

Report for the purposes of  
Appropriate Assessment Screening

N53/A37 Ballynacarry Bridge

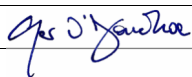
Prepared by: Moore Group – Environmental Services

7 November 2023



On behalf of Monaghan County Council / Newry Mourne Down District

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<b>Project</b>	N53/A37 Ballynacarry Bridge
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## Abbreviations

AA	Appropriate Assessment
ABP	An Bord Pleanála
CEMP	Construction Environmental Management Plan
EEC	European Economic Community
EPA	Environmental Protection Agency
EU	European Union
FWPM	Freshwater Pearl Mussel
GIS	Geographical Information System
LAP	Local Area Plan
NHA	Natural Heritage Area
NIS	Natura Impact Statement
NPWS	National Parks and Wildlife Service
OSI	Ordnance Survey Ireland
pNHA	proposed Natural Heritage Area
SAC	Special Area of Conservation
SPA	Special Protection Area
SuDS	Sustainable Drainage System
UÉ	Uisce Éireann
WFD	Water Framework Directive

# 1. Introduction

## 1.1. General Introduction

This report for the purposes of Appropriate Assessment (AA) Screening has been prepared to support a Republic of Ireland and a Northern Ireland Planning Application for the Proposed Development (described in Section 3 below). It has been agreed with both planning authorities on either side of the border, that the same Appropriate Assessment screening report can be used for both planning applications.

This report contains information required for the competent authority to undertake screening for Appropriate Assessment (AA) in respect of the construction and operation of a new bridge crossing of the Fane river on the N53/A37 route, to bypass the current Ballynacarry Bridge, together with route realignment on the approaches (hereafter referred to as the Proposed Development) to determine whether it is likely individually or in combination with other plans or projects to have a significant effect on any European sites, in light of best scientific knowledge.

This report has been prepared by Moore Group - Environmental Services to enable the competent authority to carry out AA screening in relation to the Proposed Development. The report was compiled by Ger O'Donohoe B.Sc. Applied Aquatic Sciences (ATU Galway, 1993) & M.Sc. Environmental Sciences (TCD, 1999) who has 30 years' experience in environmental impact assessment and has completed numerous Appropriate Assessment Screening Reports and Natura Impact Statements on terrestrial and aquatic habitats for various development types.

### 1.1.1 Republic of Ireland Legislation

Having regard to the provisions of the Planning and Development Act 2000 – 2021 (the “Planning Acts”) (section 177U), the purpose of a screening exercise under section 177U of the PDA 2000 is to assess, in view of best scientific knowledge, if the Proposed Development, individually or in combination with other plans or projects is likely to have a significant effect on a European site.

If it cannot be *excluded* on the basis of objective information that the proposed development, individually or in combination with other plans or projects, will have a significant effect on a European site then it is necessary to carry out a Stage 2 appropriate assessment under section 177V of the Planning Acts.

When screening the project, there are two possible outcomes:

- the project poses no potential for the possibility of a significant effect and as such requires no Stage 2 assessment; or

- the project has potential to have a significant effect (or this is uncertain and therefore cannot be excluded) and therefore a Stage 2 Appropriate Assessment of the project is necessary.

### 1.1.2 Northern Ireland Legislation

The overall screening process for an Appropriate Assessment (Habitat Regulations Assessment) is very similar in Northern Ireland, however the defined legislations are different. This report has been prepared to inform the ‘competent authority’, Department for Infrastructure (DfI), about the implications of the Proposed Scheme for sites that form part of the National Site Network as required under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended). Some changes to the legislation have made post-Brexit, provided by The Conservation (Natural Habitats, etc.)(Amendment)(Northern Ireland)(EU Exit) Regulations 2019. However with The Conservation Regulations being in line with the European Council Directive the same assessment approach for the Republic of Ireland and Northern Ireland can be used.

### 1.2. Legislative Background - The Habitats and Birds Directives

In Republic of Ireland, Article 6(3) and 6(4) of the Habitats Directive were transposed into Irish Law inter alia by the Part XAB of the Planning Acts (in particular section 177U and 177V) which governs the requirement to carry out appropriate assessment screening and appropriate assessment, where required, per Section 1.1 above.

In Northern Ireland, European Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora, commonly known as the “Habitats Directive”, was transposed into law in Northern Ireland by the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended)(referred to as the Habitats Regulations). Following the exit of the United Kingdom from the European Union, this has recently been updated with The Conservation (Natural Habitats, etc.)(Amendment)(Northern Ireland)(EU Exit) Regulations 2019<sup>1</sup>.

The Habitats Directive (Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora) is the main legislative instrument for the protection and conservation of biodiversity in the European Union (EU). Under the Habitats Directive, Member States are obliged to designate Special Areas of Conservation (SACs) which contain habitats or species considered important for protection and conservation in a EU context.

The Birds Directive (Council Directive 2009/147/EC on the conservation of wild birds), transposed into Irish and Northern Irish law by the Bird and Natural Habitats Regulations 2011 as amended, and the Wildlife Act 1976, as amended, is concerned with the long-term protection and management of all wild bird species and their habitats in the EU. Among other things, the Birds Directive requires that Special Protection Areas (SPAs) be

established to protect migratory species and species which are rare, vulnerable, in danger of extinction, or otherwise require special attention.

SACs designated under the Habitats Directive and SPAs, designated under the Birds Directive, form a pan-European network of protected sites known as Natura 2000. The Habitats Directive sets out a unified system for the protection and management of SACs and SPAs. These sites are also referred to as European sites.

Articles 6(3) and 6(4) of the Habitats Directive set out the requirement for an assessment of proposed plans and projects likely to have a significant effect on Natura 2000 sites.

Article 6(3) establishes the requirement to screen all plans and projects and to carry out an appropriate assessment if required (Appropriate Assessment (AA)). Article 6(4) establishes requirements in cases of imperative reasons of overriding public interest:

*Article 6(3): "Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subjected to an 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."*

Furthermore, Ramsar Sites are listed under the International Convention on Wetlands of International Importance (the Ramsar Convention) and usually share boundaries with SACs and/or SPAs. In Northern Ireland it is established Government policy to afford to Ramsar Sites the same degree of protection as the National Sites Network<sup>2</sup>.

## 2. Methodology

The Commission's methodological guidance (EC, 2002, 2018, 2021 see Section 2.1 below) promotes a four-stage process to complete the AA and outlines the issues and tests at each stage. An important aspect of the process is that the outcome at each successive stage determines whether a further stage in the process is required.

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<sup>2</sup> Guidance on The Conservation (Natural Habitats, etc.)(Amendment)(Northern Ireland)(EU Exit) Regulations 2019. Accessed at <https://www.daera-ni.gov.uk/publications/guidance-conservation-natural-habitats-etc-amendment-northern-ireland-eu-exit-regulations-2019%20>

Stages 1 and 2 deal with the main requirements for assessment under Article 6(3). Stage 3 may be part of Article 6(3) or may be a necessary precursor to Stage 4. Stage 4 is the main derogation step of Article 6(4).

**Stage 1 Screening:** This stage examines the likely effects of a project either alone or in combination with other projects upon a Natura 2000 site and considers whether it can be objectively concluded that these effects will not be significant. In order to screen out a project, it must be excluded, on the basis of objective information, that the Proposed Development, individually or in combination with other plans or projects, will have a significant effect on a European site.

**Stage 2 Appropriate Assessment:** This stage examines whether it is likely that the project, either alone or in combination with other projects or plans, will have a significant effect upon a European site. In order to 'screen out' a project (i.e. in order to conclude that it is not necessary to move to the 'Stage 2' appropriate assessment stage (see immediately below), the possibility that the Proposed Development (individually or in combination with other plans or projects), will have a significant effect on a European site must be excluded on the basis of objective information.

**Stage 3 Assessment of Alternative Solutions:** This stage examines alternative ways of implementing the project that, where possible, avoid any adverse impacts on the integrity of the Natura 2000 site.

**Stage 4 Assessment where no alternative solutions exist and where adverse impacts remain:** Where imperative reasons of overriding public interest (IROPI) exist, an assessment to consider whether compensatory measures will or will not effectively offset the damage to the sites will be necessary.

To ensure that the Proposed Development complies fully with the requirements of Article 6 of the Habitats Directive and all relevant Irish transposing legislation, Moore Group compiled this report to enable the competent authority to carry out AA screening in relation to the Proposed Development to determine whether it can be excluded, on the basis of objective information, that the Proposed Development, individually or in combination with other plans or projects, will have a significant effect on a European site(s).

## 2.1. Guidance

This report has been compiled in accordance with guidance contained in the following documents:

- Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities. (Department of Environment, Heritage and Local Government, 2010 rev.).
- Planning Policy Statement 2 Natural Heritage, Policy NH 1 - European and Ramsar Sites – International (DOENI, 2013)
- Strategic Planning Policy Statement (SPPS ) for Northern Ireland – 2015
- Regional Development Strategy (RDS) 2035.



- Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities. Circular NPWS 1/10 & PSSP 2/10.
- Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC (EC, 2018).
- Guidance document on the strict protection of animal species of Community interest under the Habitats Directive (EC, 2021).
- Assessment of plans and projects in relation to Natura 2000 sites - Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC (EC, 2021).
- Office of the Planning Regulator (OPR) Practice Note PN01 Appropriate Assessment Screening for Development Management (OPR, 2021).
- Duties of Public Bodies/Competent Authorities concerning SACs, SPAs and Ramsar Sites - <https://www.daera-ni.gov.uk/>

## 2.2. Data Sources

Sources of information that were used to collect data on the Natura 2000 network of sites, and the environment within which they are located, are listed below:

- The following mapping and Geographical Information Systems (GIS) data sources, as required:
  - National Parks & Wildlife (NPWS) protected site boundary data;
  - Wildlife Reserves and Designated landscapes (NI Direct) protected site boundary data;
  - Ordnance Survey of Northern Ireland (OSNI) mapping and aerial photography;
  - Ordnance Survey of Ireland (OSI - now part of Tailte Eireann) mapping and aerial photography;
  - OSI/Environmental Protection Agency (EPA) rivers and streams, and catchments;
  - Digital Elevation Model over Europe (EU-DEM);
  - Google Earth and Bing aerial photography 1995-2023;
- For Republic of Ireland, online data available on Natura 2000 sites as held by the National Parks and Wildlife Service (NPWS) from [www.npws.ie](http://www.npws.ie) including:
  - Natura 2000 - Standard Data Form;
  - Conservation Objectives;
  - Site Synopses;
- For Northern Ireland, online data available on Natura 2000 sites as held by the Department of Agriculture, Environment and Rural Affairs from [www.daera-ni.gov.uk](http://www.daera-ni.gov.uk) including:
  - Natura 2000 - Standard Data Form;
  - Conservation Objectives;
  - Site Synopses;
- National Biodiversity Data Centre records;

- Online database of rare, threatened and protected species;
- Publicly accessible biodiversity datasets.
- Status of EU Protected Habitats in Ireland. (National Parks & Wildlife Service, 2019)
- Status of UK Protected Habitats in Northern Ireland. (DAERA 2021); and
- Relevant Development Plans;
  - Monaghan County Development Plan 2022-2028
  - The Strategic Planning Policy Statement 2015 (DFI)
  - Armagh Place Plan 2022
  - Banbridge / Newry and Mourne Area Plan 2015

### 3. Description of the Proposed Development

#### 3.1. Existing Environment

The Proposed Development consists of the construction and operation of a new bridge crossing of the River Fane along the N53/A37 route, to replace the existing Ballynacarry Bridge. Road works will be undertaken, with a total of 1.3km being realigned alongside the construction of a new bridge. While the existing bridge will be retained for local access.

An ecology survey has been undertaken as part of Phase 1 works. It has been found that there is no evidence of badgers or otters in the area, however bats have been detected North of the existing bridge and this will be considered in the bridge design, i.e. installation of bat boxes. The scheme is in a rural area and crosses the River Fane. The River Fane is known to support salmon and sea trout.

The preliminary fieldwork on route selection included habitat surveys which took in to account a search for invasive species. The survey did not record any invasive species in the study area.

#### 3.2. Proposed Development

The new bridge will consist of a two span bridge crossing the river and the associated flood plain.

This structural form is comprised of an integral two span precast concrete beam bridge (two spans of 35m each), supported by an intermediate pier and by reinforced concrete abutments on either end. All supports will be founded on spread or piled foundations. In summary the superstructure shall comprise of prestressed precast beams with an in-situ reinforced concrete deck slab supported on permanent formwork.

At the road crossing over the River Fane, the width of the river is approx. 25m. However due to large flood plain to the East of the river and due to the road crossing the river at a slight angle, a larger effective span of

35m is required. This then ensures that there is no major impact on the flood levels in the area and therefore a two span is more suited to the high hydraulic demand.

This bridge form is commonly used under and above national roads and motorways, and as such, contractors are familiar with the method and would be aware of potential construction hazards. This option minimises in-situ concrete construction with precast units manufactured offline and lifted into position. The simplicity of this bridge form, together with the assured high-quality finish associated with precast concrete makes this the preferred option technically.

Construction of this option would require excavation at the support locations, with either spread or piled foundations constructed *in situ*. The abutment walls would be *in situ* reinforced concrete with integral wingwalls to allow for the backfill underneath the road and to form the embankments. The deck slab will be cast *in situ* with a waterproofing membrane spray applied over the top surface.

Pollution of the River Fane and the surrounding flood plain must be prevented, and the contractor must put the correct mitigation measures in place to avoid site run off. This option has various in-situ pours, i.e. the construction of the supports, wingwalls, deck and parapet edge beams etc. The Proposed Development will be carried out in accordance with a Construction Environmental Management Plan which will include precautionary measure to prevent pollution of the River Fane in regard to the requirement to maintain Good Water Quality status under the Water Framework Directive. The Construction Environmental Management Plan will be a live document and will be updated and submitted by the appointed contractor. It will also be included in the Contract Documents for the project. It will include the following plans:

- Construction Environmental Management Plan
- Construction Traffic Management Plan
- Invasive Species Management Plan
- Surface Water Management Plan
- Construction and Demolition Resource and Waste Management Plan
- Environmental Incident Response Plan

Furthermore the contractor will follow the guidelines set out in Inland Fisheries Ireland document “Guidelines on Protection of Fisheries During Construction Works In and Adjacent to Waters”.

The existing N53/A37 road is a trade link between Dundalk, South Armagh and Castleblayney/Monaghan and the economic development in recent years has resulted in increased traffic flows along the route. However with the scheme focusing on improving road safety for users, the proposed realignment of the road is not deemed to have a direct impact on the number of users or on the overall traffic flow along the route.

Figure 1 shows the Proposed Development location and Figure 2 shows a detailed view of the Proposed Development boundary on recent aerial photography. Figure 3 shows the layout of the Proposed Development.

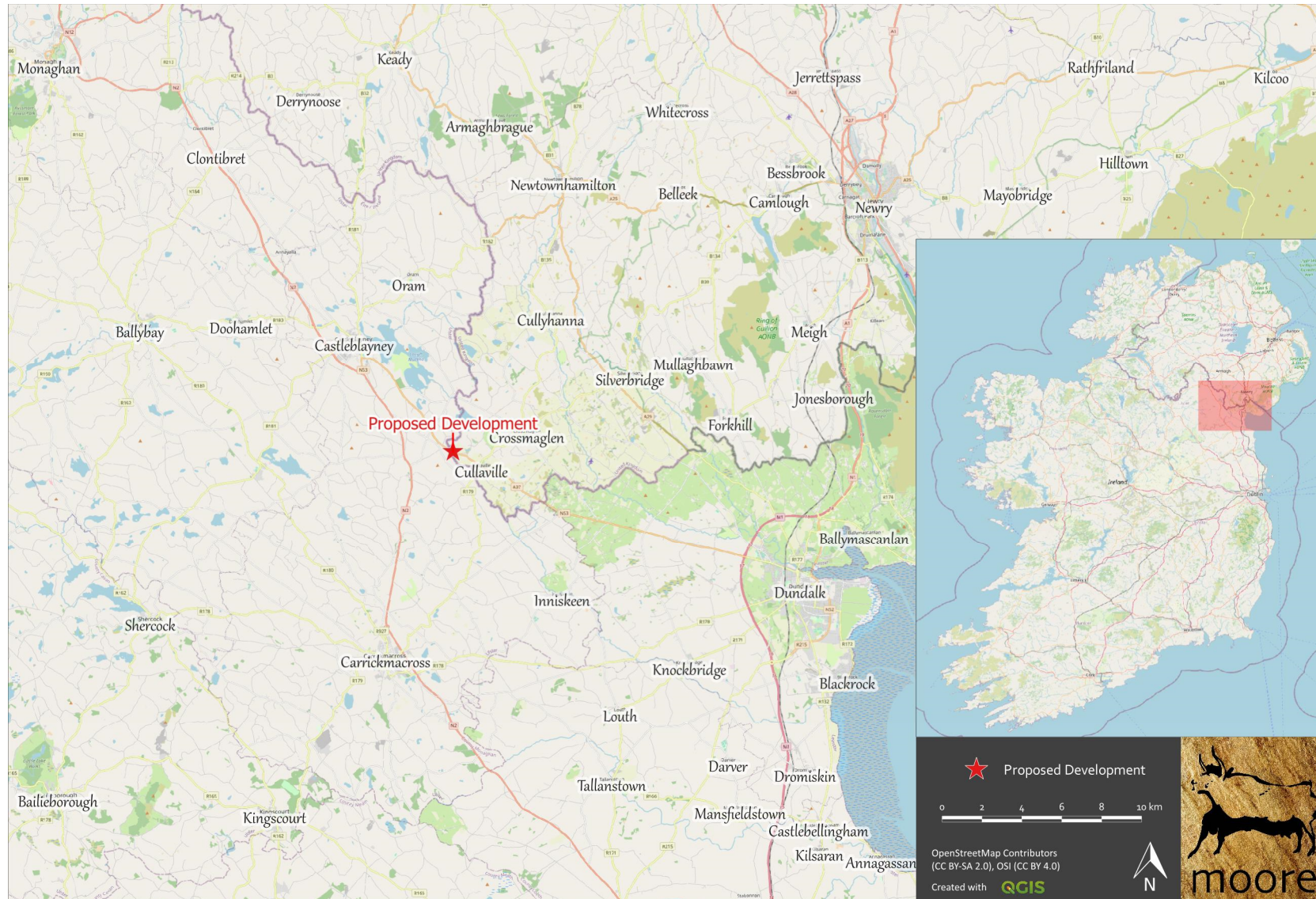


Figure 1. Showing the Proposed Development location at .

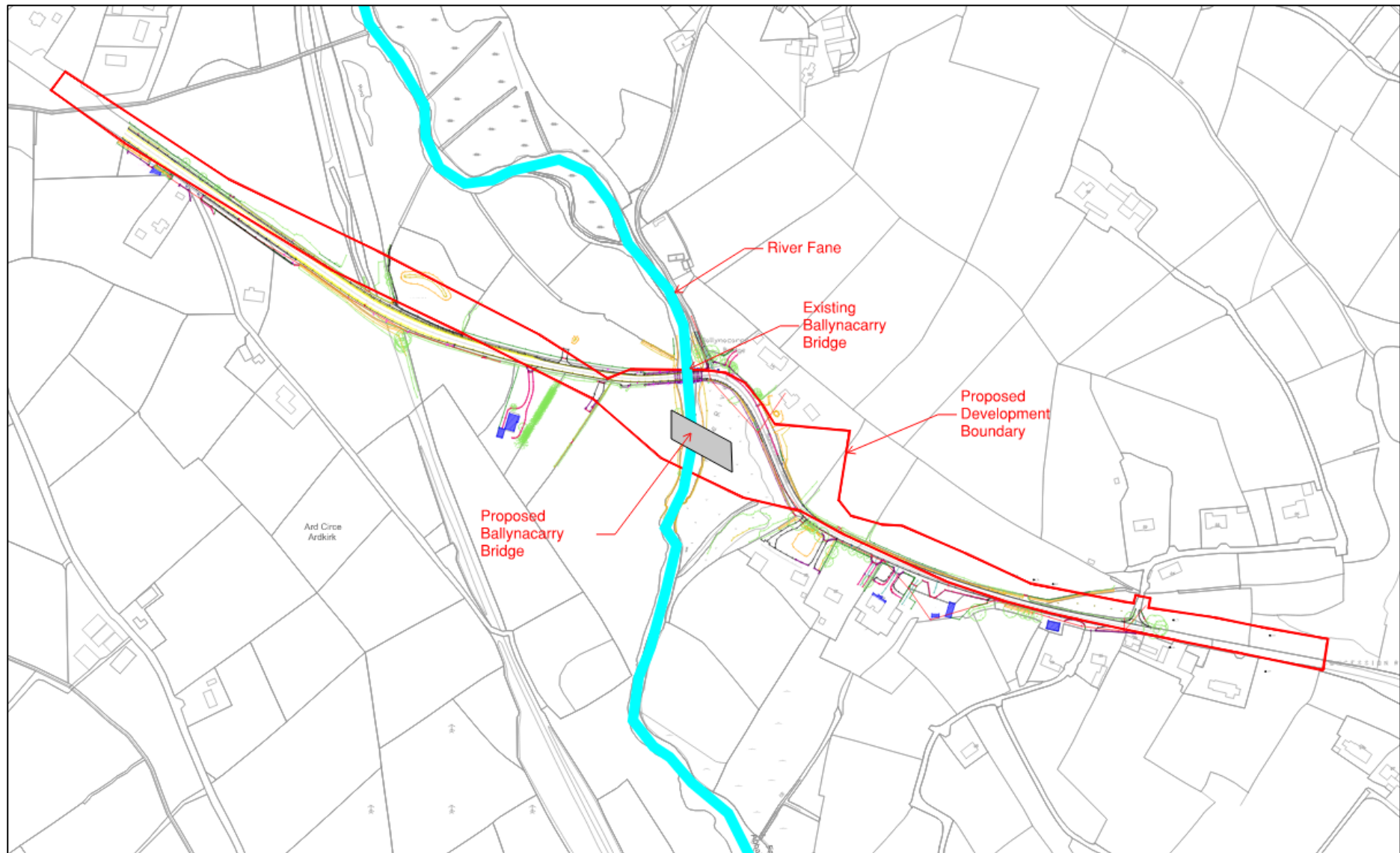


Figure 2. Showing the Proposed Development boundary.

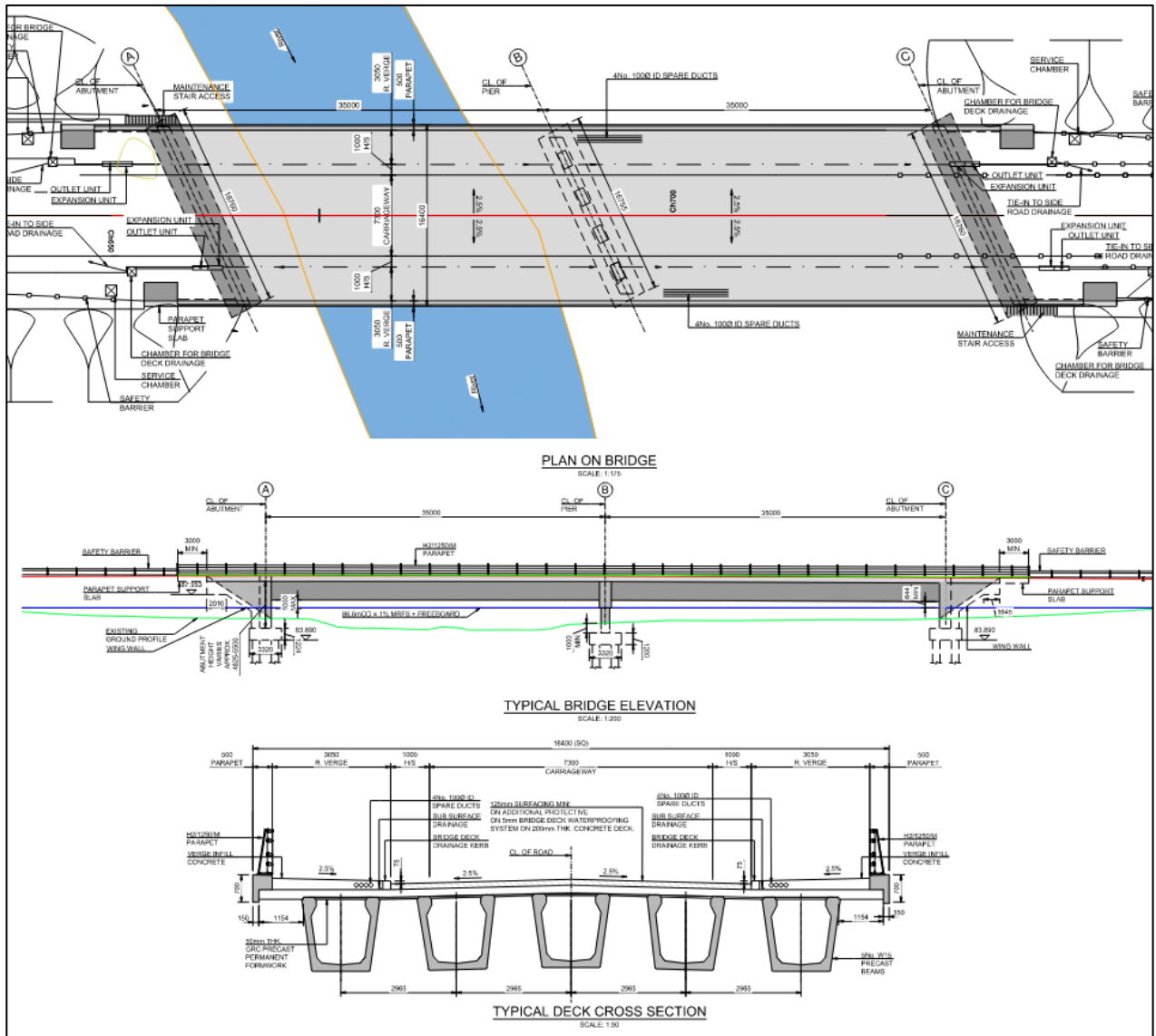


Figure 3. Plan, Elevation and Section of the Proposed Bridge crossing.

## 4. Identification of Natura 2000 Sites

### 4.1. Description of Natura Sites Potentially Significantly Affected

A Zone of Influence (Zoi) of a proposed development is the geographical area over which it could affect the receiving environment in a way that could have significant effects on the Qualifying Interests of a European site. In accordance with the OPR Practice Note (2021), PN01, the Zoi should be established on a case-by-case basis using the Source- Pathway-Receptor framework.

The European Commission's "Assessment of plans and projects in relation to Natura 2000 sites guidance on Article 6(3) and (4) of the Methodological Habitats Directive 92/43/EEC" published 28 September 2021 states at section 3.1.3, that:

*"Identifying the Natura 2000 sites that may be affected should be done by taking into consideration all aspects of the plan or project that could have potential effects on any Natura 2000 sites located within the zone of influence of the plan or project. This should take into account all of the designating features (species, habitat types) that are significantly present on the sites and their conservation objectives. In particular, it should identify:*

- *any Natura 2000 sites geographically overlapping with any of the actions or aspects of the plan or project in any of its phases, or adjacent to them;*
- *any Natura 2000 sites within the likely zone of influence of the plan or project Natura 2000 sites located in the surroundings of the plan or project (or at some distance) that could still be indirectly affected by aspects of the project, including as regards the use of natural resources (e.g. water) and various types of waste, discharge or emissions of substances or energy;*
- *Natura 2000 sites in the surroundings of the plan or project (or at some distance) which host fauna that can move to the project area and then suffer mortality or other impacts (e.g. loss of feeding areas, reduction of home range);*
- *Natura 2000 sites whose connectivity or ecological continuity can be affected by the plan or project".*

*The range of Natura 2000 sites to be assessed, i.e. the zone in which impacts from the plan or project may arise, will depend on the nature of the plan or project and the distance at which effects may occur. For Natura 2000 sites located downstream along rivers or wetlands fed by aquifers, it may be that a plan or project can affect water flows, fish migration and so forth, even at a great distance. Emissions of pollutants may also have effects over a long distance. Some projects or plans that do not directly affect Natura 2000 sites may still have a significant impact on them if they cause a barrier effect or prevent ecological linkages. This may happen, for*



*example, when plans affect features of the landscape that connect Natura 2000 sites or that may obstruct the movements of species or disrupt the continuity of a fluvial or woodland ecosystem. To determine the possible effects of the plan or project on Natura 2000 sites, it is necessary to identify not only the relevant sites but also the habitats and species that are significantly present within them, as well as the site objectives.*

The Zone of Influence may be determined by considering the Proposed Development's potential connectivity with European sites, in terms of:

- Nature, scale, timing and duration of all aspects of the proposed works and possible impacts, including the nature and size of excavations, storage of materials, flat/sloping sites;
- Distance and nature of potential pathways (dilution and dispersion; intervening 'buffer' lands, roads etc.); and
- Location of ecological features and their sensitivity to the possible impacts.

The potential for source pathway receptor connectivity is firstly identified through GIS interrogation and detailed information is then provided on sites with connectivity. European sites that are located within a potential Zone of Influence of the Proposed Development are listed in Table 1 and presented in Figure 4, below. Spatial boundary data on the Natura 2000 network was extracted from the NPWS website ([www.npws.ie](http://www.npws.ie)) and from the DAERA website ([www.daera-ni.gov.uk](http://www.daera-ni.gov.uk)) on 1 June 2023. This data was interrogated using GIS analysis to provide mapping, distances, locations and pathways to all sites of conservation concern including pNHAs, NHA and European sites.

*Table 1 European Sites located within the potential Zone of Influence<sup>3</sup> of the Proposed Development.*

Site Code	Site name	Distance (km) <sup>5</sup>
000455	Dundalk Bay SAC	18.32
004026	Dundalk Bay SPA	16.95
UK0030277	Slieve Gullion	14.29

The Proposed Development is located at a crossing of the River Fane where it forms the international border between Ireland and the United Kingdom, 1km northwest of Cullaville, Co. Armagh.

The nearest European site to the Proposed Development is Slieve Gullion SAC (Site Code UK0030277), 14.3km to the northeast. There is no connectivity to this site.

Dundalk Bay SAC (Site Code 000455) is 18.3km directly to the east and Dundalk Bay SPA (Site Code 004026) approximately 17km to the directly to the east are the only European sites within a potential zone of influence of the Proposed Development. The River Fane flows into Dundalk Bay approximately 30 river kilometres

<sup>3</sup> All European sites potentially connected irrespective of the nature or scale of the Proposed Development.

<sup>5</sup> Distances indicated are the closest geographical distance between the Proposed Development and the European site boundary, as made available by the NPWS.

downstream. Due to the scale of the development, and this distance, the possibility of any significant effects on these sites, or their conservation objectives is negligible.

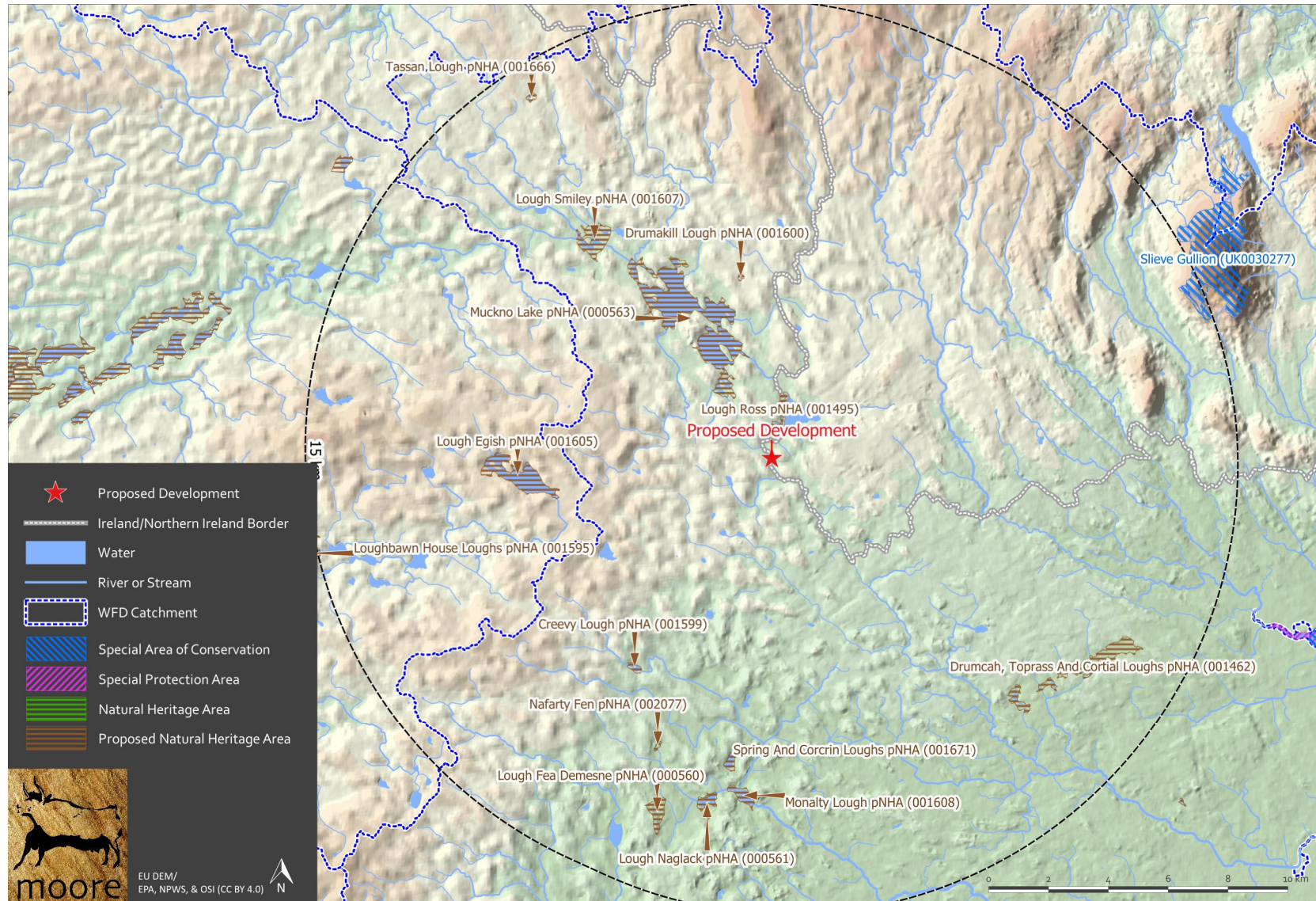


Figure 4. Showing European sites and NHAs/pNHAs within the wider Potential Zone of Influence of the Proposed Development.

Table 2 Identification of relevant European sites using Source-Pathway-Receptor model and compilation of information QIs and conservation objectives. \*Priority Habitats

European Site name, Site code and Conservation Objectives	Location Relative to the Proposed Development Site	Connectivity – Source-Pathway-Receptor	Considered further in Screening – Y/N
<p><b>Dundalk Bay SAC (000455)</b></p> <p>The overall aim of the Habitats Directive is to maintain or restore the favourable conservation status of habitats and species of community interest:</p> <p>1130 Estuaries</p> <p>1140 Mudflats and sandflats not covered by seawater at low tide</p> <p>1220 Perennial vegetation of stony banks</p> <p>1310 <i>Salicornia</i> and other annuals colonizing mud and sand</p> <p>1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>)</p> <p>1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>)</p> <p>NPWS (2011) Conservation Objectives: Dundalk Bay SAC 000455 and Dundalk Bay SPA 004026. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	<p>30 river km downstream of the Proposed Development</p>	<p>No</p> <p>Due to distance and the lack of any relevant ex-situ factors of significance to bird species or wetland habitat.</p>	<p>No</p>
<p><b>Dundalk Bay SPA (004026)</b></p> <p>The overall aim of the Birds Directive is to maintain or restore the favourable conservation status of habitats and species of community interest:</p> <p>A005 Great Crested Grebe <i>Podiceps cristatus</i> wintering</p> <p>A043 Greylag Goose <i>Anser anser</i> wintering</p> <p>A046 Light-bellied Brent Goose <i>Branta bernicla hrota</i> wintering</p> <p>A048 Shelduck <i>Tadorna tadorna</i> wintering</p> <p>A052 Teal <i>Anas crecca</i> wintering</p> <p>A053 Mallard <i>Anas platyrhynchos</i> wintering</p> <p>A054 Pintail <i>Anas acuta</i> wintering</p> <p>A065 Common Scoter <i>Melanitta nigra</i> wintering</p> <p>A069 Red-breasted Merganser <i>Mergus serrator</i> wintering</p> <p>A130 Oystercatcher <i>Haematopus ostralegus</i> wintering</p>	<p>30 river km downstream of the Proposed Development</p>	<p>No</p> <p>Due to distance and the lack of any relevant ex-situ factors of significance to bird species or wetland habitat.</p>	<p>No</p>

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 & Waterbirds			
NPWS (2011) Conservation Objectives: Dundalk Bay SAC 000455 and Dundalk Bay SPA 004026. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.			

#### 4.2. Ecological Network Supporting Natura 2000 Sites

A concurrent GIS analysis of the proposed Natural Heritage Areas (pNHA) and designated Natural Heritage Areas (NHA) in terms of their role in supporting the species using Natura 2000 sites was undertaken along with GIS investigation of European sites. These supporting roles mainly relate to mobile fauna such as mammals and birds which may use pNHAs and NHAs as ecological corridors or “stepping stones” between Natura 2000 sites.

Article 10 of the Habitats Directive and the Habitats Regulations 2011 place a high degree of importance on such non-Natura 2000 areas as features that connect the Natura 2000 network. Features such as ponds, woodlands and important hedgerows were taken into account in the decision process and during the preparation of this AA Screening report.

The NHAs and pNHAs identified in Figure 4 are located outside the Zone of Influence.

## 5. Identification of Potential Impacts & Assessment of Significance

The Proposed Development is not directly connected with or necessary to the management of the sites considered in the assessment and therefore potential impacts must be identified and considered.

### 5.1. Assessment of Likely Significant Effects

The consideration of all potential direct and indirect impacts that may result in significant effects on the conservation objectives of a European site, taking into account the size and scale of the Proposed Development are presented in Table 3.

*Table 3 Assessment of Likely Significant Effects.*

<b>Identification of all potential direct and indirect impacts that may result in significant effects on the conservation objectives of a European site, taking into account the size and scale of the project.</b>	
<b>Impacts:</b>	<b>Significance of Impacts:</b>
<p><b>Construction phase e.g.</b></p> <p>Vegetation clearance</p> <p>Removal of sections of the existing road</p> <p>Surface water runoff from soil excavation/infill/landscaping (including borrow pits)</p> <p>Dust, noise, vibration</p> <p>Lighting disturbance</p> <p>Impact on groundwater/dewatering</p> <p>Storage of excavated/construction materials</p> <p>Access to site</p> <p>Pests</p>	<p>The distance downstream to Dundalk Bay is over 30 river km. The possibility of a pollution event from the proposed construction of the new bridge reaching Dundalk Bay is highly unlikely.</p> <p>The Project will include construction management for the protection of the River Fane as an area of high local biodiversity value and to uphold commitment to the Water Framework Directive to maintain and improve water quality in the River Fane.</p> <p>While best practice construction methods are referenced these are not required to avoid or reduce any effects on a European site. These measures are not relied upon to reach a conclusion of no likely significant effects on any European site.</p>
<p><b>Operational phase e.g.</b></p> <p>Direct emission to air and water</p> <p>Surface water runoff containing contaminant or</p>	<p>There is no real likelihood of any significant effects on European Sites in the wider catchment area.</p> <p>The bridge crossing is located at a distance such that there will be no disturbance to qualifying interest</p>

sediment Lighting disturbance Noise/vibration Changes to water/groundwater due to drainage or abstraction Presence of people, vehicles and activities Physical presence of structures (e.g. collision risks)	species in any European sites.
<b>Describe any likely changes to the European site:</b>	
<b>Examples of the type of changes to give consideration to include:</b> Reduction or fragmentation of habitat area Disturbance to QI species Habitat or species fragmentation Reduction or fragmentation in species density Changes in key indicators of conservation status value (water quality etc.) Changes to areas of sensitivity or threats to QI Interference with the key relationships that define the structure or ecological function of the site Climate change	None. The Proposed Development site is not located adjacent or within a European site, therefore there is no risk of habitat loss or fragmentation or any effects on QI habitats or species directly or ex-situ. The site of the bridge crossing does not provide habitats for the qualifying bird species for which the Dundalk SPA is designated.

## 5.2. Assessment of Potential In-Combination Effects

In-combination effects are changes in the environment that result from numerous human-induced alterations. In-combination effects can be thought of as occurring through two main pathways: first, through persistent additions or losses of the same materials or resource, and second, through the compounding effects as a result of the coming together of two or more effects.

As part of the Screening for an Appropriate Assessment, in addition to the Proposed Development, other relevant plans and projects in the area must also be considered at this stage. This step aims to identify at this early stage any possible significant in-combination effects of the Proposed Development with other such plans and projects on European sites.

A review of the National Planning Application Database (ROI) and Planning Register (NI) was undertaken. The database was then queried for developments granted planning permission within 500m of the Proposed Development within the last three years, these are presented in Table 4 below.

*Table 4. Planning applications granted permission in the vicinity of the Proposed Development.*

Planning Ref.	Description of development	Comments
20421	Permission for alterations & extensions of existing single-storey dwelling to comprise of the following: (1) construct an enclosed entrance porch (2) construct a single-storey split level rear extension (3) alterations of existing façade treatments to include openings and materials together with ancillary internal refurbishments (5) construct a single-storey detached domestic garage (6) alteration of existing access driveway together with all associated works	No potential for in-combination effects given the scale and location of the project. The Proposed Development will not result in any significant effects on the Natura 2000 network.
21207	Permission for a development consisting of demolition of existing derelict dwelling house and replacement with a bungalow style dwelling house, a new waste water treatment system and all associated site development works	No potential for in-combination effects given the scale and location of the project. The Proposed Development will not result in any significant effects on the Natura 2000 network.
21436	Permission to construct a replacement two-storey dwelling with detached domestic garage, install a waste water treatment system and subsoil percolation area, permanently close entrance to existing cottage (ref Postcode A75 V122), change of use of this cottage from cottage to store, modify existing entrances onto public roadway to provide gates & piers with one single exit point for both sites together with all ancillary site works. Significant further information relates to revised garage plans, revised site characterisation report, structural report on existing cottage, revised site map and site layout plan, new gates and piers and further information response and proposed demolition of garage.	No potential for in-combination effects given the scale and location of the project. The Proposed Development will not result in any significant effects on the Natura 2000 network.
21700	1) Retention of existing single storey storage shed used in connection with applicants construction business, hard surfaced yard and will consist of 2) permission to block up existing unauthorised vehicular entrance onto L3210 public road and form new vehicular entrances onto L4310 public road and all associated site development works. Significant further information received in relation to revised development description to include retention of existing single storey shed used for the storage of domestic household goods associated with the applicants adjoining dwelling house and for the secure storage of the applicants plant and machinery used in connection with the applicants off-site construction business.	No potential for in-combination effects given the scale and location of the project. The Proposed Development will not result in any significant effects on the Natura 2000 network.
LA07/2022/0227/D C	Permission to build a residential house – bungalow just North of the existing Ballynacarry Bridge.	No potential for in-combination effects given the scale and location of the project. The Proposed Development will not result in any significant effects on the Natura 2000 network.

The Monaghan County Development Plan in complying with the requirements of the Habitats Directive requires that all Projects and Plans that could affect the Natura 2000 sites in the same potential Zone of Influence of the Proposed Development site would be initially screened for Appropriate Assessment and if



requiring Stage 2 AA, that appropriate employable mitigation measures would be put in place to avoid, reduce or ameliorate negative impacts. In this way any, in-combination impacts with Plans or Projects for the proposed development area and surrounding townlands in which the proposed development site is located, would be avoided. A similar approach is taken in Northern Ireland where the Strategic Planning Policy Statement ensures that plans and proposals are rigorously assessed for their environmental impacts prior to approval. These assessments include Environmental Impact Assessment (EIA) for projects, and Habitats Regulations Assessment for plans and projects affecting Natura 2000 sites.

The listed developments have been granted permission in most cases with conditions relating to sustainable development by the consenting authority in compliance with the relevant Local Authority Development Plan and in compliance with the Local Authority requirement with regard to the Habitats Directive. The development cannot have received planning permission without having met the consenting authority requirement in this regard.

Under The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) certain sites have been designated as either Special Areas of Conservation (SACs) or Special Protection Areas (SPAs). Ramsar sites have been designated under the Ramsar Convention on Wetlands. Together these sites form part of the UK national site network.

Under this legislation Public Bodies are referred to as 'Competent Authorities'. Where a competent authority proposes to carry out or issue any form of authorisation for works or activities where the site in question is designated as being part of the UK national site network, the works are subject to the requirements of The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended).

There are no predicted in-combination effects given that it is predicted that the Proposed Development will have no effect on any European site.

Any new applications for the Proposed Development area will be assessed on a case by case basis *initially* by Monaghan County Council/Newry Mourne Down District Council which will determine the requirement for AA Screening as per the requirements of Article 6(3) of the Habitats Directive.

## 6. Conclusion

There are no predicted effects on any European sites given:

- The distance between the Proposed Development and any European Sites; 30 river km distance to Dundalk Bay;

- There are no predicted emissions to air, water or the environment during the construction or operational phases that would result in significant effects.

It has been objectively concluded by Moore Group Environmental Services that:

1. The Proposed Development is not directly connected with, or necessary to the conservation management of the European sites considered in this assessment.
2. The Proposed Development is not likely to either directly or indirectly significantly affect the Qualifying interests or Conservation Objectives of the European sites considered in this assessment.
3. The Proposed Development, either alone or in combination with other plans or projects, is not likely to have significant effects on a European site.
4. It is possible to conclude that significant effects can be excluded at the screening stage.

It can be *excluded*, on the basis of objective information, that the Proposed Development, individually or in combination with other plans or projects, will have a significant effect on a European site.

An appropriate assessment is not, therefore, required.

A final determination will be made by the competent authority in this regard.

## 7. References

Department of the Environment, Heritage and Local Government (2010) Guidance on Appropriate Assessment of Plans and Projects in Ireland (as amended February 2010).

Department of Agriculture, Environment and Rural Affairs. Duties of Public Bodies/Competent Authorities concerning SACs, SPAs and Ramsar Sites; <https://www.daera-ni.gov.uk/>

European Commission (2007) 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 interests, compensatory measures, overall coherence and opinion of the Commission. European Commission, Brussels.

European Commission (2018) Managing Natura 2000 sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC.

European Commission (2021) Assessment of plans and projects in relation to Natura 2000 sites - Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC, Brussels 28.9.21.

European Commission (2021) Guidance document on the strict protection of animal species of Community interest under the Habitats Directive, Brussels 12.10.21.

NPWS (2019) The Status of EU Protected Habitats and Species in Ireland. National Parks and Wildlife Service, Department of the Environment, Heritage and Local Government, Dublin.

NPWS (2023) National Parks and Wildlife Service Metadata available online at <https://www.npws.ie/maps-and-data>

Office-of-the-Planning-Regulator (2021) Appropriate Assessment Screening for Development Management OPR Practice Note PN01. March 2021