



An
Coimisiún
Pleanála

Inspector's Report ACP-323562-25

Development	Demolition of existing structures and construction of a single storey dwelling, timber fence, and vehicular access. This application is accompanied by a Natura Impact Statement.
Location	The Square, Blackrock, County Louth, A91HN72
Planning Authority	Louth County Council
Planning Authority Reg. Ref.	2560002
Applicant(s)	Suzanne McDonough and Dominik Przybylak
Type of Application	Permission
Planning Authority Decision	Grant with conditions
Type of Appeal	Third Party
Appellant(s)	Richard Stewart
Observer(s)	None

Date of Site Inspection

13 November 2025

Inspector

Aisling MacNamara

1.0 Site Location and Description

1.1. The proposed development relates to a 0.093ha site to the north of Blackrock which is located south of Dundalk in County Louth. The site is located within the existing built up area and is on the coastal side of Blackrock Road/ The Square (R172), within a row of existing residential properties. The site contains an existing detached bungalow which is served by an existing vehicular and pedestrian access to the public road. The site is adjoined to the northern side by a vacant plot and to the southern side by an existing two storey dwelling. The rear eastern boundary adjoins a bank which falls to lower levels and the open natural grassland of Dundalk Bay. This rear boundary abuts the Dundalk Bay SAC and SPA.

2.0 Proposed Development

2.1. Permission is sought for:

- demolition of existing 77sqm single storey dwelling, lean to extension and paths, removal of oil tank,
- construction of new 112sqm single storey dwelling, flat roof with part sloped roof and two rooflights, new timber fencing to boundary, new vehicular access and all associated works.

3.0 Planning Authority Decision

3.1. Decision

By order dated 8th August 2025, the planning authority made the decision to grant permission with conditions.

Condition 2 relates to infrastructure requirements - (a) visibility splays, (b) surface water and soakaways, (c) road drainage and construction of entrance, (d) – (f) protection and repair of road during construction.

Condition 3 states development to be carried out in accordance with submitted CEMP. Prior to development, a Construction and Demolition Resource Waste Management Plan to be submitted.

Condition 4 relates to external finishes.

Condition 6 relates to landscaping:

All hard and soft landscaping shall be carried out in strict accordance with the details indicated on the drawings submitted on the 7th January 2025. Any plants which die, are removed, or become seriously damaged or diseased, within a period of 5 years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the Planning Authority. Reason: In the interest of residential and visual amenity.

Condition 7 states all mitigation measures outlined in the submitted NIS to be implemented.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- Case Planner report of 24/02/2025 concludes that the principle of development is acceptable and that further information be requested.
- Further Information was requested on 27/02/2025 in relation to 6 items:
 - (1) Submit revised site plan showing sightlines 2.4m x 49m over 0.6m-1.05m above road level as per DMURS, including any legal agreements for works on third party lands as necessary.
 - (2) Submit revised details showing formation of dished access across footpath – detailed requirements included.
 - (3) Submit surface water disposal measures with regard to objective IU19 for SUDS. Details required in relation to soakaway design in accordance with BRE 365 including calculations and site tests, details of silt traps for drains discharging to soakaways.
 - (4) Provide a Construction Environmental Management Plan – detailed requirements set out.
 - (5) Provide revised site layout and landscaping scheme with proposed tree located at southern boundary to be relocated within the site to ensure it is not over impeding on third party lands.

(6) Submit revised newspaper and site notices should the response be a significant alteration from the original.

- Response to FI received on 17/07/2025 as follows:
 - (1) Site layout plan and visibility splays drawing submitted showing achievement of sightlines at the vehicular entrance as agreed with Physical & Placemaking Section of Council.
 - (2) Details of vehicular entrance submitted.
 - (3) Soakaway report and details submitted.
 - (4) Construction Environmental Management Plan submitted.
 - (5) Site layout and landscaping schedule submitted.
- The FI response was deemed 'significant' and was advertised. Copy of new newspaper and site notices submitted.
- The second report of the Case Planner of 05/08/2025 considered the FI response and deemed it acceptable subject to conditions. Recommends grant of permission with conditions.

3.2.2. Other Technical Reports

- Placemaking & Physical Development
 - Engineer's Report dated 25/01/2025 indicates that further information should be requested in relation to sightlines, proposals for alterations to footpath to accommodate the relocation of the vehicular entrance, submit a flood risk assessment (part of the site is vulnerable to coastal flooding), surface water drainage proposals and soakaways.
 - Engineer's Report of 31/07/2025 indicates no objection subject to conditions relating to visibility, surface water, road drainage, construction and protection of roads.
- Environment Section – dated 29/07/2025 indicates no objection subject to conditions relating to resource waste management plan, construction and noise levels.

3.3. Prescribed Bodies

- An Taisce – report of 10/02/2025 – NIS indicates surface water discharges from the site warrants further consideration given the presence of sea cliffs to the rear of the application site. Further information is required on the interaction of surface water discharge with storm surges arising from climate change and potential for pollution impact on the Dundalk Bay SAC and Dundalk Bay SPA. This should be considered as part of NIS. This is also a consideration due to the moderate water quality status assigned to the Inner Dundalk Bay water body by the EPA under the Water Framework Directive. Advise that consideration be given to flooding projections outlined for this coastal area using OPW flood maps to ascertain future flood risk to the proposed development.

3.4. Third Party Observations

Submissions received from the owners of the adjoining property to the south 'Rose Cottage' as follows:

- Submission at initial application stage - Object to two large trees planted adjacent to the boundary, branches will overhang, roots will restrict landscaping options, concern over trees near house – may become danger in future, potential for storm damage to house, debris to property, restricts ability to enjoy the amenity of their property, planting bushes instead would abate any nuisance.
- Submission at FI stage – object to any trees overhanging their property – the FI letter indicates that tree should not be located overhanging their land, however the new landscape plan submitted shows the same large pinus silvestrus tree overhanging their property. Large tree will overhang their property, its root system will extend under their property, if it falls it will damage property. This species can grow up to 40m with branches 15m long. Following damage by storm Eowyn they are not comfortable with large tree close to property. Planting bushes instead would abate any nuisance and give habitat for wildlife.

4.0 Planning History

There are no recent / relevant planning records relating to the site.

The following relates to the adjoining site to the south:

24/60777 – grant – permission for 1) The renovation of existing two storey house, 2) To construct a first floor rear extension to existing house, 3) To create a vehicular entrance from public road into the site.

5.0 Policy Context

5.1. Dundalk Local Area Plan 2025-2031 (adopted March 2025)

Site is zoned A1 Existing Residential “To protect and enhance the amenity and character of existing residential communities” under the Dundalk Local Area Plan. The County Development Plan includes the following guidance: *“The objective for this zoning is to conserve and enhance the quality and character of established residential communities and protect their amenities. Infill developments, extensions, and the refurbishment of existing dwellings will be considered where they are appropriate to the character and pattern of development in the area and do not significantly affect the amenities of surrounding properties. The strengthening of community facilities and local services will be facilitated subject to the design, scale and use of the building or development being appropriate for its location.”*

Land adjoining the rear boundary of the site is zoned H1 Open Space (overlaps with Flood zone A).

CH 18 To protect and enhance Dundalk’s Green Infrastructure in accordance with the details and recommendations included in Table 10.8 ‘Dundalk’s Green Infrastructure Features and Potential for Enhancement’.

5.2. Louth County Development Plan 2021-2027 (as varied)

Chapter 3 Housing

3.14 Creating a Well Designed Place

In achieving a well-designed place there are a range of factors that need to be considered, including:

iv. Hard and Soft Landscaping: Hard landscaping includes surfacing, boundary treatments, street furniture and play equipment while soft landscaping includes trees, shrubs, grassed areas and other planting. These are important features in determining how a building or development integrates with the surrounding environment.

Chapter 8 – Natural Heritage, Green Infrastructure and Biodiversity

NBG2 To promote and implement the objectives of the Local Biodiversity Action Plan for County Louth 2021 -2026 and any subsequent Louth Biodiversity Action Plan published during the life of this Plan.

Section 8.11 Trees, Woodlands and Hedgerows

Chapter 10 – Infrastructure & Public Utilities

10.11 Sustainable Design and Energy Efficiency in Buildings

10.11.16 Micro Climate Enhancement

Trees and shrubs can make a significant contribution to energy conservation by providing shelter and modifying climate at the micro level. Designers and developers should plant deciduous trees and use hard landscaping on the south side of buildings to enhance the micro climate and minimise energy use.

Chapter 13 – Development Management Guidelines

13.8 Housing in Urban Areas

13.8.12 Landscaping

Landscaping proposals shall be included with all applications. This includes a full schedule of all planting to be carried out and a timescale for planting. If any trees or hedgerows are to be retained this shall be clearly detailed on drawings. Where existing trees are required to be removed to facilitate a development, replacement native trees at a ratio of 5:1 shall be planted in Drogheda and Dundalk, with a requirement of 10:1 in the County area. On smaller, more constrained sites where there is limited space/opportunities for planting new trees, consideration may be given to reducing the ratio of trees to be planted on an application site if an alternative location for the shortfall of trees to be planted is identified and the consent of the landowner, on whose lands the trees are to be planted, is provided as part of a

planning application. Any planting shall consist of native species (trees, hedgerow, shrubs, and wildflowers) and low maintenance pollinator friendly perennials.

5.3. Other policy

- Ireland's 4th National Biodiversity Action Plan 2023–2030
- All-Ireland Pollinator Plan 2021-2025

Objective 03 Making private land pollinator friendly.

Target 3.1 Increase the number of gardens that are pollinator friendly.

- Local Biodiversity Action Plan for County Louth 2021-2026

Objective 1: Mainstream biodiversity into decision-making across all sectors.

Louth County Council will require no nett loss of biodiversity in relation to grants of planning permission or in any other activity in which it may have a regulatory role and will, if possible, require nett gain for biodiversity (NBAP action 1.1.3 and influenced by the EU Strategy).

5.4. Natural Heritage Designations

The eastern boundary of the site adjoins the Dundalk Bay SAC and Dundalk Bay SPA. The eastern part of the site overlaps the Dundalk Bay pNHA.

6.0 EIA Screening

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

7.0 The Appeal

7.1. Grounds of Appeal

A third party appeal is received from the residents of Rose Cottage which adjoins to the southern boundary of the site. The issues raised are summarised as follows:

- The appellant has recently purchased their property and will move in in early 2026.
- The Council is allowing two large Scots Pine trees to be located near their shared boundary despite the Council requesting at FI stage to relocate a proposed tree so that it does not impede on third party lands. Request that this error be corrected.
- Request that condition be attached to require that the two Scots Pine trees be either relocated to the north of the site or excluded from the plan. Allowing two large trees to be planted less than 3m from their boundary would severely impact on the amenity of their property.
- At application stage, the appellant put in a submission objecting to two proposed trees to be planted close the boundary between their property and the site. On the plan, the trees are both marked item 9: Pinus Sylvestrus Scots Pine. One tree is shown c 1m from the boundary and the other tree is shown less than 3m from boundary. At FI stage, the Council requested that a tree be relocated within the site to ensure it is not over impeding on third party lands including crown spread. The applicant submitted revised FI drawings. One tree was relocated east along the boundary and c 2.5m from their property. The other tree remained in same position and is less than 3m from boundary. The relocation of the tree to the south eastern corner is not sufficient given the size to which these trees can grow – up to 40m with long branches. In the revised location, the trees will still overhang their property. The appellant raised another objection submission. Despite this, the Council approved permission without reference to the trees.
- The planners report at FI stage states that the proposed tree has been relocated from the previous position along the eastern boundary to the

northeastern corner of the site. This is a factual error. The tree was relocated along the southern boundary to the south eastern corner of the site.

Notwithstanding the misdescription, the planner intended the revised plan be conditioned. Condition 6 states all landscaping shall be carried out in accordance with drawings submitted 7th January 2025 and fails to refer to the revised plan of 17th July 2025 (which in any case does not address their concerns).

- The appeal submission is accompanied by documentation relating to the application including copies of their submissions, the decision, the further information request letter, planners report and layout/ landscape drawings.

7.2. Applicant Response

None received.

7.3. Planning Authority Response

The planning authority has submitted a response, summarised as follows:

- The issues raised in the appeal are noted.
- The key planning issues pertaining to the site have been fully considered in the planners reports. It is not proposed to re assess the concerns raised.
- It is acknowledged that Condition 6 of the permission refers to the drawings submitted 7th January 2025. The condition should state as follows: ***“All hard and soft landscaping shall be carried out in strict accordance with the details indicated on the drawings submitted on the 7th January 2025 and as amended by the further plans and particulars submitted to the Planning Authority on the 17th July 2025.....”***
- Notwithstanding the typo, condition 1 requires that the development is carried out in accordance with the plans and particulars lodged with the application on 7th January 2025 as amended by plans and particulars submitted 17th July 2025.
- It is acknowledged that the planners report contains typos in relation to the orientation of trees on the site. The report refers to proposed Scots Pine tree

relocated from the previous position along the eastern boundary to the northeastern corner of the site. The paragraph should state that the proposed Scots Pine tree has been relocated from the previous position along the southern boundary to the southeastern corner of the site. Notwithstanding the minor typos, the potential impact on neighbouring properties and amenities has been fully considered in the assessment.

- The reports of the planning authority provide justification for the recommended grant of permission and request that the decision of the planning authority be upheld.

7.4. Observations

None received.

8.0 Assessment

8.1. Having examined the application details and all other documentation on file, including the submissions received in relation to the appeal, and having inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are as follows:

- principle of development
- tree planting and landscaping

8.2. Principle of development

8.2.1. The proposed development is for the demolition of an existing bungalow and its replacement with a new bungalow and associated site works. The site is located within the existing built up urban area of Blackrock, within the settlement boundary of Dundalk. Under the Dundalk Local Area Plan, the site is zoned A1 Existing Residential: To protect and enhance the amenity and character of existing residential communities". I am satisfied that in principle, the proposed development for the construction of a new replacement house on the site is acceptable and is in accordance with the zoning objective. The planning authority is satisfied that the layout, architectural design and treatment, access and drainage proposals are acceptable and I am satisfied that these features of the development are acceptable.

8.2.2. The site is at a coastal location and the risk of the development to flooding and erosion requires consideration. In this regard, I note that the proposed house is to be located at a similar location on the site as the existing house. Under the OPW Final CFRAM flood maps, the site is not within the coastal tidal flood extents as shown on the Blackrock South Tidal Flood Extent map of August 2016. The map shows that the adjoining land to the east containing sea cliffs is within the flood risk area. The CFRAM Mid Range Future Scenario flood extent maps were generated taking in the potential effects of climate change using an increase in rainfall of 20% and sea level risk of 500mm (20 inches). In the 'high probability flood extent, (1 in 10 chance of occurring) of these future scenario maps, the site is not at flood risk. A Coastal Erosion Risk Assessment report was submitted with the application. The report concludes that the erosion potential at this location is low given that it is a tidal estuary and not subject to excessive wave action or high velocity waters. I am satisfied, that the development is not at unreasonable flood or erosion risk.

8.3. Landscaping and tree planting

8.3.1. The appeal submission raises concerns in relation to the tree planting proposed as part of the development site. The appeal is received from the owners of the neighbouring house adjoining the southern boundary of the site. The appellant is concerned that the proposal to plant two Scots Pine trees in the garden of the subject site will adversely impact on the amenity of their property. The appeal also refers to errors in the planners report regarding the incorrect reference to boundaries and to errors in condition 6 which fails to reference the revised landscaping drawings submitted at further information stage.

8.3.2. The planning application for the subject development was lodged on 7th January 2025 and contains a Proposed Site Layout Plan showing the proposed landscaping including new native hedging along both sides of the rear garden and two new Scots Pine trees located to the rear of the proposed house near the southern boundary. The planning authority requested further information in relation to the proposed tree planting, requesting that revised proposals be submitted with the tree on the southern boundary relocated within the site so that the crown spread does not impede on third party lands. The applicant submitted a Revised Site Layout and Landscaping Schedule Plan on 17th July 2025. The drawing shows that two new 2m fences are to be constructed along the side boundaries to the house and the rear

boundary is to be kept as open bank. New native hedging is to be planted along both fences, the rear open space is to be paved near the house and grassed. Two new trees are to be planted in the rear garden, one in the southeast corner of the site set back c 2.5m from the shared boundary, and another to the rear wall of the house, set back slightly further from the shared boundary due to the kink in the line of the boundary. Both trees are 'Pinus Silvestrus Scots Pine'. Perennial low level planting is proposed in the front garden. The planner considered the response and found that the landscaping can be implemented without imposing on third party lands and that the proposals are acceptable. Permission was granted and Condition 6 relates to landscaping. The condition states that landscaping shall be carried out in accordance with the drawings of 7th January 2025. The planning authority have acknowledged that the condition should refer to the further information drawings submitted on 17th July 2025.

- 8.3.3. The appeal raises particular concerns in relation to the height and size of the future trees and their location in proximity to the boundary stating that the trees are located close to the shared boundary and will grow to substantial size of up to 40 metres with long branches. Issues raised at application stage include overhanging of their property, potential storm damage caused by trees, growth of roots interfering with their property and future landscaping and the adverse impact on the trees on their overall enjoyment of their property.
- 8.3.4. Regarding policies and objectives, I note the zoning objective which is to protect and enhance the amenity and character of existing communities. The Louth County Development Plan (CDP) contains objectives and development management guidelines which promote soft landscaping and landscaping as part of promoting good design in new developments. Section 13.8 states that landscaping and planting proposals shall be included in all applications and that any planting shall consist of native species and low maintenance pollinator friendly perennials. Section 3.14 refers to soft landscaping as being an important feature for integrating buildings into the surrounding environment. Section 10.11.16 indicates that trees and shrubs can provide shelter and modify climate at a micro level. Objective NBG2 is to promote and implement the county's biodiversity plans and section 8.11 generally promotes trees in the interest of visual amenity, shelter, clean air, carbon storage and

biodiversity habitats and states the following: “New planting should be encouraged and promoted to ensure the continued regeneration of tree cover generally ...”

- 8.3.5. I will now consider the issues raised in relation to the proposed planting. Firstly, this is a proposal for an infill house in an established residential area. The houses along this stretch are served by good sized rear gardens backing onto the bay and many gardens have been planted with trees and bushes. This is a coastal exposed location which may restrict growth of certain species. In principle, the proposal to plant trees and landscape the garden is in keeping with the established pattern. Furthermore, the proposals to plant and landscape the site are in accordance with the provisions of the CDP to support landscaping of urban sites. The objectives require landscaping to be of native species. In this regard the site plan submitted on 17th July 2025 shows new native hedging, two Scots Pine which are a native species and perennial low planting. The proposal for new native trees will benefit the environment providing carbon storage and will provide habitat for species. This is all in accordance with the requirements of the CDP.
- 8.3.6. Regarding, the location, size and height of the trees, it is accepted that Scots Pine can grow to considerable height and size, however this is in optimal soil and growth conditions and over a considerable life span of 30-50 years. The trees are located on the southern boundary and would not result in any significant overshadowing of the appellants property. Regarding height and bulk, I note that the subject site and the appellants site are served by good sized rear gardens that benefit from an open rear aspect to the bay. Having regard to the limited number of trees proposed and the size of the rear gardens available, I consider that the trees can be accommodated without resulting in a significant overbearing or visually intrusive impact.
- 8.3.7. Regarding future maintenance, trees are the responsibility of the landowner, however it is standard course that overhanging branches or roots can be cut back by property owners.
- 8.3.8. Having regard to the above, I am of the view that the proposals submitted by the applicant are acceptable, that the tree planting and landscaping proposed in the Site Plan submitted at further information stage on 17th July 2025 as part of the overall development, is appropriate to the character and pattern of the area , would not adversely affect the amenity of adjoining properties and is in accordance with the

zoning objective and is also in accordance with the objectives of the CDP to promote landscaping and native planting with developments.

- 8.3.9. I accept that condition 6 of the planning authority's decision incorrectly refers to the original landscaping plan rather than the landscaping plan submitted at further information stage on 17th July 2025 and it is recommended that this be corrected in the conditions of any permission. It is recommended that permission be granted subject to condition to require landscaping as per the site plan submitted on 17th July 2025.

9.0 **Appropriate Assessment**

I have considered the proposed development in light of the requirements of section 177U of the Planning and Development Act 2000 (as amended). The appropriate assessment screening is attached as an appendix to this report. In screening the need for appropriate assessment it was determined that the proposed development could result in significant effects on the **Dundalk Bay SAC** and **Dundalk Bay SPA** in view of the conservation objectives of those sites and that appropriate assessment was required.

- 9.1. I have carried out a stage 2 appropriate assessment under S177V of the Act. This is attached as an appendix to this report. Following an examination, analysis and evaluation of the NIS, associated material submitted and taking into account observations on nature conservation, I consider that adverse effect on site integrity of **Dundalk Bay SAC** and **Dundalk Bay SPA** can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects. This conclusion is based on the following:

- the nature, location and scale of the proposed development,
- detailed assessment of construction and operational impacts,
- consideration of the conservation objectives of qualifying interest species and habitats,
- consideration of the submitted NIS which includes objective and scientific information and is carried out by a competent person,

- application of specific mitigation measures designed to avoid adverse effects on site integrity.

10.0 WFD Screening

- 10.1. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive (WFD) which seeks to protect and where necessary, restore surface and ground water bodies in order to reach good status (meaning both good chemical and good ecological status) and to prevent deterioration. A screening assessment for WFD is attached as an appendix to this report.
- 10.2. The site is located within the Newry, Fane, Glyde and Dee WFD catchment and Casteltown_SC_020 sub catchment. The site abuts the Inner Dundalk Bay transitional water body and overlays the Louth groundwater body. The Inner Dundalk Bay has 'poor' WFD status and is 'at risk'. The Louth has a 'good' WFD status and is 'not at risk'.
- 10.3. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seeks to protect and where necessary, restore surface and ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the proposed development, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any water bodies either qualitatively or quantitatively.
- 10.4. The reason for this conclusion is as follows:
- the domestic nature and modest scale of the development proposed,
 - the status of the Louth groundwater body which is not at risk,
 - the proposed mitigation measures including standard best construction, CEMP and NIS measures to protect water bodies during construction, collection of clean storm water to soakaways to BRE 365 standards, and no change in loading of effluent to the public wastewater collection and disposal system.

10.5. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 Recommendation

I recommend that permission be granted subject to the conditions as set out below.

12.0 Reasons and Considerations

Having regard to:

- i. The policies and objectives of the Louth County Development Plan 2021-2027 (as varied) and Dundalk Local Area Plan 2025,
- ii. The nature, scale and design of the proposed development,
- iii. The location and specific characteristics of the site and the pattern of development in the surrounding area,

it is considered that, subject to compliance with the conditions set out below, the proposed development would contribute to compact and sustainable growth of the settlement, would not adversely impact the character of the area or be seriously injurious to the visual, residential or environmental amenities of the area, and would be acceptable in terms of traffic safety and convenience and public health. It is considered that the proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on 17 th July 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the
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	<p>planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2	<p>The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.</p> <p>Reason: To prevent flooding and in the interests of sustainable drainage.</p>
3	<p>The mitigation measures contained in the submitted Natura Impact Statement (NIS) shall be implemented.</p> <p>Reason: To protect the integrity of European Sites.</p>
4	<p>The landscaping scheme shown on 'Revised Site Layout & Landscaping Schedule Plan' drawing submitted to the planning authority on 17th July 2025 shall be carried out within the first planting season following substantial completion of external construction works.</p> <p>All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p>Reason: In the interest of residential and visual amenity.</p>
5	<p>The development shall be carried out in accordance with the submitted JCA Construction and Environmental Management Plan.</p> <p>Reason: In the interest of environmental protection.</p>

6	<p>Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency’s Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.</p> <p>Reason: in the interest of proper planning and sustainable development.</p>
7	<p>Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.</p> <p>Reason: To safeguard the amenity of property in the vicinity.</p>

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Aisling Mac Namara
 Planning Inspector

1st December 2025

Appendix 1: Form 1 - EIA Pre-Screening

Case Reference	323562
Proposed Development Summary	Demolition of existing structures and construction of a single storey dwelling, timber fence and vehicular access
Development Address	The Square, Blackrock, County Louth
In all cases check box /or leave blank	
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.	

EIA is Mandatory. No Screening Required	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Class 10(b) of Part 2, Schedule 5 (i)Construction of more than 500 dwelling units

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	323562
Proposed Development Summary	Demolition of existing structures and construction of a single storey dwelling, timber fence and vehicular access
Development Address	The Square, Blackbush, County Louth
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	<ul style="list-style-type: none"> - Proposed residential use is compatible with existing residential use in the area - Modest size site - Modest scale and intensity of development - No significant use of natural resources or production of waste - No significant risk of pollution or nuisance - No significant risk of accidents / disasters to human health
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	<ul style="list-style-type: none"> - Infill domestic residential site within existing built up area - Local ecology only on site - No built heritage - Site adjoins European site and minor overlap with pNHA. Stage 2 appropriate assessment undertaken concludes no adverse effect on the integrity of a European site.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the following: <ul style="list-style-type: none"> - Nature and scale of the development - Lack of significant environmental sensitivities on the site - Absence of likely significant in combination effects there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required. x

There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.
There is a real likelihood of significant effects on the environment.	EIAR required.

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)

Appendix 3: Appropriate Assessment Screening

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Brief description of project	Demolition of existing structures and construction of a single storey dwelling, new wider vehicular entrance and driveway, new 1.8 timber fence along side boundary. Proposed water supply from public mains. Proposed effluent disposal to public sewer. Proposed surface water disposal to 2 no. rear soakaways.
Brief description of development site characteristics and potential impact mechanisms	Site contains an existing house to be demolished and garden with some planting. No water features on site. The site contains habitat ‘buildings and artificial surfaces’, northern boundary ‘hedgerow’ habitat. Beyond eastern boundary of site is ‘sea cliff’ habitat which drops down the Dundalk Bay shoreline high water mark. Site is not located within lands that are at risk of coastal flooding. The GSI groundwater vulnerability mapping system indicates that the application site is at extreme risk. The proposal is for demolition and construction of a single house. There is no change in effluent loading arising from the development. Therefore the development will not impact on the capacity of existing public wastewater infrastructure. No QI or faunal species of SCI habitats have been recorded within the application site.
Screening report	Yes Contained within Natura Impact Statement (EHP Services, 2024)
Natura Impact Statement	Yes Natura Impact Statement, The Square, Blackrock, Co.Louth (EHP Services, 2024)
Relevant submissions	An Taisce report of 10/02/2025 at application stage raises that additional information required in relation to surface water discharges and interaction with increased storm surges resulting from climate change – possible pollution impact on Dundalk Bay SAC and SPA.
Planning authority	Planning authority – carried out stage 1 screening and stage 2 appropriate assessment.
Step 2. Identification of relevant European sites using the Source-pathway-receptor model	

The following European sites are potentially within a zone of influence of the proposed development:

European Site (code)	Qualifying interests Link to conservation objectives (NPWS)	Distance from proposed development (km)	Ecological connections	Consider further in screening Y/N
Dundalk Bay SAC (000455)	https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000455.pdf	adjoins	Direct physical connection	yes
Carlingford Mountain SAC (000453)	https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000453.pdf	7km	No ecological or hydrological connection	no
Carlingford Shore SAC (002306)	https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002306.pdf	13.5km	No ecological or hydrological connection	no
Dundalk Bay SPA (004026)	https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004026.pdf	adjoins	Direct physical connection	yes
Stabannan-Braganstown SPA (004091)	https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004091.pdf	10.6km	No ecological or hydrological connection	no
Carlingford Lough SPA (004078)	https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004078.pdf	14km	No ecological or hydrological connection	no

Step 3 Describe the likely effects of the project (if any, alone or in combination) on European sites

AA Screening matrix

Site name	Qualifying interests and conservation objectives	Possibility of significant effects (alone) in view of the conservation objectives of the site	
Dundalk Bay SAC (000455)	Habitats 1130 Estuaries 1140 Mudflats and sandflats not covered by seawater at low tide 1220 Perennial vegetation of stony banks	Direct impact - Surface water runoff during construction and operational stage. - Construction related impacts from noise, light and dust emissions. - Domestic noise impacts	Effects - Surface water discharge could result in possible pollution and degradation of water quality via sedimentation or pollutants. - Noise and dust emissions and visual stimuli could result in disturbance of species.

	<p>1310 Salicornia and other annuals colonising mud and sand 1330 Atlantic salt meadows (Glauco-Puccinellietalia maritimae) 1410 Mediterranean salt meadows (Juncetalia maritimi)</p> <p>https://www.npws.ie/sites/default/files/protected-sites/conservation_objects/CO000455.pdf</p>	<ul style="list-style-type: none"> - Development within a coastal floodplain could impact on natural hydrological regime. - New planting or removal of planting could spread seed to adjoining lands. - Site works could impact on ground levels. 	<ul style="list-style-type: none"> - Development is on land that is not at flood risk, even accounting for climate change. Therefore potential pollution impacts arising from flooding are not likely. The development will not disrupt the existing hydrological regime of the flood plain on the lands to the east of the site. - Tree planting on site is of native species. Planting on site is not likely to spread onto the adjoining habitat (there is no evidence of succession on the eastern grasslands of the bay). - The existing hedge and grass lawn is to be retained. - Engineers report is submitted. The development is not at erosion risk.
		Likelihood of significant effects from proposed development (alone): Yes	
		<p>If No, is there likelihood of significant effects occurring in combination with other plans or projects: n/a</p> <p>Note - Other plans and projects are considered in the EHP screening (Table 2). Each development proposal was subject to AA or was screened out at application stage and therefore do not pose a threat to a European site. The development proposal has no direct connection with any other development proposal. Development plans are subject to SFRA, AA and SEA processes.</p>	
Dundalk Bay SPA (004026)	<p>Birds A005 Great Crested Grebe (<i>Podiceps cristatus</i>) A043 Greylag Goose (<i>Anser anser</i>) A046 Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) A048 Shelduck (<i>Tadorna tadorna</i>)</p>	As above	As above

	<p>A052 Teal (<i>Anas crecca</i>) A053 Mallard (<i>Anas platyrhynchos</i>) A054 Pintail (<i>Anas acuta</i>) A065 Common Scoter (<i>Melanitta nigra</i>) A069 Red-breasted Merganser (<i>Mergus serrator</i>) A130 Oystercatcher (<i>Haematopus ostralegus</i>) A137 Ringed Plover (<i>Charadrius hiaticula</i>) A140 Golden Plover (<i>Pluvialis apricaria</i>) A141 Grey Plover (<i>Pluvialis squatarola</i>) A142 Lapwing (<i>Vanellus vanellus</i>) A143 Knot (<i>Calidris canutus</i>) A149 Dunlin (<i>Calidris alpina</i>) A156 Black-tailed Godwit (<i>Limosa limosa</i>) A157 Bar-tailed Godwit (<i>Limosa lapponica</i>) A160 Curlew (<i>Numenius arquata</i>) A162 Redshank (<i>Tringa totanus</i>) A179 Black-headed Gull (<i>Chroicocephalus ridibundus</i>) A182 Common Gull (<i>Larus canus</i>) A184 Herring Gull (<i>Larus argentatus</i>) Habitats Wetlands</p>		
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	https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004026.pdf		
		Likelihood of significant effects from proposed development (alone): Yes	
		<p>If No, is there likelihood of significant effects occurring in combination with other plans or projects: N/a</p> <p>Note - Other plans and projects are considered in the EHP screening (Table 2). Each development proposal was subject to AA or was screened out at application stage and therefore do not pose a threat to a European site. The development proposal has no direct connection with any other development proposal. Development plans are subject to SFRA, AA and SEA processes.</p>	

Step 4 Conclude if the proposed development could result in likely significant effects on a European site

It is not possible to exclude the possibility that the proposed development alone would result in significant effects on **Dundalk Bay SAC** and **Dundalk Bay SPA** from effects associated with:

- Impact on water quality (a key indicator of conservation value)
- Disturbance of species

An appropriate assessment is required on the basis of the possible effects of the project 'alone'.

Proceed to AA.

Screening Determination

Finding of no likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that:

It is not possible to exclude that the proposed development alone (or in combination with other plans and projects) will give rise to significant effects on **Dundalk Bay SAC** and **Dundalk Bay SPA** in view of the sites conservation objectives. Appropriate Assessment is required.

This determination is based on potential results in effects on qualifying habitats and species through:

- Impact on water quality (a key indicator of conservation value)
- Disturbance of species

Appendix 4: Appropriate Assessment Determination

Appropriate Assessment			
<p>The requirements of Article 6(3) as related to appropriate assessment of a project under part XAB, sections 177V of the Planning and Development Act 2000 (as amended) are considered fully in this section.</p>			
<p>Taking account of the preceding screening determination, the following is an appropriate assessment of the implications of the proposed development in view of the relevant conservation objectives of Dundalk Bay SAC and Dundalk Bay SPA based on scientific information provided by the applicant.</p> <p>The information provided in the application includes following:</p> <ul style="list-style-type: none"> - Natura Impact Statement, The Square Blackrock, Co.Louth, EHP Services, report compiled by person with MSc Biodiversity and Land Use Planning - The submitted documents and drawings showing the proposed development <p>I am satisfied that the information provided is adequate to allow for Appropriate Assessment. I am satisfied that all aspects of the project which could result in significant effects are considered and assessed in the NIS and mitigation measures designed to avoid or reduce any adverse effects on site integrity are included and assessed for effectiveness.</p>			
Submissions/observations			
As above			
European sites			
<p>Dundalk Bay SAC (000455)</p> <p>Dundalk Bay SPA [004026]</p> <p>Summary of Key Issues that could give rise to adverse effects (from screening stage):</p> <ul style="list-style-type: none"> - Impact on water quality (a key indicator of conservation value) - Disturbance of species 			
Dundalk Bay SAC (000455)			
Qualifying Interest features likely to be affected	Conservation Objectives Targets and attributes (summary)	Potential adverse effects	Mitigation measures
Estuaries	To maintain the favourable conservation condition of Estuaries in Dundalk Bay SAC, which is defined by the following list of attributes and targets:		

	<p>Habitat area The permanent habitat area is stable or increasing, subject to natural processes. See map 2</p> <p>Community distribution The Subtidal fine sand community complex should be conserved in a natural condition. See map 4</p>	<p>No reduction in habitat area</p> <p>No adverse effect</p> <p>No reduction in habitat</p> <p>No adverse effect</p>	<p>Not required</p> <p>Not required</p>
1140 Mudflats and sandflats not covered by seawater at low tide	<p>To maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide at Dundalk Bay SAC, which is defined by the following list of attributes and targets:</p> <p>Habitat area Hectares The permanent habitat area is stable or increasing, subject to natural processes. See map 3</p> <p>Community distribution Hectares The Muddy fine sand community and Intertidal fine sand community complex should be conserved in a natural condition. See map 4</p>	<p>No reduction in habitat area</p> <p>No adverse effect</p> <p>No reduction in habitat</p> <p>No adverse effect</p>	<p>Not required</p> <p>Not required</p>
1220 Perennial vegetation of stony banks	<p>To maintain the favourable conservation condition of Perennial vegetation of stony banks in Dundalk Bay SAC, which is defined by the following list of attributes and targets</p> <p>Habitat area Hectares Area stable, subject to natural processes, including erosion and succession</p> <p>Habitat distribution Occurrence</p> <p>No decline, subject to natural processes</p> <p>Physical structure: Functionality and sediment supply Presence/absence of physical barriers</p> <p>Maintain the natural circulation of sediment and organic matter, without any physical obstructions</p> <p>Vegetation structure: zonation Occurrence</p> <p>Maintain range of habitat zonations including transitional zones, subject to natural processes including erosion and succession. See map 5</p> <p>Vegetation composition: typical species and sub-communities Percentage cover at a representative sample of monitoring stops</p> <p>Maintain the presence of species-poor communities with characteristic species: Honckenya peploides, Beta vulgaris ssp. maritima, Crithmum maritimum, Tripleurospermum maritimum, Glaucium flavum and Silene uniflora</p> <p>Vegetation composition: negative indicator species Percentage cover Negative indicator species (including non-natives) to represent less than 5% cover</p>	<p>No impact on integrity of habitat.</p> <p>No physical barrier to physical structure.</p> <p>Degradation of water quality can impact vegetation.</p>	<p>Not required</p> <p>Not required</p> <p>Required</p>

<p>1310 Salicornia and other annuals colonizing mud and sand</p>	<p>To restore the favourable conservation condition of Salicornia and other annuals colonizing mud and sand in Dundalk Bay SAC, which is defined by the following list of attributes and targets:</p> <p>Habitat area Hectares Area stable or increasing, subject to natural processes, including erosion and succession. For sub-site surveyed: 35.00ha. See map 5</p> <p>Habitat distribution Occurrence No decline, subject to natural processes. See map</p> <p>Physical structure: sediment supply Presence/absence of physical barriers Maintain/restore natural circulation of sediments and organic matter, without any physical obstructions</p> <p>Physical structure: creeks and pans Occurrence Maintain/restore creek and pan structure, subject to natural processes, including erosion and succession</p> <p>Physical structure: flooding regime Hectares flooded; frequency Maintain natural tidal regime</p> <p>Vegetation structure: zonation Occurrence Maintain range of saltmarsh habitat zonations including transitional zones, subject to natural processes including erosion and succession. See map 5</p> <p>Vegetation structure: vegetation height Centimetres Maintain structural variation within sward</p> <p>Vegetation structure: vegetation cover Percentage cover at a representative sample of monitoring stops Maintain more than 90% of area outside creeks vegetated</p> <p>Vegetation composition: typical species and sub-communities Percentage cover at a representative sample of monitoring stops Maintain range of sub- communities with characteristic species listed in Saltmarsh Monitoring Project (McCorry & Ryle, 2009)</p> <p>Vegetation structure: negative indicator species - <i>Spartina anglica</i> Hectares No significant expansion of <i>Spartina</i>. No new sites for this species and an annual spread of less than 1% where it is already known to occur</p>	<p>This habitat is located beyond the natural open space which runs to the rear site boundary.</p> <p>No change in area</p> <p>No change in coastal habitat</p> <p>No physical obstructions to natural circulation of sediments and organic matter.</p> <p>Not likely to impact on physical structure. Site is at low erosion risk (Coastal Erosion Risk Assessment)</p> <p>Does not interfere with natural tidal regime. Site not located in flood zone.</p> <p>Degradation of water quality can impact vegetation</p>	<p>Not required</p> <p>Not required</p> <p>Not required</p> <p>Not required</p> <p>Not required</p> <p>Required</p>
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<p>1330 Atlantic salt meadows (Glauco-Puccinellietalia maritimae)</p>	<p>To maintain the favourable conservation condition of Atlantic salt meadows in Dundalk Bay SAC, which is defined by the following list of attributes and targets:</p> <p>Habitat area Hectares Area stable or increasing, subject to natural processes, including erosion and succession. For the sub-site (357.57ha) and potential areas (22.42ha) mapped: 379.98ha. See map 5</p> <p>Habitat distribution Occurrence No decline, subject to natural processes. See map 5 for known distribution</p> <p>Physical structure: sediment supply Presence/absence of physical barriers Maintain/restore natural circulation of sediments and organic matter, without any physical obstructions</p> <p>Physical structure: creeks and pans Occurrence Maintain/restore creek and pan structure, subject to natural processes, including erosion and succession</p> <p>Physical structure: flooding regime Hectares flooded; frequency Maintain natural tidal regime</p> <p>Vegetation structure: zonation Occurrence Maintain range of saltmarsh habitat zonations including transitional zones, subject to natural processes including erosion and succession. See map 5</p> <p>Vegetation structure: vegetation height Centimetres Maintain structural variation within sward</p> <p>Vegetation structure: vegetation cover Percentage cover at a representative sample of monitoring stops Maintain more than 90% of area outside creeks vegetated</p> <p>Vegetation composition: typical species and sub-communities Percentage cover at a representative sample of monitoring stops Maintain range of sub- communities with characteristic species listed in Saltmarsh Monitoring Project (McCorry & Ryle, 2009)</p> <p>Vegetation structure: negative indicator species- <i>Spartina anglica</i> Hectares No significant expansion of <i>Spartina</i>. No new sites for this species and an annual spread of less than 1% where it is already known to occur</p>	<p>This habitat is located close to the site boundary.</p> <p>No impact on habitat area</p> <p>No impact on habitat distribution</p> <p>No physical obstructions</p> <p>Not likely to impact on physical structure. Site is at low erosion risk (Coastal Erosion Risk Assessment)</p> <p>No impact on flood regimes</p> <p>Degradation of water quality can impact on vegetation</p>	<p>Not required</p> <p>Not required</p> <p>Not required</p> <p>Not required</p> <p>Not required</p> <p>Required</p>
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<p>1410 Mediterranean salt meadows (Juncetalia maritimi)</p>	<p>To maintain the favourable conservation condition of Mediterranean salt meadows in Dundalk Bay SAC, which is defined by the following list of attributes and targets:</p> <p>Habitat area Hectares Area stable or increasing, subject to natural processes, including erosion and succession. For sub-site mapped: 0.045ha. See map 5</p> <p>Habitat distribution Occurrence No decline, subject to natural processes. See map 5 for known distribution</p> <p>Physical structure: sediment supply Presence/absence of physical barriers Maintain/restore natural circulation of sediments and organic matter, without any physical obstructions</p> <p>Physical structure: creeks and pans Occurrence Maintain/restore creek and pan structure, subject to natural processes, including erosion and succession</p> <p>Physical structure: flooding regime Hectares flooded; frequency Maintain natural tidal regime</p> <p>Vegetation structure: zonation Occurrence Maintain range of saltmarsh habitat zonations including transitional zones, subject to natural processes including erosion and succession. See map 5</p> <p>Vegetation structure: vegetation height Centimetres Maintain structural variation within sward</p> <p>Vegetation structure: vegetation cover Percentage cover at a representative sample of monitoring stops Maintain more than 90% of area outside creeks vegetated</p> <p>Vegetation composition: typical species and sub-communities Percentage cover at a representative sample of monitoring stops Maintain range of sub- communities with characteristic species listed in Saltmarsh Monitoring Project (McCorry & Ryle, 2009)</p> <p>Vegetation structure: negative indicator species- <i>Spartina anglica</i> Hectares No significant expansion of <i>Spartina</i>. No new sites for this species and an annual spread of less than 1% where it is already known to occur</p>	<p>Not impacted. Not identified in the zone of the site.</p>	
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Dundalk Bay SPA [004026]

<p>A005 Great Crested Grebe Podiceps cristatus</p>	<p>To maintain the favourable conservation condition of Great Crested Grebe in Dundalk Bay SPA, which is defined by the following list of attributes and targets: Population trend Percentage change Long term population trend stable or increasing Distribution Number and range of areas used by waterbirds No significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation</p>	<p>Water dependent habitat – degradation of water quality can impact population and distribution.</p> <p>Construction related noise, dust/ litter, light, visual intrusion can result in disturbance.</p>	<p>Required</p>
<p>A043 Greylag Goose Anser anser</p>	<p>To maintain the favourable conservation condition of Greylag Goose in Dundalk Bay SPA, which is defined by the following list of attributes and targets: Population trend Percentage change Long term population trend stable or increasing Distribution Number and range of areas used by waterbirds No significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation</p>	<p>Water dependent habitat – degradation of water quality can impact population and distribution.</p> <p>Construction related noise, dust/ litter, light, visual intrusion can result in disturbance.</p>	<p>Required</p>
<p>A046 Light-bellied Brent Goose Branta bernicla hrota</p>	<p>To maintain the favourable conservation condition of Light-bellied Brent Geese in Dundalk Bay SPA, which is defined by the following list of attributes and targets: Population trend Percentage change Long term population trend stable or increasing Distribution Number and range of areas used by waterbirds No significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation</p>	<p>Water dependent habitat – degradation of water quality can impact population and distribution.</p> <p>Construction related noise, dust/ litter, light, visual intrusion can result in disturbance.</p>	<p>Required</p>

<p>A048 Shelduck Tadorna a tadorna</p>	<p>To maintain the favourable conservation condition of Shelduck in Dundalk Bay SPA, which is defined by the following list of attributes and targets: Population trend Percentage change Long term population trend stable or increasing Distribution Number and range of areas used by waterbirds No significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation</p>	<p>Water dependent habitat – degradation of water quality can impact population and distribution. Construction related noise, dust/ litter, light, visual intrusion can result in disturbance.</p>	<p>Required</p>
<p>A052 Teal Anas crecca</p>	<p>To maintain the favourable conservation condition of Teal in Dundalk Bay SPA, which is defined by the following list of attributes and targets: Population trend Percentage change Long term population trend stable or increasing Distribution Number and range of areas used by waterbirds No significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation</p>	<p>Water dependent habitat – degradation of water quality can impact population and distribution. Construction related noise, dust/ litter, light, visual intrusion can result in disturbance.</p>	<p>Required</p>
<p>A053 Mallard Anas platyrhynchos</p>	<p>To maintain the favourable conservation condition of Mallard in Dundalk Bay SPA, which is defined by the following list of attributes and targets: Population trend Percentage change Long term population trend stable or increasing Distribution Number and range of areas used by waterbirds No significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation</p>	<p>Water dependent habitat – degradation of water quality can impact population and distribution. Construction related noise, dust/ litter, light, visual intrusion can result in disturbance</p>	<p>Required</p>

<p>A054 Pintail <i>Anas acuta</i></p>	<p>To maintain the favourable conservation condition of Pintail in Dundalk Bay SPA, which is defined by the following list of attributes and targets:</p> <p>Population trend Percentage change Long term population trend stable or increasing Distribution Number and range of areas used by waterbirds No significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation</p>	<p>Water dependent habitat – degradation of water quality can impact population and distribution.</p> <p>Construction related noise, dust/ litter, light, visual intrusion can result in disturbance.</p>	<p>Required</p>
<p>A065 Common Scoter <i>Melanitta nigra</i></p>	<p>To maintain the favourable conservation condition of Common Scoter in Dundalk Bay SPA, which is defined by the following list of attributes and targets:</p> <p>Population trend Percentage change Long term population trend stable or increasing Distribution Number and range of areas used by waterbirds No significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation</p>	<p>Water dependent habitat – degradation of water quality can impact population and distribution.</p> <p>Construction related noise, dust/ litter, light, visual intrusion can result in disturbance.</p>	<p>Required</p>
<p>A069 Red-breasted Merganser <i>Mergus serrator</i></p>	<p>To maintain the favourable conservation condition of Red-breasted Merganser in Dundalk Bay SPA, which is defined by the following list of attributes and targets:</p> <p>Population trend Percentage change Long term population trend stable or increasing Distribution Number and range of areas used by waterbirds No significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation</p>	<p>Water dependent habitat – degradation of water quality can impact population and distribution.</p> <p>Construction related noise, dust/ litter, light, visual intrusion can result in disturbance.</p>	<p>Required</p>

<p>A130 Oystercatcher <i>Haematopus ostralegus</i></p>	<p>To maintain the favourable conservation condition of Oystercatcher in Dundalk Bay SPA, which is defined by the following list of attributes and targets: Population trend Percentage change Long term population trend stable or increasing Distribution Number and range of areas used by waterbirds No significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation</p>	<p>Water dependent habitat – degradation of water quality can impact population and distribution. Construction related noise, dust/ litter, light, visual intrusion can result in disturbance.</p>	<p>Required</p>
<p>A137 Ringed Plover <i>Charadrius hiaticula</i></p>	<p>To maintain the favourable conservation condition of Ringed Plover in Dundalk Bay SPA, which is defined by the following list of attributes and targets: Population trend Percentage change Long term population trend stable or increasing Distribution Number and range of areas used by waterbirds No significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation</p>	<p>Water dependent habitat – degradation of water quality can impact population and distribution. Construction related noise, dust/ litter, light, visual intrusion can result in disturbance.</p>	<p>Required</p>
<p>A140 Golden Plover <i>Pluvialis apricaria</i></p>	<p>To maintain the favourable conservation condition of Golden Plover in Dundalk Bay SPA, which is defined by the following list of attributes and targets: Population trend Percentage change Long term population trend stable or increasing Distribution Number and range of areas used by waterbirds No significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation</p>	<p>Water dependent habitat – degradation of water quality can impact population and distribution. Construction related noise, dust/ litter, light, visual intrusion can result in disturbance.</p>	<p>Required</p>

<p>A141 Grey Plover <i>Pluvialis squatarola</i></p>	<p>To maintain the favourable conservation condition of Grey Plover in Dundalk Bay SPA, which is defined by the following list of attributes and targets: Population trend Percentage change Long term population trend stable or increasing Distribution Number and range of areas used by waterbirds No significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation</p>	<p>Water dependent habitat – degradation of water quality can impact population and distribution.</p> <p>Construction related noise, dust/ litter, light, visual intrusion can result in disturbance.</p>	<p>Required</p>
<p>A142 Lapwing <i>Vanellus vanellus</i></p>	<p>To maintain the favourable conservation condition of Lapwing in Dundalk Bay SPA, which is defined by the following list of attributes and targets: Population trend Percentage change Long term population trend stable or increasing Distribution Number and range of areas used by waterbirds No significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation</p>	<p>Water dependent habitat – degradation of water quality can impact population and distribution.</p> <p>Construction related noise, dust/ litter, light, visual intrusion can result in disturbance.</p>	<p>Required</p>
<p>A143 Knot <i>Calidris canutus</i></p>	<p>To maintain the favourable conservation condition of Knot in Dundalk Bay SPA, which is defined by the following list of attributes and targets: Population trend Percentage change Long term population trend stable or increasing Distribution Number and range of areas used by waterbirds No significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation</p>	<p>Water dependent habitat – degradation of water quality can impact population and distribution.</p> <p>Construction related noise, dust/ litter, light, visual intrusion can result in disturbance.</p>	<p>Required</p>

<p>A149 Dunlin <i>Calidris alpina</i></p>	<p>To maintain the favourable conservation condition of Dunlin in Dundalk Bay SPA, which is defined by the following list of attributes and targets: Population trend Percentage change Long term population trend stable or increasing Distribution Number and range of areas used by waterbirds No significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation</p>	<p>Water dependent habitat – degradation of water quality can impact population and distribution.</p> <p>Construction related noise, dust/ litter, light, visual intrusion can result in disturbance.</p>	<p>Required</p>
<p>A156 Black-tailed Godwit <i>Limosa limosa</i></p>	<p>To maintain the favourable conservation condition of Black-tailed Godwit in Dundalk Bay SPA, which is defined by the following list of attributes and targets: Population trend Percentage change Long term population trend stable or increasing Distribution Number and range of areas used by waterbirds No significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation</p>	<p>Water dependent habitat – degradation of water quality can impact population and distribution.</p> <p>Construction related noise, dust/ litter, light, visual intrusion can result in disturbance.</p>	
<p>A157 Bar-tailed Godwit <i>Limosa lapponica</i></p>	<p>To maintain the favourable conservation condition of Bar-tailed Godwit in Dundalk Bay SPA, which is defined by the following list of attributes and targets: Population trend Percentage change Long term population trend stable or increasing Distribution Number and range of areas used by waterbirds No significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation</p>	<p>Water dependent habitat – degradation of water quality can impact population and distribution.</p> <p>Construction related noise, dust/ litter, light, visual intrusion can result in disturbance.</p>	<p>Required</p>

<p>A160 Curlew Numenius arquata</p>	<p>To maintain the favourable conservation condition of Curlew in Dundalk Bay SPA, which is defined by the following list of attributes and targets: Population trend Percentage change Long term population trend stable or increasing Distribution Number and range of areas used by waterbirds No significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation</p>	<p>Water dependent habitat – degradation of water quality can impact population and distribution. Construction related noise, dust/ litter, light, visual intrusion can result in disturbance.</p>	<p>Required</p>
<p>A162 Redshank Tringa totanus</p>	<p>To maintain the favourable conservation condition of Redshank in Dundalk Bay SPA, which is defined by the following list of attributes and targets: Population trend Percentage change Long term population trend stable or increasing Distribution Number and range of areas used by waterbirds No significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation</p>	<p>Water dependent habitat – degradation of water quality can impact population and distribution. Construction related noise, dust/ litter, light, visual intrusion can result in disturbance.</p>	<p>Required</p>
<p>A179 Black-headed Gull Chroicocephalus ridibundus</p>	<p>To maintain the favourable conservation condition of Black-headed Gull in Dundalk Bay SPA, which is defined by the following list of attributes and targets: Population trend Percentage change Long term population trend stable or increasing Distribution Number and range of areas used by waterbirds No significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation</p>	<p>Water dependent habitat – degradation of water quality can impact population and distribution. Construction related noise, dust/ litter, light, visual intrusion can result in disturbance.</p>	<p>Required</p>

<p>A182 Common Gull <i>Larus canus</i></p>	<p>To maintain the favourable conservation condition of Common Gull in Dundalk Bay SPA, which is defined by the following list of attributes and targets: Population trend Percentage change Long term population trend stable or increasing Distribution Number and range of areas used by waterbirds No significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation</p>	<p>Water dependent habitat – degradation of water quality can impact population and distribution.</p> <p>Construction related noise, dust/ litter, light, visual intrusion can result in disturbance.</p>	<p>Required</p>
<p>A184 Herring Gull <i>Larus argentatus</i></p>	<p>To maintain the favourable conservation condition of Herring Gull in Dundalk Bay SPA, which is defined by the following list of attributes and targets: Population trend Percentage change Long term population trend stable or increasing Distribution Number and range of areas used by waterbirds No significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation</p>	<p>Water dependent habitat – degradation of water quality can impact population and distribution.</p> <p>Construction related noise, dust/ litter, light, visual intrusion can result in disturbance.</p>	<p>Required</p>
<p>A999 Wetlands & Waterbirds</p>	<p>To maintain the favourable conservation condition of the wetland habitat in Dundalk Bay SPA as a resource for the regularly-occurring migratory waterbirds that utilise it. This is defined by the following attribute and target: Habitat area Hectares The permanent area occupied by the wetland habitat is stable and not significantly less than the areas of 8136, 4374 and 649 hectares respectively for subtidal, intertidal, and supratidal habitats, other than that occurring from natural patterns of variation. See map 6</p>	<p>Water dependent habitat – degradation of water quality can impact population and distribution.</p> <p>Construction related noise, dust/ litter, light, visual intrusion can result in disturbance.</p>	<p>Required</p>

The above table is based on the documentation and information provided on the file and I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests.

Assessment of issues that could give rise to adverse effects view of conservation objectives:

Construction stage:

- Demolition, collection, disposal - material and dust is not likely to be excessive but will involve heavy machinery and vehicles that will contribute to new acoustic and visual stimuli that could affect foraging, breeding and nesting habits of species or the range or density of species. Given the extent of urban development along the coastline, it is likely that species are acclimatised to certain degree of human related disturbances.
- Sediment from building site can be a source of potential contamination of surface water which enters local drainage ditch or watercourse or through ground penetration and can result in environmental damage to downstream foraging areas. Hazardous materials and liquids can result in spillage and pollution.

Operational:

- As there is already an existing dwelling and adjoining dwellings at the site, it is unlikely that normal domestic noise, light or visual stimuli would disturb species.
- To prevent contamination, on site drainage required in accordance with engineering standards.
- There is no change in loading to the public sewer network and waste water treatment plant.

Note:

- Based on the Coastal Erosion Risk Assessment report it can be assumed with a reasonable degree of confidence that construction does not pose a risk to the structural stability of the eastern boundary sea cliff.
 - The site is outside of the flood risk zones shown in the OPW Final CFRAM maps and the CFRAM Mid Range Future Scenario extent maps which account for climate change using a 20% rainfall increase and 20 inch sea level rise. Therefore any development on the site does not interfere with existing or future flood paths attributed to tidal or fluvial flooding.
- No adverse impacts are likely to arise from these potential environmental effects.

Mitigation measures:

Protection of water bird species:

- Advice and information to contractor
- Excavation and construction to be speedy
- Plant machinery equipped with noise abatement measures
- Noisy operations to be carried out concurrently
- Construction activities to be in daylight and not at dusk to avoid light pollution, visual disturbance and disruption.

Water quality and hazardous materials controls:

- Soakpits in accordance with BRE Digest 365
- Site toilet and hazardous materials to be stored on western part of site.
- Hazardous materials and fuel / oil stored in bund in western part of site, use of spill containers.

General Environmental controls during construction :

- Implementation of Construction, Waste & Sediment Control Management Plan with mitigation and management procedures as follows: daylight only construction, construction traffic, demolition strategy, site clearance and excavation procedures, storage and disposal construction, covering and bunding all stockpiled loose material, no heavy machinery near rear boundary, litter control, dust suppression, concrete in dry weather , no discharging mixer washings to ground, plan in accordance with best practice guidance.

Monitoring:

- Compliance with planning conditions.
- Enforcement proceedings available.

I am satisfied that the measures can be implemented and will be effective. I am satisfied that the measures will interrupt pathways that threaten the QIs so that these are avoided or reduced to non significant levels and adverse effects can be prevented.

In-combination effects

There are no plans or projects that would result in cumulative impact in conjunction with the current application. This is addressed comprehensively in the submitted NIS.

I am satisfied that no significant residual effects will remain post the application of the mitigation measures that could act in combination with other plans and projects to generate significant effects on this European site in view of the conservation objectives.

It is considered that there is no potential for significant in-combination effects.

Findings and conclusions

Based on the information provided, I am satisfied that adverse effects arising from aspects of the proposed development can be excluded for this European site. No direct or indirect effects are predicted.

Reasonable scientific doubt

I am satisfied that no reasonable scientific doubt remains as to the absence of adverse effects.

Site Integrity

The proposed development will not affect the attainment of the conservation objectives of the **Dundalk Bay SAC and Dundalk Bay SPA**. Adverse effects on site integrity can be excluded and no reasonable scientific doubt remains as to the absence of such effects.

Appropriate Assessment Conclusion: Integrity Test

In screening the need for Appropriate Assessment it was determined that the proposed development could result in significant effects on the **Dundalk Bay SAC and Dundalk Bay SPA** in view of the conservation objectives of those sites and that Appropriate Assessment was required.

Following an examination, analysis and evaluation of the NIS, associated material submitted and taking into account observations on nature conservation, I consider that adverse effect on site integrity of **Dundalk Bay SAC and Dundalk Bay SPA** can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects. This conclusion is based on the following:

- Nature, location and scale of the proposed development.
- Detailed assessment of construction and operational impacts.
- Consideration of the conservation objectives of qualifying interest species and habitats.
- Consideration of the submitted NIS which includes objective and scientific information and is carried out by a competent person.
- Application of specific mitigation measures designed to avoid adverse effects on site integrity.

Appendix 5: Water Framework Directive Screening

WFD IMPACT ASSESSMENT STAGE 1: SCREENING						
Step 1: Nature of the Project, the Site and Locality						
An Bord Pleanála ref. no.	323562	Townland, address	The Square, Blackbush, County Louth			
Description of project	Demolition of existing structures, construction of house, timber fence and vehicular access					
Brief site description, relevant to WFD Screening,	Existing developed site. No water features on site. Eastern boundary is to Dundalk Bay					
Proposed surface water details	On site to soakaways					
Proposed water supply source & available capacity	Public mains Note: This is a like for like supply of water.					
Proposed wastewater treatment system & available capacity, other issues	Public sewer Note: This is a like for like loading on public system. The Blackrock WWTP has no spare capacity at present (refer www.water.ie) WWTP project is planned/ underway. In 2024 and 2025, WWTP discharge is compliant with ELVs.					
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Water body name(s) (code)	Distance to (m)	WFD Status	Risk of not achieving WFD Objective e.g. at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
Transitional	Inner Dundalk Bay	abuts	Poor (2019-2024)	At risk	Urban waste water pressures	Surface water run off

							Effluent (but no intensification of loading as replacement dwelling)
Groundwater	Louth	overlays	Good (2019-2024)	Not at risk	-		Surface water drain to ground
Step 3: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
CONSTRUCTION PHASE							
No.	Component	Waterbody receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
	Drainage to ground	Louth	underground	pollution	Standard best construction, construction and environmental management plan, NIS measures	no	Screened out
	Overland surface water runoff to Inner Dundalk Bay	Inner Dundalk Bay	Uncollected runoff	Pollution and sedimentation	Standard best construction, construction and environmental management plan, NIS measures	no	Screened out
OPERATIONAL PHASE							

	Storm water	Louth	Storm water runoff from roof and hard surfaces	Clean storm water to ground	Soakaways to BRE 365	no	Screened out
	Effluent disposal via Blackrock WWTP	Inner Dundalk Bay	Discharge of effluent	pollution	No change in loading. WWTP discharge is compliant with ELVs	no	Screened out
DECOMMISSIONING PHASE							
	N/A						