

APPROPRIATE ASSESSMENT SCREENING

AND

NATURAL IMPACT STATEMENT

For a proposed

Strategic Housing Development

CLOMINCH ROAD, TULLAMORE, CO.OFFALY

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APPROPRIATE ASSESSMENT SCREENING

1. INTRODUCTION

The development site lies 2.5km from the nearest Natura 2000 site (Charleville Wood SAC, Site Code 0571) so the application has to have due regard to Article 6 (3) of the EU Habitats Directive which states:

Article 6 (3): Any plan or project not directly connected with or necessary to the management of the [Natura 2000] 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 [Natura 2000] site in view of the [Natura 2000] site's conservation objectives.

This is transposed into national legislation by Regulation 31 of the European Communities (Natural Habitats) Regulations 1997.

The sources of information used to collect data on the Natura 2000 network of sites include:

- Ordnance Survey of Ireland mapping and aerial photography available from www.osi.ie, Google Earth and Bing aerial photography.
- Online data available on Natura 2000 sites as held by the National Parks and Wildlife Service (NPWS) from www.npws.ie including; the Natura 2000 network Data Form; Site Synopsis; Generic Conservation Objective data.
- Online databases of rare, threatened and protected species. Publicly accessible biodiversity datasets.
- Status of EU Protected Habitats in Ireland. (National Parks & Wildlife Service, 2013).

In the Irish context the process of assessment has been interpreted as having four stages. Firstly, a screening exercise (Stage 1) determines if a project could have significant effects on a Natura site. The project should be screened without the inclusion of special mitigation measures.

If impacts are identified or the situation is unclear a Natura Impact Statement (Stage 2) is provided to the planning or regulatory authority which then conducts an Assessment of the information supplied. Examples of significant effects are loss of habitat area, fragmentation of the habitat, disturbance to species using the site and changes in water resources or quality. If such negative effects come to light in the assessment, alternative solutions are investigated by the proponent (Stage 3) and modifications made unless the project is deemed to be driven by 'imperative reasons of overriding public interest' in its current form. In this case Stage 4 deals with compensatory action.

The Screening Report will assess the likely impacts on the integrity of the local Natura 2000 sites and determine if a full Appropriate Assessment is required.

It has been prepared in accordance with the following guidance documents:

- Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities (DEHLG 2009, Revised February 2010).

- EU Guidance document on Article 6(4) of the 'Habitats Directive' 92/43/EEC (EC, 2007).
- 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 (EC, 2002).
- Managing Natura 2000 Sites: The provisions of Article 6 of the 'Habitats' Directive 9. (EC 2000).
- Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities. Circular NPW 1/10 and PSSP 2/10.
- Guidelines for Good Practice Appropriate Assessment of Plans under Article 6(3) Habitats Directive (International Workshop on Assessment of Plans under the Habitats Directive, 2011).
- Guidance document on the strict protection of animal species of Community interest under the Habitats Directive 92/43/EEC.
- The Status of EU Protected Habitats and Species in Ireland 2013 (Department of Arts, Heritage and the Gaeltacht, 2013). 2/43/EEC (EC, 2000.)
- Directive 92/43/EEC — Conservation of natural habitats — Special areas of conservation — Article 6(3) — Screening in order to determine whether or not it is necessary to carry out an assessment of the implications, for a special area of conservation, of a plan or project — Measures that may be taken into account for that purpose. CJEU Case C-323/17.

2. THE PROJECT

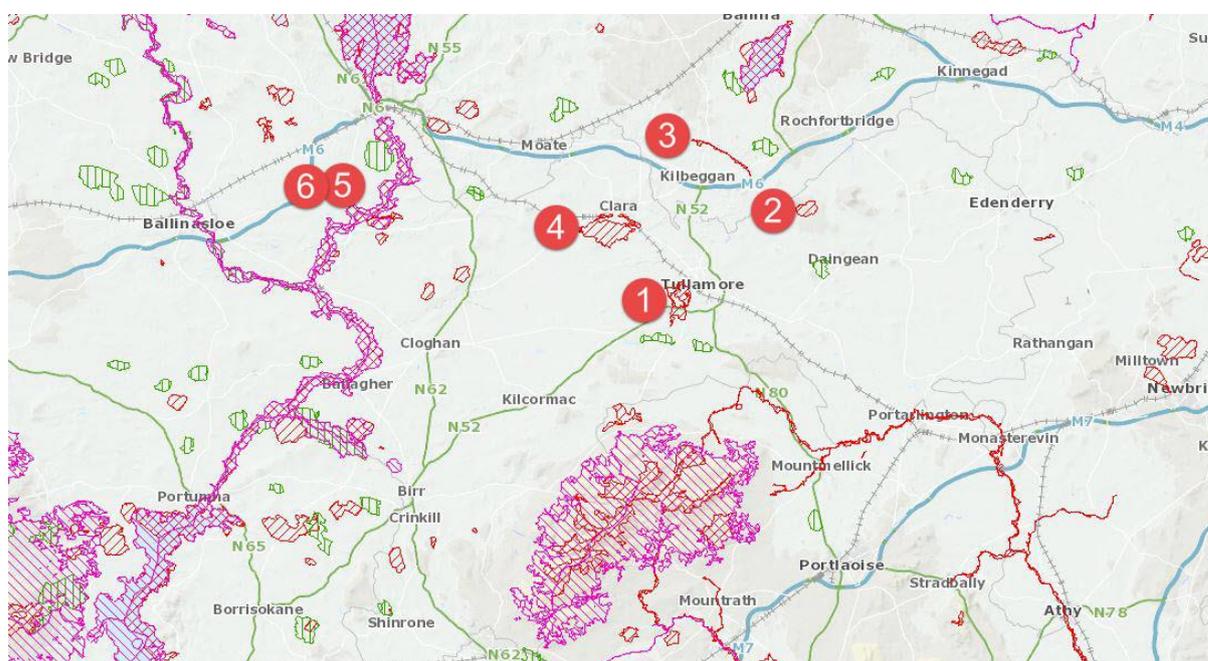
A Strategic Housing Development is proposed to include 358 units of detached, semi-detached, terraced houses and apartments with associated open space areas, landscaping, roads and cycle paths. The entrance will be onto the Clonminch Road (R443) via a new signal controlled junction. A neighbourhood centre building is proposed with uses such as local shop and café at ground floor and a medical centre at first floor level. A childcare facility is proposed to cater for c.100 children. The application site includes part of the Clonminch Road (R443) carriageway in order to provide cycle lanes from c.100m south of the new site entrance towards the town centre and junction with Bachelors Walk. Provision has also been made for two bus stops in proximity to the new junction on the Clonminch Road. Infrastructure proposed to support the development includes a pumping station located to the north of the main development area and south of the railway line. Site development works will include the undergrounding of overhead ESB lines.

3. IMPACTS

3.1 Relevant Natura 2000 sites

As mentioned, the site is close to Charleville Wood SAC, as well as two raised bogs and an esker SAC, but is also linked downstream with the Shannon River by means of the Clodiagh and then the Brosna River, discharging at Shannon Harbour. There are four sites that lie within 15km and two more that could theoretically be affected. In all they are:

	Name of Site	Site Code	Distance km
1	Charleville Wood SAC	0571	2.27
2	Raheenmore Bog	0582	12.6
3	Split Hills & Long Hill esker SAC	1831	12.7
4	Clara Bog SAC	0572	13.7
5	River Shannon callows SAC	0216	37.0
6	Middle Shannon callows SPA	4096	37.0



3.2 Potential effects on Natura 2000 sites

The only likely pathway for an impact from the project on the Natura site network is through water so that the natural drainage of the area needs to be examined. The drainage outflow from the site enters the Tullamore River which flows through the Charleville Wood SAC just downstream of the town. It has the potential to carry deleterious matter during the construction phase of the project so cannot be screened out at this stage. For this reason, its potential impacts are examined in more detail in a Stage 2 study.

The other Natura 2000 sites listed above within 15km cannot be affected by this project. Raised bogs such as Clara and Raheenmore are in different sub-catchments and as well as this, they depend on rain rather than river water. They are thus isolated from any

influence, as is the Split Hills and Long Hill Esker which is higher in altitude. Reference is also made to the Shannon River sites although they are much further away.

4. CONCLUSION

There is a possibility of impact on one Natura 2000 site – Charleville Wood SAC – so the process is continued into Stage 2.

STAGE 2 – NATURA IMPACT STATEMENT

1. INTRODUCTION

This stage considers whether the plan or project, alone or in combination with other projects or plans, will have an adverse effect on the integrity of a Natura 2000 site, and includes any mitigation measures necessary to avoid, reduce or offset negative effects. This should provide information to enable the competent authority to carry out the appropriate assessment. If the assessment is negative, i.e. adverse effects on the integrity of a site cannot be excluded, then the process must proceed to Stage 3, or the plan or project should be abandoned. The AA is carried out by the competent authority and is supported by the NIS.

2. POTENTIAL IMPACTS

The potential impacts on Charleville Wood may be examined under the headings below.

Direct and indirect effects	Clonminch is too far away to have any direct impact on the SAC. Indirect effects brought about by drainage water
Short- and long-term effects	Effects mainly during construction but could persist as long as the development is inhabited
Construction, operational effects	Potential for sediment and chemical loss – especially concrete residues – during construction. Operational pollution depends on final uses of units

Noise, light, pollution and disturbance	Pollution brought about through run-off is the only relevant factor
Hydrological effects	No change in amount of outflow from site but different location
Habitat degradation and loss	Not applicable
Cumulative effects	General urbanisation around Tullamore, nothing specifically affecting Charleville Wood

3. ENVIRONMENTAL CONSIDERATIONS

The site is in the catchment of the Tullamore River. At present, water leaves the area under the ring road (N52) and then flows eastward to the edge of Meela townland where it turns northeast to join the Tullamore River. In future the flow will be to the drain alongside the railway line.

One kilometre west of the town The Tullamore River cuts through the northern part of Charleville Wood SAC and then joins the Clodiagh at Rahan, the latter also having flowed around Charleville Wood. After Rahan there is a further 30km to the Shannon where the floodplain and river are covered by the River Shannon callows (Site Code 0216) and the Middle Shannon callows SPA (Site Code 4096).

The project envisages a new drainage layout with suitably attenuated water leaving the development site into a drain beside the railway and thence into the Tullamore River.

Gradients are low and water flow slow around the site so that any suspended material escaping from the site will be sedimented and diluted before it reaches the Shannon river. Therefore, no significant impact on these sites is likely and they are not considered further.

It is possible that an impact could be felt in the Charleville Wood either from sediment or chemical residues. This site will be examined in more detail below, starting with the site synopsis.

3.1 Charleville Wood (NPWS data)

Charleville Wood is a large Oak woodland surrounded by estate parkland and agricultural grassland located about 3 km south-west of Tullamore in Co. Offaly. The site, which is underlain by deep glacial deposits, includes a small lake with a wooded island, and a stream runs along the western perimeter. The woodland is considered to be one of very

few ancient woodlands remaining in Ireland, with some parts undisturbed for at least 200 years.

The site is a Special Area of Conservation (SAC) selected for the following habitats and/or species listed on Annex I / II of the E.U. Habitats Directive (* = priority; numbers in brackets are Natura 2000 codes):

[91A0] Old Oak Woodlands

[1016] Desmoulin's Whorl Snail *Vertigo moulinsiana*

At Charleville Wood, approximately 10% of the woodland has been under-planted with conifers and other exotic trees, but the rest of the area is dominated by Pedunculate Oak *Quercus robur*. Apart from Oak, there is much Ash *Fraxinus excelsior* and scattered Wych Elm *Ulmus glabra*, while birch *Betula* spp. is a feature of the boggy margins. The shrub layer is composed largely of Hazel *Corylus avellana*, Hawthorn *Crataegus monogyna* and Blackthorn *Prunus spinosa*. The ground layer is varied, including damp flushed slopes with Ramsons *Allium ursinum* and drier, more open areas with a moss sward composed largely of *Rhytidiadelphus triquetrus*. The fungal flora of the woodland is notable for the presence of several rare Myxomycete species, namely *Hemitrichia calyculata*, *Perichaena depressa*, *Amaurochaete atra*, *Collaria arcyrionema*, *Stemonitis nigrescens* and *Diderma deplanata*.

Extensive swamps of Bulrush *Typha latifolia* and Bottle Sedge *Carex rostrata* have developed in the lake shallows. The wooded island at its centre is famed for its long history of non-disturbance. Hazel, Spindle *Euonymus europaeus* and Ivy *Hedera helix* reach remarkable sizes here. The lake is an important wildfowl habitat - it supports populations of Mute and Whooper Swan and a number of duck species, including Teal, Wigeon, Shoveler, Pochard and Tufted Duck. A number of unusual insects have been recorded in Charleville Wood, notably *Mycetobia obscura* (Order Diptera), a species known from only one other site in Ireland. The site is also notable for the presence of a large population of the rare snail species, *Vertigo moulinsiana*.

Charleville Wood is one of the most important ancient woodland sites in Ireland. The woodland has a varied age structure and is relatively intact with areas of both closed and open canopy, with regenerating saplings present in the latter. The understorey and ground layers are also well-represented. Old oak woodland is a habitat listed on Annex I of the E.U. Habitats Directive, while the rare snail species, *Vertigo moulinsiana*, is listed on Annex II of this Directive. The wetland areas, with their associated bird populations, rare insect and Myxomycete species, contribute further to the conservation significance of the site

3.2 Conservation Objectives

To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected:

Code	Description/species
91A0	Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles
1016	Desmoulin's Whorl Snail <i>Vertigo moulinsiana</i>

3.3 Potential impacts

The Tullamore River flows through the northern part of Charleville Wood but does not interact significantly with the adjoining woodland. Although the levels rise in winter it does not create a significant amount of alluvial forest, a riverside habitat dependant on regular flooding and liable to sediment deposition. Thus the possibilities of impact from the project area are minimal.

The other feature of the SAC is Desmoulin's Whorl Snail *Vertigo moulinsiana* and this occurs only at Charleville Lake which is fed by a small stream from the south-east. There is no contact from the Tullamore River and therefore no possibility of impact.

3.4 Prevention of Impact

It is unlikely that the project will have any deleterious effect on Charleville Woods SAC as the habitat in contact with the Tullamore River is not sensitive to potential pollutants. However to eliminate the possibility, water leaving the site should be treated to extract any suspended solids and construction methods designed to prevent any loss of chemical residues.

The application site area and Masterplan area currently drain eastward and the water is collected by one drain which discharges under the ring road. However the intention is to drain the development site northwards to the railway. Depending on phasing both these outlets may operate together but there is adequate space to install erosion control measures such as settlement tanks and silt fence(s). The design of these will be detailed in an overall construction method statement by the chosen contractor. The control measures must be put in place before site clearance occurs in the project area and must be checked regularly and replaced if necessary.

Containment measures for fuel oil, for chemical storage and for prevention of run-off by setting concrete will likewise be included in the construction method statement.

4. CONCLUSION

Simple and widely-used containment measures on the construction site and on the discharging stream will ensure that the project will have no significant effect on any part of the Natura 2000 network, in particular on the nearest site, the Charleville Wood SAC.

Reference

NPWS (2018) Conservation objectives for Charleville Wood SAC [000571]. Generic Version 6.0. Department of Culture, Heritage and the Gaeltacht