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Appropriate Assessment Screening Report

PRESENTED TO

Cabriz Group

Proposed Residential Development at Hill Street, Dundalk, Co. Louth

January 25

Environmental Consultancy Services

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1 INTRODUCTION

1.1 Background

Enviroguide Consulting was commissioned by Cabriz Group to prepare an Appropriate Assessment (AA) Screening Report in relation to the proposed residential development at Hill Street, Dundalk, Co. Louth hereafter referred to as 'Proposed Development' or 'Site', when referring to the application area. This report contains information to enable the Competent Authority to undertake Stage 1 Appropriate Assessment screening in respect of the Proposed Development.

1.2 Quality Assurance and Competence

Enviroguide is a multi-disciplinary consultancy specialising in the areas of the Environment, Waste Management and Planning. All Enviroguide consultants carry scientific or engineering qualifications and have a wealth of experience working within the Environmental Consultancy sectors, having undergone extensive training and continued professional development.

Enviroguide as a company remains fully briefed in European and Irish environmental policy and legislation. Enviroguide staff members are highly qualified in their field. Professional memberships include the Chartered Institution of Wastes Management (CIWM), the Irish Environmental Law Association and Chartered Institute of Ecology and Environmental Management (CIEEM).

All surveying and reporting have been carried out by qualified and experienced ecologists and environmental consultants. SOB, Project Ecologist with Enviroguide undertook the habitat surveys and desktop research for this report.

SOB has a B.A. in Zoology from Trinity College Dublin and a M.Sc. Hons. in Wildlife Conservation and Management from University College Dublin, and has experience in desktop research, report writing, and literature scoping-review, as well as practical field and laboratory experience (Pollinator surveying, sampling and identification, habitat surveying, invasive species surveying, etc.). SOB has prepared Stage I and Stage II Appropriate Assessment (AA) Reports, Invasive Species Surveys, Ecology Statements, EcIAs, and Biodiversity Chapters of EIARs.

1.3 Description of Proposed Development

1.3.1 Site Location

The Site of the Proposed Development, as shown in Figure 2, is located within the lands adjacent to the Mourne View Hall student accommodation. The Site is bound primarily by the residential houses along the Dublin Road (R132) to the west and south, Avenue Road (R172) to the north, and Mourne View Hall student accommodation and a greenfield site to the east. The Site is a greenfield site with areas of wetland habitat, with the Ramparts Stream, also referred to as the River Blackwater, flowing through the centre and along the north boundary of the Site in an easterly direction. The surrounding landscape is primarily urban in nature.

1.3.2 Description of Development

The Proposed Development will consist of 194no. apartments in 8no. distinctive blocks (A to H) ranging in height from one to five storeys together with all associated public, communal and private open space, car parking, cycle parking, roads infrastructure and site services. The Proposed Development will be supported by a childcare facility within Block A with allocated car parking and outdoor play area. The Site will be accessed from a new vehicular entrance onto Hill Street and via the existing access road onto Hill Street at Mourne View Hall. There is an existing pedestrian/cycle route through the Site from Hill Street to Avenue Road which will be maintained and integrated into the landscape masterplan for the Site. The application Site is at flood risk and a site-specific flood risk assessment has been undertaken. The Proposed Development will include an overflow area for the Blackwater River as one of the flood risk mitigation measures. This overflow area connects to the riparian zone which forms the central public open space for the development focused along the Blackwater River which flows north and then east through the application Site. Buildings are set back by 10-meters along the river creating a riverside walk featuring play zones and informal kick about spaces with opportunities for sitting/passive recreation. A pedestrian/cycle crossing point is proposed over the Blackwater River to the existing greenway increasing permeability and providing the most direct route to the retail area to the north centered around Tesco and Lidl supermarkets to sustainable modes of transport.

1.3.3 Surface Water

1.3.3.1 Construction Phase

As outlined in the Construction Methodology and Environmental Management Plan (OCSC, 2025) accompanying this application, and seen below in Figure 1, the west area of the Site, also referred to as Plot A, currently drains to the Dublin Road to the southwest of the Site. It is proposed that, during the Construction Phase, a temporary settlement pond will be put in place within the south of the Site, and surface water will pass through this pond and a flow control device to a temporary connection to the existing drainage along the Dublin Road.

The east area of the Site, also known as Plot B, currently sits lower than the banks of the Ramparts Stream, and the Site drains mainly via evaporation. A proposed flood mitigation pond will initially be utilised as a construction settlement pond, with surface water then flowing to a final attenuation tank before discharging to the Ramparts Stream via a newly construction headwall and flow control system.

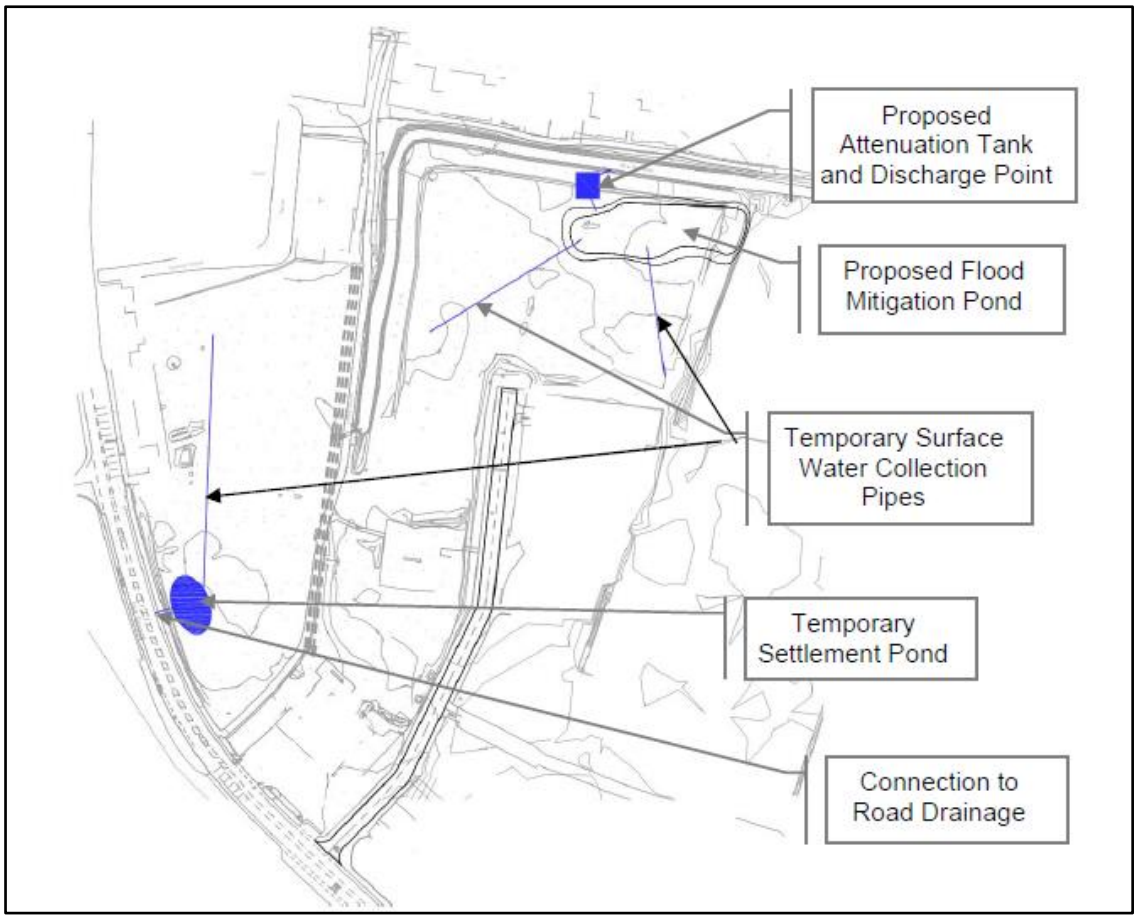

FIGURE 1. SURFACE WATER DISPOSAL DURING THE CONSTRUCTION PHASE OF THE PROPOSED DEVELOPMENT (OCSC, 2025).

1.3.3.2 Operational Phase

As outlined in the Engineering Services Report (OCSC, 2025), the proposed surface water strategy has been designed to discharge to the Ramparts Stream (also known as Blackwater River) via gravity networks, attenuation tanks, oil interceptor and controlled pumped discharge. The design outflow from the overall development (c. 3.054ha development catchment) is to be restricted to a maximum total outflow rate of 2.00 l/s for all hardstanding areas (Plot 'A' to the west of the Blackwater River and Plot 'B' to the east of the Blackwater River).

The attenuation tanks have been designed to store surface water for design rainwater run off volume from a 1 in 100-year storm event, with allowance made for a 30% climate change impact.

Sustainable Urban Drainage Systems (SUDS) measures are included in the design of the Proposed Development; however, they are not being relied upon in any way to mitigate against likely significant effects on any European sites. These measures include pervious paving, hydrobrakes, attenuation tanks, and fuel interceptors (OCSC, 2025).

1.3.4 Foul Water

As outlined in the Engineering Services Report (OCSC, 2025) accompanying this application, there are a number of public wastewater networks on the road to the south and west of the

Site and flowing through the centre of the Site of the Proposed Development. It is proposed to discharge the foul water from the Proposed Development to the existing Irish Water wastewater sewer network flowing through the centre of the Site. Irish Water have issued confirmation of feasibility for the Proposed Development. Foul water from the Site will be treated at Dundalk Wastewater Treatment Plant (WwTP) prior to discharging into Dundalk Bay.

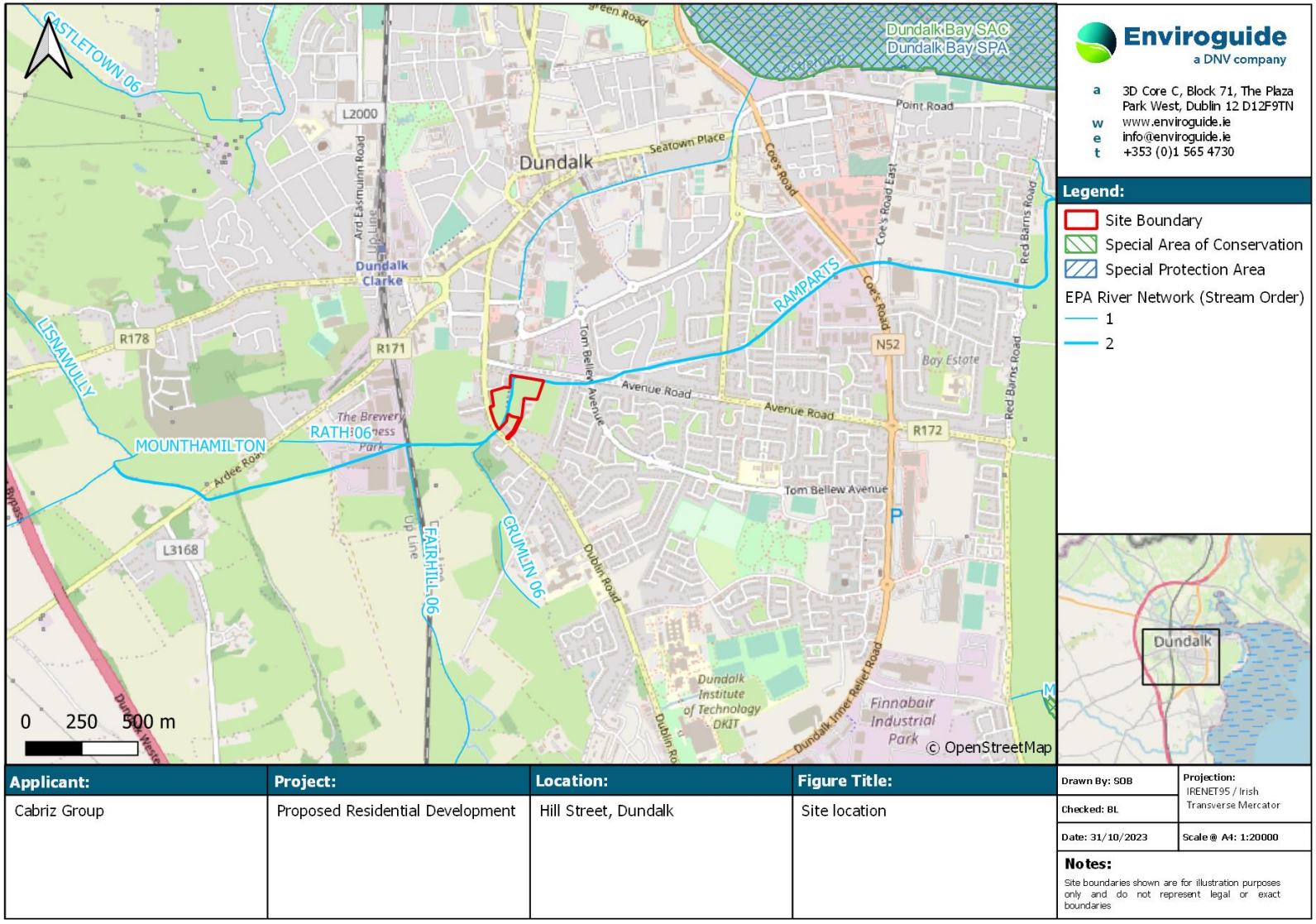

FIGURE 2. SITE LOCATION

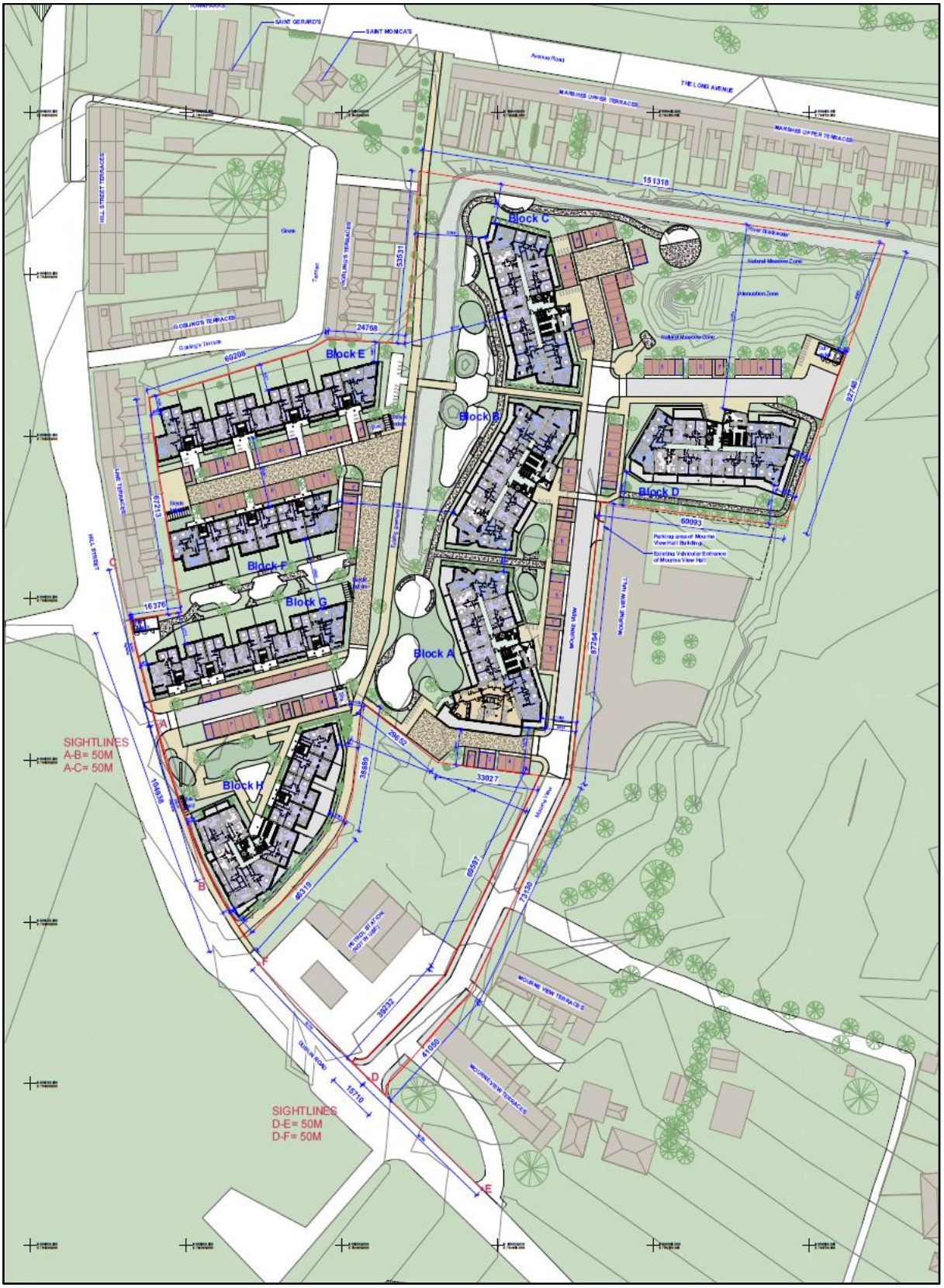

FIGURE 3. EXTRACTED FROM THE PROPOSED SITE LAYOUT – DRAWING NO. 5501-DWC-ZZ-ZZ-DR-P003-S1 (DOUGLAS WALLACE ARCHITECTS, 2025)

2 LEGISLATIVE AND POLICY CONTEXT

2.1 Legislative Background

The Habitats Directive (92/43/EEC) seeks to conserve natural habitats and wild fauna and flora by the designation of Special Areas of Conservation (SACs) and the Birds Directive (2009/147/EC) seeks to protect birds of special importance by the designation of Special Protection Areas (SPAs). The Habitats Directive has been transposed into Irish law through the EC (Birds and Natural Habitats) Regulations 2011 (SI 477 of 2011).

It is the responsibility of each Member State to designate SPAs and SACs, both of which will form part of the Natura 2000 Network, a network of protected sites throughout the European Community. These designated sites are referred to as "Natura 2000 sites" or "European sites". SACs are selected for the conservation of Annex I habitats (including priority types which are in danger of disappearance) and Annex II species (other than birds). SPAs are selected for the conservation of Annex I birds and other regularly occurring migratory birds and their habitats. The annexed habitats and species for which each site is selected correspond to the Qualifying Interests (QIs) and Special Conservation Interests (SCIs) of the sites; from these the conservation objectives of the site are derived.

An AA is a required assessment to determine the likelihood of significant effects, based on best scientific knowledge, of any plans or projects on European sites. A screening for AA determines whether a plan or project, either alone or in combination with other plans and projects, is likely to have significant effects on a European site, in view of its conservation objectives.

This AA Screening has been undertaken to determine the potential for significant effects on relevant European sites. The purpose of this assessment is to determine, the appropriateness, or otherwise, of the Proposed Development in the context of the conservation objectives of such sites.

2.1.1 Legislative Context

The obligations in relation to Appropriate Assessment have been implemented in Ireland under Part XAB of the Planning and Development Act 2000, as amended ("the 2000 Act"), and in particular Section 177U and Section 177V thereof. The relevant provisions of Section 177U in relation to AA screening have been set out below:

"***177U.—*** *(1) A screening for appropriate assessment of a draft Land use plan or application for consent for proposed development shall be carried out by the competent authority to assess, in view of best scientific knowledge, if that Land use plan or proposed development, individually or in combination with another plan or project is likely to have a significant effect on the European site.*

(2)…

(3)…

(4) The competent authority shall determine that an appropriate assessment of a draft Land use plan or a proposed development, as the case may be, is required if it cannot be excluded, on the basis of objective information, that the draft Land use plan or proposed development,

individually or in combination with other plans or projects, will have a significant effect on a European site.

(5) The competent authority shall determine that an appropriate assessment of a draft Land use plan or a proposed development, as the case may be, is not required if it can be excluded, on the basis of objective information, that the draft Land use plan or proposed development, individually or in combination with other plans or projects, will have a significant effect on a European site."

An Appropriate Assessment is required under Article 6 of the Habitats Directive where a project or plan may give rise to significant effects upon a European site. Paragraph 3 states that:

"*6(3) Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site, in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public."*

According to the ruling delivered in open court in Luxembourg on 15th June 2023 regarding the interpretation of Article 6(3) of Directive 92/43, the Article must be interpreted as meaning that:

"In order to determine whether it is necessary to carry out an appropriate assessment of the implications of a plan or project for a site, account may be taken of the features of that plan or project which involve the removal of contaminants and which therefore may have the effect of reducing the harmful effects of the plan or project on that site, where those features have been incorporated into that plan or project as standard features, inherent in such a plan or project, irrespective of any effect on the site".

As such, standardised embedded mitigation (such as the use of Sustainable Drainage Systems (SuDS) in large-scale residential developments), that are incorporated into the design of a proposal or project and which may result in a reduction of effects impacting European sites, but where the primary reason of the embedded mitigation is not to protect a European site, are permitted for consideration during the undertaking of AA.

2.2 Policy Context

2.2.1 Louth County Development Plan 2021 – 2027

Policies and objectives of the Louth County Development Plan 2021 – 2027 that are of relevance to this AA Screening Report are outlined in the below chapters:

- **Objective TOU 10**: To work in conjunction with adjoining authorities including Newry, Mourne and Down District Council and Meath County Council to extend and design new walking and cycling routes, including the Great Eastern Greenway and the Boyne Greenway. Ensure all proposals include appraisal of environmental impacts and take

full account of the potential for negative impacts on European Sites through the process of Appropriate Assessment.

- **Objective NBG 5**: To ensure that no plan, programme, or project giving rise to significant cumulative, direct, indirect or secondary impacts on European sites arising from their size or scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation requirements, duration of construction, operation, decommissioning or from any other effects shall be permitted on the basis of this Plan, either individually or in combination with other plans, programmes or projects.
- **Objective NBG 6**: To ensure a screening for Appropriate Assessment (AA) on all plans and/or projects and/or Stage 2 Appropriate Assessment (Natura Impact Report/ Natura Impact Assessment) where appropriate, is undertaken to make a determination. European Sites located outside of the County but within 15km of the proposed development site shall be included in such screenings as should those to which there are pathways, for example, hydrological links for potential effects.
- **Objective NBG 10**: To ensure that development proposals, where relevant, improve the ecological coherence of the Natura 2000 Network of European Sites and encourage the retention and management of landscape features as per *Article 10 of the Habitats Directive*.
- **Objective NBG 42**: To require the use of and develop the green infrastructure network, and support re-establishing connectivity to ensure the conservation and enhancement of biodiversity and as a supplementary guide for the protection and conservation of the European Sites in County Louth.

2.2.2 Louth Biodiversity Action Plan 2021 – 2026

Louth Biodiversity Action Plan 2021 – 2026 is set out to protect and improve biodiversity through specific actions:

- **Objective 1**: Mainstream biodiversity into decision-making across all sectors.
- **Objective 2**: Strengthen the knowledge base for conservation, management, and sustainable use of biodiversity.
- **Objective 3**: Increase awareness and appreciation of biodiversity and ecosystem services.
- **Objective 4**: Conserve and restore biodiversity and ecosystem services in the wider countryside.
- **Objective 5**: Conserve and restore biodiversity and ecosystem services in the marine environment.
- **Objective 6**: Expand and improve management of protected areas and species.

2.3 Stages of Appropriate Assessment

This AA Screening Report (the 'Screening Report') has been prepared by Enviroguide Consulting. It considers whether the Proposed Development is likely to have a significant effect on a European site and whether a Stage 2 AA is required.

The AA process is a four-stage process. Each stage requires different considerations, assessments and tests to ultimately arrive at the relevant conclusion for each stage. An

important aspect of the process is that the outcome at each successive stage determines whether a further stage in the process is required.

The four stages of an AA, can be summarised as follows:

- **Stage 1: *Screening*.** The Screening for AA considers whether a plan or project is directly connected to or necessary for the management of a European site, or whether a plan or project, alone or in combination with other plans and projects, is likely to have significant effects on a European site in view of its conservation objectives.
- **Stage 2: *Natura Impact Statement (NIS).*** Where Stage 1 determines that significant effects are likely, uncertain or unknown, the preparation of a NIS is required. The NIS must include a scientific examination of evidence and data to classify potential impacts on any European site(s) in view of their conservation objectives in the absence of mitigation. The NIS will identify appropriate mitigation to remove the potential for likely significant adverse effects on any European site(s). If the competent authority determines that the plan or project would have an adverse effect on the integrity of any European site(s) despite mitigation, it can only grant consent after proceeding through stages 3 and 4.
- **Stage 3: *Assessment of alternative solutions***. If the outcome of Stage 2 is negative i.e., adverse impacts to the sites cannot be scientifically ruled out, despite mitigation, the plan or project should proceed to Stage 3 or be abandoned. This stage examines alternative solutions to the proposal.
- **Stage 4: *Assessment where no alternative solutions exist and where adverse impacts remain***. The final stage is the main derogation process examining whether there are imperative reasons of overriding public interest (IROPI) for allowing a plan or project to adversely affect a European site, where no less damaging solution exists.

The Habitats Directive promotes a hierarchy of avoidance, mitigation, and compensatory measures. First the project should aim to avoid any negative effects on European sites by identifying possible effects early in the planning stage and designing the project to avoid such effects. Second, mitigation measures should be applied, if necessary, during the AA process to the point where no adverse impacts on the site(s) remain. If the project is still likely to result in adverse effects, and no further practicable mitigation is possible, a refusal for planning permission may be recommended. In this case, the project will generally only be considered where no alternative solutions are identified and the project is required for IROPI, or, in the case of priority habitats, considerations of health or safety, or beneficial consequences of primary importance for the environment or to other IROPI. Then compensation measures are required for any remaining adverse effects.

3 AA Screening Methodology

3.1 Guidance

This Screening Report has been undertaken in accordance with the following guidance:

- *Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities.* (Department of Environment, Heritage and Local Government, 2010 revision);

- *Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities.* Circular NPW 1/10 & PSSP 2/10;
- *Communication from the Commission on the precautionary principle* (European Commission, 2000);
- *Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC* (European Commission, 2019);
- *Assessment of plans and projects in relation to Natura 2000 sites - Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC* Brussels, 28.9.2021 C (European Commission, 2021); and
- *Appropriate Assessment Screening for Development Management, OPR Practice Note PN01, Office of the Planning Regulator March 2021*.

3.2 Screening Steps

Screening for AA involves the following steps:

- Establish whether the plan or project is directly connected with or necessary for the management of a European site;
- Description of the baseline existing environment at the Site of the Proposed Development;
- Identification of relevant European site(s) potentially affected;
- Identification and description of potential effects on the relevant European site(s);
- Assessment of the likely significance of the effects identified on the relevant European site(s);
- Description and characterisation of other projects or plans that in combination with the Proposed Development have the potential for having significant effects on the European site; and
- Exclusion of sites where it can be objectively concluded that there will be no significant effects.

It should be noted that any targeted ecological mitigation measures and/or measures intended or included for the purposes of avoiding adverse effects arising as a result of the Proposed Development on any European site **have not been considered** as part of this Screening Report.

3.3 Desk Study

A desktop study was carried out to collate and review available information, datasets and documentation sources relevant for the completion of this Screening Report. The desktop study relied on the following sources:

- Information on the network of European Sites, boundaries, QIs and conservation objectives, obtained from the National Parks and Wildlife Service (NPWS) at *www.npws.ie*;

- Text summaries of the relevant European sites taken from the respective Standard Data Forms and Site Synopses available at *www.npws.ie*;
- Information on waterbodies, catchment areas and hydrological connections obtained from the Environmental Protection Agency (EPA) at www.gis.epa.ie ;
- Information on bedrock, groundwater, aquifers and their statuses, obtained from Geological Survey Ireland (GSI) at *www.gsi.ie*;
- Satellite imagery and mapping obtained from various sources and dates including Google, Digital Globe, Bing and Ordnance Survey Ireland; and
- Information on the existence of permitted developments, or developments awaiting decision, in the vicinity of the Proposed Development from the National Planning Database (DHLGH, 2023).

For a complete list of the specific documents consulted as part of this assessment, see *Section 6 References*.

3.4 Identification of Relevant European sites

The Zone of Influence (ZOI) for a project is the area over which ecological features may be affected by changes as a result of a development and associated activities. This is likely to extend beyond the development site, for example where there are ecological or hydrological links beyond the site boundaries (CIEEM, 2018). Furthermore, ZOI in relation to European sites is described as follows in the 'OPR Practice Note PN01 - Appropriate Assessment Screening for Development Management' (OPR, 2021):

> "*The zone of influence of a proposed development is the geographical area over which it could affect the receiving environment in a way that could have significant effects on the Qualifying Interests of a European site. This should be established on a case-by-case basis using the Source-Pathway-Receptor framework and not by arbitrary distances (such as 15 km).*"

Thus, to identify the European sites that potentially lie within the ZOI of the Proposed Development, a Source-Pathway-Receptor (S-P-R) method was adopted, as described in OPR PN01 (OPR 2021). This note was published to provide guidance on screening for AA during the planning process, and although it focuses on the approach a planning authority should take in screening for AA, the methodology is also readily applied in the preparation of Screening Reports such as this.

The relevant European sites were identified based on the following:

- Identification of potential sources of effects based on the Proposed Development description and details, including changes to potentially suitable ex-situ habitats at the Site (i.e., habitats utilised by SCI bird species outside of their designated SPAs);
- Use of up-to-date GIS spatial datasets for European designated sites and water catchments – downloaded from the NPWS website (*www.npws.ie*) and the EPA website (*www.epa.ie*) to identify European sites which could potentially be affected by the Proposed Development; and

- Identification of potential pathways between the Site of the Proposed Development and any European sites within the ZOI of any of the identified sources of effects.
    - The catchment data were used to establish or discount potential hydrological connectivity between the Proposed Development and any European sites.
    - Groundwater and bedrock information used to establish or discount potential hydrogeological connectivity between the Proposed Development and any European sites.
    - Air and land connectivity assessed based on Proposed Development details and proximity to European sites.
    - Consideration of potential indirect pathways, e.g., impacts to flight paths, *ex-situ* habitats, etc.
- Defining the likely ZOI based on the identified sources of effects and potential pathways between the Proposed Development and any European sites.

3.5 Assessment of Significant Effects

The conservation objectives of the European sites identified to lie within the ZOI were reviewed and assessed in order to establish whether the construction and operation of the Proposed Development has the potential to have a negative impact on any of the QIs and/or conservation objectives listed for the site.

The assessment framework is taken from the best practice guidelines issued by the European Commission, i.e., "*Assessment of plans and projects significantly affecting Natura 2000 sites – Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*".

The potential for significant effects that may arise from the Proposed Development was considered through the use of key indicators:

- Habitat loss or alteration.
- Habitat/species fragmentation.
- Disturbance and/or displacement of species.
- Changes in population density.
- Changes in water quality and resource.

In addition, information pertaining to the conservation objectives of the European sites, the ecology of the designated habitats and species and known or perceived sensitivities of the habitats and species were considered.

3.6 Limitations

No limitations were encountered which would prevent robust conclusions being drawn as to the potential impacts of the Proposed Development on the relevant European sites.

4 STAGE 1 SCREENING ASSESSMENT

4.1 Existing Environment

4.1.1 Desk Study Results

4.1.1.1 Geology, Hydrology and Hydrogeology

The Site of the Proposed Development is within the *Newry, Fane, Glyde and Dee* catchment (Catchment ID: 06) and within the *Castletown_SC_020* (Sub-Catchment ID: 06_12) sub-catchment (EPA 2023). The Ramparts Stream (EU Code: IE_NB_06R010300) flows through the west and north of the Site in a generally northeasterly direction, before entering Dundalk Bay (EU Code: IE_NB_040_0100) approximately 3.5km northeast of the Site.

During the most recent survey period of 2016 – 2021, the Ramparts Stream was assigned a '*Poor'* ecological status (EPA, 2023), and is currently '*under review'* as to whether it will meet its Water Framework Directive (WFD) objectives. There are no EPA monitoring stations along this watercourse. Dundalk Bay was categorised as '*At Risk'* of not meetings its WFD objectives, and was allocated a '*Moderate'* ecological status during this survey period (EPA, 2023).

The Site is situated within the *Louth* (EU Code: IEGBNI_NB_G_019) groundwater body, which is '*Not at Risk'* of not meeting its WFD objectives. The aquifer type within the Site boundary is a '*Poor Aquifer*' (Pl) on bedrock which is '*Generally Unproductive except for Local Zones'*. The groundwater rock units underlying the aquifer are classified as '*Silurian Metasediments and Volcanics'* (GSI, 2023). The level of vulnerability of the Site to groundwater contamination via human activities is predominantly '*Moderate'*, with small areas of '*High'* along the northeast and southwest of the Site. The soil on Site is primarily classified as '*Tidal Marsh'*, with '*Urban'* present along some boundaries of the Site, and the predominant subsoil is Estuarine Sediments (silts/clays) (*Mesc*), with man-made (*Made*) partially bounding the Site (EPA, 2023).

The Waterbody Status for river, lake and groundwater water bodies relevant to the Site as recorded by the EPA (2023) in accordance with European Communities (Water Policy) Regulations 2003 (SI no. 722/2003) are provided in Table 1.

TABLE 1. WFD RISK AND WATER BODY STATUS

Waterbody Name	Water body; EU code	Location from Site	Distance from Site (km)	WFD water body status (2016-2021)	WFD 3rd cycle Risk Status	Hydraulic Connection to the Site
Surface Water Bodies						
Ramparts Stream	IE_NB_06 R010300	On Site	On Site	Poor	Under Review	Yes, via surface water run-off from the Site of the Proposed Development
Transitional Water Bodies						
Dundalk Bay	IE_NB_04 0_0100	Northeast	3.5km	Moderate	At Risk	Yes, via surface water run-off from the Site of

Waterbody Name	Water body; EU code	Location from Site	Distance from Site (km)	WFD water body status (2016-2021)	WFD 3rd cycle Risk Status	Hydraulic Connection to the Site
						the Proposed Development
Groundwater Bodies						
Louth	IEGBNI_NB_G_019	N/A	N/A	Good	Not at Risk	Underlying groundwater-body

4.2 Identification of Relevant European sites

4.2.1 Potential Impacts

The following elements of the Proposed Development were identified and assessed for their potential to cause likely significant effects on European sites.

Construction Phase

- Uncontrolled releases of silt, sediments and/or other pollutants to air due to earthworks;
- Surface water run-off containing silt, sediments and/or other pollutants into nearby waterbodies or surface water network;
- Surface water run-off containing silt, sediments and/or other pollutants into the local groundwater;
- Waste generation during the Construction Phase comprising soils and construction wastes;
- Increased noise and/or vibrations as a result of construction activity;
- Increased dust and air emissions from construction traffic;
- Increased lighting in the vicinity as a result of construction activity; and
- Increased human presence and activity as a result of construction activity.

Operational Phase

- Surface water drainage from the Site of the Proposed Development;
- Foul water drainage from the Proposed Development;
- Increased lighting at the Site and in the vicinity emitted from the Proposed Development; and
- Increased human presence and activity at the Site and in the vicinity as a result of the Proposed Development.

4.2.2 Potential Pathways to European Sites

For the above listed potential sources of effects to have the potential to cause likely significant effects on any European site, a pathway between the source of potential effects (i.e., the Site of the Proposed Development) and the receptor is required.

4.2.2.1 Direct Pathways

4.2.2.1.1 Hydrological pathways

The surface and foul waters from the Site will ultimately drain to Dundalk Bay via the Ramparts Stream and Dundalk WwTP respectively.

During the Construction Phase of the Proposed Development, surface water run-off containing silt/sediments or other pollutants could inadvertently flow into the Ramparts Stream on Site and flow to Dundalk Bay downstream of the Site. During the Operational Phase, surface water from the Site will be discharged to the Ramparts Stream. As such, there is a potential, weak hydrological pathway via surface water run-off to Dundalk Bay SAC (000455) and Dundalk Bay SPA (004026).

The hydrological pathway to these downstream European sites is 3.9km along the Ramparts Stream, over which any potential pollutants that may enter these downstream European sites via drainage from the Site would become diluted to indiscernible levels. Therefore, this hydrological pathway to these downstream designated sites is considered insignificant.

The Site will also be connected to the public foul water sewer network, which will discharge to the Dundalk Bay from Dundalk WwTP. As such, there is a weak hydrological link between the Dundalk Bay SAC (000455) and Dundalk Bay SPA (004026) via discharges from Dundalk WwTP during the Operational Phase. However, the potential for foul waters generated at the Site of the Proposed Development to reach these European sites within Dundalk Bay and cause significant effects, during the Operational Phase, is negligible due to the following:

- The potential for dilution in the surface water network during heavy rainfall events.
- The Dundalk WwTP has additional hydraulic capacity and organic capacity, as the current annual max hydraulic loading is 83.8% of the peak hydraulic capacity as constructed, and the collected organic load is 91% of the organic capacity as constructed (Irish Water, 2022).

No other European sites are hydrologically connected to the Proposed Development.

4.2.2.1.2 Hydrogeological pathways

Potential discharges to ground could potentially migrate vertically downward to the underlying bedrock aquifer and laterally within the aquifer to the downgradient receiving surface waterbodies, i.e., the Ramparts Stream, contributing to the hydrological pathway to European sites downstream of the Site. However, no direct hydrogeological pathways to any European sites exist due to the considerable distance of 1.6km (as the crow flies) and intervening watercourses between the Proposed Development and the nearest downstream European sites.

4.2.2.1.3 Air and land pathways

The Construction Phase of the Proposed Development could introduce dust and noise impacts transferable via air and land pathways, as well as increased lighting and human activity at the Site and in the vicinity of the Site during the Construction and Operational Phases.

Construction-related disturbance and displacement of fauna species could potentially occur within the vicinity of the Proposed Development. For mammal species such as Otter (*Lutra*

Lutra), disturbance effects would not be expected to extend beyond 150m[1] (TII, 2009). For birds, disturbance effects would not be expected to extend beyond a distance of c.300m (Cutts *et al.,* 2009), as noise levels associated with general construction activities would attenuate to close to background levels at that distance. There are no designated sites within the disturbance ZoI, i.e. 150m for mammals, and 300m for birds; the next nearest European site to the Proposed Development is c.1.6km away.

Due to the nature and localised scale of the works, emissions to air during Construction will be limited to brief to temporary dust generation within 25m of the construction site (based on TII assessment criteria for moderate sized construction sites), and emissions from construction machinery and vehicles (NRA, 2011). Given the size of the Proposed Development Site, dust generation and deposition during construction has the potential to degrade habitats within 25m of the Proposed Development Site (NRA, 2011). There are no European sites at risk from dust generation during Construction given the distance between the Site and the next nearest European site (Dundalk Bay SAC (000455) at 1.6km northeast), as seen in Figure 4. There is no potential for release of contained material to air during Operation.

Therefore, no direct impact pathways via air and land exist between the Proposed Development and any designated sites.

4.2.2.2 Indirect pathways

No significant indirect pathways (e.g., disruptions to migratory paths) were identified. The Site does not provide suitable *ex-situ* habitat for any of the bird species associated with the surrounding European sites.

4.2.3 Relevant European sites

European sites relative to the Proposed Development discussed in the context of potential S-P-R connections are shown in Table 2 and below in Figure 4 below.

[1] This is consistent with Transport Infrastructure Ireland (TII) guidance (*Guidelines for the Treatment of Otters prior to the Construction of National Road Schemes* and *Guidelines for the Treatment of Badgers prior to the Construction of National Road Schemes*) documents. This is a precautionary distance, and likely to be moderated by the screening effect provided by surrounding vegetation and buildings, with the actual ZoI of construction related disturbance likely to be much less in reality.

TABLE 2. EUROPEAN SITES CONSIDERED WITH THE SOURCE-PATHWAY-RECEPTOR (S-P-R) METHOD TO ESTABLISH NOTABLE LINKS BETWEEN THE SOURCES OF EFFECTS ARISING FROM THE PROPOSED DEVELOPMENT, AND ANY RELEVANT EUROPEAN SITES. THOSE SITES WITH NOTABLE S-P-R LINKS ARE HIGHLIGHTED IN GREEN (IF ANY). QIS AND SCIS TAKEN FROM THE RELEVANT CONSERVATION OBJECTIVE DOCUMENTS (NPWS 2011) AND STANDARD DATA FORMS (EEA, 2020).

Site Name & Site Code	Qualifying Interests (*= priority habitats) [2]	Potential Pathways
Special Areas of Conservation (SAC)		
Dundalk Bay SAC (000455) Linear Distance to Proposed Development approx. 1.6km NE	Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Perennial vegetation of stony banks [1220] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*) [1330] Mediterranean salt meadows (*Juncetalia maritimi*) [1410]	Weak hydrological pathway via Ramparts Stream, deemed insignificant due to distance and dilution. No other potential pathways identified.
Special Protection Areas (SPA)		
Dundalk Bay SPA (004026) Linear Distance to Proposed Development approx. 1.6km NE	Red-throated Diver (*Gavia stellata*) [A001] Great Northern Diver (*Gavia immer*) [A003] Great Crested Grebe (*Podiceps cristatus*) [A005] Cormorant (*Phalacrocorax carbo*) [A017] Greylag Goose (*Anser anser)* [A043] Light-bellied Brent Goose (*Branta bernicla hrota*) [A046] Shelduck (*Tadorna tadorna*) [A048] Wigeon (*Anas penelope*) [A050] Teal (*Anas crecca*) [A052] Mallard (*Anas platyrhynchos*) [A053] Pintail (*Anas acuta*) [A054] Common Scoter (*Melanitta nigra*) [A065] Common Goldeneye (*Bucephala clangula*) [A067] Red-breasted Merganser (*Mergus serrator*) [A069] Oystercatcher (*Haematopus ostralegus*) [A130] Ringed Plover (*Charadrius hiaticula*) [A137] Golden Plover (*Pluvialis apricaria*) [A140] Grey Plover (*Pluvialis squatarola*) [A141] Lapwing (*Vanellus vanellus*) [A142] Knot (*Calidris canutus*) [A143] Curlew Sandpiper (*Calidris ferruginea*) [A147] Dunlin (*Calidris alpina*) [A149] Ruff (*Philomachus pugnax*) [A151] Black-tailed Godwit (*Limosa limosa*) [A156] Bar-tailed Godwit (*Limosa lapponica*) [A157] Curlew (*Numenius arquata*) [A160] Spotted Redshank (*Tringa erythropus*) [A161] Redshank (*Tringa totanus*) [A162] Common Greenshank (*Tringa nebularia*) [A164] Ruddy Turnstone (*Arenaria interpres*) [A169]	Weak hydrological pathway via Ramparts Stream, deemed insignificant due to distance and dilution. No other potential pathways identified.

[2] The Standard Natura Data Forms are accurate to the 2020 update for the Conservation Objectives published in 2000. The full species list included in this table is as per the 2020 Standard Data Form. Conservation Objectives are not yet available for the newly added habitats/species but are assumed, for the purposes of assessment, to follow the same format as for other feature habitats/species.

Site Name & Site Code	Qualifying Interests (*= priority habitats) [2]	Potential Pathways
	Black-headed Gull (*Chroicocephalus ridibundus*) [A179] Common Gull (*Larus canus*) [A182] Herring Gull (*Larus argentatus*) [A184] A395 (*Anser albifrons flavirostris*) Wetland and Waterbirds [A999]	

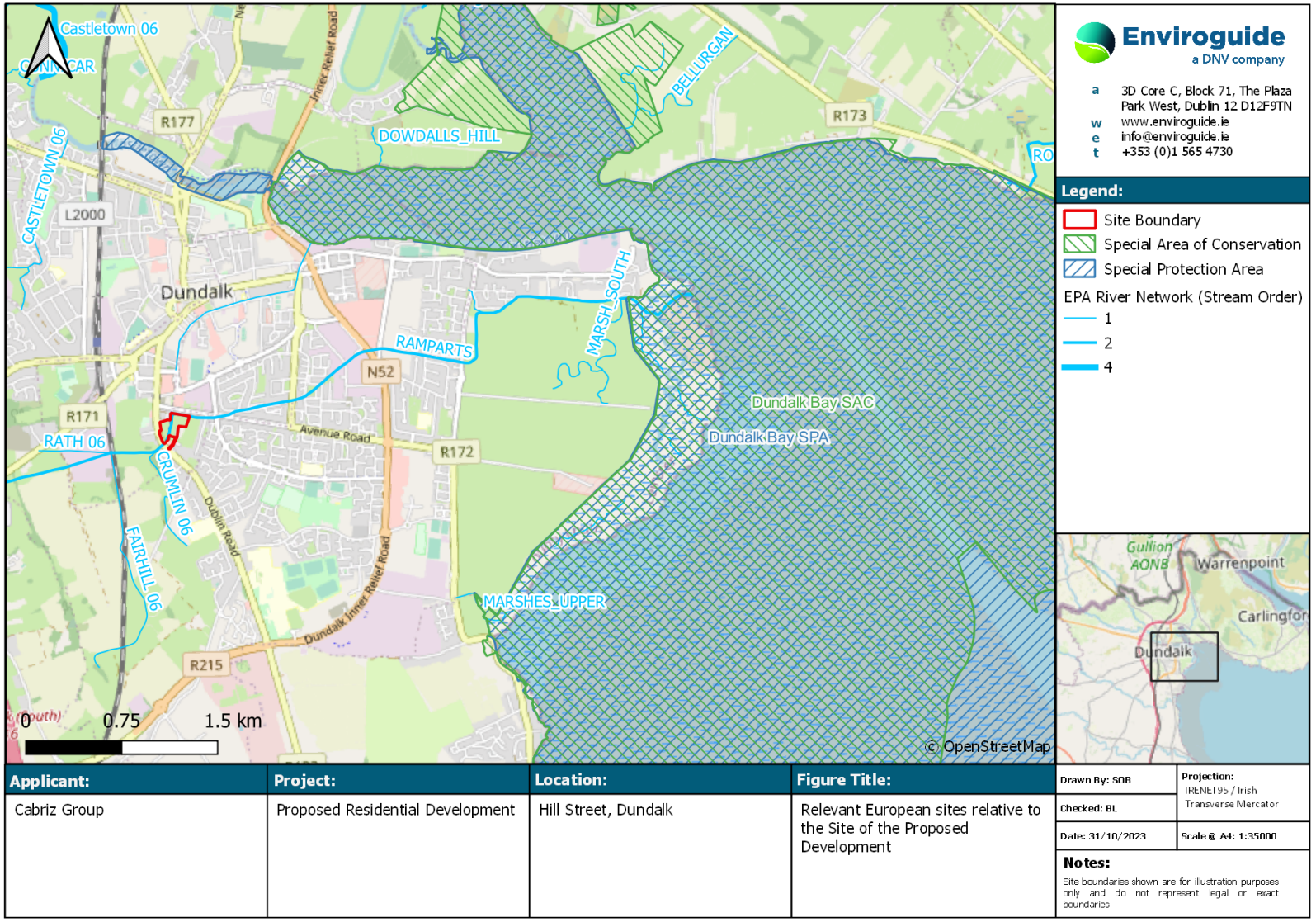

FIGURE 4. RELEVANT EUROPEAN SITES RELATIVE TO THE SITE OF THE PROPOSED DEVELOPMENT

4.3 Assessment of Likely Significant Effects

As stated in the preceding section, no S-P-R links of note between the Proposed Development and any European sites were identified, and therefore no further assessment is required to assess the potential for significant impacts from the Proposed Development alone.

4.3.1 Potential for In-combination Effects

Although the Proposed Development is not considered to have the capacity to cause significant effects on any European sites alone, it is important to consider the potential for cumulative effects with other plans and/or projects. The following sections outline existing granted or pending planning permissions in the vicinity of the Proposed Development and assess the potential for adverse in-combination effects on any European sites.

4.3.1.1 Existing Planning Permissions

Any planning applications listed as granted or decision pending from within the last five years were assessed for their potential to act in-combination with the Proposed Development and cause likely significant effects on the relevant European sites. Long-term developments granted outside of this time period were also considered where applicable.

There are several existing planning permissions on record in the area, approximately 500m surrounding the Site, ranging from small-scale extensions and alterations to existing residential and commercial properties to larger-scale developments. The larger scale developments identified within approximately 500m of the Proposed Development that may also have a hydrological pathway to Dundalk Bay are as follows:

TABLE 3. EXISTING GRANTED PLANNING PERMISSIONS WITHIN APPROXIMATELY 500M OF THE PROPOSED DEVELOPMENT SITE. LOCATION AND DISTANCE GIVEN IS RELATIVE TO THE PROPOSED DEVELOPMENT.

Planning Reference	Planning Authority	Status	Location
191062	Louth County Council	Grant Permission	50m north of the Proposed Development
Development Description The proposed development (12,228sq.m GFA) will consist of 114 no. apartments and ancillary commercial development involving 2 no. retail units (405sqm), medical centre (728sqm) & office (74sqm). The residential development is provided in 3 no. blocks; Block A (max.6 storeys with lift enclosure over), Block B (max.5 storeys with lift enclosure over) and Block C (max.5 storeys with lift enclosure over), each with private amenity roof gardens. The commercial element is all contained on the ground floor of Block A. The 114 no. apartments consist of 51.No. 1 Beds, 43 No. 2 Beds & 20 No. 3 Beds. All associated site and infrastructural works including new vehicular entrance off The Long Avenue, car parking (83 no. spaces), cycle parking (150 no. spaces), bin storage, landscaping, boundary treatments, foul and surface water drainage arrangements. The proposed landscaping involves a new linear water feature to the east created by deculverting the Rampart River and includes lands owned by Louth County Council. The proposed landscaping to the northern portion of the site is temporary in nature pending the future delivery of a road at this location.The application contains a statement setting out how the proposal will be consistent with the objectives of the relevant development plan or local area plan. A Natura Impact Statement has been prepared in respect of the proposed development. **Potential for In-combination effects** No potential for in-combination effects. The NIS for this project concluded that, following the mitigation measures outlined as part of this project, there would be no potential for significant impacts			

to any European sites. As such, accounting for the lack of potential impacts from the Proposed Development, it is determined there is no potential for in-combination effects between the Proposed Development and this development.			
23334	**Louth County Council**	**Grant Permission**	**77m south of the Proposed Development**
Development Description Permission for 31 no. residential units consisting of: 1 no. three storey block of apartment/duplex units, comprising 7 no. two bedroom units and 7 no. three bedroom units (14 no. units in total). 2 no. three storey blocks of apartment/duplex units, each comprising of 2 no. two bedroom units and 2 no. three bedroom units (8 no. units in total). 1 no. two storey terraced block of houses, comprising of 7 no three bedroom units, 2 no. two storey semi-detached 4 bedroom houses, to include vehicular/pedestrian access from the Dublin Road (R132), bin store, bicycle store, private and public open spaces, car parking, landscaping and all associated site development works to facilitate the development. **Potential for In-combination effects** No potential for in-combination effects. The AA carried out for this project concluded there would be no potential for significant impacts to any European sites. As such, accounting for the lack of potential impacts from the Proposed Development, it is determined there is no potential for in-combination effects between the Proposed Development and this development.			

4.3.1.2 Relevant Policies and Plans

The local policies and plans detailed in section 2.2 were reviewed and considered for possible in-combination effects with the Proposed Development. Each of these plans has undergone AA, and where potential for likely significant effects has been identified (e.g., in the case of the Louth County Development Plan), an NIS has been prepared which identifies appropriate mitigation. As such, it is considered that the plans and policies listed will not result in in-combination effects with the Proposed Development. The Louth County Development Plan 2021 – 2027 has directly addressed the protection of European sites and biodiversity through specific objectives. The above listed plans are not being relied upon to rule out potential significant effects on European sites.

TABLE 4. SUMMARY OF IMPACT ASSESSMENT ON EUROPEAN SITES AS A RESULT OF THE PROPOSED DEVELOPMENT.

Site	Habitat Loss / Alteration	Habitat or Species Fragmentation	Disturbance and/or Displacement of Species	Changes in Population Density	Changes in Water Quality and/or Resource	In-combination effects	Stage 2 AA Required
SAC							
Dundalk Bay SAC (000455)	No	No	No	None	None	None	NO
SPA							
Dundalk Bay SPA (004026)	No	No	No	None	None	None	NO

5 APPROPRIATE ASSESSMENT SCREENING CONCLUSION

The Proposed Residential Development at Hill Street, Dundalk, Co. Louth has been assessed taking into account:

- The nature, size and location of the proposed works and possible impacts arising from the construction works and operational activity.
- The qualifying interests and conservation objectives of the European sites.
- The potential for in-combination effects arising from other plans and projects.

In conclusion, upon the examination, analysis and evaluation of the relevant information and applying the precautionary principle, it is concluded by the authors of this report that the possibility **may be excluded** that the Proposed Development will have a significant effect on any of the European sites listed below:

- Dundalk Bay SAC (000455).
- Dundalk Bay SPA (004026).

In carrying out this AA screening, mitigation measures have not been taken into account. Standard best practice construction measures where the primary reason of the mitigation is to protect a European site have similarly not been taken into account.

On the basis of the screening exercise carried out above, it can be concluded, on the basis of the best scientific knowledge available and objective information, that the possibility of any significant effects on the above listed European sites, whether arising from the project itself or in combination with other plans and projects, can be excluded in light of the above listed European sites' conversation objectives. Thus, there is no requirement to proceed to Stage 2 of the AA process and the preparation of a NIS is not required.

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