



An
Bord
Pleanála

Inspector's Report ABP-309480-21

Development	Construction of 22 No. housing units and all site development works
Location	Archdeaconry Glebe, Kells, Co. Meath
Planning Authority	Meath County Council
Developer	Meath County Council
Applicants	Carol Geraghty Helen Grant Mary & Thomas Carr
Type of Case	Appropriate Assessment Screening Determination
Date of Site Inspection	6 th July 2021
Inspector	Niall Haverty

1.0 Introduction

- 1.1. Under the provisions of Article 250 (3)(b) of the Planning and Development Regulations 2001, as amended ('PDR'), Carol Geraghty, Helen Grant and Mary & Thomas Carr are seeking a determination from An Bord Pleanála as to whether or not a proposed development, comprising the construction of 22 No. housing units and associated site development works on a site at Archdeaconry Glebe, Kells, Co. Meath, would be likely to have significant effects on a European site requiring an Appropriate Assessment be carried out.
- 1.2. Meath County Council has carried out an Appropriate Assessment Screening for the proposed development in which it is determined that an Appropriate Assessment is not required and has initiated the process set out in Part XI of the Planning and Development Act 2000, as amended ('PDA') and Part 8 of the PDR.
- 1.3. There are concurrent requests from the same parties for the Board to make a screening determination under Article 120 (3)(b) of the PDR as to whether the proposed development would be likely to have significant effects on the environment requiring EIA (Ref. ABP-309479-21).

2.0 Site Location and Description

- 2.1. The c. 0.866 ha site is currently undeveloped and is located to the north of Kells Town Centre. It is bounded to the west by two detached houses on large sites, and to the north, east and south by existing housing estates (Archdeaconry View, Cherry Hill Court and Blackwater Heights, respectively). The site slopes from south to north and the River Blackwater is located c. 500m to the north, with the intervening lands in agricultural use.

3.0 Proposed Development

3.1. Overview

- 3.1.1. The proposed development comprises the construction of 22 No. housing units, including a mix of single storey and two storey semi-detached and terraced houses.

It is proposed to continue two existing cul de sac roads in the Blackwater Heights estate to provide access to the proposed houses.

- 3.1.2. With regard to water supply, it is proposed to have two connections to existing water supply networks in the adjacent Cherry Hill Court and Blackwater Heights estates. Similarly, with regard to foul drainage, it is proposed to have two connections to existing foul sewers in the adjacent Cherry Hill Court and Archdeaconry View estates. The proposals for surface water drainage include permeable paving, an attenuation tank and a connection with a flow control device to the existing surface water sewer.

3.2. **Part 8 Application (Ref. P8/21002)**

- 3.2.1. The proposed development is the subject of a Part 8 application (Ref. P8/21002). The documentation associated with the Part 8 application included, *inter alia*:

- Presentation document (overview of development).
- Appropriate Assessment Screening Report.
- Part 8 EIA Screening Report
- Engineering Report.
- Flood Risk Assessment.
- Other reports (Site Lighting Report, M&E Services Report).

- 3.2.2. The following Planning Authority reports were made in relation to the Part 8 application:

- **Water Services:** Issues to be addressed prior to commencing construction, including attenuation details, discharge flow control and petrol interceptor.
- **Lighting:** Conditions recommended.
- **Housing:** Part V not applicable.
- **Fire Officer:** TGD B Vol. 2 should be included.
- **Broadband Officer:** Conditions recommended.

- 3.2.3. The following prescribed bodies made submissions in relation to the Part 8 application:

- **Irish Water:**

- The applicant was advised that subject to a valid connection agreement being put in place, their proposed connection can be facilitated.
- With regard to water, Cherry Hill Court has not been taken in charge by Irish Water. While a connection is feasible, the applicant will need to obtain permission to make a connection to the private network.
- With regard to wastewater, neither Cherry Hill Court nor Archdeaconry View have been taken in charge. The applicant will need to obtain permission to make a connection to the private network. Once permission has been obtained, IW can facilitate the connection.
- The WWTP requires an upgrade to which the applicant will have to make an appropriate contribution.
- Conditions recommended.

- **Inland Fisheries Ireland:**

- Article 5 of the 2009 Surface Water Regulations requires that a public authority, in performance of its functions, shall not undertake those functions in a manner that knowingly causes or allows deterioration in the chemical or ecological status of a body of surface water. Also, article 28(2) of the Regulations states that a surface water body whose status is determined to be less than good shall be restored to at least good status not later than the end of 2015.
- The Kells Blackwater is currently at moderate status and should have been restored to at least good by 2015. It is a prominent game and coarse fishing facility.
- The population capacity left in the WWTP would have been reached by the granting of permission in Headfort Grove/Headfort Park. The WWTP is potentially overloaded by 2.5% or 200 PE.
- IFI oppose any development in Kells which may be constructed prior to capital upgrade of the WWTP.

- Ambient monitoring results in 2019 AER for the Kells WWTP do not meet the required EQS. There were 4 ammonia breaches in 2019.
- Stormwater overflow SW3 overflows on a regular basis. IW has installed a basket to screen paper and rags but this is not sufficient to treat contaminated wastewater discharging. Tributary has limited dilution.
- The licence stated that SW3 will be upgraded by 2014. This is not now due until 2028.
- Capital upgrade of Kells WWTP was due to commence this year. IW advised IFI that the delivery timelines have changed and the project has been suspended until further notice.
- IW also advised EPA that the delivery timeline for the upgrade were unknown.
- EPA Inspector noted drinking water abstraction 15km downstream of the WWTP, and that the licensee was unclear what the incident notification procedure was.
- Kells Town Development Plan 2013-2019 notes issues with WWTP and need for upgrade.
- CJEU Case C-461/13 held that Member States are required to refuse authorisation for projects where it may cause a deterioration in the status of a body of surface water or jeopardise the attainment of a good water quality status.
- In other cases the Board has refused permission on the basis of inadequate WWTP capacity (PL2.248992, ABP-303509-19, ABP-306108-19).
- IFI believes that an EIA should be carried out as they believe there is a strong likelihood that the project is likely to have significant effects on the receiving waters of the Kells Blackwater (an SAC).
- A full NIS should be prepared, as there is a strong likelihood that the project is likely to have significant effects on the receiving waters of the Kells Blackwater (an SAC).

- Part 8 application should be refused or any connection should be postponed until the planned upgrade of the WWTP has been completed. This should be in the form of a clearly worded planning condition.
- **Dept. of Tourism, Culture, Arts, Gaeltacht, Sport and Media:**
 - Archaeological Impact Assessment should be prepared and submitted in advance of commencement of construction works.

4.0 Request for Determination

4.1. Applicants' Request

4.1.1. Three requests were submitted by Carol Geraghty, Helen Grant and Mary & Thomas Carr, respectively, seeking a determination from the Board as to whether an Appropriate Assessment would be required for the proposed development. The three requests raised similar issues and can be summarised as follows:

- Screening determination is required due to ongoing over capacity and overflow issues at Kells WWTP and the close proximity of the proposed development to the Blackwater SAC.
- Meath County Council's decision not to carry out a screening determination is not based on objective information and the significant environmental threat to the already undermined Blackwater SAC and the local community is clearly evident from a review of the application.
- Engineer's report stated that Irish Water have confirmed that a connection is feasible, however Appendix E of the same document highlights issues with the WWTP and the need for an upgrade.
- An upgrade to Kells WWTP has been expected since 2013 but there is no information available on any start date.
- Natura Impact Report associated with Kells Development Plan 2013-2019 states that discharges from the WWTP may be having an observable negative impact on receiving waters and that the River Blackwater is at risk of not achieving good status.

- RD POL 52 seeks to ensure wastewater treatment plants discharging into the Boyne catchment or to coastal Natura 2000 sites are suitably maintained and upgraded in advance of any additional loadings beyond their capacity in order to protect water quality, as required.
- 2020 EPA site visit reported four ammonia ELV breaches in 2019. AERs show the plant to be over-capacity based on overflow incidents and increasing rates of chemical pollutants in the SAC.
- 2016 AER states that the plant's PE was 8,441 even though licence is for up to 8,000. 2019 AER recorded population decrease to 7,870 which is incorrect.
- Meath County Council should be aware of ongoing sewage problems at Blackwater Heights estate adjoining the proposed development.
- The matter of dozens of households wastewater flowing directly into the Blackwater SAC at Newrath Stream has been unresolved for 20 years.
- Flood risk assessment only makes reference to OPW flood risk data. Meath County Council's own flood risk assessment maps conclude the River Blackwater is 'high risk' for flooding.
- The small patch of agricultural land between the river and the proposed site is a natural flood plain and connects surface water run off and wastewater from the proposed development to the river.
- Development will result in increased run-off.
- Recent cases with the Board show the lack of environmental consideration in applications, which would have a detrimental impact on Lough Ramor and the Blackwater SAC (Ref. 307587, 233292, 306108).
- There is clear evidence of a continued deterioration in the environmental standards of the SAC which is a failure of good governance.
- Impact on established rookery where trees will be felled. Impact on birds, foxes, bats.
- An EIA and AA is required to ensure these problems are resolved prior to any consideration for suitable future development in Kells.
- Referrer believes there are springs on the site of historical significance.

- Effect of 22 houses on outdated sewage system.

4.2. Planning Authority Submission

- 4.2.1. The planning authority was requested to submit any observations on the issue of whether they consider that the proposed development would be likely to have significant effects on a European Site. In response, the planning authority submitted a copy of the AA Screening Report which accompanied their Part 8 application. No detailed response to the issues raised in the 3 No. requests for a determination was made.
- 4.2.2. The AA Screening Report concludes that the proposed development, either individually or in combination with other plans and projects, is not likely to have a significant effect on any European Site, in view of best scientific knowledge and the conservation objectives of the sites concerned and that AA is not required.

5.0 Planning History

- 5.1. With the exception of the abovementioned Part 8 application on the site, an earlier withdrawn Part 8 application, and the concurrent request for the Board to make a screening determination under Article 120 (3)(b) of the PDR as to whether the proposed development would be likely to have significant effects on the environment requiring EIA (ABP-309479-21), I am not aware of any recent relevant planning history on the site or in the immediate vicinity.

6.0 Policy Context

6.1. Development Plan

- 6.1.1. Kells is designated as a Moderate Sustainable Growth Town in the Meath County Development Plan 2013-2019, while the site is zoned 'A1 'existing residential' in the Kells Development Plan 2013-2019, neither Plan having been replaced as yet. I note that the zoning under the Draft Meath County Development Plan 2021-2027 remains 'A1'.

- 6.1.2. Section 7 of the Kells Development Plan relates to Infrastructure, and the 'Key Infrastructure Aims' include to "seek the upgrade of the existing Kells Municipal Wastewater Treatment Plant to cater for the town's anticipated growth levels" and to "ensure that all waste discharges are adequately treated".
- 6.1.3. It states that the "provision of wastewater capacity continues to be constrained with approximately 1,300 P.E available, although most of this is consumed by extant planning permissions in the town. Based on this, it is expected that the wastewater constraint in Kells will remain for the vast majority of the next plan period, 2013 - 2019".
- 6.1.4. It also states that an upgrade of the WWTP "is included in the current 2010-2012 Water Services Investment Programme (Scheme at Planning Stage) and hence is subject to Department of the Environment, Community & Local Government Funding. This scheme has now been extended to cover the period 2010 – 2013. The planned upgrade works will cater for a 12,000 P.E capacity plant [...] There is no definite timescale for the provision of this investment in the wastewater treatment plant and the provision of adequate wastewater capacity to serve the projected household and employment growth over the plan period may remain a constraint. In September 2012, the Department of the Environment, Community & Local Government have however given approval to the Local Authority to proceed with the competition for the appointment of consulting engineers for the scheme".
- 6.1.5. The following Policies are noted:
- **INF POL 1:**
 - (i) To continue the development and upgrading of the water supply system serving Kells to ensure that an adequate, sustainable and economic supply of safe and secure piped water of suitable quality is available for the sustainable development of Kells as finances permit. Meath County Council shall ensure that adequate and appropriate water supply is in place prior to the granting of future development in the plan area.
 - (ii) To promote and require the use of water conservation techniques, where practicable, in new developments within the town so as to provide for the sustainable investment and continued availability of water supply for the ongoing population and business needs of the town.

- **INF POL 2:** To continue the development and upgrading of the waste water system serving Kells to ensure that an adequate treatment capacity is available for the sustainable development of Kells as finances permit. Meath County Council shall ensure that adequate and appropriate wastewater treatment capacity is in place prior to the granting of future development in the plan area.

6.2. Natural Heritage Designations

- 6.2.1. The River Blackwater is located c. 500m north of the site and forms part of the River Boyne and River Blackwater SPA (Site Code 004232) and the River Boyne and River Blackwater SAC (Site Code 002299).

7.0 Legislation and Guidelines

- 7.1. Under the provisions of article 250(3)(b) of the PDR, where any person considers that a development proposed to be carried out by a local authority would be likely to have a significant effect on a European site, he or she may apply to the Board for a determination as to whether the development would be likely to have such significant effect.
- 7.2. Under article 250(3)(d), where the Board determines that a development would be likely to have a significant effect on a European site it shall require the local authority to prepare a Natura Impact Statement.

8.0 Assessment

8.1. Introduction

- 8.1.1. The proposed development comprises a scheme of 22 No. dwellings on a site of c. 0.866 ha. It comprises an infill development in a suburban location on zoned greenfield lands, which will be connected to existing infrastructure. The site is surrounded by existing residential development of a similar scale, height and density to that proposed.

8.2. Appropriate Assessment Screening

- 8.2.1. An Appropriate Assessment Screening Report was prepared by Roughan & O'Donovan Consulting Engineers on behalf of Meath County Council and accompanied the Part 8 application. A copy of the report was also submitted to the Board in response to the 3 No. requests for a determination.
- 8.2.2. The AA Screening Report describes the proposed development, its receiving environment and relevant European Sites in the zone of influence of the development.
- 8.2.3. A desktop study was conducted to establish baseline conditions on the site and surrounding area. The site is stated to mainly consist of improved agricultural grassland with encroaching scrub on the eastern side. It is bounded by a network of hedgerows and mature treelines on the western side, while the northern and southern boundaries consist of existing residential development.
- 8.2.4. No habitats or species listed as qualifying interests for any nearby European Sites or corresponding with Annex I are identified on the site in the AA Screening Report, however it appears that the screening was solely a desktop exercise.
- 8.2.5. The proposed development is not directly connected with or necessary to the management of a European Site and therefore it needs to be determined if the development is likely to have significant effects on any European Sites.
- 8.2.6. The AA Screening Report considers European Sites within 3km of the proposed development. This zone of influence was established based on the extent at which potential impacts may be carried via identified pathways (i.e. surface water drainage systems) and it incorporates the entire town of Kells in order to assess cumulative effects. Having regard to the nature of the proposed development, the nature of the receiving environment and the source-pathway-receptor model, I consider this to be a reasonable zone of influence. The only two European Sites within the zone are the River Boyne and River Blackwater SPA (Site Code 004232) and the River Boyne and River Blackwater SAC (Site Code 002299), both of which are c. 0.5km north of the site.

- 8.2.7. Table 1 below lists the qualifying interests of these sites, their conservation objectives, and possible connections between the proposed development (source) and the sites (receptors).
- 8.2.8. Having regard to: the information and submissions available; the nature, size and location of the proposed development; its likely direct, indirect and cumulative effects; the source-pathway-receptor model; and the sensitivities of the ecological receptors, I consider that both the River Boyne and River Blackwater SPA and the River Boyne and River Blackwater SAC are relevant to include for the purposes of initial screening for the requirement for Stage 2 appropriate assessment on the basis of likely significant effects.

Table 1: European Sites considered for Stage 1 Screening					
European Site (Code)	Distance	Qualifying Interest(s)	Conservation Objectives	Connections (Source-Pathway-Receptor)	Considered further in screening
River Boyne and River Blackwater SAC (002299)	0.5km	Alkaline fens [7230] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i> , <i>Alnion incanae</i> , <i>Salicion albae</i>) [91E0] <i>Lampetra fluviatilis</i> (River Lamprey) [1099] <i>Salmo salar</i> (Salmon) [1106] <i>Lutra lutra</i> (Otter) [1355]	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.	Yes During the operational phase, the development will be hydrologically connected to the River Blackwater via the surface water drainage system and via the Kells WWTP.	Yes Hydrological connection to SAC could give rise to changes in water quality.
River Boyne and River Blackwater SPA (004232)	0.5km	Kingfisher (<i>Alcedo atthis</i>) [A229]	To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.	Yes During the operational phase, the development will be hydrologically connected to the River Blackwater via the surface water drainage system and via the Kells WWTP	Yes Hydrological connection to SPA could give rise to changes in water quality.

8.2.10. **Potential Impacts on European Sites and Test of Likely Significant Effects**

8.2.11. During the **construction phase**, the existing grassland, scrub and trees on the site will be removed or otherwise disrupted, and there will be general construction-related noise, dust, lighting and potential for pollutants or silt-laden runoff to occur. However, having regard to the 500m separation distance from the European Sites identified above, the lack of any watercourses linking the site to the River, and the nature of the site which is an infill area surrounded by existing suburban development, I am satisfied that there is no hydrological pathway between the proposed development and the European Sites during the construction phase. Considering the characteristics of the qualifying interests of the European Sites, as listed above, I am also satisfied that no other form of pathway exists and that the site would not be likely to play a supporting or ex situ role for any of the identified habitats or species. I am therefore satisfied that the construction phase of the proposed development is not likely to have a significant effect on the European Sites, or any other European site, in view of the conservation objectives for these sites.

8.2.12. During the **operational phase**, there will be a hydrological connection to the River Blackwater as a result of the proposed surface water and foul sewage systems. The proposed surface water drainage system includes an attenuation tank, permeable paving and a petrol interceptor, and it will connect to the existing surface water system in the area which ultimately discharges to the River Blackwater. The proposed foul drainage system will connect to the existing foul system in the area, which is treated at Kells Wastewater Treatment Plant, with treated effluent discharged to the River Blackwater.

8.2.13. With regard to surface water, the development incorporates standard SUDs measures, which would be typical for any similar scale and form of development. Surface water runoff will either infiltrate to ground via permeable paving or be attenuated to greenfield runoff rates, prior to entering the existing surface water network. I do not consider that the proposed SUDs measures comprise mitigation for the purpose of AA, as they would be required irrespective of the presence of European Sites in the vicinity. I am satisfied that surface water discharge from the site will not have any measurable impact on water quality or any significant negative effects on Natura 2000 sites or their qualifying interests due to the scale of the

development, the controlled greenfield runoff rate and the separation of surface and foul drainage.

- 8.2.14. With regard to foul drainage, both the applicants requesting the determination, and Inland Fisheries Ireland, have raised issues with regard to the capacity and effectiveness of the Kells WWTP. Irish Water's submission on the Part 8 application states that a connection is feasible, but they note the need for an upgrade to the plant.
- 8.2.15. The most recent Annual Environmental Report (AER) for the Kells WWTP is for 2019 (Wastewater Discharge Licence Ref. D0127-01). It states that the discharge from the plant is non-compliant with the ELVs set in the Licence, as a result of a number of ammonia exceedances. The ambient monitoring results do not meet the required EQS relating to the Oxygenation and Nutrient Conditions set out in the Surface Water Regulations 2009. Based on the ambient monitoring results, the AER notes a deterioration in BOD and Ortho P concentrations downstream of the effluent discharge but states that it is not known if it is or is not caused by the WWTP.
- 8.2.16. The AER states that the discharge from the WWTP does not have an observable negative impact on the Water Framework Directive status of the river, which I note is 'Moderate' both upstream and downstream of the monitoring point.
- 8.2.17. Section 2.1.4.2 of the AER states that there is remaining organic capacity of 130PE at the WWTP. It also states that "nominal design capacities can be based on conservative design principles. In some cases assessment of existing plants has shown organic capacities significantly higher than the nominal design capacity. Accordingly plants that appear to be overloaded when comparing a collected peak load with the nominal design capacity can be fully compliant due to the safety factors in the original design".
- 8.2.18. Two Storm Water Overflows are identified in the AER (SW2 and SW3). These are stated not to be monitored and the number of times they were activated, and the volume discharged, is stated to be unknown. The upgrading of SW3 to comply with the criteria outlined in the DoEHLG "Procedures and Criteria in relation to Storm Water Overflows, 1995 is identified as a specified improvement programme, with the timeframe for completing the works stated to be 31/12/2028. A number of incident reduction improvements were recorded as having been completed in 2019.

- 8.2.19. It is clear from the AER that the Kells WWTP and its associated Storm Water Overflows need to be upgraded to address capacity and wastewater treatment issues. It is also clear from the 'Moderate' status of the River Blackwater in this area that the water quality in the river is already sub-optimal. The 3 No. applicants for a determination, have expressed concern that the proposed development would result in a further deterioration in water quality. This position is shared by IFI, who stated in their submission on the Part 8 application that they were advised by Irish Water that the capital upgrade of the WWTP has been suspended until further notice.
- 8.2.20. I note that the qualifying interests for the SAC include salmon, otter and river lamprey, with the conservation objective being to maintain or restore the favourable conservation condition of the species. While the volume of additional effluent associated with the proposed 22 No. houses would be relatively minor as a percentage of the capacity of the WWTP, the 'Moderate' status of the River Blackwater in this area would suggest that the scope for the river to assimilate any additional non-compliant effluent discharge without a further deterioration in water quality may be limited.

8.3. In-Combination Effects

- 8.3.1. Having regard to the information on file, there appears to be considerable uncertainty with regard to the timeline for the required upgrading of the WWTP. Furthermore, the upgrade of the associated Storm Water Overflow SW3 will not be completed until 2028.
- 8.3.2. I note that permission has been granted in recent years for a number of residential developments in Kells, including 74 No. houses at Wilmount View (Reg. Ref. KA180577) and 36 No. houses at Townparks (Reg. Ref. KA200324).
- 8.3.3. It is unclear if the limited remaining capacity identified in the 2019 AER for the Kells WWTP would be absorbed by these permitted units in the absence of the required upgrade.
- 8.3.4. Having regard to the issues and uncertainties set out above with regard to capacity and treatment efficacy of the Kells WWTP, and the uncertain timeframe for its upgrade, I consider that significant in-combination effects on the River Boyne and River Blackwater SAC and SPA cannot be excluded.

8.4. Mitigation Measures

- 8.4.1. No measures designed or intended to avoid or reduce any harmful effects of the project on a European Site have been relied upon in this screening exercise.

8.5. Conclusion on AA Screening

- 8.5.1. In conclusion, I am satisfied that the construction phase of the proposed development is not likely to have a significant effect on the River Boyne and River Blackwater SAC and SPA (Site Codes 002299 and 004232, respectively), or any other European site, in view of the conservation objectives for these sites.
- 8.5.2. However, during the operational phase, and having regard to: the 'Moderate' water quality status of the River Blackwater in this area; the identified issues with the Kells WWTP; the uncertainties with regard to the timeline for the upgrade works to increase capacity and improve treatment measures; and the lack of certainty that construction of the proposed development would not commence until the upgrade works to the WWTP are undertaken, I consider that it cannot be excluded, on the basis of the information before the Board, that the proposed development, individually or in combination with other plans or projects, would have a significant effect on the abovementioned European Sites. I therefore recommend that the Board determine that an appropriate assessment of the proposed development is required and direct the local authority to prepare an NIS in respect of the proposed development and to submit the proposed development to the Board for approval under section 177AE of the Planning and Development Act 2000, as amended.

9.0 Recommendation

- 9.1. I recommend that Meath County Council be directed to prepare a Natura Impact Statement in respect of the proposed construction of 22 No. housing units and all site development works at Archdeaconry Glebe, Kells, Co. Meath for the reasons and considerations set out below.

10.0 Reasons and Considerations

Having regard to:

- a) The nature and scale of the proposed development,
- b) The location of the proposed development and the separation distance from the River Blackwater, which is within the River Boyne and River Blackwater SAC and SPA,
- c) The creation of a hydrological connection from the proposed development site to the River Blackwater due to the design of the surface water and foul sewer drainage networks,
- d) The existing issues with the Kells Wastewater Treatment Plant in terms of both capacity and treatment efficacy and the Storm Water Overflow SW3, as identified in the 2019 Annual Environmental Report for the plant, and the uncertain timeframe for the implementation of upgrade works,
- e) The 'moderate' water quality status of the River Blackwater in the Kells area,
- f) The uncertainty with regards to in-combination effects with other permitted development projects which will also utilise the Kells WWTP,
- g) The submission made by the local authority, including the Appropriate Assessment Screening Report received by the Board on 15th March 2021,
- h) The submissions made by the 3 No. applicants requesting a determination,
- i) The submissions made by Irish Water and Inland Fisheries Ireland in relation to the current Part 8 application (Reg. Ref. P8/21002),
- j) The report and recommendation of the Inspector,

It is considered reasonable to conclude that on the basis of the information available, which is considered adequate to issue a screening determination, that it cannot be ruled out that the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on the River Boyne and River Blackwater SPA (Site Code 004232) or the River Boyne and River Blackwater SAC (Site Code 002299), in view of the conservation objectives of these sites and that a Stage 2 Appropriate Assessment and the submission of a Natura Impact Statement for the proposed development is, therefore, required.

Niall Haverty

Senior Planning Inspector

15th July 2021