

Part 8 MEMO

To:	Cathaldus Hartin, Senior Planner
From:	Brendan O’Brien, A/Senior Executive Planner
Date:	13 th November 2023
Subject:	Construction of a 2 storey rear extension and a single storey extension the side elevation to form 1 no. 2 bed apartment duplex unit, 1 no. 1 bed apartment unit and a ground floor retail unit at 59 Connaught Street, Athlone. The works also includes the replacement where required, repair and making good works to the roof windows and walls of the existing street facing façade with the rear boundary walls to be retained and made good.

1. Project Description

Westmeath County Council (WCC) propose to carry out works in Athlone comprising the construction of a single storey side extension and a two storey rear extension along with renovations works required to develop 1 no. 2 bed apartment duplex unit, 1 no. 1 bed apartment unit and a ground floor retail unit at 59 Connaught Street, Athlone.

Details Received:

- Plans and Particulars (including Site Location Plan; Existing and Proposed Site Layout: Existing and Proposed Floor Plans and Elevations: 3D Visuals of proposals.
- Design Statement
- Appropriate Assessment Screening Report

Overview

The proposal is located to the west of Athlone Town Centre on local primary road L4014. The structure is an end of terrace fronting onto the northern side of Connaught St, with Connaught Gardens access roadway running along the western and northern site boundaries. The existing vacant structure consists of a 3 storey mixed use unit with retail on the ground floor and residential on the above two floors. The lands in question are zoned Mixed Use in the Athlone Town Development Plan, within an Architectural Conservation Area (ACA) and a Zone of Archaeological Potential.

Appropriate Assessment

The subject lands are not located within or immediately adjacent to any European Site (designated SAC/SPA). River Shannon Callows SAC is the nearest designated site situated 0.36km to the south of the proposed development.

An Appropriate Assessment Screening Report submitted with the proposal concluded that the proposed development is not foreseen to have any likelihood of significant effects on any European sites, alone or in combination with other plans or projects.

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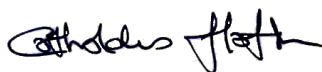
2. Recommendation

Having reviewed the preliminary documentation associated with the above-named proposed works on lands at No. 59 Connaught St, Athlone, it is considered, based on a preliminary assessment, that a **Stage 2 Appropriate Assessment (AA) & Environmental Impact Assessment (EIA)** are **not** required at this time.

It is recommended that the proposal 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.



Brendan O'Brien | A/Senior Executive Planner
Westmeath County Council | Planning
15 November 2023



Cathaldus Hartin | Senior Planner
Westmeath County Council | Planning, Transportation and Economic Development
15 November 2023

Appropriate Assessment (AA) Screening

Stage 1 Preliminary Examination

1.1 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.

1.2 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>

Site Code	Site Name	Designation Type	Distance From (km) approx.
000216	River Shannon Callows	SAC	0.36
004096	Middle Shannon Callows	SPA	0.36
000440	Lough Ree	SAC	1.22
004064	Lough Ree	SPA	1.24
002337	Crosswood Bog	SAC	4.24
002336	Carn Park Bog	SAC	6.87
001625	Castlesampson Esker	SAC	8.35
002339	Ballynamona Bog and Corkip Lough	SAC	8.84
001776	Pilgrim's Road Esker	SAC	9.52
000580	Mongan Bog	SAC	9.86
004017	Mongan Bog	SPA	9.95
000576	Fin Lough (Offaly)	SAC	11.37
000611	Lough Funshinagh	SAC	12.41

Table 1: Natura 2000 Sites within 15km

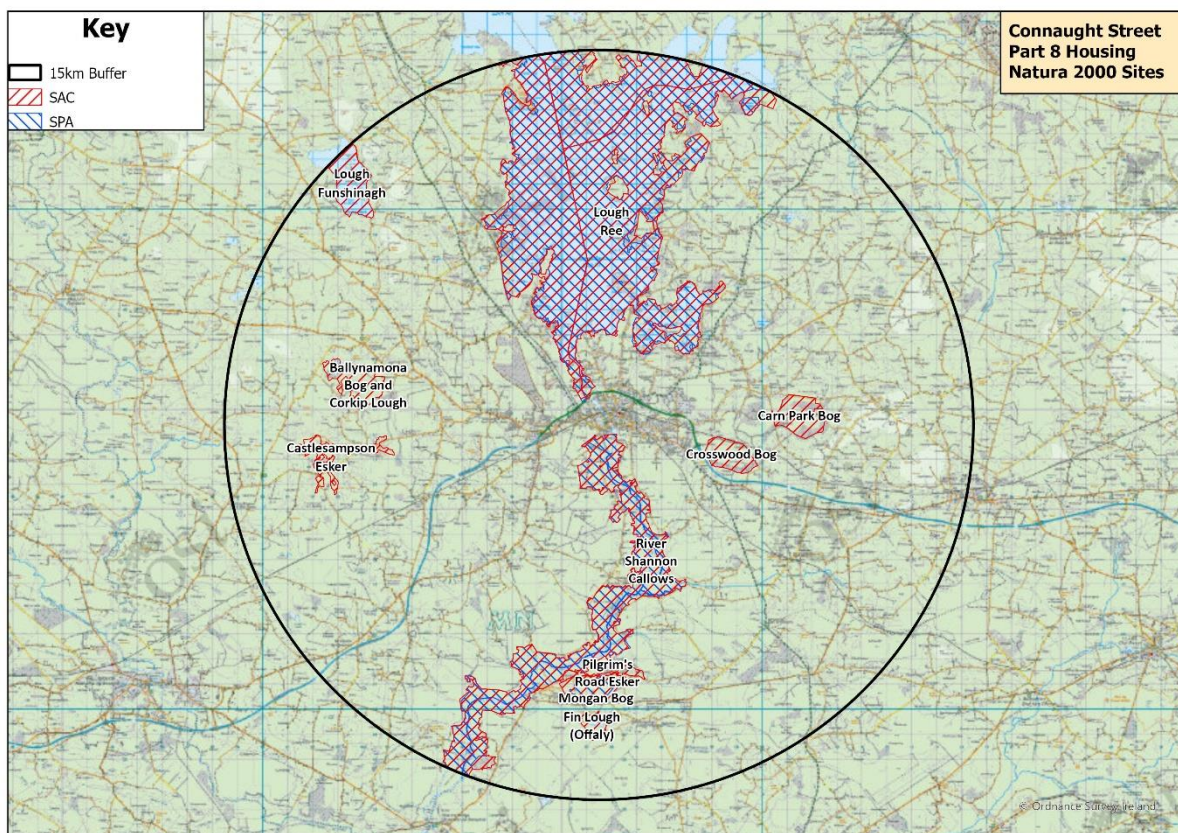
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An Appropriate Assessment Screening Report was submitted with the proposal and concluded that the proposed development is not foreseen to have any likelihood of significant effects on any European sites, alone or in combination with other plans or projects – and therefore any potential for significant effects on any European site because of the proposed development can be ruled out. This conclusion is made in view of the Conservation Objectives of the habitats or species for which these sites have been designated.

There are 13 (no.) designated Natura 2000 sites within a 15km radius (refer Table 1 above). 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 SPA in the vicinity are to maintain or restore favorable conservation condition of habitats and species listed as Special Conservation Interests for which the SPA/SAC has been selected.

Disturbance to key habitats and species has potential to arise from increased noise and dust during the construction phase, but these will be negligible in terms of potential significant effects due to the small-scale and temporary duration of the construction phase, and the distance to European sites (the closest being 0.36 km in distance). Having considered the siting, nature and scale of the development works proposed within the built area of Athlone, with no watercourse(s) contained within the site, it is considered that there is no potential source-pathway-receptor links to any Natura 2000 site associated with the development proposed in this instance.

Having considered the potential sources and potential pathways for significant effects and evaluated the project characteristics taking account of the processes involved and the distance of separation from European sites, it is considered that there is no likelihood of potential significant effects occurring to the Qualifying Interests, Special Conservation Interests or the Conservation Objectives of any designated European Site as a result of the implementation of the proposed development.



Map 1: Natura 2000 Sites in proximity to proposal.

1.3 Relationship with other Relevant Plans and Programmes

Notwithstanding the minor nature and scale of this development, it should be noted that any project/plan with an apparently small impact on one attribute may have a significant impact on another. The site of the proposed development is located in an area for which planning policy is set out under the current Athlone Town Development Plan.

An Appropriate Assessment for this Plan was carried out and concluded that, mitigation measures identified are adequate to ensure that the integrity of site in the Natura 2000 network will not be adversely affected as a result of potential impacts of the policies contained within the Plan and with the inclusion of relevant mitigating policies in the Plan, there is no potential for significant effects either alone or in combination with other plans. 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.

It is considered that having regard to the siting of the proposed development from the SPA and SACs (illustrated at **Map 1** above), 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 of the proposed development and separation distances involved to adjoining Natura 2000 sites.

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1.4 AA Preliminary Screening Conclusions

It is considered that the proposed development is not foreseen to have any likelihood of significant effects on any European sites, alone or in combination with other plans or projects – and therefore any potential for significant effects on any European site as a result of the proposed development can be ruled out.

It is considered that the proposed development does not require Stage Two Appropriate Assessment and a Natura Impact Statement is not required, in this instance.

Environmental Impact Assessment (EIA) Screening

2.1 EIA Preliminary Screening Examination

EIA Preliminary Screening	
Planning Reference:	LAA 7-2023
Development Description	Works comprising the construction of a single storey side extension and a two storey rear extension along with renovations works required to develop 1 no. 2 bed apartment duplex unit, 1 no. 1 bed apartment unit and a ground floor retail unit at 59 Connaught Street, Athlone.
A. Schedule 5 Part 1 – Is the development for the purpose of Schedule 5, Part 1, of the Planning and Development Regulations 2001 (as amended)? (X as appropriate)	
<input type="checkbox"/> YES	EIA is mandatory
<input checked="" type="checkbox"/> No	Proceed to Part B
B. Schedule 5 Part 2 – Is the development for the purpose of Schedule 5, Part 2, of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds? (X as appropriate)	
<input type="checkbox"/> Yes the proposal is a development for the purpose of Schedule 5, Part 2 and it meets/exceeds the threshold:	EIA is mandatory
<input checked="" type="checkbox"/> The proposal is a development does not meet the threshold & is therefore considered sub-threshold:	Preliminary Examination required Proceed to Part C

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C. Has Schedule 7A information/screening report been submitted?		
<input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted by the applicant:		Carry out Screening Determination
<input checked="" type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant:		Proceed to Part D
D Preliminary Examination		
	Yes / No / Uncertain	Comment
Is the size of development exceptional in the context of the existing environment?	No	Extension to retail area is approx. 7sqm.
Is the proposed development located on, in, adjoining or have the potential to impact on a sensitive site or location*?	No	Middle Shannon Callows SPA/SAC is located over 400m away
Will the development result in the production of any significant waste, or result in emissions or pollutants?	No	
Conclusion		
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? **		
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?	
There is a real likelihood of significant effects on the environment.	EIAR required.	

*Sensitive locations or features include SAC/SPA, NHA/pNHA, Designated Nature Reserves, and any other ecological site which is the objective of a CDP/LAP (including draft plans) to protect.

** Having regard to likely direct and cumulative effects, and the criteria set out in Schedule 7 Planning and Development Regulations 2001 (as amended).

2.2 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, similarly an Environmental Impact Assessment is not required in this instance.