

# Part 8 MEMO

<b>To:</b>	Barry Kehoe, Director of Services
<b>From:</b>	Cathaldus Hartin, Senior Planner
<b>Date:</b>	04 July 2023
<b>Subject:</b>	Part 8 AA/EIA Requirements in relation to proposed active travel measures along the R446 Dublin Road, Kilbeggan

## 1. Project Description

Westmeath County Council (WCC) proposes to carry out works which for the provision of active travel measures along the R446 Dublin Road, Kilbeggan, comprising:

1. The upgrade of an existing roundabout at the junction of the R446 and R389 to a priority junction with raised controlled pedestrian crossings on the three main arms together with an uncontrolled crossing on the north arm.
2. Provision of enhanced public realm (e.g., seating, art works and planting beds) on reclaimed space associated with the junction upgrade.
3. Provision of a 4m wide shared pedestrian/cyclist footpath on the south side of the R446 to join with works currently being undertaken in association with Mercy Secondary School to the east. This will include a reduction in the width of the roadway to 6m.
4. Provision of a minimum 1.8m wide footpath to the north side of the R446.
5. Dedicated on street parking.

### Details Received

- Site Location Plan; Sit Layout Plan / Option Plan
- Environmental Impact Assessment Screening Report
- Appropriate Assessment Screening Report
- Traffic Modelling Report

### Overview

The proposed works are located along the R446 Dublin Road, Kilbeggan, and comprise the reconfiguration of an existing junction to accommodate traffic calming and active travel measures to enhance pedestrian and cycle accessibility at this location.

The subject lands are not located within or immediately adjacent to any European Site (designated SAC/SPA). The closest designated site to the proposed works is Split Hills and Long Hills Esker SAC located c.2.6km to the north and Clara Bog SAC, c.7.3km to the southwest.

## 2. Recommendation

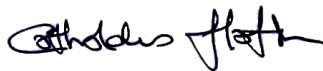
Having reviewed the preliminary documentation associated with the above-named proposed works on lands at Dublin Road, Kilbeggan, it is considered, based on a preliminary assessment, that a **Stage**

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**2 Appropriate Assessment (AA) & Environmental Impact Assessment (EIA) are not required at this time.**

It is recommended that the project proceed to detailed application design in accordance with Part 8 of the Planning and Development Regulations (as amended), based on which the Planning Section will issue final determinations.

Considerations are set out as per the associate headings hereunder.



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**Cathaldus Hartin | Senior Planner**

Westmeath County Council | Planning, Transportation and Economic Development  
04 July 2023

## 3. Appropriate Assessment (AA) Screening

### Stage 1 Preliminary Examination

#### 3.1 Legislative Context

The European Communities (Birds and Natural Habitats) Regulations, 2011 which transpose into Irish law both the European Union (EU) Directive 2009/147/EC (the Birds Directive) and the Habitats Directive and list habitats and species that are of international conservation importance and require protection. This protection is afforded in part through the designation of areas that represent significant examples of habitats that support populations of listed species within a European context, known as Natura 2000 sites. An area designated for bird species is classed as a Special Protection Area (SPA) and an area designated for other protected species and habitats is classed as a Special Area of Conservation (SAC). Together, SPAs and SACs form the Natura 2000 network of protected sites.

The Habitats Directive requires competent authorities to carry out an Appropriate Assessment (AA) of plans and projects that, alone and/or in combination with other plans and projects, would be likely to have significant effects on one or more Natura 2000 sites. The assessment process is divided into a Stage 1 Screening for Appropriate Assessment and where required, a full Stage 2 Appropriate Assessment.

#### 3.2 Natura 2000 Sites

Note: European Natura 2000 sites include SACs, cSACs, SPAs and pSPAs, but not NHAs. This Stage 1 screening assessment covers Natura 2000 sites within a 15km radius of the development boundary. Sites situated with 15km of the proposed works, are set out at **Table 1** below. The site synopsis' and details of the conservation objectives of these site are available at: <https://www.npws.ie/protected-sites/sac> and <https://www.npws.ie/protected-sites/spa>

SITECODE	SITE_NAME	Distance_km
001831	Split Hills and Long Hills Esker SAC	2.6
000572	Clara Bog SAC	7.3
004044	Lough Ennell SPA	8.0
000685	Lough Ennell SAC	8.8
000582	Raheenmore Bog SAC	9.1
000571	Charleville Wood SAC	10.2

**Table 1:** Natura 2000 Sites within 15km

There are 6(no.) designated Natura 2000 sites situated within a 15km radius (refer Table 1 above) of the proposed site. The works proposed are not required for the nature conservation management of these sites. It is noted that the conservation objectives for the SACs and SPAs in the vicinity are to maintain or restore favourable conservation condition of habitats and species listed as Special Conservation Interests for which the SPA/SAC has been selected.

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Whilst noting the nature and scale of the public realm works proposed, it should also be noted that any project/plan with an apparently small impact on one attribute may have a significant impact on another.

Disturbance to key habitats and species has potential to arise from increased noise, vibration, construction and operation activities or others arising from the inappropriate timing of works or proximity to settlements. Having considered the siting, nature and scale of the development works proposed within the built area of Kilbeggan and in considering the content of the Stage 1 Screening for Appropriate Assessment prepared by ORS Environmental Consultants, it is considered that the proposed development would not give rise to any significant adverse direct, indirect or secondary impacts on the integrity of any nearby Natura 2000 sites.

### **Relationship with other Relevant Plans and Programmes**

The site of the proposed development is in an area for which planning policy is set out under the current Westmeath County Development Plan and 2021-2027. An Appropriate Assessment for this plan was carried out and concluded findings that, having incorporated mitigation measures the plan is not foreseen to give rise to any adverse effect on the integrity of European sites, alone or in combination with other plans or projects. However, all individual plans/projects must also be considered for their compliance with Article 6(3) of the Habitats Directive on a case-by-case basis.

Further, when considered in combination with other developments which have been granted planning permission in the general area in the last five years (including the new Mercy Secondary School which provides for associated works on the Dublin Road), it is not considered that the proposed development will have any cumulative impacts upon any designated sites.

It is considered, having regard nature of the proposed development which is removed from and has no direct pathway to any SPAs and SACs, that the proposal would not give rise to any significant adverse direct, indirect or secondary impacts on the integrity of any nearby Natura 2000 sites having regard to the nature and scale of the proposed development and separation distances involved to adjoining Natura 2000 sites.

### **3.3 AA Preliminary Screening Conclusions**

It is considered that the proposed development is not likely to give rise to significant effect, either individually or in combination with other plans or projects, on any European Natura 2000 Sites in the vicinity.

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## 4. Environmental Impact Assessment (EIA) Screening

### 4.1 EIA Preliminary Screening Examination

Examination		
	Yes / No / Uncertain	Comment
Is the size of development exceptional in the context of the existing environment?	No	
Is the proposed development located on, in, adjoining or have the potential to impact on a sensitive site or location*?	No	
Will the development result in the production of any significant waste, or result in emissions or pollutants?	No	
Conclusion		
<b>Based on a preliminary examination of the nature, size or location of the development, is there a real likelihood of significant effects on the environment? **</b>		
There is no real likelihood of significant effects on the environment.	EIAR not required.	✓
There is significant and realistic doubt in regard to the likelihood of significant effects on the environment.	Stage 2 Screening Determination required.	
	Schedule 7A information required?	Yes   No
There is a real likelihood of significant effects on the environment.	EIAR required.	

### 4.2 EIA Preliminary Screening Conclusion

On the basis of the preliminary information received, which I consider adequate in order to issue a screening determination, it is reasonable to conclude that there is no real likelihood of significant effects on the environment arising from the proposed development of road footpath and cycleway improvements under the active travel scheme at Dublin Road, Kilbeggan and an Environmental Impact Assessment is not required in this instance.