



# Drumcliff Graveyard EIAR Screening

Proposed extension of burial ground at Drumcliff, Ennis,  
Co. Clare

On behalf of:

Clare County Council

*28 June 2023*



MACCABE DURNEY  
BARNES  
Planning Environment Economics



COMHAIRLE | CLARE  
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# 1. INTRODUCTION

## 1.1 Background

This report provides an Environmental Impact Assessment Screening Report for a proposed development for an Extension to the existing Drumcliff Cemetery, Ennis, Co. Clare. The development will include: circa 350 double plots and provision for ash plots, access road improvements including lay-bys, turning circle and traffic calming measures, parking; 23 standard spaces, 6 wheelchair accessible spaces, footpaths, drainage, planting and landscaping including columbarium and reflectance garden and associated site works.

The application is being pursued by Clare County Council under Part 10 procedure. The extents of the scheme are highlighted red on Figure 1.1 and Figure 1.2.

## 1.2 Aims of Report

This application is being pursued by Clare County Council. The process to bring the scheme forward must have regard to the conclusions of the EIA Screening, set out herein. This shall determine whether appropriate process is a Part 8 (of the Planning and Development Regulations, 2001 to 2023) where the consenting authority is the Council, or an application is made to An Bord Pleanála.



Figure 1-1: Proposed Development Site at Drumcliff, Co. Clare (Source: OSI maps, Myplan.ie)



*Figure 1-2: Proposed Development Site at Drumcliff, Co. Dublin (Aerial View) (Source: ArcGIS maps)*

### 1.3 Legislation and Guidance

The EIA Screening Report has had regard to the following:

- Planning and Development Act 2000, as amended
- Planning and Development Regulations 2001 as amended
- Directive 2014/52/EU of 16 April 2014 amending Directive 2011/92/EU
- The European Union (Planning and Development) (Environmental Impact Assessment)

- Regulations 2018 (S.I. No. 296 of 2018)
- Guidelines on the information to be contained in Environmental Impact Assessment Reports, Environmental Protection Agency, 2022
- Interpretation of definitions of project categories of annex I and II of the EIA Directive, European Commission, 2015
- Environmental Impact Assessment of Projects: Guidance on Screening, European Commission, 2017
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, August 2018, Department of Housing, Local Government and Heritage
- Environmental Impact Assessment Screening- Practice Note, Office of the Planning Regulator, 2021

## 1.4 Overall Methodology

The EIA screening assesses the proposed scheme with reference to the relevant EIA legislation including the EIA Directive, and Planning and Development Regulations. The methodology has particular regard to the '3-Step' assessment process set out in the Office of the Planning Regulator (OPR) Environmental Impact Assessment Screening Practice Note PN02 (June 2021). Regard is also had to European and National guidance documents noted above.

For the purpose of this application, the relevant statutory provision is Article 103 of the Planning and Development Regulations, 2001 (as amended). Where the local authority concludes, based on such preliminary examination, that—

- (i) there is no real likelihood of significant effects on the environment arising from the proposed development, it shall conclude that an EIA is not required,
- (ii) there is significant and realistic doubt in regard to the likelihood of significant effects on the environment arising from the proposed development, it shall prepare, or cause to be prepared, the information specified in Schedule 7A for the purposes of a screening determination, or
- (iii) there is a real likelihood of significant effects on the environment arising from the proposed development, it shall— (I) conclude that the development would be likely to have such effects, and (II) prepare, or cause to be prepared, an EIAR in respect of the development.

The consideration of potential impacts covers all significant direct, indirect and secondary impacts as relevant having regard to the criteria for determining whether development listed in part 2 of schedule 5 should be subject to an environmental impact assessment under Schedule 7 of the Planning and Development Regulations, 2001 to 2021.

- Characteristics of the proposed development.
- Location of the proposed development.
- Characteristics of potential impacts.

Where a local authority proposes to carry out a subthreshold development, the authority shall carry out a preliminary examination of, at the least, the nature, size or location of the development.



It is noted that under Article 81(ca) of the Regulations 2001, a Planning Authority must indicate its conclusion under article 120(1)(b)(i) (a preliminary examination) or screening determination under article 120(1B)(b)(i) in the public notices that form part of a Part 8 process.

## 1.5 Structure of Report

This EIA Screening Report is structured to assess the relevant project and environmental criteria as follows:

- Description of Site and surrounding area
- Description of the proposed development
- The legislative basis for EIA
- Mandatory Threshold Review
- Preliminary Screening Examination
- Screening determination
- Conclusions

## 1.6 Data Sources

The information is obtained from review of several online databases and public sources including:

- Geological Survey of Ireland (GSI) online dataset - <https://www.gsi.ie>
- Clare County Development Plan 2017 – 2023
- Clare County Development Plan 2023-2029
- Clare County Council Planning Applications
- EPA - <https://gis.epa.ie/EPAMaps/>
- GeoHive – <http://map.geohive.ie/mapviewer.html>;
- Office of Public Works (OPW) - <http://www.floodinfo.ie/map/floodmaps>

In addition to the above the following project specific reports were utilised to inform this report:

- Landscape Design Statement by Cormac Langan Landscape Architecture
- Plans and Drawing by SDS Design Engineers
- Screening for Appropriate Assessment/Natura Impact Statement – prepared by Altemar
- Ecological Impact Assessment (EclA) - prepared by Altemar
- Geophysical Survey by Minerex Geophysics Limited
- Hydrological and Hydrogeological Assessment by Hydro-Environmental Services

## 1.7 Qualification

This EIA Screening Report has been prepared by Richard Hamilton, BA MSc P.Grad EMAE, MIPI MRTPI. Richard is a Chartered Town Planner with 25 years experience in public and private sectors in Ireland including the preparation of EIA and EIA Screening for infrastructure, commercial and residential development projects. He has a Post Graduate Diploma in Environmental Monitoring Assessment and Engineering (EMAE) from Trinity College Dublin.

## 2. SITE AND LOCATION

### 2.1 Description of the Site and Surrounding Area

The site is located at Drumcliff, Ennis, Co. Clare to the north west of Ennis town. The site is currently partly in cemetery use and part greenfield site which is located adjacent to the existing Drumcliff Burial Grounds. The applicants subject site extends to approx. 1.8 ha.

The site is to be accessed from the Drumcliff Road which runs adjacent to the west and north of the site. The subject site is rural in character and dominated by the historically established cemetery in this location. The subject site is situated on an elevated position above the existing burial grounds. To the east, over the crest of the hill, is Drumcliff Water Treatment Plant. Approximately half a kilometre to the east is the Gort Road comprising the northern suburbs of Ennis Town including the Gort Road Business Park.

The River Fergus to the east and Ballyalia Lake to the north form part of a green natural edge to the town of which the burial ground is a part.

The development proposes to extend the existing burial ground in order to accommodate the Ennis and wider county community. Drumcliff is the County Burial ground. Under the Public Health (Ireland) Act 1878 Part III Section 160, 172 and 173 Clare County Council is obliged to provide burial space. The development will also involve the construction of internal roads, footpaths and shared surfaces.

The following section summarises pertinent environmental characteristics of the subject site and environs.

### 2.2 Environmental Sensitivity of the Site

#### 2.2.1 Soils and geology

Based on the GeoHive ESM (Environmental Sensitivity Mapping) web resources, the Bedrock in the vicinity of the project is Pale grey clean skeletal limestone (Burren Formation).

A review of the subsoil permeability of the site indicated that the site for the proposed Graveyard is 'Moderate'. Bedrock Geology is classed as Visean limestone & calcareous shale, with Quaternary Sediments Till derived from Devonian sandstone.

Reference is made to the Geophysical Survey by Minerex Geophysics Limited. It notes the following in respect of Geology:

*The Burren formation is karstifiable and there is a swallow hole noted just north of the cemetery. The path of the underground watercourse is towards the south and it is shown as passing under the survey area. The connection has been proven by tracer tests by the Geological Survey of Ireland.*

*There are no faults or shallow rock recorded near the site.*

The Minerex sets out the following conclusions based on detailed geophysical surveys of the site:

### Overall Conclusion:

The geophysical surveys carried out for the Drumcliff Cemetery extension consisted of EM31 Ground Conductivity, 2D-Resistivity and seismic refraction surveying.

- At all locations there was a strong correlation between all three geophysical survey methods.
- The EM31 Ground Conductivity data shows a consistent boulder clay overburden throughout the survey area.
- The 2D-Resistivity data shows thick boulder clay across all three lines. High resistivities at depth indicate a clean limestone bedrock.
- The seismic refraction data was modelled with a total of four layers (as discussed above).
- The data is very uniform across the survey area with only small variations in the overburden composition and rock depth across the survey area.
- The thick layer of clay dominated boulder clay would cause low ground water permeability.
- Within the rock layer there is no indication of karstified limestone. The thick overlying highly consolidated glacial till will provide good protection from any underlying karstified limestone that may be present deeper than the survey depth.

The presence of 8.5-13.5m of overburden puts the site within the Low-Moderate Risk Rating for groundwater vulnerability (as outlined in Section 2.4.2, **Plate A**). A subsoil thickness of >10m is the threshold for Low vulnerability, which is likely the average thickness across the site based on the geophysical cross sections, and the supporting data from the shallower trial pits.

A site investigation has been completed by Ground Investigations Ireland (GII) (April, 2022) [included in Appendix 1 of the Hydrology Report]. The scope of the work undertaken for this project included the following:

- Site walkover to observe existing ground conditions;
- Excavate 5 No. Trial Pits to a maximum depth of 1.90mbgl; and,
- Perform 5 No. Soakaways to determine a soil infiltration value to BRE digest 365.

A summary of the site investigation data for the site is presented as follows:

- Topsoil was encountered in all the exploratory holes and was present to a maximum depth of 0.25m BGL;
- Made ground deposits were only encountered in IF1 between 0.15 - 0.70m and were described as grey very clayey sandy sub-rounded to rounded fine to coarse Gravel; and,
- Cohesive deposits were encountered beneath the Made Ground and were described typically as reddish brown slightly sandy gravelly CLAY with occasional cobbles or grey/brown slightly sandy gravelly CLAY. The secondary sand and gravel constituents varied across the site and with depth, with granular lenses occasionally present in the

*glacial till matrix. These deposits had some, occasional or frequent cobble and boulder content. The top of the cohesive deposits was logged as 0.7m in IF1 and between 0.15 – 0.25m in IF2-IF5. The cohesive deposits were logged to the base of each trial pit, which varied in depth between 1.7 – 1.9m.*

### 2.2.2 Groundwater and Flooding

Based on the GeoHive ESM (Environmental Sensitivity Mapping) web resources, the WFD (Water Framework Directive) Groundwater Status in the general area is considered 'Good'.

The Hydro Environmental Services Report notes the following in respect of Groundwater Vulnerability:

*Groundwater Vulnerability within the site is mapped as Moderate, with a small section to the north mapped as High. The Groundwater vulnerability mapping generally increases in vulnerability to the north, as the subsoil is inferred to decrease in thickness to the north.*

*The quaternary subsoil is mapped as tills derived from Devonian sandstones which typically forms the drumlins of high ground in the area. In the wider surrounding areas, subsequent erosion has left limestone tills and Kartsified bedrock outcrop or subcrop in the lower elevation areas that surround the site.*

The Hydro Environmental Services Report notes in respect of Water Resources:

*The Drumcliff Spring PWS is situated ~1km southwest of the proposed development site. The Drumcliff Spring PWS supplies ~ 12,000 m<sup>3</sup>/day to Ennis and the surrounding area. The nearest mapped karst feature to the site is the Poulacorey swallow hole, located ~200m north of the existing burial grounds, and ~250m north of the proposed development site. A dye tracer test was performed at Poulacorey swallow hole, with a positive detection at Drumcliff springs, indicating a direct groundwater connection from this swallow hole to the Drumcliff Spring.*

*The existing Drumcliff cemetery and the proposed extension site are located within the Source Protection Zone for the Drumcliff Spring PWS.*

The ESM resource notes the Water Framework Directive (WFD) River Status of the Fergus (050) is 'Good'. The WFD Lake Water Body Status of Ballyallia Lake is 'Unassigned'.

The Hydro Environmental Services Report notes the following:

*In terms of the proposed burial of human remains at the site, the following assessment has been made:*

*The existing cemetery, which has been in operation for many years, does not appear to have had any effect on local groundwater quality. The average annual nitrate levels at Poulacorey swallow hole is 1.8 mg/L and is 2.0 mg/L at Drumcliff Springs. Ammonia was measured at the Drumcliff Springs (2003-2004) and the data indicates low reported values ranging between*

0.01 – 0.04 mg/L.

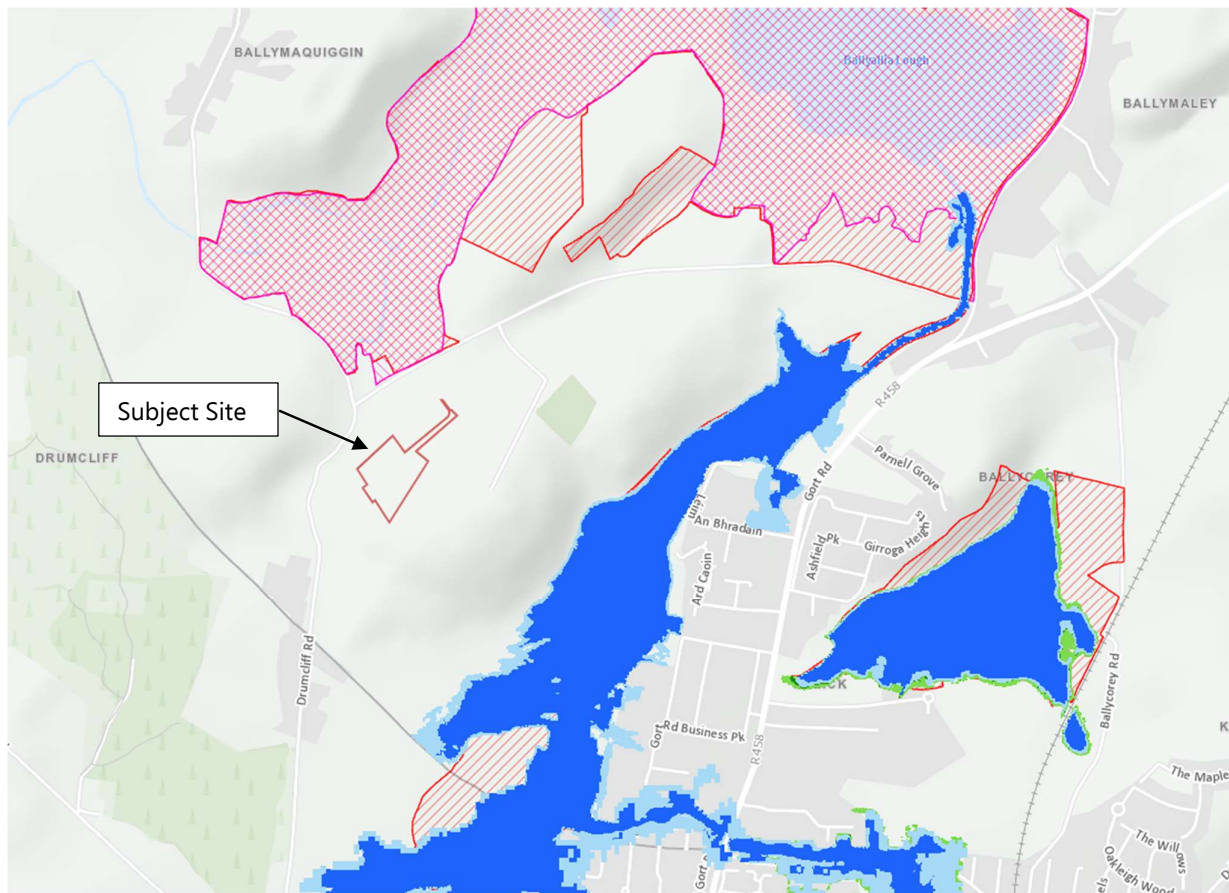
*The thick subsoils present at the site, as part of the drumlin formation have been investigated. The soils/subsoils have been logged during site investigations, with subsoils described as reddish brown slightly sandy gravelly CLAY with occasional cobbles or grey/brown slightly sandy gravelly CLAY. Soakaway tests have demonstrated a low-moderate infiltration range of  $2.7 \times 10^{-6}$  to  $6.25 \times 10^{-6}$  m/s. The geophysical interpretation describes 3 no. subsoil layers of increasing strength/compaction to a depth of 8.5-13.5m. Good, fresh Limestone is interpreted below this, with no karst anomalies identified below the proposed extension site.*

*Groundwater inflows was not recorded during any of the trial pit investigations, and as such the 1m unsaturated zone beneath the base of a grave site is expected to remain throughout the year.*

*The ability of the proposed development site to impact on groundwater quality is limited due to the sites quaternary geology, which overlies the limestone aquifer system. This thick layer of subsoils, with low-moderate infiltration rates provides an adequate buffer to the underlying aquifer.*

*The surface water drainage system will provide soakaway areas for runoff from paved areas and roads to infiltrate through, bypassing any grave areas. The diversion of this surface water to the soakaway pits reduces the volume of water infiltrating through any grave areas, thus diminishing any potential effect further.*

The site is not located within or near any 'High Probability' (10 year) flood zone. There are no past flood events mapped on the site.



**Figure 2-1: River Fergus with flood zones indicated. Dark blue indicates High Probability (10 year) Red hatching indicates the extent of Ballyallia Lake SAC and Ballyallia Lough SPA (Source Myplan.ie)**

### 2.2.3 Air quality

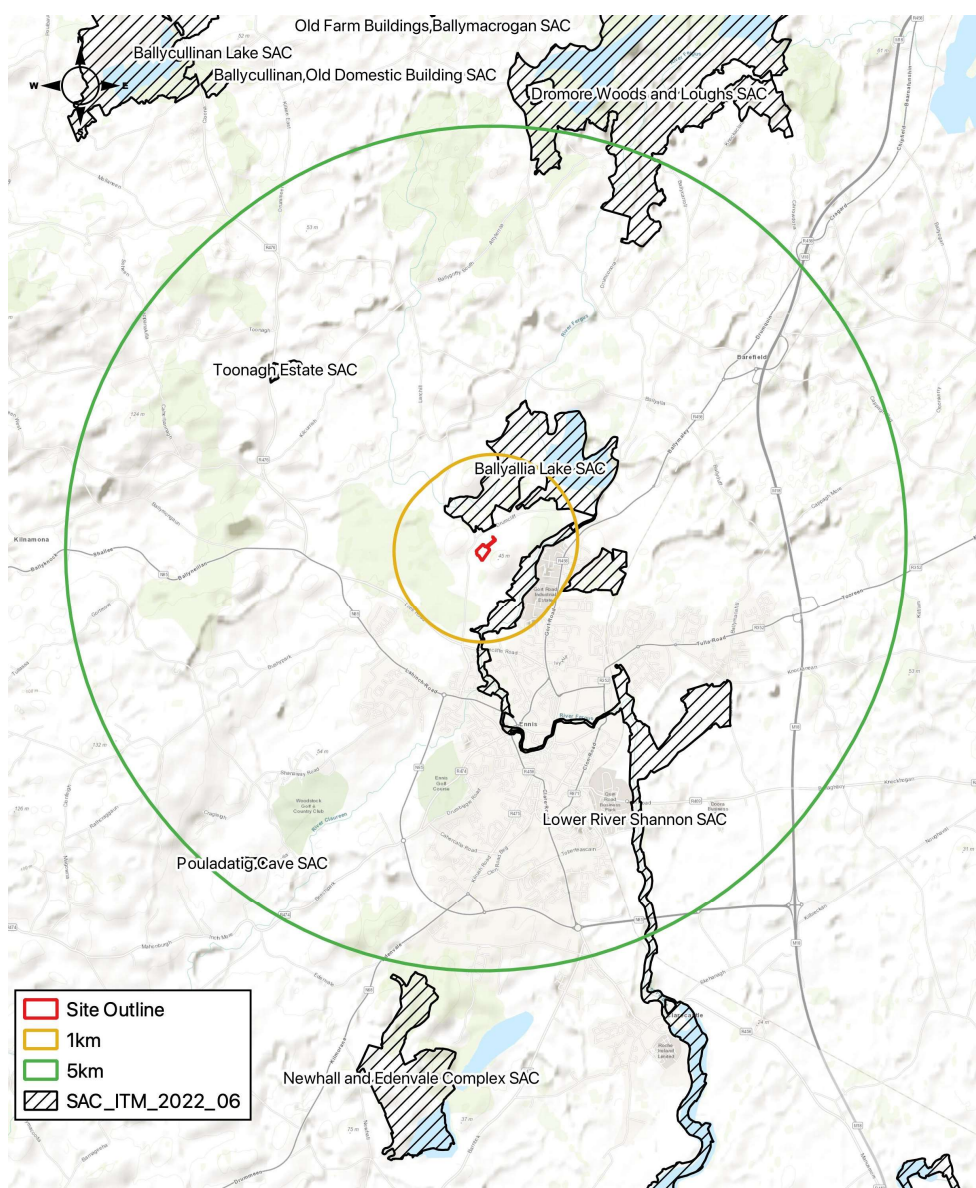
The EPA Air Zone designation is 'Zone D' 'Rural Ireland'. The Air Quality Index Regions indicate that Air Quality is Good.

### 2.2.4 Designated sites

Reference is made in this sub-section to the Appropriate Assessment Screening & Natura Impact Statement Report prepared by Altemar (Ecologists). The report highlights that the proposed development is not within a European conservation site. Special Protection Areas and Special Areas of Conservation within 5km of the proposed development are shown in Figures 2.2 and 2.3. European sites (SAC and SPA) are located at minimum, 100m from the site. Details of international conservation sites within 5km of the proposed site are shown in Table 2.1. Waterbodies and European sites are shown in Figures 2.4 and 2.5. European site and their features of interest are in Table 2.1.

**Table 2-1 Proximity to designated Natura 2000 sites (source: Altamar)**

European Site	Distance	Direct Pathway
<b>Special Areas of Conservation</b>		
Ballyallia Lake SAC	100 m	No
Lower River Shannon SAC	400 m	No
Toonagh Estate SAC	3 km	No
Dromore Woods and Loughs SAC	3.9 km	No
Pouladatiġ Cave SAC	4.5 km	No
<b>Special Protection Areas</b>		
Ballyallia Lough SPA	100 m	No



**Figure 2-2 Natura 2000 sites (SAC) in the vicinity of the project (Source: Altamar)**

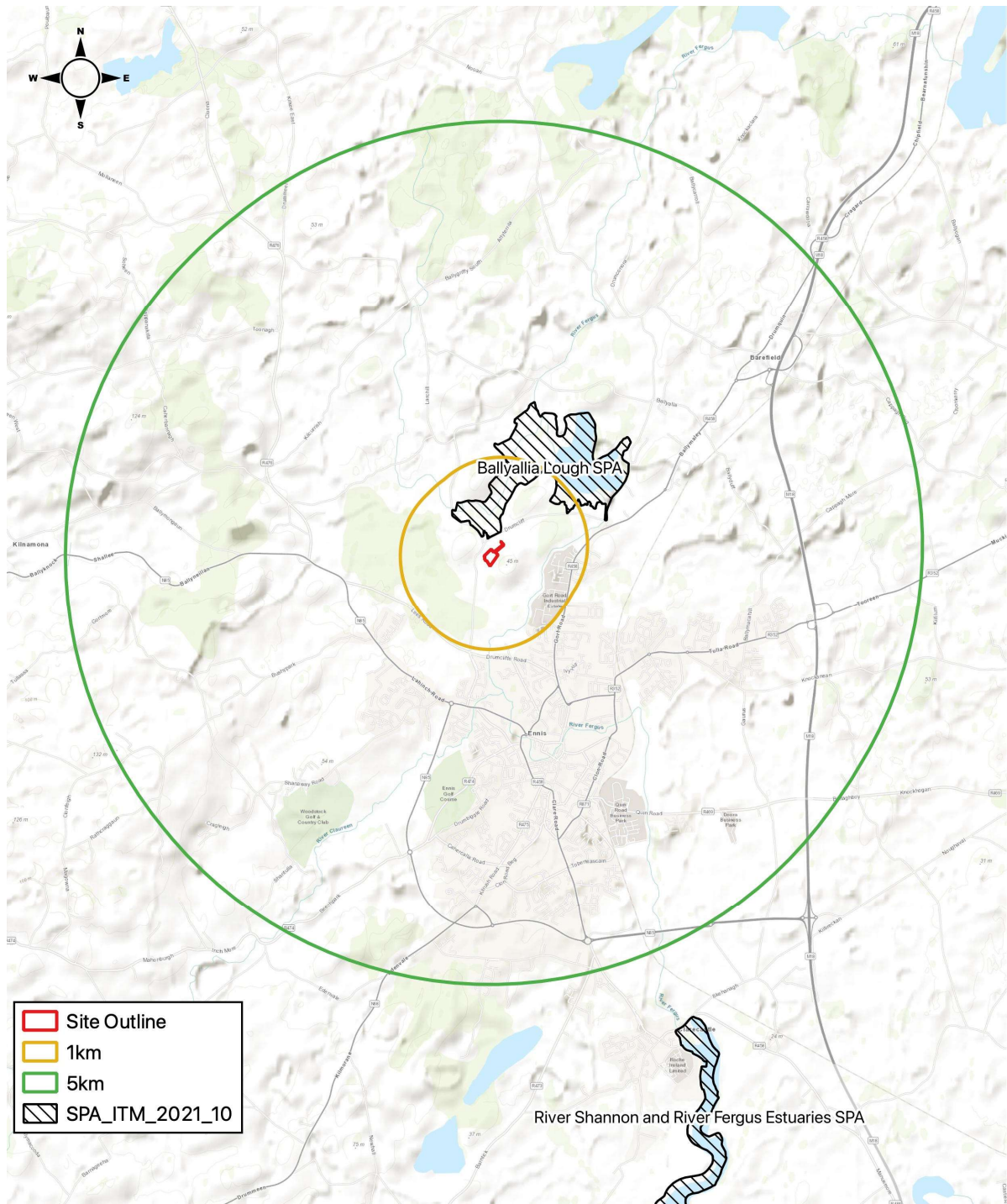


Figure 2-3 Natura 2000 sites (SPA) in the vicinity of the project (Source: Altemar)





Figure 2-4 Waterbodies and SACs within 1 km of the proposed development (EPA-WFD data) (Source: Altamar)

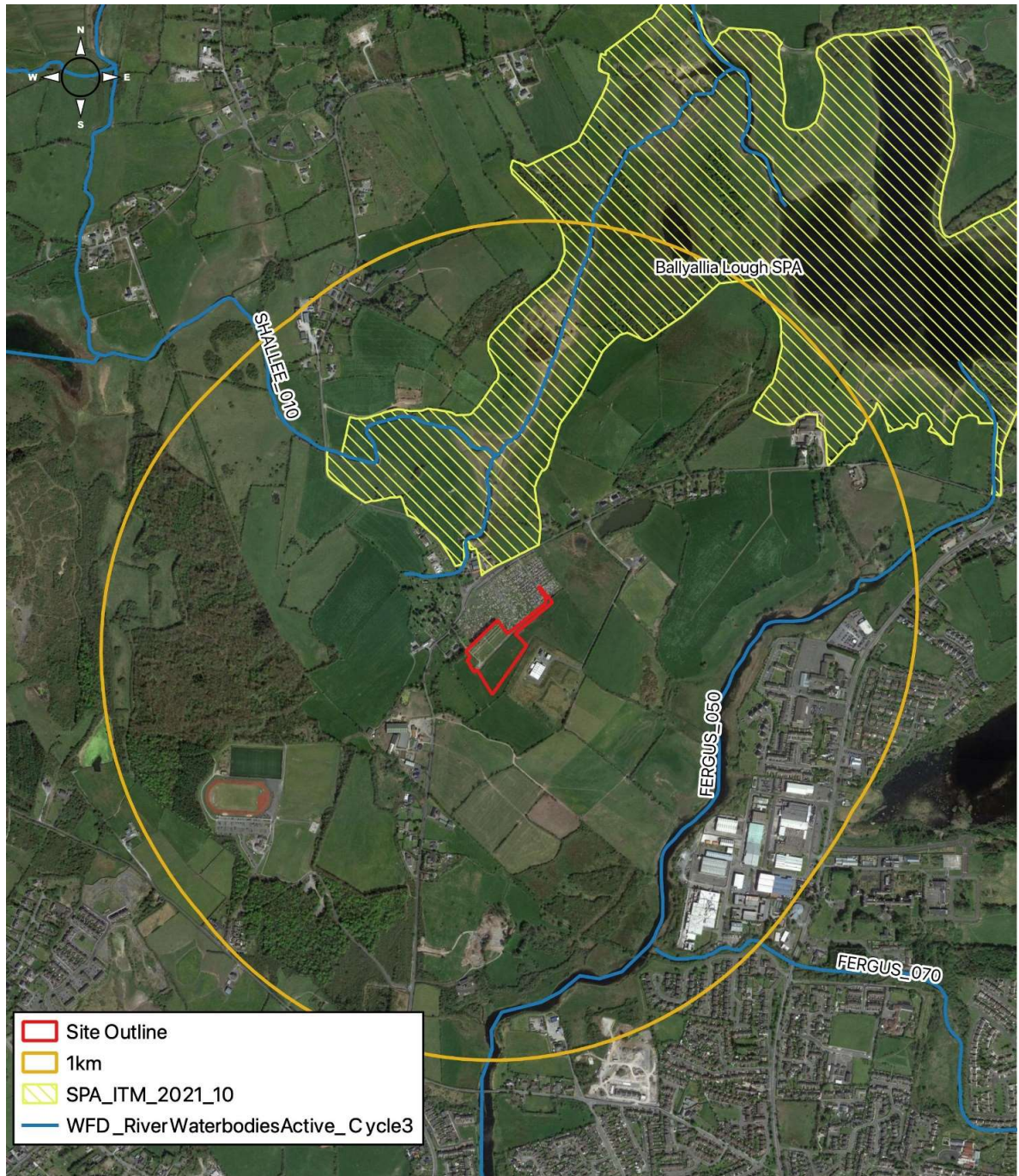


Figure 2-5 Waterbodies and SPAs within 1 km of the proposed development (EPA-WFD data) (Source: Altamar)

### 2.2.5 NIS Report (Altamar)

Reference is made the Appropriate Assessment Screening & Natura Impact Statement Report prepared by Altamar (Ecologists). It states:

***“As outlined in the Hydrological and Hydrogeological Assessment that accompanies this planning application: ‘There are no surface water features within the site and therefore there are no direct hydrological connections or pathways to downstream surface waterbodies and designated sites’. However, there are a number of waterbodies (including the Drumcliff Stream and Poulacorry River) located topographically down-gradient to the north of the subject site. This network of waterbodies ultimately outfalls to Ballyallia Lough. Given that surface water drainage will infiltrate into the ground, out of an abundance of caution it is considered that there is an indirect hydrological pathway to European Sites within Ballyallia Lough via surface water drainage to topographically down-gradient waterbodies located to the north of the site. However, as outlined in the Hydrological and Hydrogeological Assessment ‘The impact assessment process has concluded that there will be no significant effects on downgradient surface water bodies as a result of the proposed development.’***

***Given the distance between the subject site to the nearest Natura 2000 Sites (100m to Ballyallia Lake SAC and Ballyallia Lough SPA), the proximity of the subject site to the Drumcliff Stream (170m), the nature of the proposed construction works, and the topographical nature of the subject site, it is considered that, out of an abundance of caution, the ZOI of the proposed project includes the site outline and Natura 2000 sites located proximate to the subject site (Ballyallia Lake SAC and Ballyallia Lough SPA). In the absence of mitigation, there is the potential for dust, pollution and surface water runoff to enter the Drumcliff Stream during construction with the potential for downstream impacts on Ballyallia Lake SAC and Ballyallia Lough SPA.***

Having considered Mitigation measures warranted consideration (out of an abundance of caution), the Appropriate Assessment was progressed to Natura Impact Assessment stage. Detailed Mitigation measures are set out in Table 7 of the AA Screening/NIS report (also see Section 3.4 ‘Construction Management’ of this report). The Altamar report concludes:

***In a strict application of the precautionary principle, it has been concluded that significant effects on Ballyallia Lake SAC and Ballyallia Lough SPA are likely from the proposed construction works in the absence of mitigation measures, primarily due to the potential for contaminated dust and surface water runoff to enter topographically down-gradient waterbodies (including Drumcliff Stream and Poulacorry River) during construction, and transport to downstream European Sites within Ballyallia Lough. As a result, there is potential for downstream impacts from the project during site clearance, enabling, construction, landscaping and drainage works. For this reason, a NIS was carried out to assess whether the proposed project, either alone or in combination with other plans or projects, in view of best scientific knowledge and in view of the sites’ conservation objectives, will adversely affect the integrity of the European Site. All other Natura 2000 sites were screened out at initial screening.***

***Construction on this site will create localised light and noise disturbance. This would not impact Natura 2000 sites. However, mitigation measures will be in place to ensure that no silt or pollutants enters topographically down-gradient waterbodies (including Drumcliff Stream and Poulacorry River) that leads to conservation sites.***

***Following the implementation of the mitigation measures outlined, the construction of this development would not be deemed to have a significant impact on the integrity of Natura 2000 sites. No significant impacts are likely on Natura 2000 sites, alone in combination with other plans and projects based on the implementation of standard construction phase mitigation measures.***

***This report presents a Stage 1 Appropriate Assessment Screening and Stage 2 NIS for the Proposed Development, outlining the information required for the competent authority to screen for appropriate assessment and to determine whether or not the Proposed Development, either alone or in combination with other plans and projects, in view of best scientific knowledge, is likely to have a significant effect on any European or Natura 2000 site.***

***On the basis of the content of this report, the competent authority is enabled to conduct an assessment for Appropriate Assessment and consider whether, in view of best scientific knowledge and in view of the conservation objectives of the relevant European sites, the Proposed Development, individually or in combination with other plans or projects is likely to have a significant effect on any European site.***

***No significant effects are likely on Natura 2000 sites, their features of interest or conservation objectives. The proposed project will not will adversely affect the integrity of European sites.***

## 2.3 Heritage

### 2.3.1 Cultural Heritage

This section utilises information on public display boards at the cemetery.




Drumcliff has been a place of burial since the 10<sup>th</sup> century, although many of the grave monuments originate from the 19<sup>th</sup> century. Drumcliff has serviced the growing burial needs of the people of Ennis and environs since the 1800s. The burial ground has developed in a series of expansions.

The Old Drumcliff Graveyard – St. Senan Section – reached capacity in the 1930s. The cemetery was extended to a site across the Drumcliff Road- also known as Calvary (Section A) which opened in 1936. It contains some 632 graves in 0.9 ha. The Clavary Section approached capacity by the early 1960s. St. Flannan’s Section (Section B) became available from the mid-60s, encompassing 1.35 ha and some 1,356 grave plots. St. Connall’s section (to the east) became available from 1991 to the mid 2000s. Section C comprises 0.8 ha and some 1350 grave plots. St. Tola’s Section (D) became available for burials from the early 2000s and provides some 360 plot spaces. Section D also includes a designated area which accommodates burials facing towards Mecca following Muslim burial tradition. Section D measures 0.4 ha. Saint Brigid’s Section (E) is the newest burial section in Drumcliff and opened in 2016. It was envisaged it would contain 864 burial plots and measures 0.6 ha.

### 2.3.2 Record of Protected Structures and NIAH

A number of buildings in the grouping are included in the record of protected structures (RPS) of the Clare Development Plan 2023-2029 as set out in Table 2.2 below. Relevant entries on the National Inventory of Architectural Heritage (NIAH) are also noted.

**Table 2-2 RPS and NIAH sites**

<p><b>RPS No.:</b> 184  <b>NIAH No.:</b> 20403315  <b>Structure:</b> Bridge  <b>Date:</b> 1820-1840  <b>In use as:</b> Bridge  <b>Additional Use:</b> N/A  <b>Historical Use:</b> Bridge  <b>Rating:</b> Regional</p>	<p><b>Name:</b> Ballymacquiggan Bridge  <b>Area:</b> Ennis  <b>Townland:</b> Drumcliffe</p>	<p><b>NGR:</b> 132598 ; 180464  <b>Map:</b> Volume 2  <b>Map reference:</b> 17</p> <p><b>Summary description:</b> Two arch, coursed stone bridge over river c.1830, with cut-stone voussoirs; partly reconstructed, c.1990, retaining original materials.  <b>Categories of special interest:</b> Architectural, Technical, Setting</p>	
<p><b>RPS No.:</b> 526  <b>NIAH No.:</b> N/A  <b>Structure:</b> Railway Bridge  <b>Date:</b> 1886-1890  <b>In use as:</b> Not in Use  <b>Additional Use:</b> N/A  <b>Historical Use:</b> Bridge  <b>Rating:</b> Local</p>	<p><b>Name:</b> West Clare Railway Bridge  <b>Area:</b> Ennis  <b>Townland:</b> Drumcliffe</p>	<p><b>NGR:</b> 132863 ; 179514  <b>Map:</b> Volume 2  <b>Map reference:</b> 17</p> <p><b>Summary description:</b> Single span railway bridge over road, built 1888, with broken coursed rock faced limestone retaining walls and rubble stone-built abutments; closed, 1961; iron overbridge removed 2002.  <b>Categories of special interest:</b> Materials, Technical, Detail</p>	
<p><b>RPS No.:</b> 498  <b>NIAH No.:</b> N/A  <b>Structure:</b> Bridge and cutting  <b>Date:</b> 1848  <b>In use as:</b> Bridge and Cutting  <b>Additional Use:</b> N/A  <b>Historical Use:</b> Bridge and Cutting  <b>Rating:</b> Regional</p>	<p><b>Name:</b> Ballyhee Bridge and Cutting  <b>Area:</b> Ennis  <b>Townland:</b> Drumcliff</p>	<p><b>NGR:</b> 133677 ; 181996  <b>Map:</b> Volume 2  <b>Map reference:</b> 17</p> <p><b>Summary description:</b> Deep rock cutting to accommodate land drainage scheme, carried out as famine relief scheme 1847-1848. Construction of enormous side dry stone walls and abutments. “One of the biggest public works schemes carried out during the famine in Ireland” Atlas of the Great Irish Famine, Cork University Press 2012.  <b>Categories of special interest:</b> Architectural, Historical, Technical, Unique, Design, Materials.</p>	

### 2.3.3 Recorded monuments

Recorded Monuments in the vicinity of the subject site are identified as follows (based on 'MyPlan' data points).

**Record Number:** CL033-033002-

**Classification:** Graveyard

**Scheduled for Protection:** 1

**Description:**

Indicated as an oval graveyard (c. 90m N-S; c. 75m E-W) on the OS first edition 6-inch map but now extended further S (max. dims. 200m N-S; c. 160m E-W). A steeply sloping and extensive graveyard defined by a 19th-century stone wall with mature yew trees and many 18th and 19th century tombstones. Drumcliff church (CL033-033001-) and round tower (CL033-033003-) lie at the N extremity. The graveyard contains a pauper's grave at the SW corner where the poor, particularly from the 19th-century workhouse, are buried. There is also the unmarked mass grave of some 350 cholera victims from an outbreak in the 1830's and an ill-defined famine grave from 1846-9 where it is thought more than 2000 people are buried. (Lalor 1999, 109-10) Compiled by: Michael Moore and Mary Tunney Date of upload: 28 April 2015

**Record Number:** CL033-033001-

**Classification:** Church

**Scheduled for Protection:** 1

**Description:**

Situated about 2 miles NW of Ennis town near the top of a steep E-facing slope within a large graveyard (CL033-033002-). No historical references are known for this ecclesiastical site but its foundation is sometimes attributed to St Conald (or Connal) (Gleeson and Gwynn 1962, 33-4; Swinfen 1992, 22). Westropp (1894, 335) refers to its taxation (Ecclesia de Drumleb) in 1302-6. The present church dates to the fifteenth century but incorporates features of an earlier church. Westropp (1900-02, 143) assigns a date of the 11th century to the S wall and the windows but a 15th-century date to the E gable. This became the medieval parish church of Drumcliff, incorporating both Ennis town and Clonroad. It is known to have been still in use in 1622 when Bishop John Rider of Killaloe states that the Protestant incumbent was 'Thomas Prichard, a grave minister and preacher; a man of good life and conversation, inducted in Anno 1617' (Swinfen 1992, 22). The conserved remains of a rectangular church (ext. dims. 20.05m E-W; 7.85m N-S; int. dims. 16.3m E-W; 6.3m N-S) with evidence of rebuilding. The walls are of uncoursed limestone rubble. The ruined remains of a round tower (CL033-033003-) lie c. 10m to the N. The church and round tower are national monuments in State care, no. 204. (Westropp 1894, 332-40; 1900-02, 143; Gwynn and Gleeson 1962, 32-5; Swinfen 1992, 21-2; Large 2011). Compiled by: Mary Tunney Date of upload: 28 April 2015.

**Record Number:** CL033-033003-

**Classification:** Round tower

**Scheduled for Protection:** 1

**Description:**

Situated near the top of a steep E-facing slope almost at the N perimeter of Drumcliff graveyard (CL033-033002-) c. 10m N of the church (CL033-033001-). A ruined circular tower (diam. at base 4.88m, int. diam. 2.44m) standing to 11m on the N side but only to 3m on the S (Wth of wall at S 1.14m), built of coursed roughly squared and dressed limestone interspersed with large irregular boulders and smaller stones. The courses are more regular above the first metre and the walls have a mortared rubble core. The interior is filled with earth to the level of the surviving S side. A first-floor doorway at a height of 6m was evident in 1808 and was described as having a moulding round it (Barrow 1979, 59). Three windows were also present, one of which faced W, 7.3m above the ground. This window appears to be square-headed in a 19th-century drawing in the Royal Irish Academy (ibid.). Offsets for the first, second and third floors are clearly visible in the interior. Two pairs of non-structural corbels can be seen, one at first and one at second floor level. The round tower and the church are national monuments in State care, no. 204. (Barrow 1979, 59; Lalor 1999, 109, 111) Compiled by: Mary Tunney Date of upload: 28 April 2015

## 2.4 Landscape and Visual Context

In preparing this EIAR Screening Report, the Landscape Assessment Report prepared by SDS Landscape Architects has been reviewed. The views of the subject site are illustrated in Figures 2-6 to 2-10 below.

The landscape character of the site is dominated by the existing burial ground on both sides of the rural road. The subject site sits above the established existing cemetery at an elevated position, but is situated within the crest of hill. The visual presentation of the hill is broken up by line of trees (offering greater visual protection during when in leaf).



*Figure 2-6 View of Drumcliff Burial Ground with subject site on elevated ground east of tree line*



*Figure 2-7 View of existing Burial Ground (Saint Brigid's - Section E) and subject site area*



*Figure 2-8 View of internal access road with subject to left and right*



*Figure 2-9 View of internal access road facing north with subject either side*





*Figure 2-10 View of Drumcliff Burial Ground from elevated ground to east*

## 2.5 Human Beings

The subject site is located within the Ennis Rural Area ED. The 2022 Census records that the population of this area grew from 17,709 in 2016 to 19,039 in 2022 (7.5%). Ennis Urban Area grew 7.8% to 5,352 persons. Co. Clare grew 7.2% over the same period to 118,817.

Figure 2-11 below illustrates land use in the vicinity of the subject site, based on Geodirectory (Myplan.ie). It illustrates that the area of the subject site is rural in character with farmsteads and small clusters of houses nearby. The nearest residential areas (indicated in yellow) is to the east along the Gort Road in the northern suburbs of Ennis. There is a notable concentration of commercial and employment uses (blue and purple) in the vicinity of the Gort Road business park.

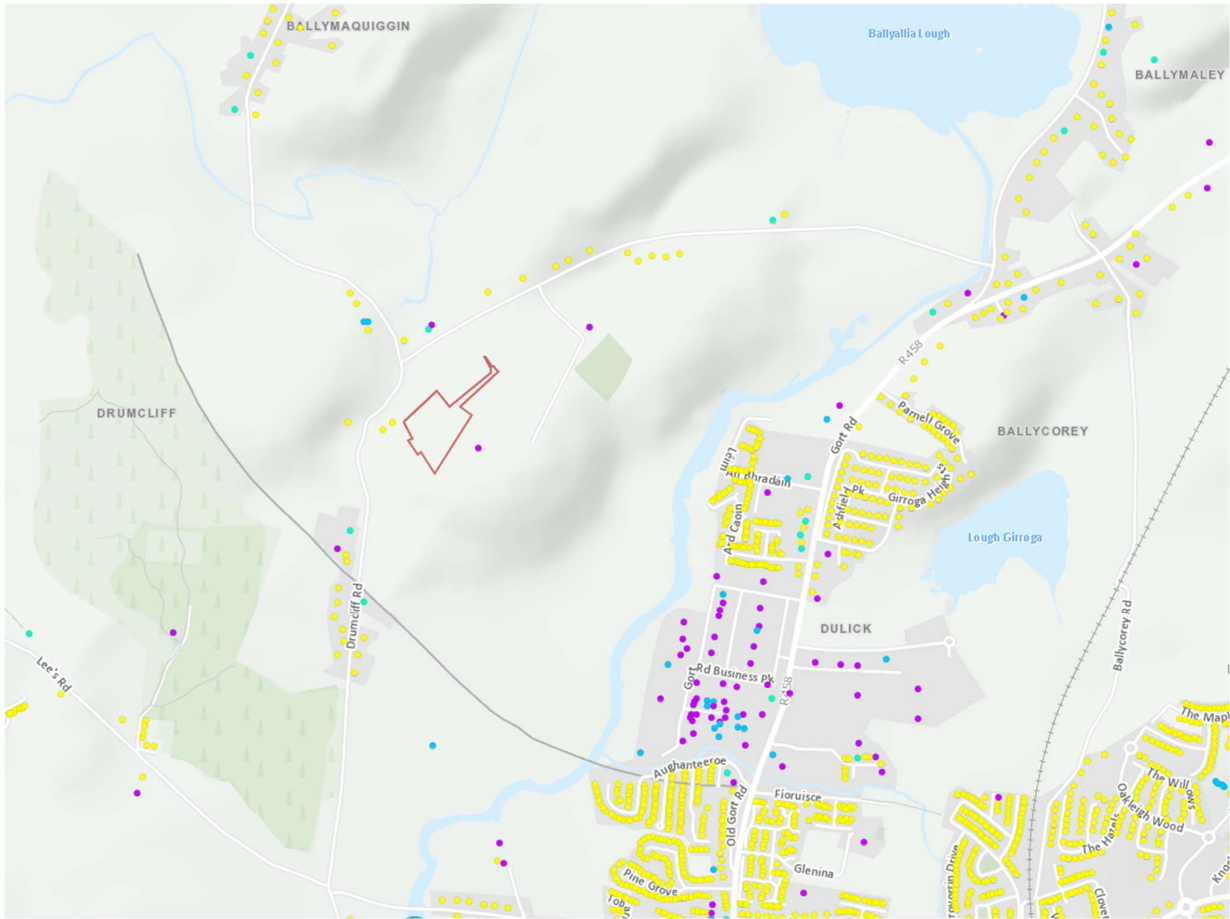


Figure 2-11 Land use in the vicinity of the project (Source: Geodirectory - Myplan.ie)

## 3. PROPOSED DEVELOPMENT

### 3.1 Introduction

The proposed development comprises an extension to the existing burial ground at Drumcliff in order to accommodate the Ennis Community. The development will also involve the construction of internal roads, footpaths and shared surfaces.

The site is to be accessed from the Drumcliff Road which runs adjacent to the western boundary of the site. Due to the natural character of the site care must be taken to ensure that the landscape treatment is in keeping with the local character and the existing vegetation will be retained and augmented as much as is possible. The construction will provide high quality landscaped burial ground and open space.

The breakdown of the overall development is as follows:

- Circa 350 double plots and provision for ash plots.
- Access road improvements including lay-bys, turning circle and traffic calming measures.
- Parking; 23 standard spaces, 6 Wheelchair accessible spaces
- Footpaths
- Drainage
- Planting and landscaping including Columbarium and Reflectance Garden
- Associated Site Works

The area of the proposed graveyard extension is shown in Figures 3-1 and 3-2. The landscape plan is shown in Figures 3-3 and 3-4.



Figure 3-1 Site Location Plan of subject site (Source:SDS Design Engineers)



Figure 3-2 Proposed Site Layout Plan (Source: SDS Design Engineers)

## 3.2 Landscape Proposals

The landscape concept for this burial ground is to create a fit for purpose space that will be of high quality and will mature to become an attractive space for its users. The landscape scheme has been broken down into areas arranged for flexibility in activity and for social interaction.

### **Open Spaces:**

The proposed development has several open space areas that are accessible to the users. These open space areas can be developed in time to be memorial gardens to commemorate historic events in the area. Due to the slope and the proposed site levels areas are dedicated to open green spaces, providing an area for sitting and reflecting. The central space will be paved and maintained as a central area for social meeting. Specimen planting has been carefully placed to provide screening and privacy for its users.

### **Pedestrian Links:**

A network of pathways will extend from the public path to provide circulation routes around and through this space to connect each open space area. Seating areas will be provided adjacent to the pathways in locations that provide views of the surrounding area.

The open space areas will be planted with specimen trees such as Lime, Oak and Birch with ornamental species added to provide a contrast and autumnal colour. The landscape proposals are to augment the proposed burial grounds with the existing landscape by using native Irish plant material.

By using faster growing species like Sorbus and Birch, views into the site will be framed from the short to medium term. Slower growing species such as Oak will be planted in areas where there is future growth potential to mature into a specimen trees. The open space areas of the scheme will make a living landscape which will provide interest to visitors.

The introduction of native species will also promote the natural flora and fauna in the area. Fruiting species like *Malus* and *Sorbus* will promote the local fauna in the area. Adding native plant material to the exiting hedgerow will add to the overall appearance of the landscape as well as improving the ecological value of the site.

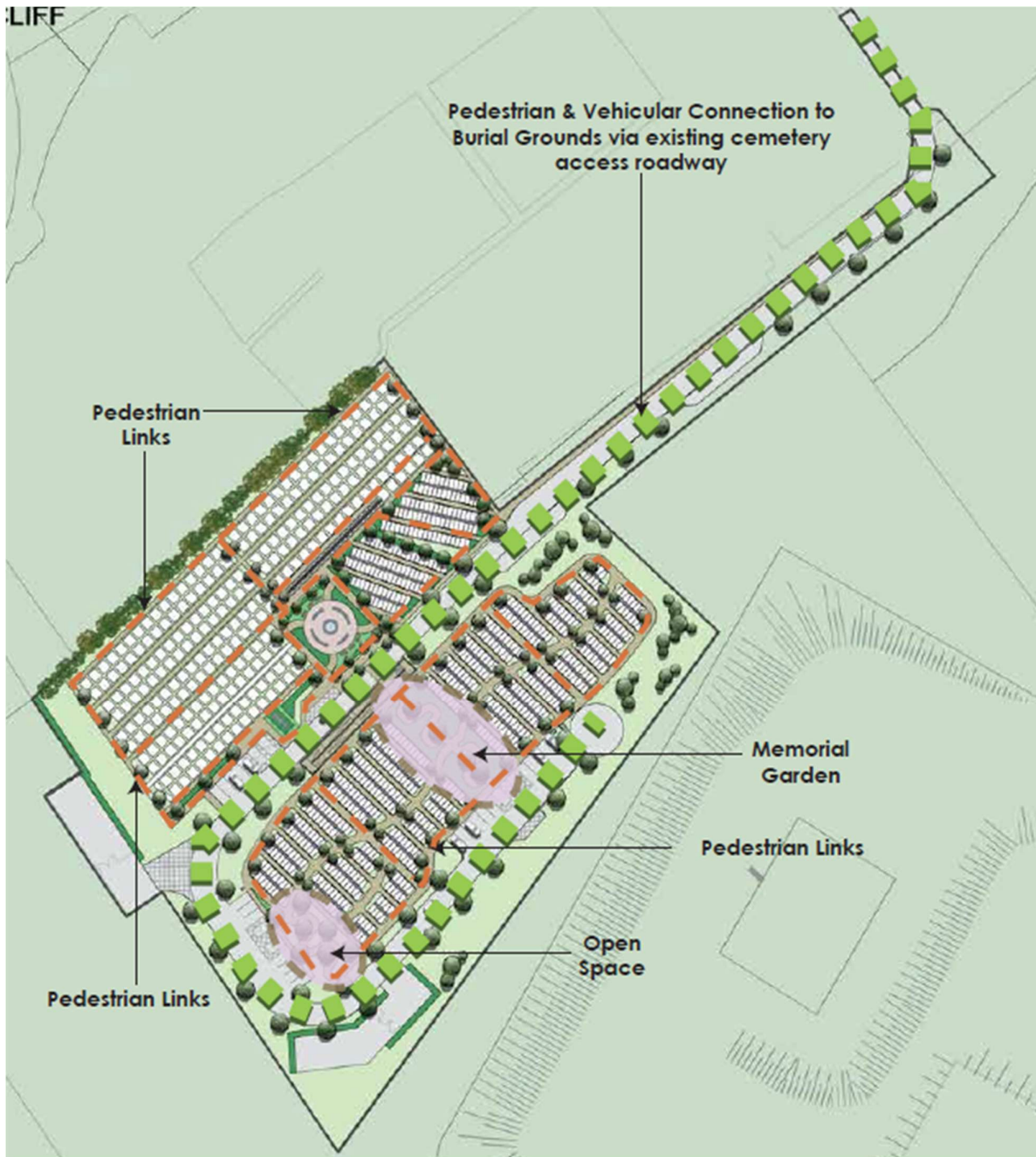


Figure 3-3 Site Landscape Masterplan (Source: Cormac Langan Landscape Architecture)



**LEGEND**

- |                                                               |                                                                          |
|---------------------------------------------------------------|--------------------------------------------------------------------------|
| HEADSTONE PLINTH                                              | ROADWAY<br>_Tarmacadam (To Engineers Spec.)                              |
| RETAINING WALL (To Engineers Spec.)                           | PEDESTRIAN PATHWAYS<br>_Concrete (To Engineers Spec.)                    |
| GRASSED/LAWN AREAS                                            | COLUMBARIUM WALL AREA_Hydropave Paving<br>Colour: Slate& Charcoal Border |
| HEDGE PLANTING MIX                                            | SEATING<br>_Foyle Seat; Larkin Engineering                               |
| GROUND COVER & HERBACEOUS PLANTING MIX<br>BULB PLANTING AREAS | BIKE RACK (To be agreed with client.)                                    |
| TREE PLANTING<br>(See Planting Specification for Details)     | LIGHTING STANDARD (To be agreed with client.)                            |
| SITE BOUNDARY                                                 |                                                                          |

Figure 3-4 Landscape Layout Plan (Source: Cormac Langan Landscape Architecture)

### 3.3 Drainage Proposals

A detailed drainage design plan has been prepared for the proposed development. The drainage design has taken into account the sloping nature of the site, with drainage features running with the existing ground contours to ensure that all surface waters arising at the site are captured within the drainage system, with no direct unattenuated discharge of surface water from the proposed development site.

The design of the drainage system incorporates the following measures:

- Surface water falling on green (grave) areas will infiltrate into green areas. Perforated pipes running below paths across the slope of the land, will collect heavy flows and divert to soak pits at the north eastern boundary of the Section G extension.
- Footpaths will be sloped toward adjacent green areas to allow for infiltration. Surface water from footpaths, which does not directly infiltrate to ground, will be collected within the perforated drainage pipes.
- Surface water from new roadway will generally be served by an open swale along the roadway. A soak pit area will be provided at the lowest point of the swale run to accommodate any heavy flows of surface water than is not absorbed by the swale itself.
- New gullies serving existing roadway/proposed roadway junction area are served by a soak pit.
- Main Pedestrian Access Ramp and stairs with non-porous finish to be accommodated by soak pit.
- Acco drain to be added to Section E area is to be served by an existing soak pit.

### 3.4 Construction Management

The Hydro Environmental Services Report details a series of construction management measures to provide for the control of water, equipment and soils.

In each case, mitigation measures have been implemented into the proposed development design in order to avoid potential effects on downgradient hydrological receptors, including the Poulacorey Swallow hole and Drumcliff PWS.

Management of surface water runoff and subsequent treatment before release off-site will be undertaken during construction work as follows:

- lines of silt fencing will be constructed along the northern boundary of the site during construction;
- All stockpiles will be damped down or covered in a sheet of polythene, as required, which will prevent the creation of nuisance dust, and will also prevent sediment runoff in times of heavy precipitation; and, Restricting construction to within well marked areas, adherence to the non-carrying out of construction after or during heavy rainfall.

The following measures in relation to the management of hydrocarbons and related oils/fuels will be implemented:

- All plant and machinery will be serviced before being mobilised to site;
- No plant maintenance will be completed on site, any broken down plant will be removed from site to be fixed;
- Refuelling will be completed in a controlled manner using drip trays at all times;
- Any fuel and chemical stores including tanks and drums will be regularly inspected for leaks and signs of damage;
- Drip-trays will be used for fixed or mobile plant such as pumps and generators in order to retain oil leaks and spills;
- Only designated trained operators will be authorised to refuel plant on site;
- Procedures and contingency plans will be set up to deal with emergency accidents or spills; and,
- An emergency spill kit with oil boom, absorbers etc. will be kept on-site for use in the event of an accidental spill.



The following measures in relation to the management of cement-based products will be implemented:

- No batching of wet-cement products will occur on site. Ready-mixed supply of wet concrete products and where possible, emplacement of pre-cast elements, will take place;
- No washing out of any plant used in concrete transport or concreting operations will be allowed on-site;
- The contractor will use weather forecasting to plan dry days for pouring concrete; and,
- The pour site will be free of standing water, and plastic covers will be ready in case of a sudden rainfall event.

The Hydro Environmental Services Report considers further control measures are not considered necessary due to:

- The thickness of subsoils present at the site (8.5-13.5m), which places the site within an area of Low-Moderate groundwater vulnerability;
- The low-moderate infiltration rate;
- The elevated nature of the extension site relative to surrounding surface water bodies;
- The lack of groundwater presence at grave base depth (~1.8m); and,
- The historical data on groundwater quality at Pouladower swallow hole, indicating good quality water, with no increased levels of Ammonia (Poulacorey swallow hole ammonia rates were lower than Drumcliff Spring).

### 3.5 Clare County Development Plan 2023-2029

The new Clare County Development Plan came into effect on 20th April 2023.

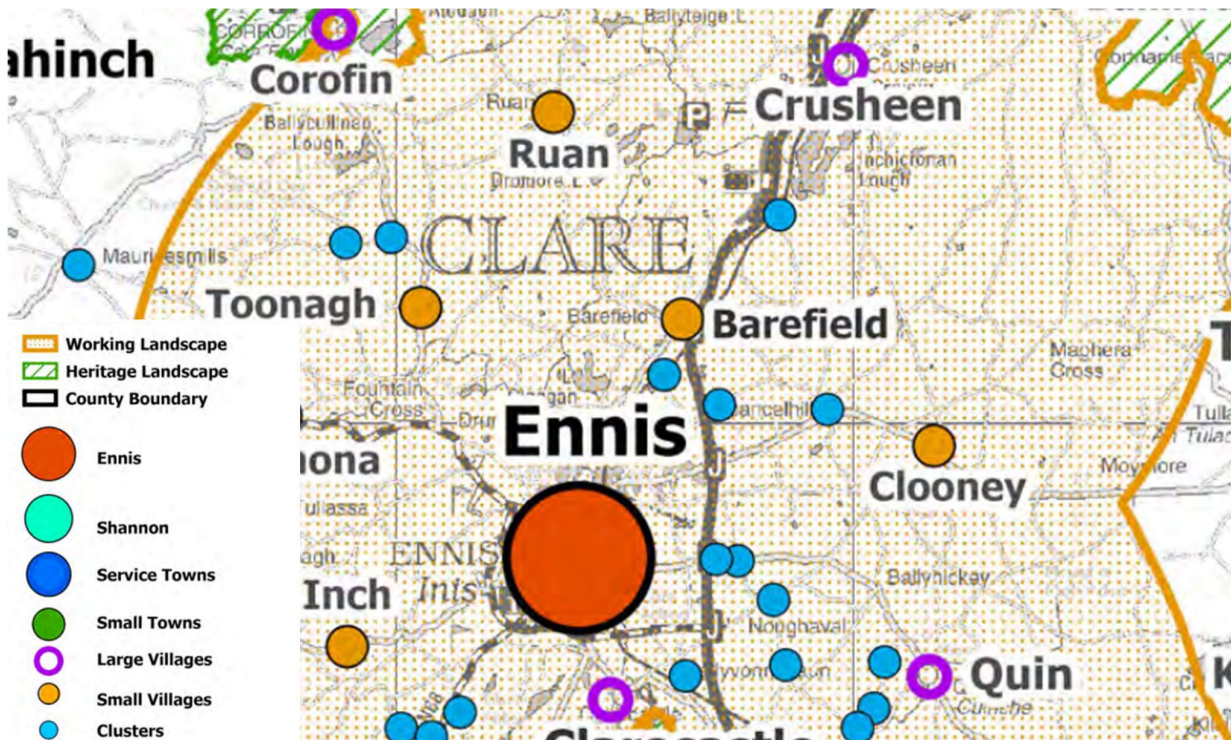


Figure 3-5 Extract from Map C Landscape Designations (CDP)

Under the County Development Plan (CDP) policy, the site is located in a "Rural Area under Strong Urban Influence" (Figure 3-8) and in a "Working Landscape"; - 'intensively settled and developed areas within Settled

Landscapes or areas with a unique natural resource'; (Figure 3-7) The Infrastructure, Environment and Flood Risk is also consistent with the CDP 2017-23 (Figure 3-9).

**Development Plan Objectives**

It is pertinent to refer to the following Objectives in the Development Plan:

**CDP16.12 Raising Archaeological Awareness**

It is an objective of Clare County Council:

- a) To raise awareness of and improve practice in relation to archaeology in County Clare; and
- b) To promote the care and conservation of historic graveyards throughout the County. Within the lifetime of the Plan it is an objective to prepare conservation plans for a number of historical church and graveyard sites, with the objective of identifying necessary works required to address the decay of the fabric of the sites.

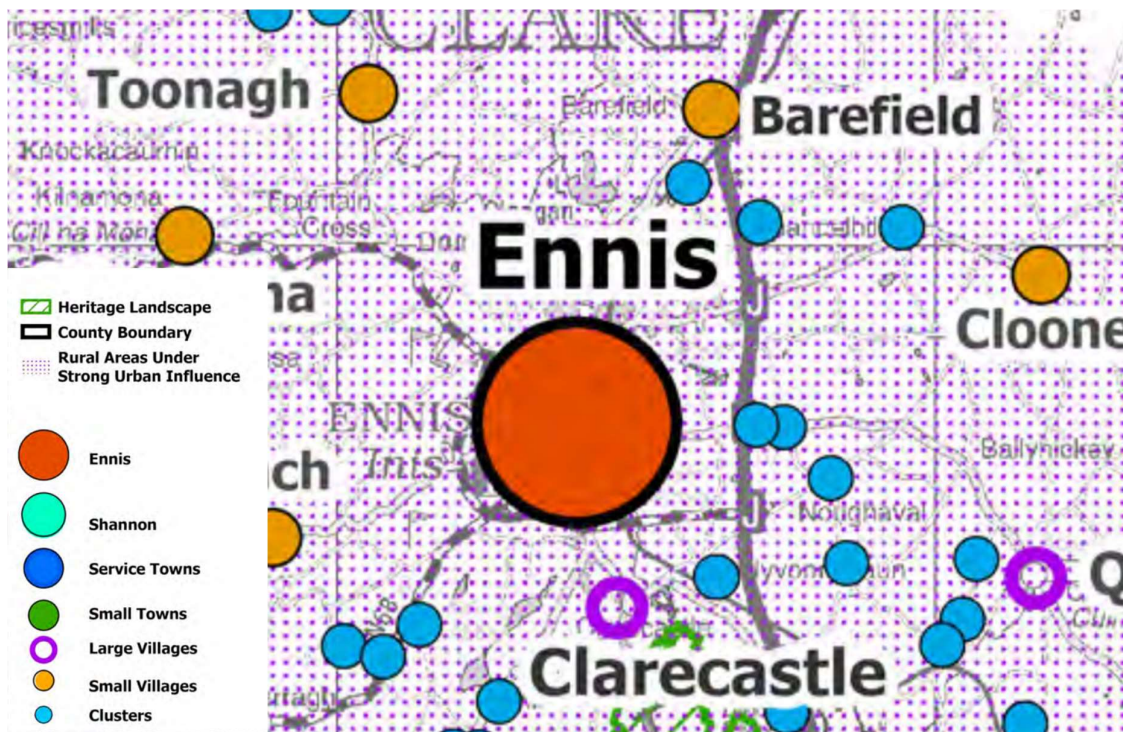


Figure 3-6 Extract from Map D Areas of Special Control (CDP)

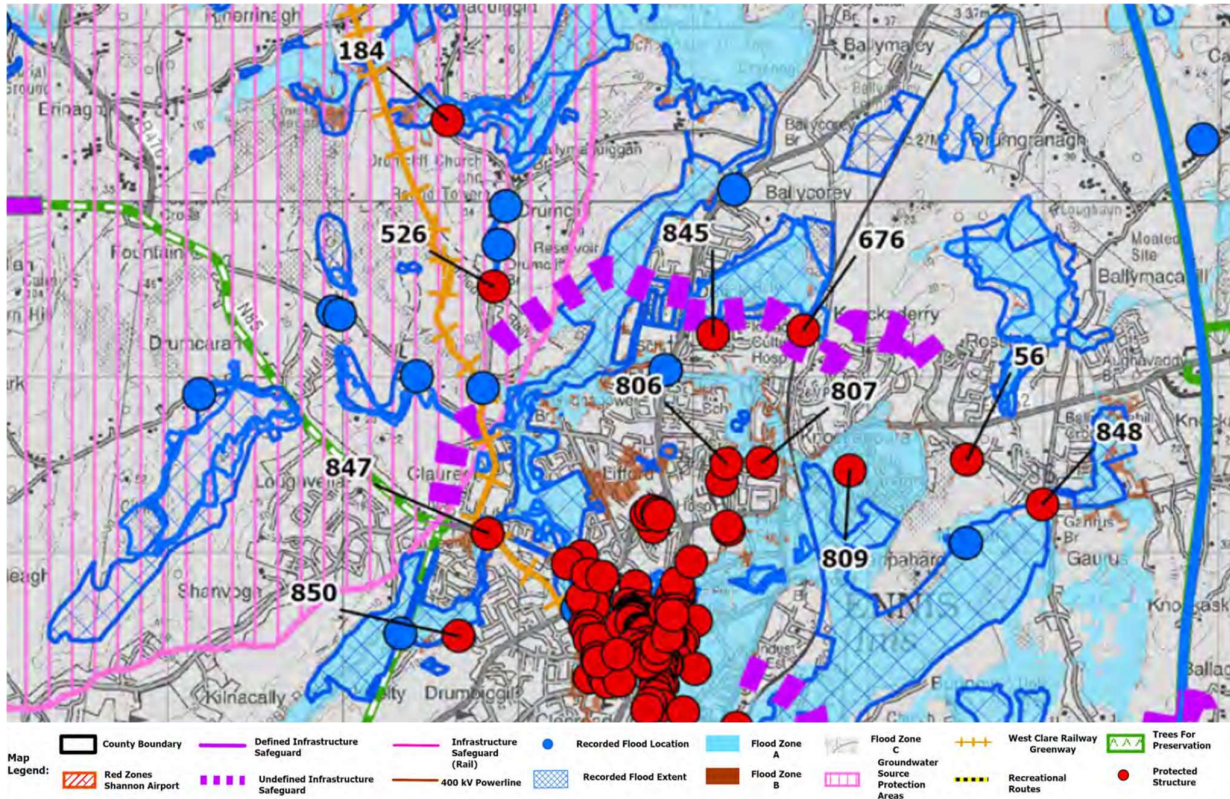


Figure 3-7 Extract from Map 17 Infrastructure, Environment and Flood Risk Assessment (CDP)

The Plan notes at Section 10.22: Burial Grounds and Crematoria

*The Council co-ordinates the operation of approximately 170 burial grounds in the County and maintenance works are carried out at these locations by both the Council and local voluntary groups. In addition, the Council provides financial assistance for the extension of existing burial ground facilities and the provision new burial grounds.*

*Ennis will require additional burial ground facilities in the coming years and the Council will work to identify suitable locations during the lifetime of this Plan. The use of crematoria has increased significantly in recent years and the crematorium in Shannon currently serves the needs of the County. In recognition of the multi-cultural population of the County and the changing trends in end-of-life services, the Council support the provision of additional crematoria at appropriate locations in the County.*

**CDP10.23 Burial Grounds/Crematoria** It is an objective of Clare County Council:

- To provide extensions to existing burial grounds and facilitate the provision of new burial grounds in cooperation with local communities, at appropriate locations throughout the County;
- To ensure that burial grounds throughout the County are managed and maintained in a manner which respects their associated culture and heritage, having regard to the relevant byelaws;
- To support the development of crematoria in County Clare, subject to normal planning considerations; and
- To support the provision of new funeral homes which are designed to sensitively meet the needs of a diverse population.

Section 11.4.2 of the Draft CDP refers to Water Supply in the Ennis and Environs Area

*In the Ennis and Environs area water is derived from a natural groundwater source at Drumcliff Springs, located to the north of the town. The Drumcliff water treatment plant supplies the Ennis Water Supply Zone (Ennis, Clarecastle, Barefield, Crusheen and Doora). Geological Survey Ireland has identified this water source as being 'highly vulnerable' and due regard will be had to this designation in the assessment of development proposals in the area. An exclusion zone, 200m in radius, has been established around the springs.*

*In order to meet the envisaged demand for water from the target population it is imperative that water storage is enhanced, water is conserved, and pipe network repairs are implemented. Pouladower Spring is located approximately 3km to the north of Ennis, rising at the northwest corner of Ballyallia Lough. This source will be investigated as a potential back-up supply/future supply to reduce dependency on Drumcliff Springs.*

**CDP11.31 Ennis and Environs Water Supply** It is an objective of Clare County Council:

- a) To improve efficiency in the operation and demand management of the water supply infrastructure, promote water conservation and reduce the overall loss in public water supply in the Ennis and Environs area;
- b) To safeguard Pouladower Spring and investigate its use as a potential supply of water for the Ennis area. Any proposal with regard to the development of such a supply source shall demonstrate that it will not have a negative impact on European Sites;
- c) To advocate the provision, by Irish Water, of an adequate water supply to accommodate the target population and the employment potential of the Ennis and Environs area in accordance with statutory obligations as set out by EU and National policy; and
- d) To protect the Drumcliffe Springs water resource including by not permitting development on either the Springs, or within the established 200 metre exclusion zone.

### 3.6 Planning Permissions

In order to consider the potential for Cumulative Development impacts, planning applications in the vicinity of the subject site have been reviewed. There are no applications that directly interact with the development here under review. The following cases are noted.

Planning Reference	228004
Applicant	Clare Co. Co.
Location	Drumcliff Burial Ground
Description	Improvement works to St Brigids Section E and the development of an extension to the existing Burial Ground at Drumcliffe, Ennis, Co Clare. The development will include: 1) Circa 350 double plots and provision for ash plots, 2) Access road improvements including lay-bys, turning circle and traffic calming measures, 3) Parking; 23 standard spaces, 6 Wheelchair accessible spaces, Footpaths, Drainage, Planting and landscaping including Columbarium and Reflectance Garden 4) Associated Site Works.
Decision Date	Withdrawn
Decision	14/07/2022
Planning Reference	228008
Applicant	Clare Co. Co.
Location	Drumcliff Burial Ground
Description	Improvement works to St Brigids Section E and the development of an extension to the existing Burial Ground at Drumcliff, Ennis, Co Clare. The development will include: 1) An addition of circa 350 double plots including provision for ash plots. 2) Access road improvements including lay-bys, turning circle and traffic calming measures. 3) Parking; 23 standard spaces, 6 Wheelchair accessible spaces. 3) Footpaths. 4) Drainage. 5) Planting and landscaping including Columbarium and Reflectance Garden. 6) Associated Site Works.
Decision Date	16/12/2022
Decision	Withdrawn
Planning Reference	02876
Applicant	Clare Co. Co.
Location	Drumcliffe, Ennis,
Description	Water Treatment Plant and Sludge Treatment Building (Option 2) including widening and resurfacing of the existing access road, removal of existing post and wire fence, hedge and wall, construction of new fence and gates, external tank structure
Decision Date	15/10/2002
Decision	Withdrawn

## 4. SCREENING

### 4.1 Methodology

This section sets out the legislative basis for 'Screening' so as to decide whether or not the landfill project requires the preparation of Environmental Impact Assessment Report (EIAR) as part of an application.

The basis for this assessment is whether the proposed project exceeds mandatory "thresholds" or is considered to have a potential impact on "sub-threshold" criteria set out under legislation.

The EIA Screening Report has had regard to the following:

- Planning and Development Act 2000, as amended
- Planning and Development Regulations 2001, as amended
- Directive 2014/52/EU of 16 April 2014 amending Directive 2011/92/EU
- Interpretation of definitions of project categories of annex I and II of the EIA Directive, European Commission, 2015
- The European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018)
- European Union (Roads Act 1993) (Environmental Impact Assessment) (Amendment) Regulations, 2019 (S.I. 279/2019)
- EPA Guidelines on information to be contained in Environmental Impact Statements (2022)
- Environmental Impact Assessment of Projects: Guidance on Screening, European Commission, 2017
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment August 2018
- Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development 2003
- Circular Letter PL 8/2017 (DHPLG), as revised by Circular Letter 05/2018 – Implementation of Directive 2014/52/EU on the effects of certain public and private projects on the environment (the EIA Directive) – Advice on Electronic Notification Requirements (Circular Letter PL 8/2017).
- Circular Letter: PL 10/2018 22 November 2018 Public notification of timeframe for application to An Bord Pleanála for screening determination in respect of local authority or State authority development
- Office of the Planning Regulator (May 2021) Environmental Impact Assessment Screening- Practice Note.

## 4.2 Preliminary Examination in context of proposed development

The Office of the Planning Regulator has issued guidance in the form of the Environmental Impact Assessment Screening- Practice Note, May 2021 which aids Planning Authorities as the Competent Authority (CA) in this area. This report has had regard to the OPR guidance and methodology which sets out a 3 Step Process illustrated in Figure 5.1, 5.2 and 5.3.

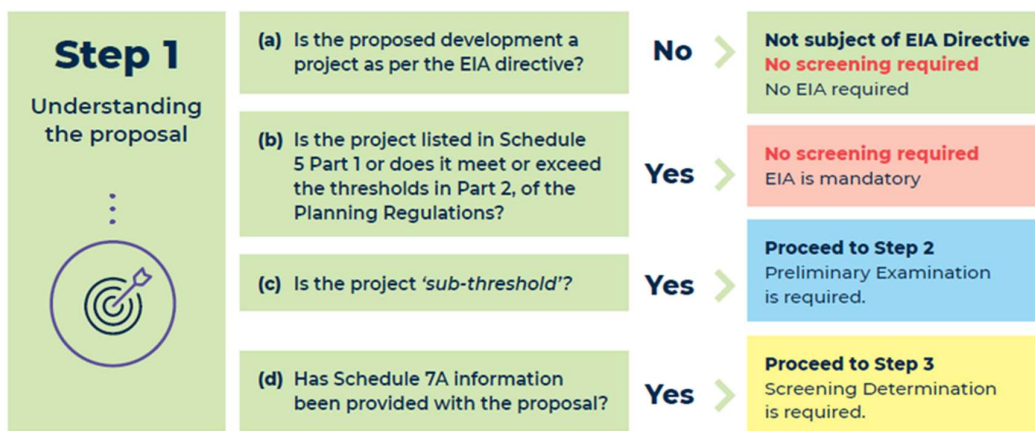


Figure 4-1 Extract from the OPR Guidance Note (Step 1)

### 4.2.1 Project

The proposed application is a 'project' for the purpose of Environmental Impact Assessment (EIA) under Stage 1 stage (a) of the OPR guidance.

## 4.3 Mandatory EIAR Threshold Review

A list of the types or classes of development that require EIA or screening for EIA is provided in Part 1 and Part 2 of Schedule 5 of the Planning and Development Regulations 2001, (as amended). 'Sub-threshold development' comprises development of a type that is included in Part 2 of Schedule 5, but which does not equal or exceed a quantity, area or other limit (the threshold).

The specific nature of the proposed development is not stated in Part 1 of Schedule 5 of the Regulations. Sub-threshold projects in Schedule 5 Part 2 require screening for EIA, except in cases where the likelihood of significant effects can be readily excluded. Schedule 5 Part 2 provides the following relevant projects/thresholds (Table 4-1).

**Table 4-1 Mandatory EIAR requirement as per Planning Regulations 2001-2021, Schedule 5 Part 2.**

Mandatory	Regulatory Reference	Response
<p>10. Infrastructure projects</p> <p>(b)(i) Construction of more than 500 dwelling units.</p> <p>(ii) Construction of a car-park providing more than 400 spaces, other than a car-park provided as part of, and incidental to the primary purpose of, a development.</p> <p>(iii) Construction of a shopping centre with a gross floor space exceeding 10,000 square metres.</p> <p>(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and <b>20 hectares elsewhere</b></p> <p>(In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)</p>	<p>Planning and Development Regulations 2001-2021, Schedule 5, Part 2</p>	<p>European Commission guidelines suggest that projects with similar characteristics are not explicitly mentioned in the EIA Directive could include: bus garages, train depots; Construction projects such as housing developments, hospitals, universities, sports stadiums, cinemas, theatres, concert halls and other cultural centres. The underlying principle is that all these project categories are of an urban nature and that they may cause similar types of environmental impact. Projects to which the terms ‘urban’ and ‘infrastructure’ can relate, such as the construction of sewerage and water supply networks, could also be included in this category.</p> <p>As such, the project is .not considered an ‘urban development’ that falls under this threshold definition.<sup>1</sup> The project is under 20 hectares in ‘other parts of a built up area’.</p> <p><b>Mandatory Threshold Trigger not reached.</b></p>
<p>(dd) All private roads which would exceed 2000 metres in length.</p>		<p>The Directive Includes:</p> <p>(e) Construction of roads, harbours, and port installations, including fishing harbours (projects not included in Annex I). In Case C-142/07, <i>Ecologistas en Acción-CODA</i>, the Court held that the concept of ‘road’ in the EIA Directive does not make any distinction with regard to its applicability as to whether a road is a private or a public one. Road proposals in this scheme would not exceed 2000m in length.</p> <p><b>Mandatory Threshold Trigger not reached.</b></p>

**In relation to proposed development none of the thresholds above are exceeded.**

<sup>1</sup> European Commission (2015) Interpretation of definitions of project categories of annex I and II of the EIA Directive, pp.50-52



Accordingly, the project is sub threshold development and under Step 1(b) of the OPR guidance a preliminary examination is required under Step 2<sup>2</sup>.

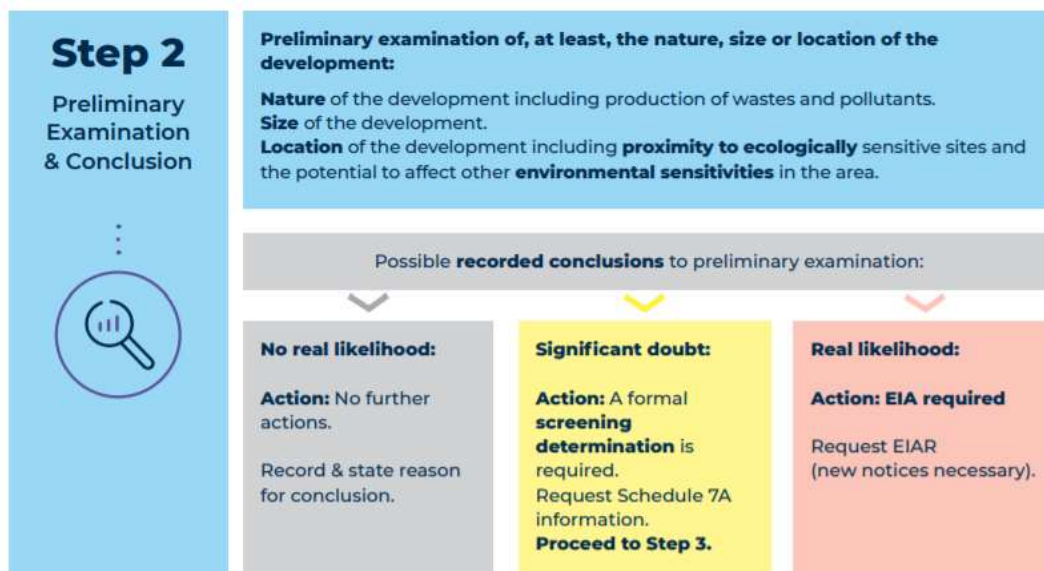


Figure 4-2 Extract from OPR Guidance Note (Step 2 of Screening Process)

#### 4.4 Preliminary Examination considerations

Preliminary examinations must consider at least the following:

- The nature of the development including the production of wastes and pollutants;
- The size of the development; or
- The location of the development including the potential to impact on certain ecologically sensitive sites and the potential to affect other environmentally sensitive sites in the area.

The OPR guidance states a number of questions to assist the preliminary examination.

#### 4.5 Nature of the development:

*Is the nature of the proposed development exceptional in the context of the existing environment?*

The proposed development seeks to extend the existing burial grounds at Drumcliff. This is accordance with the long established use in this area.

The overall setting and nature of the locality will not be significantly altered.

<sup>2</sup> Art 120 (1) (a) of the Planning Regulations provides that; “where the authority proposes to carry out a sub-threshold development, the authority shall carry out a preliminary examination of, at the least, the nature, size or location of the development”.

#### 4.6 Size of the development:

##### *Is the size of the proposed development exceptional in the context of the existing environment?*

The size of the development is not considered exceptional in the existing environment. While the proposed project will change the use and extent of development, it will not change the nature of the use of the land or its general appearance. The size of the project is not considered exceptional in its interaction with the environment as it is proposed to expand upon an established use.

##### *Are there cumulative considerations having regard to other existing and/or permitted projects?*

The project seeks to expand upon an existing graveyard. However, there are not considered to be significant implications for the intensity of use of the area.

#### 4.7 Location of the development

##### *Is the proposed development located on, in, adjoining or does it have the potential to impact on an ecologically sensitive site or location?*

The proposed project is located in rural landscape of on a visible site. The site is located in proximity to Natura 2000 sites. The AA/NIS notes the site does not include ecologically sensitive habitats but there that there are potentially indirect pathways Natura 2000 sites that warrant the application of mitigation measures. The site is located near a sensitive aquifer.

##### *Does the proposed development have the potential to affect other significant environmental sensitivities in the area?*

The proposed project is constrained in its site area and extent and is therefore unlikely to impact upon other significant environmental sensitivities in the area.

The AA/NIS considers 'Construction on this site will create localised light and noise disturbance. This would not impact Natura 2000 sites. However, mitigation measures will be in place to ensure that no silt or pollutants enters topographically down-gradient waterbodies (including Drumcliff Stream and Poulacorry River) that leads to conservation sites.

Following the implementation of the mitigation measures outlined, the construction of this development would not be deemed to have a significant impact on the integrity of Natura 2000 sites. No significant impacts are likely on Natura 2000 sites, alone in combination with other plans and projects based on the implementation of standard construction phase mitigation measures.'

#### 4.8 Preliminary Examination Conclusion


Following preliminary examination, the planning authority is recommended to conclude that having particular regard to the location of the development in a sensitive scenic landscape, proximate to European sites and above a Regionally Important aquifer **there are uncertainties regarding the likelihood of significant effects on the environment arising from the proposed development and to proceed to a Stage 3 screening determination.**

## 5. SCREENING DETERMINATION

Where the requirement to carry out EIA is not excluded at preliminary examination stage, the competent authority must carry out a screening determination.

The screening determination carried out on the basis of the Schedule 7A. In making its screening determination, the competent authority must have regard to:

- Schedule 7 criteria,
- Schedule 7A information,
- Any further relevant information on the characteristics of the development and its likely significant effects on the environment submitted by the applicant,
- Any mitigation measures proposed by the applicant,
- The available results, where relevant, of preliminary verifications or assessments carried out under other relevant EU environmental legislation, including information submitted by the applicant on how the results of such assessments have been taken into account (see Box 3), and
- The likely significant effects on certain sensitive ecological sites

<p><b>Step 3</b></p> <p>Formal Screening Determination</p> 	<p><b>Screening Exercise:</b> <b>Is the proposal likely to have significant effects on the environment?</b></p> <p>In making the determination, the planning authority must have regard to Schedule 7 criteria, Schedule 7A information, results of other relevant EU assessments, the location of sensitive ecological sites, or heritage or conservation designations. Mitigation measures may be considered.</p>
	<p><b>Screening Determination:</b> Recorded outcomes to screening determination must state main reasons and considerations, with reference to the relevant criteria listed in Schedule 7 of the Regulations and mitigation if relevant.</p>

*Table 5-1 Extract OPR Guidance Note (Step 3)*

### 5.1 Criteria for determining whether development should be subject to an environmental impact assessment

The 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities Regarding Sub-Threshold Development', groups criteria for deciding whether or not a proposed development would be likely to have significant effects on the environment under three headings which correspond to the updated Schedule 7. Schedule 7 criteria for determining whether development listed in part 2 of Schedule 5 should be subject to an environmental impact assessment.

- Characteristics of the proposed development.
- Location of the proposed development.
- Characteristics of potential impacts.

Schedule 7 Criteria Commentary	Schedule 7 Criteria Commentary
<p><b>1.Characteristics of proposed development</b></p> <p>The characteristics of proposed development, in particular to:</p> <p>-</p>	
<p>a) the size of the proposed development,</p>	<p>The scheme covers an area of c.1.8 Ha.. The scale of the site and landscape plan proposed allows the proposed development to integrate with the landscape in a sensitive manner (in a gradual manner) which does not change the nature of the area.</p>
<p>(b) cumulation with other existing development and/or development the subject of a consent for proposed development for the purposes of section 172(1A)(b) of the Act and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment,</p>	<p>The proposed development Project is not considered to interact directly with other projects.</p>
<p>(c) the nature of any associated demolition works,</p>	<p>The project does not include demolition works.</p>
<p>(d) the use of natural resources, in particular land, soil, water and biodiversity,</p>	<p>The proposed development does not give rise to any significant impacts on the use of natural resources.</p>
<p>(e) the production of waste,</p>	<p>No significant waste streams will be generated. All construction activities, will be managed in accordance with the recommendations of the Engineer Reports.</p>
<p>(f) pollution and nuisances,</p>	<p>The proposed scheme is likely to have a neutral impact on pollution. The construction phase is likely to introduce temporal nuisance to local property owners.</p>
<p>(g) the risk of major accidents, and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge, and</p>	<p>The project does not provide for significant pollutants or construction works that would give rise to environmental risks, and/or disasters in the area. Mitigation measures will be in place to ensure that no silt or pollutants enters topographically down-gradient waterbodies (including Drumcliff Stream and Poulacorry River) that leads to conservation sites.</p>
<p>h) the risks to human health (for example, due to water contamination or air pollution).</p>	<p>The project is unlikely to give rise to risks to human health arising from contamination or pollution. The potential risk to ground water has been surveyed via hydrological and geophysical studies which find that soil conditions (significant clay layer) will ensure there is no residual likely impact on sensitive water bodies, rivers or environmental designations.</p>

<p><b>2. Location of proposed development.</b>  <b>The environmental sensitivity of geographical areas likely to be affected by proposed development, having regard in particular to:</b></p>	
<p>a) the existing and approved land use,</p>	<p>The land-uses of the surrounding area are dominated by the existing burial ground and rural uses, small residential clusters, recreation facilities and a water treatment plant. The project shall maintain the same land use as the established cemetery use and does not materially impact any existing or permitted land uses or developments.</p>
<p>(b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground,</p>	<p>Due to the nature of the proposed scheme, the completed works are not expected to result in potential environmental impacts that affect the relative abundance, availability, quality and regenerative capacity of natural resources. The existing Drumcliff cemetery and the proposed extension site are located within the Protection Zone for the Drumcliff Spring PWS. A Hydrological Assessment accompanies the application. It considers that the aquifer is protected by the clay profile beneath the site. It states "There are no direct hydrological connections between the site and downgradient surface water bodies. Standard separation distances (50m) to surface water features are maintained by the proposed cemetery".</p>
<p>c) the absorption capacity of the natural environment, paying particular attention to the following areas:</p>	
<p>(i) wetlands, riparian areas, river mouths;</p>	<p>The project is located on an elevated site and is not vulnerable to flooding or include wetlands, or river mouths. Fluvial flooding is not a risk and that the development would not have on, or affect any watercourse.</p>
<p>(ii) coastal zones and the marine environment;</p>	<p>The proposed development is not located in proximity to the coast and no direct or indirect impacts are considered to arise.</p>
<p>(iii) mountain and forest areas;</p>	<p>Not applicable due to location of scheme</p>
<p>(iv) nature reserves and parks;</p>	<p>The proposed development is located within a scenic rural setting. The landscape masterplan seeks to protect and enhance the landscape features and tree-stands to ensure the project sits below the crest of the hill and will not give rise to a significant impact due to the nature of the project.</p>
<p>(v) areas classified or protected under legislation, including Natura 2000 areas designated pursuant to the Habitats Directive and the Birds Directive and;</p>	<p>The project is not located within a Natura 2000 site, and is unlikely have any direct impact, or indirect impact on any Natural 2000 site or nesting locations due to the of construction and activity during operation. Mitigation measures will be in place to ensure that no silt or pollutants enters topographically down-gradient waterbodies (including Drumcliff Stream and Poulacorry River) that leads to conservation sites.</p>

(vi) in which there has already been a failure to meet the environmental quality standards laid down in legislation of the European Union and relevant to the project, or in which it is considered that there is such a failure;	The project will not have any impact on an area which there has already been a failure to meet the environmental quality standards laid down in legislation of the European Union.
(vii) densely populated areas;	The project is not located within a densely populated area.
(viii) landscapes and sites of historical, cultural or archaeological significance	The potential impact of the project on the landscape or views, material assets or cultural/ heritage artefacts of significance has been carefully considered as part of the project design. Having regard to the landscape design undertaken, it is considered that the proposed development will not have a significant negative impact on landscapes and sites of historical, cultural or archaeological significance.

The OPR’s Practice Note on EIA Screening considers what are **likely significant effects**. Refer to Box 1 below.

**Box 1: Likely Significant Effects**

- 1. Are the effects identified likely to occur?**  
This refers to the effects that are expected to occur, those that can be reasonably foreseen as normal consequences of project construction and operation, including where relevant associated demolition, remediation and/or restoration.
  
- 2. Are the effects, which are likely to occur, significant?**  
EPA draft guidelines define a ‘significant effect’ as an effect, which, by its character, magnitude, duration or intensity alters a sensitive aspect of the environment. The same draft guidelines provide useful definitions in relation to quality of effects, significance of effects, context of effects, probability of effects and duration and frequency of effects.
  
- 3. Will identified likely significant effects impact the environment?**  
Likely significant effects should cover the direct and indirect, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the project.  
  
The factors of the environment to be described and assessed are:
  - **population and human health;**
  - **biodiversity, with particular attention to protected species and habitats;**
  - **land, soil, water, air and climate;**
  - **material assets, cultural heritage and the landscape; and**
  - **the interaction between the factors.**

The following table summarises the likelihood of effects on the environmental factors listed in Box 1.

## Screening Considerations

Aspect	Phase	Potential Effect	Extent	Probability	Significance of Effect	Quality of Effect	Duration
Landscape	C	Perceived negative changes due to landscaping works	Local	Not Likely	Slight	Negative	Short term/Temporary
	O	Perceived changes in landscape arising from location of new development and infrastructure	Local	Likely	Slight	Neutral	Permanent
Visual	C	Perceived changes due to proposed works to provide for development	Local	Likely	Moderate	Negative	Short Term/Temporary
	O	Changes to visual appearance of existing setting	Local	Likely	Moderate	Neutral	Permanent
Biodiversity	C	Disturbance of grassland of subject site (subject to Mitigation Measures)	Local	Likely	Moderate	Neutral	Short Term/Temporary
	O	Impact on receiving environment (grassland) through use of lands	Local	Likely	Slight	Neutral	Permanent
Land & Soil	C	Loss of subsoil from site. Potential contamination due to accidental spillage. Increased surface water run-off due to alteration of surface profile and soil compaction	Local	Not likely	Slight	Neutral	Temporary
	O	Potential change in character of parts of site to incorporate burial plots and works	Local	Likely	Moderate	Neutral	Permanent
Human Health	C	Local disturbance from construction activity	Local	Likely	Slight	Negative	Short Term/Temporary
	O	Expanded burial facility for Ennis and Environs population	Regional	Likely	Moderate	Positive	Permanent
Water	C	Accidental pollution events occurring in construction if mitigation measures not applied	Local	Not Likely	Significant	Negative	Temporary

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	O	None Predicted due to detailed assessment of protection of ground water by geotechnical and groundwater analysis of site	Local	Not likely	Moderate	Neutral	Permanent
Air Quality & Climate	C	Reduction of air quality as a result of construction traffic and HGVs, and emissions from construction and plant machinery	Local	Not Likely	Moderate	Neutral	Brief Temporary
	O	General nature of setting to remain with no change to intensity of usage	Local	Likely	Slight	Neutral	Long-term
Noise	C	Increase in noise as a result of construction activity, and operation of plant and machinery	Local	Likely	Slight	Negative	Brief - Temporary
	O	None Predicted	Local	Likely	Slight	Neutral	Long-term
Cultural Heritage: Archaeology	C	Access to the construction site will be close to existing burial grounds which have developed in 5 main phases since the 19 <sup>th</sup> century (with origins possibly dating to 10 <sup>th</sup> century).	Local	Likely	Moderate	Negative	Brief - Temporary-
	O	The proposed development has potential to impact on long term setting of the burial grounds. Sensitive design and mitigation considers the proposal to enhance the historic and cultural heritage of the site.	Local	Likely	Moderate	Positive	Permanent



<p><b>3. Characteristics of potential impacts</b>  <b>The likely significant effects on the environment of proposed development in relation to criteria set out under paragraphs 1 and 2, with regard to the impact of the project on the factors specified in paragraph (b)(i)(I) to (V) of the definition of 'environmental impact assessment report' in section 171A of the Act, taking into account—</b></p>	
<p>a) the magnitude and spatial extent of the impact (for example, geographical area and size of the population likely to be affected)</p>	<p>The project is constrained in its extent and length affect a setting of c.1.8ha. It is unlikely that the impact of the project will extend beyond the project area during construction.</p>
<p>(b) the nature of the impact</p>	<p>In general, construction work for the project will be undertaken within the Burial Ground property.</p> <p>Works will be relatively minor with the project not affecting lands outside the site.</p>
<p>c) the transboundary nature of the impact</p>	<p>Not applicable due to scale and location of scheme.</p>
<p>(d) the intensity and complexity of the impact,</p>	<p>Construction impacts will be temporary and of typically low intensity. All elements of the project will take place off public roads.</p> <p>Complexity arises from the interaction of the project with the sensitive environmental setting. However, the construction methodology is adapted to the setting to ensure potential impacts are mitigated.</p>
<p>(e) the probability of the impact,</p>	<p>The project's design is subject to refinement and decisions on the design of various details. The impacts of the project during construction phase and operation are comprehended as probable.</p>
<p>(f) the expected onset, duration, frequency and reversibility of the</p>	<p>Temporary environmental construction impacts are likely to occur. The operation phase is unique to the burial ground use with a slow gradual impact on site over short to medium and long-term as burial ground plots are utilised. These are not likely to be significant, within the meaning of the Directive.</p>
<p>(g) the cumulation of the impact with the impact of other existing and/or development the subject of a consent for proposed development for the purposes of section 172(1A)(b) of the Act and/or development the subject of any development consent for the purposes of the Environmental Impact</p>	<p>The project is not linked to other projects or strategies. It is considered unlikely that there is potential to contribute to significant effects within the meaning of the Directive when considered in-combination with the effects of the proposed project. It is considered that the potential impacts of the scheme are largely confined to the defined Project area.</p>

Assessment Directive by or under any other enactment, and	
(h) the possibility of effectively reducing the impact	It is likely that the operation of the scheme will be neutral to positive (with the provision of cemetery for community use). There is potential to reduce the impact of the project at construction stage with a detailed construction management plan.

## 5.2 Available results under other relevant EU environmental legislation,

Other relevant EU environmental legislation may include:

- SEA Directive [2001/42/EC]
- Birds and Habitats Directives [79/409/EEC, 2009/147/EC & 92/43/EEC]
- Water Framework Directive [2000/60/EC]
- Marine Strategy Framework Directive
- Ambient Air Quality Directive and Heavy Metals in the Ambient Air Directive
- Industrial Emissions Directive
- Seveso Directive
- Trans-European Networks in Transport, Energy and Telecommunication
- EU Floods Directive 2007/60/EC
- All list of the references/data used in the preparation of the NIS report prepared by Altemar Ecology.

**Table 6.1: Other relevant EU environmental legislation**

Directive	Results
SEA Directive [2001/42/EC]	The proposed development is located on lands which are within the area of the Clare County Development Plan 2017-23. These have been subject to Strategic Environmental Assessment.
Birds and Habitats Directives [79/409/EEC, 2009/147/EC & 92/43/EEC]	The Conclusion of the NIS Report by Altemar is noted.  On the basis of the content of the NIS report, the competent authority is enabled to conduct an Appropriate Assessment and consider whether, either alone or in combination with other plans or projects, in view of best scientific knowledge and in view of the sites' conservation objectives, will adversely affect the integrity of the European site.  No significant effects are likely on European sites, their features of interest or conservation objectives. The proposed project will not will adversely affect the integrity of European sites.

Directive	Results
Water Framework Directive [2000/60/EC]	<p><i>Under the Water Framework Directive Status Assessments 2013-2018 the River Status of the the Fergus (050) is 'Good'. There will be no negative impact on the status of the water body</i></p> <p>The existing Drumcliff cemetery and the proposed extension site are located within the Protection Zone for the Drumcliff Spring PWS. A Hydrological Assessment accompanies the application. It considers that the aquifer is protected by the clay profile beneath the site. It states "There are no direct hydrological connections between the site and downgradient surface water bodies. Standard separation distances (50m) to surface water features are maintained by the proposed cemetery".</p>
Marine Strategy Framework Directive	The site is located inland, away from the coast, there is no likely impact on the coastal area.
Ambient Air Quality Directive and Heavy Metals in the Ambient Air Directive	n/a to proposed development
Industrial Emissions Directive	n/a to proposed development
Seveso Directive	There are no Seveso sites within the site nor in the vicinity of the subject site
Trans-European Networks in Transport, Energy and Telecommunication	n/a to proposed development
EU Floods Directive 2007/60/EC	The proposed project is not situated within a Flood Risk Zone. No flood risk arises due the nature of the development and construction methodology proposed.

### 5.3 Conclusions

Having regard to the nature and scale of the proposed development which is below the thresholds set out in Class 10 of Part 2 of Schedule 5, the criteria in Schedule 7, the information provided in accordance with Schedule 7A of the Planning and Development Regulations 2001, as amended, and the following:

- The scale, nature and location of the proposed impacts
- The potential impacts and proposed mitigation measures
- The results of the any other relevant assessments of the effects on the environment

**It is considered that the proposed development would not be likely to have significant effects on the environment and it is recommended that environmental impact assessment report is not required.**



-  20 Fitzwilliam Place, Dublin 2, D02YV58, Ireland
-  Phone. +353 1 6762594
-  [planning@mdb.ie](mailto:planning@mdb.ie)
-  [www.mdb.ie](http://www.mdb.ie)

