

MWP

AN COIMISIÚN PLEANÁLA

05 FEB 2026

LTR DATED _____ FROM App

LDG. _____

~~REF~~ PL-500739-DF-26

Ecology & AA Technical Clarification Note – ABP Appeal Support

**Proposed Cargo Handling Facility, Dublin Airport
Terminal 3, Santry, County Dublin**

D.A. Terminal 3 Limited

January 2026

Contents

1. Executive Summary	1
2. Introduction	2
2.1 Background	2
2.2 Purpose of this Document.....	2
2.3 Scope	2
2.4 Information Sources	3
3. Overview of FCC Environmental Issues	3
3.1 Refusal Reason 3 (Extract).....	3
3.2 Summary of Issues Identified by FCC.....	3
3.3 Categorisation of Issues	4
4. Response to EclA (Biodiversity) Matters	4
4.1 Biodiversity Action Plan Reference.....	4
4.2 Habitat Mapping, Hedgerow and Treeline Quantification	4
4.3 Construction and Operational Mitigation Measures	5
4.4 Residual Impact Assessment and Significance	6
4.5 Landscape and Biodiversity Integration	6
4.6 Cumulative Ecological Effects	6
5. Response to Appropriate Assessment (AA) Screening Matters	7
5.1 Hydrological Pathway Clarification	7
5.2 Source–Pathway–Receptor Analysis.....	7
5.3 Natura 2000 Sites Screening Justification	7
5.4 In-Combination / Cumulative AA	8
5.5 Screening Determination	8
6. Discussion.....	8
6.1 Procedural vs Substantive Matters.....	8
6.2 Guidance Compliance.....	8
6.3 Absence of Likely Significant Effects.....	9
7. Conclusion	9
7.1 Summary of Clarifications Provided.....	9
7.2 Screening Outcome Confirmed.....	9
7.3 Basis for Appeal	10

Appendices

Appendix 1 – Habitat & Hedgerow Mapping

Appendix 2 – Hydrological Pathway Clarification

Appendix 3 – Natura 2000 Screening Summary Table

Appendix 4 - NPWS and OPR Guidance Extracts

Project No.	Doc. No.	Rev.	Date	Prepared By	Checked By	Approved By	Acceptance Code / Status
24917	6004	A	05/02/2026	RB	HD	RB	FINAL

MWP, Engineering and Environmental Consultants

Address: Unit 27, Briarhill Business Park, Ballybrit, Galway, H91 TH61, Ireland

www.mwp.ie



Disclaimer: This Report, and the information contained in this Report, is Private and Confidential and is intended solely for the use of the individual or entity to which it is addressed (the "Recipient"). The Report is provided strictly on the basis of the terms and conditions contained within the Appointment between MWP and the Recipient. If you are not the Recipient you must not disclose, distribute, copy, print or rely on this Report (unless in accordance with a submission to the planning authority). MWP have prepared this Report for the Recipient using all the reasonable skill and care to be expected of an Engineering and Environmental Consultancy and MWP do not accept any responsibility or liability whatsoever for the use of this Report by any party for any purpose other than that for which the Report has been prepared and provided to the Recipient.

1. Executive Summary

This Technical Clarification Note has been prepared to support an appeal to An Coimisiún Pleanála (ACP) in respect of the refusal of planning application FW25A/0480E for a proposed cargo handling facility at Dublin Airport. The application was refused by Fingal County Council (FCC) via Chief Executive Order dated 09 January 2026. Of particular relevance to this note is Refusal Reason 3, which asserts that the applicant failed to demonstrate that the proposed development would not have a significant effect on European sites, and that the information submitted was insufficient to enable FCC to undertake its screening for appropriate assessment.

Following review of the Chief Executive's Order and associated planning officer report, the ecological and appropriate assessment (AA) matters raised by FCC relate primarily to interpretation, documentation clarity and cumulative information rather than to substantive environmental constraints. Issues identified by FCC in relation to biodiversity policy, habitat quantification, ecological mitigation, hydrological pathways and cumulative assessments are addressed in this note. Clarifications are provided where required, and the underlying technical evidence supporting the Ecological Impact Assessment (EclA) and AA Screening conclusions is restated.

The screening for Appropriate Assessment submitted with the application concluded that, following examination of the project characteristics and the absence of functional hydrological or ecological pathways to any Natura 2000 site, the proposed development would not result in likely significant effects on European sites, either alone or in combination with other plans or projects. Having reviewed the matters raised by FCC, and with the provision of further clarification where necessary within this Technical Clarification Note, the original AA Screening conclusion remains valid and scientifically robust, in the opinion of the Applicant. This conclusion is consistent with guidance issued by the **Department of the Environment, Heritage and Local Government (DoEHLG, 2010)**, the **European Commission (EC, 2018; EC, 2021)**, and the **Office of the Planning Regulator (OPR, 2021)** in relation to the undertaking of screening for Appropriate Assessment. On this basis, the Applicant therefore considers that there is no requirement for Appropriate Assessment, and that a Natura Impact Statement (NIS) is not required in respect of the proposed development.

On this basis, it is considered that **Refusal Reason 3 should not be upheld**, as there is no ecological or Appropriate Assessment basis on which to refuse permission for the proposed development.

2. Introduction

2.1 Background

Planning application FW25A/0480E sought permission for the development of a cargo handling facility at Dublin Airport. The proposed development was accompanied by an Ecological Impact Assessment (EclA) and a Screening for Appropriate Assessment (AA Screening Report). On 09 January 2026, Fingal County Council issued a Chief Executive Order refusing permission. Amongst the stated reasons for refusal was Reason 3, which relates to ecological and AA matters.

During the assessment of the application, FCC raised queries regarding biodiversity policy references, habitat and hedgerow quantification, cumulative effects, hydrological pathways and the documentation of screening rationale. These matters formed the basis of the environmental commentary contained in the planning officer's report and informed Refusal Reason 3.

An appeal to ACP is being considered by the Applicant. This note addresses the ecological and AA matters raised by FCC and provides clarification to support ACP's potential assessment of the development and Local Authority planning decision.

2.2 Purpose of this Document

The purpose of this note is to:

- respond to the ecological and AA matters referenced by FCC in the CE Order and planning officer's report
- provide clarification on biodiversity and hydrological issues raised
- confirm the scientific basis of the AA Screening conclusion submitted with the planning application
- demonstrate that Refusal Reason 3 is not justified on ecological or AA grounds

This note does not introduce new survey results or new ecological receptors; rather it clarifies, structures and re-presents the information necessary for ACP to conduct their own AA Screening and assist in determining the outcome of the appeal.

2.3 Scope

The scope of this document is limited to the ecological and AA issues that informed Refusal Reason 3, namely:

- biodiversity policy referencing
- hedgerow and treeline quantification
- ecological mitigation and residual impact assessment
- cumulative ecological effects
- hydrological pathways and drainage
- Source–Pathway–Receptor analysis
- AA Screening rationale and in-combination effects

Landscape and non-ecological matters are not within the scope of this note. These are addressed separately by the Applicant.

2.4 Information Sources

The preparation of this note considered the following materials:

- Chief Executive's Order (09 January 2026)
- Fingal County Council planning officer's report
- Ecological Impact Assessment (EclA) for the proposed development (Malachy Walsh and Partners, 2025)
- Screening for Appropriate Assessment (AASR) for the proposed development (Malachy Walsh and Partners, 2025)
- Application drawings and associated design information
- daa project information (publicly available)
- National Parks and Wildlife Service (NPWS) guidance on Appropriate Assessment, including Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities (DoEHLG, 2010)
- European Commission guidance, including Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitats Directive 92/43/EEC (EC, 2018) and Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites (EC, 2021)
- Office of the Planning Regulator (OPR) guidance, including Practice Note PN01: Appropriate Assessment Screening (OPR, 2021)
- Chartered Institute of Ecology and Environmental Management (CIEEM) Guidelines for Ecological Impact Assessment in the UK and Ireland (CIEEM, 2018)

3. Overview of FCC Environmental Issues

3.1 Refusal Reason 3 (Extract)

Refusal Reason 3 as issued by FCC states that:

"Having reviewed the submitted Appropriate Assessment Screening Report together with the details of the proposed development and all associated documentation, the planning authority has concluded that the applicant has not demonstrated that the project, either individually or in combination with another plan or project, will not have a significant effect on any European sites. The information submitted is incomplete and insufficient to enable the planning authority to undertake its screening for appropriate assessment.

Advice Note In terms of screening for EIA, the applicant has not provided the information listed in Schedule 7A of these Regulations which is to be provided to the competent authority by the developer. This information is required to allow the competent authority make an EIA Screening Determination taking account of the criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended."

3.2 Summary of Issues Identified by FCC

The planning officer's report (pages 20 onward) identifies the following key environmental issues:

- Reference to the Dublin City Council Biodiversity Action Plan instead of the Fingal County Council Biodiversity Action Plan

- Absence of quantified hedgerow/treeline loss and associated mapping clarity
- Mitigation measures described as generic
- Lack of explicit residual impact significance justification
- Inadequate cumulative and in-combination assessment, particularly regarding DAA projects
- Uncertainty regarding hydrological pathways relating to Santry Stream, Mayne and Cuckoo Stream
- Insufficient documentation to enable FCC to complete AA Screening

3.3 Categorisation of Issues

For the purpose of structured response, the issues raised by FCC can be categorised as follows:

- **Policy Clarification:** BAP reference
- **Documentation Clarity:** habitat mapping, length quantification, mitigation detailing
- **Cumulative Context:** DAA and other projects
- **Hydrological Interpretation:** drainage, surface water pathway and receptor analysis
- **Screening Documentation:** presentation of AA rationale

These categories relate to **procedural and informational clarity**, not the identification of new environmental receptors or new significant effects.

4. Response to EclA (Biodiversity) Matters

4.1 Biodiversity Action Plan Reference

FCC noted that the EclA referenced the Dublin City Council Biodiversity Action Plan rather than the Fingal County Council Biodiversity Action Plan. Biodiversity Action Plans (BAPs) are non-statutory policy instruments that set out biodiversity objectives and actions at local authority level. The BAPs for Dublin City and Fingal are broadly aligned in scope and intent, with shared focus on habitat conservation, ecological connectivity, invasive species management, pollinator support and public engagement. As such, the use of the Dublin City BAP rather than the FCC BAP represents a documentation issue rather than a substantive divergence in assessment criteria or ecological objectives.

For the avoidance of doubt and to ensure policy completeness for the appeal, the relevant BAP for this application is the Fingal County Council Biodiversity Action Plan. The objectives within that plan are consistent with the mitigation and landscape measures described in the EclA. Accordingly, this matter does not alter the impact significance conclusions of the EclA.

Outcome:

Documentation clarification; no material effect on assessment outcomes.

4.2 Habitat Mapping, Hedgerow and Treeline Quantification

Fingal County Council (FCC) raised concerns regarding the absence of quantified information on the extent of hedgerow and treeline removal and retention, and the associated mapping clarity. The site contains a limited

number of linear woody features mapped during field survey, comprising hedgerow (Fossitt WL1) and treeline (Fossitt WL2) within an improved agricultural grassland matrix (Fossitt GA1). These features are of Local (Lower) ecological value under CIEEM (2018) criteria and do not comprise Annex I habitats.

Based on the submitted Landscape Masterplan and Boundary Treatment drawings prepared by Ronan Mac Diarmada & Associates (RMDA, Rev J–K), the site currently contains approximately 1,751 m of existing hedgerow. Of this, approximately 508 m of hedgerow will be removed to accommodate the proposed development, primarily in internal areas associated with access routes and building footprints. Approximately 1,243 m of existing hedgerow will be retained, principally along the external site boundaries, equating to a retention rate of approximately 71%.

The hedgerow and treeline features present provide nesting and foraging opportunities for common and widespread bird species and minor foraging habitat for generalist fauna. The magnitude of habitat loss is therefore considered low, with effects that are localised and permanent, but not significant at the local or wider geographical scale.

Structural compensation and enhancement will be delivered through the proposed landscape scheme, which includes approximately 244 m of new native hedgerow planting, comprising a double-staggered mix of locally appropriate species. This replacement planting will partially offset hedgerow loss, reinforce boundary vegetation, and maintain ecological connectivity at the site level. The proposed measures align with Fingal County Council Biodiversity Action Plan objectives and best practice landscape design.

Outcome:

With quantified hedgerow retention, removal, and replacement planting confirmed, and with landscape mitigation and enhancement measures clearly identified, the ecological significance evaluation remains unchanged. The proposed development will not result in significant effects on habitats or species of ecological importance.

4.3 Construction and Operational Mitigation Measures

FCC noted that mitigation measures were described as “generic”. Construction-phase mitigation measures for ecological receptors typically comprise standard best practice controls relating to breeding birds, invasive species, pollution prevention, and lighting. These are well-established measures and are considered adequate for receptors of Local (Lower) value.

Operational measures include lighting design consistent with bat-friendly principles and retention/planting of woody vegetation. These measures were not relied upon to avoid significant effects, but assist in minimising ecological disturbance during operation.

For clarity, the mitigation hierarchy applied in the EcIA was:

- Avoidance – retention of existing boundary vegetation where feasible
- Minimisation – lighting specification to minimise spill on linear features
- Restoration/Enhancement – native planting and landscaping
- Standard Controls – construction environmental management

These form standard, proportionate measures for projects of this scale and do not indicate reliance on mitigation to conclude “no significant effects”.

Outcome:

Mitigation measures are proportionate, standard, and consistent with FCC BAP and CIEEM (2018) guidance.

4.4 Residual Impact Assessment and Significance

FCC queried the rationale underpinning the residual impact significance conclusions. Under CIEEM (2018), significance is determined by:

- value of receptor
- magnitude of effect
- duration
- reversibility
- legal protection
- geographical scale

The receptors within the site (hedgerow, treeline, breeding birds) are valued at Local (Lower). Effects associated with permanent loss of boundary vegetation are localised, low magnitude, and permanent. With replanting and landscaping measures in place, the residual impact is not significant at the Local (County) scale or above and is therefore considered Not Significant in EclA terms.

Outcome:

Residual impact conclusions remain appropriate and are defensible under CIEEM guidance.

4.5 Landscape and Biodiversity Integration

FCC noted a perceived lack of explicit linkage between the EclA and the landscape mitigation proposals. Landscape plans submitted with the application incorporate native woody species, trees and understorey planting. These measures provide:

- structural ecological compensation for hedgerow loss
- enhanced ecological connectivity along boundaries
- habitat for nesting birds and generalist fauna
- alignment with FCC BAP objectives for green infrastructure

This integration is common practice in airport and commercial site design and represents appropriate compensation at the scale of the project.

Outcome:

Landscape measures provide net structural ecological gain relative to the baseline.

4.6 Cumulative Ecological Effects

FCC observed that cumulative effects were not fully addressed, particularly in relation to DAA projects. DAA projects within Dublin Airport lands are routinely screened for AA and/or EIA. Examination of recent DAA projects indicates no significant residual ecological effects on Natura 2000 sites and no cumulative pathway via surface water or terrestrial ecological receptors.

Given the localised nature of ecological receptors within the application site, the absence of pathways to Natura 2000 sites, and the landscaping measures proposed, no meaningful cumulative ecological effects arise.

Outcome:

Cumulative ecological effects are screened out.

5. Response to Appropriate Assessment (AA) Screening Matters

5.1 Hydrological Pathway Clarification

FCC identified uncertainty regarding hydrological pathways, referencing Santry Stream, the Mayne and Cuckoo Stream. The application site does not contain any watercourses. Surface water drainage is via engineered systems with attenuation to the existing airport drainage network. There is no direct hydrological connection from the site to any Natura 2000 site.

While the site lies within the wider Liffey and Dublin Bay catchment, catchment membership alone does not constitute a functional hydrological pathway for the purposes of Appropriate Assessment. No mapped surface watercourses, drains or channels provide continuity of flow between the site and the Santry Stream or any other downstream waterbody, and no discharge point from the site to these watercourses has been identified through site inspection, aerial imagery, OS mapping, EPA mapping or GSI datasets. In the absence of a demonstrable source–pathway–receptor linkage, the presence of field drains and high groundwater vulnerability does not give rise to a likely significant effect on any European site.

Santry Stream is located approximately 0.9 km west of the site and drains towards Dublin Bay. The Mayne and Cuckoo Stream drain north-east towards Baldoyle Bay. The absence of a direct or indirect connection between the site and these watercourses indicates that no functional Source–Pathway–Receptor link exists between the project and any European site.

The AA Screening Report concluded that there is no hydrological pathway to Dublin Bay or to Baldoyle Bay. Surface water discharging into the airport drainage infrastructure is subject to existing pollution control systems and does not form a pathway to any Natura 2000 site.

Outcome:

Hydrological pathways to European sites are not present.

5.2 Source–Pathway–Receptor Analysis

The AA Screening applied a Source–Pathway–Receptor (SPR) approach consistent with National Parks and Wildlife Service (NPWS) guidance (DoEHLG, 2010) and Office of the Planning Regulator (OPR) Practice Note PN01: Appropriate Assessment Screening (OPR, 2021). Under SPR logic, in the absence of a viable pathway, no likely significant effects can occur regardless of receptor sensitivity. As no functional hydrological or ecological pathway exists, all identified European sites were screened out for likely significant effects as a result of the proposal.

Outcome:

SPR logic is valid and compliant with current national guidance. Functional hydrological or ecological pathways to European sites not identified.

5.3 Natura 2000 Sites Screening Justification

The AA Screening Report identified European sites within an initial precautionary Zone of Influence (ZOI) determined by potential hydrological connection and project characteristics. Further desk and field-based examination determined functional hydrological or ecological pathways to European sites to not be present. As

no pathway exists, likely significant effects on European sites could be precluded, and therefore all sites were screened out at Stage 1 AA. No mitigation measures were required to achieve this conclusion.

Outcome:

Screening outcome remains valid; no NIS required.

5.4 In-Combination / Cumulative AA

FCC queried cumulative effects. DAA projects have been subject to AA and/or EIA screening and do not create cumulative pathways that interact with the proposed development. In-combination screening does not identify any project that alters the no-pathway conclusion.

Outcome:

No in-combination likely significant effects.

5.5 Screening Determination

FCC concluded that the information was insufficient to enable AA screening. With hydrological, cumulative and policy clarifications provided herein, it is the opinion of the Applicant that the Screening for AA assessment and conclusion is robust and remains valid, and thus no Stage 2 NIS is required.

Outcome:

Refusal Reason 3 not supported on AA grounds.

6. Discussion

6.1 Procedural vs Substantive Matters

The matters identified by FCC in the Chief Executive's Order and planning officer's report relate predominantly to procedural and documentation clarity rather than substantive ecological effects. The issues raised concern biodiversity policy referencing, habitat quantification, hydrological pathway description and cumulative screening presentation. None of these issues introduce new ecological receptors, identify pathways to European sites, or provide evidence of likely significant effects.

Distinguishing between procedural and substantive issues is important within the context of Appropriate Assessment. Substantive issues arise where there is a credible mechanism by which a project may result in likely significant effects on a European site, and thus may adversely affect the integrity of a European site. No such mechanism exists in this case.

6.2 Guidance Compliance

The AA Screening Report submitted with the application was prepared with reference to relevant national guidance, including:

DoEHLG (2010) Appropriate Assessment of Plans and Projects in Ireland

OPR (2021) Practice Note PN01 Appropriate Assessment Screening

CIEEM (2018) Ecological Impact Assessment Guidelines

This guidance establishes that:

'in the absence of a functional pathway, significant effects cannot arise, and screening may conclude with no requirement for Stage 2 NIS'.

The use of Source–Pathway–Receptor logic is explicitly endorsed in NPWS guidance and is widely used in AA screening determinations by competent authorities. The clarification of drainage routes and cumulative projects provided in this note reinforces the original screening conclusion.

6.3 Absence of Likely Significant Effects

No hydrological or ecological pathway exists between the proposed development and any European site. Effects on European sites cannot occur in the absence of a pathway, regardless of site vulnerability or conservation objectives. Surface water is routed to engineered drainage within the airport complex and is not connected to European sites. No terrestrial or ecological connectivity exists between the site and any European site.

Accordingly, no likely significant effects arise from the proposed development, either alone or in combination with other projects.

7. Conclusion

7.1 Summary of Clarifications Provided

This note has clarified matters raised by FCC regarding:

- biodiversity policy referencing
- hedgerow/treeline quantification
- construction and operational mitigation
- residual impact significance
- landscape/ecological compensation
- cumulative ecological effects
- hydrological pathway interpretation
- Source–Pathway–Receptor logic
- in-combination AA screening
- AA screening determination

These matters relate to documentation clarity rather than to substantive environmental constraints.

7.2 Screening Outcome Confirmed

The AA Screening submitted with the application concluded that:

This appendix provides extracts from relevant national guidance to support the Appropriate Assessment Screening conclusions and to demonstrate compliance with established screening principles.

NPWS Guidance

NPWS (2010) – Appropriate Assessment of Plans and Projects in Ireland

“If it can be concluded on the basis of objective information that a plan or project, either alone or in combination with other plans or projects, will not have a significant effect on a European site, then no further assessment is required.”

“The absence of a pathway between a project and a European site means that no significant effects can occur.”

These principles underpin the source–pathway–receptor approach applied in the AA Screening Report and reinforced within this Technical Clarification Note.

OPR Guidance

Office of the Planning Regulator (2021) – Practice Note PN01: Appropriate Assessment Screening

“Screening for Appropriate Assessment is concerned with identifying whether a plan or project is likely to have a significant effect on a European site. Where no pathway for impact exists, the plan or project may be screened out at Stage 1.”

“Mitigation measures should not be relied upon to screen out effects at Stage 1; however, design features which remove pathways may be taken into account.”

The AA Screening for the proposed development does not rely on mitigation to avoid significant effects. Rather, it is based on the absence of any functional pathway linking the site to European sites.

Relevance to Refusal Reason 3

The guidance above confirms that, in the absence of a demonstrable pathway, a competent authority can complete Appropriate Assessment Screening and conclude that no likely significant effects arise. The clarification provided within this document addresses the matters raised by Fingal County Council and demonstrates that Refusal Reason 3 is not supported on Appropriate Assessment grounds.

Appendix 4

NPWS and OPR Guidance Extracts

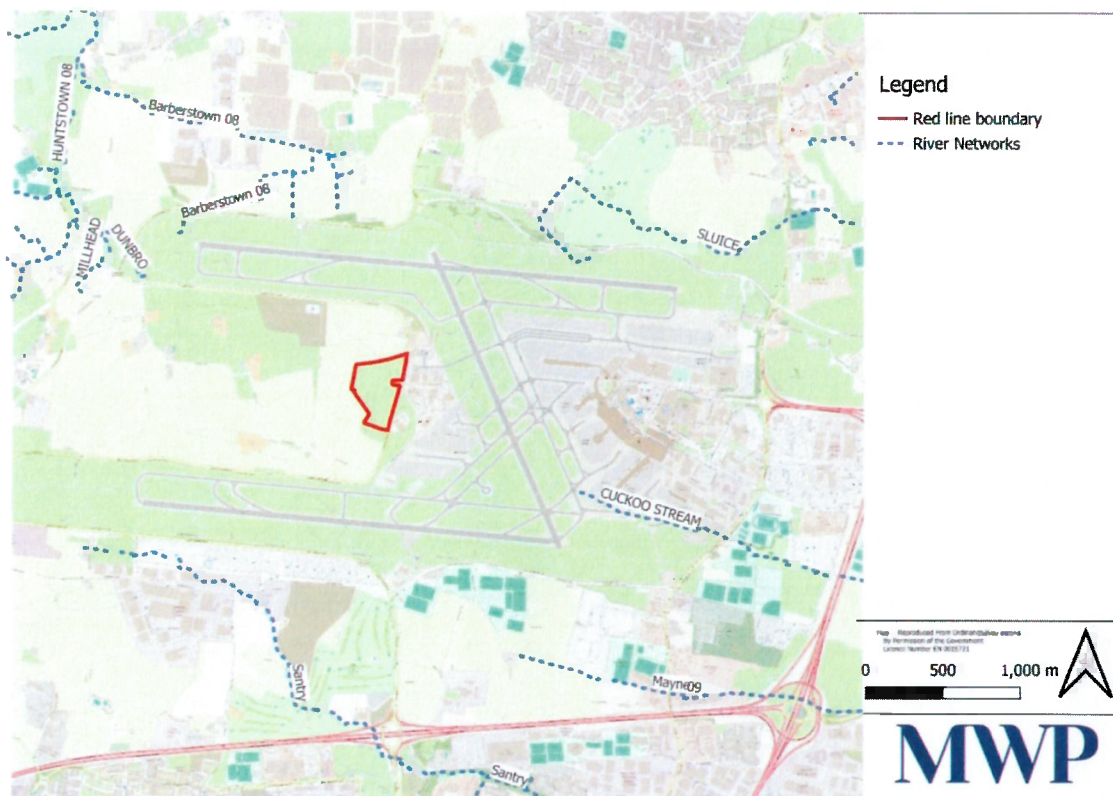
This appendix provides a summary of the European sites most relevant to the matters raised in Refusal Reason 3 of the Chief Executive's Order. A comprehensive screening of all European sites within the potential zone of influence of the proposed development was undertaken as part of the Appropriate Assessment Screening Report (AASR), which concluded that no likely significant effects would arise for any European site, either alone or in combination with other plans or projects. The table below is therefore intended to provide a focused summary for appeal purposes and does not replace the full screening exercise presented in the AASR.

Table A3.1: Natura 2000 Screening Summary

European Site	Qualifying Interests (summary)	Approx. Distance from Site	Potential Pathway	Likely Significant Effect
Dublin Bay SAC (000210)	Mudflats and sandflats not covered by seawater at low tide; annual vegetation of drift lines; Salicornia and other annuals colonising mud and sand	c. 8 km south	No surface water or ecological pathway identified	No
Dublin Bay SPA (004024)	Overwintering and migratory waterbirds	c. 8 km south	No surface water or ecological pathway identified	No
Baldoyle Bay SAC (000199)	Estuarine habitats; mudflats and sandflats; saltmarsh	c. 6 km north-east	No surface water or ecological pathway identified	No
Baldoyle Bay SPA (004016)	Overwintering waterbirds	c. 6 km north-east	No surface water or ecological pathway identified	No

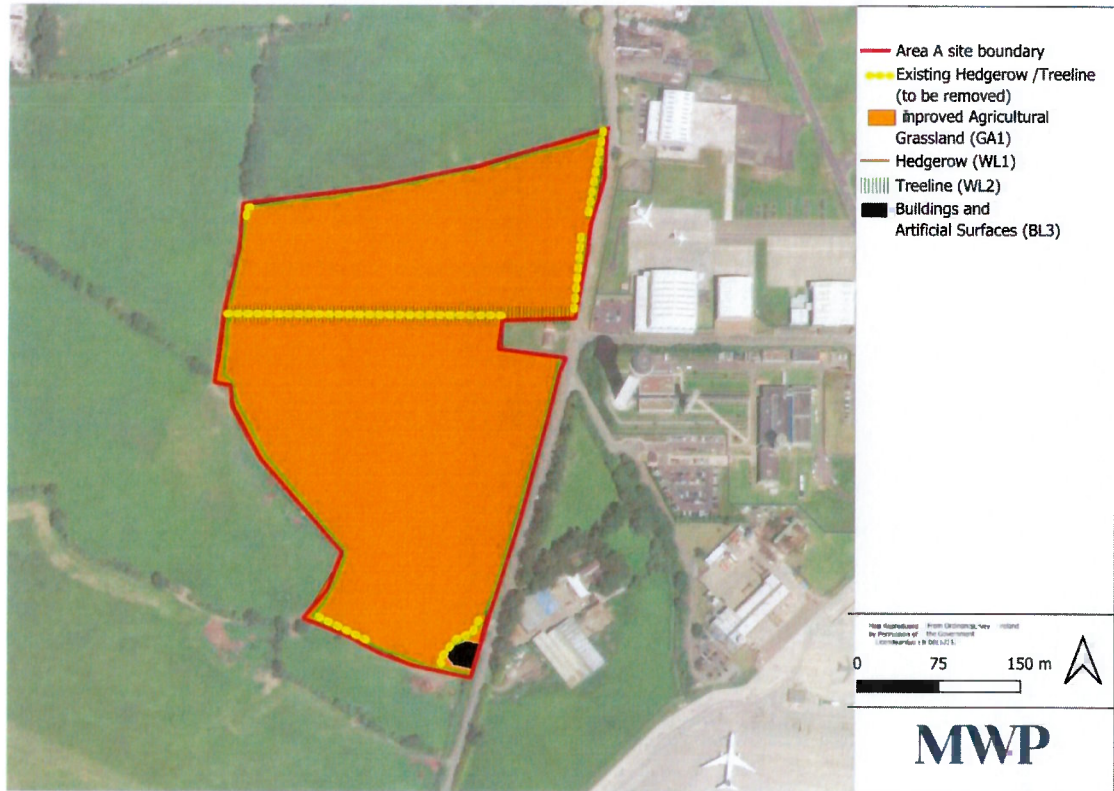
Appendix 3

Natura 2000 Screening Summary Table



Appendix 2

Hydrological Pathway Clarification





LIBRARY

UNIVERSITY OF MICHIGAN

Appendix 1

Habitat & Hedgerow Mapping



THE UNIVERSITY OF CHICAGO
DIVISION OF THE PHYSICAL SCIENCES
DEPARTMENT OF CHEMISTRY
530 SOUTH EAST ASIAN AVENUE
CHICAGO, ILLINOIS 60607-7070

RESEARCH REPORT

THE UNIVERSITY OF CHICAGO
DIVISION OF THE PHYSICAL SCIENCES
DEPARTMENT OF CHEMISTRY
530 SOUTH EAST ASIAN AVENUE
CHICAGO, ILLINOIS 60607-7070

'no likely significant effects on European sites arise as a result of the proposed development, either alone or in combination with other plans or projects'.

Following clarification, this conclusion remains scientifically sound, consistent with NPWS and OPR guidance, and no Natura Impact Statement is required.

7.3 Basis for Appeal

On the basis of the above, there is no ecological or AA justification for Refusal Reason 3. The refusal reason should not be upheld, as the screening for AA can be completed on the basis of the information now available to ABP and the screening conclusion remains valid.