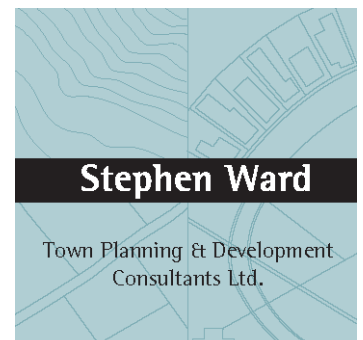


EIA Screening – Preliminary Examination

**Old Slane Road, Mell/Tullyallen,
Drogheda, Co.Louth**



Prepared on behalf of
Lagan Homes Tullyallen Ltd



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1.0 INTRODUCTION

The proposed development seeks to modify the permitted Strategic Housing Development (SHD) ABP-311678-21. An Bord Pleanála made a decision to grant planning permission to SHD ABP-311678-21 only after it had undertaken an Environmental Impact Assessment screening exercise. In completing the Environmental Impact Assessment screening exercise the Board concluded that, by reason of the nature, scale and location of the subject site and having regard to: -

- a) the nature and scale of the proposed development, which is below the threshold in respect of Class 10(iv) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended.
- b) the location of the site on lands zoned Objective A2 New Residential Zone 1 – To provide for new residential neighbourhoods and supporting community facilities under the Louth Development Plan where residential and childcare are permitted uses.
- c) The pattern of development in surrounding area.
- d) The availability of mains water and wastewater services to serve the proposed development, via extension of the network.
- e) the location of the development outside of any sensitive location specified in article 299(C)(1)(v) of the Planning and Development Regulations 2001 (as amended).
- f) The guidance set out in the “Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development”, issued by the Department of the Environment, Heritage and Local Government (2003).
- g) The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended); and
- h) The features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including measures identified in the Natura Impact Statement, Ecological Impact Assessment, Acoustic Design Statement, Archaeological Impact Assessment, Traffic and Transport Assessment, Road Engineering Report and the Site Specific Flood Risk Assessment

,the proposed development would not be likely to have significant effects on the environment. The Board decided, therefore, that an environmental impact assessment was not necessary.

In accordance with Section 34(3C) of the Planning and Development Act 2000 (as amended), the planning authority is restricted in its determination of this application to modify the permitted SHD by way of an LRD application, other than in respect of any assessment of the effects of the proposed development on the environment, to considering the modifications proposed by the applicant to the previously permitted development.

This report provides a preliminary examination of the proposed modifications to consider if they may result in significant effects on the environment.

2.0 PROPOSED DEVELOPMENT

The matter of EIA did not arise in the assessment of the permitted SHD of 237no. dwellings and a creche by An Bord Pleanála. Construction has commenced on site with the first 30no. houses forming phase 1 of the SHD development with access from the Old Slane Road. A description of the modifications proposed to the balance of the permitted SHD (ABP-311678-21, as amended by P.A.Ref. 2360368) is provided below-

The LRD planning application seeks modifications to the permitted SHD (ABP-311678-21, as amended under P.A. Ref. 2360368) and the application relates to 207no. of the 237no. permitted dwellings and the construction of the crèche as a standalone building (crèche is permitted as integral part of one of the apartment buildings in the permitted development). The modifications proposed do not affect the 30no. permitted dwellings currently under construction (Amendment permission P.A. Ref. 2360368) other than a minor boundary adjustment to the garden boundary of No. 30. The modifications provide for amendments to the design, layout and dwelling types including the omission of two permitted apartment buildings (111no. apartments) with associated modifications to the road layout and distribution of public open space, car parking, site services and site development works including the undergrounding of ESB overhead lines and associated diversion works. The 207no. new house types and apartments proposed have a residential mix of 21no. 1-bed, 49no. 2-bed, 115no. 3-bed & 22no. 4-bed, two and three storey in height in detached, semi-detached and terraced formats. The overall number of dwellings as permitted under the SHD (ABP-311678-21, as amended under P.A. Ref. 2360368) will remain unchanged at 237no. dwellings. The overall permitted dwelling mix will change from 147no. apartments and 90no. houses, to 42no. apartments and 195no. houses. The mix of dwellings within the entire SHD site will be amended from 19no. 1-bed, 96no. 2-bed, 109no. 3-bed and 13no. 4-bed (as permitted under ABP-311678-21 and amended under P.A. Ref. 2360368), to 21no. 1-bed, 49no. 2-bed, 142no. 3-bed and 25no. 4-bed. This planning application also seeks permission for 2no. ESB substations required to serve the proposed development. This planning application will be accompanied by a Natura Impact Statement (NIS).

3.0 EIA LEGISLATION AND GUIDANCE

The following legislation and guidance documents were referenced during the preparation of this report-

- Planning and Development Act 2000 as amended
- Planning and Development Regulations 2001 as amended
- Environmental Impact Assessment of Projects: Guidance on Screening, European Commission, 2017.
- Guidelines on the information to be contained in Environmental Impact Assessment Reports, Environmental Protection Agency, 2022.
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment August 2018
- OPR Practice Note PN02 Environmental Impact Assessment Screening (June 2021)

4.0 PRELIMINARY EXAMINATION

Preliminary Examination:		
	Comment:	Yes/No/ Uncertain:
<p>Nature of the development: <i>Is the nature of the proposed development exceptional in the context of the existing environment?</i></p>	<p>The proposed development seeks modifications to a permitted Strategic Housing Development of 237no.units (ABP-311678-21). There will be no increase to the number of dwellings permitted. The proposed modifications will affect house types to be provided, the design of a creche, distribution of public open space and site layout. All proposed modifications are in keeping with the nature of the permitted development and zoning objective applied by the Louth County Development Plan 2021-2027 (as amended).</p>	No
<p><i>Will the development result in the production of any significant waste, or result in significant emissions or pollutants?</i></p>	<p>The proposed modifications will not give rise to waste, emissions or pollutants that differ from that arising from the development as permitted.</p> <p>Construction activities will usually require the use of potentially harmful materials such as fuel and oils typical of a construction site. Noise and dust emissions during construction are likely. Any potential impacts would be local and temporary in nature and implementation of the construction management plan will mitigate potential impacts. No operational impacts are anticipated.</p> <p>Wastes produced in the construction of the permitted SHD as modified will be managed by a Construction Management Plan as required by Condition No. 15 of ABP-311678-21 decision by An Bord Pleanála. A preliminary construction, demolition and waste management plan is submitted under</p>	No

	<p>separate cover as part of the planning application documentation.</p> <p>A Construction and Environmental Management Plan is required to be submitted for agreement in writing with the Planning Authority under Condition 14 to provide for, inter alia, soil importation and exportation to and from the site, noise and vibration management issues.</p> <p>Condition No. 17 of ABP-311678-21 requires a plan for the management of waste at operational stage. The proposed modifications will not result change the volume or type of waste produced at either construction or operational stages of the project.</p>	
<p>Size of the development:</p> <p>Is the size of the proposed development exceptional <i>in the context of the existing environment</i>?</p> <p><i>Are there cumulative considerations having regard to other existing and/or permitted projects?</i></p>	<p>The proposed modifications affect only part of the permitted SHD site (4.8ha). The size of the application site and overall SHD site (7.4ha) is not exceptional in the context of the existing built-up urban environment of Drogheda. It is noted both the SHD site and application site fall below mandatory thresholds for EIA.</p> <p>The modifications proposed will not result in any increase to the number of units permitted under ABP-311678-21 or extend the site area. A planning search has been undertaken within the area and there are no new developments permitted within 500m of the application site since the SHD was permitted in February 2022. All potential developments identified are on lands zoned under the Louth County Development Plan 2021-2027 (as amended) which was subject to a strategic environmental assessment. All proposals have undergone appropriate assessment/screening and have been screened for EIA by the Planning Authority.</p>	<p>No</p> <p>No</p>

	<p>The Traffic and Transport Assessment prepared by Waterman Moylan Consulting Engineers under separate cover considers the cumulative impact of the development on the surrounding road network including analysis of junction's capacity having regard to committed development. The assessment concludes that the junctions will continue to operate within capacity.</p> <p>The Natura Impact Statement prepared by Doherty Environmental and submitted with this planning application under separate cover has considered in-combination effects and takes account of the new candidate SPA North-West Irish Sea.</p> <p><i>“Based upon the information provided in this NIS, it is the considered view of the authors of this NIS that it can be concluded by Louth County Council/ the competent authority that the project will not, alone or in-combination with other plans or projects, result in significant adverse effects to the integrity and conservation status of European Sites in view of their Conservation Objectives and on the basis of best scientific evidence and there is no reasonable scientific doubt as to that conclusion.”</i></p>	
<p>Location: <i>Is the proposed development located on, in, adjoining or does it have the potential to impact on an ecologically sensitive site or location?¹</i></p>	<p>The permitted SHD was accompanied by a Natura Impact Statement and was granted by An Bord Pleanála ABP-311678-21 only after it had undertaken a Stage 1 and Stage 2 Appropriate Assessment.</p> <p>In completing the Appropriate Assessment, the Board concluded that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of European sites in view of the sites' conservation objectives. This conclusion was based on a complete</p>	<p>Yes</p>

¹ Sensitive locations or features includes European sites, NHA/pNHA, Designated Nature Reserves, land designated as a refuge for flora and fauna, and any other ecological site which is the objective of a CDP/LAP (including draft plans).

<p><i>Does the proposed development have the potential to affect other significant environmental sensitivities in the area?</i></p>	<p>assessment of all aspects of the proposed project and there is no reasonable scientific doubt as to the absence of adverse effects.</p> <p>Condition No. 2 of the decision ABP-311678-21 issued by An Bord Pleanála states;</p> <p><i>“The mitigation measures contained in the Natura impact statement which was submitted with the application shall be implemented in full”.</i></p> <p><i>Reason: In the interests of clarify and the proper planning and sustainable development of the area and to ensure the protection of the European sites”.</i></p> <p>The potential for the proposed modifications to the permitted SHD to impact upon European Sites has been considered as part of the NIS prepared by Doherty Environmental and submitted with this LRD planning application under separate cover. The application site is within the zone of influence of 6no. Natural 2000 sites. The NIS identified 5no. of these sites are indirectly connected to the site via a hydrological pathway – Mell Steam. Since the original NIS was prepared and the SHD permitted, there has been a further candidate SPA identified – North West Sea. The NIS considers the proposed modifications with regard to the qualifying criteria for the Natura 2000 sites.</p> <p>As stated at section 7.0 of this report, <i>“It has been concluded that, provide all mitigation measures that aim to avoid the discharge of contaminated surface drainage waters are implemented, the potential for this impact to occur will be eliminated and associated adverse impacts to the Boyne River and Estuaries European Sites will not arise.”</i></p> <p>The Boyne River Islands south of the application site are a proposed Natural Heritage Area. The development will not impact upon the pNHA.</p>	<p>No</p>
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	<p>The site it is not located within an Architectural Conservation Area and will not impact upon the setting of any protected structures.</p> <p>Part of the wider SHD site is subject to flooding and has been subject to a site-specific flood risk assessment. Mitigation measures detailed in the FRA have been incorporated into the design of the permitted development and will be unaffected by the modifications proposed.</p> <p>The wider SHD site contains a sinking river known as Mell Stream. There are no alterations proposed to Mell Stream or the 20-meter riparian buffer zone associated with the Stream. The application site forms part of the Waterunderbridge-Dry Bridge County Geological Heritage site.</p> <p>The geological heritage of the site was thoroughly assessed as part of the preparation of the permitted SHD including a Natura Impact Statement, Ecological Impact Assessment, a sub-soil hydrological assessment report as well as a preliminary Karst Risk Assessment by IE Consulting by a Chartered Environmental Engineer. The proposed modifications to the permitted SHD do not affect any aspect of the geological heritage of the site outside those already considered.</p> <p>The site was thoroughly assessed with regard to cultural heritage and archaeology undergoing significant test trenching under license as part of the preparation of the SHD planning application. There will be no additional potential impacts as a result of the proposed modifications that have not already been considered.</p>	
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Preliminary Examination Conclusion:		
Based on a preliminary examination of the nature, size or location of the development. (Tick as appropriate)		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>There is no real likelihood of significant effects on the environment.</p> <p>EIA is not required.</p>	<p>There is real likelihood of significant effects on the environment.</p> <p>An EIAR is required.</p>	<p>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</p> <p>Request the applicant to submit the Information specified in Schedule 7A for the purposes of a screening determination.</p> <p>Proceed to Screening Determination.</p>

5.0 CONCLUSION

An Bord Pleanála undertook an Environmental Impact Assessment screening exercise for the permitted SHD for 237no. dwellings (ABP-311678-21). In completing the Environmental Impact Assessment screening exercise the Board concluded that by reason of the nature, scale and location of the subject site, the proposed development would not be likely to have significant effects on the environment. The Board decided, therefore, that an environmental impact assessment was not necessary.

A preliminary examination has been undertaken of the proposed modifications to the permitted SHD that has determined the nature of the modifications proposed will not alter the character of the permitted development nor is it likely to have significant effects on the Environment by reason of the nature, scale and location of the development. However, it is recognised that Louth County Council who is the competent authority for undertaking a preliminary examination as to whether or not significant effects are likely to arise as a result of the proposed modifications.