

# Natura Impact Statement

South Bank, Marsh Road,  
Drogheda, Co. Louth

## LARGE SCALE RESIDENTIAL DEVELOPMENT

LRD020

Pl. Ref.: 2560671

Compiled by OPENFIELD Ecological Services

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### The Purpose of this document

This document provides information to allow the planning authority (Louth County Council) to carry out an Appropriate Assessment of the proposed project. This document will assess whether adverse effects to the integrity of the Natura 2000 network are likely to occur as a result of granting planning permission in accordance with Article 6(3) of the Habitats Directive and the Planning and Development (Amendment) Acts. It will determine whether mitigation measures are required to ensure that negative effects can be avoided to the Natura 2000 network.

**This report is based on a separate Screening Report for AA which has been prepared by Openfield Ecological Services and which concluded that significant effects to the River Boyne and River Blackwater SAC, the Boyne Coast and Estuary SAC and the Boyne Coast SPA could not be ruled out.**

Under the European Communities (Birds and Natural Habitats Regulations) 2011 an NIS:

*...means a report comprising the scientific examination of a plan or project and the relevant European Site or European Sites, to identify and characterise any possible implications of the plan or project individually or in combination with other plans or projects in view of the conservation objectives of the site or sites, and any further information including, but not limited to, any plans, maps or drawings, scientific information or data required to enable the carrying out of an Appropriate Assessment.*

It should be noted that under Article 42(1) of the aforementioned legislation it is the relevant competent authority, in this case Louth County Council, which carries out any AA or screening for AA, stating:

*A screening for Appropriate Assessment of a plan or project for which an application for consent is received, or which a public authority wishes to undertake or adopt, and which is not directly connected with or necessary to the management of the site as a European Site, shall be carried out by the public authority to assess, in view of best scientific knowledge and in view of the conservation objectives of the site, if that plan or project, individually or in combination with other plans or projects is likely to have a significant effect on the European site.*

This NIS therefore aids in the decision-making process.

**It should be noted that there is no prescribed format for an NIS. This report therefore follows the generally accepted format for AA provided by the European Commission.**

The developer applied for permission for this development in October 2025 (Pl. Ref.: 2560671). In December of that year, the planning authority issued a request for further information. Item 1 of this states:

### **1. Appropriate Assessment**

It is noted that neither the AA Screening Report nor the NIS make any reference to, or assessment of, potential “in-combination effects” in relation to the proposed hotel site adjacent (current application under consideration Ref: 25/60717) or to any other adjoining development, which is required. This could potentially be viewed as “project-splitting”, given that this LRD proposal and the adjacent hotel proposal are essentially part of the same overall development, by the same applicant, and are under consideration concurrently.

I also note that both the AA Screening Report (Pg. 28) and the NIS (Pg. 8) submitted with current hotel application (Ref: 25/60717) on the adjacent lands make reference to the potential for “in-combination effects” with this adjoining LRD development.

Therefore, it is considered that the submitted AA Screening and NIS are not sufficiently robust due to their lack of assessment of “in-combination impacts” with other plans or projects and that the conclusion proposal would not be likely to have a significant effect on Boyne Coast and Estuary SAC or any other European Site, in view of the sites’ Conservation Objective.

Therefore, the applicant is requested to fully address this inadequate assessment of “in-combination impacts” in revised AA Screening/ NIS documents.

This document addresses this point.

### **Methodology**

The methodology used for this assessment is set out in a document prepared for the Environment DG of the European Commission entitled ‘Assessment of plans and projects significantly affecting Natura 2000 sites ‘Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC’ (Oxford Brookes University, 2001). Chapter 3, part 1, of this document deals specifically with screening while Annex 2 provides the template for an AA report to be used.

In accordance with this guidance, the following methodology has been used to produce this screening statement:

#### **Step 1: Information Required**

This assesses whether adequate information is available in order to complete the AA or if, taking the Precautionary Principle into account, additional data are required.

#### **Step 2: Impact Prediction**

This identifies the likely impacts that may arise as a result of the project.

#### **Step 3: Conservation Objectives**

An assessment of whether or not there will be adverse effects on the integrity of the Natura 2000 site as defined by the conservation objectives and status of the site.

#### **Step 4: Mitigation Measures**

Mitigation through avoidance of adverse effects must be proposed. Where it is likely that significant effects will remain despite mitigation then a full

assessment of alternative options must be undertaken and an application for the project to proceed made under Article 6(4) of the Habitats Directive: Imperative Reasons of Overriding Public Interest.

The steps are compiled into an AA report, a template of which is provided in Appendix II of the EU methodology.

Reference is also made to guidelines for Local Authorities from the Department of the Environment, Heritage and Local Government (DoEHLG, 2009).

A full list of literature sources that have been consulted for this study is given in the References section to this report while individual references are cited within the text where relevant.

AA Report (Natura Impact Statement) as per Annex 2 of EU methodology:

### **Step 1 – Information Required**

**Describe the elements of the project (alone or in combination with other projects or plans) that are likely to give rise to significant effects on the Natura 2000 site (from the screening report prepared by Openfield)**

The development is described here as per the planning application:

*The proposed development comprises five, six storey blocks, comprising mostly apartments, and associated roads/parking/paths, landscaped areas (including a public square to the river) and ancillary buildings. The upper five stories are all apartments. At ground floor level there is, variously, further apartments, parking and ancillary storage for the apartments and other non-residential uses. The non-residential uses comprise small retail units or café(s) and a crèche. 172 apartments in total comprising 73 No. 1- bed apartments, 71 No. 2-bed apartments and 28 No. 3-bed apartments. A corner of the site is reserved for a hotel, which will be the subject of a separate planning permission application.*

The site location is shown in figures 1 & 2.

The development site is located at a brown field on the south side of Drogheda. The site is adjacent to the River Boyne, the banks of which are composed of artificial quay walls and embankments through the town.

Mapping from the Environmental Protection Agency (EPA) shows that the River Boyne flows along the northern site boundary. The Boyne at this point is tidally influenced and falls within the River Boyne and River Blackwater SAC. An SPA of the same name lies upstream, within the freshwater portion of the river, while c.2.5km downstream the Boyne Coast and Estuary SAC and Boyne Estuary SPA can be found.

This development site location is shown in figure 1 while the boundary is shown in figure 2.

A site survey was carried out on February 2<sup>nd</sup> 2025 in accordance with best practice standards (Smith et al., 2011). The site was also surveyed by Wildlife Surveys Ireland on May 22<sup>nd</sup>/23<sup>rd</sup> 2025 (primarily for bat and bird activity).

Habitats are described here in accordance with standard classifications (Fossitt, 2000). It found that the development site is largely composed of **artificial surfaces – BL3** which includes a car park and some built development.

Vegetation is minimal and ruderal in nature with abundant Butterfly-bush *Buddleja davidii* but also Brambles *Rubus fruticosus* agg., Canadian Fleabane *Conyza canadensis*, Fern-grass *Catapodium rigidum*, Red Valerian *Centranthus ruber*, Himalayan Honeysuckle *Leycesteria Formosa* and Grey Willow *Salix cinerea*. This vegetation is dense enough in places to be characterised as **scrub – WS1**. These are very low biodiversity value habitats which are not associated with any species or habitat listed for protection in the Habitats Directive.

The boundary with the River Boyne is composed of an artificial wall which impounds the river as it runs through Drogheda. This is a **tidal river – CW2** in this location.

Although plants on the site are mostly non-native in origin, there is none which is alien invasive species as listed in SI No. 277 of 2011).

Other than the River Boyne, there are no water courses on the development site, no drainage ditches and no habitats which could be described as wetlands or bodies of open water.

The proposed development is for the construction of a new residential development on the lands as described. It will see preparation of the site and a construction phase to include connection to drainage infrastructure.

Currently, rainwater flows off hard surfaces to the River Boyne, either directly or via surface sewers. As the development site is already of hard standing, there can be no negative effect to the quantity or quality of surface water run-off arising from the proposal. Run off from the circulatory roads, which will be used by cars and bin lorries etc. will be collected and carried to an attenuation tank, via a petrol interceptor, located under Block 3. Water from the roofs will also be carried, directly, to the attenuation tank. The tank will be large enough to retain the volume of water from a 1:100 year storm. The water will be discharged at a rate of 2l/s per hectare (c. 3l/s) via the existing outfall in the quay wall. Reference is made to drainage drawings which form part of the planning permission application.

Please refer to Magahy Broderick's report "Site Services and Hydrology" for further detail.

Foul wastewater from the proposed development will be sent to the wastewater treatment plant for Drogheda which is operated by Uisce Éireann under licence from the Environmental Protection Agency (licence no. D0041-01). It has a capacity to treat wastewater from a population equivalent (P.E.) of 101,600. The Annual Environmental Report (AER) for 2024 stated that the plant was operating within capacity but was not compliant with emission limit standards for that period. The cause of non-compliance is attributed to a number of sources including WWTP “upgrade required to meet ELV”. Ambient monitoring of the receiving environment is carried out and the AER states that:

*Based on the effluent compliance results, the discharge from the wastewater treatment plant may be having an observable negative impact on the WaterFramework Directive status downstream of the WWTP. It should be noted however that the current WFD status is Moderate both upstream and downstream of the WWTP.*

According to the Uisce Éireann website (July 2025) works are currently underway to upgrade the plant and are “expected to be completed by December 2025.”

There are no other discharges from this operation.

Water will be supplied from a mains supply which originates from an extraction point along the River Boyne.

The development site is close to urban developments which are associated with noise and artificial lighting.

There will be no direct loss or disturbance of semi-natural habitats that may act as ecological corridors to Natura 2000 sites. The surface water drainage system will require no works at, or near, the River Boyne.

During the construction phase there will be some disturbance of ground although, large quantities of soil will not be exposed as the lands are already built up. Due to the absence of any water courses in this vicinity, the risk of pollution is very low.

## **Step 2 - Impact Prediction**

The AA screening report describes the elements of the project which “have the potential to cause environmental impact”. These are:

### **Habitat loss**

Because no construction will take place within any Natura 2000 site, there is no pathway for direct loss or disturbance of habitats or species listed as qualifying interests or other semi-natural habitats that may act as ecological corridors for important species associated with them.

No significant effects are likely to arise to Natura 2000 sites from habitat loss.

### **Habitat disturbance/Ex-situ impacts**

Although adjacent to the River Boyne, the development site is located in a heavily urbanised environment close to significant noise and artificial light sources. This development cannot contribute to potential disturbance impacts to habitats for which Natura 2000 sites have been designated due to the nature of this location and the artificial manner of the riparian zone of the Boyne through Drogheda. Intertidal habitats are not a qualifying interest of the River Boyne and River Blackwater SAC.

The development site does not provide suitable habitat for wetland/wading/wintering birds which may be associated with Natura 2000 sites. No ex-situ impacts can arise.

During construction there will be a requirement for artificial lighting and this may spill onto the adjacent River Boyne and so the River Boyne and River Blackwater SAC. The river is used by Otter, a qualifying interest of the SAC and although this is a robust species, there may be temporary disturbance to commuting or feeding habitats arising from this source.

For this reason, the potential for significant effects to this SAC cannot be ruled out.

### **Hydrological pathways**

There is a pathway from the development site via wastewater and surface water flows to the Boyne Estuary, via the Drogheda wastewater treatment plant and the surface drainage network respectively.

- **Pollution during operation – wastewater**

While the Drogheda wastewater treatment plant is not operating to a high standard, upgrade works are underway which are expected to be completed by the end of 2025. Non-compliance issues are not related to the overall treatment capacity at the plant and according to the AER, capacity at the plant is not likely to be exceeded within the next three years (i.e. from 2024).

Therefore, the additional loading from the proposed project will not affect the quality of the discharge. No significant effects to Natura 2000 sites are likely to arise from this source.

- **Pollution during operation - surface water**

Because there will be no change to the extent of hard surfacing arising from the proposed development, there can be no negative effect to surface water quality or quantity leaving the site.

Discharges of wastewater and surface water from this project are not likely to result in significant effects to any Natura 2000 site.

- **Pollution during construction**

Pollutants arising from surface water run-off typically comprise of sediment and small quantities of hydrocarbon residues. During construction projects this can also include cement and other substances which are toxic to aquatic life. In this case the risk of pollution from this source is moderate to high as construction works will take place directly adjacent to the River Boyne.

Pollution could affect invertebrate life in intertidal habitats including estuaries and mudflats. The River Boyne and River Blackwater SAC does not have qualifying interest habitats in the intertidal zone however these habitats are qualifying interests of the Boyne Coast and Estuary SAC which lies c.2.5km downstream. Impacts to invertebrate life could have knock on (indirect) effects to birdlife using the Boyne Coast SPA which is also 2.5km downstream. Although the risk of pollution at this distance downstream is diminished, taking a precautionary approach, negative effects to the Boyne Coast and Estuary SAC and the Boyne Coast SPA cannot be ruled out.

Due to the physical distance as well as the enormous dilution effect of the Irish Sea, and considering its qualifying interests, no significant effects to the North West Irish Sea are likely to occur.

#### **Abstraction**

Abstraction is not identified by the EPA as a significant pressure on any waterbody in the Boyne/Blackwater catchment. No significant effects to Natura 2000 sites are likely to arise from this source.

#### **Light and noise during operation**

The project will result in some additional noise and lighting against the existing baseline which is urbanised in character.

As during the construction phase, additional illumination of the River Boyne could result in negative effects to Otter.

Significant effects to the River Boyne and River Blackwater SAC from this source therefore cannot be ruled out.

This may also affect bats however bat species are outside the scope of this AA Screening (see separate bat survey and Ecological Impact Assessment).

#### **In combination effects**

Implementation of the WFD will ensure that improvements to water quality in the River Boyne and its estuary are achieved. Environmental water quality can be impacted by the effects of surface water run-off from areas of hard standing. These impacts are particularly pronounced in urban areas and can include pollution from particulate matter and hydrocarbon residues, and downstream erosion from accelerated flows during flood events. In this case there will be no negative impacts to surface water quality/quantity as there will be no change to the extent of hard surfaces.

In March 2005 the Greater Dublin Drainage Study (GDDS) was published as a policy document designed to provide for future drainage infrastructure. The implementation of this policy (which has been applied beyond Dublin) will see broad compliance with environmental and planning requirements in an integrated manner. This is likely to result in a long-term improvement to the quality and quantity of storm water run-off in urban areas.

Development in Drogheda is provided for under the Drogheda Joint Area Plan 2021 – 2027. This has undergone AA by the competent authority and this concluded that adverse effects to the integrity of Natura 2000 sites would not arise from its implementation.

An upgrade to the Drogheda wastewater treatment plant is expected to be completed by the end of 2025 and will provide compliance with the Urban Wastewater Treatment Directive.

This project can be seen in combination with a development application directly adjacent to the subject proposal which was made in November 2025 (Pl. Ref.: 2560717), comprising:

A six-storey hotel comprising 107 no. bedrooms, lobby, bar and dining area and associated service areas, together with all associated site development works, at Marsh Road (to the east of Scotch Hall Shopping Centre), Drogheda, Co. Louth. The proposed development will include vehicular (servicing and drop-off) and pedestrian access via New Road (to the east of Scotch Hall Shopping Centre, off Marsh Road), provision of reserved car parking spaces within the existing Scotch Hall Shopping Centre car park, 22 no. bicycle parking spaces, and an enclosed pedestrian bridge connection from Level 1 (first floor) of the proposed hotel to the eastern end of the Shopping Centre Mall at Level 1.

This proposal was accompanied by a Natura Impact Statement to address similar issues to those discussed in this AA Screening.

In the event that this development is under construction at the same time as the current proposal, there is a risk that pollution effects could act in combination to result in significant effects to Natura 2000 sites. Similarly, lighting during the operation phase, when both developments are complete, could act in combination to result in significant effects to Natura 2000 sites. These effects are addressed in the NIS that accompanies this application.

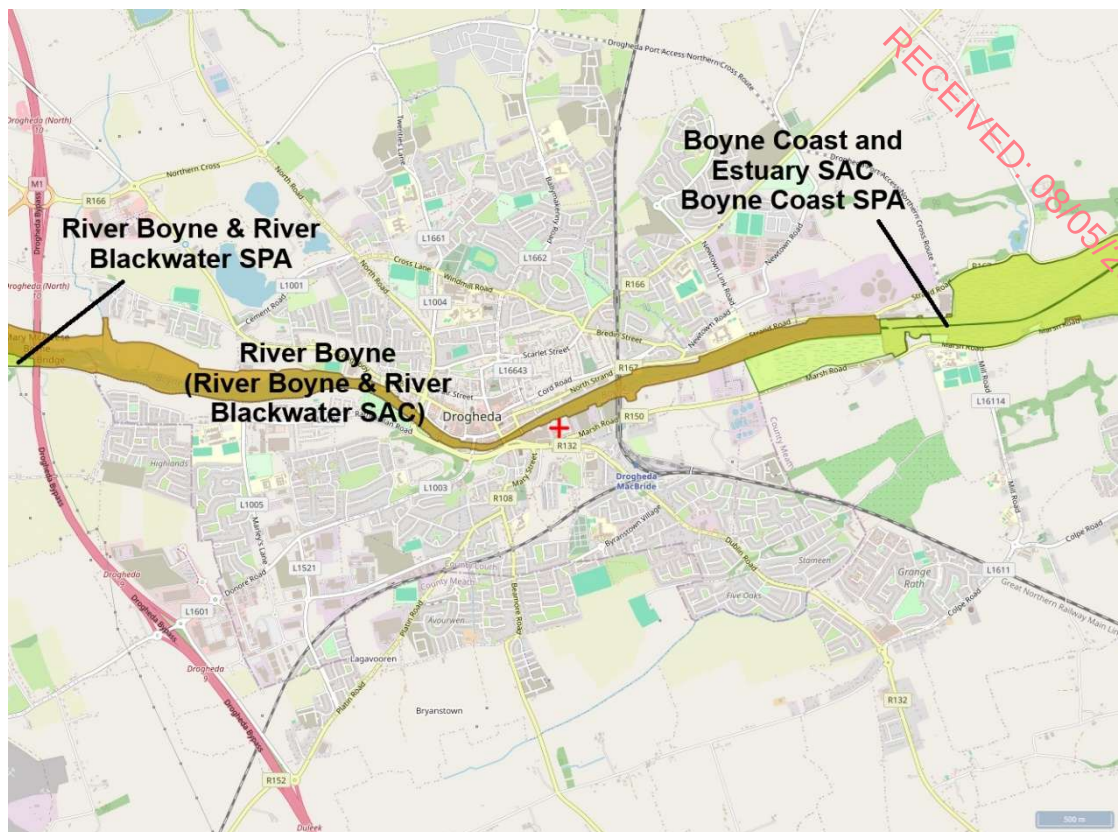


Figure 1 – Site location (red cross). SAC boundaries are shown in tan while SPAs are shown in green. There is some overlap between SACs and SPAs in this vicinity (from [www.epa.ie](http://www.epa.ie)).

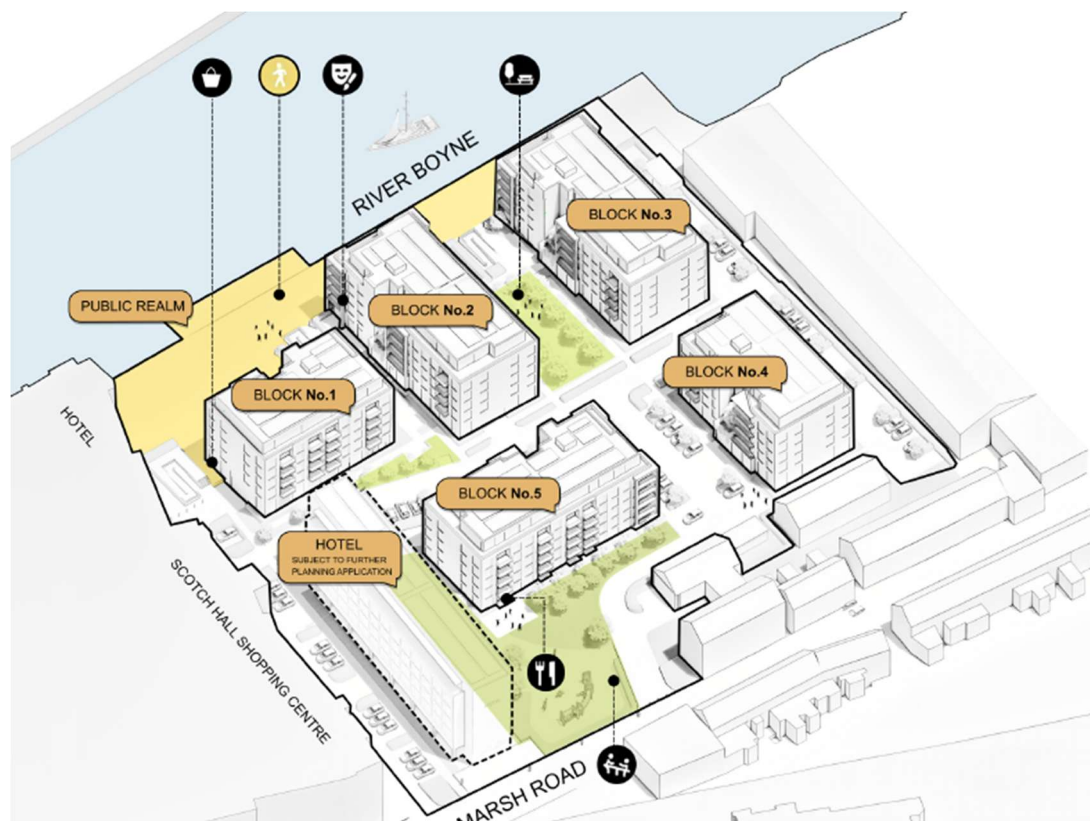
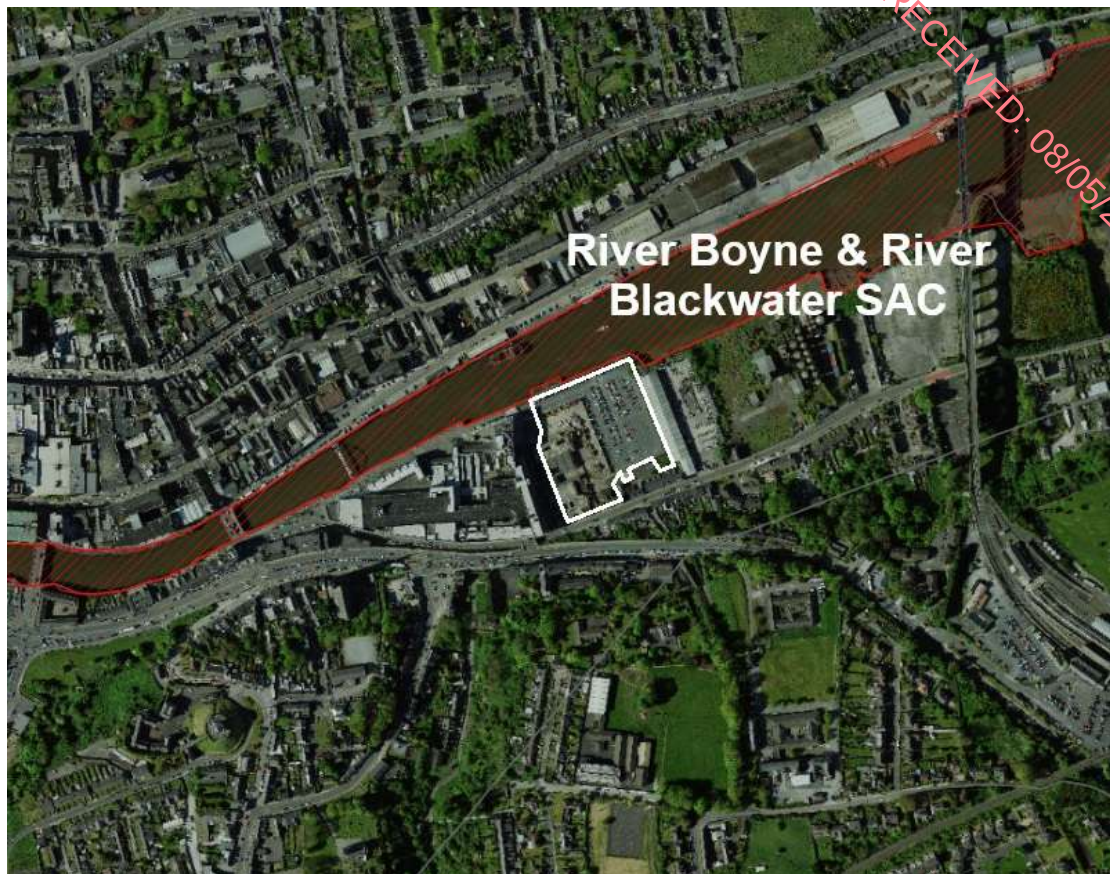


Figure 2 – Site layout



**Figure 3 – Indicative boundary of the development site relative to Natura 2000 sites.**

### **Step 3 – Conservation Objectives**

#### **Set out the conservation objectives of the site**

The River Boyne in Drogheda is home to Otter, a qualifying interest of the River Boyne and River Blackwater SAC. Its conservation objectives are:

#### **Otter**

No significant decline in distribution; no significant decline in terrestrial/estuarine/freshwater/lake habitat; no significant decline in couching sites or holts; no decline in available fish biomass.

There are no pathways to other qualifying interests of this SAC.

Approximately 2.5km downstream can be found the Boyne Coast and Estuary SAC and the Boyne Coast SPA. Qualifying interests which may be affected via hydrological pathways from the development project include mudflats and estuaries. The conservation objectives for these features are:

**Mudflats (code 1140)**

Permanent habitat area stable or increasing (estimated at 1,027 hectares); estuarine muds dominated by polychaetes and crustaceans community complex maintained in a natural condition.

**Estuaries (code: 1130)**

Permanent habitat area stable or increasing (estimated at 403 hectares); estuarine muds dominated by polychaetes and crustaceans community complex maintained in a natural condition

There are no pathways to other qualifying interests of this SAC.

Specific conservation objectives have been set for the Boyne Coast SPA (NPWS, 2013a). They can be summarised as:

**Birds (similar for all species)**

Long term population trend stable or increasing; there should be no significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation

**Wetlands**

The permanent area occupied by the wetland habitat should be stable and not significantly less than the area of 594ha, other than that occurring from natural patterns of variation.

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**Describe how the project will affect key species and key habitats. Acknowledge uncertainties and any gaps in information.**

Hydrological pathways exist to the River Boyne and its estuary. The conservation objective set for mudflats and estuaries, in this SAC is to maintain the invertebrate communities as described in detail in the conservation objectives. Given the potential effects to water quality during construction (particularly sediment and other construction pollution), significant effects to estuary and mudflat qualifying interests cannot be ruled out.

Any impact to invertebrate communities could have knock-on impacts to bird populations which depend upon them for food. This may affect the integrity of the Boyne Coast and Estuary SAC and the Boyne Coast SPA.

During the construction and operation phases of the project, artificial lighting could affect the behaviour of Otters along the River Boyne, a qualifying interest of the River Boyne and River Blackwater SAC. Artificial lighting could lead to avoidance of this area, effectively reducing the habitat availability for Otters.

**Describe how the integrity of the site (determined by structure and function and conservation objectives) is likely to be affected by the project**

Sediment is acknowledged as among the most important pollutants in river ecosystems while toxic substances can directly affect aquatic life.

Because sediment and construction pollution can impact upon the invertebrate communities in tidal sediments, the integrity of the Boyne Coast and Estuary SAC and Boyne Coast SPA could be compromised.

Because artificial lighting could displace Otters from feeding or commuting areas along the River Boyne, the effective loss of habitats, although temporary (in the case of the construction phase), the integrity of the River Boyne and River Blackwater SAC could be compromised.

## **Step 4 - Mitigation**

**Describe what mitigation measures are to be introduced to avoid, reduce or remedy the adverse effects on the integrity of the site. Acknowledge uncertainties and any gaps in information.**

### **1. Pollution prevention during construction**

Construction will follow guidance from Inland Fisheries Ireland (IFI, 2016) for the protection of fish habitat. This will include the erection of a robust silt curtain (or similar barrier) along the northern boundary to prevent the ingress of silt to the River Boyne. The specification for the silt fences is provided for in the site-specific Construction and Environmental Management Plan (CEMP).

Water leaving the site will pass through an appropriately-sized silt trap or settlement pond so that only silt-free run-off will enter the wider environment. There will be strictly no direct discharge of surface water to the River Boyne.

Dangerous substances, such as oils, fuels etc., will be stored in a bunded zone. Emergency contact numbers for the Local Authority Environment Section, Inland Fisheries Ireland, the Environmental Protection Agency and the National Parks and Wildlife Service will be displayed in a prominent position within the site compound. These agencies will be notified immediately in the event of a pollution incident.

The Construction and Demolition Waste Management Plan (CDWMP) prepared by Magahy Broderick Associates Section 9. WATER MANAGEMENT AND PROTECTION OF THE RIVER BOYNE outlines the measures proposed for protecting the river from spillages etc. and as summarised below:

- Install a dedicated tanked “swale” to collect all surface water runoff from construction areas, and hardstanding’s as shown below.

- Intercept all flow from the site by way of an interceptor drain with a petrol interceptor and silt traps for additional protection.
- Design the swale to accommodate runoff from a 1-in-100-year storm event.
- Regularly sample and laboratory-test runoff for contaminants (e.g. oils, sediments, chemicals) in line with EPA guidelines.
- Only when water quality meets the required standards will it be mechanically discharged, at a regulated rate, into the River Boyne. If not, the water will be treated or removed via authorised channels.

The swale will be replaced in phases by the attenuation tank under Block 3, and remain operational at all times.

Site personnel will be trained in the importance of preventing pollution and the mitigation measures described here to ensure same.

The site manager will be responsible for the implementation of these measures. They will be inspected on at least a daily basis for the duration of works, and a record of these inspections will be maintained.

## 2. Artificial lighting during construction

Lighting of the site during the construction phase will be controlled.

There will be no direct illumination of the River Boyne.

Lighting will be confined to working hours.

## 3. Artificial lighting during operation

The following is taken from the bat survey report, which provides measures to minimise potential effects to bats. These are also effective in reducing the potential impact to Otters along the River Boyne:

Lighting must be cowled to prevent light overspill on to surrounding vegetation and the river Boyne

Light modelling would provide appropriate information on how light will be restricted from planted vegetation while providing illumination for pedestrians and cyclists. Internal louvres are the most efficient means of controlling light overspill / pollution.

Lighting must be cowled to prevent light overspill on to surrounding vegetation and the river Boyne. Light modelling would provide appropriate information on how light will be restricted from planted vegetation while providing illumination for pedestrians and cyclists. Internal louvres are the most efficient means of controlling light overspill / pollution.

1. Lighting operation should be based on levels of activity. This should mirror the levels of use of the infield area. Lighting is unnecessary except at times of darkness and when games or training is under way.
2. Lighting should be sufficiently controlled to provide for low levels at ground level. The design should strive to achieve 3 lux at ground level in the case where bats are found to be present, through landscaping or similar, to control spill as required. It is easier to control light overspill from shorter columns, but this is not possible for sports lighting. The measures below may assist in creating darker areas for bats that would in some areas be less than 3 lux.
3. LED lights should be considered as the option for the lighting LED lights are an energy efficient and highly controllable light source, are highly adaptable in terms of direction and strength and can be timed to switch on and off as they light quickly to the level required. These should ensure energy efficiency and money-saving as well as ecological advantages.

### **The Assessment of Significance of Effects – Conclusion of Stage 2**

This report contains an analysis of the proposed project and its relationship with areas designated under the Habitats and Birds Directives. Pathways exist between the development site and a number of such areas and these have been described in detail in the AA Screening Report.

Following this analysis, it is concluded that significant effects to the River Boyne and River Blackwater SAC, the Boyne Estuary and Coast SAC and the Boyne Estuary SPA cannot be ruled out. Specifically, these may arise from the impact to intertidal or subtidal habitats from pollution during the construction phase as well as artificial lighting during both construction and operational phases.

Arising from this assessment, mitigation has been proposed. With the implementation of these measures adverse effects to the integrity of Natura 2000 sites will not occur. This conclusion is based on best scientific knowledge.

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