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Stage 1 Appropriate Assessment Screening Wynne Park, Ballylynan, County Laois.

Introduction

The Wynne Park former landfill is to the south of Ballylynan Village. It occupies approximately 2,500m² in what was originally a worked out limestone quarry that extended up to 6m below ground level (bgl).

It is understood that it was used as landfill from 1965 to 1990, primarily to dispose of road sweepings. In 1990 the waste deposition area was covered with topsoil and seeded and northern, eastern and southern site boundaries were planted with trees. The site is now used as a public park

OCM carried out Tier 2 Site Investigation and completed a Tier 3 Risk Assessment in 2011, which concluded the site was Class C Low Risk and that no remedial works were required to address any environmental liabilities.

AA Risk Screening Process

The Habitats Directive, which is implemented under the European Communities Birds and Natural Habitats) Regulations 2011 (S.I. No 477 of 2011) requires an “appropriate assessment” of the potential impacts any works may have on the conservation objectives of any Natura 2000 site. Article 6(3) of the Directive stipulates that *any plan or project not directly connected with or necessary to the management of a Natura 2000 site, but likely to have a significant effect thereon...shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives.*

Natura 2000 sites are those identified as sites of European Community importance and designated as such under the EU Habitats Directive (92/43/EC) (Special Area of Conservation) or the Birds Directive (Special Protection Areas). The closest Natura 2000 site is the Pollardstown Fen. The Fen is located approximately 350m to the north of the site.

Guidance documents issued by Department of Environment, Heritage and Local Government and the National Parks and Wildlife Services recommend that the assessment be completed in a series of Stages, which comprise:

Stage 1: Screening

The purpose of this Stage is to determine, on the basis of a preliminary assessment and objective criteria, whether a plan or project, alone and in combination with other plans or projects, could have significant effects on a Natura 2000 site in view of the site's conservation objectives.

Stage 2: Appropriate Assessment

This Stage is required if the Stage 1 Screening exercise identifies that the project is likely to have a significant impacts on a Natura 2000 site.

Stage 3: Assessment of Alternative Solutions.

If Stage 2 determines that the project will have an adverse impact upon the integrity of a Natura 2000 site, despite the implementation of mitigation measures, it must be objectively concluded that no alternative solutions exist before the plan can proceed.

Stage 4: Compensatory Measures:

Where no alternative solutions are feasible and where adverse impacts remain but imperative reasons of overriding public interest require the implementation of a project an assessment of compensatory measures that will effectively offset the damage to the Natura site 2000 is required.

Stage 1 Screening Methodology

The Stage 1 Screening was conducted in accordance with the guidance presented in the "Assessment of Plans and Projects significantly affecting Natura 2000 sites, Methodological Guidance on the provisions of Articles 6(3) and 6(4) of the Habitats Directive 92/43/EEC" (2001); The Department of Environment, Heritage and Local Government (2009, revised February 2010) Appropriate Assessment of Plans and Projects in Ireland, and the National Parks and Wildlife Services(NPWS) Circular NPW 1/10 & PSSP 2/10 Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities.

There are no designated Natura 2000 sites (SAC and SPA) within 5km of the site. The closest is the River Barrow and River Nore SAC (Site Code 002162) which is 6.6km to the east.

SACs are selected for the conservation and protection of habitats listed on Annex I and species (other than birds) listed on Annex II of the Habitats Directive, and their habitats. The habitats on Annex I require special conservation measures. SPAs are selected for the conservation and protection of bird species listed on Annex I of the Birds Directive and regularly occurring migratory species, and their habitats, particularly wetlands.

A report on the Qualifying Interests for which the SAC was selected states that "The Barrow/Nore river system contains a considerable amount of woodland, particularly in the lower reaches where the rivers leave the central limestone lowlands and cut through the uplands. The slates, shales and granites of these uplands produce relatively well-drained, poor,

acidic soils which favour the development of sessile oak woodlands on the steep valley sides, although locally ash woodlands occur on more fertile soils. In many places conifer plantations have been planted. The valley floors are narrow and the floodplains are only poorly developed so that alluvial woodland is restricted and localised.

Upstream the rivers flow through fertile lowlands and both have been drained to some extent. In general there is very little native woodland, even in the headwater streams in the Slieve Bloom Mountains where extensive areas have been afforested with conifers. The exception is the stretch of the Barrow/Erkina between Durrow and Abbeyleix in Laois, where some of the most extensive and important alluvial woodlands in the country are to be found.

This SAC was selected for two woodland types listed in Annex I of the Habitats Directive: 91A0 Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles, and 91EO Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*AlnoPadion*, *Alnion incanae*, *Salicion albae*).

Given the low environmental risk and the distance to the SAC the former landfill does not present any risk to the SAC.

Stage 1 Conclusion

As the site presents a low risk to off-site receptors including the SAC no remedial measures are proposed for the site and a Stage 2 Appropriate Assessment is not required.

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