

N52 Ardee Bypass

Appropriate Assessment Screening Report

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N52 Ardee Bypass

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1.0 INTRODUCTION

1.1 Background

Roughan & O'Donovan (ROD) was appointed by Louth County Council to produce, on its behalf, an Appropriate Assessment (AA) Screening Report in respect of the proposed N52 Ardee Bypass ("the Project"). The AA Screening Report is intended to determine whether or not the Project, either individually or in combination with other plans or projects, is likely to have a significant effect on areas designated as being of European importance for nature conservation ("European sites"), thereby enabling the competent authority, either An Bord Pleanála or Louth County Council in this case, to fulfil its obligations under Article 6(3) of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora ("the Habitats Directive").

This document comprises the AA Screening Report in respect of the Project and was prepared by ROD on behalf of Louth County Council and in accordance with the requirements of the Habitats Directive, the Planning and Development Acts, 2000-2018 ("Planning and Development Acts") and the European Communities (Birds and Natural Habitats) Regulations, 2011-2015 ("the Habitats Regulations"). The aim of this AA Screening Report is to inform and assist the competent authority in carrying out its AA Screening by determining whether or not the Project, either individually or in combination with other plans and projects, has the potential to significantly affect one or more European sites, in view of their Conservation Objectives.

It is the considered opinion of ROD, as the author of this AA Screening Report, that the Project, either individually or in combination with other plans or projects, in view of best scientific knowledge, does not have the potential to significantly affect the Stabannan-Braganstown SPA, Dundalk Bay SAC, Dundalk Bay SPA, or any other European site, in view of their Conservation Objectives, and, therefore, that AA is not required in respect of the Project.

1.2 Legislative Context

The Habitats Directive and Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds ("the Birds Directive") list habitats and species which are, in a European context, important for conservation and in need of protection. This protection is afforded in part through the designation of sites that, in a European context, support significant examples of habitats or populations of species. These sites are generally referred to as "European sites". Specifically, sites designated for wild birds are termed "Special Protection Areas" (SPAs) and sites designated for natural habitat types or other species are termed "Special Areas of Conservation" (SACs). The complete network of European sites is referred to as "Natura 2000".

In order to ensure the protection of European sites in the context of land use planning and development, Article 6(3) of the Habitats Directive requires that:

"Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives."

The Court of Justice of the European Union (CJEU) has interpreted this requirement as follows¹:

“Any plan or project not directly connected with or necessary to the management of the site is to be subject to an appropriate assessment of its implications for the site in view of the site’s conservation objectives if it cannot be excluded, on the basis of objective information, that it will have a significant effect on that site, either individually or in combination with other plans or projects.”

In accordance with the Precautionary Principle, the CJEU interpreted the word “likely” as meaning that as long as it cannot be conclusively demonstrated that a given effect will not occur, that effect is considered “likely” to occur. A likely effect considered to be “significant” only if it interrupts or causes delays in progress towards achieving the Conservation Objectives² of the relevant European site(s).

In Ireland, this requirement for AA is transposed into national law by Part 5 of the Habitats Regulations and Part XAB of the Planning and Development Acts, and the process is termed “Appropriate Assessment” (AA). Where no Environmental Impact Assessment Report is required, only Part XAB applies. Stage 1 of the process, i.e. determining whether or not a plan or project meets the above criteria for requiring AA, is referred to as “AA Screening”.

In its judgment in *People Over Wind*³, the CJEU concluded that the determination of whether or not AA is required in respect of a project must be completed without consideration of “*measures that are intended to avoid or reduce the harmful effects of the envisaged project on the site concerned*”.

This judgment informed the High Court’s conclusion in *Kelly (Aldi Laytown)*⁴ that SuDS (sustainable urban drainage systems) which formed part of a Project were not required to be excluded from consideration at the screening stage because the policy requiring their inclusion as part of the Project was “*not in any way directed to the protection of any European site which might potentially be affected by a particular development*” and also “*having regard to the fact that they [SuDS] are now standard in virtually all projects regardless of proximity to European sites and are integral to project design*”.

Article 6(3) of the Habitats Directive specifies that AA must be undertaken by the “*competent national authorities*”. In Ireland, the “competent authority” is the relevant planning authority for each plan or project, e.g. the local authority or An Bord Pleanála. Consequently, the responsibility for carrying out AA Screening lies solely with the competent authority. In that respect, the AA Screening Report is not in itself an AA Screening, but provides the competent authority with the information it needs in order to carry out its AA Screening.

1.3 Screening Methodology

At this stage of the process, the AA Screening Report assesses the potential impacts from the plan or project on the European sites within the likely zone of impact and evaluates them in view of the sites’ Conservation Objectives.

¹ Landelijke Vereniging tot Behoud van de Waddenzee, Nederlandse vereniging tot Bescherming van Vogels v. Staatssecretaris van Landbouw, Natuurbeheer en Visserij (Waddenzee) [2004] C-127/02 ECR I-7405.

² Conservation Objectives are referred to, but not defined, in the Habitats Directive. In Ireland, Conservation Objectives are set for Qualifying Interests (the birds, habitats or other species for which a given European site is selected) and represent the overall target that must be met for that Qualifying Interest to reach or maintain favourable conservation condition in that site and contribute to its favourable conservation status nationally.

³ People Over Wind and Peter Sweetman v. Coillte Teoranta (People Over Wind) [2018] C-323/17.

⁴ Eoin Kelly v. An Bord Pleanála [2019] IEHC 84.

Best practice in undertaking AA Screening involves five steps as follows:

1. The first step involves gathering the information and data necessary to carry out a screening assessment. These include, but are not limited to, the details of all phases of the plan or project, environmental data pertaining to the area in which the plan or project is located, e.g. rare or protected habitats and species present or likely to be present, and the details of the European sites within the likely zone of impact.
2. The second step involves examining the information gathered in the first step and a scientific analysis of the potential impacts of the Project on the receiving environment, particularly the European sites in the likely zone of impact.
3. The third step evaluates the impacts analysed in the second step against the Conservation Objectives of the relevant European sites, thereby determining whether or not those impacts constitute “likely significant effects”, within the meaning of Article 6(3) of the Habitats Directive.
4. The fourth step involves considering the potential for likely significant effects to arise from the combination of the impacts of the plan or project with those of other plans or projects. If it is determined in the third step that Stage 2 (AA) is required, consideration of potential cumulative impacts may be deferred to that stage.
5. The last step involves the issuing of a statement of the determination of the AA Screening. Notwithstanding the recommendation made in the AA Screening Report, the responsibility for completing this step lies solely with the competent authority.

The following guidance documents informed the assessment methodology:

- DEHLG (2010) *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities*. Department of the Environment, Heritage and Local Government, Dublin.
- NPWS (2010a) *Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities*. Circular Letter NPWS 1/10 & PSSP 2/10. National Parks & Wildlife Service, Department of the Environment, Heritage and Local Government, Dublin.
- EC (2001) *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*. Environment Directorate-General of the European Commission.
- EC (2018) *Managing Natura 2000 sites: The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC*. European Commission, Brussels.

1.4 Ecological Assessment

In order to fully inform this AA Screening Report in respect of the Project, it was necessary to establish the baseline ecological conditions in the receiving environment, particularly with regard to European sites. The ecology surveys and assessments were carried out by ROD Ecologist Patrick O'Shea. Patrick holds a Bachelor's Degree in Botany from Trinity College Dublin and an MSc in Ecological Management and Conservation Biology from Queen's University Belfast. He is a full member of the Chartered Institute of Ecological and Environmental Management (CIEEM) and has 8 years' experience in ecological consultancy.

Desk Studies

During the preparation of the AA Screening Report, the statutory consultee, the National Parks & Wildlife Service (NPWS), provided data on designations of sites, habitats and species (including birds) of conservation interest. This included reports pursuant to Article 17 of the Habitats Directive⁵ (NPWS, 2019), Birds Directive Article 12 Reporting 2008-2012 (NPWS, 2012) and the Site Synopses, Natura 2000 Standard Data Forms and Conservation Objectives (including supporting documents) for the relevant European sites.

The desk study involved a thorough review of existing information relating to ecology in the vicinity of the Project and in the surrounding area. The following web-based geographic information systems (GISs) were used to obtain information relating to the natural environment surrounding the Project. These included the NPWS *Designations Viewer* (NPWS, 2020), which provided information on the locations of protected sites and the Environmental Protection Agency's Unified GIS Application (EPA, 2020) which provided additional information on the wider environment.

Field Surveys

Field surveys were carried out throughout 2020 and included the following surveys:

- Habitats, plants, and invasive species;
- Bats;
- Wintering Birds;
- Breeding Birds;
- Mammals (Badger and Otter); and
- Marsh Fritillary.

The surveys were carried out adhering to the relevant best practice guidance and during the recommended optimum survey periods. The following guidance documents were used:

- *A Guide to Habitats in Ireland* (Fossitt, 2000).
- *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (Collins (ed.), 2016).
- *Ecological Surveying Techniques for Protected Flora and Fauna during the Planning of National Road Schemes* (NRA, 2008).
- Gilbert, G., Gibbons, D.W. and Evans, J. (1998) *Bird Monitoring Methods: A Manual of Techniques for Key UK Species*. Royal Society for the Protection of Birds, Exeter.
- Smith, G.F., O'Donoghue, P., O'Hora, K. and Delaney, E. (2011) *Best Practice Guidance for Habitat Survey and Mapping*. The Heritage Council, Kilkenny.

Assessment

Once established, the ecological baseline of the receiving environment was used to inform the assessment of the ecological effects likely to arise from the Project, particularly with regard to European sites. Any assumptions that were made in view of gaps in the ecological data were made in strict accordance with the Precautionary Principle.

⁵ Under Article 17, to report to the European Commission every six years on their status and on the implementation of the measures taken under the Directive.

2.0 DESCRIPTION OF THE PROJECT

2.1 Overview

The Project comprises the construction of a 4.5 km fully offline route from the existing N52 south of Ardee town commencing north of the Mandistown crossroads, before bypassing the town on its western side and connecting back into the N2 to the north of Ardee. The route will be a Type 2 single carriageway, consisting of a 7 m wide carriageway with a 0.5 m hard verge. The carriageway will have a 2.5 m vegetated verge on one side and a 5 m vegetated verge on the other, incorporating a 3 m wide pedestrian/ cycle path.

From the southern extent of the project, the alignment runs to the south of the existing N52 between the Mandistown crossroads and the crossing of the River Dee, where the alignment will be accommodated via a new bridge to the north of the existing River Dee Bridge. The Project entails the stopping up of the existing N52 at the point where the alignment becomes offline. The alignment runs in a north east direction requiring a new bridge crossing over the River Garra, following which it crosses Silverhill Road. The northern section of the Silverhill Road is realigned to provide a connection to Project, connecting in a ghost island T junction which forms a staggered junction with the southern Silverhill Road. The southern Silverhill Road realignment provides a connection to the existing N52 with a new roundabout on the existing N52. The Project also entails the provision of a staggered T junction to accommodate traffic on the existing Townparks road where it crosses the new bypass. In addition, a T junction will be provided on the northern side of the new bypass where it crosses the Mullanstown Road, while a cul-de-sac will be provided on the southern side of the new bypass on the Mullanstown Road. From the Mullanstown road crossing, the alignment curves further east to meet the existing N2 c. 650 m north of the roundabout with N2 and N33. The total area of land take associated with Project is approximately 27.5 hectares. Construction noise pollution levels would be typical of a road of its characteristics and no explosive blasting, drilling, or demolition will take place. A site compound location has been identified at the Silverhill Road (See Appendix C Project Drawings). This provides access from the existing National Road network for the early stages of construction, whilst also facilitating access to the Project via the Silverhill Road.

The project is neither connected to, nor necessary for the management of any Natura 2000 Site.

2.2 Location

The Project is located on the western side of Ardee, County Louth between the Mandistown crossroads south of the existing N52 and the N2 c. 650 m north of the roundabout with N2 and N33 (see Appendix A and Appendix C).

2.3 Surface Water Drainage

The proposed road design will include road drainage based on Sustainable Drainage Systems (SuDS) including attenuation for a 100-year flood event and 20% climate change and hydrocarbon interceptors prior to eventually discharging into the River Dee and River Garra. This will prevent impacts on water quality as a result of the Project, both in terms of sedimentation, pollutants and the sudden increase in flows following a rainfall event. The drainage design for the Project will provide a suitable drainage system to service the road and to ensure that drainage systems within adjacent lands are not adversely impacted.

The distance that surface water run-off will travel between the Project and the Dundalk Bay SAC and the Dundalk Bay SPA is c. 24 km. SuDS would form part of the project and forms part of this project regardless of the presence of any Natura 2000 Sites in the vicinity of the Project. In light of the ruling of the CJEU in Case C323/17 and the judgment in the Irish High Court in Case [2019] IEHC 84, it should be noted that the surface water drainage system is standard practice in line with planning policy and is incorporated on all road projects of this nature. It is not included with the specific aim of avoiding or reducing impacts on any European site.

2.4 Flooding

A Site Specific Flood Risk Assessment (SSFRA) has been prepared for the Project. The SSFRA indicates that the Project will have minimal impact on the existing flood regime. The low-lying nature of Ardee Bog and the surrounding lands ensure that any displacement of flood waters by the Project is dispersed across a very wide area and the effect on water level is barely perceptible. The hydraulic model estimates the increase in flood levels in the 0.1%AEP (1 in 1000 year) + mid-range future climate change scenario to be a median change of 2 mm across all modelled reaches. As can be seen in the flood extent drawings (Appendix B), there is no discernible difference in the flood extents between the pre- and post-development scenarios.

3.0 IDENTIFICATION OF LIKELY SIGNIFICANT EFFECTS

3.1 Establishing the Likely Zone of Impact

Section 3.2.3 of DEHLG (2010) outlines the procedure for selecting the European sites to be considered in AA. It states that European sites potentially affected should be identified and listed, bearing in mind the potential for direct, indirect and cumulative effects. It also states that the specific approach in each case is likely to differ depending on the scale and likely effects of the plan or project. However, it advises that the following sites should generally be included:

- All European sites within or immediately adjacent to the plan or project area;
- All European sites within the likely zone of impact of the plan or project; and,
- In accordance with the Precautionary Principle, all European sites for which there is doubt as to whether or not they might be significantly affected.

The “likely zone of impact” of a plan or project is the geographic extent over which significant ecological effects are likely to occur. In the case of plans, this zone should extend to a distance of 15 km in all directions from the boundary of the plan area. In the case of projects, however, the guidance recognises that the likely zone of impact must be established on a case-by-case basis, with reference to the following key variables:

- The nature, size and location of the project;
- The sensitivities of the ecological receptors; and,
- The potential for in-combination effects.

For example, in the case of a project that could affect a watercourse, it may be necessary to include the entire upstream and/or downstream catchment in order to capture all European sites with water-dependent Qualifying Interests.

Having regard to the above key variables, the likely zone of impact was defined as the Project boundary plus a 15 km buffer. This includes a precautionary distance to any European Sites where there is potential for ex-situ impacts to occur i.e. potential likely significant effects on Qualifying Interests outside the boundaries of a European Site, and, all of the watercourses within the Project area downstream as far as the sea. A drawing showing the Likely Zone of Impact is provided in Appendix A to this report (N52A-ROD-VES-SW_AE-DR-EN-300002).

It was determined that three European sites, the Stabannan- Braganstown SPA, the Dundalk Bay SAC and the Dundalk Bay SPA occur within the likely zone of impact. These sites are listed in Table 3.1 which also assesses whether or not there are pathways for impacts to the sites. Where pathways exist, a detailed description is provided in Section 3.2.

Table 3.1 European sites with closest proximity to the Project.

European site [site code]	Are there potential pathways for impacts from the Works to this site? Explain.
Stabannan-Braganstown SPA [004091]	Yes. This European Site is located 5.3 km to the northeast of the Project. Greylag Goose is the only Qualifying Interest of this SPA. There is no hydrological connectivity between the project and this site. The site supports internationally important numbers of Greylag Goose that feed in this area during the day and roost in Dundalk Bay. Greylag Goose has been recorded feeding on agricultural grassland around the Ardee Bog.
Dundalk Bay SAC [000455]	Yes. This European site is located 12.4 km to the northeast of the Project. The Project crosses the River Dee and its tributaries and is hydrologically connected to the SAC, which is a minimum of 24 km downstream.
Dundalk Bay SPA [004026]	Yes. This European site is located 12.4 km to the northeast of the Project. The Project crosses the River Dee and its tributaries and is hydrologically connected to the SPA, which is a minimum of 24 km downstream. Species such as Greylag Goose, Light-bellied Brent Goose, Golden Plover, Lapwing and Curlew frequently feed inland from coastal sites on agricultural grassland.

3.2 Site Descriptions

The following sections describe the European Sites where potential pathways for impacts between the Project and these sites have been identified.

3.2.1 Stabannan- Braganstown SPA

The description of the Stabannan-Braganstown SPA provided here is based on the Site Synopsis (NPWS, 2010), Conservation Objectives (2020b), and Natura 2000 Standard Data Form (NPWS, 2018d) for the site.

Site Overview

Stabannan-Braganstown SPA is situated approximately 4 km inland from Dundalk Bay in Co. Louth. It is a small, flat alluvial plain adjacent to the River Glyde and is bounded to the north and south by low, rolling hills. The site is an SPA, of special conservation interest for the following species: Greylag Goose. In winter this site is utilised by an internationally important wintering population of Greylag Goose (1,391 birds, five-year mean peak for the period 1995/96 to 1999/2000).

The population of Greylag Goose utilising the site has declined in recent years but is still of national importance. The site also supports smaller populations of Greenland White-fronted Goose (24) and Whooper Swan (60). Small numbers of Bewick's Swan (2) have also been recorded at the site. At night, most of the geese and swans roost in Dundalk Bay. Other species typical of agricultural land also occur, notably Golden Plover (876) and Lapwing (300) – all figures five-year mean peaks for the period 1995/96 to 1999/2000. 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 on Annex I to the EU Birds Directive, i.e. Greenland White-fronted Goose, Whooper Swan and Golden Plover.

Qualifying Interests of the Site

[A043] Greylag Goose (*Anser anser*)

3.2.2 Dundalk Bay SAC

The description of the Dundalk Bay SAC provided here is based on the Site Synopsis (NPWS, 2014a), Conservation Objectives (NPWS, 2011), and Natura 2000 Standard Data Form (NPWS, 2018a) for the site.

Site Overview

This SAC is a very large open, shallow sea bay with extensive saltmarshes and intertidal sand/mudflats, extending some 16 km from Castletown River on the Cooley Peninsula in the north, to Annagassan-Salterstown in the south. The bay encompasses the mouths and estuaries of the Rivers Dee, Glyde, Fane, Castletown and Flurry.

Extensive sandflats and mudflats 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 collection of bivalve molluscs, marine worms and crustaceans and are the main food resource of the tens of thousands of waterfowl 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 feed on the saltmarsh grasses and other grassland vegetation. The site is internationally important for waterfowl because it regularly holds over 20,000 birds (up to 57,000 have been recorded) and supports over 1% of the North-West European/East Atlantic Flyway populations of Brent Goose (*Branta bernicla*), Bar-tailed Godwit (*Limosa lapponica*) and Knot (*Calidris canutus*).

Shingle beaches are particularly well represented in Dundalk Bay, occurring more or less continuously from Salterstown to Lurgan White House in the south bay, and from Jenkinstown to east of Giles Quay in the north bay.

Dundalk Bay is a site of significant conservation value because it supports good examples of a range of coastal habitats listed on Annex I to the EU Habitats Directive, as well as large numbers and a high diversity of bird species, some of which are listed in the Birds Directive.

Qualifying Interests of the Site

- [1130] Estuaries
- [1140] Mudflats and sandflats not covered by seawater at low tide
- [1220] Perennial vegetation of stony banks
- [1310] *Salicornia* and other annuals colonising mud and sand
- [1330] Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*)
- [1410] Mediterranean salt meadows (*Juncetalia maritimi*)

3.2.3 Dundalk Bay SPA

The description of the Dundalk Bay SPA provided here is based on the Site Synopsis (NPWS, 2014b), Conservation Objectives (NPWS, 2011), and Natura 2000 Standard Data Form (NPWS, 2018b) for the site.

Site Overview

Dundalk Bay is a large open shallow sea bay with extensive saltmarshes and intertidal sand/mudflats, extending some 16 km from Castletown River on the Cooley Peninsula, in the north, to Annagassan-Salterstown in the south. The extensive sandflats and mudflats are rich in bivalves, molluscs, marine worms and crustaceans which provides the food resource for most of the wintering waterfowl.

The outer part of the bay provides excellent shallow-water habitat for divers, grebes and sea ducks. In summer, it is thought to be a major feeding area for auks (Alcidae) from the Dublin breeding colonies. The bay is used at night for roosting by wintering flocks of Greylag Goose, Greenland White-fronted Goose and Whooper Swan from Stabannan-Braganstown and other inland sites.

The site is of international importance because it regularly supports an assemblage of over 20,000 wintering waterbirds. It also qualifies as a site of international importance for supporting populations of Light-bellied Brent Goose (370), Knot (9,710), Black-tailed Godwit (*Limosa limosa*) (1,100) and Bar-tailed Godwit (1,950). The site also supports nationally important populations of three wintering gull species; Black-headed Gull (*Chroicocephalus ridibundus*) (6,643), Common Gull (*Larus canus*) (551) and Herring Gull (*Larus argentatus*) (754). In spring and autumn the site attracts a range of passage migrants, including Little Stint (*Calidris minuta*), Curlew Sandpiper (*Calidris ferruginea*) and Ruff (*Philomachus pugnax*).

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 (*Gavia stellate*), Great Northern Diver (*Gavia immer*) and Little Egret (*Egretta garzetta*) is of particular note as these species are listed on Annex I to the Birds Directive. Dundalk Bay is a Wetland of International Importance (i.e. a Ramsar Convention site) and parts of Dundalk Bay SPA are designated as Wildfowl Sanctuaries.

Qualifying Interests of the Site

[A005]	Great Crested Grebe (<i>Podiceps cristatus</i>)
[A043]	Greylag Goose (<i>Anser anser</i>)
[A048]	Light-bellied Brent Goose (<i>Branta bernicla hrota</i>)
[A048]	Shelduck (<i>Tadorna tadorna</i>)
[A052]	Teal (<i>Anas crecca</i>)
[A053]	Mallard (<i>Anas platyrhynchos</i>)
[A054]	Pintail (<i>Anas acuta</i>)
[A065]	Common Scoter (<i>Melanitta nigra</i>)
[A069]	Red-breasted Merganser (<i>Mergus serrator</i>)
[A130]	Oystercatcher (<i>Haematopus ostralegus</i>)
[A137]	Ringed Plover (<i>Charadrius hiaticula</i>)
[A140]	Golden Plover (<i>Pluvialis apricaria</i>)
[A141]	Grey Plover (<i>Pluvialis squatarola</i>)
[A142]	Lapwing (<i>Vanellus vanellus</i>)
[A143]	Knot (<i>Calidris canutus</i>)
[A149]	Dunlin (<i>Calidris alpina</i>)
[A156]	Black-tailed Godwit (<i>Limosa limosa</i>)
[A157]	Bar-tailed Godwit (<i>Limosa lapponica</i>)
[A160]	Curlew (<i>Numenius arquata</i>)
[A162]	Redshank (<i>Tringa totanus</i>)
[A179]	Black-headed Gull (<i>Chroicocephalus ridibundus</i>)

[A182]	Common Gull (<i>Larus canus</i>)
[A184]	Herring Gull (<i>Larus argentatus</i>)
[A999]	Wetlands and Waterbirds

3.3 Evaluation Against Conservation Objectives

Tables 3.2, 3.3 and 3.4 below detail the evaluation of the likely effects of the Project in view of the Conservation Objectives of the sites identified in Section 3.1 and described in Section 3.2. As explained in Sections 1.2 and 1.3, AA Screening is carried out in view of the Conservation Objectives of the relevant European sites, which are in turn defined by detailed Attributes and corresponding Targets. Therefore, the evaluation of whether or not a likely effect is significant (in view of the Conservation Objective in question) is made with regard to these Attributes and Targets. Where Conservation Objectives have not been developed for a particular European Site, the Attributes and Targets for the same Qualifying Interests in a similar European Site have been used.

Table 3.2 Evaluation of the likely effects of the Project in view of the Conservation Objectives of the Stabannan-Braganstown SPA [004091].

Qualifying Interest	Conservation Objective	Does the Project provide for any potential delay or interruption in the achievement of this Conservation Objective, as defined by its Attributes and Targets?	Likely Significant Effect
Greylag Goose [A043]	<i>"To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA"</i> The Conservation Objective for this Qualifying Interest from the Dundalk Bay SPA [004026] has been applied, which is to maintain the favourable conservation condition of this Qualifying Interest (NPWS, 2011).	The SPA is located 5.3 km northeast of the Project within the River Glyde catchment. The SPA and the proposed development site are not located directly upstream or downstream of each other and are therefore not considered to be hydrologically connected. Thus, there is no risk of direct hydrological impacts. With regards to effects on water quality in habitats used by Greylag Goose outside the SPA, the potential impact of the proposed construction works and associated compound on the water quality of receiving waterbodies is envisaged to be highly localised in nature; have a negligible impact within the immediate vicinity of the development and be imperceptible in the wider catchment including habitats used by Greylag Goose and Dundalk SPA/SAC. Dilution and diffusion processes over the ~25km reach of the River Dee between Ardee and Dundalk Bay would likely render any potential pollutants imperceptible in the water column long before reaching Dundalk Bay. For context, the Q50 flow volume of the River Dee between Ardee and the Dundalk Bay is conservatively estimated to be >420,000m³. Undertaking the works in accordance with TII Standards and Publications will ensure that the potential for pollutants to discharge to surface waterbodies in the quantities required to impact sensitive receptors downstream is very limited and effectively inconceivable. Wintering bird surveys were carried out in the Constraints Study Area (see Figure 3.1 below) on the 4th February and the 5th March 2020. Following the selection of the preferred route corridor, three additional wintering bird surveys were carried out within the Project boundary and on adjacent lands, in the fields surrounding the Ardee Bog, and at several fields 1.5 km north-west of the Project where Greylag Geese were recorded during the first two surveys. These surveys were carried out on the 1st December 2020 and the 2nd and 17th February 2021. No Greylag Geese were recorded within the project boundary, on adjacent lands or in the fields around the Ardee Bog. A peak count of six Greylag Geese were recorded in a field 1.5 km north west of the Project. Greylag Geese were always recorded in association with a flock of Whooper Swans which were recorded during all five surveys. The elevation of the proposed road above the surrounding ground level is between 3 and 5 m. Greylag Geese fly at elevations of >25 m (Patterson, 2015) and will need to cross other major roads (Ardee Link Road (N33), N2 and N52 north of Ardee) between the SPA and the proposed site.	No

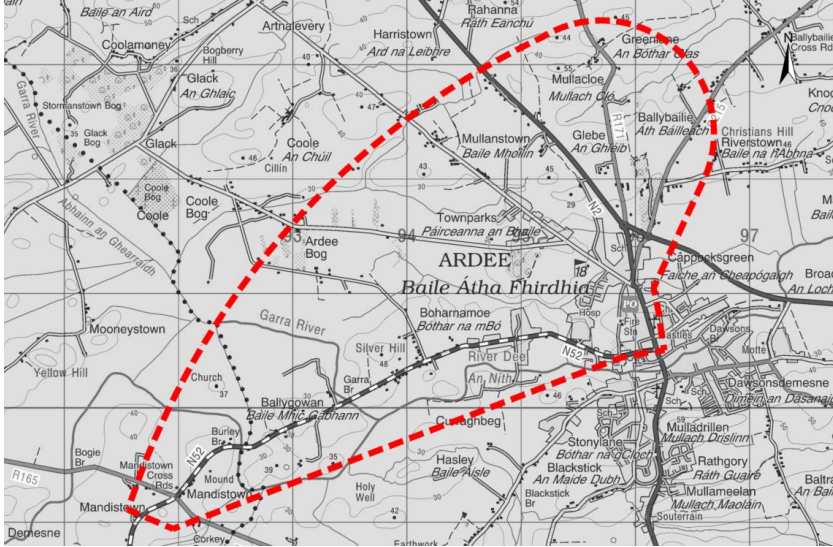
Qualifying Interest	Conservation Objective	Does the Project provide for any potential delay or interruption in the achievement of this Conservation Objective, as defined by its Attributes and Targets?	Likely Significant Effect
		Therefore, the risk of collision is present only during take-off and landing. This species does not feed in the areas close to the Project, therefore there is no risk of collision with road traffic on the proposed road development.  Figure 3.1 Constraints Study Area. The habitats that will be lost within the project footprint and the habitats present close to the footprint are predominantly agricultural grassland and arable land. These habitats are suitable foraging habitat for Greylag Geese. However, considering the small number of individuals recorded during the wintering bird surveys, and the distance between the Project and the field used by the Geese, it can be concluded that the area close to the Project is not important for this species. Similar habitat is abundant in the wider area and the loss of habitat within the Project footprint and disturbance to the surrounding area during construction and operation will not lead to likely significant effects on this Qualifying Interest.	

Table 3.3 Evaluation of the likely effects of the Project in view of the Conservation Objectives of the Dundalk Bay SAC [000455].

Qualifying Interest	Conservation Objective	Does the Project provide for any potential delay or interruption in the achievement of this Conservation Objective, as defined by its Attributes and Targets?	Likely Significant Effect
Estuaries [1130]	<i>"To maintain the favourable conservation condition of Estuaries in Dundalk Bay SAC".</i>	The SAC is located 24 km downstream of the Project. Therefore, there is a pathway for impacts on the SAC. However, the potential impact of the proposed works and the associated compound on the water quality of receiving waterbodies is envisaged to be highly localised in nature; have a negligible impact within the immediate vicinity of the development and be imperceptible in the wider catchment including Dundalk Bay SAC. Dilution and diffusion processes over the ~25km reach of the River Dee between Ardee and Dundalk Bay would likely render any potential pollutants imperceptible in the water column long before reaching Dundalk Bay. For context, the Q50 flow volume of the River Dee between Ardee and the Dundalk Bay is conservatively estimated to be >420,000m³. Undertaking the works in accordance with TII Standards and Publications will ensure that the potential for pollutants to discharge to surface waterbodies in the quantities required to impact sensitive receptors downstream is very limited and effectively inconceivable.	No
Mudflats and sandflats not covered by seawater at low tide [1140]	<i>"To maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide at Dundalk Bay SAC".</i>		No
Perennial vegetation of stony banks [1220]	<i>"To maintain the favourable conservation condition of Perennial vegetation of stony banks in Dundalk Bay SAC".</i>		No
Salicornia and other annuals colonising mud and sand [1310]	<i>"To restore the favourable conservation condition of Salicornia and other annuals colonizing mud and sand in Dundalk Bay SAC"</i>		No

Qualifying Interest	Conservation Objective	Does the Project provide for any potential delay or interruption in the achievement of this Conservation Objective, as defined by its Attributes and Targets?	Likely Significant Effect
Atlantic salt meadows (Glaucopuccinellietalia maritimae) [1330]	<i>"To maintain the favourable conservation condition of Atlantic salt meadows in Dundalk Bay SAC".</i>	[as above]	No
Mediterranean salt meadows (Juncetalia maritimi) [1410]	<i>"To maintain the favourable conservation condition of Mediterranean salt meadows in Dundalk Bay SAC".</i>		No

Table 3.4 Evaluation of the likely effects of the Project in view of the Conservation Objectives of the Dundalk Bay SPA [004026]

Qualifying Interest	Conservation Objective	Does the Project provide for any potential delay or interruption in the achievement of this Conservation Objective, as defined by its Attributes and Targets?	Likely Significant Effect
Great Crested Grebe (<i>Podiceps cristatus</i>) [A005]	<i>"To maintain the favourable conservation condition of Great Crested Grebe in Dundalk Bay SPA".</i>	The SPA is located 24 km downstream of the Project. Therefore, there is a pathway for impacts on the SPA.	No
Greylag Goose (<i>Anser anser</i>) [A043]	<i>"To maintain the favourable conservation condition of Greylag Goose in Dundalk Bay SPA".</i>	However, the potential impact of the proposed construction works and the associated compound on the water quality of receiving waterbodies is envisaged to be highly localised in nature; have a negligible impact within the immediate vicinity of the development and be imperceptible in the wider catchment including Dundalk Bay SPA. Dilution and diffusion processes over the ~25km reach of the River Dee between Ardee and Dundalk Bay would likely render any potential pollutants imperceptible in the water column long before reaching Dundalk Bay. For context, the Q50 flow volume of the River Dee between Ardee and the Dundalk Bay is conservatively estimated to be >420,000m ³ . Undertaking the works in accordance with TII Standards and Publications will ensure that the potential for pollutants to discharge to surface waterbodies in the quantities required to impact sensitive receptors downstream is very limited and effectively inconceivable.	No
Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]	<i>"To maintain the favourable conservation condition of Light-bellied Brent Goose in Dundalk Bay SPA".</i>		No
Shelduck (<i>Tadorna tadorna</i>) [A048]	<i>"To maintain the favourable conservation condition of Shelduck in Dundalk Bay SPA".</i>		No
Teal (<i>Anas crecca</i>) [A052]	<i>"To maintain the favourable conservation condition of Teal in Dundalk Bay SPA".</i>		No
Mallard (<i>Anas platyrhynchos</i>) [A053]	<i>"To maintain the favourable conservation condition of Mallard in Dundalk Bay SPA".</i>		No
Pintail (<i>Anas acuta</i>) [A054]	<i>"To maintain the favourable conservation condition of Pintail in Dundalk Bay SPA".</i>	The potential for ex-situ impacts on the Qualifying Interests of the SPA which are discussed in the following paragraphs. The area surrounding the Ardee Bog area acts as the natural floodplain for the Rivers Dee, Garra and their tributaries, attenuating flood waters following extreme rainfall events. Curlew, Lapwing, Teal, Black-headed Gull and other species are attracted to the flooded areas to feed.	No
Common Scoter (<i>Melanitta nigra</i>) [A065]	<i>"To maintain the favourable conservation condition of Common Scoter in Dundalk Bay SPA".</i>		No
Red-breasted Merganser (<i>Mergus serrator</i>) [A069]	<i>"To maintain the favourable conservation condition of Red-breasted Merganser in Dundalk Bay SPA".</i>	Wintering bird surveys were carried out in the Constraints Study Area (see Figure 3.1 above) on the 4 th February and the 5 th March 2020. Following the selection of the preferred route corridor, three further wintering bird surveys were carried out within the project boundary and adjacent lands, in the fields surrounding the Ardee Bog and at several fields 1.5 km north-	No

Qualifying Interest	Conservation Objective	Does the Project provide for any potential delay or interruption in the achievement of this Conservation Objective, as defined by its Attributes and Targets?	Likely Significant Effect
Oystercatcher (<i>Haematopus ostralegus</i>) [A130]	"To maintain the favourable conservation condition of Oystercatcher in Dundalk Bay SPA".	west of the Project where Greylag Geese were recorded on the first two surveys. These surveys were carried out on the 1st December 2020 and the 2nd and 17th February 2021. The habitats that will be lost within the project footprint and the habitats present close to the footprint are predominantly agricultural grassland and arable land. Curlew, Lapwing, Teal and Black-headed Gull are listed as Qualifying Interests of the Dundalk Bay SPA and were recorded feeding in the flooded fields south of the Ardee Bog. Peak counts of 97 Curlew, 192 Lapwing, 22 Teal and 69 Black-headed Gull were recorded in a flooded area 500 m north-west of the River Garra crossing. These counts are the highest number of each species recorded on a single survey and represent 7.8%, 1.3%, 4.5% and 1% of the SPA populations respectively (NPWS, 2018c). Two surveys for breeding Curlew were carried out on the Ardee Bog and the surrounding fields on the 21st May and the 10th June 2020. Three further breeding bird surveys were undertaken along the preferred route on the 10th, 23rd and 25th June 2020. No Curlew were recorded in May and June 2020. An SSFRA has been prepared for the Project. As can be seen in the flood extent drawings (Appendix B), there is no discernible difference in the flood extent between the pre- and post-development scenarios. The presence of humans in an area is unlikely to illicit a response beyond 300 m (Cutts <i>et al</i>, 2009). The noise levels from typical construction activity, as set out in BS 5228: Part 1, are generally less than 100 dBA. Put into practice, this will mean that if the noise generated was 100 dBA at 1.0 m from the source, this sound will be 70 dBA at 32 m away. The threshold for noise to have an impact on waterbirds is 70 dBA at receptor (Cutts <i>et al.</i>, 2013). Regular noise above this level is likely to illicit a response. This calculation does not take screening from hedgerows into	No
Ringed Plover (<i>Charadrius hiaticula</i>) [A137]	"To maintain the favourable conservation condition of Ringed Plover in Dundalk Bay SPA".		No
Golden Plover (<i>Pluvialis apricaria</i>) [A140]	"To maintain the favourable conservation condition of Golden Plover in Dundalk Bay SPA".		No
Grey Plover (<i>Pluvialis squatarola</i>) [A141]	"To maintain the favourable conservation condition of Grey Plover in Dundalk Bay SPA".		No
Lapwing (<i>Vanellus vanellus</i>) [A142]	"To maintain the favourable conservation condition of Lapwing in Dundalk Bay SPA".		No
Knot (<i>Calidris canutus</i>) [A143]	"To maintain the favourable conservation condition of Knot in Dundalk Bay SPA".		No
Dunlin (<i>Calidris alpina</i>) [A149]	"To maintain the favourable conservation condition of Dunlin in Dundalk Bay SPA".		No
Black-tailed Godwit (<i>Limosa limosa</i>) [A156]	"To maintain the favourable conservation condition of Black-tailed Godwit in Dundalk Bay SPA".		No
Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]	"To maintain the favourable conservation condition of Bar-tailed Godwit in Dundalk Bay SPA".		No

Qualifying Interest	Conservation Objective	Does the Project provide for any potential delay or interruption in the achievement of this Conservation Objective, as defined by its Attributes and Targets?	Likely Significant Effect
Curlew (<i>Numenius arquata</i>) [A160]	<i>"To maintain the favourable conservation condition of Curlew in Dundalk Bay SPA".</i>	account and therefore, in practice, the impacts from noise and visual disturbance will be less than in an open environment. The graph for 4m embankment, 1.5m AGL receiver and 100km/h traffic speed in Appendix A (Page 51) of <i>Good Practice Guidance for the Treatment of Noise during the Planning of National Road Scheme</i> (NRA, 2014) has been used to calculate the noise levels from the road during the operational phase. The 24 hours traffic flow is expected to be 7281 in the year 2038. Based on the worst-case scenario including a higher proportion of heavy goods vehicles on asphalt, the expected distance for the 60dB _{L_{den}} threshold (the design goal for national road schemes) is approximately 100 m.	No
Redshank (<i>Tringa totanus</i>) [A162]	<i>"To maintain the favourable conservation condition of Redshank in Dundalk Bay SPA".</i>		No
Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]	<i>"To maintain the favourable conservation condition of Black-headed Gull in Dundalk Bay SPA".</i>		No
Common Gull (<i>Larus canus</i>) [A182]	<i>"To maintain the favourable conservation condition of Common Gull in Dundalk Bay SPA".</i>	In accordance with the precautionary principle, the maximum distance at which wintering birds could be disturbed during the construction and operational phases is 300 m. In reality, the area in which wintering birds	No

Qualifying Interest	Conservation Objective	Does the Project provide for any potential delay or interruption in the achievement of this Conservation Objective, as defined by its Attributes and Targets?	Likely Significant Effect
Herring Gull (<i>Larus argentatus</i>) [A184]	<i>To maintain the favourable conservation condition of Herring Gull in Dundalk Bay SPA”.</i>	will be disturbed will be much smaller due to the screening provided by the existing hedgerows and buildings. Passerines (songbirds) and species that forage on roads are more likely to killed by vehicle collision (Husby, 2016). Godinho et al (2017) examined the collision risk at a railway bridge crossing of a wetland of International importance in Portugal. In this study, the majority of bird fatalities were small songbirds, with small numbers of aquatic birds. Species listed as Qualifying Interests of the Dundalk Bay SPA that were recorded in the area of the Project will avoid the road, as well as a buffer adjacent to it, because of noise and visual disturbance, and therefore it is highly unlikely that these species would fly low enough to put them at risk of collision. Considering the distance between the Project and the SPA, the small area which will be disturbed during the construction and operational phases of the Project relative to the widespread similar habitat available in the surrounding area, the temporary nature of the construction phase, and that most of the usage of the area by wintering birds concentrated following heavy rainfall events when the fields are flooded, it can be concluded, without any reliance on the assimilative capacity of the River Dee, that the temporary and permanent loss of foraging habitat for wintering birds during the construction and operational phases will not lead to likely significant effects on these Qualifying Interests.	No
Wetland and Waterbirds [A999]	<i>“To maintain the favourable conservation condition of the wetland habitat in Dundalk Bay SPA as a resource for the regularly-occurring migratory waterbirds that utilise it”.</i>	The Project does not require any land-take within the SPA, therefore the Project will not lead to any reduction in the area of wetland habitat and it can be concluded that the Project will not lead to likely significant effects on this Qualifying Interest.	No

3.4 Summary of Likely Significant Effects

In Section 3.1, it was established that three European sites, namely the Stabannan-Braganstown SPA, the Dundalk Bay SAC and the Dundalk Bay SPA, occur within the likely zone of impact of the Project. It was determined that potential pathways for effects exist between the Project and the three sites. There are no pathways for effects between the Project and any other European sites. The sites were described in detail in Section 3.2.

In Section 3.3, it was established, in light of best scientific knowledge, that the Project will not give rise to ecological impacts which would constitute significant effects on any of the sites, in view of the sites' Conservation Objectives. This finding had regard to the nature, size and location of the Project as well as the proposed levels of noise and visual disturbance in the area and the sensitivities of the Qualifying Interests of the sites concerned.

4.0 IN-COMBINATION EFFECTS

Article 6(3) of the Habitats Directive requires that AA be carried out in respect of plans and projects that are likely to have significant effects on European sites, “either individually or in combination with other plans or projects”. Therefore, regardless of whether or not the likely effects of a plan or project are significant when considered on their own, the significance of the combination of the effects of the plan or project under assessment with the effects of other past, present or foreseeable future plans or projects must also be evaluated.

The main driver for considering and assessing plans and or projects in combination with the Project is to ensure that cumulative impacts are captured. For example, the effects of a plan on water quality may be insignificant when considered alone, but when combined with the effects of increased pollution from other plans or projects, may lead to likely significant effects. To that end, the “in-combination test” is about addressing cumulative impacts.

The potential cumulative impacts on the Dundalk Bay SAC, the Dundalk Bay SPA and the Stabannan-Braganstown SPA from the Project in combination with other plans and projects are considered and assessed in this section.

In the case of the N52 Ardee Bypass, the Project provides for potential negative impacts on species and habitats listed as Qualifying Interests of the Dundalk Bay SAC, the Dundalk Bay SPA and the Stabannan-Braganstown SPA, although as illustrated in Section 3.3, these potential impacts are below what could feasibly constitute likely significant effects. Therefore, an assessment of the potential cumulative impacts of the Project with other plans or projects in the likely zone of impact must be undertaken.

Cumulative impacts were assessed by looking at all current developments in planning and proposed future developments within 15 km of the Project.

Beyond 5 years into the future, there is too much uncertainty associated with development proposals and, therefore, this AA Screening Report can only be based on data that is readily available.

This assessment has considered cumulative impacts that are:

- (a) Likely;
- (b) Significant; and,
- (c) Relating to a future event, reasonably foreseeable.

The cumulative assessment evaluates the additional change resulting from the Project in relation to the baseline scenario. None of the developments identified during the cumulative assessment were determined to result in likely significant effects. Table 4.1 below details the assessment of potential cumulative impacts between the N52 Ardee Bypass and individual plans and projects that was undertaken.

Table 4.1 Assessment of the potential of likely significant effects in combination with other plans and projects.

Plan or Project	Description of Plan or Project	In-combination effect(s)
3 No. poultry houses and 2 No. egg/general purpose stores (Planning Ref. 2022)	Extension of duration was granted in March 2020 for planning ref 15/233 which comprises permission to construct 3 No. poultry houses and 2 No. egg/general purpose stores together with all ancillary structures (to include meal storage bin(s) & soiled water tanks) and all associated site works associated with the proposed development. This development is located between the N2 and the R171 approximately 200 m from the eastern tie-in of the Project. Access to the site will be provided on the R171.	Owing to the nature and scale of this development, the fact that effluent and surface water run-off will be treated in an environmentally sound manner, and its distance from the Project, it does not have the potential to cause likely significant effects in combination with the N52 Ardee Bypass
1 No. industrial/warehouse building and associated infrastructure (Planning Ref. 20160)	Planning permission was granted in October 2020 for 1 No. light industrial/warehouse building including offices extending to a total floor area of 1,193 m ² . The proposed development includes surface car parking, enclosed yard, truck wash bay, wastewater treatment and all associated site development works. An NIS was submitted with the planning application. This project is 1.2 km south-east of the Project.	Owing to the nature and scale of this development, and its distance from the Project, it does not have the potential to cause likely significant effects in combination with the N52 Ardee Bypass.
4 No. Poultry Houses and associated infrastructure (Planning Ref. 19469).	Application for planning permission to construct 4 No. Poultry Houses together with roofed/enclosed service yard, 1 No. office, 1 No. Generator Store, and 1 No. Bin/General Purpose Store along with all ancillary structures (to include gas storage tanks, 3 No. soiled water tanks, 4 No. meal storage bins and the provision of an on-site waste water treatment system and percolation area) and associated site works (to include new/upgraded site entrance and internal laneway) associated with the above development associated at Rathescar Middle, Dunleer, Co. Louth. This application relates to a development, which is for the purposes of an activity requiring a Licence under Part IV of the Environmental Protection Agency (Licensing) Regulations 1994 to 2013. An Environmental Impact Assessment Report (EIAR) was submitted with this planning application. This project is 9 km south east of the Project and is currently the subject of an Appeal to An Bord Pleanála.	Owing to the nature and scale of this development, the fact that effluent and surface water run-off will be treated in an environmentally sound manner and its distance from the Project, it does not have the potential to cause likely significant effects in combination with the N52 Ardee Bypass.
Continuance of operation of existing permitted quarry (Planning Ref. LB200106).	Lagan Materials Ltd intends to apply for permission for development at Heronstown, Lobinstown, Navan, Co. Meath. The development will consist of the continuance of operation of the existing permitted quarry (ABP 17.QD.0017), a lateral and vertical extension to the existing quarry including the deepening of the quarry extraction area by two extractive benches to 50 m OD, within a total quarry extraction area of c. 4.5 ha, an increase in the permitted extraction rate to 200,000 tonnes per annum, provision of an aggregates and overburden stockpiling area and settlement	Owing to the nature and scale of this development, and its distance from the Project, it does not have the potential to cause likely significant effects in combination with the N52 Ardee Bypass.

Plan or Project	Description of Plan or Project	In-combination effect(s)
	lagoon system (c. 2,000 m ²), and restoration of the site to natural habitat after uses following completion of extraction, within an overall application area of c. 14.12 ha, and all for a period of 20 years. An Environmental Impact Assessment Report (EIAR) was prepared in respect of this planning application. This project is 8.5 km south-west of the Project. The original application was incomplete, and it is likely that a new application will be lodged in the future.	
Construction of 1 No. pig house together with all ancillary structures (Planning Ref. 19113; ABP-305468-19).	An appeal has been made to An Bord Pleanála against the decision made on 23 rd August 2019 by Louth County Council (Planning Ref. 19113) to grant permission to John Lambe. The application to the planning authority was described as an application for permission: to construct 1 No. pig house together with all ancillary structures, (to include meal storage bin(s)), and all site works associated with the proposed development at Rossmakay, Knockbridge, Co. Louth. Following a request from An Bord Pleanála, an Environmental Impact Assessment Report (EIAR) and a Revised Natura Impact Statement (NIS) is being submitted. This project is 12 km north-east of the proposed development and is currently in planning.	Owing to the nature and scale of this development, the fact that effluent and surface water run-off will be treated in an environmentally sound manner and its distance from the Project, it does not have the potential to cause likely significant effects in combination with the N52 Ardee Bypass.
Integrated Pharmaceutical manufacturing facility (Planning Ref. 19 861).	Planning permission was granted for the proposed development, comprising the following; 1. A three storey Pharmaceutical manufacturing facility sized approximately 15,520 m ² and c. 26 m high and with roof mounted plant and equipment and stacks. 2. A four storey Administration and Laboratory building sized 8,789 m ² and c. 22.5 m high and with roof mounted plant and equipment and stacks. 3. A two-storey modular support laboratory sized c. 820 m ² and c. 10.1 m high and with roof mounted plant and equipment and stacks. 4. A single storey boiler/utility area sized c. 864 m ² and 9.6 m high including two boiler stacks c. 31 m high. 5. 4 No. modular plant and equipment storage units sized c. 35 m ² and 3 m high per unit. 6. A single-storey drum store sized c. 75 m ² and 6 m high. 7. A single-storey waste store sized c. 75 m ² and 6 m high. 8. Siteworks including carpark for 278 cars, docking areas, yard areas housing external plant, tanks and equipment, a large landscaped berm to the North and West of the facility, a surface water attenuation pond, roads, and underground services, external lighting, security fencing, fire water tanks and modular housing for pumps, 2 No. vehicular entrances off the previously permitted internal road access currently under construction, bicycle shelters and facilities for E-car charging and disabled parking as well as all associated site works and landscaping. This application consists of development for an activity for which a licence under Part IV of the Environmental Protection Agency Act 1992 (as amended by the Protection of the Environment Act, 2003) is required. An Environmental Impact Assessment Report (EIAR) and a Natura Impact Statement (NIS) accompany this application. This project is 13 km northeast of the Project.	Owing to the nature and scale of this development, and its distance from the Project, it does not have the potential to cause likely significant effects in combination with the N52 Ardee Bypass.

Plan or Project	Description of Plan or Project	In-combination effect(s)
Strategic Housing Development (Planning Ref. ABP-304782-19).	Planning permission was granted for the proposed development consisting of 483 No. dwellings, a childcare facility of 677 m ² , a new access junction and works to the Blackrock Road, 2 No. pedestrian and cyclist accesses onto Bóthar Maol, landscaped open spaces, internal roadways and potable, surface and foul water infrastructure. The proposed residential element of 483 No. units comprises 258 No. detached, semi-detached and terraced houses, 213 No. apartments in 7 No. apartment blocks, and 6 No. own-door apartments and 6 No. duplex units in 2 No. duplex over apartment blocks. The duplex over apartment units are 3 storeys in height, the proposed apartment Blocks A, B, C, E, F, and G are 4 storeys in height, and Block D is 3 storeys. Blocks A, B and F accommodate underground car parking. The proposed 2 storey childcare facility of 677 m ² has an outdoor play area of 660 m ² and is located near the main entrance to the site. A total of 824 No. car parking spaces and 512 No. bicycle spaces are proposed. An Environmental Impact Assessment Report and a Natura Impact Statement have been prepared in respect of the proposed development. This project is 15 km northeast of the Project.	Owing to the nature and scale of this development, and its distance from the Project, it does not have the potential to cause likely significant effects in combination with the N52 Ardee Bypass.
Backfilling of existing quarry (Planning Ref. 19521).	Kilsaran Concrete Unlimited Company intends to apply for planning permission for development at this site at Moutaintown and Cluide townlands, Dunleer, Co. Louth. The development, within an application area of 16.7 ha will comprise restoration by backfilling of a former quarry and includes: Backfilling an existing void created by previous extraction of rock to surrounding ground level and the restoration of the site to long-term beneficial agricultural use by the importation of c. 3.6 million tonnes of natural inert waste and/or non-waste materials suitable for restoration purposes, principally excess soil, stone and/or broken rock; Installation of site and services infrastructure for the duration of the development, Upgrade of former quarry site infrastructure; Use of a former quarry storage shed as a waste inspection and quarantine facility and for storage of plant and machinery; Dewatering of the existing quarry void by pumping; The separation of any intermixed construction and demolition waste prior to removal off-site to authorised waste disposal or recovery facilities; Temporary stockpiling of imported topsoil pending re-use; and Restoration of the excavated landform (including placement of cover soils and seeding) to agricultural grassland. The development will be carried out on a phased basis and will be completed within 10 years with an additional 2 years to complete restoration works (total duration sought is 12 years). A waste licence will be required from the Environmental Protection Agency (EPA) in respect of waste used for backfilling and restoration purposes. A waste facility permit will also be sought from Louth County Council to facilitate intake of waste pending the grant of a waste licence from the EPA. An Environmental Impact Assessment Report (EIAR) has been prepared in respect of this planning application. This project is 14 km east of the Project and is currently in planning.	Owing to the nature and scale of this development, and its distance from the Project, it does not have the potential to cause likely significant effects in combination with the N52 Ardee Bypass.
To amend a permitted Biodiesel Manufacturing Facility	Planning permission was granted for an amendment to a permitted Biodiesel Manufacturing Facility (Meath County Council Reg. Ref. KA/160786), on a site of 1.49 ha. The development will consist of the reconfiguration of the process building and associated tank farm and the provision	Owing to the nature and scale of this development, and its distance from the Project, it does not have

Plan or Project	Description of Plan or Project	In-combination effect(s)
(Planning Ref. KA180354)	of a new gas electricity generation unit with heat recovery. The reconfiguration on site will consist of: A revised configuration of the process building, resulting in an increase of c. 53 m ² in the gross floor area of the building from c. 3,284 m ² to c. 3,337 m ² . There is no increase in the overall height of the building; An increase in the footprint of the tank farm and number of external storage tanks from 12 No. to 21 No.; Amendments to the permitted drainage layout; The proposed amendments do not result in an increase in the overall permitted production of 25,000 tonnes of biodiesel per annum. The following works will be completed as enabling works (as permitted under Reg. Ref. KA/160786): Site access works, excavation works and gravel infill to allow for the provision of foundations for the permitted layout of the process building. This project is 9 km west of the proposed development.	the potential to cause likely significant effects in combination with the N52 Ardee Bypass.
2 No. Free Range Poultry houses, together with all ancillary structures (Planning Ref. KA/201448)	Planning permission to construct 2 No. Free Range Poultry houses, together with all ancillary structures (to include 4 No. Meal Bins and 1 No. Soiled water tank) and associated site works arising from the above development at Fletcherstown, Wilkinstown Navan, Co. Meath. This application relates to a development, which is for the purposes of an activity requiring a Licence under Part IV of the Environmental Protection Agency (Licensing) Regulations 1994 to 2013. An Environmental Impact Assessment Report (EIAR) will be submitted with this planning application. This project is 10 km southwest of the Project and is currently in planning.	Owing to the nature and scale of this development, and its distance from the Project, it does not have the potential to cause likely significant effects in combination with the N52 Ardee Bypass.
c. 4 km of underground electricity transmission cable (Planning Ref. KA171177; PL02.247401)	The development will comprise: the installation of approximately 4 km of underground electricity transmission cable across private lands and within the public roads numbered R165, L74021 and L7408. The cable will be installed predominantly in excavated trenches of c. 1.2 m in depth and will include associated underground ducting, joint bays, chamber bays, sheath link boxes and inspection chambers: ducting across the length of span of 1 No. bridge/culvert and directional drilling at 1 No. bridge/culvert; and all associated site development and reinstatement works. The proposed development is part of a larger overall development which will involve the installation of approximately 13 km of underground electricity transmission cable from the permitted (wind farm) substation in the townland of Taghart South, County Cavan to the existing electricity substation in the townland of Meath Hill, County Meath and also extends into lands in the townlands of Taghart South, Corlea, Cornamagh, Collops, Corglass, Drumsallagh, Corawaddy, Carnagee, Cornakill, Dunaree, Lisanisky, Lisasturrin, Corgarry and Larchfield Glebe, County Cavan, and installed within the L7553, L3524, L3525, L3526, R165, L7612, L 3536, L7611, R164, R162 and L7561 within the adjoining planning authority jurisdiction of Cavan County Council. A concurrent planning application for that part of the overall development located within County Cavan has been submitted to Cavan County Council. This planning application is accompanied by an Environmental Impact Assessment Report/Environmental Impact Statement which includes an assessment of the likely impacts of the proposed development, as a whole and in combination with the relevant off-site or secondary developments which will occur as a direct result of the	Owing to the nature and scale of this development, and its distance from the Project, it does not have the potential to cause likely significant effects in combination with the N52 Ardee Bypass.

Plan or Project	Description of Plan or Project	In-combination effect(s)
	proposed development, including the wind farm development permitted pursuant to County Cavan Planning Register Reference 16/74 & An Bord Pleanála Reference PL02.247401. This project is 11 km north-west of the Project at its nearest point and is currently in planning.	
5 km of 20 kV underground cable (Planning Ref. PL02.248394)	Planning permission has been granted for a 20 kV underground electricity grid connection of c. 5 km (4.6 km in Co. Cavan and 0.2 km in Co. Meath), connecting an already permitted substation to the national electricity grid at Kingscourt Substation, for the purpose of connecting 5 No. wind turbine granted under PL02.2236608, which may be summarised as follows: • Underground trench of c. 1 m to accommodate cable ducting along the existing road infrastructure except for c. 400 m at the start agricultural, • The ducting will sit in a trench which will have a minimum width of c. 325 mm and depth of c. 925 mm, • Installation of 17 cable joint bays (concrete chambers) and ancillary marker posts and plates, • 3 No. bridge crossings, • 3 No. culvert crossings. This project is 14 km north-west of the Project at its nearest point.	Owing to the nature and scale of this development, and it's distance from the Project, it does not have the potential to cause likely significant effects in combination with the N52 Ardee Bypass.
N2 Ardee to Castleblaney Road Scheme	35 km of Type 2 dual carriageway linking Ardee, Co. Louth to Castleblaney, Co. Monaghan. An 'Emerging Preferred Route Corridor' has been published and the project has launched the next stage of public consultation. This scheme is <1 km from the Project. An Environmental Impact Assessment Report and an AA Screening will be undertaken to assess the impacts of the scheme.	This road scheme crosses several watercourses that flow into Dundalk Bay. The road will be designed and built in accordance with TII Standards and Publications to avoid the pollution of watercourses and therefore there is no potential to cause likely significant effects in combination with the N52 Ardee Bypass.
N2 Slane Bypass Road Scheme	4 km of Type 2 single carriageway bypassing the village of Slane and including a new bridge over the River Boyne. The scheme is currently undergoing Phase 3 – Design and Environmental Evaluation. This project is 15 km south of the proposed development.	This road scheme is 15 km south of and is in a different catchment to the N52 Ardee Bypass. Therefore, it does not have the potential to cause likely significant effects in combination with the N52 Ardee Bypass.
N52 Grange to Clontail	The realignment of the N52 National Secondary route in the townlands of Grange, Castletown, Stephenstown, Fringestown, Mitchelstown and Clontail comprising the construction of a Type 2 Single Carriageway road for a distance of 4.8 km from a location approximately 300 m south-west of Cassidy's Cross (N52/R162 junction) to a tie in point approximately 300 m northeast of Mitchelstown Cross; and associated accommodation and fencing works, landscaping works, surface water drainage/attenuation works and ancillary works. This project is approximately 6 km	This road scheme crosses a number of watercourses that flow into Dundalk Bay. Any pollution or sediment entering the watercourses which flow towards Dundalk Bay will dissipate by the

Plan or Project	Description of Plan or Project	In-combination effect(s)
	west of the proposed development. The Part 8 planning application and AA Screening is currently open for public consultation.	time they reach the Natura 2000 Sites, and therefore there is no potential to cause likely significant effects in combination with the N52 Ardee Bypass.
Glyde and Dee Arterial Drainage Scheme 2018-2022	Within the Glyde and Dee Arterial Drainage Scheme the exact location and type of required maintenance activity varies over time. The following works are planned for the channels and embankments on the Glyde and Dee Scheme within the timeframe 2018-2022: • Silt and vegetation management • Bush cutting/branch trimming • Tree cutting • Mulching	This Arterial Drainage Scheme had its own NIS which details measures to be implemented during the works to prevent environmental impacts including impacts on water quality. Following the implementation of these measures, it does not provide for any impacts which could lead to likely significant effects in combination with the N52 Ardee Bypass.
Louth County Development Plan 2015-2021	The Louth County Development Plan outlines a number of objectives regarding transport infrastructure. As set out under Policy TC7, it is LCC's aim to: <i>"... provide and maintain a road hierarchy based on motorway, national routes, regional routes and local roads and to maintain the carrying capacity and lifespan of the road network and ensure high standards of safety for road users and to require that all proposals for development that would be likely to impact significantly on the carrying capacity of national routes be accompanied by traffic transport assessment, road safety impact assessment, road safety audits and mobility management plans, in accordance with the Spatial Planning and National Roads Guidelines 2012 and/or the Design Manual for Urban Roads and Streets (2013)." (p. 222)</i> Chapter 7 of the Development Plan, 'Transport', includes a Road Improvement Programme for the County to 2021. This programme includes the N52 Ardee Bypass (p. 231) to be implemented by the Council in conjunction with the NRA (now TII) over the period of the Plan. This is further reinforced by Policy TC20, which seeks to: <i>"... secure the implementation of the Council's Road Improvement Programme 2015 – 2021 [...] in consultation and agreement with the Department of Transport and [NRA] subject to available funding and to keep free from development all lands identified for the construction and improvement of national, regional and local roads within the County. All proposed transport routes will be required to comply with the Habitats, EIA and SEA Directives." (p. 232)</i>	As this is a high-level strategic plan, it does not provide for any impacts which could lead to likely significant effects in combination with the N52 Ardee Bypass.

Plan or Project	Description of Plan or Project	In-combination effect(s)
Ardee Local Area Plan 2010-2016	The Ardee Local Area Plan presented a strategy for spatial planning and development in the town of Ardee, Co. Louth between 2010 and 2016. A new LAP for the town is yet to be drafted. Chapter 4 of the Ardee Local Area Plan (LAP) outlines objectives in relation to transport infrastructure. Policy INF 12 states the need “To secure the construction, pending approval by the [NRA], of the N2 bypass and the N52 bypass and preserve free of development their proposed routes” (p. 21). Regarding the bypasses, the LAP states that: <i>“The council is proposing to construct by-passes on the N52 and N2 to the east and west of the town. When completed, the traffic congestion in Ardee town centre will be significantly improved. Lands have been purchased to facilitate the construction of the N52 section and this section is likely to proceed during the period of this Plan.”</i> (p. 1). <i>“Traffic congestion in Ardee town centre is a major problem caused by the volumes of traffic passing through the town along the N2 Derry to Dublin National Primary route and the N52 Dundalk to Nenagh national secondary route. Traffic management plans, including pay parking, have improved the situation. When by-passes on the N2 and N52 are constructed, pending approval by the National Roads Authority, congestion will be greatly alleviated.”</i> (p. 23)	As this is a high-level strategic plan, it does not provide for any impacts which could lead to likely significant effects in combination with the N52 Ardee Bypass.

5.0 CONCLUSION

In accordance with Article 6(3) of the Habitats Directive, Regulations 42 of the Habitats Regulations, Part XAB of the Planning and Development Act, the relevant case law, established best practice and the Precautionary Principle; this AA Screening Report has examined the details of the Project and the relevant European sites and has concluded, on the basis of objective information, that the Project, either individually or in combination with other plans or projects, is not likely to give rise to impacts that would constitute significant effects in view of the Conservation Objectives of those sites.

In light of this conclusion, it is the considered opinion of ROD, as the author of this AA Screening Report, that the Competent Authority, Louth County Council, may find in completing its AA Screening in respect of the N52 Ardee Bypass, that the Project, either individually or in combination with other plans and projects, is not likely to have a significant effect on any European site, in view of best scientific knowledge and the Conservation Objectives of the sites concerned. Therefore, it is the recommendation of the author of this AA Screening Report that the Competent Authority may determine that AA is not required in respect of the Project.

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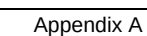
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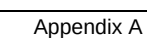
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APPENDIX A

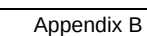
Location and Likely Zone of Impact





APPENDIX B

1 in 100 Year Pre and Post Development Scenarios



APPENDIX C
Project Drawings



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Department of Transport



Rialtas na hÉireann
Government of Ireland

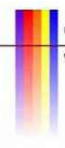
Tionscadal Éireann
Project Ireland
2040



TII
Bonneagar Iompair Éireann
Transport Infrastructure Ireland



Comhairle Contae Lú
Louth County Council



NATIONAL ROADS DESIGN OFFICE
Westmeath County Council

No.	Revision	Date	By	Chk'd	App'd



FROD
ROUGHAN & O'DONOVAN
Consulting Engineers
Civil - Structural - Transportation - Environmental

Drawn
LA

Designed
GR

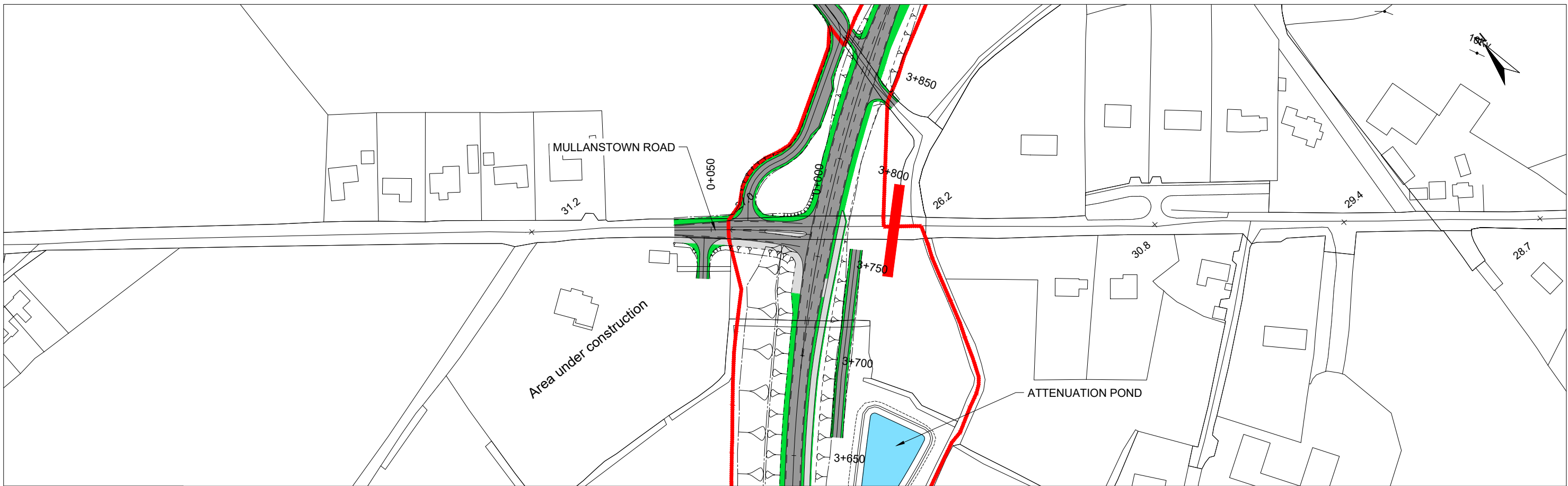
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RJS

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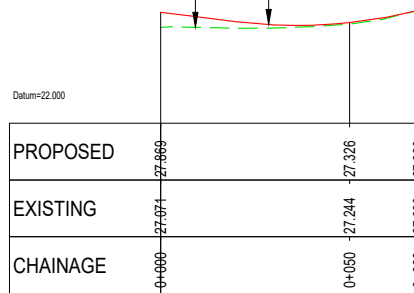
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Scale (A3)	N.T.S.	Date:	November 2020	Job No:	19.153	Rev: P0



- LEGEND:
- CPO LINE
 - ATTENUATION PONDS
 - CARRIAGEWAY AND HARD SHOULDER
 - GRASS VERGE
 - FOOTPATH / CYCLEWAY / HARDSTANDING
 - PROPOSED SITE COMPOUND
 - EXISTING ROAD PROFILE
 - PROPOSED ROAD PROFILE

EXISTING GROUND PROFILE

PROPOSED ROAD PROFILE



MULLANSTOWN ROAD

SCALE 1:1000H @ A1
1:200V @ A1

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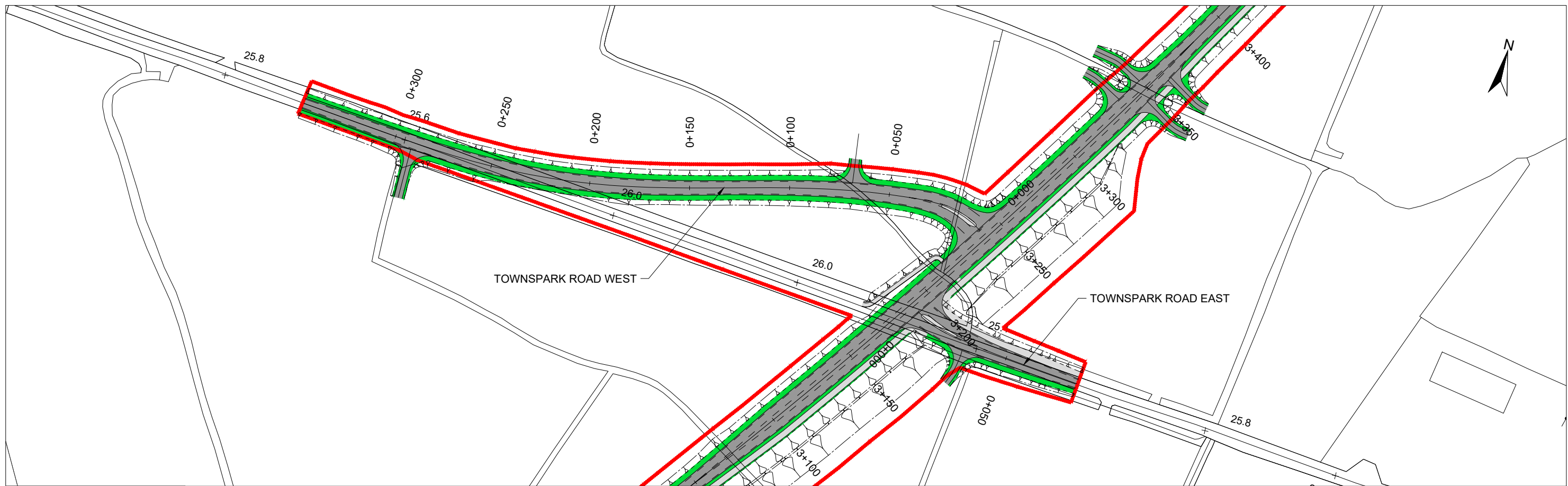
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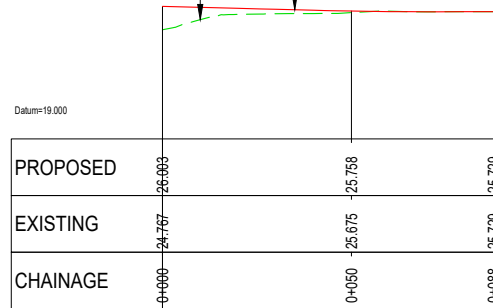
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				Rev:	P0



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EXISTING GROUND PROFILE

PROPOSED ROAD PROFILE

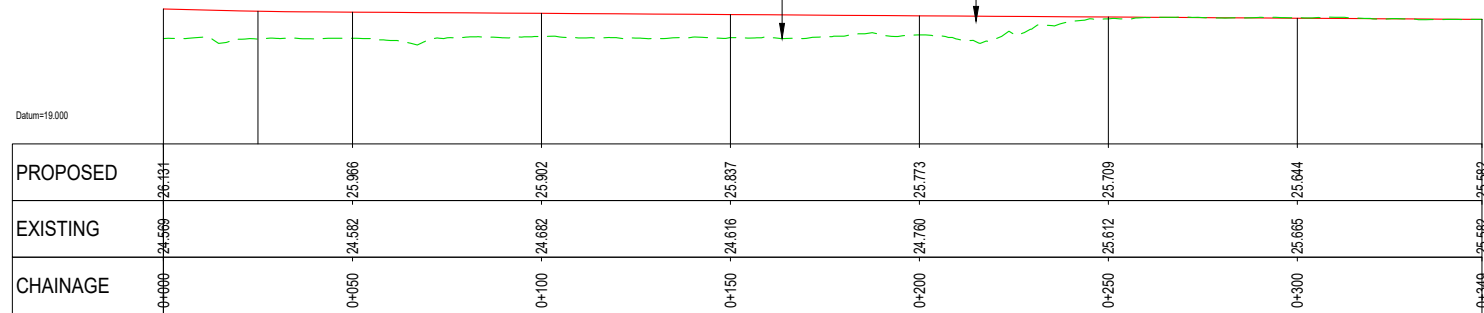


TOWNSPARK ROAD EAST

SCALE 1:1000H @ A1
1:200V @ A1

EXISTING GROUND PROFILE

PROPOSED ROAD PROFILE



TOWNSPARK ROAD WEST

SCALE 1:1000H @ A1
1:200V @ A1

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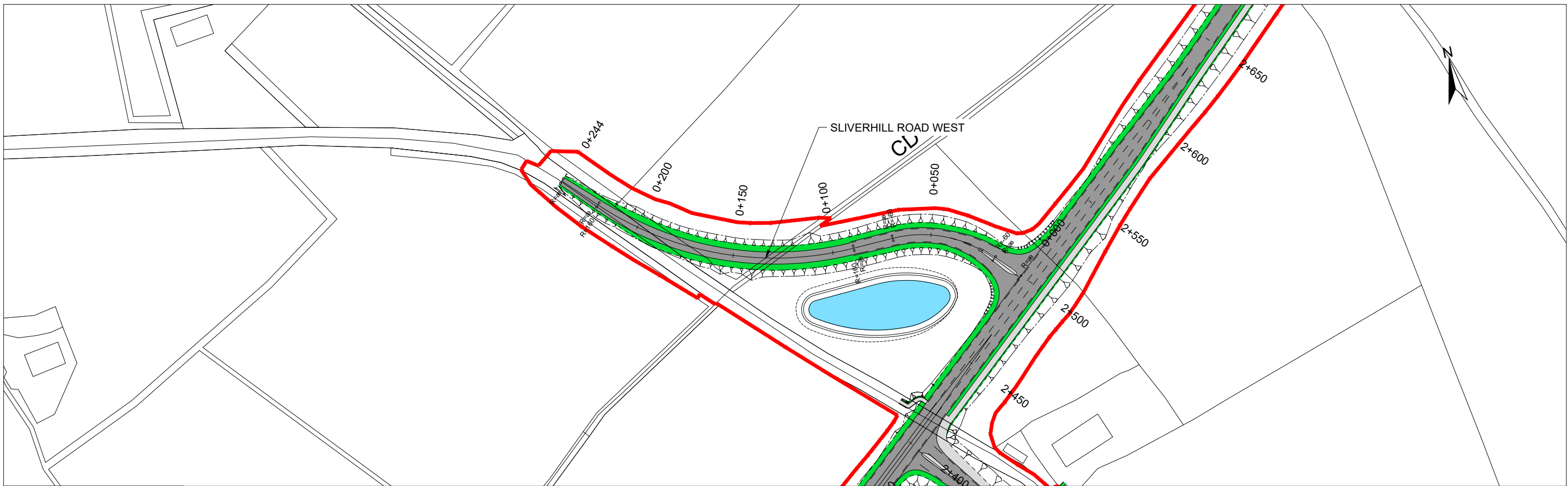
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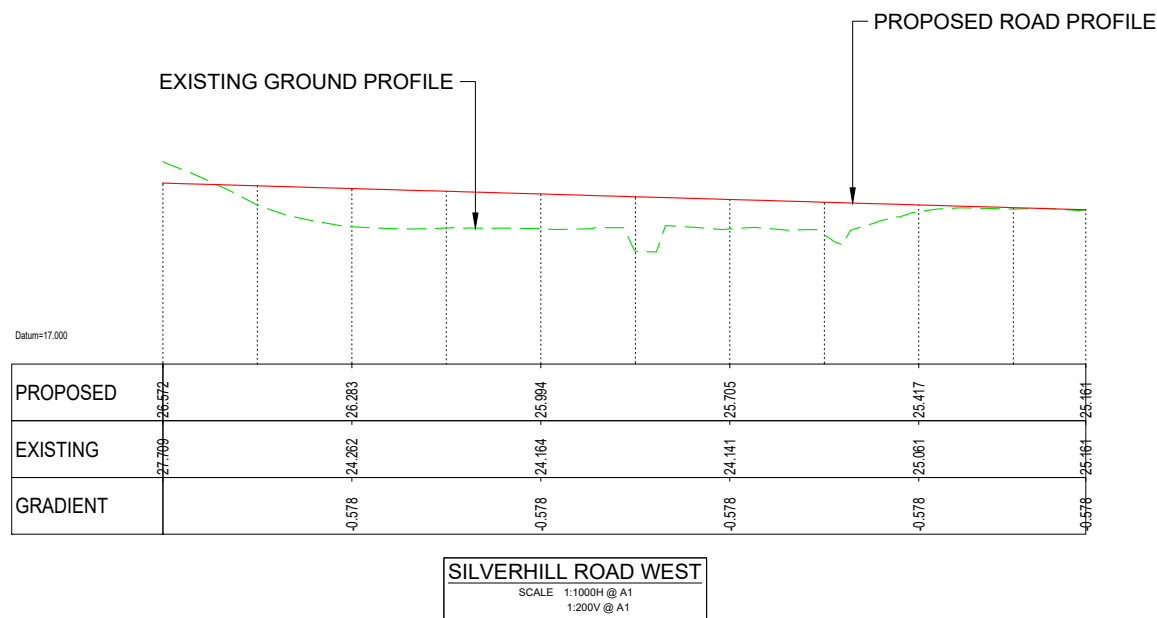
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				Rev:	P0



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 - CARRIAGEWAY AND HARD SHOULDER
 - GRASS VERGE
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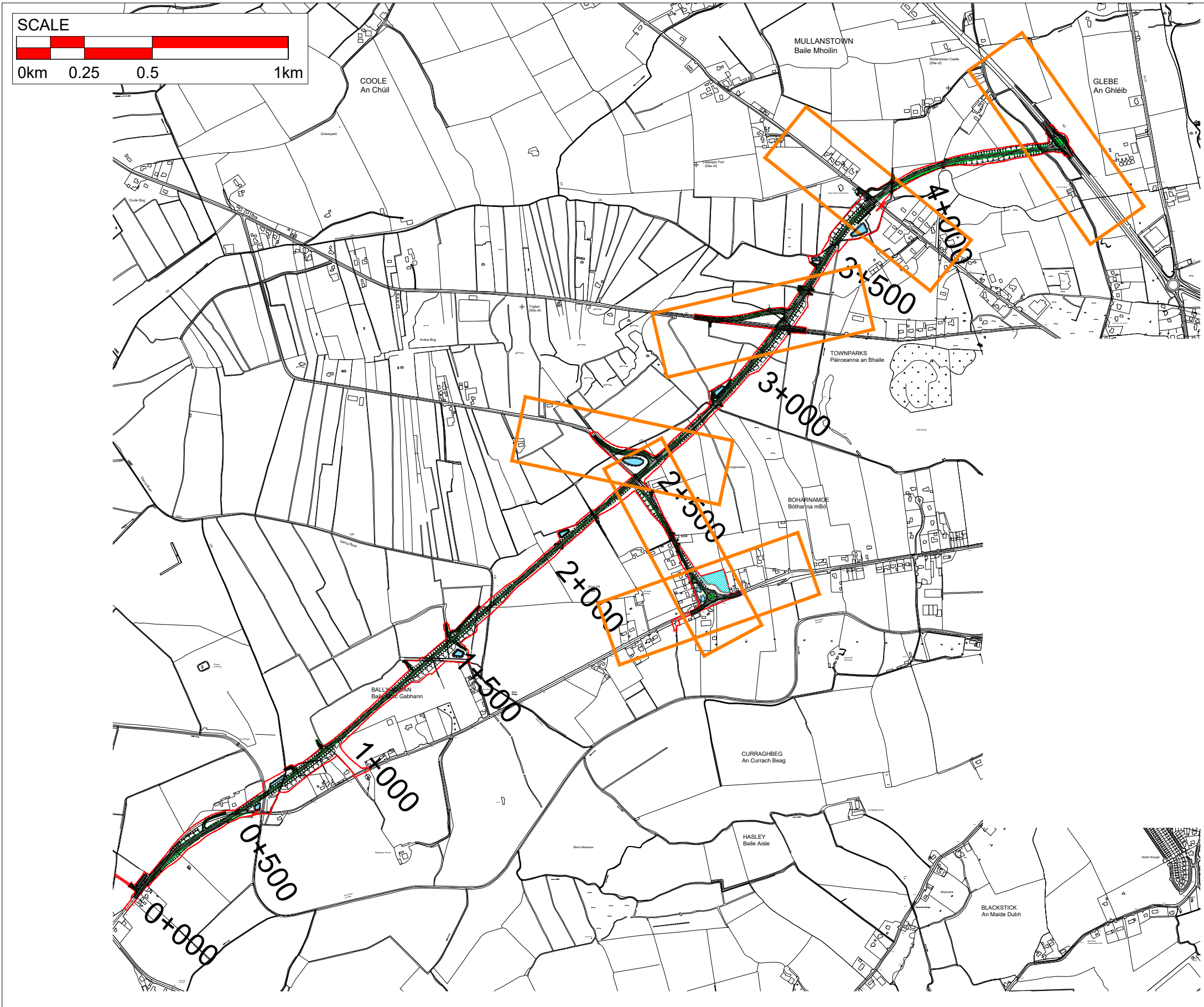
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Drawing Title	SIDEROAD SILVERHILL ROAD WEST - PLAN & PROFILE				
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