid sites)</li> </ul>	<i>Screened Out - There are no watercourses within or adjacent to the proposed area of works that connect to this SAC, and there are no source-pathway-receptor linkages between the application site and this SAC, therefore significant effects upon this site can be ruled out. This SAC is</i>

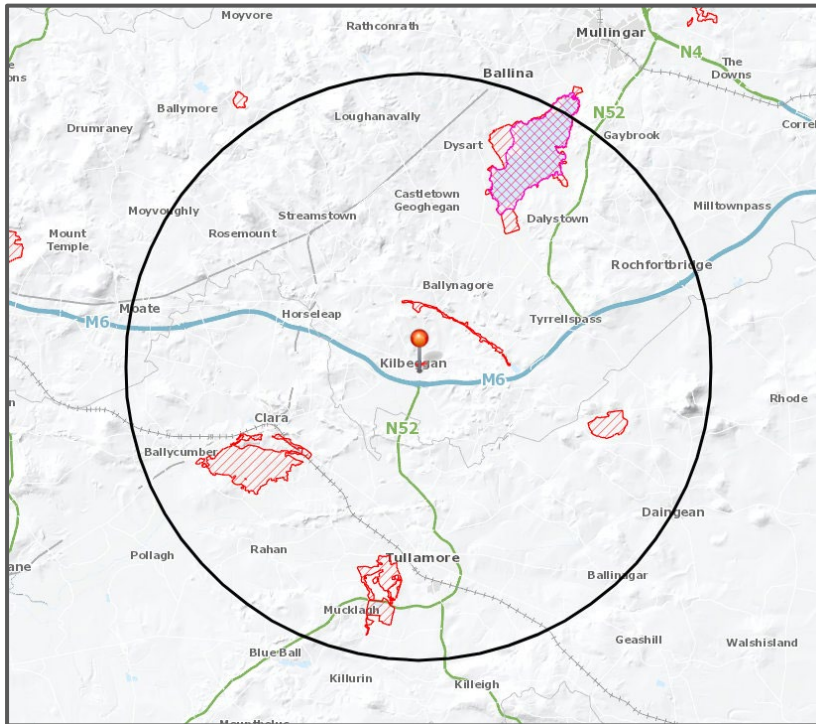
			<i>upstream of any hydrological influences around Kilbeggan town.</i>
Clara Bog SAC 000572	7.3km south-west	<ul style="list-style-type: none"> <li>• Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco Brometalia) (*important orchid sites)</li> <li>• Active raised bogs</li> <li>• Degraded raised bogs still capable of natural regeneration</li> <li>• Depressions on peat substrates of the Rhynchosporion</li> <li>• Bog woodland</li> </ul>	<i>Screened Out - There are no watercourses within or adjacent to the proposed area of works that connect to this SAC, and there are no source-pathway-receptor linkages between the application site and this SAC, therefore significant effects upon this site can be ruled out.</i>
Lough Ennell SAC 000685	8km north-east	<ul style="list-style-type: none"> <li>• Brook lamprey (<i>Lampetra planeri</i>)</li> <li>• Otter (<i>Lutra lutra</i>)</li> <li>• Hard oligo-mesotrophic waters with benthic vegetation of <i>Chara</i> spp</li> <li>• Alkaline fens</li> </ul>	<i>Screened Out - There are no watercourses within or adjacent to the proposed area of works that connect to this SAC, and there are no source-pathway-receptor linkages between the application site and this SAC, therefore significant effects upon this site can be ruled out. This SAC is upstream of any hydrological influences around Kilbeggan town.</i>
Lough Ennell SPA 004044	8.8km north-east	<ul style="list-style-type: none"> <li>• Pochard (<i>Aythya farina</i>)</li> <li>• Tufted Duck (<i>Aythya fuligula</i>)</li> <li>• Coot (<i>Fulica atra</i>)</li> </ul>	<i>Screened Out - There are no watercourses within or adjacent to the proposed area of works that</i>

		<ul style="list-style-type: none"> <li>Wetlands &amp; Waterbirds</li> </ul>	<p><i>connect to this SPA, and there are no source-pathway-receptor linkages between the application site and this SPA, therefore significant effects upon this site can be ruled out.</i></p> <p><i>This SPA is upstream of any hydrological influences around Kilbeggan town.</i></p>
Raheenmore Bog SAC 000582	9.1km east	<ul style="list-style-type: none"> <li>Active raised bogs</li> <li>Degraded raised bogs still capable of natural regeneration</li> <li>Depressions on peat substrates of the Rhynchosporion</li> </ul>	<p><i>Screened Out - There are no watercourses within or adjacent to the proposed area of works that connect to this SAC, and there are no source-pathway-receptor linkages between the application site and this SAC, therefore significant effects upon this site can be ruled out.</i></p>
Charleville Wood SAC 000571	10.2km south	<ul style="list-style-type: none"> <li>Old sessile oak woods with Ilex and Blechnum in the British Isles</li> <li><i>Vertigo moulinsiana</i> (Desmoulin's Whorl Snail)</li> </ul>	<p><i>Screened Out - There are no watercourses within or adjacent to the proposed area of works that connect to this SAC, and there are no source-pathway-receptor linkages between the application site and this SAC, therefore significant effects upon this site can be ruled out.</i></p>
River Shannon Callows SAC 000216	53km downstream of Kilbeggan via the River Brosna	<ul style="list-style-type: none"> <li>Otter (<i>Lutra lutra</i>)</li> <li>Molinia meadows on calcareous, peaty or clayey-silt-laden soils</li> </ul>	<p><i>Screened Out – Having regards to the lack of connectivity of the works to the River Brosna, combined with the</i></p>

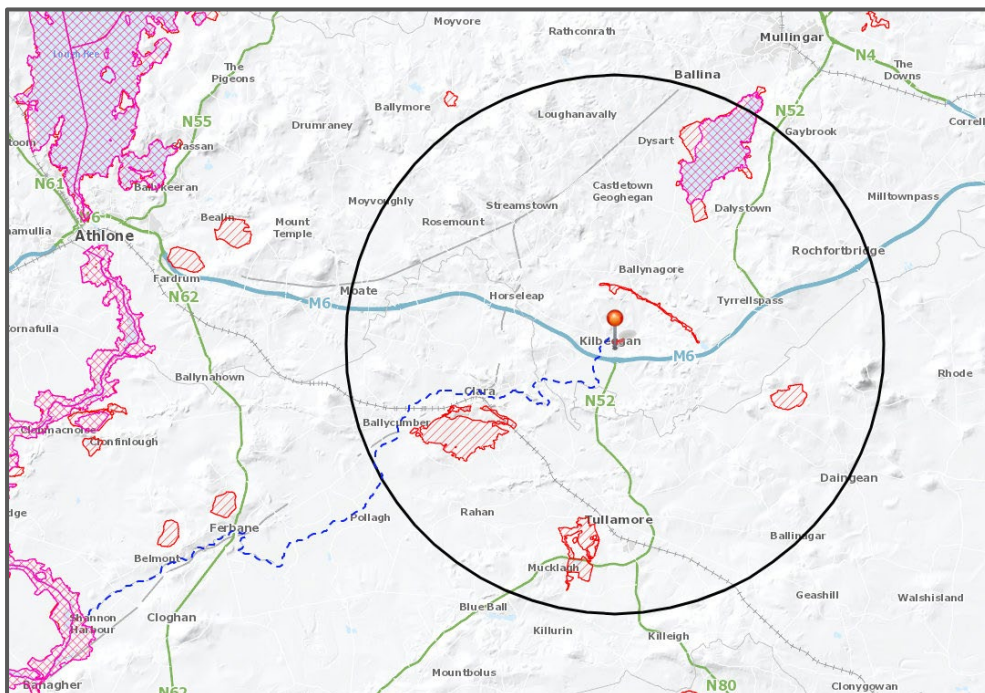


	(hydrological distance)	<p>(<i>Molinion caeruleae</i>)</p> <ul style="list-style-type: none"> <li>• Lowland hay meadows (<i>Alopecurus pratensis</i>, <i>Sanguisorba officinalis</i>)</li> <li>• Limestone pavements</li> <li>• Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, <i>Alnion incanae</i>, <i>Salicion albae</i>)</li> </ul>	<p><i>hydrological separation distance to the River Shannon, then significant effects upon this site can be ruled out.</i></p>
Middle Shannon Callows SPA 004096	53km downstream of Kilbeggan via the River Brosna (hydrological distance)	<ul style="list-style-type: none"> <li>• Whooper Swan (<i>Cygnus cygnus</i>)</li> <li>• Wigeon (<i>Anas penelope</i>)</li> <li>• Corncrake (<i>Crex crex</i>)</li> <li>• Golden Plover (<i>Pluvialis apricaria</i>)</li> <li>• Lapwing (<i>Vanellus vanellus</i>)</li> <li>• Black-tailed godwit (<i>Limosa limosa</i>)</li> <li>• Black-headed gull (<i>Chroicocephalus ridibundus</i>)</li> <li>• Common Tern (<i>Sterna hirundo</i>)</li> <li>• Wetlands &amp; Waterbirds</li> </ul>	<p><i>Screened Out – Having regards to the lack of connectivity of the works to the River Brosna, combined with the hydrological separation distance to the River Shannon, then significant effects upon this site can be ruled out.</i></p>

**Figure 5: Approximate Location of Works (Pinned) in relation to the Natura 2000 Sites within 15km SAC - (Red Hatched Areas) and SPA - (Pink Hatched Areas)**



**Figure 6: Approximate Location of Works (Pinned) in relation to the Natura 2000 Sites Showing The River Brosna leading to the Shannon Callows SAC / SPA**



## 3.4 Natura 2000 Impact Assessment

The potential significant effects of the proposed development on the European sites identified 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 proposed Active Travel Scheme at the Dublin Road, Kilbeggan will have no significant effects upon the European sites identified as being within 15km or the Zone of Influence of the application site. There are no individual elements of the proposed project that are likely to give rise to negative impacts upon these designated sites. There will be no loss or fragmentation of designated habitat in any European site. There are no pollution pathways between the works and any European site, therefore significant effects upon these sites arising from emissions will not arise, either during construction or operation.

**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 the 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 development of this Active Travel Scheme will be 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 six European sites within 15km of the application site. The closest of these is the Split Hills and Long Hills Esker SAC and this is 2.6km north of the site. In this instance, having regards to the lack of connectivity, this distance is sufficient to ensure that significant effects can be ruled out upon this and all other European sites.

**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.

**Emissions:** There are no in-stream works required as part of the works. There will be no watercourse crossings and there are no watercourses or drainage ditches along the proposed route. Therefore, there will be no emissions into any water features arising from the works and significant effects upon European sites arising from emissions to water will not arise. The River Brosna at Kilbeggan town is 53km upstream of the nearest downstream European sites, i.e., The River Shannon Callows SAC and the Middle Shannon Callows SPA.

**Excavation requirements:** There will be no excavation requirements that will lead to any significant effects upon the European sites identified.

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

**In-Combination / Cumulative Impacts:** The proposed application was considered in combination with other developments or proposed developments in the general Kilbeggan 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, including the new Mercy Secondary School and associated works on the Dublin Road. 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:** Works will be complete within 6 months.

**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 European 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 designated site. There will be no interference with the boundaries of any European site.

**Disturbance to key species:** There will be no disturbance to any key species protected under the EU Habitats Directive or EU Birds Directive.

**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.

**Changes in key indicators of conservation value (water quality etc.):** There will be no negative impacts upon surface or ground water quality within any European site. Kilbeggan is 53km upstream of the closest downstream European site (The River Shannon Callows SAC and the Middle Shannon Callows SPA).

**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:** Significant effects are not likely to occur.

**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 likely  
**Fragmentation:** None likely

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

### 3.5 Finding of No Significant Effects

<b>Finding of No Significant Effects Report Matrix</b>	
<b>Name and Description of project</b>	Active Travel Scheme at the Dublin Road, Kibbeggan for Westmeath County Council.
<b>Name and location of Natura 2000 site</b>	There are six European sites within 15km of the application site. The closest of these is the Split Hills and Long Hills Esker SAC and this is 2.6km north of the site. In this instance, having regards to the lack of connectivity, this distance is sufficient to ensure that significant effects can be ruled out upon this and all other European sites.
<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
<b>The Assessment of Significance of Effects</b>	
<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>	Not applicable as there is no potential for negative effects
<b>Describe how the project is likely to affect species designated under Annex II of the Habitats Directive.</b>	No significant effects are likely
<b>Data Collected to Carry out the Assessment</b>	
<b>Who carried out the assessment</b>	Noreen McLoughlin, MSC, MCIEEM. Consultant Ecologist

<b>Sources of data</b>	NPWS, EPA, National Biodiversity Data Centre, Westmeath 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. Conclusions

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