

# **Screening for Appropriate Assessment**

Variation No 2 of the Dundalk and Environs  
Development Plan 2009-2015

**06<sup>th</sup> of March 2013**



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## **1.0 Introduction**

### **1.1 Introduction**

This screening includes an assessment of the likely impacts of the proposed Variation No 2 of the Dundalk and Environs Development Plan to include a change of land use zoning from Recreational, Amenity and Open Space to Residential 1 as per Map 1 of the existing Dundalk and Environs Development Plan 2009-2015.

### **1.2 Screening**

The screening of plans and programmes, which may give rise to a significant effect on a Natura 2000 site, is required as per Article 6 (3) and (4) of the Habitats Directive<sup>1</sup>. There are four stages included in the AA process including: Screening, Appropriate Assessment, Alternative Solutions and Imperative Reasons of Overriding Public Interest. This screening report is the first step (stage1) assessment of the proposed project which should identify any likely impacts the project may have on a Natura 2000 site, either alone or in combination with other projects or plans, and considers whether these impacts are likely to be significant in light of the site's conservation objectives.

The Guidelines for Planning Authorities on Appropriate Assessment (DoEHLG, 2010) recommends that the following information is necessary to determine the impact, including inter alia the description of the project and site, identification of Natura 2000 site, assessment of likely effects and the screening statement with conclusions.

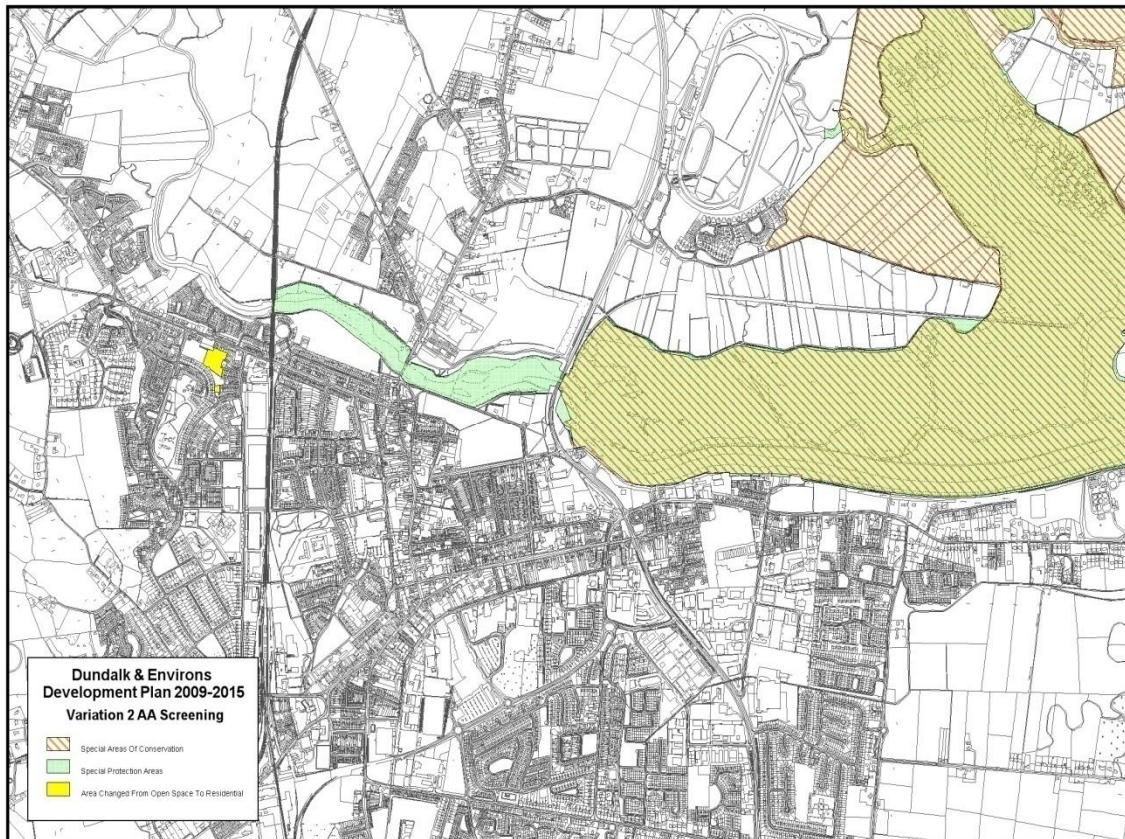
### **1.3 Description of Variation No 2 of the Dundalk and Environs Development Plan 2009-2015**

The Planning Authority proposes a variation to the Dundalk and Environs Development Plan 2009 – 2015 in order to change a land use zoning from RAO: "Recreation, Amenity and Open Space" to RES 1 "Residential". The area included in Map 1 below, illustrates that the proposed change of zoning is approximately 0.85 ha in size. The site currently has a relatively low value with no features of interest such as mature trees or hedgerows. The site may be described as low quality improved amenity grassland.

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<sup>1</sup> Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora

**Map 1 : Proposed change of use of site in relation to Dundalk Bay SPA/SAC.**



## **2.0 Natura 2000 Sites within Co. Louth**

### **2.1 Natura 2000 Sites**

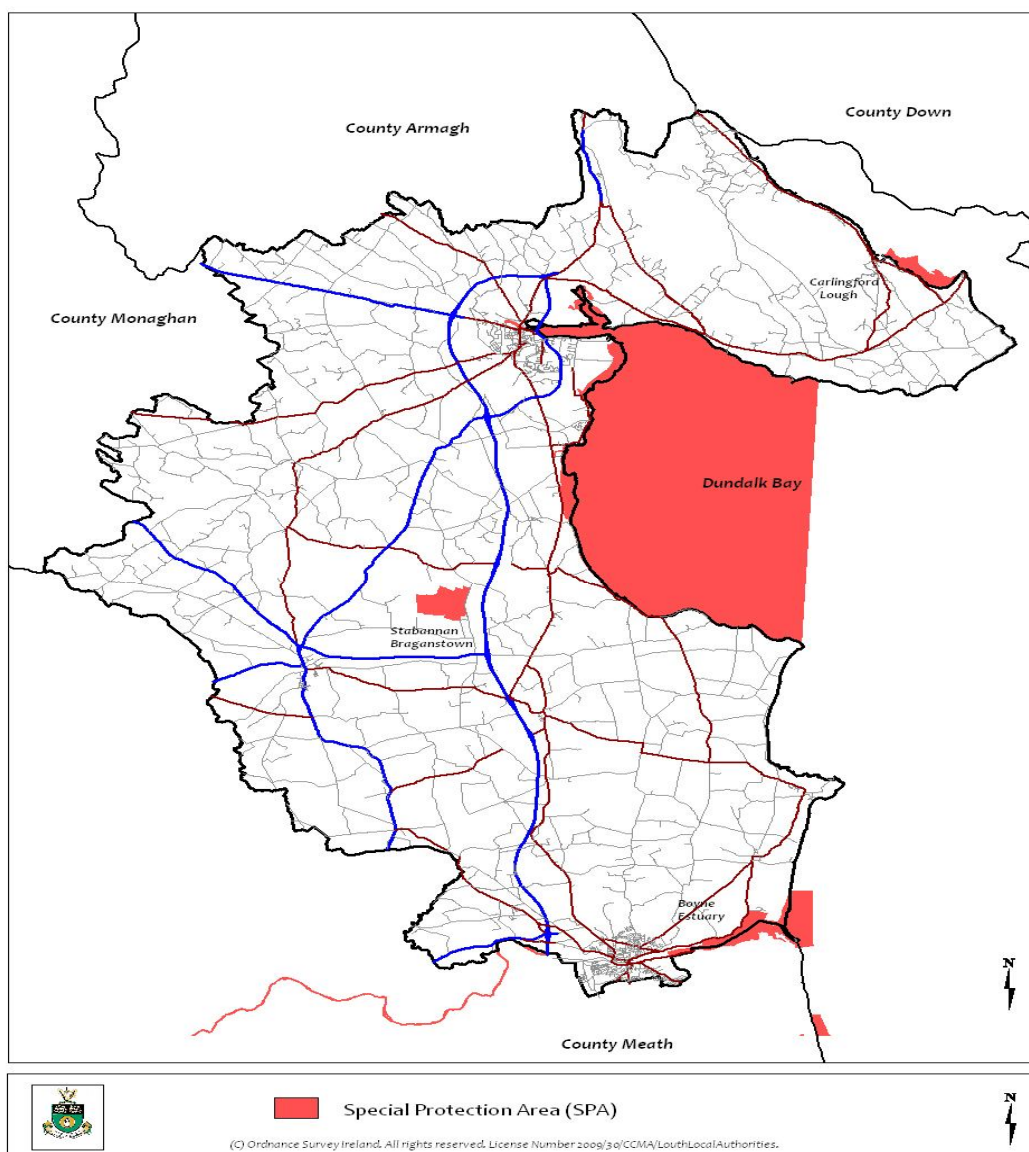
Details of the Natura 2000 sites within Co.Louth are included below. These Natura 2000 Sites are divided into Special Protection Areas (SPA) and Special Areas of Conservation (SAC). The proposed Variation No 2 is assessed against any possible negative effects it may have on any Natura 2000 sites within a zone of influence of the area.

Due to the nature and location of this site proposed for a variation it has been determined that the proposal will be assessed in the context of the Dundalk Bay SPA and SAC, as can be seen from Fig 1 and Fig 2 respectively.

### **2.2 Special Protection Areas (SPAs) in County Louth**

The statutory basis for Special Protection Areas in Ireland lies with the EU Birds Directive (79 / 409 / EEC). Due to the long distances over which birds fly as part of their migratory patterns, the EU Birds Directive provides for a network of sites in all Member States to protect birds at their breeding, feeding, roosting and wintering areas. It identifies species which are rare, in danger of extinction or vulnerable to changes in habitat and which need protection.

**Fig 1: Location of SPA sites within Co. Louth**



### **Conservation Objectives of Dundalk Bay SPA**

Conservation Objectives for Dundalk Bay SPA have been detailed below from the best available data from the National Parks and Wildlife Service. This information is currently available by way of generic and specific conservation objectives and Natura 2000 data forms. As stated above, the aim for all Natura 2000 sites is to either restore or maintain "*favourable conservation status*" of the habitats listed below.

**Table 1: Conservation Objectives Dundalk Bay SPA. (NPWS, July 2011)**

<b>Dundalk Bay SPA (004026)</b>	
<b>Main conservation objective:</b>	<p>To maintain the special conservation interests for this SPA at favourable conservation status:</p> <p>A005 Great Crested Grebe <i>Podiceps cristatus</i> wintering            A043 Greylag Goose <i>Anser anser</i> wintering            A046 Light-bellied Brent Goose <i>Branta bernicla hrota</i> wintering            A048 Shelduck <i>Tadorna tadorna</i> wintering            A052 Teal <i>Anas crecca</i> wintering            A053 Mallard <i>Anas platyrhynchos</i> wintering            A054 Pintail <i>Anas acuta</i> wintering            A065 Common Scoter <i>Melanitta nigra</i> wintering            A069 Red-breasted Merganser <i>Mergus serrator</i> wintering            A130 Oystercatcher <i>Haematopus ostralegus</i> wintering            A137 Ringed Plover <i>Charadrius hiaticula</i> wintering            A140 Golden Plover <i>Pluvialis apricaria</i> wintering            A141 Grey Plover <i>Pluvialis squatarola</i> wintering            A142 Lapwing <i>Vanellus vanellus</i> wintering            A143 Knot <i>Calidris canutus</i> wintering            A149 Dunlin <i>Calidris alpina</i> wintering            A156 Black-tailed Godwit <i>Limosa limosa</i> wintering            A157 Bar-tailed Godwit <i>Limosa lapponica</i> wintering            A160 Curlew <i>Numenius arquata</i> wintering            A162 Redshank <i>Tringa totanus</i> wintering            A179 Black-headed Gull <i>Chroicocephalus ridibundus</i> wintering            A182 Common Gull <i>Larus canus</i> wintering            A184 Herring Gull <i>Larus argentatus</i> wintering            A999 Wetlands &amp; Waterbirds</p>

### 2.3 Special Areas of Conservation (SACs) in County Louth

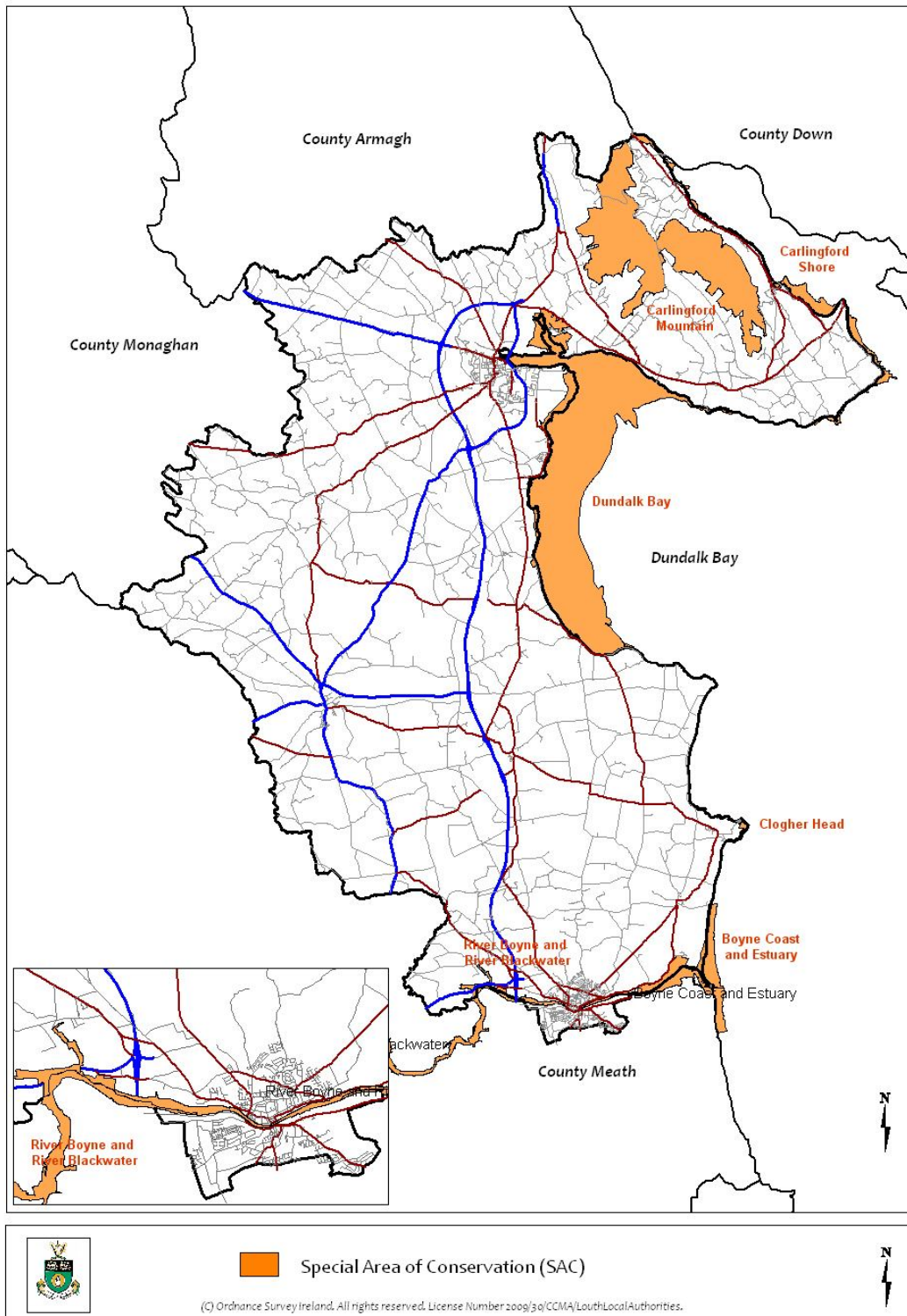
Special Areas of Conservation are considered to be important on a European as well as an Irish level. They were established under the 1992 Habitats Directive of the Council of the EU for the conservation of natural and semi-natural habitats and species of flora and fauna.

The Directive was transposed into Irish law in the European Union (Natural Habitats) Regulations 1997. The regulations set out how these SAC's are to be protected and managed by the relevant Planning Authorities. The Directive lists certain habitats and species that must be protected within SAC's. Irish habitats include raised bogs, blanket bogs, turloughs, sand dunes, machair (flat sandy plains on the north and west coasts), heaths, lakes, rivers, woodlands, estuaries and sea inlets.

**Table 2: Special Areas of Conservation (SAC) in County Louth**

<b>Site Code</b>	<b>Site Name</b>	<b>Site Characterisation</b>
000455	Dundalk Bay	Coastal/Estuarine
000453	Carlingford Mountain	Mountain
002306	Carlingford shore	Coastal
001459	Clogherhead	Coastal
001957	Boyne Coast and Estuary	Coastal
002299	River Boyne and River Blackwater	Estuarine

**Fig 2: Location of SAC within County Louth**



**Table 3: Conservation Objectives for Dundalk Bay SAC**

<b>Dundalk Bay SAC (00455)</b>	
<b>Objectives.</b>	<p>To maintain the Annex I habitats for which the SAC has been selected at favourable conservation status:</p> <ul style="list-style-type: none"> <li>• 1130 Estuaries</li> <li>• 1140 Mudflats and sandflats not covered by seawater at low tide</li> <li>• 1220 Perennial vegetation of stony banks</li> <li>• 1310 <i>Salicornia</i> and other annuals colonizing mud and sand</li> <li>• 1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>)</li> <li>• 1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>)</li> </ul>

### **3.0 Assessment of likely effects of the proposed variation on the Dundalk Bay SAC and Dundalk Bay SPA.**

The proposed variation as illustrated in Map 1 indicates that the site subject to the land use change is approximately 300m from the boundary of Dundalk Bay SPA (at rail line at Castletown River) and 1.6km from the edge of Dundalk Bay SAC.

**Table 4: The likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the Natura 2000 site.**

<b>Loss of Habitat area</b>	It is not proposed that there is any habitat reduction from the proposed development on any of the adjoining Natura 2000 sites.
<b>Habitat or species fragmentation,</b>	The change of land use objectives will have no impact on the species or their habitats within the Dundalk Bay SAC or Dundalk Bay SPA.
<b>Disturbance to key species and reduction in species density,</b>	The existing Recreational, Amenity and Open Space land use does not support any species contained within the adjoining Natura 2000 site and therefore the proposed variation will not cause any disturbance or reduction in density.
<b>Changes in key indicators of conservation value (water quality);</b>	The proposed change of land use types will not have any impact on the key indicators of the adjoining Natura 2000 site. In addition to this screening assessment for the change in land use any future planning applications will be subject to compliance with additional planning policies applicable for development management.

From the information provided in the above tables and the conservation objectives of the Natura 2000 sites, an analysis of the significance of the impact on the Dundalk Bay SAC/SPA has been made in Table 5.

**Table 5: Indicators of significance of Impact on the Natura 2000 site as a result of the identification of effects set out above in terms of:**

<b>Fragmentation of habitat;</b>	The proposed Variation No 2 will not cause any fragmentation of habitat within either the Dundalk Bay SAC/SPA or existing habitats with a high value. The existing open space contains a poor quality improved amenity grassland.
<b>Disruption &amp; Disturbance to key species;</b>	It is not proposed that Variation No 2 will cause any disruption or disturbance to any key species of Dundalk Bay or its supporting environment. The site is not a high quality habitat which could support the birds listed as conservation objectives for the Dundalk Bay SPA.
<b>Change to key elements of the site (e.g water quality etc)</b>	The main change to the site includes the loss of open space, however due to the low quality of the existing site it would not support any species which are listed for protection within the adjoining Natura 2000 site.
<b>Cumulative impact</b>	There are currently no proposals by Louth County Council for additional variations within the vicinity of this site. Any future developments will be subject to the policies of the Dundalk and Environs Development Plan 2009-2015 in particular policy CH3 relating to the protection of the Natura 2000 sites.

#### 4.0 Finding of No Significant Effects Matrix

Following the above screening assessment a finding of no significant effects (FONSE) matrix has been prepared and placed on public display to ensure full public participation on the determination by the Local Authority.

**Table 6: Finding of no significant effects report <sup>2</sup>**

Name of project or plan	Variation No 2 of the Dundalk and Environs Development Plan 2009-2015 with a proposal to amend land use zoning from Recreation, Amenity and Open Space to Residential 1.
Name and location of Natura 2000 site	The site is within the Cox's Demesne which is located off the Castletown Road to the west of Dundalk Town.
Description of the project or plan	The site is adjacent to and part of a residential estate of Ashling Park. The proposed land use zoning is required to facilitate the regeneration scheme of the Cox's Demesne area, in particular the proposed Ashling Park Pilot Project.
Is the project or plan directly connected with or necessary to the management of the site (provide details)?	No, the site is not directly connected to or necessary for the Dundalk Bay SAC or Dundalk Bay SPA.
Are there any other	Louth Local Authorities are currently not aware of any current plan or project which could affect

<sup>2</sup> European Commission "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

projects or plans that together with the project or plan being assessed could affect the site (provide details)?	the existing Natura 2000 sites. Any further proposed plans or projects undertaken by Louth Local Authorities will be subject to the individual screening for Appropriate Assessment. At present there is no cumulative effect on the Natura site.
<b>The assessment of significance of effects</b>	
Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 site?	The project should have no significant effects on the Natura 2000 sites or the integrity of the Conservation objectives listed in Table 1 and 3 above. The proposed development will not cause any habitat or species fragmentation, loss or disturbance or adversely affects the water quality of the Natura 200 sites.
Explain why these effects are not considered significant.	The change of land use type from Recreation, Amenity and Open space to Residential 1 development will not cause significant effects due to the scale and location of the proposed plan from the Natura 2000 site.
List if agencies consulted	Pre draft screening report was emailed to local NPWS ranger on the 12 <sup>th</sup> Feb 2013 and <a href="mailto:manager.dau@ahg.gov.ie">manager.dau@ahg.gov.ie</a> . No response was received in relation to either correspondence.
Response to consultation	Louth Local Authorities did not receive any response to the pre draft consultation carried out from the 12 <sup>th</sup> February 2013 to the 05 <sup>th</sup> March 2013.
Who carried out the assessment: Sources of data: Level of assessment completed: Where can results be viewed.	Forward Planning, Heritage and Conservation Unit. Site Survey on the 08 <sup>th</sup> of February 2013 and desk top analysis using data source from European Commission, Department of Environment, Heritage and Local Government and <a href="http://www.npws.ie">www.npws.ie</a> . A screening for an Appropriate Assessment was completed and has been placed on public display along with Variation No 2 of the Dundalk and Environs Development Plan 2009-2015.
<b>Overall Conclusion</b>	
The Local Authority concludes at this stage that this proposed variation would not have a significant adverse effect on either Dundalk Bay SAC or Dundalk Bay SPA. Therefore it is not proposed that Variation No 2 would proceed to a Stage 2 (Natura Impact Statement) assessment.	