

**8<sup>th</sup> December, 2023**

**Cathaoirleach and Each Member of Westmeath County Council**

**Westmeath County Council Local Authority Development - File Ref. LA(A) – 4 -2023**

**Outdoor Recreation Infrastructure Scheme (ORIS) for Carn Park Link Trail at Baylin, Co. Westmeath.**

**Planning Report in Accordance with Section 179 of the Planning and Development Act 2000 (as amended) and Part 8 of the Planning and Development Regulations 2001 (as amended)**

Dear Cathaoirleach and Members,

The Municipal District of Athlone-Moate propose a Carn Park Link Trail at Baylin to complete a leisure route utilising the existing Baylin Bog Trail and Carn Park Forest Walk spanning c.6.5km in length.

## **Section 1**

### **1.0 Site Overview**

The proposed Part 8 development is located in the townlands of Twyford, Moydrum, Tullywood, Warren High and Carn Park.

The village of Baylin is located c.6km to the east of Athlone town centre. The proposed works are located to the south of Baylin village. Carn Park Bog Special Area of Conservation (SAC Site Code 002336) and Carn Park Bog Proposed Natural Heritage Area (pNHA Site Code: 000676) is located in proximity to Baylin village. There are existing recreational walking routes at this location namely Baylin Bog Trail, Carn Park Forest Trail and the 'Old Rail Trail Greenway' passes close to the village with an access point located 2.5km to the south. Crosswood Bog SAC (SAC Site Code: 002337) is situated c. 2.4km southwest of the subject lands.

The proposed development subject to this Part 8 are located within and adjacent to the SAC, the works are indicated as being proposed in order to create a pleasant, usable, safe pedestrian/cycle pathway

and creation of circular routes between the village of Baylin, Baylin Bog Trail and Carn Park Forest Walk. It is proposed to enhance the existing infrastructure to improve walking facilities (to universally accessible design), to create a loop spanning c.6.5km in length with multiple access points to enhance recreational activity and provide active travel connectivity within the village. The creation of the proposed trail loop includes for the provision of a 367m raised boardwalk linking the Baylin Bog Trail and Carn Park Forest Walk.

Other proposed works include creation of shared space on local roads, provision of directional signs and wayfinding signage along public roads and involves the provision of a controlled crossing point for Scoil Ciaran between the existing set-down bays and the school access gate.

The proposed development is indicated as providing a complete leisure route, utilising both the Baylin Bog Trail and Carn Bog Forest Walk spanning c.6.5km in length. The development will involve the improvements to the existing facilities along the Baylin Bog Trail, improve directional signs and wayfinding signage along the public roads directing users to the trail on the L-1427. A safe pedestrian route along the southern side of L1427 linking Baylin village to the northern access point and the creation of a shared space between road-users for c.635m along the L-5432 leading to the southern access point is also proposed. This has been indicated as providing an active travel loop from the village of Baylin by developing linkages to the Baylin Bog northern access and western access points. The proposed development will also involve the provision of a controlled crossing point for Scoil Ciaran between the existing set-down bays and the school access gate.

It is proposed to provide a 367m raised boardwalk linking the Baylin Bog Trail and the Carn Park Forest Trail together with an upgraded gravel surface of c.625m. The development will involve a safe shared space pedestrian link of c.235m between the two existing access points to Carn Park Forest Walk along the L-5435 to complete a route incorporating the Baylin Bog Trail and Carn Park Forest Walk extending to c.6.5km in length.

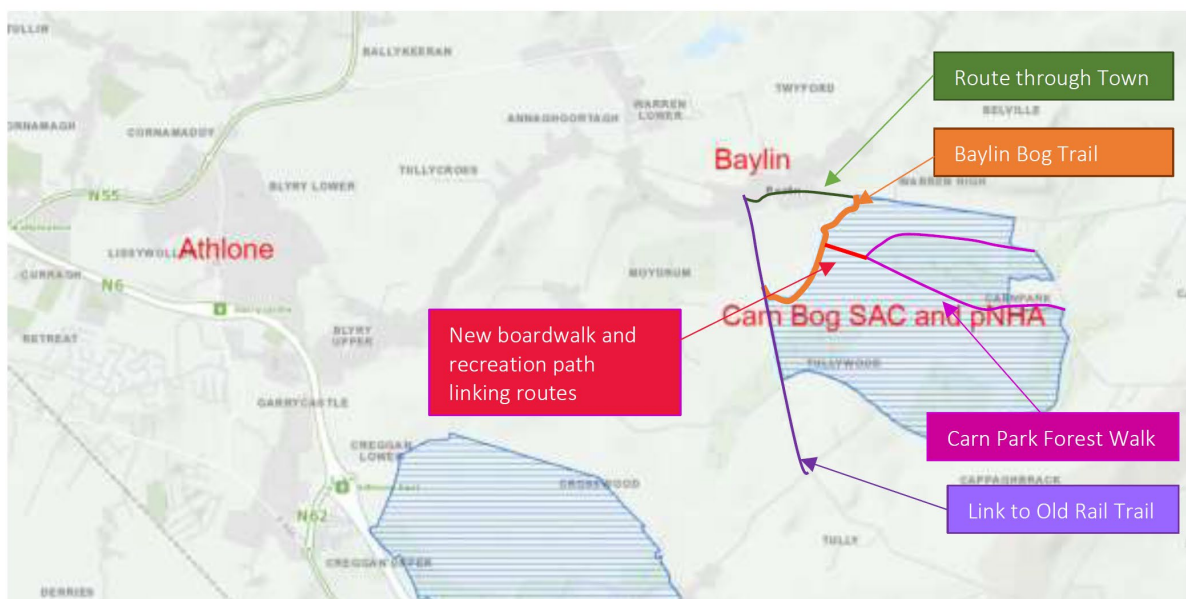


Figure 1: Site Location

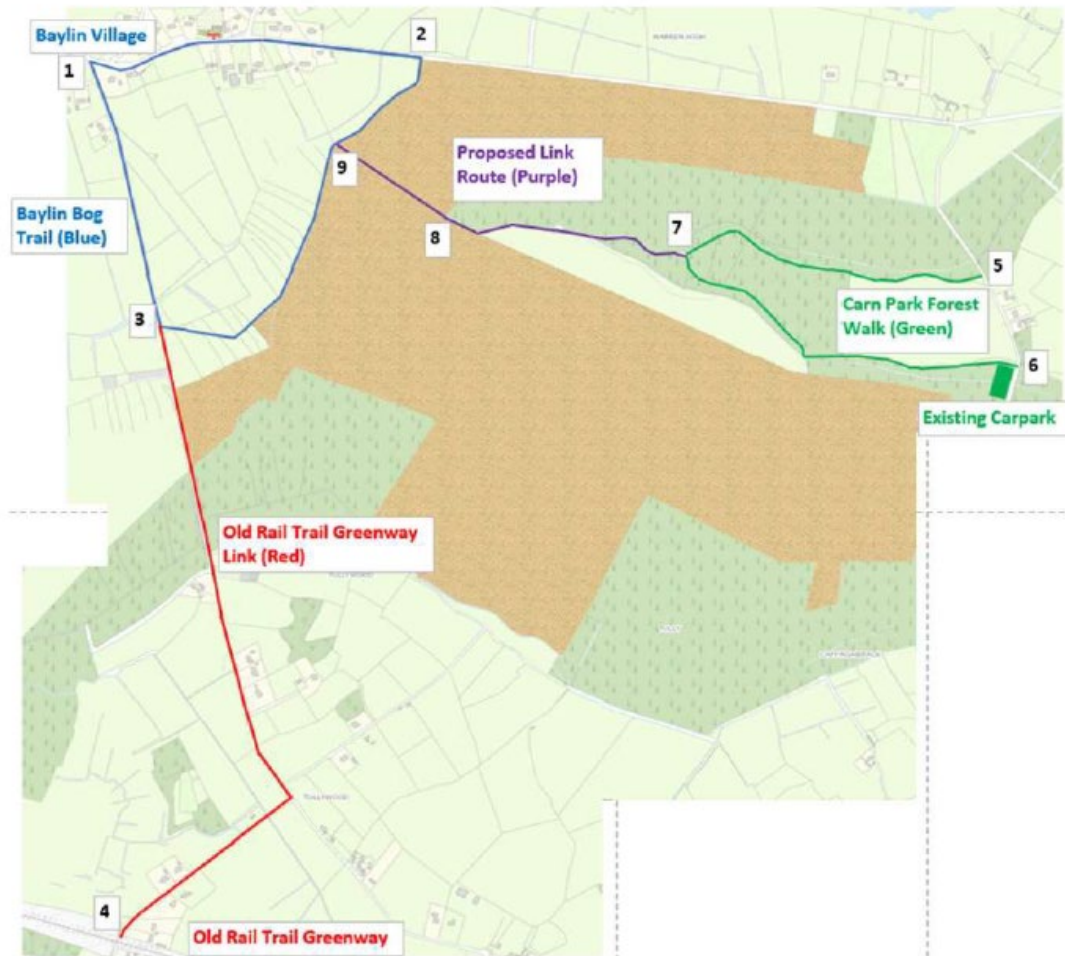


Figure 2: Existing & Proposed Infrastructure

### 1.1 Origins of Proposal and Funding of Works

The proposed development will be carried out by the Council with the funding of same sought through the Outdoor Recreation Infrastructure Scheme, together with Council match funding.

### 1.2 Advertising and Referrals

A public notice in respect of this Part 8 was placed in the Westmeath Independent, dated 02 September 2023. Site notices were also erected on the subject lands in accordance with legislative requirements. The application was referred to the following prescribed bodies and internal sections within WCC:

Referrals:	Response Received
<b>External Bodies</b>	
Development Applications Unit (Natural Heritage/Built Heritage) Department of Culture, Heritage and the Gaeltacht	√
An Taisce	
Inland Fisheries Ireland	
The Heritage Council	
Waterways Ireland	
Fáilte Ireland	

<b>Internal Sections</b>	
District Engineer MDMK	√
Environment Section	√

### 1.3 Consultation Process

This Part 8 was placed on public display on 04 September 2023 at the following locations:

- Consultation portal <http://consult.westmeathcoco.ie/en>
- Athlone Civic Centre, Church Street, Athlone.

Submissions and observations were invited up to 4.00pm pm Monday 16 October 2023.

### 1.4 Description and extent of the development proposed

Westmeath County Council (WCC) proposes to develop a recreational trail at Carn Park Bog, Baylin to create a c6.5km route. This will include a new link section consisting of gravel path and raised boardwalk to link the Baylin Bog Trail and Carn Park Forest Walk. Works also include the provision of road traffic improvements and associated road signage, wayfinding and directional signage, information board and signage along the trail route.

#### 1.4.1 New Link Trail (Section 7-8-9)

A new link trail between Carn Park Forest Walk and Baylin Bog Trail is proposed, denoted as Section 7-9 in Figure 2. This route traverses the Carn Bog, which is listed as a European Site by the National Parks and Wildlife Service (SAC 002336 and pNHA 000676). This link will consist of a walking route, including an upgrade and extended gravel path of 2m in width (Section 7-8 as denoted) and a new raised boardwalk of 3m in width over cutaway bog. The boardwalk will consist of timber deck planks on timber joists spanning c.4m between timber ‘goal posts’. The goal posts would be 2 No. 150x150mm timber posts, driven into the bog, with a timber cross head between the top of the posts supporting the joists. A low timber edge restraint is proposed to be utilised along the length of the boardwalk acting as a passive, non-intrusive design measure to increase safety of pedestrians without disturbing the surrounding habitat or view thereof.

#### 1.4.2 Shared Space

Along the L-5432 local road between section 1-3 (c.640m) it is proposed to create a ‘shared space’. Point 3 is the southern access point to the Baylin Bog Trail. The proposals include the implementation of a proposed shared space and speed reduction sign to 30kph.

Along the L-5435 local road between Section 5-6 in Figure 2, it is proposed to create a shared space for pedestrians/cyclists/motorists. This c.220m shared space will provide associated signage and will allow for the completion of the Carn Park Forest walk.

#### 1.4.3 Signage

Way finding signage is proposed to be provided along the local roads (L-5435) (Section 5-7-6 in Figure 2) leading up to the Carn Park Forest Walk. It is also proposed to replace the existing information signs at the entrance point denoted as point 6. Furthermore, improvements are proposed at the access into the car park and for the inclusion of a seating area, information signs identifying various route options and information on flora and fauna to be found along the route.

Furthermore, way finding signage, information board and distance signposts are proposed along the Baylin Bog Trail (Section 2-3 in Figure 2) and along the route at the intersection with the proposed new link to Carn Park Forest Walk. Signage is also proposed to be provided along the two access roads leading to the trail access points. It is also proposed to include a rest area/seating area at the southern access point to adjacent to the L-5432.

#### 1.4.4 Pedestrian Upgrade

Section 1-2 runs along the L-1427 east from Baylin village centre. To improve continuity for pedestrian/active travel along this stretch of road, especially the most eastern c.280m section it is proposed to move the transition point from 50kph to 80kph to the east of the Baylin Bog Trail access and to provide additional road safety improvements by providing road markings in the form of a solid white centre line along the section to the extended 50kph zone, at the trail entrance.

#### 1.4.5 Safe School Crossing

The proposal will include a safe crossing facility between the designated drop off facility and the school access point across the L-1472 Warren High Road. Whilst there are existing traffic calming measures in place such as sign, lines, footpath buildouts and speed bumps through the village, a level grade zebra crossing is proposed.

### 1.5 Documentation Included with Part 8 Proposal

- Newspaper Notice/Site Notice
- Project Particulars Description and Overview
- Ecological Impact Assessment
- Screening for Appropriate Assessment, *Flynn Furney Environmental Consultants, August 2023*
- Drawings: Site layout Map and Masterplan Drawing

### 1.6 Site History

- **Planning Application 06/1142:** Coillte Teoranta sought permission to construct a public car park and erect a public information sign. Permission granted with conditions.
- **S5-05-20:** Section 5 for the restoration of the surface of existing bog road to create Baylin Bog Trail. This links to Baylin Village via local public roads to create a looped trail which will have a total length of 2.6km. The proposal was considered to be development and to be exempt development under the Planning and Development Act 2000 as amended.

### 1.7 Policy Context

#### 1.7.1 National & Regional Policy Context

##### *Project Ireland 2040 - National Planning Framework 2018 (NPF)*

The NPF sets out a high-level strategic plan for shaping the future growth and development of the country to the year 2040. It identifies a number of key future planning and development and place-making policy priorities for the Eastern and Midland Region which includes the enhancement of amenities and heritage including amenities in rural areas such as activity-based tourism and trails, that will support the diversification of rural and regional economies and promote more sustainable forms

of travel and activity-based recreation. These trails provide a link to and integrate with our built, cultural and natural heritage.

The National Strategic Outcomes (NSOs) and National Policy Objectives (NPOs) which are particularly relevant to the proposed project are as follows:

**NSO 7 Enhanced Amenity and Heritage:** This development will provide for improved rural amenities facilities and provision of recreational trails.

**NPO 27** Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages.

**NPO 28** Plan for a more diverse and socially inclusive society that targets equality of opportunity and a better quality of life for all citizens, through improved integration and greater accessibility in the delivery of sustainable communities and the provision of associated services.

**NPO 18a** To support the proportionate growth of and appropriately designed development in rural towns that will contribute to their regeneration and renewal, including interventions in the public realm, the provision of amenities, the acquisition of sites and the provision of services.

*Regional Spatial and Economic Strategy for the Eastern and Midland Region (2019)*

The RSES promotes the Region for tourism, leisure and recreational activities while seeking to ensure that high value assets and amenities are protected and enhanced. In this regard, the proposal aligns with the 'Healthy Placemaking' principles of the RSES which aims to 'improve both physical and social infrastructure to create places that are healthy and attractive to live, work, visit and invest in' by providing 'access to nature and green spaces, play and active recreation opportunities'.

The proposed development is consistent with the RSES which contains the following Regional Strategic Outcomes (RSO) and Regional Policy Objectives (RPO):

**RSO 4 Healthy Communities:** Protect and enhance the quality of our built and natural environment to support active lifestyles including walking and cycling, ensure clean air and water for all and quality healthcare and services that support human health. (NSO 10)

**RSO 11 Biodiversity and Natural Heritage:** Promote co-ordinated spatial planning to conserve and enhance the biodiversity of our protected habitats and species including landscape and heritage protection. (NSO 7, 8).

**RPO 6.16** Support working with relevant landowners and recreational/ tourism agencies to increase access to the countryside and coastal areas to ensure maintenance of the existing network.

**RPO 6.17** Support the maintenance of, and enhanced access to state and semi-state lands such as National Parks, Forest Parks, Waterways, etc., together with Monuments and Historic Properties, for recreation and tourism purposes. Access should be planned and managed in a sustainable manner that protects environmental sensitivities, ecological corridors, and the ability of local infrastructure to support increased tourism.

**RPO 9.14** Local authorities shall seek to support the planned provision of easily accessible social, community, cultural and recreational facilities and ensure that all communities have access to a range of facilities that meet the needs of the communities they serve.

### *1.7.2 Local Policy Context*

#### *Westmeath County Development Plan 2021-2027 (WCDP)*

Support for the proposed development in principle is set out at County level by way of overarching policy and objectives set out under the WCDP including a specific Council policy objective to support increased opportunities for off-road walking, including looped walks and longer distance trails, taking account of ‘positive control points’ in trail design, such as areas of natural beauty, ... bogs’. (CPO 6.59)

**CPO 6.59** Support increased opportunities for off-road walking, including looped walks and longer distance trails, taking account of ‘positive control points’ in trail design, such as areas of natural beauty, lakeshores or rivers, bogs, built heritage and archaeological features and with links to towns and villages where services may be provided for walkers and hikers. In designing walking trails, the Sport Ireland Guide to Planning and Developing Recreational Trails will be consulted.

The WCDP further outlines that the Council will continue to maintain and further enhance the County’s walking and cycling trails ... (CPO 6.60)

**CPO 6.60** Continue to maintain and further enhance the County’s walking and cycling trails, striving to achieve National Trails accreditation and other standards as set by Sport Ireland, in partnership with local communities and landowners.

It is Council policy to ‘support sustainable initiatives and projects that enable visitors to enjoy and connect with our natural heritage, including walking or cycling trails, viewing points, facilities for bird-watching and angling, tours and events, subject to the requirements of the Habitats Directive’. (CPO 6.41).

**CPO 12.5** Ensure that no plans, programmes, etc. or projects giving rise to significant cumulative, direct, indirect or secondary impacts on European Sites arising from their size or scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation requirements, duration of construction, operation, decommissioning or from any other effects shall be permitted on the basis of this Plan (either individually or in combination with other plans, programmes, etc. or projects).

Footnote: Except as provided for in Article 6(4) of the Habitats Directive, viz. There must be a) no alternative solution available, b) imperative reasons of overriding public interest for the project to proceed; and c) Adequate compensatory measures in place.

**CPO 12.6** Ensure that any plan or project that could have a significant adverse impact (either by themselves or in combination with other plans and projects) upon the conservation objectives of any Natura 2000 Site or would result in the deterioration of any habitat or any species reliant on that habitat will not be permitted.

Footnote: Except as provided for in Article 6(4) of the Habitats Directive, viz. There must be a) no alternative solution available, b) imperative reasons of overriding public interest for the project to proceed; and c) Adequate compensatory measures in place.

**CPO 12.7** Assess any plan or project in accordance with Article 6 of the Habitats Directive to determine whether the plan or project is likely to have a significant effect on the site either individually or cumulatively upon the integrity, conservation objectives and qualifying interest of any Natura 2000 Site.

## 1.8 Services Provision

The proposed works will not impact on existing water/wastewater services.

## 1.9 Natural Heritage

### 1.9.1 Ecology

The proposed subject lands are located on Carn Park Bog, at Baylin, where it is proposed to develop a recreational trail and boardwalk linking Carn Park Forest Walk and the Baylin Bog Trail, across a section of cutover bog that lies within Carn Park Bog SAC. The Council engaged the services of suitably qualified consultants (Flynn Furney Environmental Consultants) to undertake an Ecological Impact Assessment (EclA) to inform this Part 8 proposal. The site evaluation scheme characterised the area within the immediate zone of influence of the proposed works as being of international importance, given its designation as an SAC and the presence of priority habitats 'Active Raised Bogs' and 'Degraded Raised Bogs'.

The EclA has recommended that prior to commencement of any works that the following are carried out:

- Survey for nesting habitats and bat roosting
- A details CEMP to be submitted.
- An Invasive Species Management Plan to be prepared.

The EclA concludes that the works as presented do not pose a risk of significant ecological impact due to their location, scale and nature.

## 1.10 Archaeology and Cultural Heritage

Archaeology: There are no recorded monuments within the site boundary for the proposed development. However, the Department considers that due to the scale, extent and location of the proposed development, it could potentially impact on subsurface archaeological remains. In this regard, the Department recommends that a desk based Archaeological Impact Assessment should be prepared. This can be conditioned in the event that planning approval is secured for this development.

Cultural Heritage: There are no protected structures located along the route.

## 1.11 Design & Assimilation of Development into its Surroundings

The proposed development relates to the creation of a new recreational trail linking two existing trail routes, Baylin Bog Trail and Carn Park Forest Walk which is essentially comprised of the following sections:



- Provision of 992m new link trail and boardwalk over Carn Park Bog SAC, consisting of upgrading and extended gravel path of 625m in length and a new raised boardwalk 367m in length.
- Provision of “Shared Space” zone of c.635m from the southern Baylin Bog Trail access point along the L-5432 to the junction of L-1427.
- Provision of “Shared Space” zone of c.235m between the two access points on the L-5435 for the Carn Park Forest Walk.
- Signage along the local roads linking to Baylin Bog Trail and Carn Park Forest Walk.
- Provision of Pedestrian Refuge to improve road users safety along the L- 1427 including extending the transition point from 50kph to 80kph speed limit to the existing trail access point, provision of new solid white centre line road marking up to the existing trail access point.
- Provision of a Safe School Crossing in front of Scoil Ciaran.
- Directional and wayfinding signage, seating etc.

The proposed upgraded and extended gravel path will be 2m in width whilst the proposed raised boardwalk will be 3m in width. The 625m proposed gravel path section will be provided on an existing natural trail that has fallen into disrepair in recent years.

The proposed raised boardwalk will be erected over old cutaway bog. The boardwalk will be installed along Section 8-9 in Figure 2 above and will consist of timber deck planks on timber joists spanning c.4m between timber goal posts. A total of 88 pairs of timber posts will be used in the construction of the boardwalk which is proposed to facilitate safe pedestrians use of the trail as opposed to walking directly on the bog. The proposal also includes the provision of wayfinding and distance signage and information boards. Details of such can be conditioned in the event that planning approval is obtained.

Given the extent of works proposed, it is considered that this proposal will not detract from the visual amenities of the area.

### 1.12 Road and Traffic Safety

The proposal provides for pedestrian safety measures along the L-1427 from the point where the existing footpath and road markings end to the access to the Baylin Bog Trail. It is proposed to relocate the transition speed zone from 50kph to 80kph to a point east of the access to the trail and to provide a white solid centre line along the new extended 50kph zone.

The proposal includes the provision of a new school crossing facility between the designated drop-off point and school access on the L-1472 and the provision of associated signage.

The proposal also provides for ‘shared space’ along the L-5432 to provide an active leisure route between Baylin Bog Trail and Baylin village centre, this will include provision of shared space signage and the reduction of speed zone to 30kph. An additional ‘shared space’ is proposed on the L-5435 for c.220m of local road between the two access points into the Carn Park Forest Walk, to create a loop.

The proposal includes the introduction of road safety signage and other road safety improvements to provide a safer pedestrian route and to enhance the villages leisure and recreational amenity by

creating an active loop spanning c.6.5km in length. The provision of a designated safe school crossing is indicated as being intended to increase drivers' awareness of vulnerable road users and provide safe access and egress to children at peak drop off and pick up times.

The shared space on the L-5432 and L-5435 local roads, is proposed to give priority to pedestrians without removing vehicular traffic, and to encourage traffic speeds to slow down as well as creating an attractive safe recreational looped walking trail at this location.

The District Engineer has reviewed the Part 8 proposal and has no objections to the proposed development.

### 1.13 Appropriate Assessment

The subject lands are designated as a European Site (Carn Bog SAC) and are designated as a proposed Natural Heritage Area (Carn Bog pNHA). The site is also in proximity to Crosswood Bog SAC (Site Code 002337) located approx. 1.4 km to the south-west.

It is Council policy to *'Protect and conserve Special Areas of Conservation, candidate Special Areas of Conservation, Special Protection Areas and candidate Special Protection Areas, designated under the EU Birds and Habitats Directives respectively'* (policy CPO 12.4 WCDP).

Appropriate Assessment is a standard legal requirement for all plans and projects likely to have a significant impact on European sites i.e. Special Areas of Conservation (SAC) or Special Protection Areas (SPA). Flynn Furney Environmental Consultants were commissioned to undertake a Stage 1 Screening for Appropriate Assessment Report for the proposed project. The Stage 1 Screening for Appropriate Assessment concludes that no impacts have been determined and therefore, there will be no likely impacts on the conservation condition or objectives of the European Site. Therefore, recommends that Stage 2 Appropriate Assessment is not required, and the project can be screened out.

Having reviewed the information submitted, the Environmental Department of WCC do not have any objection to the above determination subject to the inclusion of appropriate conditions. Having regard to the conservation objectives associated with the European sites within the zone of influence and given the nature of the development, it is considered that the proposed development, including construction stage works, either in combination or alone, will not give rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites having regard to their conservation objectives.

### 1.13 Environmental Impact Assessment

The development works do not fall within the scope of the infrastructure project types prescribed. In this regard and having considered the appropriate criteria, the project is unlikely to give rise to significant environmental impacts and an Environmental Impact Assessment Report for this development is not required.

## Section 2

### 2.0 Internal Section Reports and Prescribed Bodies Submissions

#### 2.1 Internal Sections Reports Received

##### *2.1.1 District Engineer, Athlone Moate Municipal District*

No objection.

##### *2.1.2 Environment Section, Westmeath County Council*

Initial report dated 16/10/2023 has no objection to the proposal subject to the inclusion of conditions.

Environment Report dated 30/11/2023 recommends that the Appropriate Assessment and EclA Reports fully consider the issues raised in the Departments reports.

#### 2.2 Prescribed Bodies Reports Received

##### *2.2.1 Department of Housing, Local Government and Heritage*

The initial plans and particulars were referred to the Department for comments. In this regard, concerns were expressed in relation to some elements of the initial Screening for Appropriate Assessment Report. Consideration of Crosswood Bog SAC was for screening and impact of potential visitor number were queried as was the relationship between the boardwalk and the SAC, in terms of habitat or species fragmentation, reduction in species density and climate change.

It is indicated that further detail is required in terms of the quantities of gravel required to be imported to the site to upgrade the existing trail and details to ensure water quality is protected from potential pollution from accidental stone spillage and the possibility of impact of hydrocarbons and impacts of compression.

The Department suggest that that the initial AA Screening Report fails to provide complete, precise and definite findings and conclusions.

The initial submission from the Department, further considers that the Ecological Impact Assessment (EclA) and suggests that a revised EclA is required to assess potential impacts by way of surveys. The Department suggest that the reference to mitigations suggested under Section 4.3 and suggests that this conflicts with the conclusions of the Screening Report.

Reference to Carn Park Bog Rehabilitation Plan and proposed NPWS conservation measures at Carn Park Bog are also highlighted.

The submission states that the Department has safety concerns about the location of the proposed boardwalk owing to bog slumping. Attention is drawn to a scientific paper which it is recommended should be considered regarding the location of the boardwalk in the context of stability and safety of potential users.

Finally, it is stated that the proposal could potentially impact on subsurface archaeological remains given the scale, extent and location of the proposed development. A desktop Archaeological Impact Assessment is requested to be carried out.

The Department of Housing, Local Government and Heritage submission was referred to Flynn Furney Environmental Consultants to address the matters raised. In response, an updated Ecological Impact

Assessment (EcIA) Rev B, was received, dated October 2023. No specific mitigation measures are considered necessary; however standard measures and ecological enhancements have been suggested as part of the project.

The proposed works lie ca 1.5km from Crosswood Bog SAC, which is designated solely for terrestrial habitats, with no hydrological connection. No reasonable pathway for impact exists given the nature and scale of the work and the distance to the site. The AA Screening has been updated (Rev 1) to include the above rationale to exclude Crosswood Bog SAC for further consideration.

In response to concerns raised by the Department of Housing, Local Government and Heritage in relation to proposed bunding, the proposed boardwalk has been amended to consider the locations of rehabilitation works on the bog and the amended route avoids interference with the drains on the cut-over and high bog. This realignment extended from the original 350m to 367m in total length, see Figure 5 below. The revised route of the proposed boardwalk is between two areas of slumping. The edge of the area of slumping to the south is 50m from the proposed boardwalk, while the edge of the area of slumping to the north is 100m away. Amended design includes the bordering of the gravel trail, providing a finished edge which will also have the effect of protecting the drain adjacent to the trail.

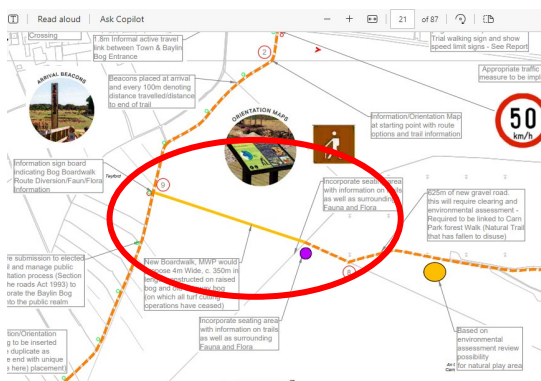


Figure 4 – Initial Boardwalk Route

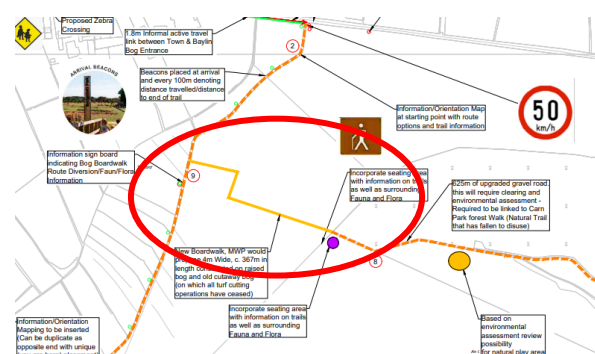


Figure 5 – Revised Boardwalk Route

*Department of Housing, Local Government and Heritage Further Submission*

The updated documentation was referred to the Department of Housing, Local Government and Heritage for comments and a further submission was received on 29<sup>th</sup> November 2023. It is suggested that further studies are required in association with the EcIA report in relation to the proposed boardwalk. The submission also indicates that “in nearby Crosswood Bog SAC a pair of Curlew have been recently recorded by NPWS and it is thought their presence may be as a result of rehabilitation measures coupled by lack of human disturbance”.

The Department’s submission acknowledges that the updated reports state that the amended location of the bog boardwalk is a measure to avoid areas where cell bunding is proposed and this is welcomed. The report, however, considers that the proposed bog boardwalk element of the proposed project is premature as it may not be compatible with the wetter conditions expected by way of post rehabilitation works. In addition, it is suggested that the updated reports do not address any potential conflicts for machine access to carry out the necessary NPWS rehabilitation works.

Concerns are set out with respect to the conclusion of the updated AA Screening Report. The Department considers that the boardwalk would cover an area of bog and “overtime a lack of light would probably destroy the Qualifying Interests of vegetation underneath and therefore consider the conclusion is incomplete as cannot conclude there will be no adverse impact on the conservation objectives for the site”.

Concerns are also raised in terms of the impacts of potential face bank de-stabilization from driving wooden posts in the area with clarification sought in terms of the separation distance of the boardwalk from the slumping area.

The Department concludes that they support initiatives and projects that engage communities with their local peatlands but consider that there are two existing looped walks in Carn Park Bog SAC that fulfil that objective.

The updated submission from the Department of Housing, Local Government and Heritage received on 29<sup>th</sup> November 2023 was referred to MWP Engineering and Environmental Consultants.

*A response from MWP Engineering and Environmental Consultants was received on 6<sup>th</sup> December 2023, the following details the response received.*

### **1. The potential loss of habitat due to the lack of light from the boardwalk.**

#### **Response:**

The proposed boardwalk runs in an approximately east-west direction. Given that it is in an open bog area, there are no obstructions to sun light. The boardwalk will typically be 1m above the surface level of the bog. This will allow morning and evening sun light, particularly low winter sun light to get to the underside of the boardwalk. With the boardwalk 1m above the bog surface, direct sunlight will shine on the full width of the underside of the boardwalk for the sun at an angle of up to 18.5 degrees above the horizon. It should also be noted that the planks in the boardwalk are installed with gaps of between 6mm and 8mm. This is to prevent water lodging on the surface and to allow for some seasonal expansion and contraction of the boards. However, it will also allow some overhead sunlight through the boardwalk.

### **2. Potential for face bank destabilisation from the installation of the posts**

#### **Response:**

The timber posts will be installed individually. This process is the equivalent of installing a timber fence post in a field. The risk that the installation of a single timber post would destabilise the face of the bank is minimal and once each post is installed, it enhances the overall stability of the face of the bank. Therefore, the installation of the boardwalk will improve the overall stability of the bank face, in the immediate area of the boardwalk. A full analysis of the bank stability will be undertaken at detailed stage.

### **3. The appropriateness of the separation distance of the boardwalk from the area of slumping**

#### **Response:**

The revised route of the proposed boardwalk is between two areas of slumping. The edge of the area of slumping to the south is 50m from the proposed boardwalk, while the edge of the area of slumping to the north is 100m away. These separation distances are deemed to be satisfactory and are the maximum that can be achieved, while staying within the assessed corridor for the boardwalk. As stated in the previous point, the installation of the boardwalk will increase the stability of the bog in the immediate vicinity of the boardwalk.

### **4. Basis and appropriateness of previous response to paper on “Investigation of Failures in Irish Raised Bogs”**

#### **Response:**

The response informs that MWP has extensive experience of a very wide range of civil engineering projects. The firm has been responsible for the design of more wind farms than any other engineering consultancy in Ireland. These projects often involve areas of bog and dealing with issues of bog stability. The company has designed many floating roads across bogs and has given a presentation to Engineers Ireland members on the topic. Peter O'Donnell, who is the Project Director on this project, has over 40 years post graduate experience in the design and supervision of civil engineering projects. He is a Fellow of Engineers Ireland and a Chartered member of the Institution of Civil Engineers. The scientific paper titled Investigation of failures in Irish Raised Bogs by Long et al. (2014) examined the causes of the slumping at Carn Park Bog and concluded that there was thinning of peat in the area that contributed to the bog slides. The authors suggest that slope instability effects of seepage forces were the most likely cause. In the previous response, MWP stated that 'The proposed rewetting of the bog will reduce the seepage of water from the uncut section of bog to the thinner areas. This in turn will reduce the risk of future failures of the bog due to water seepage.'

### **5. Potential impact on the habitat in relation to Curlews**

The proposed works lie ca 1.5km from Crosswood Bog SAC, which is designated solely for terrestrial habitats, with no hydrological connection. No reasonable pathway for impact exists given the nature and scale of the work and the distance to the site. The AA Screening has been updated (Rev 1) to include the above rationale to exclude Crosswood Bog SAC for further consideration. The EclA prepared for the Carn Park Link Trail at Baylin recommends that surveys are conducted at Carn Park Bog for wintering birds. This will establish whether this bog is used by any wintering bird species, including curlew.

### **6. Potential impact of the scheme on any known NPWS Rehabilitation Plan**

#### **Response:**

It is our understanding that these works are to be undertaken in advance of the proposed boardwalk. In the event that the boardwalk was installed before the rehabilitation works were undertaken, then

the boardwalk would divide the rehabilitation works area into two separate sites and separate access points would be required to each of these i.e one north and one south of the boardwalk. While this will add some additional cost to the works (two access points rather than one), it will not cause any technical difficulty. This will be clarified once BNM finalise the design of their proposed stabilization works.

### **Chief Executive Response**

The content of the initial and subsequent submission made by the Department are acknowledged. Having regard to the revised documentation submitted by MWP Engineering and Environmental Consultants and Flynn Furney Environmental Consultants, the Council considers that the proposed development of the Carn Park Link Trail, at the revised location proposed are acceptable subject to conditions.

In relation to archaeology, it is noted that there are no recorded monuments within the subject lands and therefore the proposed works will not directly impact on any recorded monument. However, in accordance with the recommendation set out by Department, it is prudent that the Council should include a condition to conduct a desktop Archaeological Impact Assessment on the proposed site. In addition, the undertaking of surveys conducted at Carn Park Bog for wintering birds is also recommended.

In the event of Part 8 approval it is considered that the project should be carried out in line with the findings of the EclA which recommends, that prior to commencement of any works, the following are carried out:

- Survey for nesting habitats and bat roosting
- A detailed CEMP to be submitted.
- An Invasive Species Management Plan to be prepared.

Having regard to the submission received from the Department of Housing, Local Government and Heritage, it is also recommended that archaeological testing is carried out and completed by a suitably qualified and licensed archaeologist prior to the commencement of development.

### **Chief Executive's Recommendation**

It is recommended that the development should proceed in accordance with the details submitted, save for the amendments outlined under the revised response (including revised boardwalk location indicated on Drawing Number: 23784 MWP ZZ ZZ DR C 0001). The development to be carried out in line with the findings of the EclA and that pre-development archaeological testing be carried out and completed by a suitably qualified and licensed archaeologist prior to the commencement of development. The proposed boardwalk to be installed at a minimum of 1m above the bog surface.

## ***Section 3***

### **3.0 Public Observations/Submissions Received**

One (1) public submission was received during the statutory public consultation period in respect of the development proposed. The submission is generally supportive of the proposed development. A synopsis on the content of the public submission received and consideration of same is set out below.

### 3.1 Removal of Trees

The submission received has requested that any trees removed on this project that seeds/cutting taken from the same trees are replanted in similar location.

### 3.2 Signage

The submission further notes that signage should be erected to highlight “respect the bog and take your rubbish home”.

### Chief Executive Response

The content of the submission received is noted.

### 3.3 Response to submission: Signage

The proposed development includes the provision of signage at the access points and along the trail route. The final details of signage can be conditioned if planning approval is secured for this development.

#### 3.3.1 Response to submission: Tree Removal

Tree removal does not form part of the proposed development, however as per the Ecological Impact Assessment submitted by Flynn Furney Environmental Consultants, if any removal of trees is necessary, then dedicated surveys for nesting birds and bat roosting potential will take place outside nesting season for birds. The replacement of trees removed can be conditioned if planning approval is secured for this development.

### Chief Executive’s Recommendation

Having regard to the issues raised above, it is recommended that the development should proceed in line with the above recommendation, subject to ensuring safeguarding of trees and tree replacements were necessary and the agreement of signage.

## **Section 4**

### 4.0 Conclusion

It is considered that the delivery of the Carn Park Bog Link Trail to create a 6.5km recreational loop will result in active travel and connectivity improvements, contribute to healthy active lifestyles whilst building on the economic and tourism potential of the County’s existing greenways and recreational assets and assist in facilitating the development of this area as a place that is healthy and attractive to live in and visit.

Having regard to the plans and particulars submitted as part of this Part 8 application, revised plans and particulars received, the content of statutory submissions received and public submission, subject to the recommendations set out above, it is considered that the proposed development:

- would not impact negatively on natural or archaeology heritage including any designated site
- would not seriously injure the amenities of the area or of property in the vicinity
- would be acceptable in terms of traffic safety and convenience.



Having considered the plans and particulars in association with the development proposal, it is considered that the development is consistent with national, regional and local (Westmeath County Development Plan 2021-2027) policy and as such is in accordance with the proper planning and sustainable development of the area.

#### 4.1 Chief Executive Recommendation

The Council considers that the proposed development of the Carn Park Link Trail and associated works will provide an amenity asset to the local community. Having regard to the above, it is considered that the proposed development constructed in accordance with appropriate conditions, which adequately addresses concerns raised within the Department of Housing, Local Government and Heritage submissions, is consistent with the provisions of the County Development Plan, and, as such, is in accordance with the proper planning and sustainable development of the area.

Accordingly, it is recommended that the development proceeds in accordance with the plans and particulars published on 04/09/2023, as amended by subsequent documentation received on the 16/11/2023 and 06/12/2023, except as may otherwise be necessary to comply with the following requirements:

1. Development to be carried out in line with the recommendations of the EclAR to include the submission of the following for the prior written approval of the Planning Authority prior to the commencement of any development:
  - (i) An Invasive Management Plan to include the removal of rhododendron present within the mixed woodland area and any other seedling/saplings noted during works
  - (ii) Surveys for:
    - Breeding and Wintering Birds
    - Amphibian Spawning Habitat within the subject site and zone of influence
    - Dedicated Mammals

An Ecological Clerk of Works to be appointed to oversee the implementation of the recommendations of the EclAR together with the installation of the boardwalk (to be installed at a minimum of 1m above the surface level of the bog at the location indicated on Drawing Number: 23784 MWP ZZ ZZ DR C 0001) and upgrading of existing gravel paths.

#### 2. Construction Environmental Management Plan.

The construction of the development shall be managed in accordance with a Construction Environmental Management Plan, which shall be submitted to, and agreed in writing with the Planning Authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, particularly around the area of material stockpiling/storage, protection of bog surface and any fuels/lubricant storage and management.

### **3. Archaeological Impact Assessment**

- a) The services of a suitably qualified Archaeologist shall be engaged to carry out a desk based Archaeological Impact Assessment of the development site.
- b) The archaeologist shall carry out any relevant documentary research and inspect the development site.
- c) Having completed the work, the archaeologist should submit a written report to the Planning Authority and to the Department of Housing, Local Government & Heritage in advance of the planning decision.
- d) Where archaeological material/features are shown to be present, preservation in situ, preservation by record (excavation) test trenching or monitoring may be required.

### **4. Signage**

Prior to commencement of development full details of all proposed signage shall be submitted and agreed in writing with the Planning Authority.

### **5. Trees**

Any removal of trees for the proposed development shall be replaced within the following planting season by plants of similar species unless the planning authority gives written consent to any variation.

Yours sincerely,



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**Barry Kehoe**  
**Deputy Chief Executive**