

SEA Screening Report

for the

Draft Dunleer Local Area Plan
2017 – 2023



March 2017

Prepared by

FutureAnalytics
Planning + Research + Economics

ALTEMAR
Marine & Environmental Consultancy

Contents Amendment Record

This report has been issued and amended as follows:

Issue	Revision	Description	Date	Prepared by	Checked by
Rep01	00	Draft to Consultees	31 st January 2017	JK	
	01	Final Draft LAP	14th March 2017	JK	LCC

TABLE OF CONTENTS

1.0	Introduction	1
2.0	Planning Context	2
3.0	Submissions from Environmental Authorities	6
4.0	Consideration of need for Environmental Assessment	7
5.0	Conclusion	12

Appendices

Appendix 1	Sequential Approach to Residential Development
Appendix 2	Protected Structures
Appendix 3	Zone of Archaeological Potential
Appendix 4	Appropriate Assessment Screening for Draft Dunleer LAP 2017-2023

1.0 Introduction

1.1 Legal Context

Strategic Environmental Assessment (SEA) is a process for evaluating, at the earliest possible stage, the likely environmental effects of implementing a plan, in order to ensure that environmental considerations are addressed in an appropriate manner as part of the decision-making process, during the preparation of the plan and prior to its adoption.

The European Directive (2001/42/EC) on the Assessment of the Effects of Certain Plans and Programmes on the Environment (the SEA Directive) was transposed into national legislation by the following regulations

- European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. 435/2004), as amended by S.I. 200 of 2011; and
- the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. 436/2004), as amended by S.I. 201 of 2011.

“Screening” for the purposes of Strategic Environmental Assessment is defined as *“the process for deciding whether a particular plan, other than those for which SEA is mandatory, would be likely to have significant environmental effects, and would thus warrant SEA”* (Assessment of the Effects of Certain Plans and Programmes on the Environment, 2004, Guidelines for Regional & Planning Authorities, p 12).

Article 14A (2) of Planning and Development (Strategic Environmental Assessment) Regulations 2004, as amended, states that a determination of need for environmental assessment of a Local Area Plan (LAP) is required in the following circumstances:

“This article applies to a local area plan or an amendment to a local area plan for an area the population or the target population of which is less than 5,000 persons or where the area covered by the local area plan is less than 50 square kilometres.”

The population of Dunleer was identified in the 2011 Census as 1,786 and the area of the town within the Draft LAP boundary is approximately 1.5ha. As a result, the Draft LAP area falls below the threshold for mandatory SEA and, as a result, a screening report is required.

The criteria against which this is required to be measured and screened is set out in Schedule 2A of the Planning and Development (Strategic Environmental Assessment) Regulations 2004, as amended. Consideration of the Draft LAP against the Schedule 2A criteria is set out in Section 3 below.

2.0 Planning Context

2.1 Introduction

Dunleer is primarily a small town roughly equidistant from Dundalk and Drogheda. The original form of the settlement is linear in layout and the principal streetscapes are characterised by one and two storey buildings in mixed uses. Dunleer is located on the former N1 Belfast Dublin route, now downgraded to a regional route. It lies to the east side of the M1 motorway, with direct access from Junctions 12 and 13. The town is to the west side of the main Belfast Dublin rail line. The nearest settlements are Clogherhead on the coast, Castlebellingham to the north and Ardee to the west. Dunleer is a mainly residential town which acts as a district service centre, conveniently located in relation to the major towns of Dundalk and Drogheda. The White River flows through the town.

The town is designated as a Moderate Sustainable Growth Town in the Louth County Development Plan 2015-2021. These towns are described in the plan as being approximately 10km from a large growth town on a public transportation corridor, and serve a rural hinterland as market towns.

The preferred development strategy for County Louth as set out in the county development plan is based *inter alia* on building strong urban centres while protecting the rural hinterlands, including achieving critical mass in the moderate sustainable growth towns of Ardee and Dunleer.

The county development plan sets the following overarching policy for the development of Dunleer:

Policy SS 8 To promote and develop the resources of Dunleer to create a self-sufficient, sustainable and vibrant community which will act as a local development and service centre for the border catchment area and to review the Dunleer Local Area Plan following the adoption of the Louth County Development Plan 2015-2021.

2.2 Purpose of the Draft Dunleer LAP 2017-2023

Louth County Council has prepared a new Draft LAP for Dunleer 2017-2023 in accordance with the provisions set out in Part II of the Planning and Development Act 2000 (as amended). The draft LAP consists of a Written Statement and Maps. The period of the LAP shall be taken as being six years from the date of its adoption.

The Draft LAP provides a framework for the planned, coordinated and sustainable development of Dunleer and for the conservation and enhancement of its natural and man-made environment. The Draft LAP sets out the proposed policies and objectives of Louth County Council for the sustainable development of Dunleer to 2023. The key policies and objectives of the Draft LAP is informed by the principles of proper planning and sustainable development.

The extent of zoned land will remain largely unchanged from the current LAP, with some changes proposed to the zoning of particular sites, with a marginal effect on the extent of zoned land in each zoning class.

2.3 Population and Housing

The 2011 Census identifies a population in Dunleer town of 1,786. The 2016 census population of the town has not been published to date. The townland of Dunleer, in which the vast majority of the town is located, has a current population of 2,868 an increase of 2.6% from 2011.

Table 2.1 Dunleer Population (Source – CSO)

	2006	2011	2016	Change 2006- 2011	Change 2011- 2016
Dunleer Electoral Division (part)	2,340	2,796	2,868	19.5%	2.6%
Dunleer Town	1,449	1,786	n/a	23.3%	n/a

The Louth County Development Plan 2015-2021 sets out its population targets for the town in 2021 as follows:

Table 2.2 Dunleer Population Projection (Source – Louth County Development Plan 2015-2021)

	Projected Population 2016	Projected Population 2021	Increase in Population	Equivalent Residential Units
Dunleer	1,688	1,751	63	23

Variation No. 2 of the Louth County Development Plan 2009-2015, allocated a target population of 165 persons to Dunleer which equates to 62 residential units and a housing land requirement of 4.5ha. However, as a result of the countrywide economic downturn, no new dwelling houses other than satisfying the requirements of the Department of Environment, Community and Local Government Guidance Manual 2011 entitled “Managing and Resolving Unfinished Housing Developments”, have been constructed in Dunleer during the period of the current LAP 2010-2016. Tables 2.4 and 2.5 of the Louth County Development Plan 2015-2021 allocated an additional population of 63 persons to Dunleer up to the period 2021, which equates to an equivalent of 23 additional residential units and a corresponding housing land requirement of 1.15ha.

Consequently, as there has been no new housing construction during the period 2010-2016, the current target population figure of 63 persons (23 residential units) will be considered in conjunction with the target population figure allocated in Variation No. 2 of the Louth County Development Plan 2009-2015, i.e. 165 persons (62 residential units). Thus, the combined number of residential units allocated to Dunleer up to 2021 equates to 85 residential units, with a housing land requirement of 5.65ha.

Table 2.3 Dunleer Housing Land (Source – Louth County Development Plan 2015-2021)

	Household Allocation to 2021	Average Density (per ha)	Existing Undeveloped Land (ha)	Housing Land Required to 2016 (ha)	Housing Land Required to 2021 (ha)	Excess (including Strategic Reserve) (ha)
Dunleer	63	30	14.4	4.5	1.15	8.75

The proposed phasing of development land, as incorporated into the county development plan and to be implemented in the Draft LAP emphasises the use of brownfield land close to the town core, limiting the use of greenfield, undeveloped lands. The sequential priority is shown in Appendix 1.

2.4 Economy

Outside of the centres of Dundalk & Drogheda, the centres of Ardee and Dunleer are promoted as the principal centres of employment and investment in the Louth County Development Plan 2015-2021 with the following key policies:

Policy CS 5 To encourage and facilitate new employment opportunities within the Level 2 Settlements of Ardee and Dunleer.

2.5 Built Heritage

There are 12 Protected Structures within the Draft LAP boundary of Dunleer. A substantial area of Dunleer, the historic core of the town, is identified on the Record of Monuments and Places and is an Area of Archaeological Potential. The locations of the Protected Structures and Monuments are set out in Appendix 2 and Appendix 3 respectively.

2.6 Natural Heritage

The town lies on the White River. There are a number of sites with statutory designations for natural heritage protection in the vicinity of the town. These are set out below:

Table 2.4 Designated Sites in the vicinity of Dunleer

Name	Designation	Distance from Dunleer
Barmeath Woods	Proposed Natural Heritage Area	4km
Stabannon / Braganstown	Special Protection Area	6km
Stabannon / Braganstown	Proposed Natural Heritage Area	6km
Blackhall Woods	Proposed Natural Heritage Area	10km
Dundalk Bay	Special Area of Conservation	10km
Dundalk Bay	Special Protection Area	10km
Dundalk Bay	Proposed Natural Heritage Area	10km
Mellifont Abbey Woods	Proposed Natural Heritage Area	11km
Castlecoo Hill	Proposed Natural Heritage Area	12km
Clogherhead	Special Area of Conservation	12km
Clogherhead	Proposed Natural Heritage Area	12km
Kildemock Marsh	Proposed Natural Heritage Area	13km
Dunany Point	Proposed Natural Heritage Area	14km
Boyne Estuary	Special Protection Area	24km
Boyne Coast and Estuary	Special Area of Conservation	24km
Boyne Coast and Estuary	Proposed Natural Heritage Area	24km
River Boyne and River Blackwater	Special Protection Area	30km
River Boyne and River Blackwater	Special Area of Conservation	30km

An Appropriate Assessment Screening Report for the Draft LAP has been prepared on behalf of Louth County Council. The report concludes that, due to the nature of the Draft LAP and the distance from Natura 2000 sites, an Appropriate Assessment Screening for the draft Local Area Plan was deemed sufficient. A Stage 2 Appropriate Assessment is not required, as no significant impacts are likely on Natura 2000 sites from the Draft LAP on its own, or in combination with other plans or projects. A copy of the AA Screening Report is set out in Appendix 4.

The Draft Biodiversity Action Plan for Louth 2014-2018 seeks to assess, manage and protect existing landscape features by requiring detailed site surveys and appropriate protection measures as part of any development proposal. The Draft LAP will include supporting policies to support the plan, including the maintenance of 10m riparian corridors free from development along the White River and other policies supporting green infrastructure and the natural environment.

2.7 Flood Risk Assessment

A Strategic Flood Risk Assessment (SFRA) was prepared as part of the review of the Louth County Development Plan 2015-2021 and an area specific SFRA was prepared to guide the future development of Dunleer as part of the Draft LAP process.

3.0 Submissions from Environmental Authorities

3.1 Introduction

In accordance with the requirements of Article 14A(4) of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (as amended), notice was given to environmental authorities in relation to the making of the Draft LAP.

Responses were received by the following bodies - Environmental Protection Authority, Inland Fisheries Ireland and Meath County Council. Their submissions are summarised in Table 3.1 below.

Table 3.1 Environmental Authorities Submissions

Environmental Authority	Response
Environmental Protection Authority	<ul style="list-style-type: none"> • clarify whether flood risk assessment has been carried out in the plan; • Cross reference to EPA document 'Ireland's Environment 2016 – An Assessment' (EPA 2016); • Ensure that Louth County Council determine whether future proposed amendments / variations have significant effects on the environment; • Ensure adequate infrastructure is in place to service proposed or authorised development; • Ensure that Screening for Appropriate Assessment is taken into account; and • Notification of updated SEA Regulations / Circulars, procedures.
Inland Fisheries Ireland	<ul style="list-style-type: none"> • White River is a valuable natural resource for fisheries and amenity use; • Valuable spawning and nursery habitat and should be protected along its length in Dunleer; • Further protection possible through the provision of a suitably sized buffer and area for riparian vegetation; and • Further protection of the aquatic habitat could be provided through avoidance of construction of culverts.
Meath County Council	No comments.

The contents of these submissions have been taken into account in this document and in the Draft LAP.

4.0 Consideration of Need for Environmental Assessment

4.1 Criteria

Schedule 2A of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (as amended) sets out the criteria to be considered in determining whether a LAP is likely to have significant effects on the environment. These factors are considered in turn below.

4.2 The characteristics of the plan or programme having regard, in particular, to

- *The degree to which the plan or programme sets a framework for projects and other activities, either with regard to location, nature, size and operating conditions, or by allocating resources;*

The Dunleer LAP will set out a development framework for the planned, co-ordinated and sustainable development of Dunleer and for the conservation and enhancement of its natural and man-made environment.

The Draft LAP provides guidance in the form of policies and objectives for the development of social, physical and environmental infrastructure in a sustainable manner for Dunleer. A number of objectives set out relevant specifications for the development of zoned lands within the town. Notably, the extent of population expansion is limited and has been assessed as part of the development of the Louth County Development Plan 2015-2021. The proposed phasing of development land emphasises the use of brownfield land close to the town core, limiting the use of greenfield, undeveloped lands.

- *The degree to which the plan or programme influences other plans, including those in a hierarchy;*

The Draft LAP is set within the context of the Louth County Development Plan 2015-2021 and will influence future development within the town of Dunleer. However, it does not have a significant influence on additional plans in a hierarchy. It is not anticipated that the plan will have a significant environmental effect on any other plans.

- *The relevance of the plan of programme for the integration of environmental considerations in particular with a view to promoting sustainable development;*

The Draft LAP is in accordance with the provisions of Part II, Chapter II, Sections 18-20 of the Planning and Development Act 2000 (as amended) and therefore, is related to the proper planning and sustainable development of the area.

The Draft LAP sets out a strategy for the planned and sustainable development of Dunleer and for the protection, conservation and enhancement of its natural and man-made environment. The Draft LAP guides future development by zoning lands for particular purposes and providing a policy framework for planning decisions within the town of Dunleer. This is done in a sustainable and equitable manner and informs the local community, the public, stakeholders and developers of the policies and objectives that will ultimately shape development within the Draft LAP area.

The Draft LAP regulates and manages development within the area boundary for the period of the LAP from 2017 to 2023. However, it also puts in place a framework to guide the town's development over a longer time frame, allowing the town to evolve in a co-ordinated and sustainable manner. While the life of the LAP is six years, it is recognised that many of the objectives of the plan may take longer to achieve.

The Draft Dunleer LAP 2017-2023 is prepared having regard to National, Regional and Local policy documents, including the following:

- National Spatial Strategy 2002-2020;
- Regional Planning Guidelines for the Border Region 2010-2022;
- Building on Recovery; Infrastructure and Capital Investment 2016-2021;
- Our Sustainable Future; A Framework for Sustainable Development for Ireland (2012);
- Smarter Travel, A Sustainable Transport Future 2009-2020;
- National Climate Change Adaption Framework; Building Resilience to Climate Change (2012);
- National Energy Efficiency Action Plan 2009-2020;
- National Renewable Energy Action Plan (2010);
- Actions for Biodiversity – Ireland's National Biodiversity Plan 2011-2016;
- National Broadband Plan 2012;
- Water Services Strategic Plan; A Plan for the Future of Water Services;
- Neagh Bann River Basin District Management Plan;
- Water Supply Project Eastern & Midlands Region;
- Rebuilding Ireland - An Action Plan for Housing and Homelessness 2016;
- Realising Our Rural Potential – Action Plan for Rural Development 2017;
- Louth County Development Plan 2015-2021;
- Draft Biodiversity Action Plan for Louth 2014-2018;
- Louth Local Economic and Community Plan 2016-2022;
- The Planning System and Flood Risk Management - Guidelines for Planning Authorities (OPW/DEHLG, 2009);
- Local Authority Adaptation Strategy Development Guidelines, (EPA, 2016); and
- National Landscape Strategy (DECLG, 2015).

- *Environmental problems relevant to the plan or programme:*

The implementation of the Draft LAP is not likely to create or exacerbate environmental problems.

Dunleer is served by the Greenmount Water Treatment Plant with a water supply booster from a pump station located on the Dundalk Road. This plant, the connecting trunk mains and the booster station have limited capacity and no reservoir storage. Dunleer town is served by an existing waste water treatment plant located to the north of the town, outside the Draft LAP boundary. In 2008 the capacity of the plant was upgraded to 4,300 population equivalent (PE). There is 2,200PE of treatment capacity in the Dunleer WWTP.

The limited population growth proposed in the plan period is unlikely to have a significant effect on the capacity or quality of the water infrastructure.

- *The relevance of the plan for the implementation of European legislation on the environment (e.g. plans linked to waste management or water protection);*

Issues relating to legislation on the environment are provided for in the Louth County Development Plan 2015-2021. The Draft LAP is consistent with the policies and objectives of the Louth County Development Plan which itself was the subject of SEA. The Draft LAP is therefore guided and informed by the relevant European legislation on the environment including; waste management and water protection policies and objectives as set out in the Louth County Development Plan 2015-2021, including the Neagh Bann River Basin Management Plan.

4.3 Characteristics of the effects and of the area to be affected having regard, in particular to

- *The probability, duration, frequency and reversibility of the effects;*

The land subject to the Draft LAP is currently zoned under the Dunleer Local Area Plan 2010-2016. The Draft LAP does not zone additional lands beyond those currently zoned, and changes to zoning classes are minimal. Furthermore, the policies in place in the Louth County Development Plan 2015-2021 in relation to the phasing and location of housing development is likely to reduce the extent of greenfield lands developed in the Draft LAP area. The Draft LAP will have a lifespan of six years, after which it will be reviewed and subject to a new plan-making process.

The implementation of the LAP shall impact on the entire plan area in a phased manner throughout the its lifetime. All developments on zoned lands will be subject to various development policies which may, depending on the extent of the zoned land identified, require the preparation of master plans, and where relevant, Environmental Impact Statements, where site-specific significant impacts may occur. Such effects are not likely as a result of the implementation of the policies of the Draft LAP.

- *The cumulative nature of the effects;*

The Draft LAP forms part of the overall balanced, development strategy of Louth County Council, as set out in the Louth County Development Plan 2015-2021. The Draft LAP is consistent with the policies and objectives of the overarching county-wide policy and as a result will not have a significant cumulative effect on the environment, when taken with other plans and strategies within the county.

- *The trans-boundary nature of effects;*

Given the location of the town, the lack of connectivity of environmental factors to transboundary areas, and the low level of likely environmental impacts, it is not considered that transboundary effects are likely.

- *The risks to human health or the environment (e.g. due to accidents);*

There are no designated SEVESO sites within the Draft LAP area. The implementation of the Draft LAP will not result in any risks to human health. Development at a town level is not likely to have significant effects on elements of the environment with potential health effects, such as water or air quality.

- *The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected):*

The magnitude and spatial extent of the effects of the Draft LAP is likely to be local, within the town and its rural hinterland. The strategic impacts of the scale and extent of development have been subject to SEA as part of the development of the Louth County Development Plan 2015-2021.

The Draft LAP area contains cultural heritage in the form of Recorded Monuments, Area of Special Archaeological Interest and Protected Structures. The value of the area and its vulnerability will be protected in the implementation of the plan, due to the protection offered in the policies of the Draft LAP and the overarching protection offered to cultural and natural heritage set out in the Louth County Development Plan 2015-2021.

- *The value and vulnerability of the area likely to be affected due to:*
- a) special natural characteristics or cultural heritage;*
 - b) Exceeded environmental quality standards or limit values;*
 - c) Intensive land-use;*

There are no Natura 2000 sites located either within the current development boundary of the town or close to the town. There are no Natural Heritage Areas or Proposed Natural Heritage areas within the Draft LAP boundary.

It is the intention of the Draft LAP to preserve and/or enhance those buildings, structures, trees, open spaces, archaeological remains, views and other elements which contribute to the unique character of the area.

It is anticipated that environmental quality standards will not be exceeded and that the value of the area will not be limited as a result of the implementation of the Draft LAP. The water infrastructure has adequate capacity to address the extent of additional development proposed.

The policies and objectives contained within the Draft LAP are set within the context of the Louth County Development Plan 2015-2021 for which a full SEA was prepared and published.

- | |
|--|
| <p>- <i>The effects on areas or landscapes which have a recognised national, European union or international protection status</i></p> |
|--|

Dunleer is located within the 'Muirhevna Plain' Landscape Area within the Louth Landscape Character Assessment of the Louth County Development Plan 2015-2021. This is a landscape of local value. The implementation of the Draft LAP is not likely to affect its landscape character, given the projected population for Dunleer, the policies protecting such sites in the Louth County Development Plan 2015-2021 and the planning policies in the current LAP.

4.4 Determination

In assessing the Draft LAP against the required environmental criteria, it has been determined that the Draft LAP does not require full Strategic Environmental Assessment.

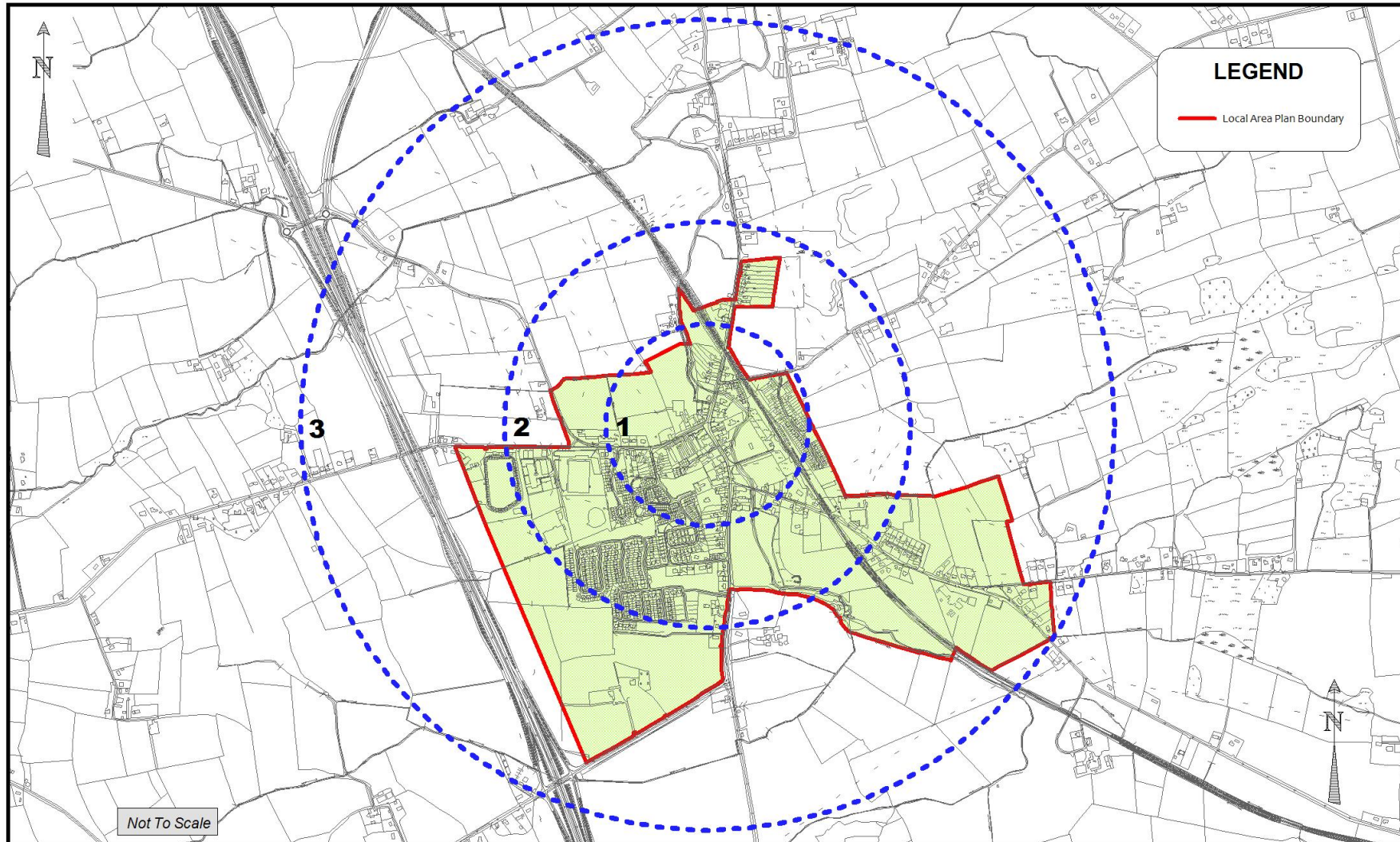
The policies in the existing LAP and the Draft LAP are consistent with the Core Strategy of the Louth County Development Plan 2015-2021. The policies and objectives will be implemented in accordance with the relevant statutory planning and environmental legislation and higher level plans, which have been subject to SEA. The nature, extent and location of development, particularly residential growth in the town under the requirements of the core strategy will limit the potential for any significant effects.


5.0 Conclusion

The Draft Dunleer LAP 2017-2023 has been examined against the criteria as set out in European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. 435/2004), as amended by S.I. 200 of 2011, and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. 436/2004), as amended by S.I. 201 of 2011.

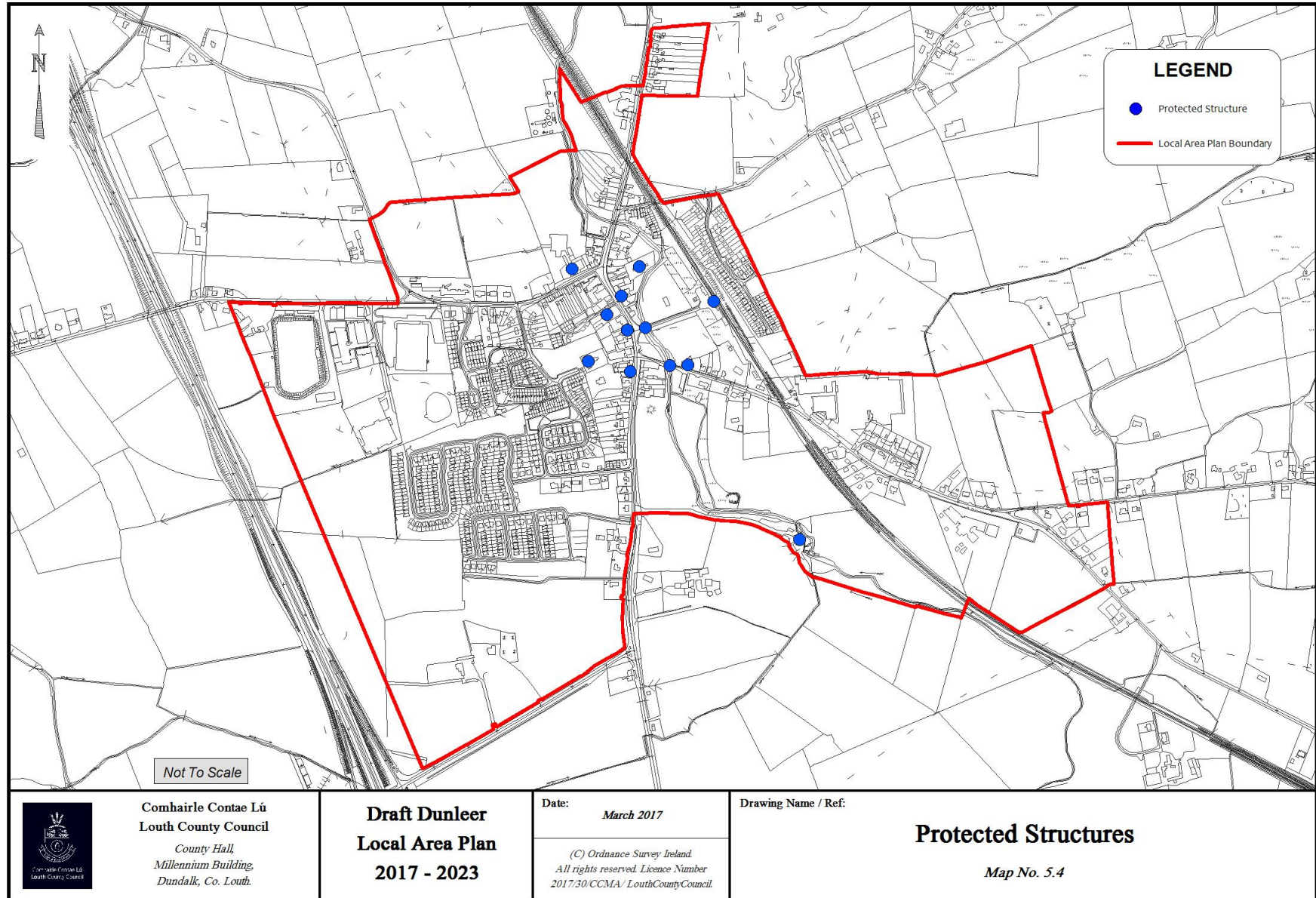
Having assessed the context, extent of growth, the policies and objectives of the existing Dunleer LAP 2010-2016, and the range of hierarchical statutory planning and development policy, none of the criteria as set out in legislation apply to the Draft LAP, and as a result, there is no requirement for the carrying out of Strategic Environmental Assessment.

APPENDIX 1

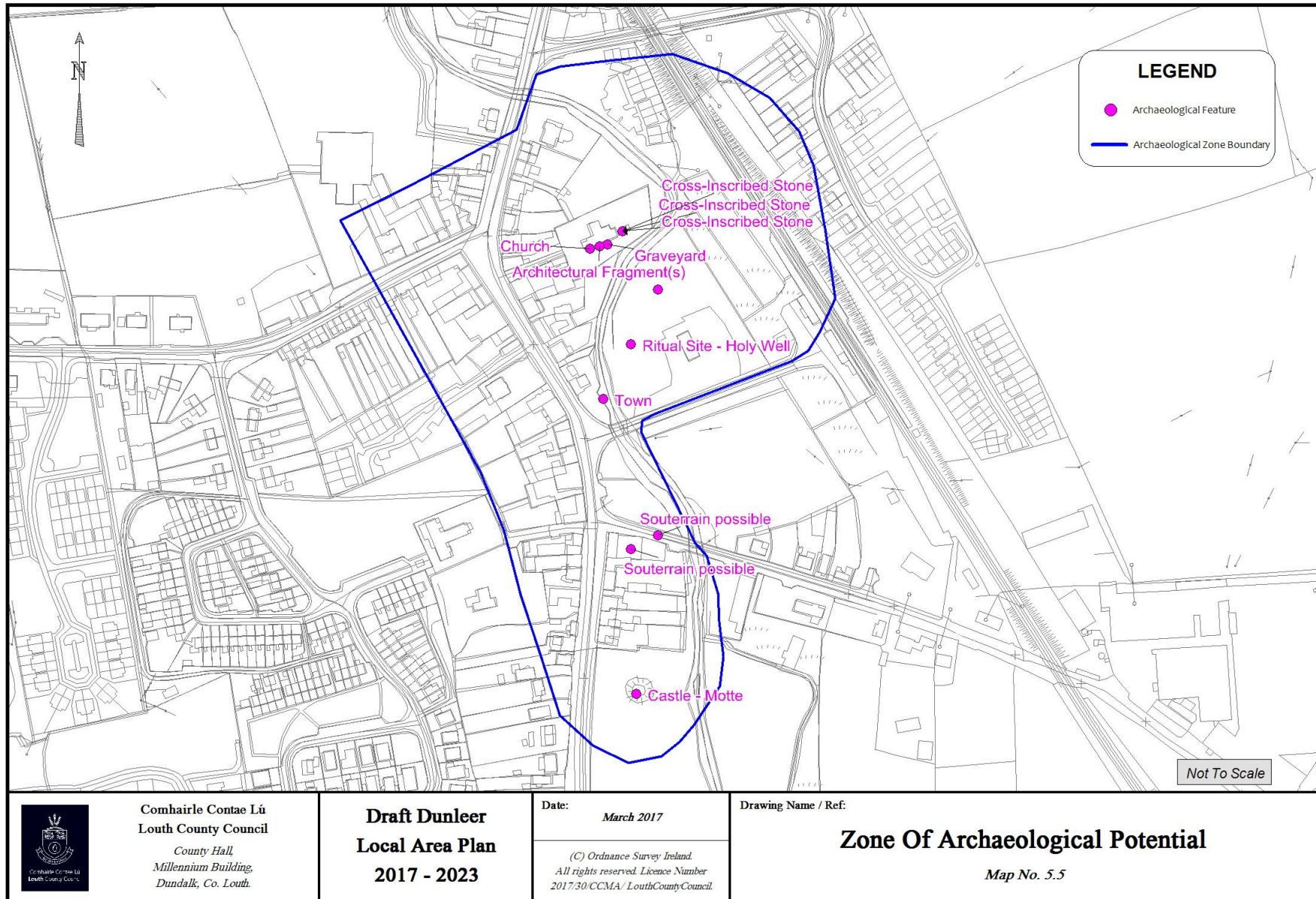


 <p>Comhairle Contae Lú Louth County Council County Hall, Millennium Building, Dundalk, Co. Louth.</p>	<p>Draft Dunleer Local Area Plan 2017 - 2023</p>	<p>Date: <i>March 2017</i></p> <p><small>(C) Ordnance Survey Ireland. All rights reserved. Licence Number 2017/30/CCMA/ LouthCountyCouncil.</small></p>	<p>Drawing Name / Ref:</p> <p>Sequential Circles</p> <p><i>Map No. 2.1</i></p>
---	---	---	---

APPENDIX 2



APPENDIX 3

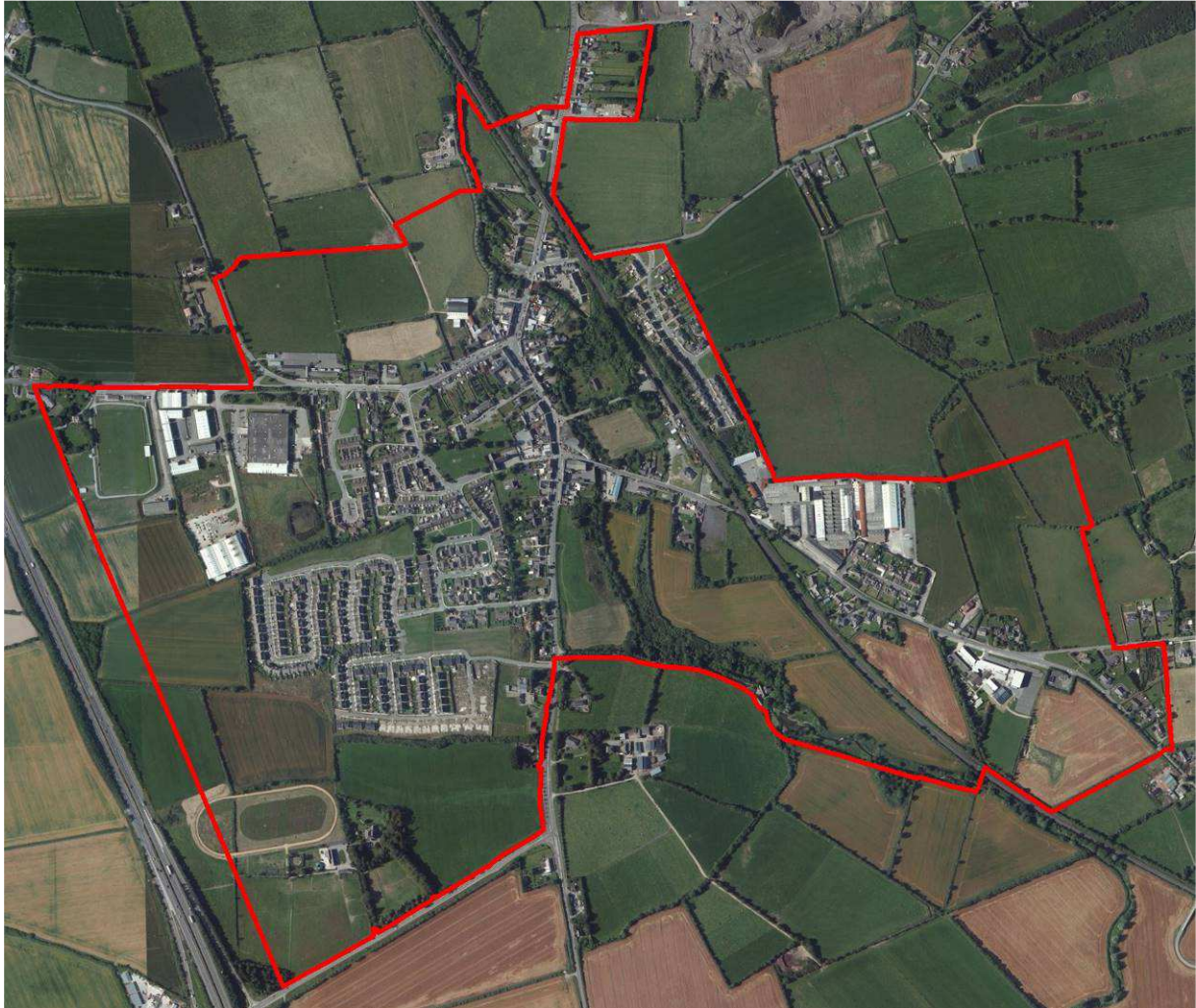


APPENDIX 4

Appropriate Assessment Screening for Draft Dunleer LAP 2017-2023

Appropriate Assessment Screening Report Draft Dunleer Local Area Plan 2017 – 2023

In line with the requirements of Article 6(3) of the EU Habitats Directive



15th March 2017

ALTEMAR
Marine & Environmental Consultancy

FutureAnalytics
Planning + Research + Economics

Prepared by: Altemar Ltd. & Future Analytics Consulting Ltd.

On behalf of: Louth County Council

Altemar Ltd., 50 Templecarrig Upper, Delgany, Co. Wicklow. 00-353-1-2010713. info@altemar.ie

Directors: Bryan Deegan and Sara Corcoran

Company No.427560 VAT No. 9649832U

www.altemar.ie

Document Control Sheet			
Client	Louth County Council		
Project	Appropriate Assessment Screening Report - Draft Dunleer Local Area Plan, 2017 – 2023.		
Report	Appropriate Assessment Screening		
Date	15 th March 2017		
Project No:		Document Reference: AASDLAP-D2	
Version	Author	Reviewed	Date
Draft 01	Bryan Deegan	SC/MQ	6 th February 2017
Draft 02	Bryan Deegan	SC/MQ/TL	21 st February 2017
Draft 03	Bryan Deegan	MQ	10 th March 2017
Draft 04	Bryan Deegan		15 th March 2017

Contents

1. SUMMARY	4
<i>Background to Altamar and Future analytics Consulting.....</i>	4
2. BACKGROUND TO APPROPRIATE ASSESSMENT.....	4
4. SCREENING STAGE ASSESSMENT	7
1. MANAGEMENT OF THE SITE	7
2. THE DUNLEER LOCAL AREA PLAN 2017–2023	7
<i>Description of Dunleer.....</i>	9
<i>Vision.....</i>	9
<i>Strategic Objectives of the Draft LAP.....</i>	11
<i>Statutory Framework</i>	11
3. IDENTIFICATION OF NATURA 2000 SITES/SPECIES POTENTIALLY AFFECTED.	13
4. HABITATS AND SPECIES OF CONSERVATION IMPORTANCE.....	24
<i>Cumulative Impacts.....</i>	25
5. CONCLUSIONS	25
6. FINDING OF NO SIGNIFICANT EFFECTS REPORT	26
7. DATA USED FOR THE AA SCREENING ASSESSMENT	26
8. REFERENCES	27
APPENDIX I OBJECTIVES OF THE DRAFT DUNLEER LOCAL AREA PLAN 2017 – 2023	28
APPENDIX II: pNHA AND NHA IN THE VICINITY OF DRAFT DUNLEER LAP.....	31

1. SUMMARY

An Appropriate Assessment is an assessment of the potential effects of a proposed project or plan, on its own, or in combination with other plans or projects, on one or more NATURA 2000 sites (Special Areas of Conservation (SAC) or Special Protection Areas (SPA)).

The following Appropriate Assessment Screening report has been prepared by Altemar Ltd. and Future Analytics Consulting Ltd. on behalf of Louth County Council, in respect of the Draft Dunleer Local Area Plan 2017 – 2023. The assessment examines the implications of proceeding with the plan on the conservation objectives of Natura 2000 sites within 15km.

This report concludes that, due to the nature of the proposed Plan and the distance from Natura 2000 sites, an Appropriate Assessment Screening for the draft Local Area Plan was deemed sufficient. A Stage 2 Appropriate Assessment is not required, as no significant impacts are likely on Natura 2000 sites from the draft Local Area Plan on its own, or in combination with other plans or projects.

BACKGROUND TO ALTEMAR AND FUTURE ANALYTICS CONSULTING.

Altemar¹ is an environmental consultancy based in Greystones, Co. Wicklow. Since its inception in 2001, Altemar has been delivering ecological and environmental services to a broad range of clients. Operational areas include residential, infrastructural, aviation, renewable, oil & gas, private industry, local authorities, EC projects and environmental consultancy for State/semi-State Departments.

Future Analytics Consulting² is Ireland's fastest growing and most innovative town planning, socio-economic research and data analytics consultancy, specialising in delivering evidence-based solutions across multiple sectors. Our service offer is built on evidence, the collection, analysis and presentation of information to inform smart decision-making.

2. BACKGROUND TO APPROPRIATE ASSESSMENT

The Habitats Directive 92/43/EEC (together with the Birds Directive (79/409/EEC)) forms the cornerstone of Europe's nature conservation policy. The Directive protects over 1000 animals and plant species and over 200 "habitat types" which are of European importance. In the Directive, Articles 3 to 9 provide the legislative means to protect habitats and species of European Community interest through the establishment and conservation of an EU-wide network of conservation sites (NATURA, 2000). These are Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas (SPAs) designated under the Birds Directive, Article 6(3) and 6(4) of the Habitats Directive set out the decision-making tests for plans and projects likely to affect NATURA 2000 sites (Annex 1.1). Article 6(3) establishes the requirement for Appropriate Assessment:

"Any plan or project not directly connected with or necessary to the management of the [NATURA 2000] site but likely to have a significant effect thereon, either individually or in combination with other plans and projects, shall be subjected to appropriate assessment of its implications for the site in view of the site's conservation objectives. In light of the conclusions of the assessment of the implication for the site and subject to the provisions of paragraph 4, the component 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"

As outlined in the guidance document on Article 6(4) (January 2007):

"Appropriate assessments of the implications of the plan or project for the site concerned must precede its approval and take into account the cumulative effects which result from the combination of that plan or project with other plans or projects in view of the site's conservation objectives. This implies that all aspects of the plan or project which can, either individually or in combination with other plans or projects, affect those objectives must be identified in the light of the best scientific knowledge in the field."

¹ www.altemar.ie

² www.futureanalytics.ie

Assessment procedures of plans or projects likely to affect NATURA 2000 sites should guarantee full consideration of all elements contributing to the site integrity and to the overall coherence of the network, both in the definition of the baseline conditions and in the stages leading to identification of potential impacts, mitigation measures and residual impacts. These determine what has to be compensated, both in quality and quantity. Regardless of whether the provisions of Article 6(3) are delivered following existing environmental impact assessment procedures or other specific methods, it must be ensured that:

- *Article 6(3) assessment results allow full traceability of the decisions eventually made, including the selection of alternatives and any imperative reasons of overriding public interest.*
- *The assessment should include all elements contributing to the site's integrity and to the overall coherence of the network as defined in the site's conservation objectives and Standard Data Form, and be based on best available scientific knowledge in the field. The information required should be updated and could include the following issues:*
 - *Structure and function, and the respective role of the site's ecological assets;*
 - *Area, representativity and conservation status of the priority and nonpriority habitats in the site;*
 - *Population size, degree of isolation, ecotype, genetic pool, age class structure, and conservation status of species under Annex II of the Habitats Directive or Annex I of the Birds Directive present in the site;*
 - *Role of the site within the biographical region and in the coherence of the NATURA 2000 network; and,*
 - *Any other ecological assets and functions identified in the site.*
- *It should include a comprehensive identification of all the potential impacts of the plan or project likely to be significant on the site, taking into account cumulative impacts and other impacts likely to arise as a result of the combined action of the plan or project under assessment and other plans or projects.*
- *The assessment under Article 6(3) applies the best available techniques and methods, to estimate the extent of the effects of the plan or project on the biological integrity of the site(s) likely to be damaged.*
- *The assessment provides for the incorporation of the most effective mitigation measures into the plan or project concerned, in order to avoid, reduce or even cancel the negative impacts on the site.*
- *The characterisation of the biological integrity and the impact assessment should be based on the best possible indicators specific to the NATURA 2000 assets which must also be useful to monitor the plan or project implementation."*

Plans

Plans, as defined by NPWS (2009), include all statutory and non-statutory land use, framework and sectoral plans and strategies to the extent that they have the potential to have significant effects on a NATURA 2000 site. This incorporates 'plans and programmes' covered by the SEA Directive 11, and other plans and strategies, including those that are designed or intended to benefit the environment or heritage, such as Heritage and Biodiversity plans, recreation/amenity plans or strategies, and River Basin Management Plans.

Project

The Commission (EC, 2006) puts the position as follows: "such a definition of project [i.e. definition of 'project' from the EIA Directive] is relevant to defining the concept of plan or project as provided for in the Habitats Directive, which, seeks, as does Directive 85/337, to prevent activities which are likely to damage the environment from being authorised without prior assessment of their impact on the environment", and goes on to say that "the fact that the activity has been carried on periodically for several years on the site concerned and that a licence has to be obtained for it every year does not in itself constitute an obstacle to considering it, at the time of each application, as a distinct plan or project within the meaning of the Habitats Directive".

3. STAGES OF APPROPRIATE ASSESSMENT

This report for Appropriate Assessment screening was undertaken in accordance with the European Commission Methodological Guidance on the provision of Article 6(3) and 6(4) of the 'Habitats' Directive 92/43/EEC (EC, 2001) and the European Commission Guidance '*Managing NATURA 2000 Sites*'. This report also takes into account the December 2009 publication from the Department of Environment, Heritage and Local Government entitled 'Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities' and the European Communities (Birds and Natural Habitats) Regulations 2011.

In order to comply with the above Guidance, the Appropriate Assessment process is structured as follows:

1) Stage 1: Screening:

- Description of the proposed project;
- Identification of NATURA 2000 sites potentially affected;
- Identification and description of individual and cumulative impacts likely to result from the proposed project;
- Assessment of the significance of the impacts identified above on site integrity. Exclusion of sites where it can be objectively concluded that there will be no significant effects; and,
- Conclusions.

2) Stage 2: Appropriate Assessment (Natura Impact Statement):

- Description of the NATURA 2000 sites that will be considered further;
- Description of significant impacts on the conservation feature of these sites likely to occur from the project; and,
- Mitigation/Recommendations/Conclusions.

3) Stage 3: Assessment of Alternative Solutions

If mitigation is possible that enables a risk to be avoided fully, then, subject to other necessary approvals, the project or plan may proceed. If mitigation measures are insufficient, or are not actually practicable and achievable to avoid the risk entirely, then, in the light of a negative assessment, the plan or project may not proceed. A wider search for alternative solutions may need to be considered – Stage 3.³

4) Stage 4: Assessment where no alternative solutions exist and where adverse impacts remain (Imperative Reasons of Overriding Public Interest (IROPI)/Derogation): Stage 4 is the main derogation process of Article 6(4) which examines whether there are imperative reasons of overriding public interest (IROPI) for allowing a plan or project that will have adverse effects on the integrity of a NATURA 2000 site to proceed in cases where it has been established that no less damaging alternative solution exists. The extra protection measures for Annex I priority habitats come into effect when making the IROPI case.

This report presents the findings from Stage 1, Screening for Appropriate Assessment.

³ (DoEHLG, 2009) Appropriate Assessment of Plans and projects in Ireland: Guidance for planning authorities.

4. SCREENING STAGE ASSESSMENT

1. MANAGEMENT OF THE SITE

The plan or project is not directly connected with, or necessary to, the management of NATURA 2000 sites.

2. THE DUNLEER LOCAL AREA PLAN 2017–2023

“The purpose of the draft Dunleer Local Area Plan (LAP) is to make an area-based plan to guide and direct the development of the town in the next 6 years and beyond. The plan area is shown on Appendix 5, Map 1.1, Land Use Zoning Map” (Figure 1) “and includes the town of Dunleer and its immediate suburbs. The boundaries of the plan area are chosen to reflect the physical built area of the existing town and the immediate vacant lands adjoining the town.

The principal objective of the draft plan is to ensure that all new development in the town is sustainable (always think about development in the longer term assessing its implications for the future even if the proposal is in the short term) and is co-ordinated. To provide for the identified needs of the town now and in the future such as housing, buildings in which to work and shop, community facilities, amenities and other public investment. While at the same time using or in instances re-using in the most efficient way the existing town assets such as undeveloped land, public infrastructure, schools and community resources. The success of the Plan will be assessed in how it achieves its overall sustainability objectives. For example in the compact physical development of the town, in a reduced need for transport and energy consumption and in the protection, conservation and enhancement of the unique natural and building heritage of the town.

This draft Plan provides for the growth and consolidation of the town with the participation of the people of the town and public bodies such as the Department of Education, Irish Water etc. The first phase in public consultation the issues papers received 153 responses. As a first step in the preparation of a draft plan a vision for how Dunleer could be in the future was prepared. The issues papers asked that the public outline their vision. The vision is set out in the introduction to this document.

The draft plan is an area-based development strategy which identifies areas for particular purposes or uses such as residential (housing), employment (offices and industry) or amenity (green space). This land zoning strategy for specific uses in identified locations can be seen in” (Figure 1). “The plan will provide for growth and investment (public and private) in accordance with this pre-determined development strategy. The implementation of the development strategy is primarily through the planning application process where individual planning applications are submitted on lands within the plan area for large and small development which will require planning permission to be built. The applications are assessed against the plan, and other relevant documents, if they satisfy the requirements the application will be granted planning permission. A refusal to build will arise if the application does not satisfy the requirements of the plan.”

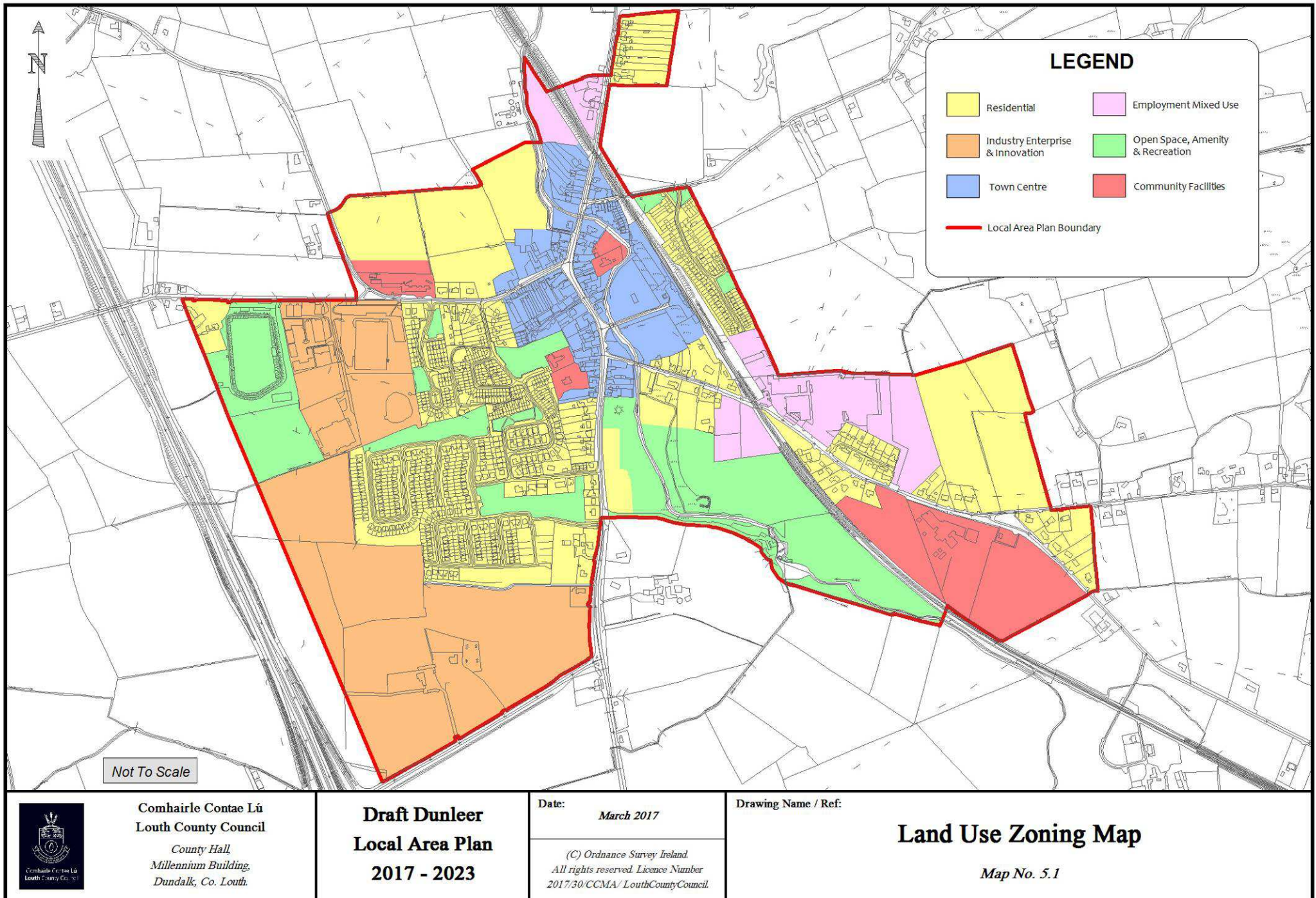


Figure 1. Land Use Zoning Map of the draft Dunleer LAP 2017-2023.

“The plan will regulate and manage development within the area boundary for the period of the draft Plan from 2017 to 2023. However, it also aims to put in place a framework to guide the town’s development over a longer time frame, allowing the town to evolve in a co-ordinated and sustainable manner. While the life of the plan is 6 years, it is recognised that many of the objectives of the plan may take longer to achieve.

The Planning & Development Act introduced the concept of LAPs in a framework of higher-level plans as detailed in Table 1.1 below:

Table 1. Plan Hierarchy

Sustainable Development, European Spatial Development Perspective, EC Directives, Guidance & Conventions
Planning Legislation, National Spatial Strategy, Smarter Travel, Ministerial Guidelines & Directives
Regional Planning Guidelines for the Border Region
LCC Corporate Plan & Louth LECP
Louth County Development Plan 2015-2021
Draft Dunleer Local Area Plan 2017-2023

DESCRIPTION OF DUNLEER

The original form of the settlement of Dunleer is linear in layout and the principle streetscapes are characterised by one and two storey buildings in mixed uses. Located approximately equidistant between Dundalk and Drogheda, it straddles the former N1 Dublin Belfast route, now the Protected Regional Road R132. Additionally it is situated to the west of the Dublin-Belfast railway line, and to the east of the M1 Motorway, off which there is a spur road providing access to the town. The construction of the M1 and the consequent by-passing of the town removed the congestion experienced by large volumes of through traffic on the former national road. Indeed Dunleer benefits from its strategic location affording it direct access to the motorway network and the wider national road network.

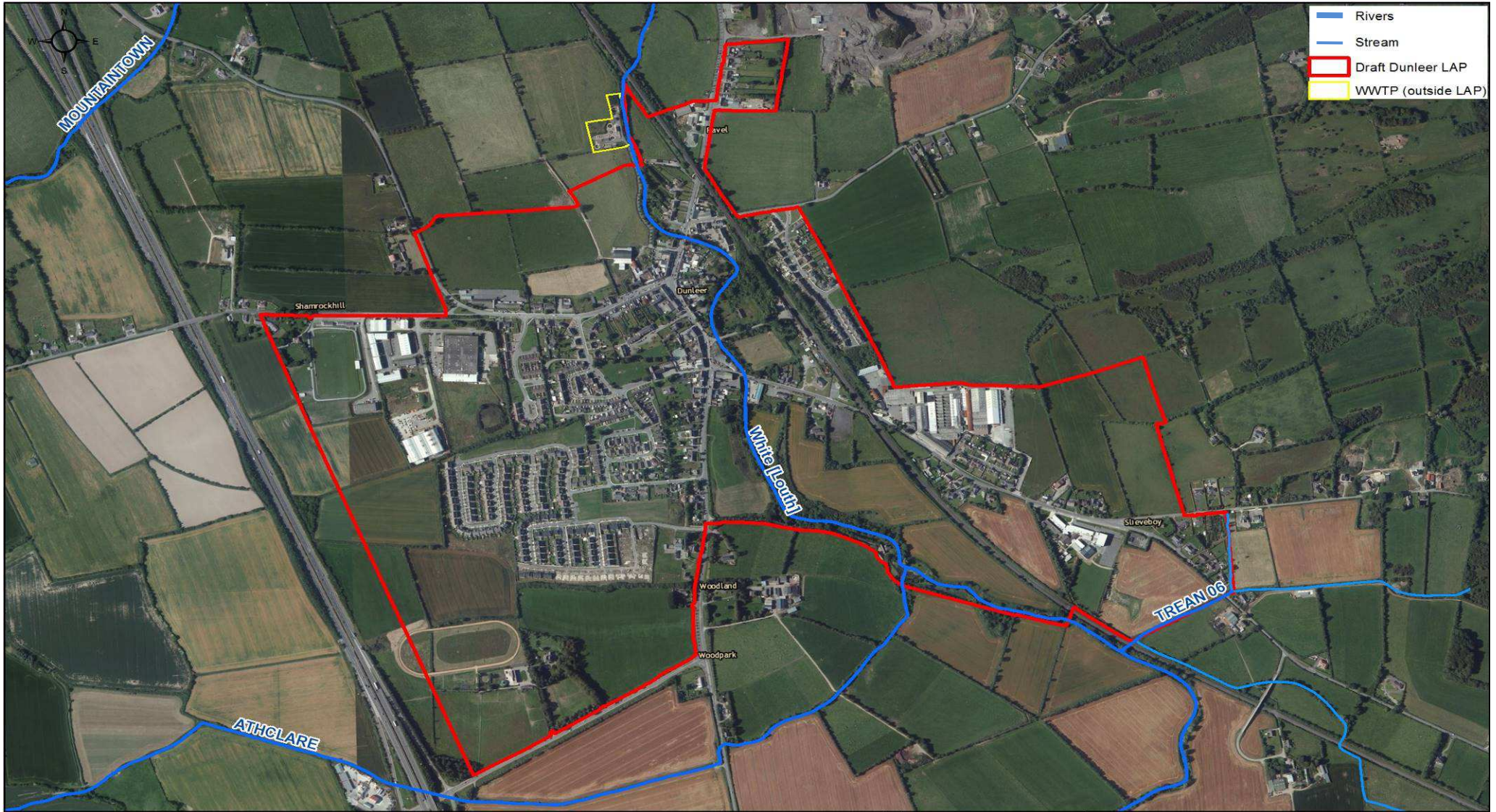
The White River is a natural asset flowing through the centre of the town which is presently underutilised. The potential exists for the development of both a riverside walk and parkway to serve all the people of the town, both young and elderly and would provide for an area of high visual quality and tranquillity suitable to serve as a recreational amenity and piece of green infrastructure (Figure 2).

Located in the Mid Louth area, Dunleer is also approximately equidistant from Ardee to the west, Clogherhead to the east and Castlebellingham/Kilsaran to the north. Dunleer functions as a local service centre for both the residents of the town and its surrounding rural hinterland through its offering of a wide range of residential, commercial and community and social facilities. Whilst Dunleer experienced substantial development up to the period of 2008, thereafter and indeed during the period of the current LAP, there has, in essence been no development within the boundary of the local area plan.

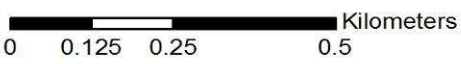
VISION

The Strategic Vision for Dunleer is based on the policy and definition in the Settlement Strategy contained in the Louth County Development Plan 2015-2021, in addition to the aspirations of the people and stakeholders in Dunleer. The vision statement for Dunleer reads as follows:

To provide for the sustainable growth of local employment, economic development , transportation, housing and services for both the town and its hinterland and to strengthen within a consolidated urban form, these interdependent land uses in future development, providing for best practice urban design principles and sustainable energy while protecting the natural and man-made assets.



Project: Draft Dunleer LAP
 Client: Louth County Council
 Location: Dunleer, Co. Louth
 Date: 15th March 2017
 Drawn By: Bryan Deegan (Altamar)



ALTEMAR
 Marine & Environmental Consultancy
FutureAnalytics
 Planning + Research + Economics

Figure 2. Satellite image of Dunleer draft LAP 2017-2023 including the location of the White River and WWTP (outside draft LAP area).

STRATEGIC OBJECTIVES OF THE DRAFT LAP

The realisation of the vision for Dunleer will be pursued by seeking to secure the following overall strategic objectives of the Plan:

1. To encourage a sustainable level of development that is appropriate to the character of Dunleer and to strengthen Dunleer as a development and service centre to cater for the local population
2. To support a vibrant, attractive and growing town centre that seeks to facilitate a wide range of services, amenities, jobs and facilities for those living there and in the wider hinterland.
3. To establish a positive and flexible framework for economic development, optimising the town's strategic location within the county, while promoting the manufacturing industry as the town's economic niche and encouraging the expansion of related business and enterprise.
4. To ensure that best practice urban design principles are applied to all new development and give guidance on the location, scale, form, design and type of development that is appropriate with the infrastructure necessary to service it.
5. To positively enhance the town's built and natural heritage by protecting existing heritage assets and their settings, promoting the enhancement, management and understanding of their assets and by providing for appropriate development.
6. To enhance the existing transport network and encourage improved access, connectivity and permeability to and around the town, including use of public transport, walking and cycling.
7. To promote sustainable energy efficiency and provide energy from sustainable sources.

Individual objectives of the plan are seen in Appendix I and a map of the plan objectives is seen in Figure 3.

STATUTORY FRAMEWORK

The draft Dunleer Local Area Plan 2017-2023 has been prepared in accordance with the provisions of Section 18, 19 and 20 of the Planning and Development Act 2000 (as amended) which provides that a LAP shall be prepared in respect of an area which is:

- Designated as a town in the most recent census of population, other than a town designated as a suburb or environs in that census;
- Has a population in excess of 5,000; and
- Is situated within the functional area of a planning authority which is a county council.

The 2011 Census indicated that Dunleer had a total population of 1,786. Whilst the preparation of a Local Area Plan is not mandatory for Dunleer, historically there has been such a plan provided and a decision was taken by the Elected Members that this practice would be continued.

In accordance with legislation, a Local Area Plan must be:

- consistent with the objectives of the Development Plan, its core strategy and the applicable regional planning guidelines (and any variations thereafter)
- consistent with guidelines issued by the Minister & national plans, policies or strategies as relate to the proper planning and development of the area
- in accordance with the requirements of the Planning & Development Act 2000 (as amended)

A Local Area Plan shall remain in force for 6 years from its date of adoption, unless it is amended or extended by Louth County Council as provided for under legislation. When the LAP is in force, both the Planning Authority and An Bord Pleanála shall have regard to its provisions when considering applications for planning permission.”

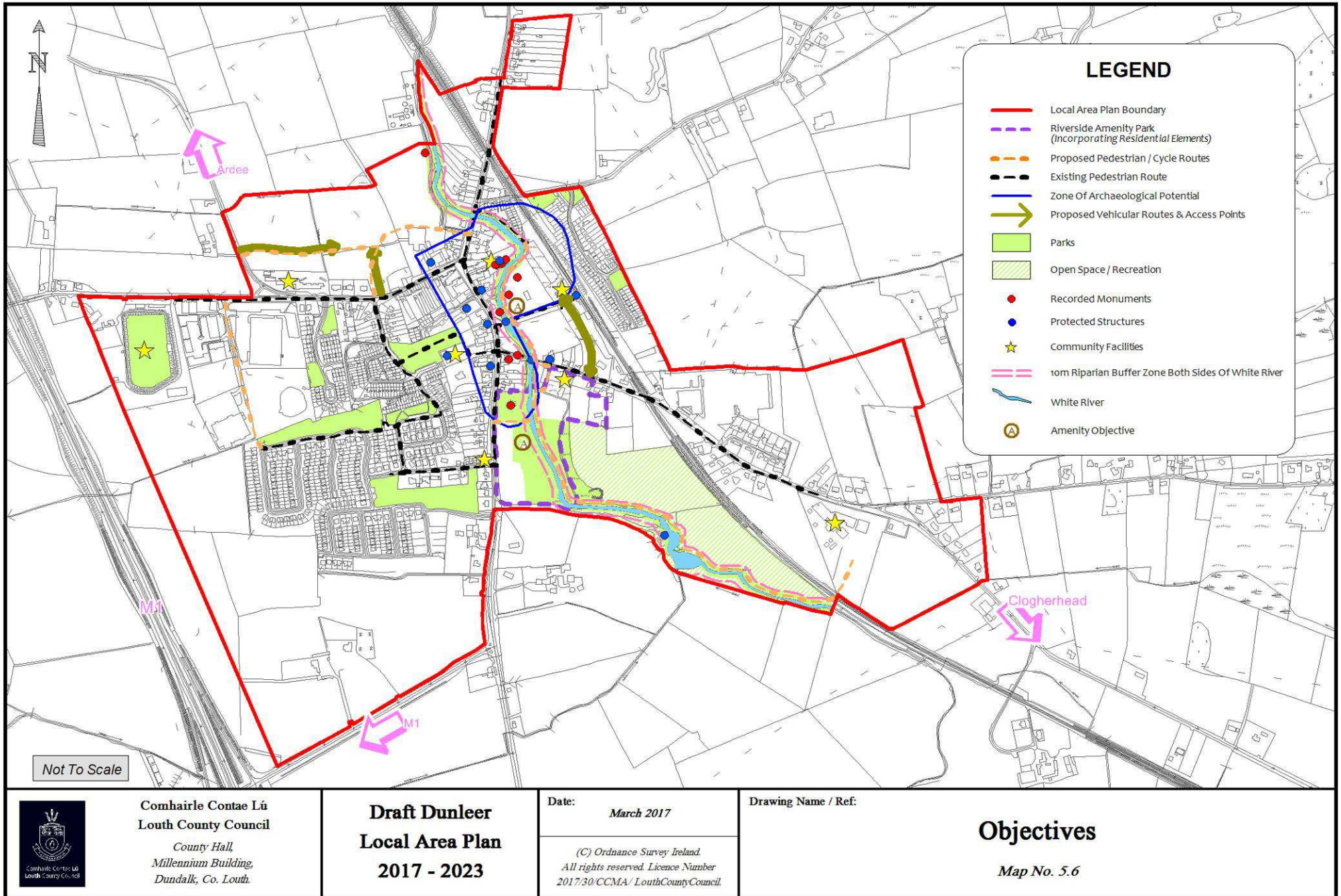


Figure 3. Land Use Zoning and additional objectives Map of draft Dunleer LAP 2017-2023.

3. IDENTIFICATION OF NATURA 2000 SITES/SPECIES POTENTIALLY AFFECTED.

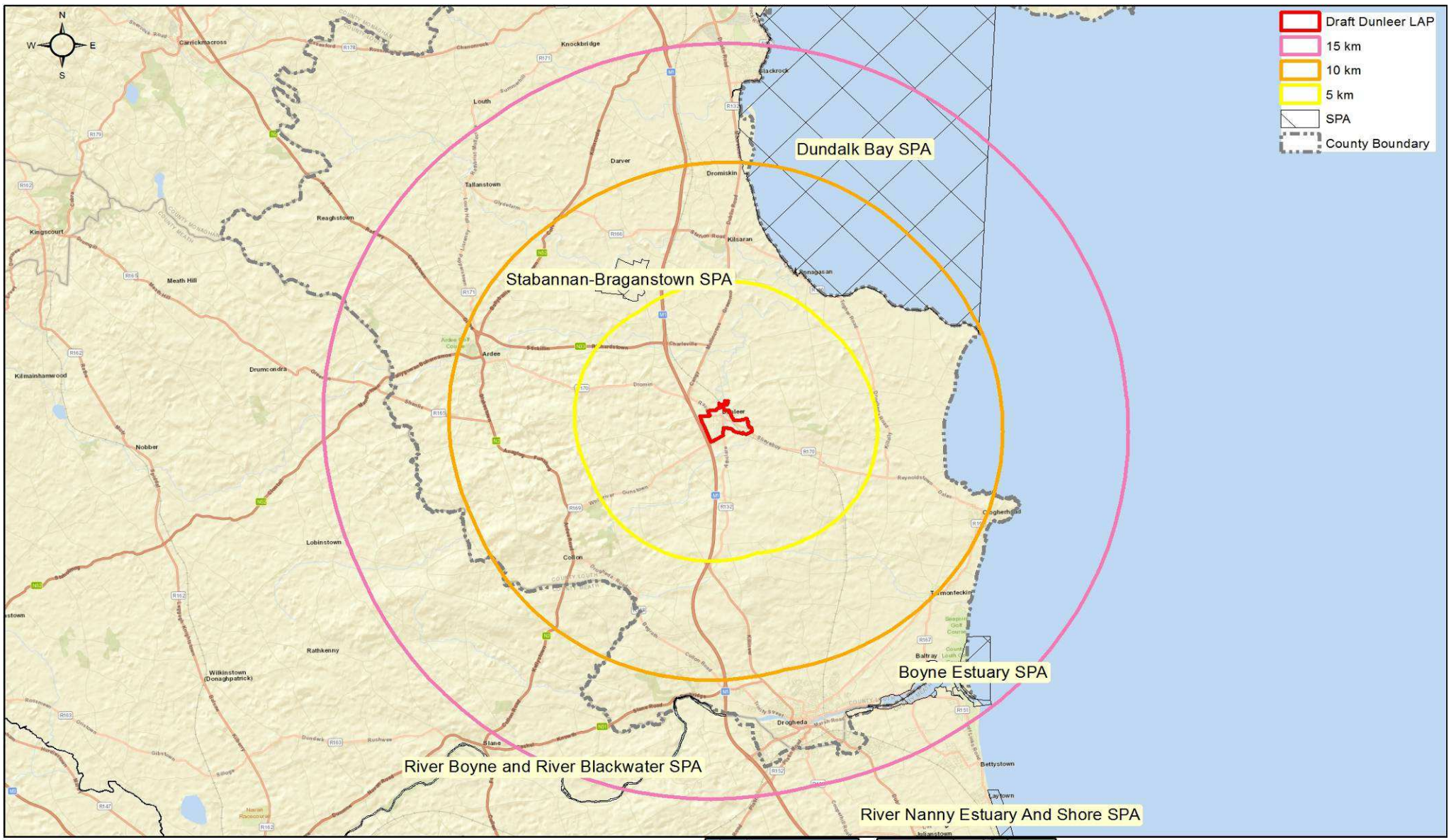
The area of the draft Local Area Plan is not within or close to a NATURA 2000 site. The potential impact of the plan on all NATURA 2000 sites within 15km was investigated. Special Protection Areas and Special Areas of Conservation within 15km of the proposed draft plan can be seen in Table 2 and Figures 4 & 5 respectively.

As can be seen from Figure 4 & 5 the closest SPA and SAC are Stabannan-Braganstown SPA (5.3 km) and Dundalk Bay SAC (5.7 km) respectively, from the draft Dunleer LAP. As seen in Appendix II, there are no NHA's or pNHA's in the vicinity of the site. Barmeath Woods is the closest pNHA at 1.7 km. In order to determine if an impact is likely to be significant it must be assessed in relation to the conservation objectives of each of the NATURA 2000 sites. This is carried out in Table 3.

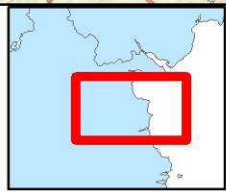
Table 2. Natura 2000 sites within 15km of the draft Local Area Plan.

Name	Code	Direct Distance (km)	Type
Stabannan-Braganstown	IE 004091	5.3	SPA
Dundalk Bay	IE 004026	5.7*	SPA
Dundalk Bay	IE 000455	5.7*	SAC
River Boyne and River Blackwater	IE 002299	9.6	SAC
River Boyne and River Blackwater	IE 004232	10.7	SPA
Clogher Head	IE 001459	10.7	SAC
Boyne Estuary and Coast	IE 001957	11.2	SAC
Boyne Estuary	IE 004080	11.8	SPA

*As can be seen from Figure 6, there is significant meandering of the White River and the River Dee between the draft LAP area and the downstream Natura 2000 sites. As a result the river channel distance between the draft LAP area and the Natura 2000 sites in Dundalk Bay is 10.8km.

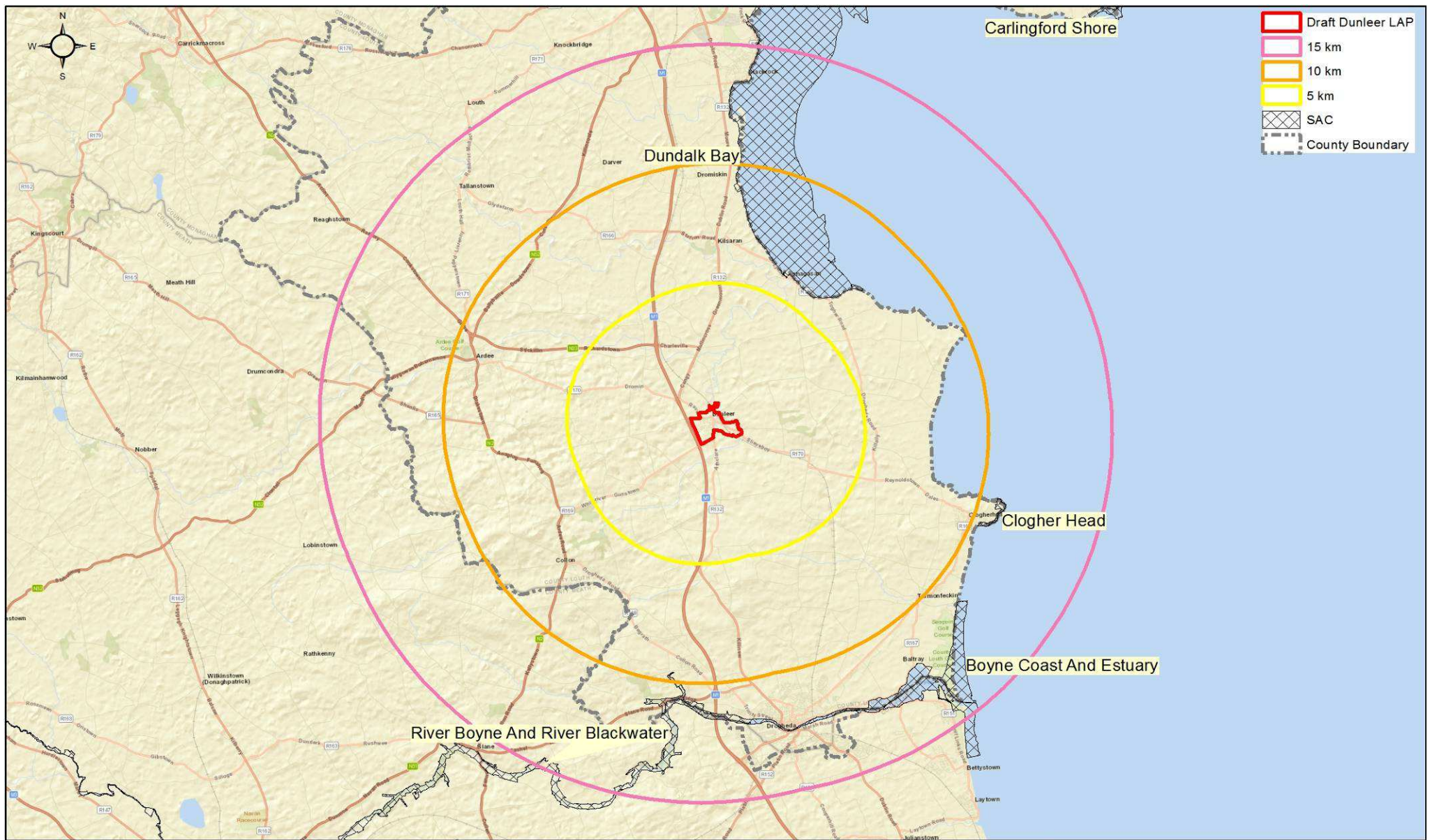


Project: Draft Dunleer LAP
 Client: Louth County Council
 Location: Dunleer, Co. Louth
 Date: 15th March 2017
 Drawn By: Bryan Deegan (Altemar)



ALTEMAR
 Marine & Environmental Consultancy
FutureAnalytics
 Planning + Research + Economics

Figure 4. Special Protection Areas located within 15 km of the draft Dunleer LAP.



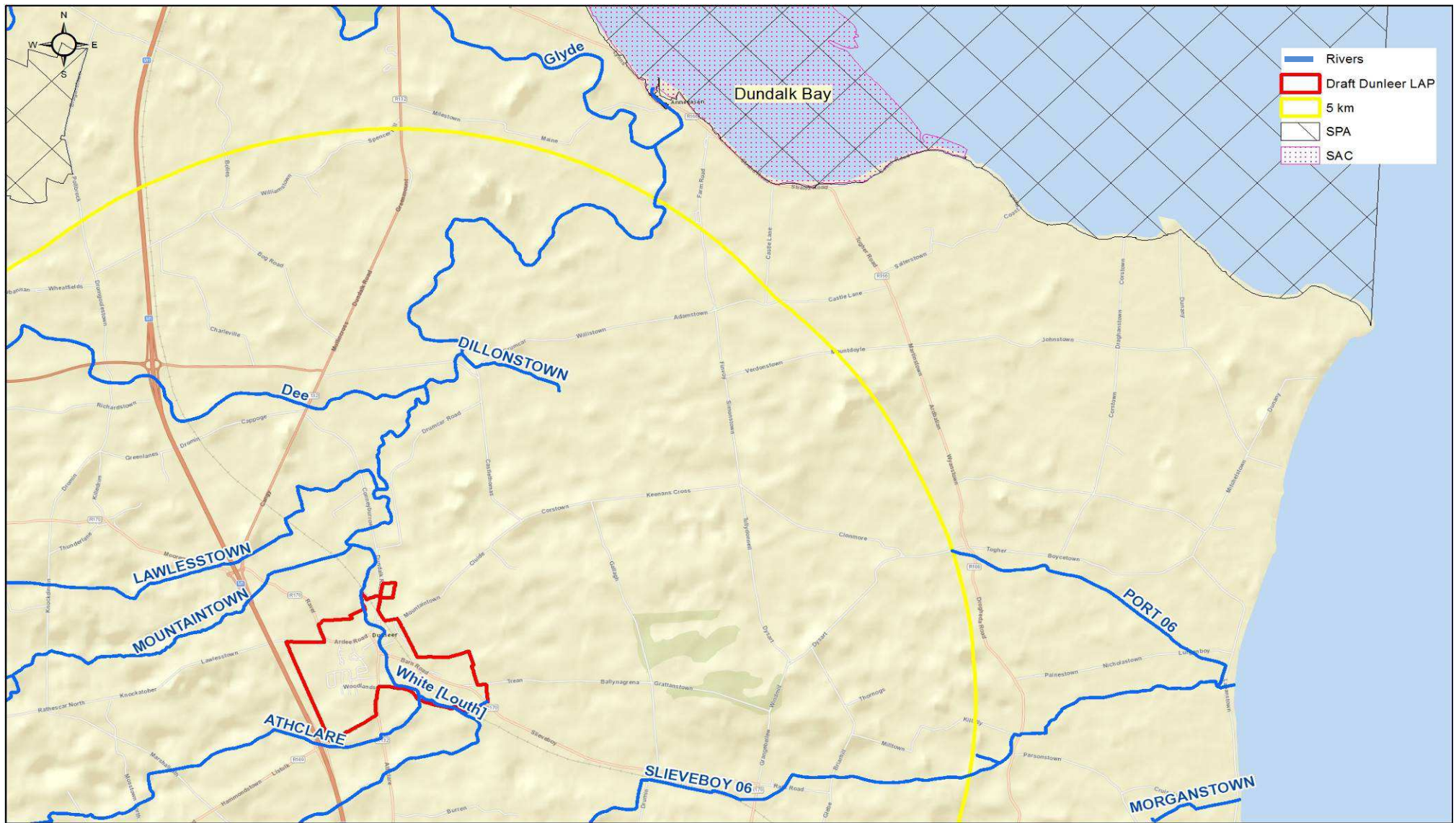
Project: Draft Dunleer LAP
 Client: Louth County Council
 Location: Dunleer, Co. Louth
 Date: 15th March 2017
 Drawn By: Bryan Deegan (Altamar)



ALTEMAR
 Marine & Environmental Consultancy

FutureAnalytics
 Planning + Research + Economics

Figure 5. Special Areas of Conservation located within 15 km of the draft Dunleer LAP.



Project: Draft Dunleer LAP
 Client: Louth County Council
 Location: Dunleer, Co. Louth
 Date: 15th March 2017
 Drawn By: Bryan Deegan (Altamar)



ALTEMAR
 Marine & Environmental Consultancy
FutureAnalytics
 Planning + Research + Economics

Figure 6. Draft Dunleer LAP boundary, rivers and downstream Natura 2000 sites.

Table 3. Screening of NATURA 2000 sites within 15km of the proposed development.

Special Protection Areas			
NATURA CODE	NAME	Screened In/Out	
IE 004091	Stabannan-Braganstown	Out	<p>Conservation Objectives: To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA:</p> <p>Feature(s) of Interest: Greylag Goose (<i>Anser anser</i>) [A043]</p> <p>Relevant Objectives included in the Plan⁴: NB 1, NB 3, NB 6, NB 7, NB 8, NB 9, IN5, IN 8.</p> <p>Potential Impact (s): “The site is of ornithological importance as it supports an important population of Greylag Goose, which on occasion occurs in numbers of international importance. It is of note that three species that regularly occur at the site are listed in Annex I of the E.U. Birds Directive, i.e. Greenland White-fronted Goose, Whooper Swan and Golden Plover.”⁵</p> <p>This SPA is 5.3 km to the north west of the draft LAP boundary. This SPA is not linked to the draft LAP area either hydrologically or by uninterrupted biodiversity corridors.</p> <p>No impact is foreseen on this SPA or its conservation interest, as a result of the draft Dunleer Local Areal Plan 2017-2023.</p> <p>Impact(s) on Population Trends: None</p> <p>Impact(s) on Distribution: None</p> <p>Direct Impact(s) of Plan: None</p> <p>Indirect Impact(s) of Plan: None</p> <p>Cumulative impact(s) of Plan: None</p> <p>Residual Impact(s): No significant effects likely</p>
IE 004026	Dundalk Bay	Out	<p>Conservation Objectives: To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA:</p> <p>Feature(s) of Interest: Great Crested Grebe (<i>Podiceps cristatus</i>) [A005] Greylag Goose (<i>Anser anser</i>) [A043] Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Shelduck (<i>Tadorna tadorna</i>) [A048] Teal (<i>Anas crecca</i>) [A052] Mallard (<i>Anas platyrhynchos</i>) [A053] Pintail (<i>Anas acuta</i>) [A054] Common Scoter (<i>Melanitta nigra</i>) [A065] Red-breasted Merganser (<i>Mergus serrator</i>) [A069] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Ringed Plover (<i>Charadrius hiaticula</i>) [A137] Golden Plover (<i>Pluvialis apricaria</i>) [A140] Grey Plover (<i>Pluvialis squatarola</i>) [A141] Lapwing (<i>Vanellus vanellus</i>) [A142] Knot (<i>Calidris canutus</i>) [A143] Dunlin (<i>Calidris alpina</i>) [A149] Black-tailed Godwit (<i>Limosa limosa</i>) [A156] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Curlew (<i>Numenius arquata</i>) [A160] Redshank (<i>Tringa totanus</i>) [A162] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Common Gull (<i>Larus canus</i>) [A182] Herring Gull (<i>Larus argentatus</i>) [A184]</p>

⁴ See Appendix I

⁵ Site Synopsis- <https://www.npws.ie/protected-sites/spa/004091>

			<p>Wetland and Waterbirds [A999]</p> <p>Relevant Objectives included in the draft Plan⁶: NB 1, NB 2, NB 3, NB 4, NB 6, NB 7, NB 8, NB 9, IN 1, IN 5, IN 8, IN 9, IN 10, IN 11, IN 12, CFA 2, & CFA 5.</p> <p>Potential Impact (s): “Dundalk Bay SPA is one of the most important wintering waterfowl sites in the country and one of the few that regularly supports more than 20,000 waterbirds. Four species occur in numbers of international importance and a further 19 species in numbers of national importance. The regular occurrence of Golden Plover, Bar-tailed Godwit, Red-throated Diver, Great Northern Diver and Little Egret is of particular note as these species are listed in Annex I of the E.U. Birds Directive. Dundalk Bay is a Ramsar Convention site and parts of Dundalk Bay SPA are designated as Wildfowl Sanctuaries.”⁷</p> <p>This SPA is 5.7 km from the draft LAP boundary. This SPA is linked hydrologically to the draft LAP by the White River which flows through the centre of the draft LAP area and into the south west corner of this SPA. The river meanders significantly between the draft LAP area and the SPA. Of potential relevance to this SPA is objective IN 5 “to upgrade and expand the capacity of the waste water treatment plant”, which would potentially see improvements in water quality on the White River. Water quality will need to be monitored closely if significant expansion is required.</p> <p>The White River has stocks of Atlantic salmon and is a good spawning and nursery habitat. As a result Inland Fisheries Ireland will ensure compliance measures will be in place so that water quality is not impacted by the proposed WWTP works. No negative impact is foreseen on this SPA or its conservation interest, as a result of the draft Dunleer Local Areal Plan 2017-2023.</p> <p>Impact(s) on Population Trends: None</p> <p>Impact(s) on Distribution: None</p> <p>Impact(s) on Habitat area: None</p> <p>Direct Impact(s) of Plan: None</p> <p>Indirect Impact(s) of Plan: Possibly positive due to IN5, otherwise none</p> <p>Cumulative impact(s) of Plan: None</p> <p>Residual Impact(s): No significant effects are likely</p>
IE 004232	River Boyne and River Blackwater	Out	<p>Conservation Objectives: To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA:</p> <p>Feature(s) of Interest: Kingfisher (<i>Alcedo atthis</i>) [A229]</p> <p>Relevant Objectives included in the Plan⁸:</p> <p>NB 1, NB 2, NB 3, NB 4, NB 6, NB 7, NB 8, NB 9, IN 1, IN 5, IN 8, IN 9, IN 10, IN 11, IN 12, CFA 2, & CFA 5.</p> <p>Potential Impact (s): “The River Boyne and River Blackwater Special Protection Area is of high ornithological importance as it supports a nationally important population of Kingfisher, a species that is listed in Annex I of the E.U. Birds Directive.”⁹</p> <p>This SPA is 10.7 km from the draft LAP boundary. This SPA is not linked to the draft LAP area either hydrologically or by uninterrupted biodiversity corridors.</p> <p>No impact is foreseen on this SPA or its conservation interest, as a</p>

⁶ See Appendix I

⁷ Site Synopsis- <http://www.npws.ie/protected-sites/spa/004026>

⁸ See Appendix I

⁹ Site Synopsis- <https://www.npws.ie/protected-sites/spa/004232>

			<p>result of the draft Dunleer Local Areal Plan 2017-2023.</p> <p>Impact(s) on Population Trends: None</p> <p>Impact(s) on Distribution: None</p> <p>Direct Impact(s) of Plan: None</p> <p>Indirect Impact(s) of Plan: Positive due to increase in awareness of the importance of riparian biodiversity and the proposed riparian enhancement measures.</p> <p>Cumulative impact(s) of Plan: None</p> <p>Residual Impact(s): No significant effects likely</p>
IE 004080	Boyne Estuary	Out	<p>Conservation Objectives: To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA:</p> <p>Feature(s) of Interest: Shelduck (<i>Tadorna tadorna</i>) [A048] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Golden Plover (<i>Pluvialis apricaria</i>) [A140] Grey Plover (<i>Pluvialis squatarola</i>) [A141] Lapwing (<i>Vanellus vanellus</i>) [A142] Knot (<i>Calidris canutus</i>) [A143] Sanderling (<i>Calidris alba</i>) [A144] Black-tailed Godwit (<i>Limosa limosa</i>) [A156] Redshank (<i>Tringa totanus</i>) [A162] Turnstone (<i>Arenaria interpres</i>) [A169] Little Tern (<i>Sterna albifrons</i>) [A195] Wetland and Waterbirds [A999]</p> <p>Relevant Objectives included in the Plan¹⁰: NB 1, NB 2, NB 3, NB 4, NB 6, NB 7, NB 8, NB 9, IN 1, IN 5, IN 8, IN 9, IN 10, IN 11, IN 12, CFA 2, & CFA 5.</p> <p>Potential Impact (s): “The site is of considerable ornithological importance for wintering waterfowl, with Black-tailed Godwit occurring in internationally important numbers and nine other species having populations of national importance. Of particular significance is that three species that regularly occur, Golden Plover, Bar-tailed Godwit and Little Tern are listed in Annex I of the E.U. Birds Directive. Part of the Boyne Estuary SPA is a Wildfowl Sanctuary.”¹¹</p> <p>This SPA is 11.8 km from the draft LAP boundary on the far side of Termonfeckin. This SPA is not linked to the draft LAP area either hydrologically or by uninterrupted biodiversity corridors.</p> <p>No impact is foreseen on this SPA or its conservation interest, as a result of the draft Dunleer Local Areal Plan 2017-2023.</p> <p>Impact(s) on Population Trends: None</p> <p>Impact(s) on Distribution: None</p> <p>Direct Impact(s) of Plan: None</p> <p>Indirect Impact(s) of Plan: None</p> <p>Cumulative impact(s) of Plan: None</p> <p>Residual Impact(s): No significant effects likely</p>

* indicates a priority habitat under the Habitats Directive

¹⁰ See Appendix I

¹¹ Site Synopsis- <https://www.npws.ie/protected-sites/spa/004080>

Special Areas of Conservation			
NATURA CODE	NAME	Screened In/Out	
IE 000455	Dundalk Bay	Out	<p>Conservation Objectives: To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p> <p>Feature(s) of Interest:</p> <p>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 (<i>Glauco-Puccinellietalia maritima</i>) [1330] Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]</p> <p>Relevant Objectives included in the Plan¹²: NB 1, NB 2, NB 3, NB 4, NB 6, NB 7, NB 8, NB 9, IN 1, IN 5, IN 8, IN 9, IN 10, IN 11, IN 12, CFA 2, & CFA 5</p> <p>Potential Impact (s): "The extensive sandflats and mudflats (over 4,000 ha) occur and are comprised of ecological communities such as muddy fine sand communities and fine sand community complexes. In the centre of Dundalk Bay there is a gravel community dominated by polychaetes. These habitats host a rich fauna of bivalves molluscs, marine worms and crustaceans and are the main food resource of the tens of thousands of waterfowl (including waders and gulls) which feed in the intertidal area of Dundalk Bay. The saltmarshes are used as high-tide roosts by all of these species, while the grazing birds (notably Brent Goose and Wigeon) feed on the saltmarsh grasses, areas of <i>Zostera</i> and other grassland vegetation. Brent Goose also feed on the mats of green algae on the mudflats. At night the wintering Greylag and Greenland White-fronted Goose, and Whooper Swans, from Stabannan/Braganstown (inland from Castlebellingham) roost in Dundalk Bay."¹³</p> <p>This SAC is 5.7 km from the draft LAP boundary. Dundalk SAC is linked hydrologically to the draft LAP by the White River which flows through the centre of the draft LAP area and into the south west corner of this SAC. Of potential relevance to this SAC is objective IN 5 "to upgrade and expand the capacity of the waste water treatment plant", which would potentially see improvements in water quality on the White River. Water quality will need to be monitored closely if significant expansion is required.</p> <p>The White River has stocks of Atlantic salmon and is a good spawning and nursery habitat. As a result Inland Fisheries Ireland will ensure compliance measures will be in place so that water quality is not impacted by the proposed WWTP works. No negative impact is foreseen on this SAC or its conservation interests, as a result of the draft Dunleer Local Areal Plan 2017-2023.</p> <p>Impact(s) on Habitat area: None</p> <p>Impact(s) on Habitat distribution: None</p> <p>Impact(s) on Physical structure: None</p>

¹² See Appendix I

¹³ Site Synopsis- <http://www.npws.ie/protected-sites/spa/004026>

			<p>Impact(s) on Vegetation structure: None</p> <p>Direct Impact(s) of Plan: None</p> <p>Indirect Impact(s) of Plan: Positive due to IN5, otherwise none</p> <p>Cumulative impact(s) of Plan: None</p> <p>Residual Impact(s): No significant effects likely</p>
IE 002299	River Boyne and River Blackwater	Out	<p>Conservation Objectives: To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p> <p>Feature(s) of Interest:</p> <p>Alkaline fens [7230] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, <i>Alnion incanae</i>, <i>Salicion albae</i>) [91E0] <i>Lampetra fluviatilis</i> (River Lamprey) [1099] <i>Salmo salar</i> (Salmon) [1106] <i>Lutra lutra</i> (Otter) [1355]</p> <p>Relevant Objectives included in the Plan¹⁴: NB 1, NB 2, NB 3, NB 4, NB 6, NB 7, NB 8, NB 9, IN 1, IN 5, IN 8, IN 9, IN 10, IN 11, IN 12, CFA 2, & CFA 5</p> <p>Potential Impact (s): "The site supports populations of several species listed in Annex II of the E.U. Habitats Directive, and habitats listed in Annex I of this Directive, as well as examples of other important habitat types. Although the wet woodland areas appear small there are few similar examples of this type of alluvial wet woodland remaining in the country, particularly in the north-east. The semi-natural habitats, particularly the strips of woodland which extend along the river banks, and the marsh and wet grasslands, increase the overall habitat diversity and add to the ecological value of the site, as does the presence of a range of Red Data Book plant and animal species and the presence of nationally rare plant species."¹⁵</p> <p>This SAC is 9.6 km from the draft LAP boundary. This SAC is not linked to the draft LAP area either hydrologically or by uninterrupted biodiversity corridors.</p> <p>No impact is foreseen on this SAC or its conservation interests, as a result of the draft Dunleer Local Areal Plan 2017-2023.</p> <p>Impact(s) on Habitat area: None</p> <p>Impact(s) on Habitat distribution: None</p> <p>Impact(s) on Physical structure: None</p> <p>Impact(s) on Vegetation structure: None</p> <p>Direct Impact(s) of Plan: None</p> <p>Indirect Impact(s) of Plan: Positive due to increase in awareness of the importance of riparian biodiversity and the proposed riparian enhancement measures.</p> <p>Cumulative impact(s) of Plan: None</p> <p>Residual Impact(s): No significant effects likely</p>

¹⁴ See Appendix I

¹⁵ Site Synopsis- <https://www.npws.ie/protected-sites/sac/002299>

IE 001459	Clogherhead	Out	<p>Conservation Objectives: To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p> <p>Feature(s) of Interest:</p> <p>Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] European dry heaths [4030]</p> <p>Relevant Objectives included in the Plan¹⁶: NB 1, NB 2, NB 3, NB 4, NB 6, NB 7, NB 8, NB 9, IN 1, IN 5, IN 8, IN 9, IN 10, IN 11, IN 12, CFA 2, & CFA 5</p> <p>Potential Impact (s): “This headland supports one of the best known examples of coastal heath in Co. Louth. It contains two habitats listed in Annex I of the E.U. Habitats Directive and supports a good diversity of coastal heath plants.”¹⁷</p> <p>This coastal SAC is 10.7 km from the draft LAP boundary. This SAC is not linked to the draft LAP area either hydrologically or by uninterrupted biodiversity corridors.</p> <p>No impact is foreseen on this SAC or its conservation interests, as a result of the draft Dunleer Local Areal Plan 2017-2023.</p> <p>Impact(s) on Habitat area: None</p> <p>Impact(s) on Habitat distribution: None</p> <p>Impact(s) on Physical structure: None</p> <p>Impact(s) on Vegetation structure: None</p> <p>Direct Impact(s) of Plan: None</p> <p>Indirect Impact(s) of Plan: None</p> <p>Cumulative impact(s) of Plan: None</p> <p>Residual Impact(s): No significant effects likely</p>
IE 001957	Boyne Estuary and Coast	Out	<p>Conservation Objectives: To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p> <p>Feature(s) of Interest:</p> <p>Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) [1330] Embryonic shifting dunes [2110] Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]</p> <p>Relevant Objectives included in the Plan¹⁸: NB 1, NB 2, NB 3, NB 4, NB 6, NB 7, NB 8, NB 9, IN 1, IN 5, IN 8, IN 9, IN 10, IN 11, IN 12, CFA 2, & CFA 5</p> <p>Potential Impact (s): “Boyne Coast and Estuary SAC is a coastal site which includes most of the tidal sections of the River Boyne, intertidal sand- and mudflats, saltmarshes, marginal grassland, and</p>

¹⁶ See Appendix I

¹⁷ Site Synopsis- <https://www.npws.ie/protected-sites/sac/001459>

¹⁸ See Appendix I

		<p>the stretch of coast from Bettystown to Termonfeckin that includes the Mornington and Baltray sand dune systems.</p> <p>The site is of considerable conservation interest as a coastal complex that supports good examples of eight habitats that are listed in Annex I of the E.U. Habitats Directive, including one which is listed with priority status, and for the important bird populations that it supports.”¹⁹</p> <p>This coastal SAC is 11.2 km from the draft LAP boundary. This SAC is not linked to the draft LAP area either hydrologically or by uninterrupted biodiversity corridors.</p> <p>No impact is foreseen on this SAC or its conservation interests, as a result of the draft Dunleer Local Areal Plan 2017-2023.</p> <p>Impact(s) on Habitat area: None</p> <p>Impact(s) on Habitat distribution: None</p> <p>Impact(s) on Physical structure: None</p> <p>Impact(s) on Vegetation structure: None</p> <p>Direct Impact(s) of Plan: None</p> <p>Indirect Impact(s) of Plan: None</p> <p>Cumulative impact(s) of Plan: None</p> <p>Residual Impact(s): No significant effects likely</p>
--	--	--

¹⁹ Site Synopsis- <http://www.npws.ie/protected-sites/spa/004026>

4. HABITATS AND SPECIES OF CONSERVATION IMPORTANCE

Salmon (*Salmo salar*)

Atlantic salmon are protected in the freshwater environment under Annex II and Annex V of the European Habitats Directive. The White River is a tributary of the River Dee, which is a salmonid water system (CFB, 2003) but, it is not one of the 22 rivers designated under the EC Regulations on Quality of Salmonid Waters. As outlined by Inland Fisheries Ireland²⁰ “the White River is a tributary of the River Dee and is hugely important as a spawning and nursery area of the river. Instream enhancement works began in 2006. Works included the introduction of new gravel, weirs, deflectors and spawning beds which has helped to restore the White River and help to achieve its ‘natural’ potential in relation to fish density numbers. There have been significant improvements in the levels of juvenile salmon and trout recorded in the river since their completion.” In 2009 an electrofishing survey of the White River 1km downstream of Dunleer noted salmon that ranged in length from 5.2cm to 13.8cm²¹. Three age classes (0+, 1+ and 2+) were present, accounting for approximately 83%, 14% and 3% of the total salmon catch respectively.” Just upstream of Dunleer, is an impassable barrier at Drummin Mill (CFB, 2003), which prevents the migration of Atlantic salmon upstream to a potentially very good spawning and nursery area.

As outlined in the 2012 EPA Water Quality Report²² elevated levels of ortho-phosphate and Nitrate in White River are impacted by urbanisation influences from Dunleer village. In addition, “A large number of dead fish” were “found over a 4km stretch from Dunleer to the River Dee” in August 2012, due to a pollution incident²³.

Objective “**IN 5:** To upgrade and expand the capacity of the waste water treatment plant as part of any future Irish Water Capital Investment Plan (IW CIP) as the population of Dunleer expands.”

The improvement of the Waste Water Treatment Plant, as outlined in the Draft Dunleer Local Area Plan, could improve the quality of the White River for Atlantic salmon and aquatic biodiversity in general. However, as the river is relatively small and an important Atlantic salmon nursery area, the efficiency of the WWTP should not only take into account the water quality standards of the White River for Atlantic salmon, but also it should assess the carrying capacity of the river that would receive the effluent. This is particularly important in times of low flow during summer months. Inland Fisheries Ireland should be consulted from an early stage of the WWTP design in relation to the water quality and carrying capacity of the White River, in order to ensure the long term viability of Atlantic salmon within the river. Additional mitigation measures such as the passing of the effluent through a man-made reedbed, prior to discharge, may prove useful to further improve the water quality, while also providing additional biodiversity and screening of the WWTP.

Objective “**IN 10 & NB 2:** Unless otherwise agreed with the Planning Authority, where feasible a minimum 10m wide riparian corridor shall be kept free from development (except for pathways) along the side of each bank of the White River for the purposes of habitat protection, visual and amenity qualities, maintenance access requirements, flood alleviation and recreational requirements. Any proposed pathway should be located a minimum of 6m from the top of the river edge”. This objective will assist in maintaining the importance of this river for salmonids. As the riparian corridor has been extended throughout the draft LAP area, it should be supported by aquatic biodiversity enhancement measures, in addition to local educational awareness programs in schools to increase vigilance and awareness of the river, particularly in relation to potential pollution sources and negative impacts. Inland Fisheries Ireland has considerable expertise in this area and should be consulted if Dunleer wishes to improve the biodiversity value of the riparian strip. Documentation prepared during the IFI/EU Mulkear LIFE project²⁴ would be useful to assist in the enhancement of this river, not only for Atlantic salmon, but for other species protected under the Habitats directive including kingfisher, otter and bat species.

Biodiversity of Dunleer

A Dunleer Biodiversity Enhancement Plan was prepared by the Heritage Officer in April 2016, as part of an Action of the Louth Heritage Plan. This plan was provided by Louth County Council to assist in the preparation of this Appropriate Assessment Screening. As well as surveying sites and species in and around Dunleer town, the heritage officer also consulted with both individuals and organisations involved in nature conservation, and reviewed existing biodiversity information. At the request of the Tidy Towns Committee, Dunleer was surveyed (18th September 2014) for areas that currently support wildlife and for those with the potential to do so. In summary, a barn owl has been noted in the town area of “Dundalk Road, north of the ‘North Bridge’ railway viaduct.” Inland Fisheries Ireland also noted that Atlantic salmon, brown trout and European eel are present in

²⁰<http://www.fisheriesireland.ie/Press-releases/minister-launches-white-river-enhancement-programme-dundalk-co-louth.html>

²¹http://www.wfdfish.ie/wp-content/uploads/2011/01/NBIRBD_rivers_report_2009.pdf

²²https://www.epa.ie/pubs/reports/water/waterqua/iwqmolou/IWQ_2012_Monaghan_Louth.pdf

²³<http://www.dundalkdemocrat.ie/news/local-news/50342/Fisheries-officers-investigate-major-kill-on.html>

²⁴www.mulkearlif.com

the White River, north of the town. No additional protected species or habitats were listed in the report. Several areas of biodiversity, with enhancement potential were noted.

Louth County Council surveys

Between 2011 and 2014 Louth County Council engaged Wetland Surveys Ireland to locate all the wetlands of County Louth. Several wetlands were identified in the Dunleer area, mostly lying to the east of the town, including the disused quarry north of the town. These sites are of varying degrees of value to wildlife, from low to 'internationally important' and are all privately owned. These wetlands lie outside the draft LAP boundary.

CUMULATIVE IMPACTS

The Draft Dunleer Local Area Plan does indicate that further residential and economic/industrial development is likely within the draft LAP area. This will see a potential increase in pollution risks and negative impacts on the biodiversity of the town. The White River is an important spawning and nursery area for Atlantic salmon and is upstream of the Natura 2000 sites of Dundalk SAC and SPA. The River is relatively small and is therefore highly susceptible to pollution and siltation. As the draft LAP area is 5.7 km from the Dundalk SAC and SPA and is a tributary of the larger River Dee, no impacts are likely on the Natura 2000 sites. It should be noted that due to significant meandering of the river, the river channel distance between the draft LAP and Natura 2000 sites is 10.8 km (See Table 2 and Figure 6).

Notwithstanding this, Atlantic salmon are protected under the Habitats Directive (in freshwater) and would be susceptible to insensitive and extensive development in the area. This is primarily due to the fact that this section of the river is, an important Atlantic salmon spawning/nursery area, relatively low in water volume and sensitive to pollution. It would therefore be recommended that all developments within the draft Dunleer LAP area undergo stringent water quality assessments. Due to the sensitivity of the river, discharges should comply with the higher water quality values outlined in the Quality of Salmonid Waters (SI 293/1998²⁵) and Surface Water Regulations (SI 272/2009)²⁶ in order to ensure that the principal objective of the draft plan i.e. "to ensure that all new development in the town is sustainable" is adequately addressed. Consultation with Inland Fisheries Ireland should be carried out in relation to all developments that could potentially impact the White River or its tributaries, either through construction or operational impacts. A guidance document "Planning for watercourses in the Urban Environment"²⁷, has been prepared by IFI.

5. CONCLUSIONS

The Draft Dunleer Local Area Plan (2017 – 2023) was assessed in relation to potential impacts on Natura 2000 sites within 15km. No significant impact is likely from the proposed plan on Natura 2000 sites within 15km.

²⁵ <http://www.irishstatutebook.ie/eli/1988/si/293/made/en/print>

²⁶ <http://www.irishstatutebook.ie/eli/2009/si/272/made/en/pdf>

²⁷ <http://www.fisheriesireland.ie/Fisheries-management/fisheries-management.html>

6. FINDING OF NO SIGNIFICANT EFFECTS REPORT

Details of project or plan	Draft Dunleer Local Area Plan 2017 – 2023 (AA Screening)																																												
Name and Location of the NATURA 2000 site within 15 Km	<table border="1"> <thead> <tr> <th>Site Name</th> <th>Code</th> <th>Km</th> <th>Designation</th> </tr> </thead> <tbody> <tr> <td>Stabannan-Braganstown</td> <td>IE 004091</td> <td>5.3</td> <td>SPA</td> </tr> <tr> <td>Dundalk Bay</td> <td>IE 004026</td> <td>5.7</td> <td>SPA</td> </tr> <tr> <td></td> <td></td> <td>(10.8 river channel)</td> <td></td> </tr> <tr> <td>Dundalk Bay</td> <td>IE 000455</td> <td>5.7</td> <td>SAC</td> </tr> <tr> <td></td> <td></td> <td>(10.8 river channel)</td> <td></td> </tr> <tr> <td>River Boyne and River Blackwater</td> <td>IE 002299</td> <td>9.6</td> <td>SAC</td> </tr> <tr> <td>River Boyne and River Blackwater</td> <td>IE 004232</td> <td>10.7</td> <td>SPA</td> </tr> <tr> <td>Clogher Head</td> <td>IE 001459</td> <td>10.7</td> <td>SAC</td> </tr> <tr> <td>Boyne Estuary and Coast</td> <td>IE 001957</td> <td>11.2</td> <td>SAC</td> </tr> <tr> <td>Boyne Estuary</td> <td>IE 004080</td> <td>11.8</td> <td>SPA</td> </tr> </tbody> </table>	Site Name	Code	Km	Designation	Stabannan-Braganstown	IE 004091	5.3	SPA	Dundalk Bay	IE 004026	5.7	SPA			(10.8 river channel)		Dundalk Bay	IE 000455	5.7	SAC			(10.8 river channel)		River Boyne and River Blackwater	IE 002299	9.6	SAC	River Boyne and River Blackwater	IE 004232	10.7	SPA	Clogher Head	IE 001459	10.7	SAC	Boyne Estuary and Coast	IE 001957	11.2	SAC	Boyne Estuary	IE 004080	11.8	SPA
Site Name	Code	Km	Designation																																										
Stabannan-Braganstown	IE 004091	5.3	SPA																																										
Dundalk Bay	IE 004026	5.7	SPA																																										
		(10.8 river channel)																																											
Dundalk Bay	IE 000455	5.7	SAC																																										
		(10.8 river channel)																																											
River Boyne and River Blackwater	IE 002299	9.6	SAC																																										
River Boyne and River Blackwater	IE 004232	10.7	SPA																																										
Clogher Head	IE 001459	10.7	SAC																																										
Boyne Estuary and Coast	IE 001957	11.2	SAC																																										
Boyne Estuary	IE 004080	11.8	SPA																																										
Description of the Plan	Draft Dunleer Local Area Plan 2017 – 2023																																												
Is the Plan directly connected with the management of the NATURA 2000 site?	No																																												
Details of any other projects or plans that together with this project could affect the NATURA 2000 site	None																																												
The assessment of significant effects																																													
Describe how the project is likely to affect the NATURA 2000 site	The Draft Dunleer Local Area Plan (2017 – 2023) was assessed in relation to potential impacts on Natura 2000 sites within 15km. No significant impact is likely from the proposed plan on Natura 2000 sites within 15km.																																												
Response to consultation	N/A																																												
Data collected to carry out the assessment	Supporting NPWS data and reports from Louth County Council and NPWS.																																												
Who carried out the assessment	Altamar Ltd.																																												
Sources of data	NPWS website (Natura 2000 site data), standard data form, conservation objectives data, Heritage Officer field survey of Dunleer and references outlined in the AA Screening Report.																																												
Explain why the effects are not considered significant	Deemed to be not a significant effect due to the distance of the proposed plan from the Natura 2000 sites, the majority of which have no direct hydrological or uninterrupted green infrastructure connection.																																												
Level of assessment completed	Stage 1 Screening																																												
Overall conclusions	No significant impact is likely on NATURA 2000 sites or Site Specific Conservation Objectives (SSCO's).																																												

7. DATA USED FOR THE AA SCREENING ASSESSMENT

NPWS site synopses and Conservation objectives of sites within 15km were examined. The most recent SAC and SPA boundary shapefiles were downloaded and overlaid on Bing road map and satellite imagery. Relevant biodiversity related reports were examined including the biodiversity enhancement plan compiled by the Heritage Officer in 2016.

8. REFERENCES

The following references were used in the preparation of this AA screening report.

CFB, 2003. Quantification of the Freshwater Salmon Habitat Asset in Ireland. Central Fisheries Board Publication.

Department of Environment Heritage and Local Government Circular NPWS 1/10 and PSSP 2/10 on Appropriate Assessment under Article 6 of the Habitats Directive – Guidance for Planning Authorities March 2010.

Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government 2009; http://www.npws.ie/publications/archive/NPWS_2009_AA_Guidance.pdf

Managing NATURA 2000 Sites: the provisions of Article 6 of the Habitats Directive 92/43/EEC, European Commission 2000; http://ec.europa.eu/environment/nature/Natura2000/management/docs/art6/provision_of_art6_en.pdf

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; http://ec.europa.eu/environment/nature/Natura2000management/docs/art6/Natura_2000_assess_en.pdf

Guidance document on Article 6(4) of the 'Habitats Directive' 92/43/EEC – Clarification of the concepts of: alternative solutions, imperative reasons of overriding public interest, compensatory measures, overall coherence, opinion of the commission; http://ec.europa.eu/environment/nature/Natura2000/management/docs/art6/guidance_art6_4_en.pdf

The Status of EU Protected Habitats and Species in Ireland. <http://www.npws.ie/article-17-reports-0>

NPWS (2016) Conservation objectives for Stabannan-Braganstown SPA [004091]. Generic Version 5.0. Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs. <https://www.npws.ie/protected-sites/spa/004091>

NPWS (2011) Conservation Objectives: Dundalk Bay SAC 000455 and Dundalk Bay SPA 004026. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht. <https://www.npws.ie/protected-sites/sac/000455>

NPWS (2016) Conservation objectives for River Boyne and River Blackwater SPA [004232]. Generic Version 5.0. Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs. <https://www.npws.ie/protected-sites/spa/004232>

NPWS (2016) Conservation objectives for River Boyne and River Blackwater SAC [002299]. Generic Version 5.0. Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs. <https://www.npws.ie/protected-sites/sac/002299>

NPWS (2016) Conservation objectives for Clogher Head SAC [001459]. Generic Version 5.0. Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs. <https://www.npws.ie/protected-sites/sac/001459>

NPWS (2012) Conservation Objectives: Boyne Coast and Estuary SAC 001957. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht. <https://www.npws.ie/protected-sites/sac/001957> 2017-2023

APPENDIX I OBJECTIVES OF THE DRAFT DUNLEER LOCAL AREA PLAN 2017 – 2023

NB 1: All applications, and any plan shall comply and be in accordance with Policies HER 3, HER 4, HER 5, & HER6 of the Louth County Development Plan 2015-2021.

NB 2: Unless otherwise agreed with the Planning Authority, where feasible a minimum 10m wide riparian corridor shall be kept free from development (except for pathways) along the side of each bank of the White River for the purposes of habitat protection, visual and amenity qualities, maintenance access requirements, flood alleviation and recreational requirements. Any proposed pathway should be located a minimum of 6m from the top of the river edge.

NB 3: To protect, where possible, all natural features of interest, including significant trees, hedgerows, topographical and geological features. Such features should be carefully and sensitively incorporated into the design and layout of any permitted new development.

NB 4: To secure the development of a riverside walkway along the White River, ensure the protection of the river corridor environment and provide a range of opportunities for active and passive recreation.

NB 5: To secure the improvement of the visual quality of public areas including open spaces and the approach roads to the town through planting, high quality boundary treatment, appropriate signage, footpath improvement, public art and traffic calming where appropriate.

NB 6: To protect, enhance and further develop the Green Infrastructure Network within Dunleer and to strengthen ecological links to the wider surrounding network.

NB 7: To implement the Green Infrastructure Network in any assessment of development proposals to prevent adverse impact on the ecological connectivity of Dunleer.

NB 8: Retain and integrate Green Infrastructure as an essential component in the design of all new development and reduce fragmentation of its network.

NB 9: All applications for development shall be in accordance with the relevant Green Infrastructure policies and objectives of the Louth County Development Plan 2015-2021.

NB 10: To ensure the protection of all structures and/or their setting contained in the Record of Protected Structures as identified in Table 3.1 of the Dunleer Local Area Plan 2017-2023

NB 11: All planning applications to a Protected Structure will be assessed in accordance with the relevant policies and objectives of the Louth County Development Plan 2015-2021.

NB 12: To protect Dunleer's Area of Special Archaeological Interest and archaeological sites. (See Map 3.3, Appendix 5 of the Dunleer Local Area Plan 2017-2023).

NB 13: All applications within the Area of Special Archaeological Interest including archaeological sites shall be assessed in accordance with the relevant policies and objectives of the Louth County Development Plan 2015-2021.

IN 1: To facilitate the provision of all infrastructure, including water, waste, transport, energy and communications, necessary to support the existing and future population, industry and economic base of Dunleer in a sustainable manner.

IN 2: To work in co-operation with Irish Water to protect, manage and promote the extension and upgrading of water services infrastructure to meet the future needs of Dunleer.

IN 3: To promote and work in co-operation with Irish Water to secure an upgrade of the water supply as part of any future Irish Water Capital Investment Plan (CIP) 2017-2021.

IN 4: To implement the requirements of the Irish Water with regard to leakage reduction and commitment to water conservation and responsible use of this resource.

IN 5: To upgrade and expand the capacity of the waste water treatment plant as part of any future Irish Water Capital Investment Plan (IW CIP) as the population of Dunleer expands.

IN 6: Unless otherwise agreed with the Planning Authority, prohibit residential development or care facilities within a minimum 150 metres of any working element of the waste water treatment equipment, in the interest of public health.

IN 7: To implement and support the provisions of the Eastern Midlands Region Waste Management Plan 2015-2021.

IN 8: To ensure that the incorporation of Sustainable Urban Drainage Systems (SUDS) measures in all developments is mandatory. An integrated approach to drainage will be adopted and all development

proposals shall be accompanied by a comprehensive SUDS assessment which will address run-off quantity, run off quality and impacts on habitat and water quality. Best practice guidance is available from the Greater Dublin Strategic Drainage Study and development proposals will be required to meet with design criteria (adjusted to reflect local conditions) and material designs therein.

IN 9: To require that all applications for development that may be considered sensitive to flooding comply with the applicable policies and objectives of the Louth County Development Plan 2015-2021 and the 'Planning System and Flood Risk Management – Guidelines for Planning Authorities', published by the Department of Environment, Heritage and Local Government in November 2009.

IN 10: Unless otherwise agreed with the Planning Authority, where feasible a minimum 10m wide riparian corridor shall be kept free from development (except for pathways) along the side of each bank of the White River for the purposes of habitat protection, visual and amenity qualities, maintenance access requirements, flood alleviation and recreational requirements. Any proposed pathway should be located a minimum of 6m from the top of the river edge.

IN 11: To manage surface water systems in a sustainable manner and to require that new developments provide surface water drainage systems designed in accordance with Sustainable Urban Drainage System (SUDS) principles.

IN 12: To implement the recommendations contained in the River Basin District Management Plans for the Neagh Bann River Basin District, in so far as they relate to Dunleer or any subsequent RBDMP subsequently adopted during the lifetime of the Local Area Plan.

IN 13: To realign the area at the junction of the R132 and the R170 to accommodate the safe movement of pedestrian traffic, regulate vehicular traffic and parking and provide for improved facilities for public transport users.

IN 14: To facilitate the provision of new roads and accesses necessary to open up lands to improve permeability. The Objectives Map 4.1, Appendix 5, shows the principal vehicular access points/routes which shall be protected to enable comprehensive development of these lands. This map is not definitive.

IN 15: All proposals for development on urban roads and streets as defined in the Design Manual for Urban Roads and Streets (DMURS), will be subject to the provisions contained therein, while development in all other areas shall be subject to the Design Manual for Roads and Bridges (DMRB)

IN 16: To promote cycling as a viable sustainable transport mode for all members of the community by providing cycle lanes in all new developments, and to promote the principles of the National Cycle Policy Framework (2009) and the Permeability Best Practice Guide (2015).

IN 17: To facilitate and support improved connectivity through a network of pedestrian and cycle routes between adjoining development sites and throughout the town, as detailed in Objectives Map 4.1, Appendix 5.

IN 18 All proposals for development shall be in accordance with the relevant policies and objectives of the Louth County Development Plan 2015-2021, as applicable to the provision of pedestrian and cycling infrastructure.

IN 19: To investigate in conjunction with Bus Eireann and other bus operators, an expansion of the public transport system.

IN 20 To secure, in co-operation with Iarnrod Éireann, improved rail services for the mid and south Louth areas

IN 21: To investigate the provision of car park(s) to aid consolidation of the town centre and to ensure that all car parks are adequately surfaced, marked, illuminated, signposted and make provision for parking for persons with reduced or impaired mobility.

IN 22: To require compliance with the car parking standards as specified in Chapter 8 of this Plan.

IN 23: All applications for developments shall comply with the relevant car parking policies and objectives of the Louth County Development Plan 2015-2021, unless otherwise provided for in this plan.

IN 24: All applications relating to telecommunications, broadband and related support structures shall be in accordance with the relevant policies and objectives of the Louth County Development Plan 2015-2021, unless otherwise provided for in this plan.

IN 25: To secure the provision of high quality broadband and telecommunication infrastructure in the interest of promoting economic growth and competitiveness.

IN 26: To require that all new developments in Dunleer, including one-off houses, demonstrate that at least 25% of a building's energy requirements are from renewable sources. This should be calculated on the basis of an approved method carried out by a qualified and accredited expert.

IN 27: To work in partnership with business and the community in Dunleer in furthering research and innovation in sustainable /renewable energy projects in particular facilitating pilot sustainable energy initiatives.

EDE 1 To continue to promote Dunleer as a competitive and attractive location that contains adequate lands suitable for future economic development along the Eastern Economic Corridor.

EDE 2 To reserve adequate and suitable lands for the creation of new and expanded employment opportunities within the Plan area, including for industrial, commercial and retail uses

EDE 3 To require the provision of mixed use development in accordance with the permitted uses within the town centre and to ensure that the residential component is no more than 50% of the total floor area of the proposed development.

EDE 7 To preserve Dunleer's role as a principle retail and commercial service centre and to encourage an appropriate mix of uses, whilst safeguarding the vitality and viability of the area.

EDE 8 To strengthen the role of the Town Centre by restricting change of use from retail to bookmakers, take-away's, amusement arcades or other non-active frontages and encouraging the further development of retail frontages.

EDE 9 To enhance the appearance of the town centre through good design in all developments including that of new shop fronts and facades.

EDE 10 To ensure that applications for retail development comply with the provisions of the Louth Retail Strategy and Chapter 6 of the Louth County Development Plan 2015-2021.

EDE 11 To encourage the promotion of the tourism potential of the town and to improve existing tourism assets and attractions in the Dunleer area.

EDE 12 To improve the overall attractiveness of Dunleer in a sustainable manner for visitors and tourism, including the enhancement of the visual amenity of the town and its approaches and through the encouragement of new or extended facilities for tourists, including quality tourist accommodation, attractions and activities.

CFA 1 To co-operate with other agencies to facilitate and support the provision of new, improved and multi-functional community facilities throughout the town that are safe and easily accessible and cater for all age groups and backgrounds.

CFA 2 To prohibit development or change of use of open spaces, public parks, playing fields, sports grounds and local open spaces that would result in encroachment onto these essential amenities.

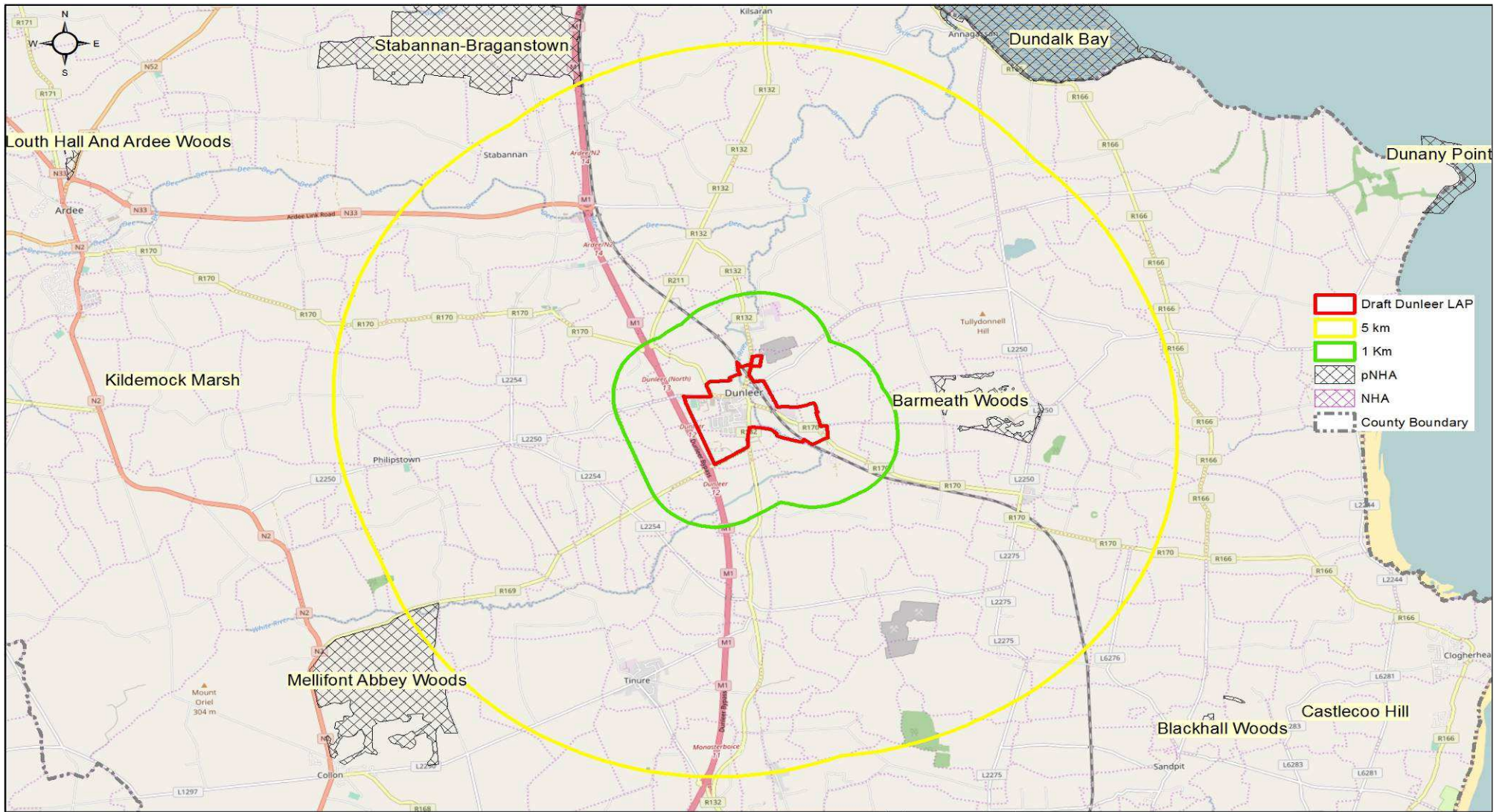
CFA 3 To co-operate with the Department of Education and Skills (DES) to encourage the provision of additional educational facilities and the expansion of existing schools to meet the needs of the town and its hinterland, in accordance with relevant national guidance.

CFA 4 To encourage the expansion of medical and health facilities to meet the needs of the town and its hinterland.

CFA 5 To support and promote the development of open spaces, public parks and riverside walks as identified on the Objectives Map 4.1, Appendix 5 subject to the availability of resources.

CFA 6 To support and promote existing and proposed recreational and sports facilities in line with the policies and objectives of relevant government documents.

APPENDIX II: pNHA AND NHA IN THE VICINITY OF DRAFT DUNLEER LAP



Project: Draft Dunleer LAP
 Client: Louth County Council
 Location: Dunleer, Co. Louth
 Date: 15th March 2017
 Drawn By: Bryan Deegan (Altamar)



ALTEMAR
 Marine & Environmental Consultancy
FutureAnalytics
 Planning + Research + Economics

SEA Screening of
Proposed amendments
to the
Draft Dunleer Local Area Plan
2017 – 2023



June 2017

Prepared by

FutureAnalytics
Planning + Research + Economics

ALTEMAR
Marine & Environmental Consultancy

Contents Amendment Record

This report has been issued and amended as follows:

Issue	Revision	Description	Date	Prepared by	Checked by
REP04	00	Issued to Client	12 th June 2017	JK	DB

TABLE OF CONTENTS

1.0	Introduction	1
2.0	Screening of Proposed Amendments	3
3.0	Conclusions	16

1.0 Introduction

1.1 Context

This report has been prepared to accompany the Chief Executive's report on the public consultation process undertaken for the display of the Draft Dunleer Local Area Plan 2017-2023. The report responds to the issues raised in the submissions and observations made during the public consultation and makes an assessment of the potential requirement for strategic environmental assessment or appropriate assessment on the recommended amendments to the Draft LAP. Consultation on the Draft Dunleer Local Area Plan 2017-2023 took place between Wednesday 22nd March 2017 and Friday 5th May 2017. During this period a total of 21 written submissions were received.

Strategic Environmental Assessment (SEA) is a process for evaluating, at the earliest possible stage, the likely environmental effects of implementing a plan, in order to ensure that environmental considerations are addressed in an appropriate manner as part of the decision-making process, during the preparation of the plan and prior to its adoption.

The European Directive (2001/42/EC) on the Assessment of the Effects of Certain Plans and Programmes on the Environment (the SEA Directive) was transposed into national legislation by the following regulations

- European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. 435/2004), as amended by S.I. 200 of 2011; and
- the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. 436/2004), as amended by S.I. 201 of 2011.

“Screening” for the purposes of Strategic Environmental Assessment is defined as *“the process for deciding whether a particular plan, other than those for which SEA is mandatory, would be likely to have significant environmental effects, and would thus warrant SEA”* (Assessment of the Effects of Certain Plans and Programmes on the Environment, 2004, Guidelines for Regional & Planning Authorities, p 12).

The Draft Dunleer LAP 2017-2023 was examined against the criteria as set out in European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. 435/2004), as amended by S.I. 200 of 2011, and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. 436/2004), as amended by S.I. 201 of 2011. Having assessed the context, extent of growth, the policies and objectives of the existing Dunleer LAP 2010-2016, and the range of hierarchical statutory planning and development policy, none of the criteria as set out in legislation apply to the Draft LAP, and as a result, there is no requirement for the carrying out of Strategic Environmental Assessment for that draft LAP.

The Chief Executive's report on the public consultation process, undertaken for the display of the Draft Dunleer Local Area Plan 2017-2023, recommends amendments to the Draft LAP, a number of which have been considered to be Material Amendments by the planning authority.

Section 12(7)(aa) of the Planning and Development Act 2000 (as amended) requires that the planning authority consider the potential impact of the material amendments on the environment or on Natura 2000 sites as follows:

*12(7)(aa) The planning authority shall determine if a strategic environmental assessment or an appropriate assessment or both such assessments, as the case may be, is or are required to be carried out as respects one or more than one proposed material alteration of the draft development plan.
(Planning and Development Act 2000 (as amended), Section 12(7)(aa))*

This report examines the amendments in turn and comments on whether there is a resulting requirement for strategic environmental assessment or appropriate assessment, from each amendment in turn or taken cumulatively. The amendments were assessed against the criteria as set out in European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. 435/2004), as amended by S.I. 200 of 2011, and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. 436/2004), as amended by S.I. 201 of 2011.

2.0 Screening of Proposed Amendments

2.1 Introduction

A total of 21 submissions were received during the draft consultation phase. The action recommended by the Chief Executive to respond to each submission is considered in turn below. This is followed by a commentary on the potential requirement for strategic environmental assessment or appropriate assessment for each material amendment.

Submissions were received from the individuals and bodies set out in Table 2.1 below:

Table 2.1 List of individuals and bodies that made submissions

Submission No.	Name
1	Hugh Conlon
2	Pat Roche
3	Mid Louth PPN & Local Policing Committee
4	Bernadette Conlon & Hugh D Conlon
5	Dunleer Community Development Board
6	Dunleer Tidy Towns
7	EPA
8	Department of Education and Skills
9	Department of Communications, Climate Action and Environment
10	Fisheries Ireland
11	TII
12	Jim Donegan
13	TDEK Village Ltd
14	Father Michael Murtagh
15	Anthony Flanagan
16	Catherine Tickner
17	DAA
18	Department of Housing, Planning, Community and Local Government
19	Anthony Flanagan
20	Barry Flanagan
21	Meath County Council

2.2 Submissions and Commentary

2.2.1 Submission No. 1 – Hugh Conlan

Change Proposed

No Change Recommended

SEA Implication

None

2.2.2 Submission No. 2 – Pat Roche

Change Proposed

No Change Recommended

SEA Implication

None

2.2.3 Submission No. 3 –Mid Louth PPN & Local Policing Committee

Change Proposed

New Policy Recommended

Policy CFA 6: To support and promote existing and proposed recreational and sports facilities

SEA Implication

The policies and objectives of the Louth County Development Plan 2015-2021 provide support to the protection of the environment. Notably, Policy DP2 ensures that any plan or project likely to impact on Natura 2000 sites, whether directly, indirectly or in combination with other plans or projects, is subject to an appropriate assessment in order to inform decision making.

Therefore, the amendment will not require strategic environmental assessment.

2.2.4 Submission No. 4 –Bernadette Conlon & Hugh D Conlon

Change Proposed

New Policy Recommended

“To ensure coordinated and integrated development, the Opportune Urban Site shall be subject to the preparation of a Masterplan for the written agreement of the Planning Authority”

SEA Implication

The proposed policy is set in the context of the requirement of the draft plan to prevent ad-hoc, haphazard development, and supported by the Louth County Development Plan 2015-2021, Section 4.13 which emphasises that access, density and land use are the core elements in the masterplan process. Similarly, the policies and objectives of the Louth County Development Plan in relation to environmental protection will provide additional support.

Therefore, the amendment will not require strategic environmental assessment.

2.2.5 Submission No. 5 –Dunleer Community Development Board

Change Recommended

The following text to be added to the end of Section 4.9 of the draft LAP:

“In this regard, Dunleer is an integral part of the SEAI supported national network of Sustainable Energy Communities (SEC’s) which have the aim of reducing energy use and increasing renewable energy use by working together to develop a sustainable energy system. The SEC’s vision is for Dunleer to become an Energy & Renewable Energy exemplar to help build capacity and share skills across other communities”.

SEA Implication

This amendment is not material to the policies and objectives of the draft plan, and therefore, it is not likely to have a significant effect on the environment.

2.2.6 Submission No. 6 –Dunleer Tidy Towns

Change Proposed

The Chief Executive recommends that CFA 5 is reworded as follows:

“To co-operate and work in conjunction with the local community and others in the provision of improved recreational facilities and environmental amenities and support and promote the development of open spaces, public parks and riverside walks as identified on the Objectives Map 5.6 (Appendix 5), subject to the availability of resources.”

SEA Implication

The policies and objectives of the Louth County Development Plan 2015-2021 provide support to the protection of the environment. Notably, Policy DP2 ensures that any plan or project likely to impact on Natura 2000 sites, whether directly, indirectly or in combination with other plans or projects, is subject to an appropriate assessment in order to inform decision making.

Therefore, the proposed amendment is not likely to have any significant effect on the environment.

2.2.7 Submission No. 7 – EPA

Change Proposed

No Change Recommended

SEA Implication

None

2.2.8 Submission No. 8 – Department of Education and Skills

Change Proposed

No Change Recommended

SEA Implication

None

2.2.9 Submission No. 9 – Department of Communications, Climate Action and Environment

Change Proposed

No Change Recommended

SEA Implication

None

2.2.10 Submission No. 10 – Fisheries Ireland

Change Proposed

No Change Recommended

SEA Implication

None

2.2.11 Submission No. 11 – TII

Change Proposed

A new policy shall be introduced as follows:

“To ensure coordinated and integrated development, the lands zoned for Industry, Enterprise and Innovation shall be subject to the preparation of a Masterplan for the written agreement of the Planning Authority. The agreed Masterplan shall be submitted with the subsequent planning application for the development (or initial phases of development) of the site. The masterplanning process shall be subject to stakeholder consultation led by the Planning Authority and stakeholders such as the TII, shall form part of the stakeholder consultation process”.

In addition, the text of the LAP will require that the Masterplan will also need to specifically provide for:

- **TTA, RSIA, RSA**
- **Phasing of the Development (including infrastructure)**
- **Access**
- **Land Use**
- **Infrastructure Provision**

Thirdly, the following three uses are no longer normally permitted or open for consideration within the Industry, Enterprise and Innovation Zone:

- **Petrol Stations (in line with Section 2.8 of the guidelines)**
- **Health Centres**
- **Creche/playschools**

SEA Implication

The proposed changes will bring stronger environmental control relating to the development in proximity to junctions on the national roads network.

The proposed change will add to the standard requirements of Section 6.3.5 of the Louth County Development Plan (Requirement of Masterplan for Industrial and Commercial Developments).

The over-arching Louth County Development Plan 2015-2021, sets out Policy TC2 that supports the implementation of government transport policy including Traffic Transport Assessment Guidelines 2014 and Policy TC7, which requires TTA, RSIA, RSA and Mobility Management Plans for developments which might significantly impact on the carrying capacity of the national routes.

Therefore, the proposed amendment is not likely to have any significant effect on the environment.

2.2.12 Submission No. 12 –Jim Donegan

Change Proposed

No Change Recommended

SEA Implication

None

2.2.13 Submission No. 13 –TDEK Village Ltd

Change Proposed

The matrix reads “**Nursing Homes and Analogous Services**”

SEA Implication

This amendment brings consistency between the Dunleer LAP and the Louth County Development Plan 2015-2021 in relation to Nursing Homes and related development. The nature of such analogous development will have similar impacts on the environment as Nursing Homes.

Therefore, the proposed amendment is not likely to have any significant effect on the environment.

2.2.14 Submission No. 14 –Father Michael Murtagh

Change Proposed

No Change Recommended

SEA Implication

None

2.2.15 Submission No. 15 –Anthony Flanagan

Change Proposed

It is recommended that additional wording “**existing landowner**” be included in the caveat associated with the Zoning Matrix to accommodate a family member. No other amendment to the wording of the caveat is considered necessary.

SEA Implication

Therefore, the proposed amendment is not likely to have any significant effect on the environment.

2.2.16 Submission No. 16 –Catherine Tickner

Change Proposed

As submission No.15 above

It is recommended that additional wording “**existing landowner**” be included in the caveat associated with the Zoning Matrix to accommodate a family member. No other amendment to the wording of the caveat is considered necessary.

SEA Implication

Therefore, the proposed amendment is not likely to have any significant effect on the environment.

2.2.17 Submission No. 17 – DAA

Change Proposed

No Change Recommended

SEA Implication

None

2.2.18 Submission No. 18 –Department of Housing, Planning, Community and Local Government

Changes Proposed

A number of related changes are proposed covering three key areas

1. Compliance with the Core Strategy of the Louth County Development Plan 2015-2021 in respect of housing and population targets;

2. Industry, Enterprise and Innovation zoned lands; and
3. Flooding.

1. Core Strategy

The following new text is proposed

2.2 Core Strategy

*The growth of Dunleer must be considered in the context of the Louth County Development Plan 2015-2021 which facilitates the growth of the town with associated community facilities, services and employment opportunities. This growth should be commensurate with growth in economic activity, provision of public transport and in line with capacity in water services. The phasing of housing land as set out in the draft local area plan seeks the consolidation and growth of Dunleer at a suitable and sustainable scale appropriate to its position in the settlement hierarchy and in accordance with **the core strategy of the Louth County Development Plan 2015-2021** and the proper planning and sustainable development of the area.*

*Variation No. 2 of the Louth County Development Plan 2009-2015, allocated a **housing land requirement of 4.5ha based on** a target population of 165 persons (62 residential units) ~~to Dunleer which equates to 62 residential units and a (Table 6 of Variation No. 2).~~ However, as a result of the countrywide economic downturn, no new dwelling houses other than satisfying the requirements of the DECLG Guidance Manual 2011 entitled "Managing and Resolving Unfinished Housing Developments", have been constructed in Dunleer during the period of the current Dunleer Local Area Plan 2010-2016. Tables 2.4 and 2.5 of the Louth County Development Plan 2015-2021 allocated **a housing land requirement of 1.15ha based on** an additional population of 63 persons (23 residential units). ~~to Dunleer up to the period 2021, which equates to an equivalent of 23 additional residential units and corresponding~~*

*Consequently, as there has been no new housing construction during the period 2010-2016, **the land requirement of 1.15ha must be considered in conjunction with the land requirement allocated in Variation 2 of the Louth County Development Plan, which was 4.5ha. Thus the combined land requirement for Dunleer during this Plan period equates to 5.65ha. This is compliant with Table 2.5 and the Core Strategy of the Louth County Development Plan 2015-2021.** ~~the current target population figure of 63 persons (23 residential units) must be considered in conjunction with the target population figure allocated in Variation No. 2 of the Louth County Development Plan 2009-2015, which was 165 persons (62 residential units). Thus the combined number of residential units allocated to Dunleer up to 2021 equates to 85 residential units, with a potential housing land requirement of 5.65ha.~~*

Notwithstanding this, within the development boundary of the draft Dunleer Local Area Plan there are approximately 18ha of undeveloped residential zoned land (See Map 4.1, Appendix 4 Audit of Zoned Residential Lands).

In accordance with the 'Guidance Note on Core Strategies' 2010, as issued by the DECLG under Section 28 of the Planning and Development Act 2000 (as amended), one of the mechanisms available to a local authority in dealing with an excess of residential zoned lands is to prioritise or phase development.

*This phasing process to identify the priority residential development areas is based on the aforementioned **land requirement (and target population figure)** in addition to the factors outlined*

below and influenced by the principle of sequential development, availability of infrastructure, site characteristics, and land availability.

The following new policy pertains to Dunleer and the Louth County Development Plan 2015-2021 Core Strategy will be included:

To support the sustainable long term growth of Dunleer as a Moderate Sustainable Growth Town in accordance with the Settlement Hierarchy and the Core Strategy of the Louth County Development Plan 2015-2021.

2.3 Residential Phasing Strategy

In the interest of orderly and sustainable development and taking cognisance of the need to consolidate urban settlements by applying the sequential approach to land use zoning, it is essential that priority is given to the release of lands for future development located within or close to the core of the town and which satisfy the factors listed above in Section 2.2 (Sequential Circles Map 2.1). **This strategy provides for residential lands that are available and have the capacity to deliver a viable housing development with the potential to offer a mixture of housing to satisfy housing needs.**

Priority is given to the development of lands on a phased basis as indicated on Residential Phasing Map (Map 5.3, Appendix 5) and in accordance with the Audit of Zoned Residential Lands (Map 4.1, Appendix 4). ~~Phase 1 lands cater for the development plan target population growth while Phase 2 and Phase 3 cater for the excess residential undeveloped zoned lands identified within the development boundary of the draft Dunleer Local Area Plan.~~

Only those lands identified as Phase 1 (Map 5.3, Appendix 5) shall be available for residential development during the lifetime of this Local Area Plan.

The lands identified as Phase 2 and Phase 3 (Map 5.3, Appendix 5) are strategic in nature and shall not be available for residential development during the lifetime of this Local Area Plan.

~~Under this strategy it is intended that the release of residential lands identified in Phase 1 shall be complete prior to the release of lands in Phase 2 and 3. The early release of lands within Phase 2 and 3 will require justification detailing why the growth requirements of the town and the surrounding area cannot be provided from the existing lands located in Phase 1. There are sufficient lands zoned to meet the Louth County Development Plan 2015-2021 population projections and potential revised population projections during the plan period up to 2023.~~

~~Under this Strategy:~~

- ~~• The phasing of the residential zoned lands has been guided by the Audit of Zoned Residential Lands matrix~~
- ~~• “Complete” is defined where 75% of a particular phase is developed (built upon) before permissions can be given to develop another phase.~~

~~As stated above, the combined number of residential units allocated to Dunleer up to 2021 equates to 85 residential units, (potentially an additional 7 by 2023) with a housing land requirement of 5.65ha, (potentially an additional 0.35ha by 2023) and the main blocks of undeveloped residential zoned lands amount to some 18 hectares. These figures do not take account of the limited potential residential yields from the development of brownfield sites and infill sites, or the area for consolidation of the towncore.~~

Include new policy in relation to the Dunleer Residential Phasing Strategy worded as follows:

To ensure all residential development is in accordance with the Residential Phasing Strategy of the draft Dunleer Local Area Plan 2017-2023

2.4 Consolidation of Town Core Area: *Opportune Urban Site, Brownfield and Infill Sites*

Consolidation of Dunleer's Town Core and development of brownfield and infill sites has the advantage of revitalising areas by utilising capacity of existing social and physical infrastructure. The result of such development is that it helps create a compact urban form, potentially reduces dereliction and site vacancy, supports sustainable transport, improves security, provides potential for improvements to the public realm, improves the character of the town and contributes to a sense of place. Residential development will be promoted on suitably zoned brownfield and infill sites. (See Definitions below).

2.4.1 Opportune Urban Site

An area of approximately 4.18ha (comprising Site 1 & Site 2, Map 4.1) has been identified **as an Opportune Urban Site in Phase 1** for Consolidation of the Town Core (Map 5.3, Appendix 5) The primary objective **of this Opportune Urban Site is for** for the future development of these lands is the expansion of the town centre for a mixed use of commercial with ancillary residential development. In terms of the future residential development of these lands **However**, there are both physical and policy constraints which may impact on the scale of residential development feasible at this location including:

- flooding,
- topography,
- accessibility,
- possible re-use of the railway station,
- **land ownership,**
- **way leaves,**
- mixed use zoning objective. (residential component to be no more than 50% of total floor area)
-

Thus, the development potential of these lands is significantly constrained. The indicative developable area is approximately 2.0 hectares the residential element of which is approximately 1.0 hectare (subject to normal planning criteria and the Development Management Process).

~~Phase 1 and the residential component of the Consolidation of Town Core require an approximate land capacity of 5.65ha (See **Note** below).~~

~~**Note:** This includes a parcel of residential zoned land with an existing dwelling and ancillary private open space. It is necessary to include these residential lands in the Consolidation of the Core Area for the following reasons:~~

- ~~• The residential capacity of the site is compromised by the flooding extent and the extent of lands in the ownership of Iarnród Éireann~~
- ~~• Objective to provide access road through these lands to adjacent Town Centre zoned lands from the Barn Road~~
- ~~• The Core Area lands are intrinsically linked and interdependent in terms of their future development~~
- ~~• Need for a Masterplan to ensure the co-ordinated and integrated approach for the~~

~~development of these future lands and to prohibit ad-hoc, haphazard development.~~

The Opportune Urban Site (comprising Site 1 & Site 2) requires the preparation of a Masterplan to ensure the co-ordinated and integrated approach for the development of these future lands and to prohibit ad-hoc, haphazard development. The Masterplan shall have regard to Section 4.13 of the LCDP and shall provide inter alia for the following:

- **Connectivity**
- **Access**
- **Density**
- **Land use**

CS 1: To ensure coordinated and integrated development the Opportune Urban Site shall be subject to the preparation of a Masterplan for the written agreement of the Planning Authority.

2.4.2 Brownfield/Infill Sites:

Due to the limited potential residential yield from development of Brownfield and Infill Sites these lands are not included in the Core Strategy figures or the Phasing Strategy.

Definitions:

Brownfield Site: Shall be interpreted in all instances, other than in exceptional circumstances, as any land which has been subjected to building, engineering or other operations, excluding temporary uses or urban green spaces.

Infill Site: Range from small gap infill, unused or derelict land and backland areas, up to larger residual sites or adjacent sites that are all in different ownerships.

2.4.3 Dublin Road: Low Density Housing

These lands, with a limited area of circa 0.9ha are identified for high quality, low density residential development within the town boundary and are considered the most suitable to achieve the objective of low density development given the requirement for serviced sites as an alternative option to building houses in the countryside. They should be developed in accordance with the requirements of Section 6.4.3 (Riverside Amenity Park).

The Phase 1 lands available for residential development during the lifetime of the Dunleer Local Area Plan 2017-2023 are in accordance with the Core Strategy figures of the Louth County Development Plan 2015-2021 (Table 2.5) and as identified in Table 2.2 below:

Table 2.2

Phase 1 Lands Dunleer (See Map 5.3)		
Site	Approximate Area (ha)	LCDP (Table 2.5)
Opportune Urban Site* (Residential)	1.0 ha	
Lands north of Ardee Road	3.7 ha	
Dublin Rd: Low Density**	0.9ha	
Total	5.6 ha	5.65ha

****These lands are compromised due to both physical and policy constraints
These lands are identified for high quality, low density housing (in accordance with the requirements of Section 6.4.3 Riverside Amenity Park).*

2. Industry, Enterprise and Innovation

The following amendments are proposed:

Inclusion of a new Policy regarding the preparation of a Masterplan for lands identified for Industry, Employment and Innovation as follows:

“To ensure coordinated and integrated development, the lands zoned for Industry, Enterprise and Innovation shall be subject to the preparation of a Masterplan for the written agreement of the Planning Authority. The agreed Masterplan shall be submitted with the subsequent planning application for the development (or initial phases of development) of the site. The masterplanning process shall be subject to stakeholder consultation led by the Planning Authority and stakeholders such as the TII, shall form part of the stakeholder consultation process”.

*In addition to the standard requirements of Section 6.3.5 of the Louth County Development Plan (Requirement of Masterplan for Industrial and Commercial Developments) and having regard to the Spatial Planning and National Roads Guidelines, the text of the LAP will require that: **The Masterplan shall comply with the requirements of Section 6.3.5 of the Louth County Development Plan 2015- 2021 and shall include inter alia for the following:***

- **TTA, RSIA, RSA**
- **Phasing of the Development (including infrastructure)**
- **Access**
- **Land Use**
- **Infrastructure Provision**

Change to wording of Policy EDE 5 to remove word “commercial” and replace with “employment” and read as follows:

*“To require that industrial and **employment** lands be developed to a very high standard in campus style settings, combining aesthetics with enterprise in accordance with the standards as set out in Chapter 8 of this Plan and Chapter 6 of the Louth County Development Plan 2015-2021.*

3. Flooding

The following amendments are proposed:

Amendments to the Zoning Map 5.1 and consequent amendments to Map 3.9, 5.6 and 6.1 with a change from Residential to Open Space on lands located to the south of the R170

Amendments to the Zoning Map 5.1 and consequent amendments to Map 3.9, 5.6 and 6.1 with a change from Town Centre to Open Space on lands located to the east of the R132 and west of the former railway Station

Amendments to the Zoning Map 5.1 and consequent amendments to Map 3.9, 5.6 and 6.1 with a change from Employment Mixed Use to Open Space on lands located to the east of the WWTP and south of the railway line.

Regarding those lands which have historically been subject to development but which are liable to flooding, it is recommended in accordance with the Department and the aforementioned Guidelines, that these are subjected to a detailed site specific flood risk assessment clearly demonstrating compliance with the Guidelines as per Section 4.5 of the Draft Dunleer Local Area Plan 2017-2023

SEA Implication

Core Strategy

The amendments in relation to core strategy clarify the extent and phasing of residential development in the settlements and clarify the level of consistency with the Louth County Development Plan 2015-2021. Amendments in relation to the Opportune Site and Dublin Road housing improve the environmental protection to their development and represents improvement in the policy wording.

The amendments are not likely to have a significant effect on the environment.

Industry, Enterprise and Innovation

The proposed policy is set in the context of the requirement of the draft plan to prevent ad-hoc, haphazard development, and supported by the Louth County Development Plan 2015-2021, Section 4.13 which emphasises that access, density and land use are the core elements in the masterplan process. Similarly, the policies and objectives of the Louth County Development Plan in relation to environmental protection will provide additional support.

The amendments are not likely to have a significant effect on the environment.

Flooding

The zoning amendments amend the form and extent of development possible on the lands identified as being at risk of flooding in the town both in existing developed areas and in new development lands.

The amendments are not likely to have a significant effect on the environment.

2.2.19 Submission No. 19 –Anthony Flanagan

Change Proposed

As submission No.15 above

It is recommended that additional wording “**existing landowner**” be included in the caveat associated with the Zoning Matrix to accommodate a family member. No other amendment to the wording of the caveat is considered necessary.

SEA Implication

Therefore, the proposed amendment is not likely to have any significant effect on the environment

2.2.20 Submission No. 20 –Barry Flanagan

Change Proposed

As submission No.15 above

It is recommended that additional wording “**existing landowner**” be included in the caveat associated with the Zoning Matrix to accommodate a family member. No other amendment to the wording of the caveat is considered necessary.

SEA Implication

Therefore, the proposed amendment is not likely to have any significant effect on the environment.

2.2.21 Submission No. 21 –Meath County Council

Change Proposed

No Change Recommended

SEA Implication

None

3.0 Conclusion

The proposed amendments to the Draft Dunleer LAP 2017-2023 have each been examined against the criteria as set out in European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. 435/2004), as amended by S.I. 200 of 2011, and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. 436/2004), as amended by S.I. 201 of 2011.

Having assessed the context, extent of growth, the policies and objectives of the existing Dunleer LAP 2010-2016, and the range of hierarchical statutory planning and development policy, none of the criteria as set out in legislation apply to the amendments to the Draft LAP, either separately or cumulatively, and as a result, there is no requirement for the carrying out of Strategic Environmental Assessment.