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1.0 EXECUTIVE SUMMARY

This document constitutes Tetra Tech Limited's (Tetra Tech) second review of two documents:

1. The Screening Report for Appropriate Assessment (AAS) dated December 2025 (VEC, 2025a); and
2. Natura Impact Statement (NIS) dated December 2025 (VEC, 2025b).

The documents are submitted to support a proposed Large-Scale Residential Development (LRD) at Rathmullan Road, Drogheda, County Meath. The AAS and NIS have been prepared by Verdé Environmental Consultants Ltd, hereafter referred to as 'VEC'.

Tetra Tech reviewed the initial documents on 15 October 2025 and a report was issued to Meath County Council (MCC) (via Plan Energy Limited).

This report constitutes Tetra Tech's review of the updated AAS and NIS.

2.0 INTRODUCTION

Tetra Tech have been instructed by MCC (via Plan Energy Limited) in February 2026 to undertake a technical review of the updated AAS and NIS reports prepared for the proposed LRD at Rathmullan Road, Drogheda, County Meath.

3.0 THE PROPOSED DEVELOPMENT

The VEC reports (2025a; 2025b) describe the 'Proposed Development' (as it is referred to hereafter within this document) as consisting of "*(i) demolition/removal of all existing farm buildings/structures and associated hard standing on site; (ii) construction of a residential development of 249 no. units comprising 170 no. two-storey houses (including 37 no. two-bedroom houses, 111 no. three-bedroom*

houses and 22 no. four-bedroom houses), 16 no. three-storey duplex buildings (accommodating 16 no. one-bedroom and 16 no. two-bedroom units) and a mix of 8 no. three-storey and 3 no. four-storey apartments blocks accommodating a total of 22 no. one-bedroom and 25 no. two-bedroom apartments); (iii) construction of a new vehicular entrance and access road off Rathmullan Road with associated junction works and associated internal access road network with pedestrian and cyclist infrastructure; (iv) provision of a creche facility (411sq.m) with external play area and vehicular/bicycle parking area; and, (v) All ancillary site and infrastructural works, inclusive of removal of existing vehicular entrances, general landscaping and public open space provision, vehicular parking provision (396 no. spaces in total), bicycle parking, boundary treatments, foul/surface water drainage, attenuation areas, provision of pumping station, as necessary to facilitate the proposed development."

3.1 DATA USED TO INFORM THE REPORT

The VEC reports are based on several sources, including ecological field surveys and desk-based investigations. The AAS and NIS reports have regard to the requirements from Uisce Eireann / Irish Water regarding connection to existing foul water network and water supply.

Tetra Tech Review

Tetra Tech consider the data used is relevant and appropriate for inclusion. Tetra Tech is not aware of any other sources of information that may be suitable for inclusion.

3.2 IDENTIFICATION OF EUROPEAN SITES

The VEC reports refer to Chartered Institute of Ecology and Environmental Management (CIEEM), Department of Housing, Local Government and Heritage (DoEHLG) and the Office of the Planning Regulator (OPR) guidance. They outline the zone of influence (ZoI) and identify European Sites using a Source-Pathway-Receptor model and not by arbitrary distances.

The AAS report states that:

"*The ZoI for this Proposed Development was identified through a review of the nature of the Proposed Development, the type of impacts and effects that could arise as a result, the distance between the Proposed Development and European sites, the qualifying interests of the European sites, as well as the consideration of the typical movement patterns of these QIs (i.e., sedentary vs highly mobile species).*"

In order to identify European Sites that could potentially be located within the ZoI of the Proposed Development, digital mapping of European Sites in Ireland, as published by the National Parks and Wildlife Service (NPWS), was reviewed. This was used to identify the European Sites that could conceivably be connected to the Proposed Development site via pathways. A ZoI of 15 km was used that identified seven European sites:

- River Boyne and River Blackwater SAC (002299)

- Boyne Coast and Estuary SAC (001957)
- Clogher Head SAC (001459)
- River Boyne and River Blackwater SPA (004232)
- Boyne Estuary SPA (004080)
- River Nanny Estuary and Shore SPA (004158)
- North-West Irish Sea SPA (004236)

Tetra Tech Review

Tetra Tech agree with source-pathway-receptor model approach to defining the ZoI, but note the statement in Section 4.4 that '*the maximum threshold distance quoted by SNH (2016) for non-breeding season foraging distance is 25km*.' The ZoI is later defined as 15km. This reduced distance is based on the extent and volume of the Proposed Development only. It should be explained further why the ZoI is set as 15km rather than the maximum foraging range specified.

Tetra Tech note that Figure 4.1 within the AAS has been updated and addresses the comments raised during the initial review of the AAS and NIS in October 2025.

3.3 LIMITATIONS AA SCREENING AND NIS

Both the AAS and NIS have a section on limitations that is clear.

Tetra Tech Review

Tetra Tech has no reason to question the limitations specified by VEC.

4.0 REPORT AUTHORS AAS AND NIS

Tetra Tech Review

The VEC reports show the quality assurance system that is in place. Both reports have been reviewed, updated and approved by different individuals. The quality assurance sections have been updated to incorporate relevant qualifications, experience and professional memberships. Tetra Tech is satisfied the author, reviewer and approver are suitably qualified.

5.0 ASSESSMENT OF LIKELY SIGNIFICANT EFFECTS (LSE)

5.1 PATHWAYS TO LSE

Table 1 – Identified Pathways to LSE (as identified by VEC (2025a). Italic text is a direct quote, with Tetra Tech comments and recommendations for MCC provided). Where reference to a 'note' is given in column 4, these are in relation to Tetra Tech's original response dated 15 October 2025.

Pathway	European Site(s) Affected	September 2025 AAS Report Conclusions	Tetra Tech Comments 15 October 2025 & MCC Recommended Actions	December 2025 AAS Report Conclusions	Tetra Tech comments & MCC Recommended Actions
Surface water and ground water emissions	*River Boyne and River Blackwater SAC* *Boyne Coast and Estuaries SAC* *Boyne Estuary SPA* *River Boyne and River Blackwater SPA*	Section 5.1*:* *It is considered that, in the absence of further detailed examination and appropriate safeguards, it cannot be objectively ruled out that the Proposed Development will not have the potential to release contaminants to the River Boyne and contribute to undermining the status of qualifying habitats and qualifying species downstream and within the River Boyne and River Blackwater SAC, Boyne Coast and Estuaries SAC and the Boyne Estuary SPA. In addition, any potential to contribute towards a diminution of water quality within the River Boyne to the north of the Proposed Development site will have the potential to undermine habitat conditions of kingfisher and the conservation objectives of the River Boyne and River Blackwater SPA.*	Tetra Tech **agrees in part** with this conclusion. Tetra Tech advise MCC that Table 4.1 shows a hydrological pathway and potential significant effect upon the Clogher Head SAC, River Nanny Estuary and Shore SPA and North-West Irish Sea SPA, though these are not referred to in section 5.1. It is not obvious from any figure within the report where these European Sites are in relation to the Proposed Development. Tetra Tech also advise against the use of status' in the Water Framework Directive (WFD) to reach conclusions under the Habitats Directive. The WFD assesses deterioration in status as water quality moving from one class to a lower one (e.g. from good ecological status to moderate ecological status), whether or not this results in a fall in the classification of the water body as a whole. As a result a degree of water quality decline may be permissible so long as that decline would not shift any water quality element into a lower class. In the context of the Habitats Directive, status is used, for example, in relation to 'conservation status' of habitats. The overall objective of the Habitats Directive is to maintain or restore habitats at 'favourable' conservation status. Therefore, whilst both Directives allow for a degree of environmental change, the acceptable level of change may differ. What might be regarded as 'deterioration' under Article 6(2) of the Habitats Directive might not represent	Section 5.1: *In the absence of detailed design information and appropriate construction safeguards, it cannot be definitively concluded that the Proposed Development would not release contaminants to the River Boyne. Any such release could, in principle, affect downstream qualifying habitats and species within the River Boyne and River Blackwater SAC, Boyne Coast and Estuaries SAC, and the Boyne Estuary SPA. A deterioration in water quality north of the site could also affect habitat conditions for kingfisher and undermine the conservation objectives of the River Boyne and River Blackwater SPA.* *The River Nanny and Shore SPA also affords hydrological links to the River Boyne but is located > 10 km downstream from the LRD site and via the coastline, which affords a significant dilution effect.* *The North-West Irish Sea is located more than 10 km downstream of the LRD site, where substantial dilution occurs, and the Clogher Head SAC lies over 20 km away with only indirect hydrological connectivity, also providing significant dilution. Consequently, significant effects on the conservation objectives of the North-West Irish Sea SPA and the Clogher Head SAC are considered unlikely.*	Tetra Tech welcome the revisions made to section 5.1 of the AAS and **agree** with the conclusions. It is further noted that Tables 4.1 and 5.1 have been updated too.

Pathway	European Site(s) Affected	September 2025 AAS Report Conclusions	Tetra Tech Comments 15 October 2025 & MCC Recommended Actions	December 2025 AAS Report Conclusions	Tetra Tech comments & MCC Recommended Actions
			'deterioration' under the WFD. If there is a deterioration in water quality as under the WFD, this must surely amount to 'deterioration' under the Habitats Directive. The AAS, therefore, must make it clear that the Proposed Development will not lead to a decline in status of the water under WFD **and** not lead to a LSE under the Habitats Directive. Tetra Tech further note that Tables 4.1 and 5.1 of the AAS only list four pathways / connections to the proposed development site – hydrological, air, land and mobile species. It would be helpful if these could be expanded upon further to include the pathways assessed in Section 5 of the AAS. Tetra Tech require **clarification** in an updated AAS.		
Waste Water Emissions	*Not specified*	Section 5.2*:* *Wastewater emissions are not considered to represent a potential risk to water quality at the Boyne Estuary due to the presence of the existing Drogheda WwTP, which has been identified over multiple monitoring years (as set out in Annual Environmental Reports (AERs) for this plant) as not having a negative effect on surface water quality of the receiving Boyne Estuary and aquatic environment. Furthermore, Irish Water have provided confirmation that sufficient capacity is available at the Drogheda WWTP to adequately treat all wastewater generated during the operational phase of the Proposed Development.* *All wastewater generated at the Proposed Development site during the construction phase will be contained within impermeable portaloo tanks which will be subject to routine maintenance during construction works. All*	Tetra Tech **agrees in part** with this conclusion. Tetra Tech note the confirmation from Irish Water that there is sufficient capacity within the Drogheda Waste Water Treatment Plant. Tetra Tech is also satisfied the measures to control wastewater during construction are not mitigation measures intended to avoid or reduce an adverse effect on site integrity. As such, they can be considered at the AAS stage. Despite this, Tetra Tech note that there is no summary sentence stating whether or not there is a likely significant effect from this pathway, and what European Sites this conclusion is based on. Tetra Tech refer to our comment above regarding the use of WFD status' to inform the screening assessment. Tetra Tech further note that Tables 4.1 and 5.1 of the AAS only list four pathways / connections to the proposed development site – hydrological,	Section 5.2: *Wastewater will be generated during the operation phase of the Proposed Development, and this wastewater will be conveyed via a pumping station and sewerage pipelines to the Drogheda Wastewater Treatment Plant (WwTP). Wastewater treated at this WwTP will be discharged to the Boyne Estuary. This discharge establishes another hydrological connection between the Proposed Development site and the Natura 2000 Sites occurring at the Boyne Estuary. However, wastewater emissions are not considered to represent a potential risk to water quality within the River Boyne and River Blackwater SAC, Boyne Coast and Estuary SAC, Clogher Head SAC, River Boyne and River blackwater SPA, Boyne Estuary SPA, River Nanny estuary and Shore SPA, or the North-West Irish Sea SPA because of the existing Drogheda WWTP, which has been identified over multiple*	Tetra Tech welcome the revisions made to section 5.2 of the AAS and **agree** with the conclusions. It is further noted that Tables 4.1 and 5.1 have been updated too.

Pathway	European Site(s) Affected	September 2025 AAS Report Conclusions	Tetra Tech Comments 15 October 2025 & MCC Recommended Actions	December 2025 AAS Report Conclusions	Tetra Tech comments & MCC Recommended Actions
		wastewater held in portaloo tanks will be conveyed offsite by a licenced operator for treatment at a suitably licenced wastewater treatment plant.	air, land and mobile species. It would be helpful if these could be expanded upon further to include the pathways assessed in Section 5 of the AAS. Tetra Tech require **clarification** in an updated AAS.	*monitoring years (as set out in Annual Environmental Reports (AERs) for this plant) as not having a negative effect on surface water quality of the receiving Boyne Estuary and aquatic environment. Furthermore, Uisce Eireann have provided confirmation that sufficient capacity is available at the Drogheda WWTP to adequately treat all wastewater generated during the operation phase of the Proposed Development.* *All wastewater generated at the Proposed Development site during the construction phase will be contained within impermeable portaloo tanks which will be subject to routine maintenance during construction works. All wastewater held in portaloo tanks will be conveyed offsite by a licence operator for treatment at a suitably licenced wastewater treatment plant.* *As such, significant effects through wastewater discharge into the River Boyne and ultimately other Natura 2000 sites further downstream is determined to be unlikely.*	
Noise emissions	*River Boyne and River Blackwater SAC* *River Boyne and River Blackwater SPA*	Section 5.3*:* *The construction phase of the Proposed Development will involve the construction of new structures on site and the operation of plant and machinery. The Proposed Development has the potential to generate noise during construction works and such noise could potentially result in disturbance to kingfisher and otters along the River Boyne to the north of the Proposed Development site. Noise will also be generated during the operational phase of the Proposed Development as a result of ongoing activities on site.*	Tetra Tech **agrees in part** with this conclusion. Tetra Tech agree that the European sites likely to be impacted are the River Boyne and River Blackwater SAC and SPA. Tetra Tech assume the remaining European Sites have been screened out, though this is unclear from the report. Screening out all other European Sites is subjective and the report authors have not supported the conclusion. There may also be noise sources disturbing bird species that use the Proposed Development site for foraging (considered to be functionally linked land as suggested in the mobile species section below).	Section 5.3: *The construction phase of the Proposed Development will involve the construction of new structures on site and the operation of plant and machinery. The Proposed Development has the potential to generate noise during construction works and such noise could potentially result in disturbance to kingfisher and otters along the River Boyne to the north of the Proposed Development site. Noise will also be generated during the operation phase of the proposed development as a result of ongoing activities on site.*	Tetra Tech welcome the revisions made to section 5.3 of the AAS and **agree** with the conclusions. It is further noted that Tables 4.1 and 5.1 have been updated too.

Pathway	European Site(s) Affected	September 2025 AAS Report Conclusions	Tetra Tech Comments 15 October 2025 & MCC Recommended Actions	December 2025 AAS Report Conclusions	Tetra Tech comments & MCC Recommended Actions
			Tetra Tech further note that Tables 4.1 and 5.1 of the AAS only list four pathways / connections to the proposed development site – hydrological, air, land and mobile species. It would be helpful if these could be expanded upon further to include the pathways assessed in Section 5 of the AAS. Tetra Tech require **clarification** in an updated AAS.	*The numerous seasonal bird surveys completed revealed that no SCI listed Natura 200* [sic] *sites within the ZoI were observed within the boundaries of the LRD site. Moreover, it is determined that significant effects to Qis* [sic] *and Sci* [sic] *of the Boyne Coast and Estuary SAC, Clogher Head SAC, North-West Irish Sea SPA, River Nanny and Shore SPA through noise emissions are unlikely because of their distance from the LRD site (> 4 km at the nearest point), whereby typical noise emissions from construction works are dissipated at 200 m. However, considering the proximity of the River Boyne and River Blackwater Sac* [sic]*, River Boyne and River Blackwater SPA, Boyne Estuary SPA, it is determined that, in light of the absence of appropriate mitigation measures, significant effects through noise emissions to these Natura 2000 sites and the SCI within is likely.*	
Air emissions	*River Boyne and River Blackwater SAC* *River Boyne and River Blackwater SPA*	Section 5.4*:* *The construction phase of the Proposed Development will involve the construction of new structures on site and the operation of plant and machinery. The Proposed Development has the potential to generate emissions to air (e.g., dust) during construction works and such emissions could potentially result in negative impacts to the freshwater habitats of the river. Operational phase use of the Proposed Development site as a residential housing estate will not pose a risk of negative emissions to air and will not have the potential to result in air emissions with the potential to result in deleterious effects to freshwater habitats of the River Boyne.*	Tetra Tech **agrees in part** with this conclusion. Tetra Tech agree that dust emissions cannot be excluded during construction. Tetra Tech are unable to agree with the conclusion that emissions to air during operation will not have an effect. Increased housing supply often leads to increased vehicle use and associated volatile emissions. There is no evidence available within the AAS to support the conclusion of no operational impacts. Tetra Tech further note that Tables 4.1 and 5.1 of the AAS only list four pathways / connections to the proposed development site – hydrological, air, land and mobile species. It would be helpful if these could be expanded upon further to include the pathways assessed in Section 5 of the AAS.	Section 5.4: *Air emissions arising from increased vehicle usage and domestic heating associated with a large residential development (LRD) can, in some circumstances, generate significant effects on sensitive ecological receptors.* *Prolonged exposure of designated sites to traffic-related emissions may exceed critical loads or critical levels, which is recognised as a mechanism capable of causing adverse effects on the integrity of Natura 2000 sites (European Commission, 2018). Significant ecological effects are therefore possible where a development materially increases pollutant concentrations within or adjacent to sensitive habitats or designated sites.* *In the case of the proposed LRD, no such risk pathways exist. The LRD site is located within a suburban setting, characterised by high baseline*	Tetra Tech **agrees with the rationale** provided for operational phase air emissions but have not been provided with the Synergy Environmental Ltd Air Quality Report (2025) that is referred to. Therefore, we cannot comment on the accuracy of the conclusions. Provided MCC have had sight of the Air Quality Report and are satisfied that it aligns with the description in the AAS, this conclusion regarding air emissions during operation can be relied upon. Tetra Tech further note that the construction phase dust emissions that were noted in the original AAS are no longer included within the most recent version. Tetra Tech **disagree** with this exclusion and advise of it's reinstatement. It is further noted that Tables 4.1 and 5.1 have been updated too.

Pathway	European Site(s) Affected	September 2025 AAS Report Conclusions	Tetra Tech Comments 15 October 2025 & MCC Recommended Actions	December 2025 AAS Report Conclusions	Tetra Tech comments & MCC Recommended Actions
			Tetra Tech require **further information** in an updated AAS.	*traffic volumes, multiple existing road networks, and the M1 freeway c. 150 m to the west of the LRD site. Air quality in the area is therefore already dominated by established, long-term suburban emissions, and any incremental increase associated with the LRD will be negligible relative to the existing baseline.* *Consequently, according to the air quality assessment report completed by Synergy Environmental Ltd (2025), it was determined that there is no/low likelihood that the LRD will influence local air quality to an extent that will result in exceedances of critical loads or levels of local and regional air quality parameters, and will not give rise to any likely significant effects on the conservation objectives of nearby Natura 2000 sites during the construction or operational phases of the proposed development. Significant effect to Natura 2000 sites and their QIs / SCI through air emissions is determined to be unlikely.*	
Mobile species	*River Boyne and River Blackwater SPA* *Boyne Estuary SPA* *River Nanny Estuary and Shore SPA* *North-West Irish Sea SPA*	Section 5.5: *In the event that the Proposed Development site functions as a terrestrial habitat for special conservation interest bird species of the five SPAs occurring within the zone of influence of the Proposed Development, it will have the potential to result in the loss of foraging habitat for these species. A Natura Impact Statement will be required to examine whether the site of the Proposed Development and immediate surrounding landscape offers suitable terrestrial habitats currently utilised by bird species listed as QIS within nearby Natura 2000 sites.*	Tetra Tech **agrees in part** with this conclusion. Tetra Tech agree the precautionary approach taken is sufficient, but question why mobile species of the SACs are not included in this section. It is noted in Table 5.1 that there is a potential for significant effects on mobile species of the River Boyne and River Blackwater SAC. Table 5.1 also summarises that there is no potential for significant effects upon the mobile species of the River Nanny Estuary and Shore SPA, which does not align with the assessment in Section 5.5. Tetra Tech advise further clarification on what this pathway relates to – whether it is just loss of foraging habitat, or loss of connectivity to the European sites and species mobility.	Section 5.5: *In the event that the Proposed Development site functions as a terrestrial habitat for special conservation interest bird species of the SPAs listing bird species as SCI (five in total) occurring within the zone of influence of the Proposed Development, it will have the potential to result in the loss of foraging habitat for these species. A Natura Impact Statement is required to examine the potential for the Proposed Development site to function as a terrestrial habitat relied upon by such special conservation interest bird species and, in the event that it does so, the impact of the loss of terrestrial foraging habitat will have for such species.*	Tetra Tech welcome the clarifications in the previous sections of the AAS. Tetra Tech are satisfied the mobile species pathway relates to birds only and **agree** that loss of foraging habitat should be considered in the NIS. Impacts of noise upon Otter have been covered in Section 5.3 of the AAS. It is noted in Section 4.2 of the AAS that "*the Proposed Development site does not provide suitable habitat for otters.*" Tetra Tech note that section 5.5 states "*SPAs listing bird species as SCI (five in total).*" In line with our previous comments, this is unclear as it could be interpetted as being five SPAs (noting that only **four** SPAs are identified in the 15km ZoI) or that there are five SCIs. If the latter, it would be helpful if the species could be given.

Pathway	European Site(s) Affected	September 2025 AAS Report Conclusions	Tetra Tech Comments 15 October 2025 & MCC Recommended Actions	December 2025 AAS Report Conclusions	Tetra Tech comments & MCC Recommended Actions
			Tetra Tech note that section 5.5 refers to "*five SPAs occuring within the zone of influence of the Proposed Development*" though only four SPAs are listed in Tables 4.1 and 5.1. Tetra Tech further note that Tables 4.1 and 5.1 of the AAS only list four pathways / connections to the proposed development site – hydrological, air, land and mobile species. It would be helpful if these could be expanded upon further to include the pathways assessed in Section 5 of the AAS. Tetra Tech require **clarification and further information** in an updated AAS.		It is further noted that Tables 4.1 and 5.1 have been updated too.
Human disturbance	*River Boyne and River Blackwater SAC* *River Boyne and River Blackwater SPA*	Section 5.6: *The operation phase of the Proposed Development will result in an increase in the human population within the immediate vicinity of the River Boyne and the freshwater habitats of this river that are relied upon by otters and kingfisher. Other human activities have been identified as an existing threat/pressure to the status of the River Boyne and River Blackwater SAC and an increase in human population will have the potential to contribute towards disturbance to these species. A Natura Impact Statement is required to examine the potential for this effect to arise as a result of the Proposed Development.*	Tetra Tech **agrees in part** with this conclusion. Tetra Tech welcome the confirmation that human disturbance will be examined with the NIS. Tetra Tech assume the remaining European Sites have been screened out, though this is unclear from the report. Screening out all other European Sites is subjective and the report authors have not supported the conclusion. It is also unclear whether the term 'human disturbance' is generic or not. The threat of increased predation risk from domesticated cats, dog disturbance and dog waste nutrient enrichment should be considered. Tetra Tech require **clarification** in an updated AAS.	Section 5.6: *The operation phase of the Proposed Development will result in an increase in the human population within the immediate vicinity of the River Boyne and the freshwater habitats of this river that are relied upon by otters and kingfisher. Other human activities have been identified as an existing threat/pressure to the status of the River Boyne and River Blackwater SAC and the River Boyne and River Blackwater SPA and an increase in human population will have the potential to contribute towards disturbance to these species. A Natura Impact Statement is required to examine the potential for this effect to arise as a result of the Proposed Development.* *Similarly, it is also recognised that an increase in the resident human population will also likely result in an increase in the abundance of domestic pets, such as dogs and cats. Domestic dogs and cats can influence local biodiversity through disturbance, predation, nutrient enrichment from faeces and, in some settings, disease transmission. However, these impacts are*	Tetra Tech **agrees in part** with this conclusion. Tetra Tech welcome the amendments made to Section 5.6, though continue to **agree in part** with the conclusions. Tetra Tech **agree** that human disturbance upon the River Boyne and River Blackwater SPA and SAC should be examined with the NIS and welcome this decision. Tetra Tech note that the remaining European Sites have been screened out. It is noted that the Natura Impact Report (NIR) prepared as part of the Meath County Development Plan 2021-2027 (Scott Cawley Ltd, 2021), describes recreation as including walking, horse riding, non-motorised vehicles, offshore motorised vehicles, bait digging and new paths and tracks. The NIR also implies there are in-combination effects of recreational disturbance. Table A4 of the NIR indicates that recreation is a threat to the key conditions of the Boyne Coast and Estuary SAC, Clogher Head SAC, Boyne Estuary SPA and River Nanny Estuary and Shore

Pathway	European Site(s) Affected	September 2025 AAS Report Conclusions	Tetra Tech Comments 15 October 2025 & MCC Recommended Actions	December 2025 AAS Report Conclusions	Tetra Tech comments & MCC Recommended Actions
				typically associated with access to natural or semi-natural habitats where sensitive species occur.	SPA. The NIR does not assess the North-west Irish Sea SPA. Tetra Tech advise that MCC have regard to the NIR conclusions and clarify with the applicant whether these additional sites should remain as screened out.
Land Pathways	*Not specified*	New pathway incorporated in December 2025 revision.	New pathway incorporated in December 2025 revision.	Section 5.7: *Large development have the potential to cause habitat loss and disrupt ecosystem connectivity, both of which can result in significant effects where they occur within or adjacent to protected habitats, support species of conservation concern, or sever ecological corridors that facilitate species movement. Habitat loss can reduce the availability of foraging, breeding, and shelter resources for local wildlife (e.g., birds, mammals, amphibians, fish, etc) and may lead to population declines where key resources are removed (CIEEM, 2019; European Commission, 2021). Similarly, the fragmentation or removal of ecological corridors, such as riparian zones, hedgerows, treelines or semi-natural grasslands, can isolate local and regional wildlife populations, restrict dispersal, and undermine long-term ecological resilience (EEA, 2019). When such effects occur within or near Natura 2000 sites or important local biodiversity features, they can constitute significant adverse effects requiring mitigation or alternative design solutions.* *In the instance of the proposed LRD, none of the conditions necessary for these significant ecological effects are present. The proposed development footprint does not encroach upon any designated site; there are no important / protected habitats within the site footprint or offer key supporting habitats for nearby qualifying interests of Natura 2000 sites or national conservation value. The receiving*	Tetra Tech **agrees** with this conclusion.

Pathway	European Site(s) Affected	September 2025 AAS Report Conclusions	Tetra Tech Comments 15 October 2025 & MCC Recommended Actions	December 2025 AAS Report Conclusions	Tetra Tech comments & MCC Recommended Actions
				environment is dominated by suburban developments, commercial agriculture, and modified habitats that afford low biodiversity value. Consequently, no habitat types of conservation concern will be lost or altered as a result of the LRD works. Furthermore, the site does not contain, nor does it lie adjacent to, stand-alone functional ecological corridors, and the wider landscape already exhibits a high degree of anthropogenic alteration, whereby the proposed development will not sever any routes essential for species movement or ecosystem functioning. As such, the LRD will not remove habitat of ecological importance, will not compromise ecosystem connectivity, and therefore will not give rise to any significant effects on local and regional biodiversity or the integrity of protected sites via land pathways.	
Presence of Alien Invasive Species and their Spread	*Not specified*	New pathway incorporated in December 2025 revision.	New pathway incorporated in December 2025 revision.	Section 5.8: *Invasive alien species (IAS) can pose significant ecological risks during both the construction and operational phases of a development. Disturbance of soil and vegetation can create opportunities for non-native species to colonise, while the movement of materials, machinery, and people can introduce propagules from external sources. If invasive plants become established, they may outcompete native flora, alter habitat structure, reduce biodiversity, disrupt nutrient cycling, and affect ecosystem functioning (see EU Regulation 1143/2014). The European Commission and the Convention on Biological Diversity identify the spread of invasive species as a major driver of biodiversity loss and a potential source of significant ecological effects when associated with development or land-use change. Invasive species proliferation can also undermine habitat resilience, hinder natural regeneration,*	Tetra Tech **agrees** with this conclusion.

Pathway	European Site(s) Affected	September 2025 AAS Report Conclusions	Tetra Tech Comments 15 October 2025 & MCC Recommended Actions	December 2025 AAS Report Conclusions	Tetra Tech comments & MCC Recommended Actions
				and increase long-term management burdens for landowners and local authorities. *However, no invasive alien plant species, as listed under the First Schedule of the EU Habitats Directive (S.I. No. 374/2024) were recorded within the boundaries of the LRD site nor on adjacent lands. Standard construction-phase control, such as good site hygiene, management of soil movements, sourcing certified clean materials, and routine inspection, are sufficient to manage the low risk of accidental introduction. Given the absence of invasive species on or near the LRD site, it is determined that significant effects from increased presence and spread of AIS on / near the LRD site is unlikely.*	

5.2 ADDITIONAL PATHWAYS FOR CONSIDERATION

Tetra Tech note that details of pre-connection enquiries (PCEs) and confirmations of feasibility (CoFs) have been referred to in the AAS (Section 2.4) and NIS (Section 2.3). Tetra Tech advise MCC that neither the AAS or NIS provide any detail on whether there will be any increase in the rate of water abstraction / supply to residences, and whether or not this poses a risk to any of the European Sites during operation.

5.3 IN-COMBINATION ASSESSMENT

Section 5.9 of the VEC AAS states:

"*In the absence of appropriate safeguards the Proposed Development will have the potential to generated* [sic] *polluted surface waters and groundwaters on site and in the event of their discharge from the Proposed Development site to the River Boyne, the potential will exist for the Proposed Development to combine with any other existing sources of pollutants or pressures to water quality River Boyne, as discussed in Section 3 above, and result in the discharge of polluted water to this river. In the event of the discharge of contaminated waters from the Proposed Development site to the River Boyne, such contaminated water will have the potential to combine with the existing sources of pressures to the water quality of the River Boyne to result in negative cumulative impacts to the water quality and status of the lower transitional waters of the River Boyne and the River Boyne and River Blackwater SAC. The discharge of such contaminated waters downstream will also have the potential to combine with existing pressures to the status of the Boyne Estuary and contribute to cumulative negative impacts to the Boyne Estuary SPA site.*

Furthermore, in the event that other projects and/or existing land uses occurring within the vicinity of the Proposed Development site have the potential to result in negative impacts to the River Boyne Natura 2000 Sites and the Boyne Estuary Natura 2000 Sites, then the Proposed Development will have the potential to combine with these to result in cumulative negative effects to these Sites.

Section 7 of this report provides a detailed assessment of the likelihood of significant effects to the conservation objectives of QIs and SCI within each Natura 2000 site identified within the ZoI. Table 5.1, below, reflects the same pathways as highlighted in Table 4.1, provides a summary overview of the assessment of likely significant effects."

Tetra Tech Review

Tetra Tech agrees that the Proposed Development has probable in combination effects, and this is further considered in the NIS Report (see Tetra Tech review in Section 6).

Tetra Tech advise that an in-combination assessment should not necessarily be restricted to projects within the '*vicinity*' or arbitrary distance of the Proposed Development but rather plans or projects capable of exerting the same pressure upon the same receiving European Site.

Tetra Tech note that whilst reference is given to Section 7 of the AAS, there is no Section 7. This needs to be clarified. If this section has been omitted erroneously, the AAS needs to be updated.

5.4 TABLES

Tetra Tech feel it is necessary to incorporate a section regarding the tables detailed in the AAS.

Table 4.1

Table 4.1 gives details of the habitats and / or species identified for Natura 2000 sites within the 15km ZoI. Tetra Tech note the following:

- Noise and dust are considered alongside each other in the '*Air*' pathway, but are subsequently assessed separately in sections 5.3 and 5.4.
- There is no explanation of what the colour scheme used in the 'Connectivity to Development Site' refers to. It is assumed red denotes connectivity and green symbolises no-connectivity. However, this assumption is confounded by the inclusion of 'yes or no' statements after each pathway type. For example, the '*Air (Noise and Dust)*' and '*Human Disturbance*' pathways for the Boyne Estuary SPA are coloured red (assumed to mean a connection is present) but are subsequently preceded by the word '*No*' implying there is no connectivity. The same is true for the '*Human Disturbance*' pathway for the North-West Irish Sea SPA row.
- There is no 'yes or no' response given for the '*Human Disturbance*' pathway within the Clogher Head SAC row.

Table 5.1

Table 5.1 gives a summary of the LSE conclusions. Tetra Tech note the following:

- There is no '*Wastewater*' pathway included for River Boyne and Blackwater SPA row.
- The '*Presence of Alien Invasive Species and their Spread*' pathway is omitted.
- The summary for the '*Land*' and '*Human Disturbance*' pathways for the River Boyne and Blackwater SAC row do not align with the statements made in the respective sections of the AAS.
- The summary for the '*Mobile Bird Species*' and '*Human Disturbance*' pathways for the River Boyne and River Blackwater SPA row do not align with the statements made in the respective sections of the AAS.
- The summary for the '*Mobile Bird Species*' pathway for the River Nanny and Estuary and Shore SPA row does not align with the statement made in the respective sections of the AAS.
- The summary for the '*Hydrological*' pathway for the North-West Irish Sea SPA row does not align with the statement made in the respective sections of the AAS.

Appendices Tables (Pages 37 – 50)

The appendices on Pages 37 – 50 of the AAS provide a further summary of the LSE assessment. Tetra Tech note the following:

- The River Boyne and River Blackwater SAC summary table correctly includes dust emissions (within the '*Air (Noise and Dust)*' pathway as having a LSE, though it is noted that dust emissions appear to have been omitted from section 5.4 of the AAS (as noted above in Table 1) despite being included in version1 of the AAS from September 2025.
- The '*Mobile Species (bird species)*' pathway in The River Boyne and River Blackwater SAC summary table is misleading as birds are not afforded protection through SACs. This pathway needs to relate to non-avian species that are protected by this SAC.
- The conclusion reached for the '*Human Disturbance*' pathway in the summary table for the The River Boyne and River Blackwater SAC does not align with the statement given in the opening paragraph of section 5.6 of the AAS.
- The River Boyne and River Blackwater SPA summary table correctly includes dust emissions (within the '*Air (Noise and Dust)*' pathway as having a LSE, though it is noted that dust emissions appear to have been omitted from section 5.4 of the AAS (as noted above in Table 1).
- The contents of the '*Assessment of Likely Significant Effects*' column in the Boyne Estuary SPA summary table instead refers to the North-West Irish Sea SPA. This requires updating and the correct Natura 2000 site referred to.
- The contents of the '*Assessment of Likely Significant Effects*' column in the North-West Irish Sea SPA summary table instead refers to the River Boyne and River Blackwater SAC. This requires updating and the correct Natura 2000 site referred to.

5.5 APPROPRIATE ASSESSMENT SCREENING CONCLUSION

The VEC AAS conclusion states:

"*The potential for impacts to otters, qualifying freshwater fish and kingfishers, alluvial woodland, and estuarine habitats, have also been identified as a possible effect of the Proposed Development that cannot be ruled out at the Screening stage. In addition, the potential for the Proposed Development site to function as a terrestrial habitat for relevant special conservation interest bird species above cannot be ruled out at the screening stage.*

It has been determined during this AA Screening, which has been completed with a high degree of conservatism and precaution, that the potential for the Proposed Development to result in deleterious effects to the conservation objectives of QIs and SCI within the River Boyne and River Blackwater SAC, Boyne Coast and Estuary SAC, River Boyne and River blackwater SPA, Boyne Estuary SPA, and the North-West Irish Sea SPA are likely.

The authors confirm that no measures intended to avoid or reduce impacts to European Sites were taken into consideration in this screening assessment.

For the reasons outlined above it is the considered view of the authors of this Screening Report for Appropriate Assessment that the potential for likely significant effects to 5 out of the 7 Natura 2000 Sites cannot be ruled out at the Screening stage, and that a Stage 2 Appropriate Assessment of the Proposed Development is therefore required. This AA screening has similarly determined that there is no likelihood for significant effects to the conservation objectives of QIs and SCI within the Clogher Head SAC, and the River Nanny Estuary and Shore SPA because of the lack of tangible hydrological, air, or land pathways. Consequently, only the River Boyne and River Blackwater SAC, Boyne Coast and Estuary SAC, River Boyne and River blackwater SPA, Boyne Estuary SPA, and the North-West Irish Sea SPA will be carried through into the Natura Impact Statement (NIS) for further assessment of its the potential for the proposed developmentto result in deleterious effects to the integrity of the conservation objectives of the above listed Natura 2000 Sites, alone or in-combination with other plans or projects."

Tetra Tech Review

In light of Tetra Tech's comments on the AAS that are described above , Tetra Tech **agrees in part** with the conclusions of the AAS. Tetra Tech welcome that a NIS has been prepared, and note the update that confirms the River Nanny Estuary and Shore SPA and Clogher Head SAC are not taken through for examination within the NIS. However, Tetra Tech would expect the conclusion of the AAS to be updated to align with any amendments made to the AAS report. Subsequently, the NIS may also require amendments too.

6.0 NATURA IMPACT STATEMENT

The comments made within this section are based upon the content of the **latest revision of the NIS** (VEC, 2025b). They seek to inform MCC of areas where clarification is needed, notwithstanding the anticipated amendments to the NIS report that may be necessary in view of the comments above on the AAS.

Table 2 – Examination of Pathways within the NIS (as identified by VEC reports)

Pathway	European Site(s) Affected	September 2025 NIS Conclusions	Tetra Tech Comments 15 October 2025 & MCC Recommended Actions	December 2025 NIS Conclusions	Tetra Tech comments & MCC Recommended Actions
Hydrological Pathway	*River Boyne and River Blackwater SAC* *Boyne Coast and Estuaries SAC* *Boyne Estuary SPA* *River Boyne and River Blackwater SPA*	Section 6.1*:* *Earthworks associated with the construction phase of the Proposed Development will denude surfaces and have the potential to generate silt-laden surface water runoff from the Proposed Development site…In addition, potentially contaminating materials such as oils, fuels, lubricants, other construction related solutions and cement-based products will be used on site during the construction phase and the accidental emission of such material via surface water runoff or groundwater base flows to the River Boyne will have the potential to undermine water quality within the river and contribute to existing water quality pressures to the transitional waters of the River Boyne and the River Boyne Estuary.* *During the operation phase surface water generated at the Proposed Development site will discharge via the proposed surface water pathway to the River Boyne. The potential will exist for surface water runoff from car parking areas to be contaminated in the event of fuel leaks or accidental spills. Any untreated discharge of contaminated surface water runoff from the Proposed Development site to the River Boyne could contribute to existing pressures to water quality within the Boyne River and Estuaries European Sites.* *Such an effect would have the potential to undermine the conservation status of lotic and wetland habitats occurring downstream of the project, with consequent effects on qualifying species such as*	Tetra Tech **agrees** with this conclusion. A hydrological pathway exists.	N/A	No amendments required to section 6.1 of the NIS. Tetra Tech continues to **agree** with the conclusions.

Pathway	European Site(s) Affected	September 2025 NIS Conclusions	Tetra Tech Comments 15 October 2025 & MCC Recommended Actions	December 2025 NIS Conclusions	Tetra Tech comments & MCC Recommended Actions
		Atlantic salmon, lamprey species, kingfishers, otters and wetland bird species further downstream at the Boyne Estuary SPA.			
Noise & Vibration	*River Boyne and River Blackwater SAC* *River Boyne and River Blackwater SPA*	Section 6.2*:* *It is subsequently concluded that noise and vibration generated during the construction phase will not have the potential to result in disturbance to the otter and kingfisher populations of the River Boyne, and that there is no functional noise/vibration impact pathway connecting the Proposed Development site to these features of interest of the River Boyne and River Blackwater SAC and the River Boyne and River Blackwater SPA.*	Tetra Tech **does not agree** with this conclusion. Tetra Tech note the conclusion only relates to species protected by the River Boyne and River Blackwater SAC and SPA. The NIS has cited Cutts et al., (2013) and Nature Scotland (2022). Both documents are regularly cited by practitioners of directive reports and are useful informants for zone of influence for both Visual and Aural disturbance. In regards to Cutts et al (2013) Tetra Tech note the statement in the NIS that: "*This toolkit provides a calculation table for determining the distance at which a noise emitting source will reach non-disturbing acceptable levels. The item of plant associated with the construction phase that will have the highest emitting noise level will be a concrete breaker at 92 dB LAeq (10m from source). Using the Cutts et al. (2013) toolkit the distance at which this noise will be within an acceptable dose level will be approximately 20m*." Tetra Tech advise MCC that Cutts et al (2013) does not provide specific noise criteria for Kingfisher. It is therefore assumed that the generic 70 dB noise threshold at receptor has been used. It is explained in Cutts et al (2013) that "*the threshold works as a general rule but is relatively simplistic as it does not take into account the type of stimuli or the species of bird involved.*" The NIS also states "*Nature Scotland published a review of disturbance distance for bird species (Nature Scotland, 2022) and have identified a disturbance distance of 50m to 100m during both the non-breeding season and breeding season for kingfisher.*"	Section 6.2: *The potential noise impact of construction and operational phase activities of projects to disturbance of Natura 2000 sites, and specifically kingfisher and otters within the River Boyne and River Blackwater SAC and SPA, which are the species that have been identified as occurring proximal to the LRD site and are particularly susceptible to such disturbance. Their susceptibility to such disturbance has been identified on the basis of the proximity of the Proposed Development to the River Boyne and the sections of the river that are likely to be used by these species and the potential for noise to be generated during the construction phase. Moreover, it is also acknowledged that Natura 2000 sites further afield accommodate bird species that may utilise habitats within / near the LRD and are similarly susceptible to noise emissions.* *The River Boyne is located within 40m of the Proposed Development site boundary. It is set back from the developable footprint of the Proposed Development site by approximately 135m. A noise impact assessment was completed for the Proposed Development site which examined the potential for noise impacts to surrounding receptors associated with construction works. This assessment found that no significant impacts relating to changes in noise levels would occur within 50m of the construction footprint.* *For the Proposed Development, groundbreaking and excavations will again be minimal and no piling will be undertaken. In light of this vibration effects will be low, as per the assessment for the previous project, and there will be no potential for the Proposed*	Tetra Tech welcome the revisions made to section 6.2 of the NIS and **agree** with the conclusions. Tetra Tech note that the section title specifically mentions '*Waterbirds*' but the text includes reference to otter. Tetra Tech inform MCC that birds are afforded protection through SPAs, whilst non-avian species are protected through SACs. Tetra Tech comments in relation to the suitability and efficacy of mitigation measures is set out below.

Pathway	European Site(s) Affected	September 2025 NIS Conclusions	Tetra Tech Comments 15 October 2025 & MCC Recommended Actions	December 2025 NIS Conclusions	Tetra Tech comments & MCC Recommended Actions
			Tetra Tech also advise MCC to seek clarification on the equipment capable of emitting the most noise. The NIS refers to a concrete breaker, though it is noted in section 2.10 of the AAS that a concrete breaker is not listed as a type of plant, but that a pile driver is. It is assumed the conclusion reached is based on the developable land being 135 m from the River Boyne. Whilst that is true, it cannot be excluded that compound areas may be in close proximity to the River Boyne, which is within 40 m of the site boundary. Tetra Tech require **clarification** in an updated NIS	*Development to result in vibration related effects to the River Boyne.* *In light of the foregoing it is concluded that noise and vibration generated during the construction phase will not have the potential to result in disturbance to the otter and kingfisher populations of the River Boyne and that there is no functional noise/vibration impact pathway connecting the Proposed Development site to these features of interest of the River Boyne and River Blackwater SAC and the River Boyne and River Blackwater SPA.*	
Air emissions	*River Boyne and River Blackwater SAC* *River Boyne and River Blackwater SPA*	Section 6.3: *Mitigation measures for avoiding any potential dust soiling impacts to all areas within the River Boyne and River Blackwater SAC are set out in Section 7 below.* *In light of the above it is concluded that the operation phase of the Proposed Development will not have the potential to result in a function air impact pathway between the Proposed Development site and the River Boyne European Sites.*	Tetra Tech **agrees** with this conclusion. Tetra Tech agree that dust emissions cannot be excluded during construction. Tetra Tech comments in relation to the suitability and efficacy of mitigation measures is set out below.	N/A	No amendments required to section 6.3 of the NIS. Tetra Tech continues to **agree** with the conclusions.
Mobile species	*River Boyne and River Blackwater SAC* *River Boyne and River Blackwater SPA*	Section 6.4: *In light of the targeted surveys completed at the Proposed Development site it can be concluded beyond reasonable scientific doubt, based on the best available scientific knowledge including the extensive bird surveys carried out on site, that the Proposed Development site does not function as an ex-situ habitat for these species and there is no mobile species pathway connecting the Proposed*	Tetra Tech **agrees in part** with this conclusion, but refer to the comments made in the AAS about considering the River Nanny Estuary and Coast SPA	Section 6.5: *In light of the targeted bird surveys completed at the Proposed Development site it can be concluded that the Proposed Development site does not function as an ex-situ habitat for these species and there is no mobile species pathway connecting the Proposed Development to SACs and SPAs in the wider surrounding area.*	Tetra Tech note the revisions made to this section of the of the NIS. Tetra Tech **agree** with the conclusions reached for the Kingfisher feature of the River Boyne and River Blackwater SPA and Otter feature of the River Boyne and River Blackwater SAC. Tetra Tech note that according to Table 5.1 of the AAS this pathway was deemed to have no significant effect upon these features so are unclear as to why they have been considered in the NIS. Tetra Tech refers MCC to the comments made in the AAS regarding the additional SPAs. It is noted that

Pathway	European Site(s) Affected	September 2025 NIS Conclusions	Tetra Tech Comments 15 October 2025 & MCC Recommended Actions	December 2025 NIS Conclusions	Tetra Tech comments & MCC Recommended Actions
		Development to SACs and SPAs in the wider surrounding area. *Given the absence of a mobile species pathway between the Proposed Development site and these SPAs there will be no potential for the Proposed Development to result in adverse effects to these four European Sites.*			Section 6.5 only refers to a selection of species. It is understood from Table 4.1 of AAS (and 5.1 of the NIS) that species other than those described in section 6.5 are qualifying features. Gulls in-particular could forage terrestrially, though section 6.5 only refers to Herring gull (River Nanny Estuary and Coast SPA and North-West Irish Sea SPA) and lesser black backed gull (North West Irish Sea) and excludes other gull species.
Human disturbance	*River Boyne and River Blackwater SAC* *River Boyne and River Blackwater SPA*	Section 6.5: *The operation phase of the Proposed Development will result in an increase in the human population at the Proposed Development site and in close proximity to the River Boyne. An existing recreational greenway facility is provided along the southern bank of the River Boyne, parallel to the Rathmullan Road. It is likely that this facility will be used as a recreational walking and cycling facility by residents of the Proposed Development during it operation phase.* *This greenway facility was subject to a previous planning application, which included a NIS and an Appropriate Assessment completed by the competent authority. The Appropriate Assessment for this greenway concluded that its operation phase would not have the potential to result in adverse effects, alone or in-combination with other plans or projects, to the River Boyne and River Blackwater SAC or the River Boyne and River Blackwater SPA or any other European Sites occurring downstream at the Boyne Estuary. Given the Appropriate Assessment determination for this greenway project it is concluded that the use of this greenway by residents of the Proposed Development will not have the potential to result in adverse effects to the River Boyne and the associated European Sites or the Boyne Estuary European Sites downstream.*	Tetra Tech **does not agree** with this conclusion. Tetra Tech note mitigation measures are proposed for human disturbance upon the oak-ash-hazel woodland which is not a qualifying feature of the European Sites, but is within the boundary of the River Boyne and River Blackwater SAC. Tetra Tech note the reliance upon the appropriate assessment conclusions reached for the greenway facility, though no reference, or copy, has been provided. As such, Tetra Tech cannot confirm the accuracy of this conclusion. Furthermore, Tetra Tech advise MCC that increased population numbers as a result of LRDs can act cumulatively to have an adverse effect. There is no evidence provided to show the numbers of people the greenway can support. If the route receives higher footfall, people may venture elsewhere. Similarly, the presence of a greenway does not prevent access to the River itself. Tetra note reference to Section 4.1.4 though assume this is meant to be 5.1.4. Tetra Tech require **clarification** in an updated NIS.	Section 6.6: *During the construction phase of works, human presence, and movement on and near the LRD site will be elevated and therefore increase the potential disturbance through human presence. Specifically, the construction phase of works will require the development and use of a site compound wherein human presence will be concentrated.* *However, the location of the site compound for the construction phase will be located along the eastern boundary of the LRD, near the existing derelict buildings, and away from the River Boyne and other potential key habitats for SCI of Natura 2000 sites.* *The operation phase of the Proposed Development will result in an increase in the human population at the Proposed Development site and in close proximity to the River Boyne. An existing recreational greenway facility is provided along the southern bank of the River Boyne, parallel to the Rathmullan Road. It is likely that this facility will be used as a recreational walking and cycling facility by residents of the Proposed Development during it operation phase.* *This greenway facility was subject to a previous planning application, which included a NIS and an Appropriate Assessment completed by the competent authority. The Appropriate Assessment for this greenway concluded that its operation phase*	Tetra Tech **agrees in part** with this conclusion. The construction phase is not expected to exert a human disturbance upon the River Boye and River Blackwater SAC and SPA or any other European sites. Tetra Tech continues to dispute the conclusions reached regarding operational phase human disturbance. The focus remains upon the River Boyne and River Blackwater SPA and SAC. It is noted from the AAS that the remaining European Sites have been screened out. Tetra Tech again refer to the NIR (Scott Cawley Ltd, 2021) which indicates that recreation is also a threat to the key conditions of the Boyne Coast and Estuary SAC, Clogher Head SAC, Boyne Estuary SPA and River Nanny Estuary and Shore SPA. It also implies there are in-combination effects of recreational disturbance. Tetra Tech notes the continued reliance upon the appropriate assessment conclusions reached for the greenway facility. It is unclear whether the LRD was included within any in-combination assessment for the greenway facility. Tetra Tech advise MCC that increased population numbers because of LRDs can act cumulatively to have an adverse effect. There is no evidence provided to show the numbers of people the greenway can support and whether the additional footfall

Pathway	European Site(s) Affected	September 2025 NIS Conclusions	Tetra Tech Comments 15 October 2025 & MCC Recommended Actions	December 2025 NIS Conclusions	Tetra Tech comments & MCC Recommended Actions
		As noted in Section 4.1.4 above informal recreational use of the oak-ash-hazel woodland on the slopes to the north of the Proposed Development site was recorded during field surveys. Whilst this woodland habitat does not represent a qualifying habitat of the SAC it is located within the boundary of the SAC. An increase in the human population in the vicinity of this woodland could result in a further recreational pressure within this woodland habitat. As such mitigation measures to control the use of this woodland by future occupants have been prepared as part of the landscape masterplan and are set out in Section 7 below.		*would not have the potential to result in adverse effects, alone or in-combination with other plans or projects, to Natura 2000 sites and the QIs and SCI of each. Nonetheless, it must be noted that human footfall along the greenway and subsequent increase in overall human presence of the area may result in disruption to foraging, resting, or nesting behaviour of local bird and mammal species. However, in this instance, the receiving environment surrounding the LRD site is an urbanised (residential estates, walkways, access roads, etc) that supports only low local biodiversity, with ecological communities already adapted to persistent human activity. Human presence along the River Boyne is long-established through existing walkways and / or greenways and already high on a daily basis. The introduction of a formalised greenway therefore represents a continuation of an existing baseline rather than a new source of disturbance, and its users are unlikely to access habitats not already subject to regular recreational use. As a result, it is determined that no significant effects on local biodiversity are anticipated, as the greenway will neither introduce new disturbance pathways nor increase pressure on sensitive ecological receptors that are absent from this urban section of the river corridor.* *As noted in Section 4.1.4 above informal recreational use of the oak-ash-hazel woodland on the slopes to the north of the Proposed Development site was recorded during field surveys. Whilst this woodland habitat does not represent a qualifying habitat of the SAC it is located within the boundary of the SAC. An increase in the human population in the vicinity of this woodland could result in a further recreational pressure within this woodland habitat. As such mitigation measures to control the use of this woodland by future occupants have been prepared*	expected as a result of this LRD is within the levels assessed. If the route receives higher footfall, people may venture elsewhere. Similarly, the presence of a greenway does not prevent access to the river itself.

Pathway	European Site(s) Affected	September 2025 NIS Conclusions	Tetra Tech Comments 15 October 2025 & MCC Recommended Actions	December 2025 NIS Conclusions	Tetra Tech comments & MCC Recommended Actions
				as part of the landscape masterplan and are set out in Section 7 below.	

6.1 CUMULATIVE EFFECTS

Tetra Tech welcome the amendments made to the in-combination assessment within Section 6.7 of the NIS.

It is noted that "*The potential exists for the Proposed Development to overlap with other construction projects within the Boyne catchment downstream of the Proposed Development site. A review of the Meath and Louth County Council planning portal was completed to identify other recently approved or live planning applications, with which the Proposed Development could combine to result in negative effects to the water quality of the River Boyne and adverse effects to the conservation status of the qualifying feature of interest/special conservation interests of the Boyne River and Estuaries European Sites. A number of planning applications were identified within a 1km radius of the Proposed Development site.*"

However, Tetra Tech wish to make the following comments.

Firstly, the cumulative assessment only makes reference to the planning portals for Meath and Louth County Councils. It's focus also remains upon construction phase cumulative effects rather than the operational phase cumulative effects (see above regarding human disturbance).

Within Table 6.1, there is no information provided that describes which planning portal the identified applications are from. Similarly, the search parameters are not detailed (both in terms of the date the search was conducted and the date range used to identify the other applications). Tetra Tech note the suite of other plans referred to in Table B1 of the Meath County Development Plan NIR (Scott Cawley Ltd, 2021) and query whether they should be assessed within the NIS. As a minimum, the reason for their exclusion should be given.

Tetra Tech also note Figure 1.2 of the NIS that describes '*Future Road & Development Connectivity*' to the south and west of the LRD but note it is not discussed in the NIS.

Tetra Tech also advise that an in-combination, or cumulative, assessment should not necessarily be restricted to projects within the '*vicinity*' or arbitrary distance of the Proposed Development but rather plans or projects capable of exerting the same pressure upon the same receiving European Site. The NIS has only considered projects within 1km of the Proposed Development.

Tetra Tech note that public authorities are entitled to exercise judgement as to which plans or projects are included in an in-combination assessment, and that there must be a degree of flexibility in an in-combination assessment (Walton v Scottish Ministers 2011 CSOH 131). In that judgement, reference was made to an answer given by the European Commission to a Member of the European Parliament (P-0917/05; 22 April 2005) in which it was said that the in-combination provision must be applied in a manner that is proportionate to the timing, planning stage and legality of the proposed plans and projects.

Tetra Tech advise that the in-combination assessment is updated to consider the comments made, or provide justification for the use of a 1km search radius around the Proposed Development and the exclusion of other plans. In terms of construction phase, this needs to consider development sites upstream of the LRD that could cumulatively have an effect downstream alongside the proposed LRD too.

Tetra Tech advise that the applicant should seek to update the NIS report with regards to cumulative effects.

6.2 MITIGATION MEASURES

Section 7 of the NIS lists the mitigation measures proposed during construction and operation.

Tetra Tech Review

Tetra Tech continues to **agree** with the measures currently presented within Sections 7.1.1 to 7.1.4. These must be conditioned upon any positive determination made by MCC on the Proposed Development. Any condition must adhere to the Planning Condition Appraisal Checklist (Office of the Planning Regulator, 2022) in order to be legally valid. The conditions must be necessary, relevant to planning, relevant to the development, precise, enforceable and reasonable.

Tetra Tech reiterate that the measures proposed in Section 7.1.5 are unrelated to a qualifying feature of the European Sites, and are therefore not appropriate for discussion within the NIS to inform a conclusion as to whether or not there is an adverse effect on site integrity. Tetra Tech refer MCC back to Table 1 and Section 5.2 of this review as further measures may be required in light of amendments to the AAS and if the additional pathways are considered.

The measures proposed in Section 7.2 are for operational impacts. The measures solely mitigate surface water impacts during operation. Tetra Tech note that no measures have been proposed to mitigate recreational / human disturbance.

The potential for recreation impacts in designated sites has been studied in England for a number of years. Tetra Tech wish to direct MCC to guidance published in England regarding Suitable Alternative Natural Greenspace (SANG) criteria – see Natural England (2021; 2024). It is unclear from Figure 1.2 of the NIS whether the current open space provision meets this criteria. Tetra Tech advise MCC that SANG may not be suitable to mitigate all effects associated with recreational disturbance, particularly for pressures occurring at coastal SACs and SPAs.

7.0 CONCLUSIONS

Tetra Tech note the amendments to both the AAS and NIS and welcome the clarifications and updates provided. There are however remaining elements that first need to be addressed within the AAS, including the consideration of additional feasible impact pathways from water abstraction / supply and recreational pressure / human disturbance at other European sites (not just the River Boyne and

River Blackwater SAC and SPA). Furthermore, the in-combination assessment should be revisited, and greater consideration of recreational disturbance needs to be given. Consequently, the NIS will need to be amended accordingly.

At this moment in time, Tetra Tech are unable to agree with the conclusion of no adverse effect on site integrity. Tetra Tech would welcome the opportunity to review any updated AAS and NIS prior to MCC adopting the conclusions.

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