

# SCREENING STATEMENT

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IN SUPPORT OF THE

## APPROPRIATE ASSESSMENT

OF THE

### COUNTY LOUTH NOISE ACTION PLAN 2018-2023

IN ACCORDANCE WITH THE REQUIREMENTS OF  
ARTICLE 6(3) OF THE EU HABITATS DIRECTIVE

**for: Louth County Council**

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# 1 Introduction

## 1.1 Background

CAAS has been appointed by Louth County Council to prepare this Screening Statement in support of the Appropriate Assessment (AA) of the County Louth Noise Action Plan 2018-2023, in accordance with the requirements of Article 6(3) of Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (as amended) (hereafter referred to as the "Habitats Directive").

The overall aim of the Habitats Directive is to maintain or restore the "favourable conservation status" of habitats and species of European Community Interest. These habitats and species are listed in the Habitats and Birds Directives (Council Directive 2009/147/EC on the conservation of wild birds) with Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) designated to afford protection to the most vulnerable of them. These two designations are collectively known as European Sites.

European and national legislation places a collective obligation on Ireland and its citizens to maintain habitats and species in the European Sites at favourable conservation condition. The Government and its agencies are responsible for the implementation and enforcement of regulations (in particular Part XAB of the Planning and Development (Amendment) Act 2010 and the European Communities (Birds and Natural Habitats) Regulations, 2011 (as amended) to ensure the ecological integrity of these sites. AA is an assessment of whether a plan or project, alone and in combination with other plans or projects, could have significant effects on a European Site in view of the Site's conservation objectives.

This report is part of the ongoing AA process that is being undertaken alongside the preparation of the Louth Noise Action Plan. It will be taken into account, alongside other documentation prepared as part of this process when the planning authority finalises the AA at adoption of the Plan.

## 1.2 Legislative Context

AA is an assessment of the potential for adverse or negative effects of a plan or project, in combination with other plans or projects, on the conservation objectives of a European Site. These sites consist of SACs and SPAs and provide for the protection and long-term survival of Europe's most valuable and threatened species and habitats.

The Habitats Directive provides legal protection for habitats and species of European importance. Articles 3 to 9 provide the legislative means to protect habitats and species of Community interest through the establishment and conservation of an EU-wide network of sites known as Natura 2000. In Ireland, these are SACs and SPAs, designated under the Birds Directive, hereafter referred to as European Sites.

Articles 6(3) and 6(4) of the Habitats Directive set out the decision-making tests for plans and projects likely to affect European Sites. Article 6(3) establishes the requirement for AA:

*"Any plan or project not directly connected with or necessary to the management of the [Natura 2000] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subjected to appropriate assessment of its implications for the site in view of the site's conservation objectives. In light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.*

*If, in spite of a negative assessment of the implications for the [Natura 2000] site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, Member States shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.*

*Where the site concerned hosts a priority natural habitat type and/or a priority species the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest."*

These requirements are implemented in the Republic of Ireland by the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended). These regulations consolidate the European Communities (Natural Habitats) Regulations 1997 to 2005 and the European Communities (Birds and Natural Habitats) (Control of Recreational Activities) Regulations 2010, as well as addressing transposition failures identified in judgements of the Court of Justice of the European Union (CJEU).

If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project may nevertheless be carried out for "Imperative Reasons of Overriding Public Interest" (IROPI), including those of a social or economic nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted. Where the site concerned hosts a priority natural habitat type and/or a priority species, the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.

## **1.3 Guidance**

This Screening Statement has been prepared in accordance with the following guidance:

- *AA of Plans and Projects in Ireland. Guidance for Planning Authorities. Department of the Environment, Heritage and Local Government, 2010;*
- *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, European Commission Environment DG, 2002;*
- *Managing Natura 2000 sites: The Provisions of Article 6 of the Habitats Directive 92/43/EEC: European Commission, 2000;*
- *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, Office for Official Publications of the European Communities, Luxembourg (EC 2001);*
- *Guidance document on Article 6(4) of the 'Habitats Directive' 92/43/EEC – Clarification of the concepts of: alternative solutions, imperative reasons of overriding public interest, compensatory measures, overall coherence, opinion of the commission. Office for Official Publications of the European Communities, Luxembourg (EC 2007); and*
- *Flora (Protection) Order, 1999 (As amended 2015).*

The AA is based on best scientific knowledge and has utilised ecological and hydrological expertise. In addition, a detailed online review of published scientific literature and 'grey' literature was conducted. This included a detailed review of the National Parks and Wildlife Website including mapping and available reports for relevant sites and in particular sensitive qualifying interests/special conservation

interests described and their conservation objectives. The EPA Envision Map-viewer ([www.epa.ie](http://www.epa.ie)) and available reports were also reviewed.

Definitions of conservation status, integrity and significance used in this assessment are defined in accordance with 'Managing Natura 2000 sites: The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC' (EC, 2000).

- The conservation status of a natural habitat is defined as the sum of the influences acting on a natural habitat and its typical species that may affect its long-term natural distribution, structure and functions as well as the long-term survival of its typical species;
- The conservation status of a species is defined as the sum of the influences acting on the species concerned that may affect the long-term distribution and abundance of its population;
- The integrity of a European Site is defined as the coherence of the site's ecological structure and function, across its whole area, or the habitats, complex of habitats and/or populations of species for which the site is or will be classified; and
- Significant effect should be determined in relation to the specific features and environmental conditions of the protected site concerned by the plan or project, taking particular account of the site's conservation objectives.

## 1.4 Approach

There are four main stages in the AA process; the requirements for each depending on likely impacts to European Sites (SACs and SPAs).

### **Stage One: Screening**

The process which identifies the likely impacts upon a European Site of a project or plan, either alone or in combination with other projects or plans and considers whether these impacts are likely to be significant.

### **Stage Two: Appropriate Assessment**

The consideration of the impact on the integrity of the European Site of the project or plan, either alone or in combination with other projects or plans, with respect to the site's structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts. If adequate mitigation is proposed to ensure no significant adverse impacts on European Sites, then the process may end at this stage. However, if the likelihood of significant impacts remains, then the process must proceed to Stage 3.

### **Stage Three: Assessment of Alternative Solutions**

The process which examines alternative ways of achieving the objectives of the project or plan that avoids adverse impacts on the integrity of the European Site.

### **Stage Four: Assessment where no alternative solutions exist and where adverse impacts remain**

An assessment of compensatory measures where, in the light of an assessment of imperative reasons of overriding public interest (IROPI), it is deemed that the project or plan should proceed.

The Habitats Directive promotes a hierarchy of avoidance, mitigation and compensatory measures. First, the plan should aim to avoid any impacts on European Sites by identifying possible impacts early in the plan-making process and writing the plan in order to avoid such impacts. Second, mitigation measures should be applied, if necessary, during the AA process to the point where no adverse impacts on the site(s) remain. If the plan is still likely to result in impacts on European Sites, and no further practicable mitigation is possible, then it must be rejected. If no alternative solutions are identified and the plan is required for imperative reasons of overriding public interest (IROPI test) under Article 6(4) of the Habitats Directive, then compensation measures are required for any remaining adverse effect.

#### **1.4.1 Source-Pathway-Receptor Model**

Ecological impact assessment of potential effects on European Sites is conducted following a standard source-pathway-receptor model, where, in order for an effect to be established all three elements of this mechanism must be in place. The absence or removal of one of the elements of the mechanism is sufficient to conclude that a potential effect is not of any relevance or significance.

- Source(s) – e.g. pollutant run-off from proposed works;
- Pathway(s) – e.g. groundwater connecting to nearby qualifying wetland habitats; and
- Receptor(s) – qualifying aquatic habitats and species of European Sites.

In the interest of this report, receptors are the ecological features which are known to be utilised by the qualifying interests or special conservation interests of a European Site. A source is any identifiable element of the Noise Action Plan provision which is known to have interactions with ecological processes. The pathways are any connections or links between the source and the receptor. This report determines if direct, indirect and cumulative adverse effects (however minor) will arise from the plan.

#### **1.4.2 Zone of Influence**

Following the source-pathway-receptor process a Zone of Influence (ZOI) will be determined based on the characteristics of the development (detailed in section 2) and the foreseen distribution of likely effects through any pathways identified. Once the ZOI is established, all European Sites within it will be assessed with specific reference to the sensitive receptors of each site and pathways for effect that relate to the ecological integrity of the site.

## 2 Description and background of the Noise Action Plan

### 2.1 Background to the Noise Action Plan

The Noise Action Plan for County Louth has been prepared in accordance with the requirements of the Environmental Noise Regulations (S.I. No. 140 of 2006). These Regulations give effect to the European Union Environmental Noise Directive (END) 2002/49/EC, relating to the assessment and management of environmental noise.

As there are no airports or railways above the respective threshold in County Louth, the Plan refers to road traffic noise only from routes which have more than 3 million vehicle passages. There are 18 roads/stretches thereof<sup>1</sup> that are covered by the Plan.

Along these roads areas within certain noise contours (the 55dB(A)  $L_{den}$  or the 50dB(A)  $L_{night}$ ) are identified as being 'near' the major road for the purposes of the Plan. Maps of these areas provided by Transport Infrastructure Ireland are included within the Plan. The mapping indicates that an estimated population of between 2284 and 5504 have predicted noise levels above the onset levels for assessment of  $L_{den}$  and  $L_{night}$  respectively.

Louth County Council is the designated authority for these areas, for the purpose of the Noise Action Plan. The EPA is the designated national authority responsible for overseeing the implementation of the Environmental Noise Regulations. The EPA is required to provide advice and guidance to the relevant noise mapping bodies and action planning authorities and is responsible for reporting information to the European Commission. Transport Infrastructure Ireland (TII) is the designated noise mapping body acting on behalf of the action planning authorities for major roads where such roads are classified as national roads. Both the EPA and TII are being consulted in relation to the Action Plan.

### 2.2 Existing Requirements Already in Force

Existing requirements already in force that are taken into account by the screening exercise when considering cumulative effects and the degree of additionality that is provided for by the Noise Action Plan are identified in this section.

There are various measures already in force that provide for noise management. The Plan will further contribute towards these provisions. **At a national and regional level** these include:

- The Environmental Protection Agency Act 1992;
- Building Regulations;
- Sustainable Urban Housing: Design Standards for New Apartments, 2007;
- Sustainable Residential Development in Urban Areas: Guidelines for Planning Authorities 2009;
- Urban Design Manual: A best practice guide;
- Guidelines for the Treatment of Noise and Vibration in National Road Schemes (National Roads Authority, now Transport Infrastructure Ireland), which set out limits and mitigation measures for noise related to both the construction and traffic flow on new road schemes;
- The Roads Act 1993;
- IPPC/ Waste Licensing and associated Guidance Note for Noise: Licence Applications, NG4 Surveys and Assessments in relation to Scheduled Activities, containing suggested noise limits;
- Wind Energy Planning Guidelines;
- Quarry and Ancillary Activities;

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<sup>1</sup> Comprising of the M1 Motorway, five National primary Roads and twelve Regional Roads

- National Planning Framework;
- Economic Spatial Strategy; and
- Transport Strategy for the Greater Dublin Area 2016-2035<sup>2</sup>.

**At County level**, the Louth County Development Plan 2015-2021, which was subject to full SEA, contains various measures that contribute towards the management of noise and protection of human health. These include:

- Policy ENV 6 - To implement the Louth County Council Noise Action Plan 2013-2018 in order to avoid, prevent and reduce the harmful effects, including annoyance, due to environmental noise exposure; and
- Policy ENV 7 - To require that where new development is proposed within the limits of the noise maps for the designated sections of roads in the County, appropriate mitigation measures are undertaken so as to prevent harmful effects from environmental noise.

Other County Development Plan measures contributing towards the management of noise and the protection of human health include the following:

- The provision of a buffer zone up to 15m in width where industrial and other sensitive land uses adjoin, to ensure amenities of adjoining properties are not adversely affected by way of, inter alia, noise (Section 6.3.1);
- Requiring that noise emissions shall comply with the provisions of "Noise Regulations (S.I. No. 140 of 2006)" and the Louth County Council "Noise Action Plan 2013-2018" (Policy EDE 14);
- Specifically, in relation to the M1 and the potential for development in close proximity to same, Policy TC 8 states that *"Development proposals of a residential or other nature within 100mts of either the M1 motorway or the N1/A1 national route will be restricted in all but exceptional circumstances\*. Any development assessed under this policy will be subject to the provisions of Policy ENV 6 and ENV 7 of this Plan, the "Spatial Planning and National Roads Guidelines for Planning Authorities" 2012 and the costs of implementing and mitigation measures concerned should be borne by the developer. \*Only where the proposed development is infill development and is located within an established building line."*
- Various provisions relating to sustainable mobility. Notwithstanding the fact that the county boasts an excellent road network, it also has a good network of local, regional and national bus routes in addition to a main line rail service. Sustainable transport modes are increasingly being promoted in the form of improved public transport services, improved cycling and walking facilities and infrastructure supporting the use of electric vehicles. The Plan seeks to promote alternative sustainable modes of transport and this is reflected in the settlement strategy whereby the majority of development is directed to the existing compact towns and other settlements. Cycling as an alternative mode of transport is encouraged and promoted which is evident in the various Plan provisions. In relation to public transport, the Plan includes various provisions committing the Council to seek to promote the enhancement of public transport and infrastructure in towns, villages and the rural areas.
- Various Plan provisions relating to the County's Landscape Character Assessment that identifies 9 Landscape Character Areas and is based on factors including, inter alia, levels of built environment, traffic, noise and artificial lighting. Also included are provisions relating to 2 Areas of Outstanding Natural Beauty (by reason of unspoiled natural landscapes and spectacular scenic quality) and 6 Areas of High Scenic Quality (that whilst not possessing the exceptional natural beauty of areas of outstanding natural beauty, add to the stock of natural scenic landscapes).

**At a local level**, both the Dundalk and Environs Development Plan 2009-2015 (extended) and the Drogheda Development plan 2011-2017 (extended), both of which were subject to full SEA, are

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<sup>2</sup> The Transport Strategy for the GDA is informed by other plans relating to transport including Smarter Travel – A Sustainable Transport Future – A New Transport Policy for Ireland 2009 – 2020 (2009). The Strategy provides for sustainable mobility and includes various provisions that will facilitate avoidance and mitigation of potential effects relating to noise.

consistent with the County Development Plan provisions detailed above. In addition, each Plan contains more detailed provisions for the respective settlements of Dundalk and Environs<sup>3</sup> and Drogheda<sup>4</sup>.

**At development control level** within the Council the following standard condition is generally applied to commercial and residential development over 5 units: *"The equivalent continuous sound level ( $L_{eq}$ ) attributable to all on site operations associated with the development, outside of any inhabited house or building used for public assembly, in the vicinity of the site, shall not exceed 55dB(A) Leq (30minutes) over the period 08:00 hours to 20:00 hours, Monday to Friday and 08:00 hours to 16:00 hours on Saturday; and shall not exceed 45dB(A) Leq (30 minutes) at all other times. No pure tones or impulsive characteristics shall be audible outside of any inhabited house in the vicinity of the development."*

**Noise reduction measures** already in force or due to come into force within the County include the following:

- The completed M1 motorway/N1 dual carriageway through County Louth that has had a significant effect on traffic noise in the County, generally by diverting traffic from congested routes in heavily populated areas. This has resulted in a reduction in the net number of the population subjected to noise pollution.
- The potential for an increase in noise levels at some properties along the M1 motorway was mitigated by measures including the use of appropriate noise barriers.
- The Ardee bypass-N52 for which funding has been provided. The bypass will reduce the volume of traffic within the town of Ardee thus reducing the associated traffic noise levels. Work for this is due to commence in 2018. New residential development is restricted in the vicinity of the motorway. New one-off dwellings are not permitted within 100m of the curtilage of the motorway. The provision of a buffer zone of not less than 15m in width is required where industrial and other land use adjoin. These stipulations are included in the County Development Plan.

The potential noise impact of development is managed through **the Planning and Licensing processes**, including through **Environmental Impact Assessments, Strategic Environmental Assessments** and application of relevant **Guidance relating to noise**.

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<sup>3</sup> These include:

1. Provide a sustainable transportation system for Dundalk and Environs to secure the successful integration of land use and for the convenience of the public. (SO5)
2. Adopt a strategic approach to land use and transportation planning by prioritising development in areas where public transport facilities are available or can economically be provided and by encouraging higher density development in such areas. (TR3)
3. Require applicants for development likely to generate 500 plus vehicle trips per day to submit a mobility management plan. (TR6)
4. It is the policy of the council in co-operation with other agencies, bodies and developers, to implement an integrated pedestrian footpath and cycle path network throughout the plan area. (TR13)
5. Applications for economic development proposals will be assessed having regard to the following:
  - Noise impact assessment and the provision of mitigation measures, where appropriate; and
  - Provision of a buffer zone of up to 15m at the interface of the development and any adjoining areas.

<sup>4</sup> These include:

1. Provide a sustainable transportation system for Drogheda and its environs to secure the successful integration of land use and for the convenience of the public. (SO5)
2. Require applicants for any development likely to generate 500 plus vehicle trips per day to submit a Mobility Management plan. (TR6)
3. Adopt a strategic approach to land use and transportation planning by prioritising development in areas where public transport facilities are available or can economically be provided and by encouraging higher density development in such areas. (TR7)
4. It is the policy of the council in co-operation with other agencies, bodies and developers, to implement an integrated pedestrian footpath and cycle path network throughout the plan area.

## 2.3 Key Features of the Noise Action Plan

<b>Relevant Parts of Noise Action Plan</b>	
<b>1</b>	<p><b>Aims</b></p> <p>The Noise Action Plan has been drawn up with the twin aims of:</p> <ul style="list-style-type: none"> <li>• Protecting the future noise climate; and</li> <li>• Improving the existing noise climate where necessary.</li> </ul> <p>All properties identified from the strategic noise maps will be assessed using a noise scoring matrix. Following this, further investigations will be undertaken at the relevant areas.</p> <p>All proposals for development/works under the Action Plan will be required to demonstrate compliance with the requirements of environmental and planning legislation and planning and licensing processes, including existing provisions of relevant land use plan(s) such as the Louth County Development Plan 2015-2021, the Dundalk and Environs Development plan 2009-2015 (extended) and the Drogheda Development plan 2011-2017 (extended).</p>
<b>2</b>	<p><b>Key Actions</b></p> <ol style="list-style-type: none"> <li>1. The potential noise impact of future development will be adequately managed through the Planning and Licensing processes, including through existing provision for Environmental Impact Assessments. Implementation of existing Regulations will continue and the County Development Plan will take cognisance of the Noise Action Plan.</li> <li>2. The potential noise impact from increased traffic on major roads will be addressed by reviewing (and revising, if necessary) the Noise Action Plan every 5 years, or sooner where a material change in environmental noise in the area occurs.</li> <li>3. Carry out, following consultation with the EPA, a review of the landscape assessment and characterisation process in order to identify a process to delimit Quiet areas in the open country that will be complementary to the findings of the County Louth Landscape Character Assessment Study. Areas for delimiting will be identified and a proposal will be submitted to the EPA and Minister for approval.</li> <li>4. The accuracy of predicted noise levels will be confirmed and potential noise mitigation measures identified on a priority basis. Confirmation of maps will consist of visual inspection and where appropriate, noise analysis. A cost-benefit analyses on potential actions will be carried out and a list of beneficial, achievable actions for noise mitigation drawn up.</li> <li>5. A budget will be identified with each relevant authority and a programme of works agreed and implemented. As with all proposed works, the delivery of any proposed actions will be contingent on funding being available.</li> </ol>
<b>3</b>	<p><b>Possible Mitigation Measures: Guidance</b></p> <p>County-wide guidance will be issued in the future on noise exposure levels for proposed development.</p> <p>Where new residential development or other noise sensitive development is proposed in an area with an existing climate of environmental noise, the Plan advises that UK Guidelines<sup>5</sup> shall apply.</p> <p>Where new, or altered, sources of noise are introduced to existing residential or other noise sensitive locations, there are currently a number of guidance documents that already cover these situations. Where existing guidance does not cover the situation under consideration, the Plan advises that UK Guidance<sup>6,7,8</sup> shall apply.</p>

<sup>5</sup> The Scottish Office, PAN 1/2011: March 2011 Planning Advice Note (PAN) provides advice on the role of the planning system in helping to prevent and limit the adverse effects of noise

<sup>6</sup> The Scottish Office, PAN 1/2011: March 2011 Planning Advice Note (PAN) provides advice on the role of the planning system in helping to prevent and limit the adverse effects of noise

<sup>7</sup> BS 4142:2014 Method for Rating Industrial and Commercial Sound, British Standards Institution (BSI), London 2014

<sup>8</sup> ProPG Planning and Noise Guidance note (May 2017)

	<b>Relevant Parts of Noise Action Plan</b>
<b>4</b>	<p><b>Possible Mitigation Measures: Abatement Measures</b></p> <p>The Plan specifies various abatement measures under four topics as detailed below:</p> <p><b><i>Combating Road Traffic Noise</i></b>            To create an effective overall plan for the reduction of road traffic noise, individual measures should be consolidated into a single set of measures. Examples of this consolidated approach include the following:</p> <ul style="list-style-type: none"> <li>• Traffic avoidance plans that combine walking, cycling and public transport.</li> <li>• Investment in dedicated Cycle Routes.</li> <li>• Speed reduction plans involving partial access zones, smoothing traffic flows and reducing driving speeds.</li> <li>• Traffic flow relocation by diverting traffic along non-residential, less sensitive routes.</li> <li>• Mitigation of noise black spots by optimising traffic signals and traffic management.</li> <li>• Traffic congestion management through management and optimisation of the availability of parking spaces.</li> <li>• Plans to improve road surfaces and maintenance.</li> </ul> <p><b><i>Screening Noise</i></b>            Noise barriers can be an effective method of reducing the noise of traffic. Roadside noise barriers may be only acceptable for roadways, where pedestrians do not need to cross. It would be unpractical to place noise barriers along streets, which are crossed by pedestrians along their entire lengths. However, they could be erected at the boundaries of private properties or public institutions to protect noise sensitive buildings or areas (e.g. hospitals, schools and public parks).</p> <p><b><i>Acoustic Glazing</i></b>            Soundproofing with dual or triple glazing or equivalent products are a possibility for further protection against noise, If no other measures can be applied or if the effect of other measures is insufficient. However, windows must be kept closed to be effective. Assisted ventilation is therefore required to avoid poor ventilation and the associated problems of condensation and dampness. Many people have trouble adjusting to this restriction on their normal behaviour. Also, this form of ventilation is not commonly found in the current or new housing stock.</p> <p><b><i>Changing road surfaces</i></b>            Renewing road surfaces or replacing rough paving with smooth asphalt is another action that can be taken to reduce sound levels and noise impact.</p> <p>Measures need to be taken to ensure that vehicle speeds do not increase following the resurfacing of the road. Any increase in speed will lead to an increase in noise and negate possible gains due to the smoother road surface.</p> <p>In the case of noise-reducing road surfaces, Stone Mastic Asphalt or Porous Asphalt can reduce traffic generated noise.</p>

## 3 Screening for Appropriate Assessment

### 3.1 Introduction to Screening

#### 3.1.1 Background to Screening

This stage of the process identifies any likely significant effects to European Sites from a Project or plan, either alone or in combination with other Projects or plans. The screening phase was progressed in the following stages. A series of questions are asked during the Screening Stage of the AA process in order to determine:

- Whether a plan or Project can be excluded from AA requirements because it is directly connected with or necessary to the management of a European Site.
- Whether the Project will have a potentially significant effect on a European Site, either alone or in combination with other Projects or plans, in view of the site's conservation objectives or if residual uncertainty exists regarding potential impacts.

An important element of the AA process is the identification of the "conservation objectives", "Qualifying Interests" (QIs) and/ or "Special Conservation Interests" (SCIs) of European Sites requiring assessment. QIs are the habitat features and species listed in Annexes I and II of the Habitats Directive for which each European Site has been designated and afforded protection. SCIs are wetland habitats and bird species listed within Annexes I and II of the Birds Directive. It is also vital that the threats to the ecological / environmental conditions that are required to support QIs and SCIs are considered as part of the assessment.

Site-Specific Conservation Objectives (SSCOs) have been designed to define favourable conservation status for a particular habitat or species at that site. According to the European Commission interpretation document 'Managing Natura 2000 sites: The provisions of Article 6 of the Habitats Directive 92/43/EEC', paragraph 4.6(3) states:

"The integrity of a site involves its ecological functions. The decision as to whether it is adversely affected should focus on and be limited to the site's conservation objectives."

Favourable conservation status of a habitat is achieved when:

- Its natural range, and area it covers within that range, are stable or increasing;
- The specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future; and
- The conservation status of its typical species is favourable.

The favourable conservation status of a species is achieved when:

- Population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats;
- The natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future; and
- There is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

The screening stage of the AA takes account of the elements detailed above with regard to the details and characteristics of the Project or plan to determine if potential for effects to the integrity of the European Site are likely. The characteristics of the Plan, were constructed through an iterative process, as a result the European Sites which are screened below may differ from those of high level plans, due to refinements in the methods/Project details available.

### 3.2 Assessment Criteria

Sites are screened out based on one or a combination of the following criteria:

- where it can be shown that there are no pathways such as hydrological links between the Noise Action Plan, and the European Site being screened;
- where the site is located at a distance from Noise Action Plan area such that effects are not foreseen;
- where known threats or vulnerabilities at a site cannot be linked to potential effects that may arise from the Noise Action Plan.

Sites are screened out based on one or a combination of the following criteria:

- where it can be shown that there are no pathways for effects such as hydrological links between activities of the Proposed Variation and the European site being screened;
- where the site is located at a distance from Proposed Variation such that effects are not foreseen;
- where known threats or vulnerabilities at a site cannot be linked to potential effects that may arise from the Proposed Variation.

The following parameters are described when characterising impacts (following CIEEM (2016), EPA (2002) and NRA (2009)):

**Direct and Indirect Impacts** - An impact can be caused either as a direct or as an indirect consequence of a proposed development.

**Magnitude** - Magnitude measures the size of an impact, which is described as high, medium, low, very low or negligible.

**Extent** - The area over which the impact occurs – this should be predicted in a quantified manner.

**Duration** - The time for which the effect is expected to last prior to recovery or replacement of the resource or feature.

- Temporary: Up to 1 Year;
- Short Term: The effects would take 1-7 years to be mitigated;
- Medium Term: The effects would take 7-15 years to be mitigated;
- Long Term: The effects would take 15-60 years to be mitigated; and
- Permanent: The effects would take 60+ years to be mitigated.

**Likelihood** – The probability of the effect occurring taking into account all available information.

- Certain/Near Certain: >95% chance of occurring as predicted;
- Probable: 50-95% chance as occurring as predicted;
- Unlikely: 5-50% chance as occurring as predicted; and
- Extremely Unlikely: <5% chance as occurring as predicted.

The Chartered Institute of Ecology and Environmental Management (CIEEM) guidelines for ecological impact assessment (2016) define: an ecologically significant impact as an impact (negative or positive) on the integrity of a defined site or ecosystem and/or the conservation status of habitats or species within a given geographic area; and the integrity of a site as the coherence of its ecological structure and function, across its whole area, which enables it to sustain the habitat, complex of habitats and/or the levels of populations of the species for which it was classified.

The Habitats Directive requires the focus of the assessment at this stage to be on the integrity of the site as indicated by its Conservation Objectives. It is an aim of NPWS to draw up conservation management plans for all areas designated for nature conservation. These plans will, among other things, set clear objectives for the conservation of the features of interest within a site.

SSCOs have been prepared for a number of European Sites. These detailed SSCOs aim to define favourable conservation condition for the qualifying habitats and species at that site by setting targets for appropriate attributes which define the character habitat. The maintenance of the favourable condition for these habitats and species at the site level will contribute to the overall maintenance of favourable conservation status of those habitats and species at a national level.

**Favourable conservation status of a species** can be described as being achieved when: 'population data on the species concerned indicate that it is maintaining itself, and the natural range of the species is neither being reduced or likely to be reduced for the foreseeable future, and there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.'

**Favourable conservation status of a habitat** can be described as being achieved when: 'its natural range, and area it covers within that range, is stable or increasing, and the ecological factors that are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and the conservation status of its typical species is favourable'.

Generic Conservation Objectives for cSACs have been provided as follows:

- To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.

One generic Conservation Objective has been provided for SPAs as follows:

- To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.

EC guidance<sup>9</sup> outlines the types of effects that may affect European sites. These include effects from the following activities:

- Land take
- Resource Requirements (Drinking Water Abstraction Etc.)
- Emissions (Disposal to Land, Water or Air)
- Excavation Requirements
- Transportation Requirements
- Duration of Construction, Operation, Decommissioning

In addition, the guidance outlines the following likely changes that may occur at a designated site, which may result in effects on the integrity and function of that site:

- Reduction of Habitat Area
- Disturbance to Key Species
- Habitat or Species Fragmentation
- Reduction in Species Density
- Changes in Key Indicators of Conservation Value (Water Quality Etc.)
- Climate Change

### **3.3 Elements of the Noise Action Plan with Potential to Give Rise to Effects**

The potential noise impacts that arise from future development works are currently managed through Planning and Licensing processes; including through Environmental Impact Assessments, Strategic Environmental Assessments and application of relevant Guidance relating to noise. The County Louth Noise Action Plan provides a framework for the management and reduction of potential noise sources of exist developments and infrastructure. This framework details methods to strategically identify potential noise pollution sources, and a framework to reduce these sources. Noise is a known stress factor for many species including the bird species for which SPA sites are designated. This Noise Action Plan aims to reduce noise sources which may affect European sites. Any hard infrastructure requirements to implement the noise reduction measures that may arise as a result of the plan must comply with the Louth County Development Plan and all other relevant plans and programs. The Louth CDP was subject to a full NIS and all lower tiered plans or projects are subject to their own AA processes

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<sup>9</sup> 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, European Commission Environment DG, 2001

under the habitats directive. As this Noise Action Plan relates only to a framework for the identification and reduction of potential noise sources there are no additional sources for effects to ecological processes introduced by the plan.

### **3.4 Other Plans and Programs**

Article 6(3) of the Habitats Directive requires an assessment of a plan or project to consider other plans or programmes that might, in combinations with the plan or project, have the potential to adversely impact upon European Sites. There are no sources for effects identified within the Noise Action Plans; therefore, there are no in-combination effects.

## 4 Conclusions

Stage 1 Screening for AA of the County Louth Noise Action Plan 2018-2023 has been carried out. It has been demonstrated that implementation of the Plan is not foreseen to have any likely significant effects on any European Site.

The Noise Action Plan provides a framework for the identification and reduction of noise pollution sources within County Louth. Any project that arises as a result of the Noise Action Plan must comply with all relevant levels of the National Planning Framework; including the Louth County Development Plan. The potential noise impact of development is managed through the Planning and Licensing processes, including through Environmental Impact Assessments, Strategic Environmental Assessments and application of relevant Guidance relating to noise. It has been evaluated that the Noise Action Plan has no source for effects on ecological processes.

It is concluded that the Noise Action Plan will not give rise to any adverse effects on designated European sites<sup>10</sup>, alone or in combination with other plans or projects. Consequently, a Stage 2 – NIS is not required for the Noise Action Plan.

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<sup>10</sup> Except as provided for in Section 6(4) of the Habitats Directive, viz. There must be:  
a) no alternative solution available,  
b) imperative reasons of overriding public interest for the plan to proceed; and  
c) Adequate compensatory measures in place.