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## INERT WASTE RECOVERY FACILITY

**HALVERSTOWN TOWNLAND  
KILCULLEN, CO. KILDARE**

**Natura Impact Statement:  
Stage 1 Screening Assessment**

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## 1.0 INTRODUCTION

### 1.1 Background

This report provides a Natura Impact Statement (NIS) and information to inform a Stage 1 Screening Assessment to identify any likely significant effects on Natura 2000 sites from the proposed development and operation of an inert Waste Recovery Facility (the project) at site previously used as a sand and pit in the townland of Halverstown, Kilcullen, Co. Kildare.

It has been prepared by SLR Consulting Ireland (SLR) on behalf of Kilsaran Concrete trading as Kilsaran Build (hereafter referred to Kilsaran) in support of their planning and waste permit applications to recover inert waste by deposition to land within its existing landholding at their sand and gravel pit at Halverstown for partial restoration of the former extraction and silt settlement lagoon area in the southern part of the landholding.

### 1.2 Appropriate Assessment Overview

The requirements for an Appropriate Assessment are set out under Article 6 of the EU Habitats Directive (92/34/EEC) transposed into Irish law through The European Communities (Birds and Natural Habitats) Regulations 2011 that requires a Competent Authority to make an Appropriate Assessment of the implications for Natura 2000 sites in view of a site's conservation objectives, before deciding to undertake, or give consent, permission or other authorisation for, a plan or project which:

- i. is not directly connected with or necessary to the management of that site; and
- ii. is likely to have a significant effect thereon, either individually or in combination with other plans and projects in view of its conservation objectives.

The European Commission's methodological guidance<sup>1</sup> promotes a four stage process, as set out below, to complete an Appropriate Assessment:

- Stage 1 – Screening for Appropriate Assessment;
- Stage 2 – Appropriate Assessment;
- Stage 3 – Alternative Solutions; and
- Stage 4 – The 'IROPI Test' (Imperative Reasons of Overriding Public Interest).

A person applying for any such consent, permission or other authorisation must provide such information in Stage 1, as the Competent Authority may reasonably require, for the purposes of the assessment or to enable them to determine whether an Appropriate Assessment is required.

In considering whether a plan or project will adversely affect the integrity of any Natura 2000 site or sites, the Competent Authority should consider whether the effects of the proposal on the site or sites, either individually or in combination with other plans or projects, is likely to be significant in terms of the conservation objectives and in respect of each interest feature for which the site was designated a Special Area of Conservation (SAC) under the Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (Habitats Directive), or classified a Special Protection Area (SPA) under Council Directive

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<sup>1</sup> European Communities (2002). *Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites. Methodological Guidance on the Provision of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*. European Communities, Luxembourg.

2009/147/EC on the Conservation of Wild Birds (The Birds Directive) that codifies Directive 79/409/EEC.

In the light of the conclusions of the assessment, and in consideration of Imperative Reasons of Overriding Public Interest (IROPI), the Competent Authority may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the Natura 2000 site.

### **1.3 Purpose of this Report**

This report has been produced to provide a screening statement, as required under Stage 1 of the Appropriate Assessment process, and includes all relevant information to the Competent Authority (in this case Kildare County Council) in order for them to determine whether the proposed project for an Inert Waste Recovery Facility at Halverstown is likely to have a significant effect on the integrity of any Natura 2000 site, or sites, within its zone of influence and whether there is a requirement for an Appropriate Assessment (Stage 2 Assessment) to be undertaken.

### **1.4 Ecologist and Experience**

The Screening Assessment has been conducted by Steve Judge whom is a Senior Ecologist with 15 years' experience in ecological consultancy and a member of the Chartered Institute of Ecology and Environmental Management (CIEEM). All work produced is subject to technical review and Quality Assurance.

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## 2.0 METHODOLOGY

### 2.1 Baseline Data Collection

Baseline information was gathered through a combination of desk-based study, site visit and inspection made on 16<sup>th</sup> September 2014 and technical assessments consistent with current standard methodologies and published best practice guidelines, in order to provide relevant data to allow an assessment of likely significant effects of the operation of the Inert Waste Recovery Facility on any individual Natura 2000 site, or sites, within the zone of influence of this project.

The principal source of information on Natura 2000 sites and key qualifying features has been data collected through information publically available through the National Parks and Wildlife Service (NPWS)<sup>2</sup> and with other relevant sources used to provide data on current baseline conditions at the site of the proposed development and within its potential zone of influence.

### 2.2 Assessment Likely Significant Effects

Under the Habitat Regulations, the first test that has to be considered is whether the development, either alone or in combination with other relevant projects and plans, would be likely to have a significant effect. Effects are judged to be significant where they affect the integrity of the site with respect to the conservation objectives of the features for which a Natura 2000 site was designated / classified as being of European importance.

The purpose of Stage 1 is two parts, firstly to screen out those aspects of the proposal that can be considered not likely to have a significant effect, and secondly to screen the key qualifying features of the designation that are not likely to be significantly affected by the proposal.

In order to undertake an appropriate screening, the guidance produced by the NPWS in 2009<sup>3</sup> has been followed in order to:

- characterise the potential impacts to the qualifying interests of any Natura 2000 site or sites that may result from the development proposals at Halverstown;
- assess the likely significance of potential impacts on the qualifying interests of any Natura 2000 site or sites within the zone of influence of the proposed development; and
- assess the risk of an adverse effect on the integrity of the site or occurring to a qualifying interest feature for which the site is of European interest.

The methodology for the assessment of impacts is derived from the guidelines published by the Chartered Institute of Ecology and Environmental Management (CIEEM)<sup>4</sup>. Impacts are characterised in terms of whether specific hazards emanating from the project are likely to have potential significant effects on the integrity of a defined ecosystem and/or conservation status of individual habitats or species for which a site is of European interest, and on site as a whole.

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<sup>2</sup> <http://www.npws.ie>

<sup>3</sup> NPWS (2009 revised February 2010). *Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities*. Department of the Environment, Heritage and Local Government, Dublin.

<sup>4</sup> Institute of Ecology and Environmental Management (2006). *Guidelines for Ecological Impact Assessment in the United Kingdom*.

### 2.3 Ascertaining the Threat to Site Integrity

The Competent Authority will be required to determine whether the Inert Waste Recovery Facility at Halverstown would adversely affect the integrity of any Natura 2000 site, or sites, in light of the conservation objectives for that particular site or sites. The integrity of a site is defined as:

*“The integrity of a site is the coherence of its ecological structure and function, across its whole area, which enables it to sustain the habitat, complex of habitats and/or the levels of populations of the species for which it was designated / classified.”*

Further to the above, an adverse effect on integrity can also be defined as one that is likely to prevent the site from making the same contribution to favourable conservation status for the relevant features as it did at the time of its designation / classification.

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### **3.0 DESCRIPTION OF THE PROJECT**

#### **3.1 Location and Setting**

The site is located approx. 4.5 km to the South of Kilcullen village, approx. 1 km to the West of the M9 motorway.

The site is accessed through the existing Kilsaran Concrete Facility entrance located on the western side of the R448 Regional Road (the old N9 National Primary Road). The site was previously in use as a sand and gravel pit with features typical of an extractive operation including stockpiles and silt storage areas – refer to Figure 3. It is proposed to locate the waste recovery facility entirely within the void created by sand and gravel extraction.

The application site covers approximately 3.34 hectares (ha) of land within lands previously used for sand and gravel extraction. The application site has been subject to various degrees of disturbance from mineral extraction operations that currently comprises an area of bare ground.

The surrounding landscape is characterised by agricultural land with fields under a mixture of arable production and permanent pasture some of which are bounded by hedgerows. The application site adjoins Kilsaran's existing concrete manufacturing facility to the North. A restored sand and gravel pit operated by Kilsaran is located to the Northwest of the site. The M9 motorway running in a north-south direction dissects the landscape to the east forms a prominent landscape feature. The town of Kilcullen and the village of Calverstown are the largest urban areas with other small rural settlements and properties scattered along the roads and lanes throughout the local landscape.

#### **3.2 Outline Description of Project**

The project involves the development and operation of a Waste Recovery Facility for inert soil and stone waste to partially restore the former extraction and silt settlement lagoon in the south west corner of the sand and gravel pit.

The planning application seeks permission for the following:

- the importation and recovery of up to 990000 tonnes of inert soil and stone waste to partially restore the former extraction and silt settlement lagoon in the south western part of the sand pit;

It is expected that the Inert Waste Recovery Facility would remain in operation for 4 to 5 years.

The operation of the Waste Recovery Facility will use other existing facilities present at the sand pit including site offices and welfare facilities, weighbridge, car parking, fuel storage facilities.

The site will operate from 08:00 to 18:00hrs Monday to Friday and 08:00 to 13:00 on Saturday. No operations will take place outside these times.

The Inert Waste Recovery Facility is anticipated to generate an average daily total (AADT) of 6 additional heavy goods vehicles (HGV) movements in and out of the site per day through the importation of waste materials.

All incidental rainfall and surface water run-off from the Inert Waste Recovery Facility will be allowed to naturally recharge into the ground. There will be no surface water discharge to any watercourse and/or waterbody off-site.

Full details of the proposed development are provided within the Environmental Impact Statement to which this document provides supporting information.

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#### 4.0 NATURA 2000 SITES

There are seven Natura 2000 sites within a 15km radius of the application site for the proposed Inert Waste Recovery Facility at Halverstown. These sites are listed Table 1 and their locations in relation to the project site shown in Figure 1.

**Table 1: Natura 2000 Sites within a 15km of the Proposed Project Site**

Natura 2000 Site	Site Code	Location at Closest Point to Project Site
River Barrow and River Nore SAC	002162	9.2km west
Pollardstown Fen SAC	000396	10.1km north
Slaney River Valley SAC	000781	11.9km south east
Poulaphouca Reservoir SPA	004063	12.5km east
Mounds Bog SAC	002331	12.7 km north
Wicklow Mountains SAC	002122	14.9km east southeast

#### 4.1 Potential Zone of Influence of Project and Screening of Natura 2000 Sites

Based on the size and nature of the proposed Inert Waste Recovery Facility at Halverstown, it is considered that the maximum distance for which the project should be evaluated in terms of Natura 2000 sites is up to a maximum radius of 2km from the application site, unless, there are any potential source-pathway-receptor links between the proposed Inert Waste Recovery Facility at Halverstown and any Natura 2000 site(s) outside this distance.

At a distance greater than 2km and in the absence of any potential source-pathway-receptor link it is considered that no Natura 2000 sites would be affected by any direct loss of habitat or impacted upon by any effects arising from disturbance (i.e. noise, vibration and human and visual disturbance), the effects of dust deposition or traffic emissions.

Based on the above, it is considered that all of the Natura 2000 sites identified in Table 1 can be screened out from any further assessment as these lie outside the potential zone of influence of the project and there are no source-pathway-receptor links between the project and these Natura 2000 sites. Therefore in this case there are no relevant Natura 2000 sites carried forward for any further assessment.

## 5.0 ASSESSMENT OF EFFECTS OF THE PROPOSED PROJECT

Based on the screening outlined in Section 4.1, it is assessed that the development and operation of an Inert Waste Recovery Facility at Halverstown will not have any stand-alone effects on any Natura 2000 site or on any of the qualifying habitats and/or species for which these sites have been designated / classified as being of European importance.

It is therefore considered that no further assessment is required for the proposed development of an Inert Waste Recovery Facility at Halverstown as a stand-alone project.

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## 6.0 AVOIDANCE AND MITIGATION

As no effects are predicted on any Natura 2000 sites no specific avoidance and mitigation measures are proposed in respect of this project over and above those measures included within the overall scheme design.

However, Kilsaran will ensure the operation of the Inert Waste Recovery Facility will be undertaken in accordance with “best practice” and appropriate guidelines for example the Department of the Environment, Heritage and Local Government (DoEHLG) Quarries and Ancillary Activities – Guidelines for Planning Authorities<sup>5</sup> and the EPA’s Environmental Management in the Extractive Industry guidelines<sup>6</sup> and in a sensitive manner with all due regard to current wildlife legislation in respect of European sites and their qualifying habitats and species.

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<sup>5</sup> Department of the Environment, Heritage and Local Government (2004). *Quarries and Ancillary Activities – Guidelines for Planning Authorities*. DoEHLG.

<sup>6</sup> Environmental Protection Agency (2006). *Environmental Management Guidelines – Environmental Management in the Extractive Industry (Non-Scheduled Minerals)*. EPA, Wexford.

## 7.0 IN-COMBINATION ASSESSMENT

It is a requirement of The European Communities (Birds and Natural Habitats) Regulations 2011 that, when considering whether a plan or project will adversely affect the integrity of a Natura 2000 site that it must take into account in-combination effects with other current or reasonably foreseeable plans and projects.

There is no single agreed method for addressing the issue of in-combination effects, however, current practice and available guidance suggests a staged approach which takes into account the following:

- i. if it can be clearly demonstrated that the plan or project will not result in any effects at all that are relevant to the integrity of a Natura 2000 site then the plan or project should proceed without considering the in-combination test, further; or
- ii. if there are identified effects arising from the plan or project even if they are perceived as minor and not likely to have a significant effect on the integrity of a Natura 2000 site alone, then these effects must be considered 'in-combination' with the effects arising from other plans and projects.

From the screening assessment undertaken here, it is considered that it can be clearly demonstrated that development and operation of an Inert Waste Recovery Facility at Halverstown will have no effect on any Natura 2000 site as a stand-alone project. Therefore it is considered that there is not a requirement in this case to undertake any further assessment in-combination with other plans and projects.

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## 8.0 SUMMARY AND CONCLUSIONS

This assessment has considered the potential effects associated with the proposed development and operation of an Inert Waste Recovery Facility at Halverstown on Natura 2000 sites within a 15km radius in line with the methodology set out in the '*Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites. Methodological Guidance on the Provision of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*'.

The assessment has concluded that the proposed development and operation of an Inert Waste Recovery Facility will have no effects on the integrity of any Natura 2000 site or sites, or on any of the qualifying habitats and/or species for which a site has been designated or classified as being of European importance, either as a stand-alone development or in combination with other plans or projects.

Based in the findings from this assessment, it is considered there is not a requirement to proceed to a Stage 2 Natura Impact Assessment for the development and operation of an Inert Waste Recovery Facility at Halverstown under Article 6 of the Habitats Directive (92/43/EEC).

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## 9.0 CLOSURE

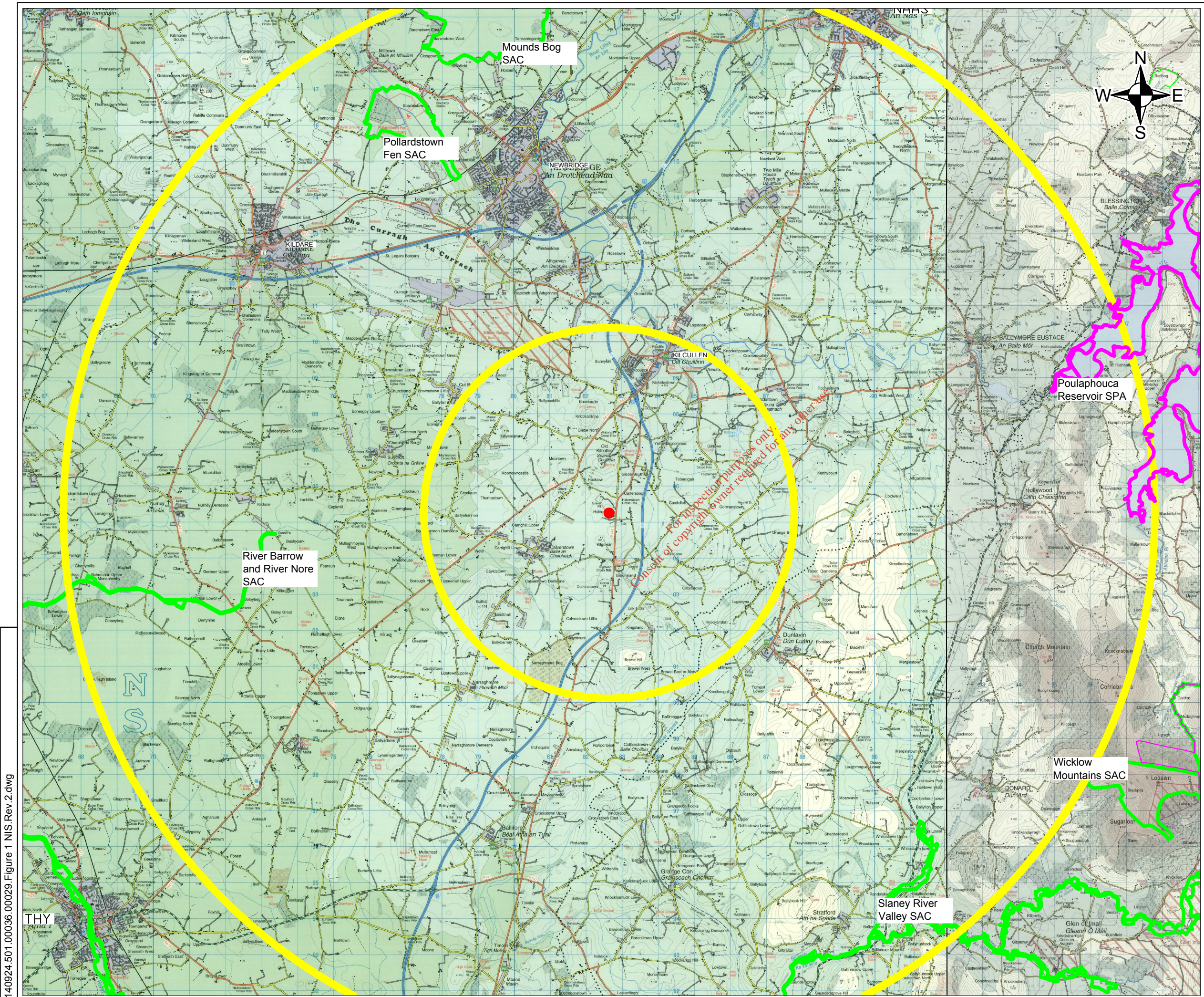
This report has been prepared by SLR Consulting Ireland with all reasonable skill, care and diligence, and taking account of the manpower and resources devoted to it by agreement with the client. Information reported herein is based on the interpretation of data collected and has been accepted in good faith as being accurate and valid.

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


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- NOTES**
1. ORDNANCE SURVEY IRELAND LICENCE NO. SU 000715 (C) ORDNANCE SURVEY & GOVERNMENT OF IRELAND;
  2. EXTRACT FROM OSI DISCOVERY SERIES MAPPING.

**LEGEND**

-  SITE LOCATION
-  SPA BOUNDARY
-  SAC BOUNDARY
-  15 KM OFFSET FROM SITE LOCATION

140924.501.00036.00029.Figure 1 NIS.Rev.2.dwg

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**KILSARAN CONCRETE**  
 Proposed Waste Recovery Facility  
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**NATURA 2000 SITES**  
**FIGURE NIS 1**

Scale: 1:100,000 @ A3      Date: MARCH 2015