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## **HABITATS DIRECTIVE SCREENING OF PROPOSED WORKS AT THE FORMER ST PATRICK'S CLASSICAL SCHOOL, ST FINIAN'S TERRACE, NAVAN, CO. MEATH**



### ***Meath County Council***

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# **1 INTRODUCTION**

## **1.1 BACKGROUND**

A comprehensive assessment of the potential effects of proposed works at St Finian's Terrace in Navan, Co. Meath on certain designated European sites was carried out in October 2021 (updated April 2022) by Noreen McLoughlin, MSc, MCIEEM of Whitehill Environmental. This assessment allowed areas of potential ecological value and potential ecological constraints associated with this proposed development to be identified and it also enabled potential ecological impacts associated with the proposed development on designated sites to be assessed.

The location of the proposed development is within the Zone of Influence 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 report contains information required by the competent authority (in this instance Meath County Council) to undertake an Appropriate Assessment determination. It is the responsibility of the competent authority to make a decision as to whether or not the proposed development is likely to have significant effects on European Sites, either individually or in combination with other plans or projects. In accordance with the Legislation and National Guidance, the competent authority should issue an AA Screening Determination, which should set out their decision regarding AA, including the main reasons and considerations on which the determination is based.

## **1.2 REGULATORY CONTEXT**

### **RELEVANT LEGISLATION**

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).

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 2021 and that status does not deteriorate in any waters.

### **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.”

#### 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:

“(1) 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.

(2) 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 (2002). 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;

**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 fifteen years. Noreen has over 17 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 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;
- O C+C Architects – Plans and Information Pertaining to the development;
- Meath County Council – Information on other planning proposals in the area in order to determine potential cumulative effects.

## **2.4 FIELD BASED STUDIES**

The site of the proposed works was visited on October 12<sup>th</sup> 2021, when habitats within the site were noted and recorded in accordance to Level 3 of Fossit (2000). Special attention was given to the potential occurrence of protected species, or listed invasive species.

## **2.5 ASSESSMENT METHODOLOGY**

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

### 3 SCREENING

#### 3.1 DEVELOPMENT DESCRIPTION

Meath County Council have indicated their intention to undertake works at the former St Patrick's Classical School site at St Finian's Terrace, in Navan, Co. Meath. Works will include the conservation, restoration and adaptive reuse of the existing building to turn it into a County Archive for Meath. The works will also include the restoration of the existing handball alley, and ancillary site buildings together with landscaping, public realm and ancillary site works. The roof of the main building recently collapsed so in order to preserve this building for the future, conservation and restoration is necessary.

Permission for these works will be sought under Part VIII of planning process.

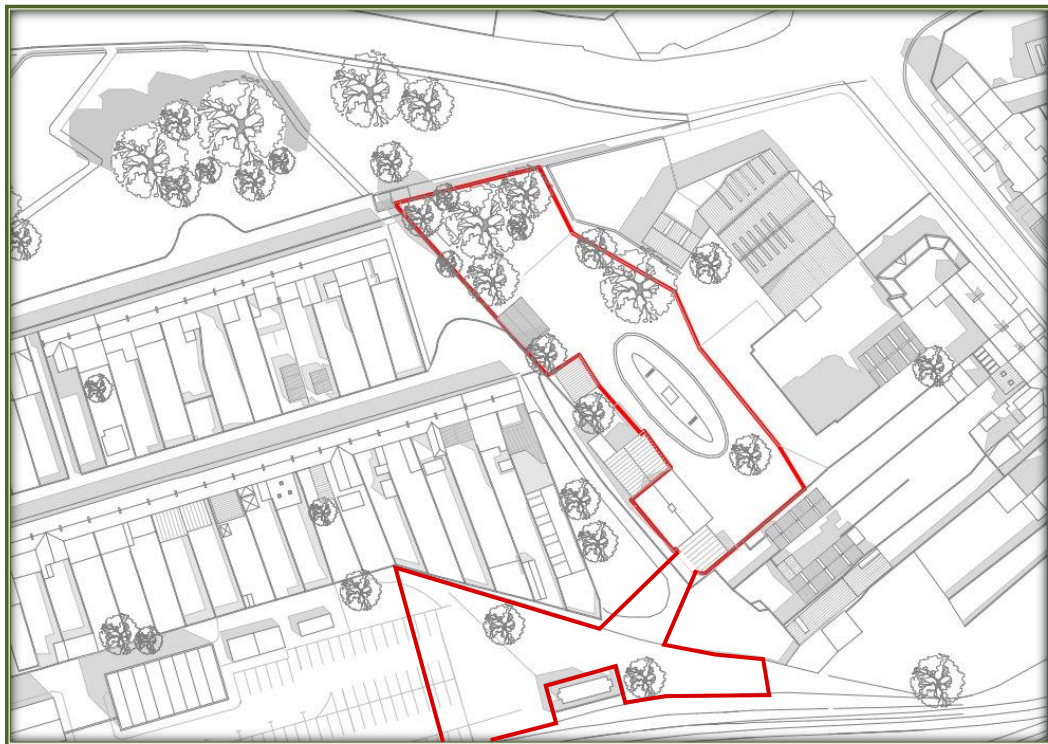


Figure 1 – Extract from the Existing Site Plan (OC+C Architects)

#### Surface and Wastewater Treatment

Once operational, surface and wastewater from the site will be directed to the existing foul and surface water sewer lines at St Finian's Terrace.

### 3.2 SITE LOCATION AND SURROUNDING ENVIRONMENT

The application site 0.25ha and it is located in Navan town, approximately 280m south of the town centre. Access to the site is via St Fenian's Terrace, a small road that serves a number of residential dwellings. The site is bounded to the north by the grounds of Meath County Library, to the east and south by commercial sites and to the west by the residences of St Fenian's Terrace. The site is 149m west of the River Boyne.

The land use surrounding the site is urban and the main habitats associated with these areas include buildings and artificial surfaces, amenity grasslands and gardens and scattered trees and parklands. The location of the site is shown in Figures 2 and 3, whilst an aerial photo of the site and its surrounding habitats is shown in Figure 4.

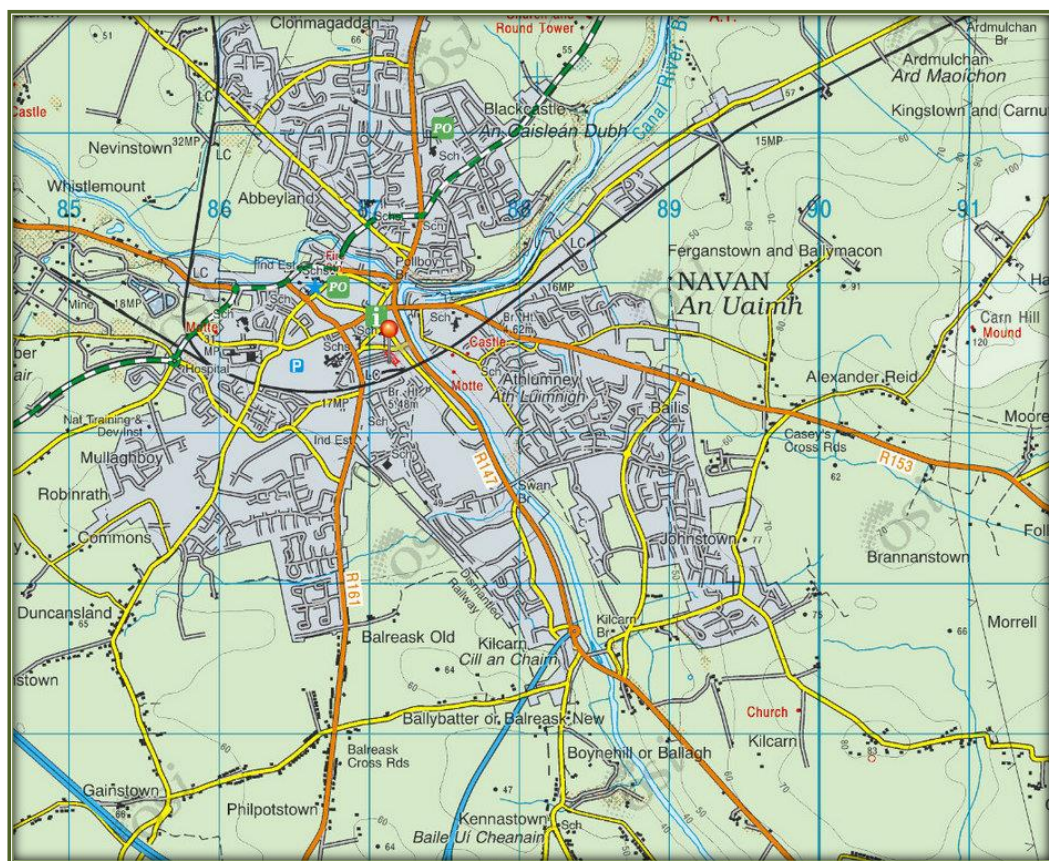


Figure 2 – Site Location Map



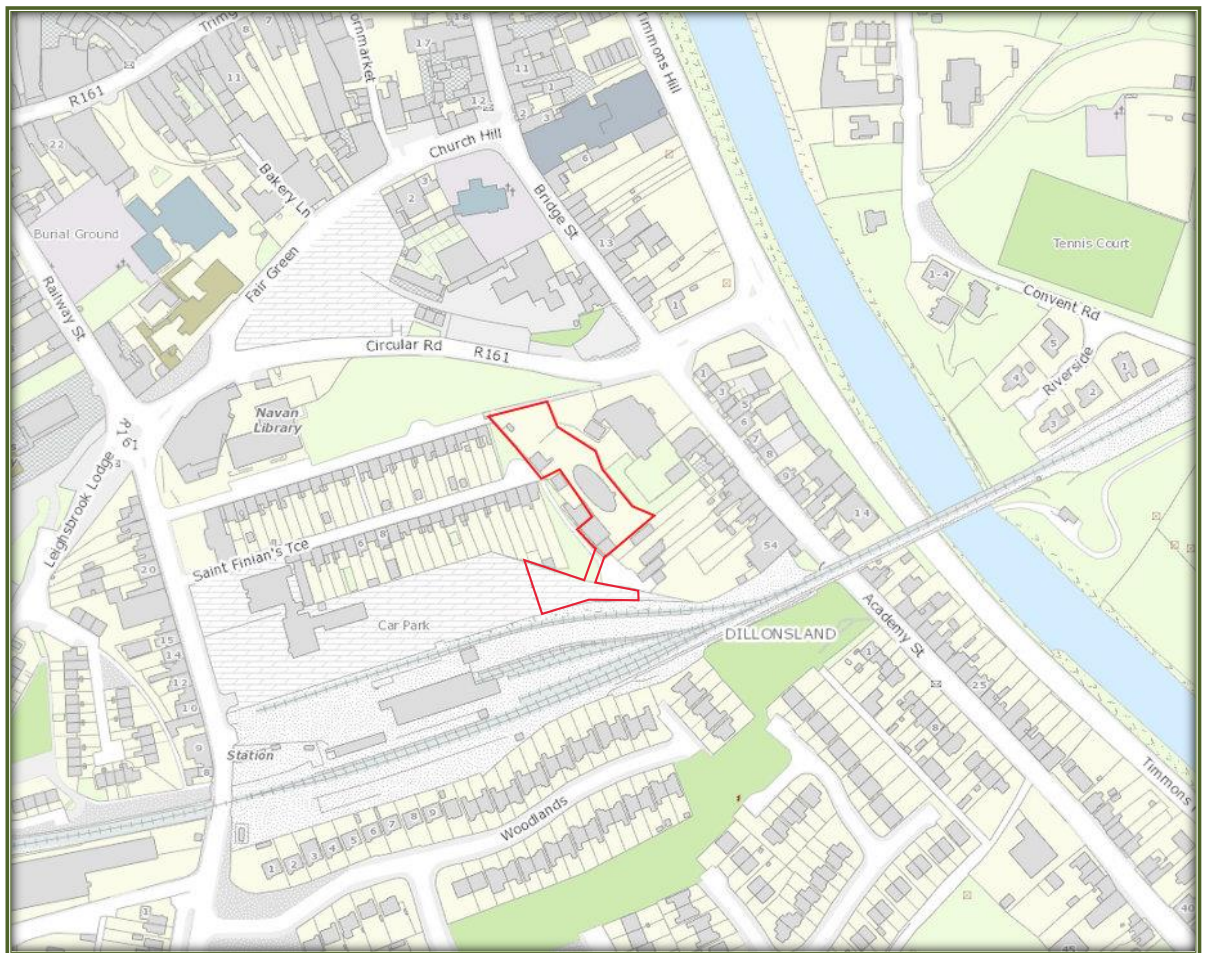


Figure 3 – Site Location Map

### HABITATS WITHIN THE APPLICATION SITE

The application site is characterised by a roofless circular building, which is surrounded by a number of other smaller buildings and sheds. These buildings fall into the Buildings and Artificial Surfaces category (Habitat Code BL3). The roofless building has not colonised with vegetation, although some small *Buddleia davidii* are growing out of cracks in the upper walls. The ground around the structure is bare (Spoil and Bare Ground ED2) and consists of mud and fine gravel. Some ruderal species have colonised this area in less disturbed parts and species noted included dandelion *Taraxacum* sp., bramble *Rubus fruticosus* agg, ragwort *Senecio jacobaea*, willowherbs *Epilobium* sp and creeping buttercup *Ranunculus repens*.

The outer perimeters of the site to the east and west are characterised by a mixture of scrub WS1 and immature woodland WS2 habitats. Species noted here included willows *Salix* sp, buddleia, sycamore *Acer pseudoplatanus*, willows, purple plum *Prunus nigra* and Italian alder *Alnus cordata*. There is a *Leylandii* treeline along the southern site boundary, but outside of the boundary of the site. Fences and existing buildings form the northern and southern site boundaries. The trees in the site are largely non-native, but they would provide some value

to nesting birds, whilst the mature sycamore on site may provide suitable bat habitats. No listed invasive species were noted on site. Photographs showing the habitats within the application site are contained in Appendix 1.

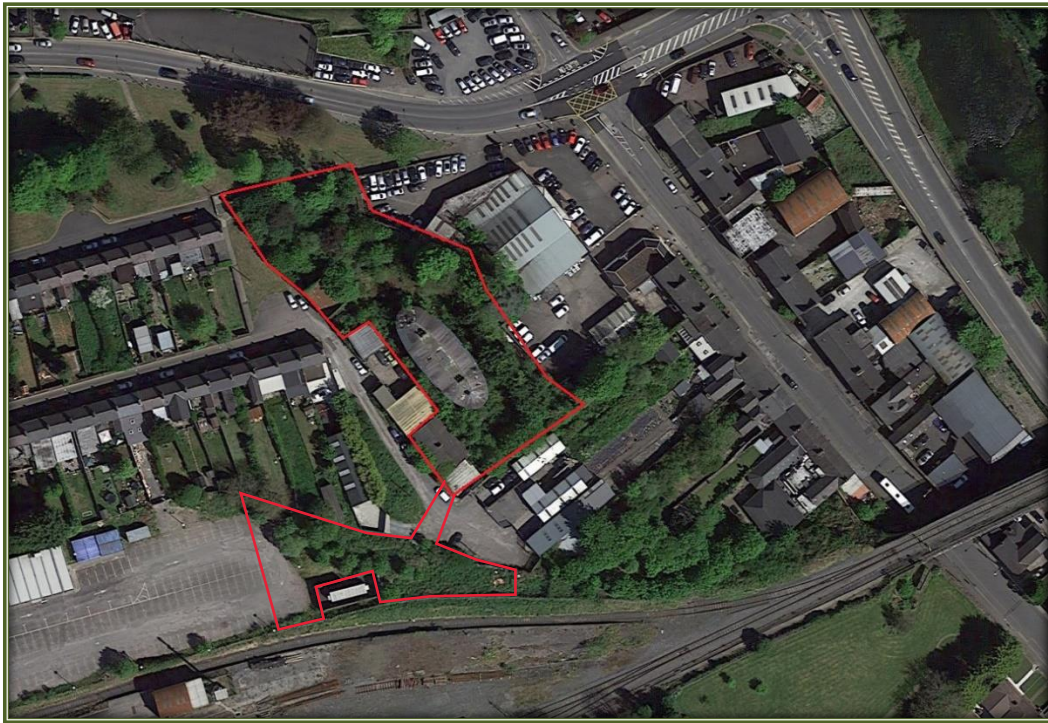


Figure 4 – Aerial Photo of the Site and its Surrounding Habitats

### NOTABLE SPECIES

No protected species were noted on day of the survey, and there are no suitable habitats in the site for larger mammals such as badgers and otters. No invasive plant species were noted on site.

A separate survey on bats was carried out on the site by Dr Tina Aughney in September 2021. Four species of bat was recorded within the survey area: Leisler's bat, soprano pipistrelle, common pipistrelle and brown long-eared bat. The proposed development site is used as a foraging and commuting habitat for local bat populations. While the level of bat activity and the number of bat encounters do not indicate that the proposed development site is an important area for local bat populations, the treeline boundaries are commuting routes and foraging habitats.

There was no evidence of bats roosting in the structure but there are suitable sites within the exposed walls of the building. However, the survey was undertaken outside the principal bat survey season and therefore mitigation measures are provided to address this. In addition, due to the fact that the proposed development will increase human usage of the site,

additional bat mitigation measures have been provided to reduce potential impact from the proposed works. The measures proposed for bats include a re-survey of the site in the summer months, a bat sensitive lighting plant, along with appropriate tree felling and landscaping.

### WATER FEATURES AND QUALITY

The application site is located within the Boyne Hydrometric Area, Catchment, Sub-Catchment and Sub-Basin. There are no drains or streams within or immediately adjacent to the application site. The main channel of the River Boyne is located 149m east of the site. There is no connectivity between the application site and this river.

The EPA have not defined the ecological status of the Boyne River at its closest point to the application site. Upstream of Navan status is classed as good, however; downstream of Navan ecological status is classed as moderate. Under the requirements of the Water Framework Directive, this is unsatisfactory and good status must be achieved in this river by the end of the current WFD cycle.

### 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 impact 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.

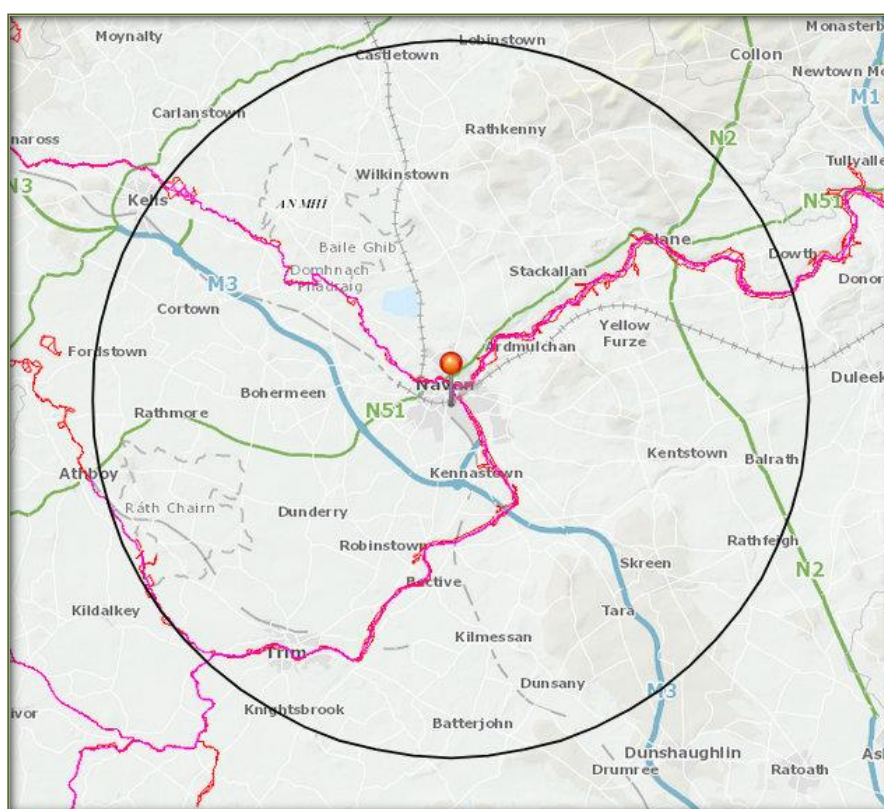
There are two Natura 2000 sites within 15km of this proposed development. These sites are summarised in Table 1. The location of the proposed works in relation to these designated areas is shown in Figures 5 and 6, and a full synopsis of these sites can be read online on the website of the National Parks and Wildlife Service ([www.npws.ie](http://www.npws.ie)).

| Site Name & Code                                   | Distance from Site | Qualifying Interests                                                                                                                                                                                  | Potential Effects                                                                                                                                                                          |
|----------------------------------------------------|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The River Boyne and River Blackwater SAC<br>002299 | 137m east          | <ul style="list-style-type: none"> <li>• River lamprey (<i>Lampetra fluviatilis</i>)</li> <li>• Salmon (<i>Salmo salar</i>)</li> <li>• Otter (<i>Lutra lutra</i>)</li> <li>• Alkaline fens</li> </ul> | <i>There is no hydrological connectivity between the application site and this SAC and significant effects are not likely to occur. However, having regard to the overall proximity of</i> |



|                                                 |           |                                                                                                                                        |                                                                                                                                                                                                                                                      |
|-------------------------------------------------|-----------|----------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                 |           | <ul style="list-style-type: none"> <li>Alluvial forests with alder <i>Alnus glutinosa</i> and ash <i>Fraxinus excelsior</i></li> </ul> | <i>the site to this SAC, the QIs will be considered further.</i>                                                                                                                                                                                     |
| The River Boyne and River Blackwater SPA 004232 | 137m east | <ul style="list-style-type: none"> <li>Common Kingfisher <i>Alcedo atthis</i></li> </ul>                                               | <i>There is no hydrological connectivity between the application site and this SPA and significant effects are not likely to occur. However, having regard to the overall proximity of the site to this SPA, the QIs will be considered further.</i> |

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



**Figure 5 – Location of the Site in Relation to Natura 2000 Sites within 15k (SACs – Red Hatching; SPAs – Pink Hatching).**





**Figure 6 – Location of the Site in Relation to the River Boyne and Blackwater SAC (Red Hatching) and SPA (Pink Hatching)**

## **THE RIVER BOYNE AND RIVER BLACKWATER SAC 002299**

### Site Synopsis

This site comprises most of the freshwater element of the River Boyne from upriver of the Boyne Aqueduct at Drogheda, the Blackwater River as far as Lough Ramor and the principal Boyne tributaries, notably the Deel, Stoneyford and Tremblestown Rivers. This system drains a considerable area of Counties Meath and Westmeath and smaller areas of Cavan and Louth. The rivers flow through a landscape dominated by intensive agriculture, mostly of improved grassland but also cereals. Much of the river channels were subject to arterial drainage schemes in the past. Natural flood-plains now exist along only limited stretches of river, though often there is a fringe of reed swamp, freshwater marsh, wet grassland or deciduous wet woodland. Along some parts, notably between Drogheda and Slane, are stands of tall, mature mixed woodland. Substantial areas of improved grassland and arable land are included in site for water quality reasons. There are many medium to large sized towns adjacent to but not within the site.

The main channel of the Boyne contains a good example of alluvial woodland of the *Salicetum albo-fragilis* type which has developed on three alluvium islands. Alkaline fen vegetation is well represented at Lough Shesk, where there is a very fine example of habitat succession from open water to raised bog. The Boyne and its tributaries is one of Ireland's premier game fisheries and offers a wide range of angling, from fishing for spring salmon and grilse to sea trout fishing and extensive brown trout fishing. The site is one of the most important in eastern Ireland for *Salmo salar* and it has very extensive spawning grounds. The site also has

an important population of *Lampetra fluviatilis*, though the distribution or abundance of this species is not well known. *Lutra lutra* is widespread throughout the site. Some of the grassland areas along the Boyne and Blackwater are used by a nationally important winter flock of *Cygnus cygnus*. Several Red Data Book plants occur within the site, with *Pyrola rotundifolia*, *Poa palustris* and *Juncus compressus*. Also occurring are a number of Red Data Book animals, notably *Meles meles*, *Martes martes* and *Rana temporaria*.

#### Site Specific Conservation Objectives

Site specific conservation objectives for this site have recently been prepared<sup>1</sup> (December 2021). These SSCOs are outlined in Tables 2 – 6.

#### **Alluvial Forests with *Alnus glutinosa* and *Fraxinus excelsior* g1EO**

The SSCO for this habitat is to *restore* its favourable conservation condition which is generally defined by the following list of attributes and targets:

| Attribute                                                 | Measure                      | Target                                                                                                                                                                                                     |
|-----------------------------------------------------------|------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Habitat area                                              | Ha                           | Area stable increasing, subject to natural processes                                                                                                                                                       |
| Habitat distribution                                      | Occurrence                   | No decline, subject to natural processes                                                                                                                                                                   |
| Woodland Size                                             | Ha                           | Area stable or increasing. Where topographically possible, "large" woods at least 25ha in size and "small" woods at least 3ha in size                                                                      |
| Woodland Structure: cover and height                      | Percentage and Metres        | Total canopy cover at least 30%; median canopy height at least 7m; native shrub layer cover 10-75%; native herb/dwarf shrub layer cover at least 20% and height at least 20cm; bryophyte cover at least 4% |
| Woodland Structure: Community Diversity and Extent        | Ha                           | Maintain diversity and extent of community types                                                                                                                                                           |
| Woodland Structure: Natural Regeneration                  | Seedling: sapling:pole ratio | Seedlings, saplings and pole age-classes of target species for g1EO* woodlands and other native tree species occur in adequate proportions to ensure survival of woodland canopy                           |
| Hydrological Regime: Flooding Depth/Height of Water Table | Metres                       | Appropriate hydrological regime necessary for maintenance of alluvial vegetation                                                                                                                           |
| Woodland Structure: Dead Wood                             | Number per hectare           | At least 19 stems/ha of dead wood of at least 20cm diameter                                                                                                                                                |
| Woodland Structure: Veteran Trees                         | Number per hectare           | No decline                                                                                                                                                                                                 |
| Woodland Structure: Indicators of Local Distinctiveness   | Occurrence' Population Size  | No decline in distribution and, in the case of red listed and other rare or localised species, population size                                                                                             |
| Woodland structure: indicators of overgrazing             | Occurrence                   | All five indicators of overgrazing absent                                                                                                                                                                  |
| Vegetation Composition: Native Tree Cover                 | Percentage                   | No decline. Native tree cover at least 90% of canopy; target species cover at least 50% of canopy                                                                                                          |
| Vegetation Composition: Typical Species                   | Occurrence                   | At least 1 target species for g1EO* woodlands present; at least 6 positive indicator species for g1EO* woodlands present                                                                                   |

<sup>1</sup> NPWS (2021) Conservation Objectives: River Boyne and River Blackwater SAC 002299. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.

|                                                    |            |                                                                                                          |
|----------------------------------------------------|------------|----------------------------------------------------------------------------------------------------------|
| Vegetation Composition: Negative Indicator Species | Occurrence | Negative indicator species cover not greater than 10%; regeneration of negative indicator species absent |
| Vegetation composition: problematic native species | Percentage | Cover of common nettle ( <i>Urtica dioica</i> ) less than 75%                                            |

Table 2 – SSCOs for Alluvial Forests with *Alnus glutinosa* and *Fraxinus excelsior*

### Potential Significant Effects

Potential impacts upon this QI have been considered. An examination of the aerial maps show that this habitat does not occur in Navan town itself or within the Zone of Influence of the proposed works. There is no hydrological connectivity between the application site and this QI within the SAC and there will be no significant effects upon this habitat arising from the proposed works.

### Alkaline Fen 7230

The SSCO for this habitat is to *maintain* its favourable conservation condition which is defined by the following list of attributes and targets:

| Attribute                                          | Measure                                                                                 | Target                                                                                                                                                    |
|----------------------------------------------------|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| Habitat Area                                       | Hectares                                                                                | The area should be stable or increasing, subject to natural processes.                                                                                    |
| Habitat Distribution                               | Occurrence                                                                              | No decline, subject to natural processes.                                                                                                                 |
| Ecosystem function: soil nutrients                 | Soil pH and appropriate nutrient levels at a representative number of monitoring stops. | Maintain soil pH and nutrient status within natural ranges.                                                                                               |
| Ecosystem function: peat formation                 | Percentage cover of peat-forming vegetation and water table levels                      | Maintain active peat formation, where appropriate                                                                                                         |
| Ecosystem function: Hydrology – Groundwater levels | Water levels (cm); duration of levels; hydraulic gradients; water supply                | Maintain, or where necessary restore, appropriate natural hydrological regimes necessary to support the natural structure and functioning of the habitat. |
| Ecosystem function: Hydrology – Surface Water Flow | Drain density and form                                                                  | Maintain, or where necessary restore, as close as possible to natural or semi-natural, drainage conditions.                                               |
| Ecosystem function: Water quality                  | Various                                                                                 | Maintain appropriate water quality, particularly pH and nutrient levels, to support the natural structure and functioning of the habitat                  |
| Vegetation Composition: Community diversity        | Abundance of variety of vegetation communities                                          | Maintain variety of vegetation communities, subject to natural processes                                                                                  |
| Vegetation composition: typical brown moss         | Percentage cover at a representative number of monitoring stops                         | Maintain adequate cover of typical brown moss species                                                                                                     |
| Vegetation composition: typical vascular plants    | Percentage cover at a representative number of monitoring stops                         | Maintain adequate cover of typical vascular plant species                                                                                                 |
| Vegetation composition; native                     | Percentage cover at a representative                                                    | Cover of native negative indicator species at insignificant levels                                                                                        |

|                                                      |                                                                                            |                                                                                                                                                                                            |
|------------------------------------------------------|--------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| negative indicator species                           | number of monitoring stops                                                                 |                                                                                                                                                                                            |
| Vegetation composition: non-native species           | Percentage cover at a representative number of monitoring stops                            | Cover of non-native species less than 1%                                                                                                                                                   |
| Vegetation composition: native trees and shrubs      | Percentage cover in local vicinity of a representative number of monitoring stops          | Cover of scattered native trees and shrubs less than 10%                                                                                                                                   |
| Vegetation composition: algal cover                  | Percentage cover at, and in local vicinity of, a representative number of monitoring stops | Cover of algae less than 2%                                                                                                                                                                |
| Vegetation structure: vegetation height              | Percentage cover at a representative number of monitoring stops                            | At least 50% of the live leaves/flowering shoots are more than either 5cm or 15cm above ground surface depending on community type                                                         |
| Physical structure: disturbed bare ground            | Percentage cover at, and in local vicinity of, a representative number of monitoring stops | Cover of disturbed bare ground not more than 10%                                                                                                                                           |
| Physical structure: tufa formations                  | Percentage cover in local vicinity of a representative number of monitoring stops          | Disturbed proportion of vegetation cover where tufa is present is less than 1%                                                                                                             |
| Indicators of local distinctiveness                  | Occurrence and population size                                                             | No decline in distribution or population sizes of rare, threatened or scarce species associated with the habitat; maintain features of local distinctiveness, subject to natural processes |
| Transitional areas between fen and adjacent habitats | Hectares; distribution                                                                     | Maintain adequate transitional areas to support/protect the alkaline fen ecosystem and the services it provides                                                                            |

Table 3 – SSCOs for Alkaline Fen

### Potential Significant Effects

Potential impacts upon this QI have been considered. The main areas of alkaline fen within the River Boyne and River Blackwater SAC are concentrated in the vicinity of Lough Shesk, Freehan Lough and Newtown Lough. These areas of fen are all in separate hydrological catchments to the application site, i.e., they occur in the upper reaches of the Boyne. They are outside of the Zone of Influence of the proposed works and there will be no significant effects on this QI arising from the proposed works.

**Salmon (1106)**

The SSCO for this species is to *restore* its favourable conservation condition which is defined by the following list of attributes and targets:

| Attribute                        | Measure                           | Target                                                                                                                      |
|----------------------------------|-----------------------------------|-----------------------------------------------------------------------------------------------------------------------------|
| Distribution: extent of anadromy | % of river accessible             | 100% of river channels down to second order accessible from estuary                                                         |
| Adult spawning fish              | Number                            | Conservation Limit (CL) for each system consistently exceeded                                                               |
| Salmon fry abundance             | No of fry / 5 mins electrofishing | Maintain or exceed 0+ fry mean catchment-wide abundance threshold value. Currently set at 17 salmon fry / 5 minute sampling |
| Out-migrating smolt abundance    | Number                            | No significant decline                                                                                                      |
| Number and distribution of redds | Number and Occurrence             | No decline in number and distribution of spawning redds due to anthropogenic causes                                         |
| Water quality                    | EPA Q Value                       | At least Q4 at all sites sampled by the EPA.                                                                                |

Table 4 – SSCOs for Salmon

**Potential Impacts**

Salmon occur throughout the Boyne and Blackwater system. The requirements of salmon depend on their life stage but clean, unpolluted water is a requirement throughout the life cycle. They are very sensitive to changes in water quality and increases in sedimentation (<25 mg/L annual average). The main pressures and threats to this species come from agricultural intensification, run-off from agriculture, forestry and household waste waters and poaching.

As there are no direct surface water hydrological linkages between the application site and the SAC and given the small size and scale of the development, significant effects upon this species arising from deteriorations in water quality are unlikely.

**Otter (1355)**

The SSCO for this species is to *maintain* its favourable conservation condition which is defined by the following list of attributes and targets:

| Attribute                            | Measure                 | Target                                                                                                      |
|--------------------------------------|-------------------------|-------------------------------------------------------------------------------------------------------------|
| Distribution                         | % positive survey sites | No Significant Decline                                                                                      |
| Extent of Terrestrial Habitats       | Hectares                | No significant decline. Area mapped and calculated as 447.6ha along river banks/lake shoreline/around ponds |
| Extent of Freshwater (River) Habitat | Km                      | No significant decline. Length mapped and calculated as 263.3km                                             |
| Extent of Freshwater (Laker) Habitat | Hectares                | No significant decline. Length mapped and calculated as 31.6ha                                              |
| Couching Sites and Holts             | Number                  | No significant decline                                                                                      |
| Fish Biomass Available               | Kg                      | No significant decline                                                                                      |
| Barriers to connectivity             | Number                  | No significant increase                                                                                     |

Table 5 – SSCOs for Otter

### Potential Impacts

The otter occurs throughout the Boyne and Blackwater system. The presence of this species is positively correlated with good water quality and deterioration of same will lead to impacts upon this species. Otters have two basic requirements – aquatic prey and safe refuges where they can rest. In freshwater areas, the diet of the otter consists of a variety of fish from sticklebacks to salmon and eels, whilst crayfish and frog availability can also be important. Impacts that reduce the quality of, or cause disturbance to, their terrestrial or aquatic habitats are likely to affect otters. The main threats to otters in Ireland are thought to be: (1) habitat destruction, including river drainage and the clearance of bank-side vegetation; (2) pollution, particularly organic pollution resulting in fish kills; (3) disturbance of habitat due to recreational activities, and (4) accidental deaths (NPWS, 2009).

There will be no fragmentation of habitats that are used by the otter as all development works will be confined to the development site only, which does not contain suitable habitat for this species. In addition, as there are no direct surface water hydrological linkages between the application site and the SAC and given the small size and scale of the development, significant effects upon this species arising from deteriorations in water quality are unlikely.

### River Lamprey (1099)

The SSCO for this species is to *restore* its favourable conservation condition which is defined by the following list of attributes and targets:

| Attribute                                           | Measure                                                                                    | Target                                                                                          |
|-----------------------------------------------------|--------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| Distribution: extent of anadromy                    | % of river accessible                                                                      | Restore access to all watercourses down to first order streams                                  |
| Distribution of larvae                              | Number of positive sites in 2nd order channels (and greater), downstream of spawning areas | Not less than 50% of sample sites with suitable habitat positive for larval brook/river lamprey |
| Population: structure of larvae                     | Number of age / size groups                                                                | At least three age / size groups of river lamprey present                                       |
| Larval lamprey density in fine sediment             | Juveniles / m <sup>2</sup>                                                                 | Mean density of river larval lamprey in sites with suitable habitat more than 5/m <sup>2</sup>  |
| Extent and distribution of spawning nursery habitat | M <sup>2</sup> and occurrence                                                              | No decline in extent and distribution of nursery beds                                           |

Table 6 – SSCOs for River Lamprey

### Potential Impacts

Juvenile lamprey (River and Brook) have been recorded throughout the Boyne/Blackwater catchment (O'Connor, 2006). River lampreys require clean gravels, fine sediments and free upstream migration to complete their life cycle. The main threat to this species is dredging, changes to siltation patterns, sedimentation of spawning gravels and the introduction of weirs or other impediments to their migration. They are also sensitive to changes in water quality arising from diffuse or point source pollution.

As there are no direct surface water hydrological linkages between the application site and the SAC and given the small size and scale of the development, significant effects upon this species arising from deteriorations in water quality are unlikely.

### **THE RIVER BOYNE AND BLACKWATER SPA 004232**

The River Boyne and River Blackwater SPA supports nationally important numbers of the kingfisher *Alcedo atthis*. Other species which occur within the site include *Cygnus olor*, *Anas crecca*, *Anas platyrhynchos*, *Phalacrocorax carbo*, *Ardea cinerea*, *Gallinula chloropus*, *Gallinago gallinago* and *Riparia riparia*. The NPWS Natura 2000 Data Form (NPWS, 2017) states that the threats and pressures identified as having the highest impact on this site include urbanisation, roads, motorways and dispersed habitation. A study by Cummins et al., (2010) states that the distribution of kingfisher within the River Boyne catchment is 0.12 kingfisher per km, with a nest density of 0.11 per km. A total of 20-22 territories were estimated to occur within the Boyne River system based on these surveys, and the densities of birds and nesting territories are amongst the highest in the country.

### Site Specific Conservation Objectives

Site specific conservation objectives for this site have not yet been prepared and objectives for this site remain generic. There are only two SPAs in Ireland designated for the protection of the kingfisher, i.e., the River Boyne and Blackwater SPA and the River Nore SPA. SSCOs have not been prepared for either site. Therefore, the attributes and targets that should define the favourable conservation condition of the kingfisher were taken from the most common attributes and targets used for the conservation objectives of SPA bird species in general, which are largely the same across all SPAs in Ireland. These are outlined in Table 7.



| Parameter  | Attribute        | Target                                                                                                                                            |
|------------|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|
| Population | Population trend | Long term population trend stable or increasing                                                                                                   |
| Range      | Distribution     | No significant decrease in the range, timing or intensity of use of areas by the QI, other than that occurring from natural patterns of variation |

Table 7– SSCOs for Bird Species within SPAs

Potential Impacts

Kingfishers are very vulnerable to changes in water quality, as a depletion of fish stocks due to pollution and eutrophication would mean the loss of their main food source. A reduction in water quality could also affect factors that support the breeding populations, such as prey abundance / biomass. Such impacts could potentially affect nest occupation and productivity, which in turn could affect the number and range of areas used by the kingfisher. Other threats to kingfisher could include human disturbance and bank disturbance.

As there is no direct surface water hydrological linkages between the application site and the River Boyne main channel, significant effects upon this species arising from deteriorations in water quality are unlikely.



### 3.4 IMPACT ASSESSMENT

The potential impacts of the proposed development on the River Boyne and Blackwater SAC / SPA 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 works in Navan town will involve the restoration and conservation of an historic building into a proposed County Archive for Meath. All works will take place on existing built site that has no pollution pathways to the River Boyne and Blackwater SAC. The works will have no significant effects upon the designated sites identified, i.e., the River Boyne and Blackwater SAC/SPA. There are no individual elements of the proposed project that are likely to give rise to negative impacts on these aforementioned sites.

**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:** Given the small size and scale of the development in relation to the overall size of the River Boyne and Blackwater SAC and SPA, the likelihood of any direct, indirect or cumulative impacts on this designated site arising from the construction and operation of the proposed development are 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:** At its closest point, the proposed development site is 137m east of the River Boyne and Blackwater SAC and SPA. In this instance, this distance is sufficient to ensure that no impacts will arise as there are no direct pollution pathways between the application site and the SAC/SPA, therefore the potential for pollution and subsequent effects is low.

**Resource requirements (water abstraction etc.):** No resources will be taken from any Natura 2000 site and there are no resource requirements that will impact upon any designated site.

**Emissions:** Neither the construction nor the operation of the proposed development will result in any emissions to the River Boyne and Blackwater SAC/SPA. There will be no run-off from the site directly to the River Boyne and Blackwater SAC/SPA either during construction or operation. There will be no run-off from the site into any local watercourse that leads to the River Boyne.

**Excavation requirements:** There will no excavation works required that will lead to any significant effects upon the SAC / SPA. Excavated material from the construction will be used on site. Any

remaining will be disposed of in a responsible manner in a licensed facility away from any designated sites.

**Transportation requirements:** There will be no additional transportation requirements resulting from the proposed works that will have any impact upon the Natura 2000 sites identified.

**In-Combination / Cumulative Impacts:** 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:** Once works begin, they should be complete in approximately one year.

#### Describe any likely changes to the nearby Natura 2000 sites arising as a result of:

**Reduction of habitat area:** 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 the River Boyne and Blackwater SAC, i.e., alkaline fens or alluvial forests with alder *Alnus glutinosa* and ash *Fraxinus excelsior*. Both these features are outside of the zone of influence of the development and significant effects upon these habitat QIs will not occur.

**Disturbance to key species:** There are four species listed as qualifying interests of the River Boyne and River Blackwater SAC and SPA, i.e., the otter, salmon, the river lamprey and the kingfisher. There will be no deteriorations that could lead to negative impacts upon these species. There will be no loss of habitats used by the otter. Significant negative effects upon these species will not occur.

**Habitat or species fragmentation:** There will be no habitat or species fragmentation within the River Boyne and Blackwater SAC or SPA. No ecological corridors between the proposed site and the Natura 2000 sites identified will be damaged or destroyed.

**Reduction in species density:** There will be no reduction in species density within the River Boyne and Blackwater SAC or SPA.

**Changes in key indicators of conservation value (water quality etc.):** There will be no negative impacts upon surface or ground water quality within the River Boyne and Blackwater SAC or SPA. There will be no negative impacts upon the water quality in any designated site. There will be no changes in groundwater quantity or quality which would lead to impacts upon the protected alkaline fen habitats of the River Boyne and Blackwater SAC.

**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:** It is not considered likely that there will be any impacts on the key relationships that define the structure or function of the Natura 2000 sites identified.

**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

**Fragmentation:** None

**Disruption & disturbance:** None

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

### 3.5 FINDING OF NO SIGNIFICANT EFFECTS

| Finding of No Significant Effects Report Matrix                                                                  |                                                                                                                                                                                                                                                                                                                                                                 |
|------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Name / Description of Project</b>                                                                             | Conservation and Restoration of a Protected Structure at St Finian's Terrace, Navan. Works will be Sought Under Part 8 of the Planning and Development Act.                                                                                                                                                                                                     |
| <b>Name and location of Natura 2000 site</b>                                                                     | At its closest point, the proposed development site is 137m east of the River Boyne and Blackwater SAC and SPA. In this instance, this distance is sufficient to ensure that no impacts will arise as there are no direct pollution pathways between the application site and the SAC/SPA, therefore the potential for pollution and subsequent effects is low. |
| <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                                                                                                                                                                                                                                                                                                                                                              |
| The Assessment of Significance of Effects                                                                        |                                                                                                                                                                                                                                                                                                                                                                 |
| <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 impacts                                                                                                                                                                                                                                                                                                    |
| <b>Describe how the project is likely to affect species designated under Annex II of the Habitats Directive.</b> | No impacts likely                                                                                                                                                                                                                                                                                                                                               |
| Data Collected to Carry out the Assessment                                                                       |                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Who carried out the assessment</b>                                                                            | Noreen McLoughlin, MSC, MCIEEM. Consultant Ecologist                                                                                                                                                                                                                                                                                                            |
| <b>Sources of data</b>                                                                                           | NPWS, EPA, National Biodiversity Data Centre, Meath 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                                                                                                                                                                                                                                                                                                                                           |

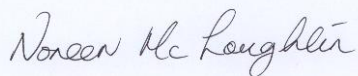
## 4 APPROPRIATE ASSESSMENT CONCLUSION

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., Meath 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).



Noreen McLoughlin, MSc, MCIEEM.  
Ecologist.

(PI Insurance details available on request)

## Appendix I:      PHOTOGRAPHS OF THE SITE



Habitats to the North of the Building



Vegetation in the East of the Site



Scrub and Artificial Surfaces



Leylandii Treeline Along Site Boundary





**Habitats Surrounding the Old Buildings**



**Scrub Habitats in the Site**