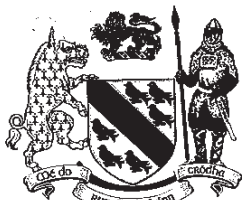


## **Attachment B.5 Planning Permissions & Applications**

This attachment contains the following:

- B5.1 A copy of the Planning Authority letter (Ref. 14/01) deciding that the change of use of the premises from a brewery to distillery is not development and the works associated with the change of use are exempted development.
- B5.2 A copy of the Planning Statement.
- B5.3 A copy of the Appropriate Assessment Screening Statement.
- B5.4 A copy of the EIS Screening Report.
- B5.5 A copy of the Environmental Impact Assessment (EIA) Screening Statement for Flora and Fauna.
- B5.6 A list of the Planning Applications lodged and Permissions granted for the site.

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22nd April 2014

RECEIVED 24 APR 2014



Dundalk Town Council  
Comhairle Baile Dhún Dealgan

*Ag freastail an Pobail / Serving the Community*

Eamonn Prenter,  
Cunnane Stratton Reynolds  
Land Planning & Design,  
3 Molesworth Place  
Dublin 2.

***RE: Change of use from brewery to distillery, and associated internal works at the former Harp Brewery, Carrickmacross Road, Dundalk Co. Louth- Great Northern Distillery.***

***Application for Declaration of "Exempted Development"  
Part 1, Section 5, Planning & Development Act 2000 (as amended).***

**Ref. 14/01**

Dear Sir,

I wish to acknowledge receipt of your correspondence and enclosures on the 3rd of April 2014 in relation to the above outlined development.

I now wish to advise that, having assessed all information and enclosures received with the application, the Planning Authority wishes to advise as follows:

The proposed change of use from brewery to distillery does not constitute a material change in use of the subject site or associated buildings. The proposal is not, therefore, considered to be development within the meaning of the Planning and Development Act 2000 (as amended). The works associated with the change of use are considered to constitute exempted development, having regard to Section 4(1)(h) of the Planning and Development Act 2000 (as amended). The Planning Authority has, therefore, decided that the change of use of the premises from brewery to distillery is not development and the works associated with the said change of use are exempted development.

This matter has been dealt with by

***Sinead Mullen.***

**Dundalk** *feel the energy!*

Cuirfear fáilte roimh chomhfhreagras Gaeilge

**GO DUNDALK**  
*Moving smarter, living better*

Town Hall, Dundalk, Co. Louth. Halla an Bhaile, Dún Dealgan, Co. Lú. T: 042 9332276 F: 042 9336761 E: info@dundalktown.ie W: www.dundalktown.ie

Trusting that all meets with your understanding,

Yours faithfully,

B. Martin,  
Brian Martin,  
Planning Section.

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CUNNANE STRATTON REYNOLDS

# Planning Statement, for

## Great Northern Distillery, Dundalk, Co Louth



**CUNNANE STRATTON REYNOLDS**  
LAND PLANNING & DESIGN

Date: 2<sup>nd</sup> April 2014

Prepared by  
**Cunnane Stratton Reynolds**  
For  
**Great Northern Distillery**

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Cunnane Stratton Reynolds registered business name of Cunnane Stratton Reynolds Ltd. Reg No: 354188 Reg. Office: 3 Molesworth Place Dublin 2

## Executive Summary

This planning report fully supports the approval of the accompanying Section 5 application in respect to a revision from former brewery premises to a distillery operation.

This planning report is to be read in conjunction with a Stage One Appropriate Assessment Scoping Report undertaken by one of the states foremost ecologists Scott Cawley. An Environmental Impact Assessment Screening Report has also been undertaken by Cunnane Stratton Reynolds and demonstrates no significant environmental impact requiring an EIS and as per the Planning Regulations the proposed conversion is exempted development within the legislation.

The planning assessment carried out under the relevant legislation indicates the following in summary.

Item	Requirement	Our Response
a)	Is development proposed?	No
b)	Are works proposed?	No
c)	Are interior works involved?	Yes, exemption applies
d)	Are there requirements for EIS or AA?	Accompanying reports confirm not
e)	Are protected structures or structures within their curtilage affected?	No
f)	Are the previous and proposed uses industrial?	Yes
g)	Does Section 5 exceptions apply?	In our view in light of a) to f) above, Yes.

There are minimal internal works proposed. There is no demolition and no excavation proposed and no alterations to structures. Any works that would require planning permission such as signage will be the subject of future planning applications.

We would encourage the local authority to support this accompanying Section 5 application.

## **1.0 Introduction**

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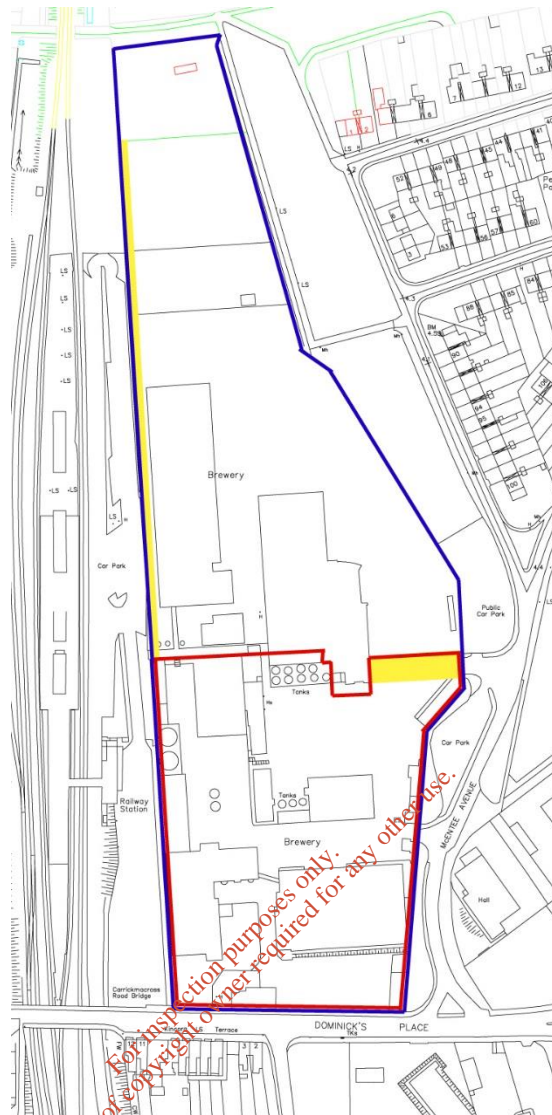
- 1.1 This report has been prepared by Cunnane Stratton Reynolds on behalf of the Great Northern Distillery, who intend to establish a distillery on the site of the former HARP brewery in Dundalk.
- 1.2 The purpose of this report is to outline why we believe the proposed use does not constitute a material change of use and why through a Section 5 Exemption Certificate referred to in the Planning and Development Act (Amended) 2000 – 2013 the proposed distillery can proceed without requiring planning permission. This report should be read in conjunction with the Environmental Impact Screening Report, also prepared by Cunnane Stratton Reynolds, the Stage One Appropriate Assessment Scoping report prepared by Scott Cawley, and Hydrological and Hydrogeological Report by Mulroy Environmental.

## **2.0 The Subject Site**

---

- 2.1 The site is located in the centre of Dundalk, adjacent to the train station and bounded by Dominick's Place and McEntee Avenue.
- 2.2 There is a long history of brewing on the site, with the Great Northern Brewery established circa 1846. Guinness (now Diageo) bought the site, and modernised production, in the late 1950's to early 1960's creating the HARP brewery. The use of the site as a brewery was therefore established prior to the enactment of the Planning Act 1964, and has the benefit of a pre-1963 exemption from planning. There is therefore no record of any planning permission establishing the use as a brewery, though numerous planning permissions have been lodged subsequently for various buildings associated with the brewery use on the site. The history of the site is discussed in greater detail in Section 3.0.
- 2.3 Diageo closed the brewery in autumn 2013 and sold it to Great Northern Distillery. Great Northern Distillery intend to subdivide the main site as illustrated below.





*Figure 1: Site Layout*

- 2.4 The main production area for the brewery (within the red line) shall become the production area for the distillery. The main point of discharge to the town sewerage system is located at the north end of the site and will remain as is. This area also contains an effluent balancing system.

### 3.0 Planning History

- 3.1 The table below outlines the planning history for the site. The use of the site as a brewery was established prior to the enactment of the Planning Act 1964, and therefore has the benefit of a pre-63 exemption.
- 3.2 While numerous applications have been lodged over the years, none are deemed to be of significance in relation to this application for a Section 5 Certificate of Exemption in terms of the proposed use. The applications have all related to new buildings or alterations to the buildings, as the brewing process was modernised over time.



Reg Ref	Year	Description	Decision
55473	1967	Proposed erection of building for housing of keg filling and cleansing plant.	Grant
55850	1970	Outline permission for extension to brewery. Full permission for Wort receiving/cooling room.	Grant
55880	1970	Illuminated sign	Grant
551006	1970	New carpark	Grant
551032	1970	New fermentation tank and storage block	Grant
551023	1971	New Boiler house	Grant
551108	1971	New Welfare building including locker room and canteen	Grant
551103	1971	Extension to keg plant building	Grant
551265	1972	Proposed two boiler fuel oil tanks	Grant
551454	1973	Erection of eight silos	Grant
552098	1976	Extension to fermenting and storage block	Grant
552324	1976	Extension to dispatch offices	Grant
552461	1977	Extension to keg plant building	Grant
552551	1977	Extension to offices	Grant
552580	1977	New entrance gate, office and boundary wall	Grant
552875	1978	Extension to plant room	Grant
5532495	1980	Generator building	Grant
553413	1981	Yeast block construction area	Grant
554166	1984	Extend existing storage block to house 6 additional vessels	Grant
554155	1984	New Brewhouse at Harp	Grant by ABP
554516	1985	Extension to existing boiler house and stacks	Grant
554578	1986	Extension to plant room	Grant
554764	1987	Single storey extension and alterations to existing offices	Grant
555112	1989	Reconstruct tower and advertising sign above main brewery	Grant
555111	1989	Alter elevation of existing brewery building facing courtyard	Grant
555371	1990	New laboratory building and extension to existing old keg plant for new filter room	Grant
555744	1991	Erection of new brick cladding on east façade of keg plant building	Grant

Reg Ref	Year	Description	Decision
555709	1991	Replacement of boundary fence with new boundary wall	Grant
556092	1993	Extension to FV room No. 6	Grant
556310	1994	Permission for refrigeration plant building	Grant
95/8	1995	Plant/storage building to accommodate surface plant and liquid storage vessels associated with underground effluent balancing station and ancillary related works	Grant
95/211	1995	New boundary wall, palisade fencing and two 10m lighting poles north of premises	Grant
96/268	1996	Canopy extension to existing tank station building	Grant

## 4.0 Legislative Background

4.1 When considering the legislative background the proposed development must be borne in mind. In the case of this proposed use, we believe there is no change of use, no physical works externally, no excavation or demolition, and no impact on any protected structure. The proposed development is discussed in greater detail in Section 6.0.

### a) Definition of Development

4.2 The definition of development, the definition of works and what ultimately requires planning permission forms the basis of the Irish planning legislation. The Planning and Development (Amended) Act 2000 – 2013 (hereafter referred to as the Planning Act), Section 3, defines development as:

*“the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land”*

### b) Definition of Works

4.3 As stated above the definition of works is a fundamental element of Irish planning legislation and what forms of development require planning permission, Works are defined in the Planning Act as:

*“any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal ....”*

### c) Exempted Works

4.4 Section 4 of the Planning Act sets out the grounds on which development may be considered exempted from requiring planning permission. Of relevance to this application is Section 4 (1) (h) which states;

*“development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures.”*

shall be considered exempt. Additionally in accordance with Section 4 (2) which states;

*“The Minister may by regulations provide for any class of development to be exempted for the purposes of this Act”,*

development set out in the relevant sections of the Planning and Development Regulations 2001 – 2013 shall be considered exempt.

d) *Exceptions and Limitations to Exempted Development*

4.5 Development which complies with Section 4 of the Planning Act is not automatically deemed to be exempted. There are limitations and exceptions to what constitutes exempted development. Development requiring either an Environmental Impact Assessment or Appropriate Assessment does not qualify for exemption as per Section 4 (4) of the Planning Act which states;

*“Notwithstanding paragraphs (a), (i), (ia) and (l) of subsection (1) and any regulations under subsection (2), development shall not be exempted development if an environmental impact assessment or an appropriate assessment of the development is required.”*

4.6 The designation of a structure as a protected structure, also imposes limitations on what constitutes exempted development. Section 57 (1) states;

*“Notwithstanding section 4(1)(a), (h), (i), (ia) (j), (k), or (l) and any regulations made under section 4(2), the carrying out of works to a protected structure, or a proposed protected structure, shall be exempted development only if those works would not materially affect the character of—*

- a) the structure, or*
- b) any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.”*

e) *Protected Structures and Structures within their Curtilage*

4.7 It is recognised that, as per the definition of a structure, the protection status includes:

- i. “the interior of the structure,*
- ii. the land lying within the curtilage of the structure,*
- iii. any other structures lying within the curtilage and their interiors, and*
- iv. all fixtures and features which form part of the interior or exterior of any structure or structures referred to in subparagraph (i) or (iii).”*

4.8 The Planning Act does not include a legal definition of curtilage, however it is generally accepted to mean any building within the same land parcel as the protected structure.

f) *Defining an Industrial Use*

4.9 Both the brewery and the distillery would appear to be industrial uses in nature. The Planning and Development Regulations 2001 as amended, hereafter referred to as the Planning Regulations, define an industrial building in Article 5 as;

*“a structure (not being a shop, or a structure in or adjacent to and belonging to a quarry or mine) used for the carrying on of any industrial process;”*

4.10 The Planning Regulations define an industrial process in Article 5 as;

*“any process which is carried on in the course of trade or business, other than agriculture, and which is-*

- a) for or incidental to the making of any article or part of an article, or*
- b) for or incidental to the altering, repairing, ornamenting, finishing, cleaning, washing, packing, canning, adapting for sale, breaking up or demolition of any article, including the getting, dressing or treatment of minerals,”*

g) *Certificate of Exemption under Section 5 of the Planning Act*

4.11 Where it is believed that the proposed works or use constitutes exempted development, a person may apply for a Certificate of Exemption under Section 5 of the Planning and Development (Amended) Act 2000 – 2013 from the relevant planning authority.

4.12 The proposed use and works, as set out in Section 6.0, are assessed for compliance with the relevant legislation above in Section 7.0 below.

## 5.0 Comparison of the Brewing and Distilling Process

---

5.1 Figure 2 below sets out the brewing and distilling process. The processes are broadly similar, with only a few immaterial variations in a planning context. The similarities in the processes are important as they allow for the conversion of the brewery to a distillery with minimal physical intervention to the buildings, and support the reason we believe the conversion should be considered exempted development in this case.

### ***Distilling***

The following are the key stages of distilling.

**Stage 1** - Cereal is initially crushed in a mill.

**Stage 2** - The milled cereal is mixed with hot water, and allowed *to convert*. This process allows the starch in the cereal mix to convert to a range of sugars.

**Stage 3** - The resulting liquid known as *wort* is drained using stainless steel vessels called mash *tuns* separating the sugary water solution from the spent grains.

**Stage 4** - The *wort* is then cooled and pumped into fermenting vessels where yeast is added and the sugars in the *wort* are converted to alcohols. The fermented liquid is traditionally termed “*wash*”.

**Stage 5** - Wash is distilled in copper pot stills, where distillation enables the collection of alcohol and other *congeners*. Application of heat to the still enables the alcohols and other congeners to vaporise. They then pass through coolers. The strength of spirit increases with repeated sequences of distillation. The heart of the final distillation, the “*middlecut*” is selected as the spirit to go for maturation. Maturation will take place off site in a fully bonded warehouse.

### **Brewing**

The following are the key stages of brewing

**Stage 1** - Cereal is initially crushed in a mill.

**Stage 2** - The milled cereal is mixed with hot water, and allowed *to convert*. This process allows the starch in the cereal mix to convert to a range of sugars.

**Stage 3** - The resulting liquid known as *wort* is drained through the mash *tuns* in a process known as *lautering* separating the sugary water solution from the spent grains.

**Stage 4** - The *wort* is then boiled in a copper kettle with hops and other ingredients. After boiling the hopped *wort* settles to clarify in the whirlpool, and solid particles in the *wort* are separated out.

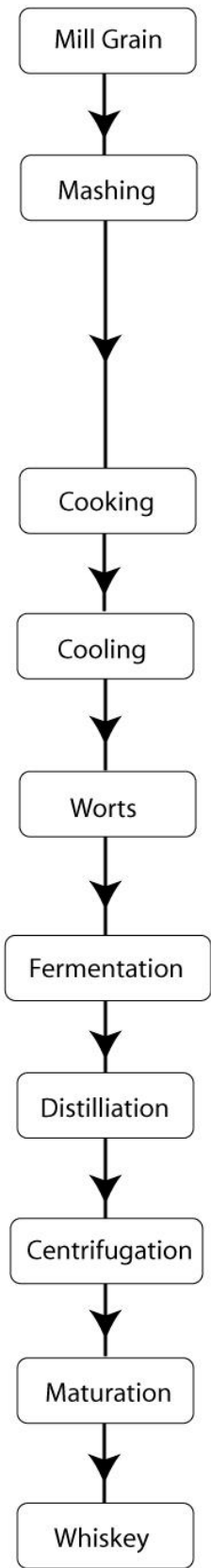
**Stage 5** – The *wort* is cooled and pumped into fermenting vessels where yeast is added and the sugars in the *wort* are converted to alcohols. The fermented liquid is traditionally termed “*wash*”.

**Stage 6** – Following fermentation the beer is allowed to mature. In the case of lager production this entails *lagering*, where the lager is stored at near freezing temperatures for 1 – 6 months while still on yeast.

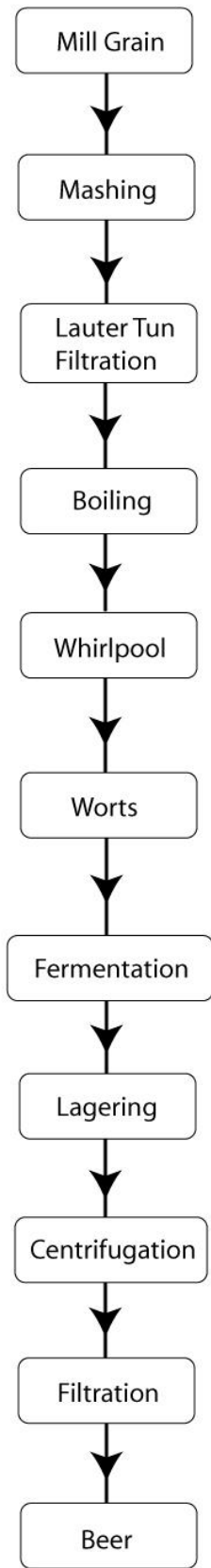
**Stage 7** – Any remaining solids are removed from the lager, first in a *centrifuge*, then by *filtration*. The lager is then either bottled or kegged.

- 5.2 From the above it can be seen that there are seven stages of brewing and only five stages of distilling. Stages 6 and 7 of brewing are additional to distilling meaning that there are no new sub processes involved in distilling over and above what happens for brewing.

# Distilling



# Brewing



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Figure 2: Comparison of Distilling and Brewing Process

## 6.0 Proposed Conversion from Brewery to Distillery

- 6.1 The Great Northern Distillery intend to establish a distillery on a portion of the site (Site A) formerly occupied by the HARP brewery. This shall entail minimal internal works, primarily some interior alterations to the layout of the building, and secondly provision of some new plant material also internally. No external works are proposed at this time to any of the buildings on site. No demolition or no excavation is proposed.
- 6.2 The figures below (Figures 3 and 4) set out the previous use of the buildings as a brewery, their proposed use for distilling, and any necessary internal works. The majority of buildings will be retained in the existing use, with no modifications required, due to the similarity of the two process as discussed in Section 5.0 above. Two of the buildings, the old brewhouse building and the “old offices” which are a protected structure, along with the ESB sub-station, are not required at this time. However they will be retained on site until such time as they may be required. Any necessary maintenance will be carried out as and when required, particularly in the case of the protected structure. The only building which shall experience any change is that which will become the main distillery building. These changes shall be minor in nature, and are purely related to the conversion of certain equipment from a brewing to distilling use. The storage tanks shall be converted to washbacks. This will not require any physical works.

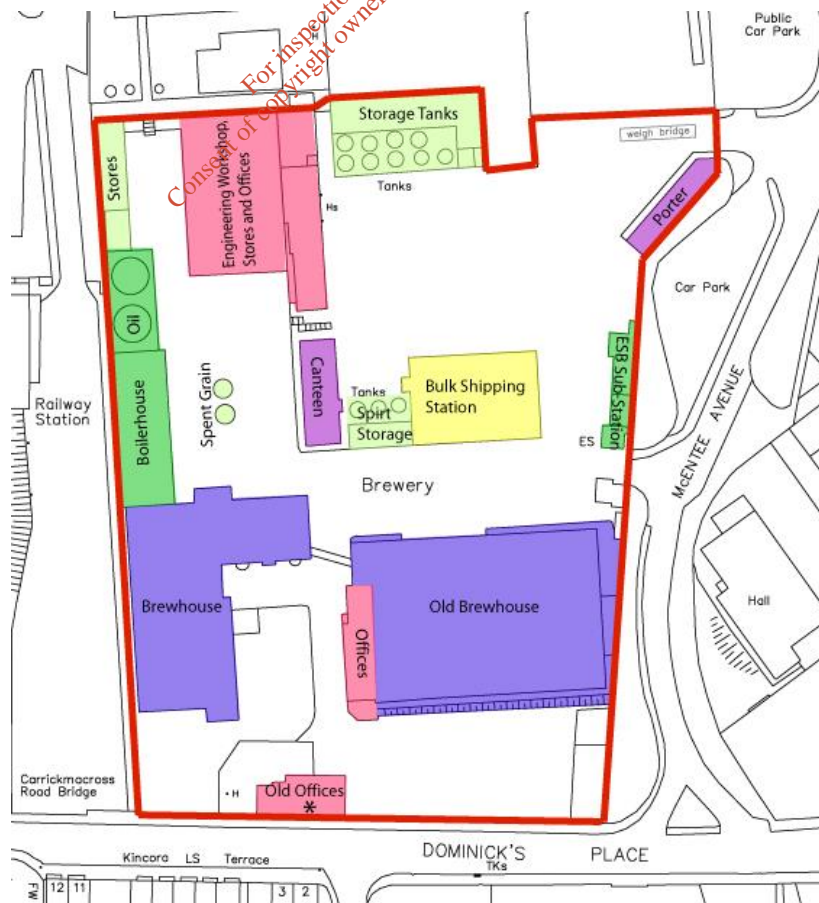


Figure 3: Existing Uses



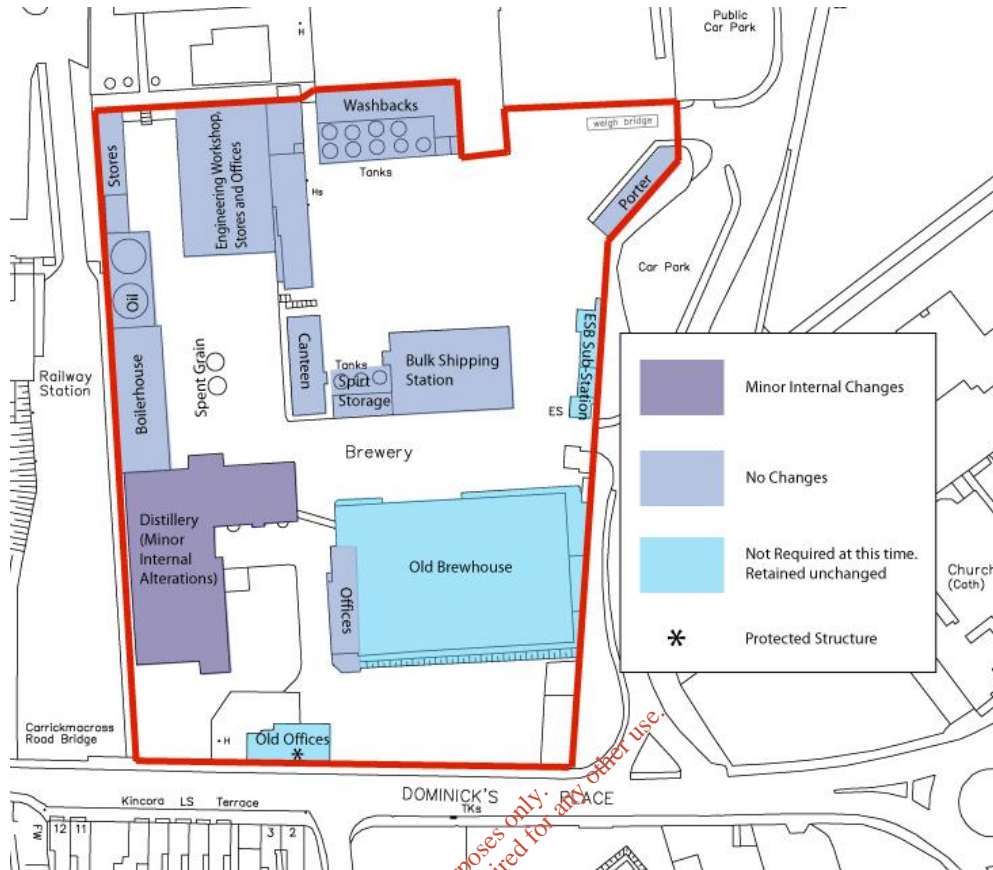


Figure 4: Proposed Uses and Alterations

- 6.3 The minimal nature of the works is clearly shown in Figure 4 above.
- 6.4 There are no works or changes proposed to any structure or area outside of the red line.

## 7.0 Assessment

7.1 In determining whether the proposed use of the subject site as a distillery constitutes exempted development as set out under the Planning and Development (Amended) Act 2000 – 2013 and the Planning and Development Regulations 2001 there are some important questions which must be considered. These are:

1. Does the proposed use constitute a material change of use?
2. Will the proposed works materially impact the external appearance of any of the structures?
3. Does the proposed use constitute development requiring either an Appropriate Assessment or an Environmental Impact Statement?
4. Do the proposed works materially affect the character of the protected structure or any structure within the curtilage of the protected structure?

The broader legal context of development and whether it is exempted is set out under items (a) to (f) below in this section.

***Does the proposed use constitute a material change of use?***

- 7.2 This is perhaps the most important element to be determined, given the proposed works and physical changes are minimal.
- 7.3 In order to determine if the proposed use equates to a material change of use, it is first necessary to determine if both the previous brewing operation and the proposed distilling operation constitute an industrial process as changes within such as use does not require planning permission.
- 7.4 It should be noted that both brewing and distilling, depending on the scale of the operation, may be classed as light industrial processes. This is often the case for micro craft breweries and distilleries. However in order to be classed as light industrial there must be no impact on the surrounding area. We believe that due to the scale of operation neither the previous nor proposed use can be considered light industrial.
- 7.5 As stated previously under in paragraph 4.11, the Planning Regulations define an industrial process as:  
*“any process which is carried on in the course of trade or business, other than agriculture, and which is-*  
a) *for or incidental to the making of any article or part of an article, or*  
b) *for or incidental to the altering, repairing, ornamenting, finishing, cleaning, washing, packing, canning, adapting for sale, breaking up or demolition of any article, including the getting, dressing or treatment of minerals,”*

***Was the brewery an industrial activity?***

- 7.6 The brewing process has been discussed in detail above in section 5.0, and can be summarised as the processing of grains to produce beer, in this instance lager, for sale and consumption. This meets the definition of an industrial process as set out in the Planning Regulations.
- 7.7 The brewery had a maximum production capacity of 120 million litres or 125,000 tonnes per annum. It was clearly therefore a large scale operation.
- 7.8 Additionally, as demonstrated in the accompanying screening report, while the brewery was never a major source of nuisance to nearby residents, complaints were on occasion received in relation to noise.
- 7.9 The brewery does not meet the definition of light industrial and therefore must be considered an industrial process.

***Is the Distillery an industrial use?***

- 7.10 The distilling process has been discussed in detail above in section 5.0, and can be summarised as the processing of grains to produce whiskey, for sale and consumption. This meets the definition of an industrial process in a manner very similar to the previous brewery.

- 7.11 The distillery will have a maximum production capacity of 4,098,000 litres or 3,746 tonnes per annum. This is significantly less than the brewery.
- 7.12 The accompanying EIS screening report has not identified any significant impact on the surrounding area in terms of noise, vibrations, odour, fumes, smoke, soot, ash, dust or grit. In fact overall, due to the decrease in production capacity, it is felt there will be an improvement in terms of the impact on the surrounding area even though the proposed use is termed industrial.
- 7.13 There is precedence for Planning Authorities to recognise a distillery as an industrial process. We would draw the Council's attention to the decision by Kerry County Council in relation to the Dingle Distillery **(Reg. Ref: 13/6)**.
- 7.14 That site had previously been used as a saw mill, which it was acknowledged was an industrial process. The applicant, in that instance, contended while the distillery was a less intense industrial process in terms of impacts on the surrounding area, than the saw mill. It still better met the definition of an industrial process than a light industrial process. There was therefore no material change of use, and no requirement for planning permission, as we believe applies in this case.
- 7.15 Kerry County Council accepted this argument, though planning permission was still required for some additional works necessary for the conversion of the buildings from saw mill to distillery, which does not apply in this instance.
- 7.16 Distilleries clearly meet the definition of an industrial process, and therefore may be considered an industrial activity.
- Was the industrial activity ever abandoned?*
- 7.17 Abandonment of a use, and later re-instigation of that or a similar use, may constitute a material change of use.
- 7.18 The question of abandonment hinges on several factors including the operator's intentions and the period the use was idle (in this case only since late 2013).
- 7.19 The history of the site has been discussed in detail elsewhere in this document. The site has been in operation as a brewery uninterrupted for approximately 150 years. There is no evidence to suggest that the operation ceased for any substantial time over this 150 year period. We can certainly state categorically that during the 50 plus years the site was in the ownership of Guinness/Diageo that the use never ceased. The brewery operated until a few short months ago.
- 7.20 We do acknowledge that it was the intention of Diageo to cease operations permanently on the site when they closed the brewery. However we contend that prior to the closure of the brewery, Great Northern Distillery announced their intention to buy the site and establish a distillery. Therefore there has never been a period when the industrial use on site ceased with no intention to resume an industrial use of similar nature. There is no issue therefore with abandonment in our opinion.

- 7.21 We contend that there is no material change of use and therefore no requirement for planning permission for the use. Both the brewery and distillery are an industrial process, and as demonstrated in section 5 are a broadly similar process. The change is not sufficient to constitute a material change of use.

***Will the proposed works materially impact the external appearance of any of the structures?***

- 7.22 There are no external works proposed at this time to any of the structures on site as per item b) definition of works and item c) exempted works. All modifications are strictly internal, as discussed in Section 6.0 above. The proposed use therefore complies with this particular requirement for exempted development.

***Does the proposed use constitute development requiring either an Appropriate Assessment or an Environmental Impact Statement?***

- 7.23 As discussed in paragraph 4.4, compliance with Section 4 of the Planning Act does not automatically mean development constitutes exempted development. There are limitations and exceptions, such as a requirement for either an Appropriate Assessment or Environmental Impact Statement.
- 7.24 A Stage One Appropriate Assessment Scoping Report and a screening for an Environmental Impact Statement (EIS) have been prepared as part of this application.

***Stage One Appropriate Assessment Scoping Report***

- 7.25 The Stage One Appropriate Assessment Scoping Report was prepared by Scott Cawley, as a precautionary exercise due to the proximity of Dundalk Bay which is designated an SAC, SPA and pNHA.
- 7.26 The scoping report has not identified any potential impact on any designated site by the distillery. There is therefore no requirement for a full Appropriate Assessment

***Environmental Impact Statement***

- 7.27 Schedule 5 of the Planning Regulations stipulate that the threshold for an Environmental Impact Statement for a distillery is a production capacity of 100,000 tonnes per annum.
- 7.28 The predicted maximum production capacity of the proposed use is 3,746 tonnes per annum, well below the threshold for an EIS. However we are aware that the Council may, at their discretion, request an EIS for sub-threshold development. A screening report has therefore been prepared by Cunnane Stratton Reynolds.
- 7.29 The screening report has not identified any significant negative impact on the surrounding area by the distillery. In fact, it is believed, that due to the lower production capacity of the distillery in comparison to the brewery, there will be a positive improvement in the amenity and environment of the area. There is therefore no requirement for a full EIS.

- 7.30 There is no requirement for either an Appropriate Assessment or EIS. The proposed use therefore complies with this requirement for exempted development.

***Do the proposed works materially affect the character of the protected structure or any structure within the curtilage of the protected structure?***

- 7.31 The presence of a protected structure, defined under item e in section 4.0, has the potential the limit range of exempted development for the both structure and any structure within its curtilage.
- 7.32 In relation to the protected structure, there are no plans at this time to use the structure as part of the distillery. It shall be retained in situ, with regular maintenance in line with the applicants' obligations as an owner of a protected structure, but will not be used. It is not believed therefore that any of the proposed works could materially affect the character of the protected structure.
- 7.33 Additionally as stated above in paragraph 7.22 and set out in Section 6.0, no external physical works are proposed at this time in relation to any of the structures on the site. There is therefore no impact on the character or setting of the protected structure or any structure within the curtilage of the protected structure.
- 7.34 Our position therefore on the legal requirements is as follows.

Item	Requirement	Our Response
h)	Is development proposed?	No
i)	Are works proposed?	No
j)	Are interior works involved?	Yes, exemption applies
k)	Are there requirements for EIS or AA?	Accompanying reports confirm not
l)	Are protected structures or structures within their curtilage affected?	No
m)	Are the previous and proposed uses industrial?	Yes
n)	Does Section 5 exceptions apply?	In our view in light of a) to f) above, Yes.

- 7.35 We therefore believe that the proposed use of the site as a distillery is in compliance with this requirement for exempted development.
- 7.36 We have comprehensively demonstrated above, and in the supporting reports included with this application, that the proposed use of the former HARP Brewery as a distillery meets all the requirements of exempted development as set out in the Planning and Development (Amended) Act 2000 – 2013 and the Planning and Development Regulations 2001, and therefore qualifies for a Section 5 Declaration of Exemption



**APPROPRIATE ASSESSMENT SCREENING STATEMENT**

**PROVISION OF INFORMATION FOR A PROPOSED DEVELOPMENT ON THE SITE OF THE  
FORMER GREAT NORTHERN BREWERY, DUNDALK, CO. LOUTH**

Prepared For Cunnane Stratton Reynolds

Rev.	Status	Author	Reviewed By	Approved By	Issue Date
R00	Final	AS	PS	PS	21/03/2014

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## 1 Introduction

This report, which contains information required for the competent authority (in this instance Louth County Council) to undertake a screening for Appropriate Assessment (AA), has been prepared by Scott Cawley Ltd. for Cunnane Stratton Reynolds. It provides information on, and assesses the potential for, the proposed distillery conversion of buildings on the site of the former Great Northern Brewery, Dundalk, Co. Louth, to impact on Natura 2000 sites (hereafter referred to as European sites)<sup>1</sup>.

It is necessary that the decision to permit the proposed development has regard to Article 6 of the *Council Directive 92/43/EEC of 21 May 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora* (as amended) (hereafter referred to as the Habitats Directive). This is transposed in Ireland primarily by *S.I. No. 477 of 2011, European Communities (Birds and Natural Habitats) Regulations 2011* (hereafter referred to as the Birds and Habitats Regulations) and by the *Planning and Development (Amendment) Act 2010*, as amended (hereafter referred to as the Planning Acts).

The information in this report forms part of, and should be read in conjunction with, the planning application documentation being submitted to the competent authority in connection with the proposed development.

## 2 Methodology

This Appropriate Assessment Screening Statement has been prepared with regard to the following guidance documents where relevant:

- *Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities.* (Department of Environment, Heritage and Local Government, 2010 revision);
- *Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities.* Circular NPW 1/10 & PSSP 2/10;
- *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* (European Commission Environment Directorate-General, 2001); hereafter referred to as the EC Article 6 Guidance Document. The guidance within this document provides a non-mandatory methodology for carrying out assessments required under Article 6(3) and (4) of the Habitats Directive;
- *Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC* (EC Environment Directorate-General, 2000); hereafter referred to as MN2000;
- *Guidance Document on Article 6(4) of the Habitats Directive 92/43/EEC. Clarification of the Concepts of Alternative Solutions, Imperative Reasons of Overriding Public Interest, Compensatory Measures, Overall Coherence.* Opinion of the European Commission (European Commission, January 2007);
- *Guidelines for Good Practice Appropriate Assessment of Plans under Article 6(3) Habitats Directive.* Findings of an international workshop on Appropriate Assessment in Oxford, December 2009. <http://www.levett-therivel.co.uk/AAguidelines.htm>
- *Communication from the Commission on the precautionary principle.* European Commission (2000).

This Appropriate Assessment Screening Statement is based on a desktop study to establish the zone of influence of the project and the locations of any Annex I habitats/Annex II species and/or qualifying interests/special conservation interests of nearby European sites. Sources of information relied upon are listed below.

<sup>1</sup> Natura 2000 sites are defined under the Habitats Directive (Article 3) as a European ecological network of special areas of conservation composed of sites hosting the natural habitat types listed in Annex I and habitats of the species listed in Annex II. The aim of the network is to aid the long-term survival of Europe's most valuable and threatened species and habitats. In Ireland these sites are designated as *European sites* - defined under the Planning Acts and/or Birds and Habitats Regulations as (a) a candidate site of Community importance, (b) a site of Community importance, (c) a candidate special area of conservation, (d) a special area of conservation, (e) a candidate special protection area, or (f) a special protection area. They are commonly referred to in Ireland as candidate Special Areas of Conservation (cSACs) and Special Protection Areas (SPAs)

#### Desktop Data / Information Sources:

- Ordnance Survey of Ireland mapping and aerial photography available from [www.osi.ie](http://www.osi.ie);
- Online data available on European sites as held by the National Parks and Wildlife Service (NPWS) from [www.npws.ie](http://www.npws.ie);
- Information on water quality in the area available from [www.epa.ie](http://www.epa.ie);
- Information on the Eastern River Basin District from [www.wfdireland.ie](http://www.wfdireland.ie);
- Information on the status of EU protected habitats in Ireland (National Parks & Wildlife Service, 2013).

#### Other Key Information Sources:

- Louth County Development Plan 2009–2015;
- Dundalk and Environs Development Plan, 2009-2015;
- Variation No. 1, Dundalk and Environs Development Plan, 2009-2015: Core Strategy;
- Neagh Bann International River Basin Management Plan 2009-2015.

Guidance which has been followed in determining magnitude and significance of impacts as well as in proposing mitigation measures include:

- *Guidelines for Ecological Impact Assessment in the United Kingdom* (Institute of Ecology and Environmental Assessment, 2006);
- *Guidelines on the Information to be Contained in Environmental Impact Statements* (Environmental Protection Agency, 2002);
- *Advice Notes on Current Practice (in the preparation of Environmental Impact Statements)* (EPA, 2003).

### 3 Screening

#### 3.1 Background

The above referenced guidance documents set out a staged process for carrying out Appropriate Assessment, the first stage of which is referred to as screening. This stage identifies the likely impacts on European sites, if any, which might arise as a result of a proposed development either alone or in combination with other plans and projects, and further considers whether these impacts are likely to adversely affect the integrity of any European sites.

If the conclusions at the end of the screening exercise are that significant impacts on any European sites, as a result of the proposed development, either alone or in combination with other plans and projects, are likely, uncertain or unknown, then there is a requirement to proceed to subsequent stages of Appropriate Assessment. The findings of the AA must be clearly documented in order to provide transparency of decision-making, and to ensure the application of the 'precautionary principle'<sup>2</sup>. If however the conclusions at the end of the screening exercise are that significant impacts on any European sites, as a result of the proposed development, either alone or in combination with other plans and projects, can be ruled out, the need for Appropriate Assessment does not arise.

#### 3.2 Overview of the Study Area and Receiving Environment

##### 3.2.1 Brief Site Description and Features of the Surrounding Environment

The proposed development site is located within the grounds of the former Great Northern Brewery in Dundalk, Co. Louth (Figure 1). The site is bounded to the west by the car park of Dundalk Railway Station; to the south by

<sup>2</sup> One of the primary foundations of the precautionary principle, and globally accepted definitions, results from the work of the Rio Declaration. Principle #15 declaration notes:

*"In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation."*



area will continue to function in this manner and will be largely unaffected by the proposed development. An *unused* well is also located here that will not be used in the distilling process.

The proposed development will involve the renovation and conversion of the buildings in Area A from their former use as a brewery, to a working distillery. The proposed distilling activities to be undertaken on site include the following: deposit of cereals; milling; mashing; fermentation; distillation in stills (wash still, wine still and spirit still); spent wash; centrifugation; collection and removal of spent grain; and, collection of whiskey by tanker for transportation to bonded warehouse.

Chemicals (caustic soda) will be used in the distilling process (to clean stills) in a manner similar to the brewing process. This chemical is to be discharged to the sewer network as trade effluent in the same manner as the former brewery. There is also no waste production from the distilling process and the residual material produced (other than whiskey) is a by-product used for agricultural purposes. It is not considered that there will be any additional waste produced in terms of its nature nor indeed in terms of quantity.

All surface water and foul water from the distillery will be sent to Dundalk WWTP via the existing combined surface water/foul sewer network.

### 3.2.3 Other development nearby which may lead to cumulative impacts upon local ecology

The *Neagh Bann International River Basin Management Plan (2009-2015)* lists the following pressures on water quality within the district, many of which could have *potential* “in-combination” effects with other proposed plans and projects: diffuse pollution risks, such as nutrient enrichment, from agriculture, forestry, peatland and urban land uses; wastewater and industrial discharges; wastewater from unsewered properties; landfills, quarries, mines and contaminated lands; physical modifications and damage; water abstractions; aquaculture; invasive species; leisure activities; and dangerous substances. No significant adverse “in-combination” effects with the proposed development were identified at the strategic level from this plan.

There is potential for “in-combination” effects of proposed plans and projects under the *Louth County Development Plan 2009-2015* and the *Dundalk and Environs Development Plan, 2009-2015*. Given the *Louth County Development Plan* includes policies to protect European sites (Policies CON 13 and CON 14) and in relation to waste water treatment (WS 1 – WS24), and was subject to an Appropriate Assessment (Louth County Council, 2009a and 2011) which concluded that the Plan would not result in any significant adverse effects on any European sites, it (and the other Local Area Plans which must be consistent with the objectives and policies of the County Development Plan) does not pose any risk of cumulative effects on any European sites with the proposed development.

#### *Foul and Surface Water*

With regard to designated areas for nature conservation, only those sites in Dundalk Bay (Dundalk cSAC/SPA/pNHA) have the potential to be affected by the operation of the proposed development given that the surface water and foul water from the site, along with all other developments within the catchment of the WWTP, will be directed to Dundalk WWTP; which discharges to Dundalk Harbour at Soldier’s Point, on the eastern edge of the town.

It is noted in the *Dundalk Waste Water Treatment Works 2012 Annual Environmental Report for EPA Waste Water Discharge Licence D0053-001* that the WWTP operated within capacity in 2012 with a residual organic capacity of 101,249PE (57%) and a peak loading of c.162,000PE (the treatment facility is licensed to cater for the organic load for a population of 179,107 PE/day with capacity to expand to 224,033 PE /day). This was at a time when the former brewery was in operation and accounting for in excess of 30% of the Biological Oxygen Demand (BOD) loading at the WWTP. The AER report also notes that the WWTP was non-compliant in 2012 for the TN (Total Nitrogen) and TP (Total Phosphorous) parameters, as the plant was not designed for nutrient removal.

In the case of the proposed distillery, the predicted waste water volumes (m<sup>3</sup>) will be 16% of that formerly produced by the brewery and in terms of mass loads (kg per year) predicted vBOD loading will be c.47% and predicted Chemical Oxygen Demand (COD) loading will be c.41% of the limits formerly permitted at the brewery under their discharge licence. In terms of TN, the predicted mass load for the distillery is 1,716kg per year compared with the 277,298kg per year load that was treated by the WWTP in 2012 when the brewery was

operational<sup>3</sup> (c.0.06%). Based on the reduction in biological and nutrient loadings to the WWTP predicted for the proposed distillery when compared with the former brewery on the site (which, from a review of the 2012 AER, was a major contributor to loadings at the WWTP), it is considered that foul and surface water discharges from the proposed development are not likely to result in any negative effects on water quality in Dundalk Bay that would adversely affect the Annex I estuarine and coastal habitats or the qualifying interest bird species, or pose any significant risk to water quality through overloading the capacity of the WWTP.

### 3.2.4 Designated sites in the surrounding area

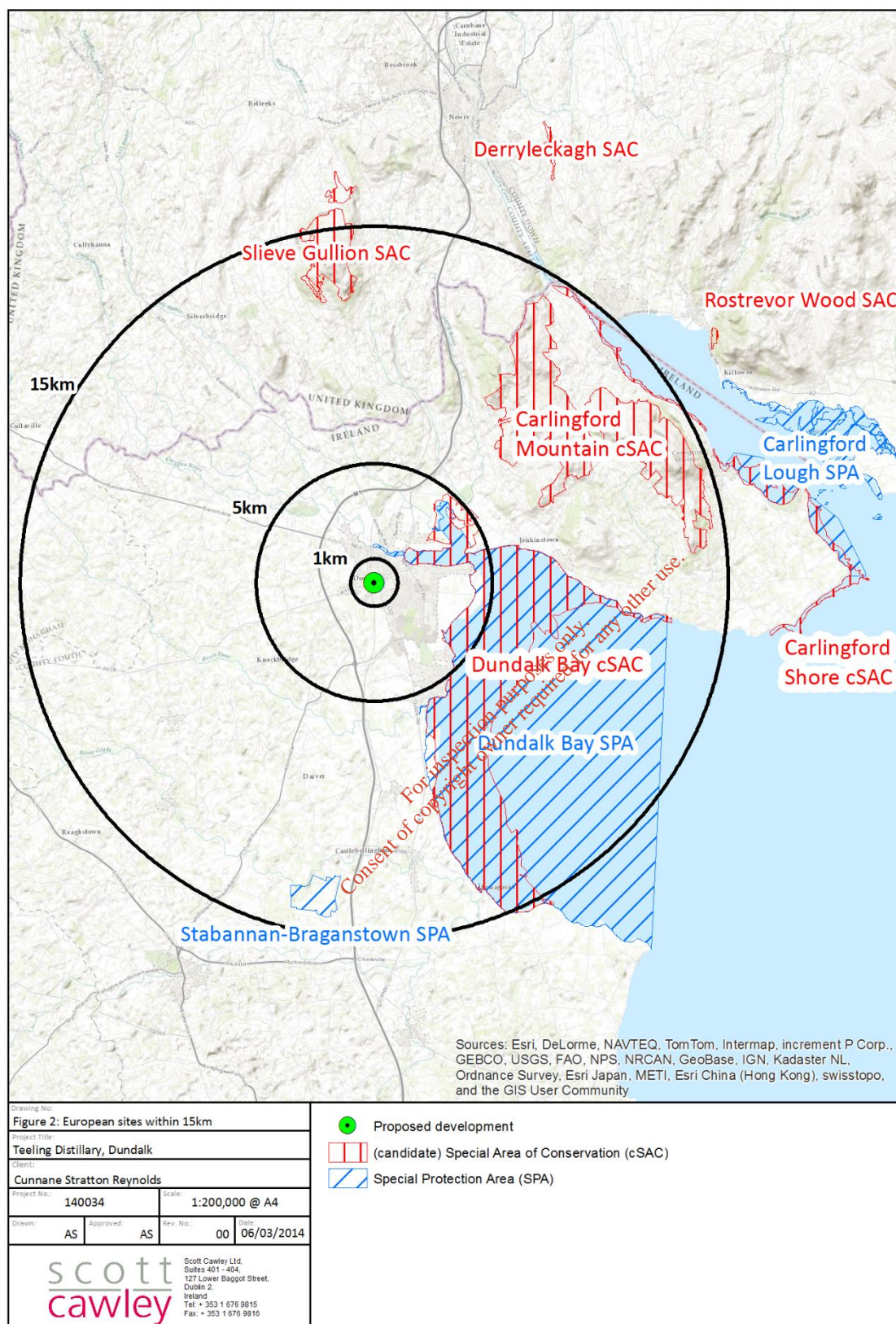
Designated sites within 1km, 5km and 15km of the proposed development are shown in Figure 2 below. Four cSACs and two SPAs are located within this 15 km zone. Table 1 below outlines the qualifying interests for each European site and identifies whether there are any potential source-pathway-receptor links via which adverse effects to the sites' qualifying interests and conservation objectives could potentially occur. This was vital to identify any potential adverse effects from the proposed development on the qualifying interests of these European sites, or cumulatively with other developments, that may result. Where a potential source-pathway-receptor link is present, an assessment is made as to whether there is a likelihood of significant adverse effects based on a review of the sites qualifying interests and conservation objectives.

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<sup>3</sup> figure taken from Table 15 of the *Dundalk Waste Water Treatment Works 2012 Annual Environmental Report for EPA Waste Water Discharge Licence D0053-001*



**Figure 2: European sites within 1, 5 and 15km of the Proposed Development**



### 3.3 Identification of European sites and their Relevance to the Proposed Development

European sites are considered relevant where a source-pathway-receptor link exists between the proposed development and the European sites. In order for an impact to occur there must be a risk enabled by having a 'source' (e.g. waste water discharge), a 'receptor' (e.g. a SAC or other ecologically sensitive feature), and a pathway between the source and the receptor (i.e. a watercourse or drainage system which connects the proposed development site to the SAC). The risk of the impact does not automatically mean it will occur, or that it will be significant. However, identification of the risk does mean that there is a possibility of ecological or environmental damage occurring, with the level and significance of the impact depending upon the nature and exposure to the risk and the characteristics of the receptor.

The proposed development is not directly connected with any European sites. However, there is a pathway by which the proposed development is connected to the European sites in Dundalk Bay; the site is drained by a combined surface water and fowls water drain which flows to Dundalk WwTP via the existing combined sewer network, which ultimately discharges to Dundalk Bay.

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**Table 1 Identification of European sites and their Relevance to the Proposed Development**

(European sites are considered relevant where a receptor -pathway-source link<sup>4</sup> exists between the proposed development and the European Site.

Site Name & Code	Distance from Development (approximate)	Qualifying Interests (*Priority Annex I Habitats for Conservation)	Do any potential receptor -pathway-source links exist between the proposed development and the Natura 2000 site?
<b>candidate Special Areas of Conservation (cSAC)</b>			
Dundalk Bay cSAC [000455]	1.5km NE	<ul style="list-style-type: none"> <li>▪ [1130] Estuaries</li> <li>▪ [1140] Mudflats and sandflats not covered by seawater at low tide</li> <li>▪ [1220] Perennial vegetation of stony banks</li> <li>▪ [1310] <i>Salicornia</i> and other annuals colonizing mud and sand</li> <li>▪ [1330] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>)</li> <li>▪ [1410] Mediterranean salt meadows (<i>Juncetalia maritimi</i>)</li> </ul> <p>Source: NPWS (2011) <i>Conservation Objectives: Dundalk Bay SAC 000455 and Dundalk Bay SPA [004026]. Version 1.0.</i> Department of Arts, Heritage and the Gaeltacht.</p>	<p>The existing surface and foul water drainage network which on the proposed development site, drains to Dundalk WWTP where it is treated before discharging to Dundalk Bay. This is a potential impact pathway between the proposed development site and the European sites in Dundalk Bay.</p> <p>It is considered that foul and surface water discharges from the proposed development are not likely to result in any negative effects on water quality in Dundalk Bay that would adversely affect the Annex I estuarine and coastal habitats, or pose any significant risk to water quality through overloading the capacity of the WWTP (see assessed in Section 3.2.3).</p>

<sup>4</sup> In ecological and environmental impact assessment, for an impact to occur there must be a risk enabled by having a 'source' (e.g. construction works at a proposed development site), a 'receptor' (e.g. a SAC or other ecologically sensitive feature), and a pathway between the source and the receptor (i.e. a watercourse which connects the proposed development site to the SAC). The risk of the impact does not automatically mean it will occur, or that it will be significant. However, identification of the risk does mean that there is a possibility of ecological or environmental damage occurring, with the level and significance of the impact depending upon the nature and exposure to the risk and the characteristics of the receptor.

**Table 1 Identification of European sites and their Relevance to the Proposed Development**

(European sites are considered relevant where a receptor -pathway-source link<sup>4</sup> exists between the proposed development and the European Site.

Site Name & Code	Distance from Development (approximate)	Qualifying Interests (*Priority Annex I Habitats for Conservation)	Do any potential receptor -pathway-source links exist between the proposed development and the Natura 2000 site?
Carlingford Mountain cSAC [000453]	7.2km NE	<ul style="list-style-type: none"> <li>▪ [4060] Alpine and Boreal heaths</li> <li>▪ [8110] Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Galeopsietalia ladani</i>)</li> <li>▪ [8210] Calcareous rocky slopes with chasmophytic vegetation</li> <li>▪ [8220] Siliceous rocky slopes with chasmophytic vegetation</li> </ul> <p>Source: NPWS (2011) <i>Conservation objectives for Carlingford Mountain SAC [000453]. Generic Version 3.0.</i> Department of Arts, Heritage &amp; the Gaeltacht</p>	No, due to distance and the absence of any hydrological or other potential impact pathways between the proposed development and the European site.
Carlingford Shore cSAC [002306]	13.5km NE	<ul style="list-style-type: none"> <li>▪ [1210] Annual vegetation of drift lines</li> <li>▪ [1220] Perennial vegetation of stony banks</li> </ul> <p>Source: NPWS (2013) <i>Conservation Objectives: Carlingford Shore SAC 002306. Version 1.</i> National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht</p>	No, due to distance, the substantial marine open water buffer present, and the absence of any hydrological or other potential impact pathways between the proposed development and the European site.
Slieve Gullion SAC (UK 0030277)		<ul style="list-style-type: none"> <li>▪ [4030] European dry heaths</li> </ul> <p>Source: <a href="http://jncc.defra.gov.uk/protectedsites/sacselection/sac.asp?EUCode=UK0030277">http://jncc.defra.gov.uk/protectedsites/sacselection/sac.asp?EUCode=UK0030277</a></p>	No, due to distance and the absence of any hydrological or other potential impact pathways between the proposed development and the European site.

**Table 1 Identification of European sites and their Relevance to the Proposed Development**

(European sites are considered relevant where a receptor -pathway-source link<sup>4</sup> exists between the proposed development and the European Site.

Site Name & Code	Distance from Development (approximate)	Qualifying Interests (*Priority Annex I Habitats for Conservation)	Do any potential receptor -pathway-source links exist between the proposed development and the Natura 2000 site?
<b>Special Protection Areas (SPA)</b>			
Dundalk Bay SPA [004026]	1km NE	<ul style="list-style-type: none"> <li>▪ Great Crested Grebe (<i>Podiceps cristatus</i>) [wintering]</li> <li>▪ Greylag Goose (<i>Anser anser</i>) [wintering]</li> <li>▪ Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [wintering]</li> <li>▪ Shelduck (<i>Tadorna tadorna</i>) [wintering]</li> <li>▪ Teal (<i>Anas crecca</i>) [wintering]</li> <li>▪ Mallard (<i>Anas platyrhynchos</i>) [wintering]</li> <li>▪ Pintail (<i>Anas acuta</i>) [wintering]</li> <li>▪ Common Scoter (<i>Melanitta nigra</i>) [wintering]</li> <li>▪ Red-breasted Merganser (<i>Mergus serrator</i>) [wintering]</li> <li>▪ Oystercatcher (<i>Haematopus ostralegus</i>) [wintering]</li> <li>▪ Ringed Plover (<i>Charadrius hiaticula</i>) [wintering]</li> <li>▪ Golden Plover (<i>Pluvialis apricaria</i>) [wintering]</li> <li>▪ Grey Plover (<i>Pluvialis squatarola</i>) [wintering]</li> <li>▪ Lapwing (<i>Vanellus vanellus</i>) [wintering]</li> <li>▪ Knot (<i>Calidris canutus</i>) [wintering]</li> <li>▪ Dunlin (<i>Calidris alpina</i>) [wintering]</li> <li>▪ Black-tailed Godwit (<i>Limosa limosa</i>) [wintering]</li> <li>▪ Bar-tailed Godwit (<i>Limosa lapponica</i>) [wintering]</li> <li>▪ Curlew (<i>Numenius arquata</i>) [wintering]</li> <li>▪ Redshank (<i>Tringa totanus</i>) [wintering]</li> </ul>	<p>The existing surface and foul water drainage network which on the proposed development site, drains to Dundalk WWTP where it is treated before discharging to Dundalk Bay. This is a potential impact pathway between the proposed development site and the European sites in Dundalk Bay.</p> <p>It is considered that foul and surface water discharges from the proposed development are not likely to result in any negative effects on water quality in Dundalk Bay that would adversely affect the qualifying interest bird species or the associated wetland habitats, or pose any significant risk to water quality through overloading the capacity of the WWTP (see assessed in Section 3.2.3).</p>

**Table 1 Identification of European sites and their Relevance to the Proposed Development**

(European sites are considered relevant where a receptor -pathway-source link<sup>4</sup> exists between the proposed development and the European Site.

Site Name & Code	Distance from Development (approximate)	Qualifying Interests (*Priority Annex I Habitats for Conservation)	Do any potential receptor -pathway-source links exist between the proposed development and the Natura 2000 site?
		<ul style="list-style-type: none"> <li>Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [wintering]</li> <li>Common Gull (<i>Larus canus</i>) [wintering]</li> <li>Herring Gull (<i>Larus argentatus</i>) [wintering]</li> <li>Wetlands &amp; Waterbirds [A999]</li> </ul> <p>Source:</p> <ul style="list-style-type: none"> <li>NPWS (2011) <i>Conservation Objectives: Dundalk Bay SAC [000455] and Dundalk Bay SPA [004026]. Version 1.0.</i> Department of Arts, Heritage and the Gaeltacht.</li> </ul>	
Stabannan-Braganstown SPA [004091]	12.3km S	<ul style="list-style-type: none"> <li>Greylag Goose (<i>Anser anser</i>) [wintering]</li> </ul> <p>Source:</p> <p>NPWS (2011) Conservation objectives for Stabannan-Braganstown SPA [004091]. Generic Version 4.0. Department of Arts, Heritage &amp; the Gaeltacht.</p>	No, due to distance and the absence of any hydrological or other potential impact pathways between the proposed development and the European site.

#### 4 Conclusions of Screening Assessment Process

The AA screening process has identified that six European sites lie within 15km of the proposed the proposed development. However, following a detailed analysis, no European sites are deemed to be at risk of likely significant effects from construction or operation of the proposed development. This conclusion has been reached by an analysis of Qualifying Interests (QIs) of all sites, and of the threats potentially preventing these QI's from maintaining favourable conservation status. The contribution of other potential projects in the same area has also been assessed in this screening exercise.

This report has shown that there are no elements of the proposed development that could, on their own or in combination with other plans or projects, lead to a risk of significant impacts on European sites.

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## 5 References

- Department of Environment, Heritage and Local Government** (2010) *Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities* (Department of Environment, Heritage and Local Government, Rev Feb 2010)
- Dundalk Town Council** (2009) Dundalk and Environs Development Plan, 2009-2015
- European Commission** (2000) *Communication from the Commission on the precautionary principle*
- European Commission** (2001) *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* (European Commission Environment Directorate-General)
- European Commission** (2007) *Guidance Document on Article 6(4) of the Habitats Directive 92/43/EEC. Clarification of the Concepts of Alternative Solutions, Imperative Reasons of Overriding Public Interest, Compensatory Measures, Overall Coherence*
- Environmental Protection Agency** (2002) *Guidelines on the information to be contained in Environmental Impact Statement*. Wexford: Environmental Protection Agency
- Environmental Protection Agency** (2003) *Advice Notes on Current Practice (in the preparation of Environmental Impact Statements)*
- European Commission** (2000) *Managing Natura 2000 sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC* (EC Environment Directorate-General, 2000); hereinafter referred to as "MN2000"
- European Communities** (2011) *European Communities (Birds and Habitats) Regulations, 2011*
- Institute of Ecology and Environmental Management** (2006) *Guidelines for Ecological Impact Assessment in the UK and Ireland*
- Louth County Council** (2009a) *Draft Louth County Development Plan 2009-2015, Appropriate assessment Report*
- Louth County Council** (2009b) *Louth County Development Plan 2009-2015*
- Louth County Council** (2011) *Appropriate Assessment Screening Report, Louth County Core Strategy and Settlement Plans*
- National Parks & Wildlife Service** (2010) *Circular NPW 1/10 & PSSP 2/10 Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities*. (Department of Environment, Heritage and Local Government)
- National Parks & Wildlife Service** (2013a) *The Status of EU Protected Habitats and Species in Ireland*. Habitat Assessments Volume 2. Version 1.0. Unpublished Report, National Parks & Wildlife Services. Department of Arts, Heritage and the Gaeltacht, Dublin, Ireland
- National Parks & Wildlife Service** (2013b) *The Status of EU Protected Habitats and Species in Ireland*. Species Assessments Volume 3, Version 1.0. Unpublished Report, National Parks & Wildlife Services. Department of Arts, Heritage and the Gaeltacht, Dublin, Ireland
- Water Matters** (2009) *Neagh Bann International River Basin Management Plan 2009-2015*

CUNNANE STRATTON REYNOLDS

# EIS Screening Report, for

## Great Northern Distillery, Dundalk, Co Louth



**CUNNANE STRATTON REYNOLDS**  
LAND PLANNING & DESIGN

Date: 2<sup>nd</sup> April 2014

Prepared by  
**Cunnane Stratton Reynolds**  
For  
**Great Northern Distillery**



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## Executive Summary

A screening exercise for Environmental Impact Assessment has been carried out in accordance with the appropriate Environmental and Planning Guidelines.

The nature of the proposed use and the very limited physical works have been described in sufficient detail to enable an assessment to be undertaken on the conversion from the previous use as a brewery to a distillery.

In many cases the proposed conversion to distillery will result in no additional environmental impact result from that experienced with the brewery. In a number of cases such as odour and noise the predicted impact from a proposed distillery would be less than that previously experienced.

There are some significant benefits to the proposed use including retention of employment on site where none is currently provided.

The summary of predicted environmental impacts is shown below.

EIA Topic	Previous Impact	Predicted Impact
Flora and Fauna	None	None
Geotechnical, soils and ground conditions	None	None. See attached Mulroy Report.
Air quality	Insignificant	None
Climate and energy	None	None
Sunlight and daylight	Insignificant	None
Material assets: Archaeological heritage	None	None
Utilities	Significant	Less than previous
Landscape and visual impact	Significant	None
Material assets: Traffic, transportation and parking	Significant	Less than previous. See Section 7.0 below.
Noise and vibration	Significant	The same or less. See Section 8.0
Fumes/Odours	Significant	Less than previous. See Section 9.0
Waste	Insignificant	Less than previous. See Section 10.0
Waste water/Sanitary Services	Significant	The same or less. See Section 11.0
Water	Significant	Less than previous. See Section 12.0.
Material assets: Cultural heritage	None	Significant but positive, see Section 13.0.

Human Beings	Significant	Significant but positive, see Section 14.0
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There are no pathways to any designated Natura 2000 or Annex 1 site, with the qualified exception of the storm water and sewerage which discharges within acceptable limits via the waste water treatment plant to Dundalk Bay.

This report should be read in conjunction with Cunnane Stratton Reynolds report supporting the Section 5 application, the Stage One Appropriate Assessment Scoping Report undertaken by Scott Cawley, and Mulroy Environmental's Hydrology/Hydrogeological Screening Assessment, which demonstrate no significant impact in either assessment.

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## 1.0 Introduction

- 1.1 This report has been prepared by Cunnane Stratton Reynolds on behalf of the Great Northern Distillery, who intend to establish a distillery on the site of the former HARP brewery in Dundalk.
- 1.2 The purpose of this report is to screen for an Environmental Impact Statement, to demonstrate that the new distillery does not trigger the requirement for an EIS nor shall its impact be any greater than the brewery, and therefore may apply for a Section 5 Declaration as set out in the Planning and Development Act (Amended) 2000 – 2013. This report should be read in conjunction with the planning statement, also prepared by Cunnane Stratton Reynolds, and the Stage One Appropriate Assessment Scoping report prepared by Scott Cawley and Ground Conditions and Geotechnical Report by Mulroy Environmental.

## 2.0 The Subject Site

- 2.1 The site and extent of the previous brewery is located relatively close to the centre of Dundalk, adjacent to the train station and bounded by the Dominick's Place and McEntee Avenue.

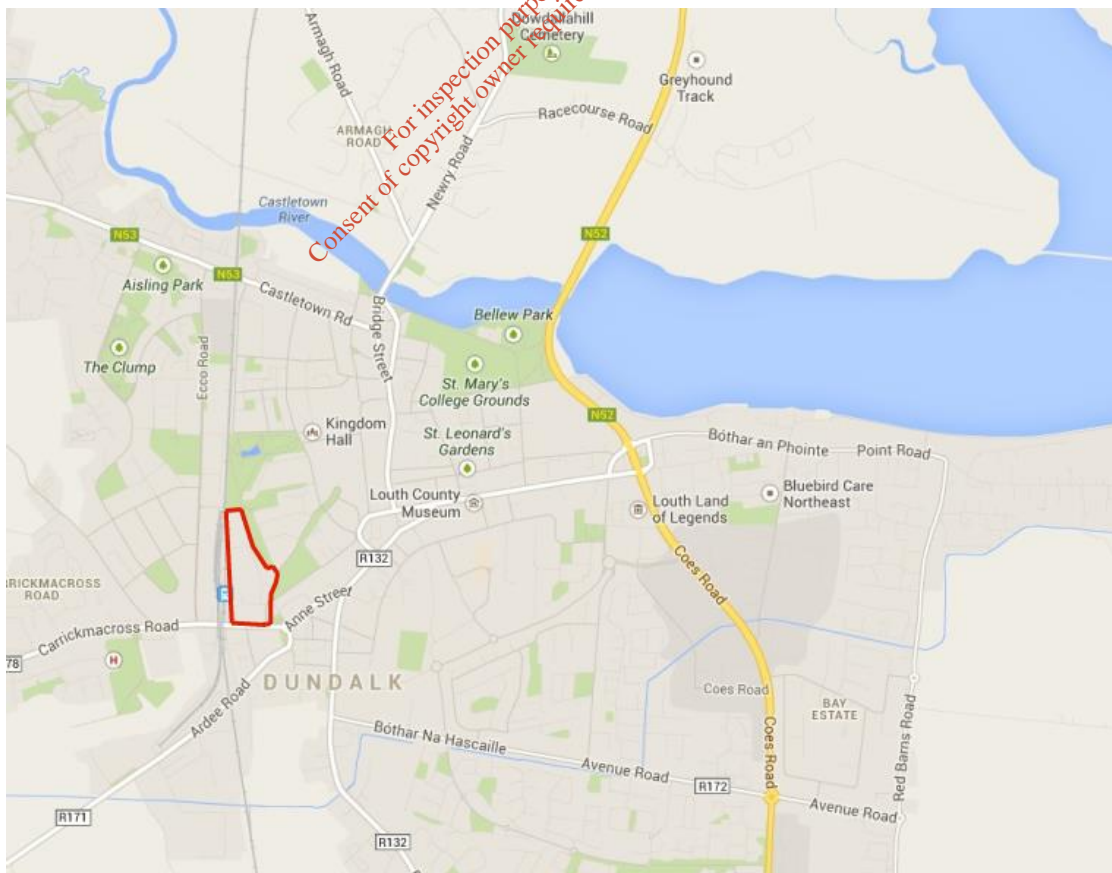


Figure 1: Site Location

- 2.2 There is a long history of brewing on the site, with the Great Northern Brewery established circa 1846. Guinness's (now Diageo) bought the site, and modernised production, in the late 1950's to early 1960's creating the HARP brewery. The use of the site as a brewery was therefore established prior to the enactment of the Planning Act 1964, and has the benefit of a pre-1963 exemption. There is therefore no record of any planning permission although the use as a brewery was well established and numerous planning permissions have been lodged subsequently for various buildings on the site. The history of the site is discussed in greater detail in the accompanying planning statement.
- 2.3 Diageo closed the brewery in late 2013 and sold it to Great Northern Distillery. Great Northern Distillery intend to subdivide the overall site as illustrated below. The brewery use was discontinued so recently that all discharge arrangements or works on site can be reused for the intended use in a manner similar to the previous arrangements.

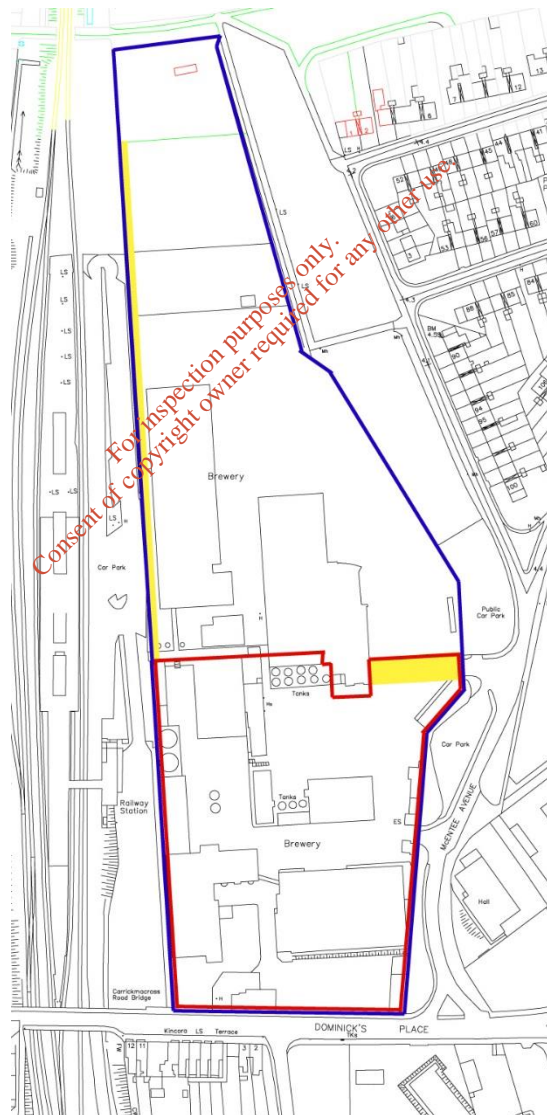


Figure 2: Site Layout

- 2.4 The main production area for the brewery (within the red line) shall become the main production area for the distillery. The main point of discharge to the town sewerage system, from the site, is located at the north end of the site. This area also contains an effluent balancing system.

### **3.0 Proposed Conversion from Brewery to Distillery**

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- 3.1 The Great Northern Distillery intend to establish a distillery on a portion of the site formerly occupied by the HARP brewery. This shall entail minimal internal works, primarily some interior alterations to the layout of the existing building, and provision of some new plant material and equipment and fitting out within the existing structure. No demolition is proposed whatsoever on site.
- 3.2 No works are proposed at this time to the external structure of any of the buildings on site. Some new plant equipment is to be provided, however in the majority of cases the equipment previously used for brewing can be converted to a distilling use, such as such as grain intake, storage silos, dressing equipment and mills, mash-tun, lauter-tun, fermenters, numerous process vessels and storage tanks, plus utilities such as water, gas, electricity, steam boilers and buildings etc. There is therefore no external works and for clarity sake we point out that there is no demolition of any existing structures. Similarly there is no excavation required to be undertaken on site.
- 3.3 Additionally as clearly set out in the accompanying planning statement, we do not believe conversion from a brewery to a distillery constitutes a change of use. In planning terms, we believe the conversion from brewery to distillery and sustainable reuse of the majority of the existing buildings and structures is to be welcomed.

#### ***Previous Use: Brewery***

- 3.4 The site has historically been used as a brewery. The brewery had a production capacity of 120 million litres or approximately 120,000 tonnes of beer. Figure 1 below sets out the previous use of the buildings as a brewery. The production buildings were located to the south of the site, in the area fronting onto Dominick's Place, with the service areas, i.e. storage, transport, offices etc. located to the rear of the area. Kegging which was a major operational and logistical element of the previous use would have been undertaken within Site B but is no longer to be undertaken for the intended distilling use.



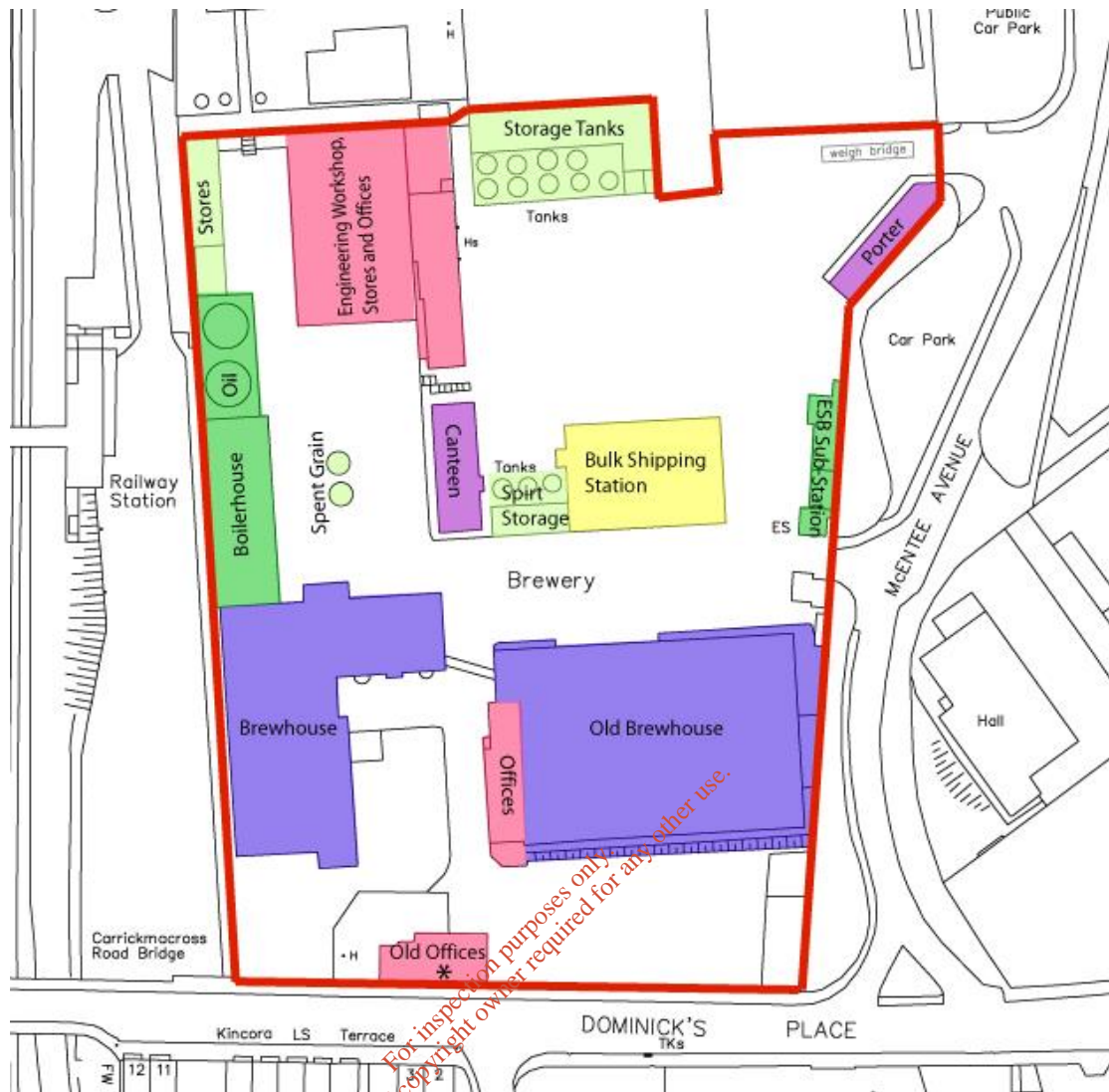


Figure 3: Existing Uses

### **Proposed Use: Distillery**

- 3.5 It is proposed to convert part of the site to a distillery with a production capacity of 4,098,000 litres or 3,746 tonnes of whiskey. The figure below (Figure 2) sets out the proposed changes to the buildings within the site. The majority of buildings will be retained (as can be seen by comparing Figures 1 and 2) in their existing use, with no modifications required. Two of the buildings, the old brewhouse building and the old offices which is a protected structure, along with the ESB sub-station, are not required at this time. However they will be retained on site until such time as they may be required. Any necessary maintenance will be carried out as and when required, particularly in the case of the protected structure. The only building which shall experience any change is that which will become the main distillery building. These changes shall be minor in nature, all internally located, and are purely related to the conversion of certain equipment from a brewing to distilling use. The storage tanks will be converted to washback. This will not require any physical works.
- 3.6 It should also be pointed out that there will be no keggling as per the previous use and maturation and packing shall take place off site at a bonded warehouse facility. Existing access and parking

arrangements will not be changed. Any necessary signage will form part of a separate planning application once the proposed use is permitted and established.

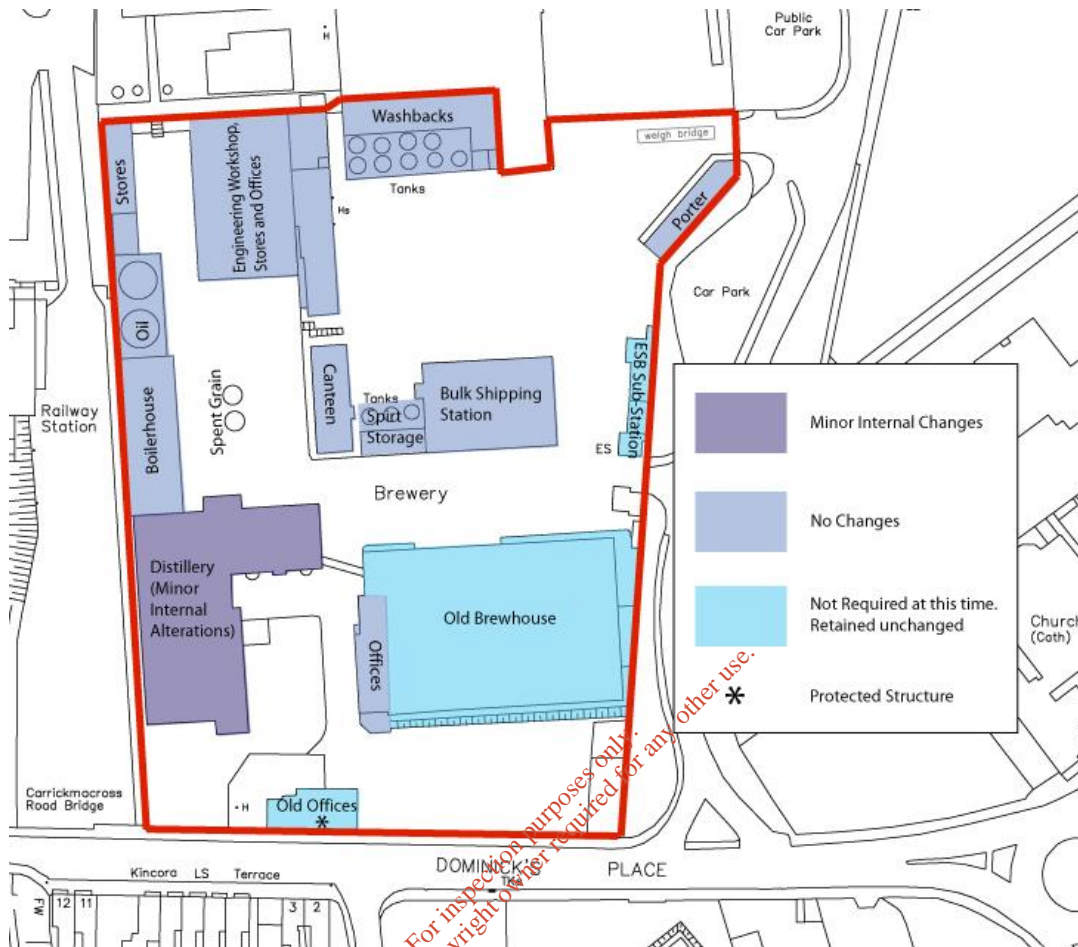


Figure 4: Proposed Uses and Alterations

3.7 There are no works or changes proposed to any structure or area outside of the red line.

## 4.0 The EIA Threshold

4.1 An EIS (Environmental Impact Statement) is a description of the EIA (Environmental Impact Assessment) process. The EIA requirements under planning legislation have been consolidated into Part X of the Planning and Development Act 2000 and Part 10 of the Planning and Development Regulations 2001 - 2011.

4.2 Part 10 of the Planning and Development Regulations 2001 (Environmental Impact Assessment), Chapter 1, 93, states:

*"The prescribed classes of development for the purposes of section 176 of the Act are set out in Schedule 5.*

4.3 Section 176 of the Planning and Development Act 2000 refers to development which:

*“may have significant effects on the environment”*

and refers to:

*“prescribed classes of development requiring assessment”*

- 4.4 Schedule 5 of the Planning and Development Regulations which is entitled “Development for the Purposes of Part 10)” lists (under Part 2 (7(d)) a requirement for an EIS for:

*“installations for commercial brewing and distilling; installations for malting, where production capacity would exceed 100,000 tonnes per annum”*

- 4.5 The maximum production capacity of the proposed distillery is 3,746 tonnes per annum, well below the threshold of 100,000 tonnes. It therefore does not constitute prescribed development as per Schedule 5.

## **5.0 Guidance on Sub Threshold Development**

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- 5.1 The DoEHLG has issued guidance<sup>1</sup> in respect of “sub threshold development” where it advises that the potential impact of a proposal should be considered with respect to:

- a) Characteristics of Proposed Development
- b) Environmental Sensitivity of Geographical Areas
- c) SACs, SPAs & NHAs
- d) Areas of high amenity
- e) Characteristics of Potential Impacts

- 5.2 While a detailed consideration of the impact of the proposal on various elements shall be considered in the following sections (Sections 6.0 to 14.0), in response to the above introductory points we comment as follows under those headings.

### ***(a) Characteristics of the Proposed Development***

Section 3.0 above sets out the characteristics of the subject works. It is clear that they are minimal in nature and confined to internal partitioning of select structures and provision of some new plant equipment or machinery.

### ***Cumulative Impacts***

There is potential for cumulative impact from the interaction of the following:

- Traffic and Noise,
- Traffic and Air Quality,
- Waste Water and Flora and Fauna,

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<sup>1</sup> Environmental Impact Assessment (EIA), Guidance for Consent Authorities regarding Sub-threshold Development, DoEHLG

- Waste Water and Odour,
- Climate and Energy and Utilities,
- Noise and Flora and Fauna.

These impacts are considered below.

#### *The Use of Natural Resources*

The proposed use does not result in any additional use of natural resources. In fact their usage levels are below those of the brewery. This will be discussed in greater detail in relation to water usage and utilities in subsequent sections.

#### *The Production of Waste*

The facility will not lead to an increase in the production of waste. As with the use of natural resources above, the proposed uses waste levels are below those of the brewery. Additionally in accordance with Part 3, Article 27 of the European Communities (Waste Directive) Regulations 2011 any waste generated by the proposed distillery use meets the definition of a 'by-product' and therefore is not considered waste as such in environmental terms.

#### *Pollution and Nuisances*

The issue of pollution and nuisances is dealt with in detail in the Sections below.

#### *The Risk of Accidents*

In the past 5 years there have only been <10 accidents on the site. It is not predicted that the proposed use will result in an increase in the risk of accidents due to the similarity of the previous and proposed use and the stringent regulatory controls exercised over the distilling process and related activities.

### **(b) Environmental Sensitivity of Geographical Areas**

The environmental sensitivity of the Geographical Area is largely determined by the existence of Dundalk Bay an SAC, SPA and pNHA to the north of the subject site. A Stage One Appropriate Assessment Scoping Report has been conducted by Scott Cawley and is included as part of the accompanying Section 5 application.

### **(c) SACs, SPAs & NHAs**

The development is located south of Dundalk Bay which is designated an SCA, SPA and pNHA. As state above a Stage One Appropriate Assessment Scoping Report has been conducted by Scott Cawley and is included as part of the accompanying Section 5 application. It is not expected that the proposed works or use will have any impact on any Natura 2000 site. In fact, the Appropriate Assessment shows no pathways between the subject site and designated areas, with the qualified exception of the storm water and sewerage which discharges within acceptable limits via the waste water treatment plant to Dundalk Bay. The Geotechnical report identifies the same absence of pathways from the site to those designated area.

**(d) Areas of High Amenity**

There are no high amenity or landscape designations covering the subject site or in close proximity to it.

**(e) Characteristics of Potential Impacts**

The characteristics of potential impacts shall be addressed in Sections 6.0 to 14.0.

- 5.3 In addition the Environmental Impact Assessment (EIA), Guidance for Consent Authorities regarding Sub-threshold Development suggest consideration of the following questions need to be addressed when considering whether an EIS is required.

**Questions to be considered**

1. *Will there be a large change in environmental conditions?*

Response: No

2. *Will new features be out-of-scale with the existing environment?*

Response: No

3. *Will the effect be particularly complex?*

Response: No

4. *Will the effect extend over a large area?*

Response: No

5. *Will there be any potential for transfrontier impact?*

Response: No

6. *Will many people be affected?*

Response: No

7. *Will many receptors of other types (fauna and flora, businesses, facilities) be affected?*

Response: No

8. *Will valuable or scarce features or resources be affected?*

Response: No

9. *Is there a risk that environmental standards will be breached?*

Response: No

10. *Is there a risk that protected sites, areas, features will be affected?*

Response: No

*11. Is there a high probability of the effect occurring?*

Response: No

*12. Will the effect continue for a long time?*

Response: No

*13. Will the effect be permanent rather than temporary?*

Response: Yes (see below)

*14. Will the impact be continuous rather than intermittent?*

Response: No

*15. If it is intermittent will it be frequent rather than rare?*

Response: No

*16. Will the impact be irreversible?*

Response: No. Any potentially offending material is taken off site.

*17. Will it be difficult to avoid, or reduce or repair or compensate for the effect?*

Response: No

Predicted impacts and whether they are likely to be significant can also be considered against EIA topics. This is considered in the next section.

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## **6.0 Predicted Impacts**

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### **6.1 Screening Assessment (Screening Matrix)**

#### ***Predicted Impact Topics***

Predicted impacts are considered under the following topics:

- Flora and Fauna
- Geotechnical, soils and ground conditions
- Air quality
- Climate and energy
- Sunlight and daylight
- Material assets: Archaeological heritage
- Utilities



- Landscape and visual impact
- Material assets: Traffic, transportation and parking
- Noise and vibration
- Fumes/Odours
- Waste
- Water
- Material assets: Architectural and cultural heritage
- Human Beings

It should be noted that in this instance the subject site is not a virgin site. It is a brownfield site on which an industrial use has been located for the past 150 years. The previous use therefore provides the baseline for the receiving environment. We therefore believe that four potential scenarios exist when considering the potential impacts of the intended use. These are:

- None to none (i.e neither the previous use nor the proposed use had/will have an impact)
- None to impact (i.e there was no impact but may be now however slight or insignificant)
- Impact to lesser impact/none (i.e there was a previous impact, but the proposed use will have a lesser impact or none)
- Impact to Impact (i.e previous use had an impact, as will the proposed use.)

Table 1: EIA Topics and Predicted Impacts

EIA Topic	Previous Impact	Predicted Impact
Flora and Fauna	None	None
Geotechnical, soils and ground conditions	None	None. See attached Mulroy Report.
Air quality	Insignificant	None
Climate and energy	None	None
Sunlight and daylight	Insignificant	None
Material assets: Archaeological heritage	None	None
Utilities	Significant	Less than previous
Landscape and visual impact	Significant	None
Material assets: Traffic, transportation and parking	Significant	Less than previous. See Section 7.0 below.
Noise and vibration	Significant	The same or less. See Section 8.0
Fumes/Odours	Significant	Less than previous. See Section 9.0
Waste	Insignificant	Less than previous. See Section 10.0
Waste water/Sanitary Services	Significant	The same or less. See Section 11.0

Water	Significant	Less than previous. See Section 12.0.
Material assets: Cultural heritage	None	Significant but positive, see Section 13.0.
Human Beings	Significant	Significant but positive, see Section 14.0

Those topics above for which there are no significant impacts are further assessed below in this section. For those where further consideration of predicted impacts is necessary, please refer to Sections 7.0 to 14.0.

#### *Flora and Fauna*

There are **no predicated impacts** on flora and fauna. This is the result of an assessment by Scott Cawley, and a combination of factors that they refer to, including low ecological value of the site as a whole based on the habitats and faunal species present and the predicted impacts the proposed development is likely to have.

#### *Geotechnical, Soils and Ground Conditions*

There are **no predicted impacts** on geotechnical, soils or ground conditions. The hydrological and hydrogeological assessment carried out by Mulroy Environmental indicates that there is no potential for significant impacts on either the environment generally or on Annex 1 habitats or Natura 2000 sites.

#### *Air Quality*

The brewery would have had a relatively **insignificant** impact on air quality. The only discharge to the atmosphere would have been the CO<sub>2</sub> produced during the fermentation process. For health and safety purposes it would have been necessary to vent this externally. It is estimated that the CO<sub>2</sub> produced by fermentation would have been 90,000m<sup>3</sup> per week. The majority of this was reused in the production of the beer, but due to lack of storage and for health and safety purposes it would have been necessary to vent the excess to the atmosphere.

**No impact** is predicted on air quality by the distillery. It is predicted the only potential pollutant discharged to the air will be CO<sub>2</sub>, a by-product of the fermentation process. It is estimated that the CO<sub>2</sub> emissions from fermentation will be 29,000m<sup>3</sup> per week. This is less than that produced previously by the brewery. There is no use for CO<sub>2</sub> in the production of whiskey, therefore, for health and safety reasons, all the CO<sub>2</sub> produced during fermentation will have to be vented to the atmosphere.

The only other potential source of air pollution for either the brewery or distillery are emissions from traffic. Traffic is discussed in detail in Section 7.0. However we do not believe that emissions from traffic

had a significant impact on air quality in relation to the brewery. As indicated in Section 7.0, traffic for the distillery is less than for the previous use as a brewery.

#### *Climate and Energy*

There was **no known impact** by the brewery on climate and energy. It is not anticipated that there will be any impact from the proposed use on either climate or energy.

#### *Sunlight and Daylight*

The brewery at various times built new buildings on the site, many of which are extremely substantial. This obviously would have had an impact on sunlight and daylight. However due to the size of the overall site and its orientation the impact was confined to within the site. In particular the largest buildings on the site, the brewhouses, are located to the south of the site. Therefore any shadows they cast would have been into the site or across the adjacent railway station. The impact therefore was **insignificant**.

There will be **no impact** on sunlight or daylight as there are; 1) no new buildings proposed; 2) no external works proposed; and 3) no increase in the height or bulk of the existing structures.

#### *Material assets: Archaeological heritage*

The site does not contain any protected monuments, nor is it in an area of archaeological interest. The brewery, despite extensive building works, had **no impact** on archaeological heritage.

Notwithstanding the lack of evidence to suggest any potential archaeological heritage on the site, there will be **no impact** by the distillery on archaeological heritage, as no excavation works are proposed.

#### *Utilities*

The brewery used 200,000 KWhrs electricity and 350,000 KWhrs gas per week in the 12 month period September 2012 to August 2013. While this represents significant usage levels, we are not aware that this ever posed a problem regarding the provision of utilities in Dundalk. An ESB substation was constructed on site to aid the sites utility demand. We therefore believe the brewery's impact in terms of utilities was **insignificant**.

The distillery will use 43,000 KWhrs electricity and 206,000 KWhrs gas per week. The expected electricity and gas usage by the distillery is significantly less than that of the brewery. There is therefore a **significant improvement** in terms of the impact on utilities.

*Landscape and Visual Impact*

Over the 150 year history of the site, the brewery continuously expanded building new, often rather large buildings. The brewery therefore had a **significant** impact in terms of the landscape and visual amenity of the area.

There will be **no landscape and visual impact** from the distillery as there are no external works, no new buildings or structures proposed and no increase in the height or bulk of the existing structures.

*Material assets: Traffic, transportation and parking*

See Section 7.0 below.

*Noise and Vibration*

See Section 8.0 below.

*Fumes and Odours*

See Section 9.0 below

*Waste*

See Section 10.0 below.

*Waste water/ Sanitary Services*

See Section 11.0 below.

*Water*

See Section 12.0 below.

*Material assets: Cultural heritage*

See Section 13.0 below

*Human Beings*

See Section 14.0 below.

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## 7.0 Impact on Traffic, Parking and Transportation

### ***Traffic and Transportation***

- 7.1 The table below sets out the traffic movements to the site by the brewery and the expected movements for the distillery. For the sake of clarify the movement in and out of the site by a vehicle are counted as two separate movements. Due to the lower predicated production levels of the distillery there is a clear reduction in the number of traffic movements to the site.

*Table 2: Comparison of Vehicle movements for Previous and Proposed Use Per Week*

<b>Vehicle Type</b>	<b>Previous Use: Brewery</b>	<b>Proposed Use: Distillery</b>
5+ axle lorries	240	34
Trucks & Vans	200	80
Passenger Vehicles	1250	400

- 7.2 There was no condition attached to any planning permission for the site limiting the times of collections/deliveries for the brewery, as no previous planning permission for the previous use was sought or needed. However the brewery, in the interest of maintaining a good relationship with the adjacent residential areas, undertook themselves to limit truck movements to between 6am and 10pm. Great Northern Distillery intend to operate a similar system, limiting truck movements to generally between 6am and 10pm.
- 7.3 The image below illustrates the designated route, used by trucks servicing the site. It is proposed that the distillery will operate the very same designated route.

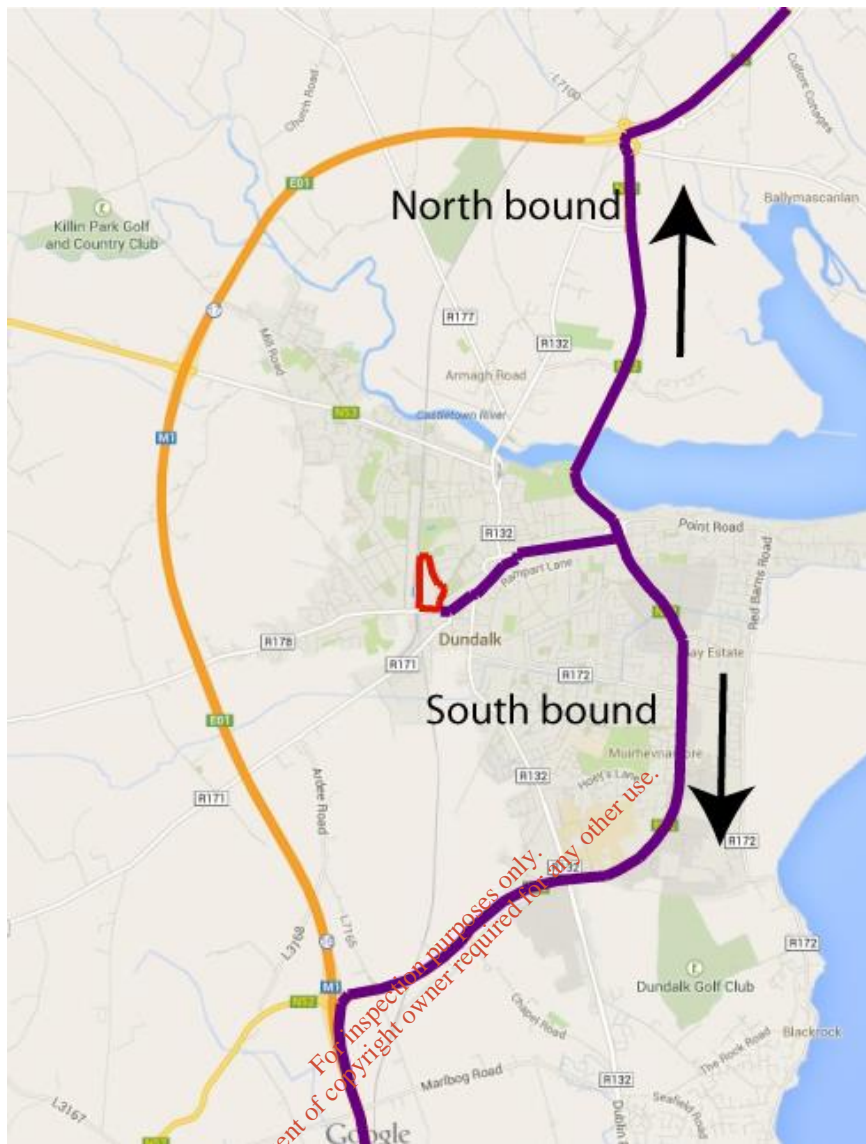


Figure 5: HGV Designated Route

- 7.4 It is our opinion that as 1) the delivery/collection route remains the same as for the brewery; 2) the number of vehicles are reduced; and 3) the size of the vehicles are smaller and less noise obtrusive; as shown in table 1, the distillery represents a significant positive improvement in terms of traffic and transport movements to the site.

### **Parking**

- 7.5 There are 47 car parking spaces available within the areas to be retained by the Great Northern Distillery. These are located to the south of the site between Dominick's Place and the large refrigeration brewhouse building. These spaces are clearly marked out and the existing parking arrangements will be kept with no change.
- 7.6 It is proposed to employ 32 - 36 people on site. It is anticipated that there is therefore sufficient car parking on site to meet the needs of employees and visitors to the site associated with the distillery. Additionally there are two public car parks at the main entrance gate for use by visitors if overspill parking is required, as per the former arrangement with the brewery. Employees will be encouraged to park on site, and where feasible to cycle or use public transport.



- 7.7 Any cars arriving on site will use the main entrance on McEntee Avenue. A route for cars will be marked out on the site to allow them to access the car parking area, without interfering with either truck movements or other operational activities within the site. Existing access arrangements therefore will be kept.
- 7.8 In regards to trucks, they shall also access the site via the main entrance on McEntee Avenue. There is sufficient space on site to accommodate 12 - 14 trucks loading or unloading cargo in the vicinity of the silos and tanker station. Deliveries and collections will be controlled to ensure there is never more than 10 trucks on site at any one time. As can be seen from Table 1 the number of trucks and vehicles generally will decrease from those previously accessing the site.
- 7.9 It is therefore predicted that there shall be no negative impact in terms of parking from the proposed use.

## **8.0 Impact on Noise and Vibration**

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### *General Noise Considerations*

- 8.1 Over the 50 years that the modern HARP brewery was in operation on the site, it never received any noise complaints in regards to operations undertaken in the area of the site proposed for the distillery (Area A).

### *Previous Kegging Operation*

- 8.2 The only noise considerations concerned with the former the brewery were in relation to kegging. Kegging took place in an area outside of the red line indicated in Figure 2 above. There are no plans to undertake kegging as part of the distillery operation. The whiskey is to be transported in tankers from the site using generally fewer vehicular movements, at the same time of the day/evening. The only alternative source of noise relate to machinery and vehicular movements.

### *Machinery Process Based Noise*

- 8.3 The intention is to re-use the equipment already on site. Some new equipment shall be provided, a dry mill capable of processing 4 tonnes of grain per hour a small malt mill capable of processing <1 tonne per hour, grain dressing equipment, and a centrifuge. The dry mill will have a maximum decibel rating of 93 decibels. Additionally it should be noted in relation to the mill that the existing mills on site are capable of processing 12 tonnes of grain per hour. The grain dressing equipment, centrifuge and small malt mill shall have a maximum decibel rating of 80 to 85 db. In all cases the decibel ratings stated are a worst case scenario, the models ultimately chosen may have a lower rating and certainly will not have a higher rating.

### *Acoustic Properties of the Existing Structures*

- 8.4 All the new equipment shall be located within masonry buildings with thick walls as per the previous use. The noise attenuation properties of masonry structures is well recognised. The nearest sensitive

receptors are the houses on the opposite side of Dominick's Place, some 41 metres away from the boundary of the building in question. It is not therefore predicted there will be any issue regarding noise, and certainly less risk of noise complaints than the previous use.

#### *Vehicular Movements*

- 8.5 It is also acknowledged that truck movements within the site can be a source of noise pollution, particularly when reversing or during loading and unloading. However as stated above the expected number of truck movements for the distillery are significantly less than those for the brewery. Additionally the distillery undertakes to limit collections/deliveries to between 6am and 10pm. It should be noted that the brewery never received any noise complaints regarding truck movements.
- 8.5 Great Northern Distillery undertake that should a noise issue be identified, they will take the necessary steps to remedy the situation and to be good neighbours with nearby uses.
- 8.6 The operation will require an IPC licence from the EPA and therefore will be bound by the requirements and conditions of the licence regarding environmental impacts including noise.
- 8.7 We believe that the impact of noise and vibration will be **no greater** on the surrounding area than the previous use as a brewery. We believe the impact to be **insignificant**.

### **9.0 Impact on Fumes and Odour**

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- 9.1 Despite broadly similar methods of production, distilling and brewing have significantly different impacts on the environment in terms of odour.
- 9.2 Brewing is recognised as generally releasing a large amount of odours, which some may find unpleasant. The main source of odours in a brewery is the boiling of the wort. The EU BREF document for the industry (IPPC Reference Document on the Best Available Techniques for the Food, Drink and Milk Industries (EC, 2006))(1) has identified that the largest source of odour from brewing is the evaporation from wort boiling which leads to between 6 – 10% evaporation of liquid with a characteristically unpleasant odour.
- 9.3 In contrast to brewing no boiling of wort is undertaken during the distilling process, eliminating it as a potential concern. The EU BREF document (EC, 2006) states in reference to odours from distillation that “*There is no issues for pot stills*” and in relation to column stills “*There may be minor emissions of uncondensable volatiles, mainly carbon dioxide and ethanol from column stills*”. (P.132, Section 3.2.20.2). The proposed distillery is uses both column and pot stills.
- 9.4 Additionally distilling is generally an enclosed method of cooking. There is little opportunity therefore for the release of either fumes or odours. Should an issue with either fumes or odours be identified, the necessary steps will be taken in regards to the filtering of all emissions from the facility.

- 9.5 Finally, it should be noted that the production capacity and ultimate output of the distillery (approximately 4 million litres) is significantly less than that of the brewery (approximately 120 million litres). Therefore even if there were any fumes or odours they would be at **lower levels** than those associated with the brewery. We therefore contend that the proposed use as a distillery will have a **significant positive impact** on the surrounding environment in terms of fumes and odours.

## **10.0 Impact on Waste**

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- 10.1 There are four main 'waste' products common to both the brewing and distilling process; spent grain, pot ale, and spent lees. In accordance with Part 3, Article 27 of the European Communities (Waste Directive) Regulations 2011 all four meet the definition of a by-product as they have a use as animal feed. In the case of the subject site pot ale and spent lees have always been discharged through the public sewer, in accordance with Diageo's discharge licence with Dundalk Town Council, rather than be used as animal feed. It is proposed to continue this arrangement in regards to the pot ale and spent lees. They are therefore discussed in Section 11.0. This section shall only discuss spent grain, yeast and other waste products.

### ***Previous Situation:***

- 10.2 The brewery generated, on average, 600 tonnes of spent grain per week. The brewery also generated approximately 30 tonnes of yeast per week. Yeast also has a use as animal feed and complies with Part 3, Article 27 of the Waste Regulations. This equated to 28,000 tonnes of spent grain and 1,500 tonnes of yeast between September 2012 and August 2013. These were stored in 120 tonne silos for collection 20 times per week by articulated trucks for use in animal feed.

### ***Proposed Situation:***

- 10.3 The distillery will generate, on average, 166 tonnes of spent grain per week. The distillery will not generate any yeast as a by-product. However, it will produce fusel oil a by-product of fermentation, which is used in the production of a variety of products such as perfume. The distillery will generate 1m<sup>3</sup> of fusel oil per week.
- 10.4 The spent grain will be stored on site in a silo or discharged directly into articulated trucks, for collection 6 to 8 times per week. The Great Northern Distillery intend to send any by-products to fully licenced animal feed producers, as per the arrangement previously for the brewery.
- 10.5 The fusel oil will be collected every few months, as required.
- 10.6 In summary, waste from the proposed reuse will be **less than for the previous use** as a brewery.

## 11.0 Impact on Waste Water/ Sanitary Services

11.1 Table 3 below shows the comparisons of waste water usage before and after the initiation of the distillery.

Table 3: Waste Water Comparison

	Previous Use: Brewery*	Proposed Use: Distillery**
<b>Waste Water Discharge m<sup>3</sup></b>	730,000 m <sup>3</sup>	116,801 m <sup>3</sup>

\* Amount permitted by Diageo's discharge licence

\*\* Based on 46 weeks per Annum

Table 4: Waste Water Discharge Concentrations

Waste Water Discharge	Previous Use: Brewery*	Proposed Use: Distillery	Proposed Use: Distillery Concentration per mg/l
<b>BOD</b>	1,689,950 Kg	872,620 Kg	7,004 mg/l
<b>COD</b>	2,956,500 Kg	1,473,553 Kg	10,577 mg/l
<b>Suspended Solids</b>	803,000 Kg	87,821 Kg	773 mg/l
<b>Nitrate</b>	N/A	1,716 Kg	15 mg/l

\*Amount permitted by Diageo's discharge licence

### **Previous Use:**

11.2 The brewery discharged all waste water to the public sewer. The waste water was a combination of foul water, storm water and some of the liquid by products of production, primarily pot ale and spent lees. An effluent pH balancing plant was provided on site to treat the waste water prior to discharge.

11.3 The brewery's waste water discharge licence permitted the brewery to discharge 730,000 m<sup>3</sup> of waste water per year. The licence permitted the waste water to have 1,689,950 Kg biological oxygen demand per year, 2,956,500 kg chemical oxygen demand per year, and contain 803,000 kg suspend solids per year.

### **Proposed Use:**

11.4 The distillery proposes to discharge all waste water to the public sewer. The waste water will be a combination of foul water, storm water, and some of the liquid by products of production, primarily pot ale and spent lees. The effluent pH balancing plant will be provided on site to treat the waste water prior to discharge.

11.5 It is expected that the distillery will discharge 116,801 m<sup>3</sup> of waste water. This is significantly lower than the levels discharged by the brewery. The concentration of suspended solids will also be significantly lower at 87,821 kg or 773 mg/l.

- 11.6 The overall BOD and COD levels of the waste water, measured in Kg, will be below those permitted by the brewery, though the concentration, measured as mg/l, will be marginally higher than what was permitted. The waste water will also contain Nitrate which was not a feature of the waste water from the brewery.
- 11.7 Waste water is therefore potentially a significant impact. However, the Dundalk waste water treatment plant is an anaerobic system, which was designed with the brewery in mind. It requires the discharges from the brewery in order to operate efficiently. The distillery therefore, by replacing the brewery, will help ensure the system continues to operate efficiently.
- 11.8 The distillery will be subject to an IPC licence from an EPA and a waste water discharge licence from Irish Water. These will set the maximum allowable concentrations of BOD, COD, suspended solids and nitrate in the waste water to ensure there is no negative impact on Dundalk and the surrounding area.
- 11.9 Should the distillery's waste water requirements exceed the capacity of the waste water treatment plant, Great Northern Distillery will take the necessary steps to reduce its requirements. For example, the distillery could reduce or cease discharging pot ale as waste water. Pot ale has other uses in various industries and therefore can be deemed as by-product if necessary.
- 11.10 There is **less impact** from the proposed reversion to distillery than for the previous brewery use.

## 12.0 Impact on Water

- 12.1 Table 5 below shows the comparison of water usage between the previous and proposed uses.

Table 5: Comparison of Water Usage

Water Source	Previous Use: Brewery	Proposed Use: Distillery*
Town Water Supply	250,000 m <sup>3</sup>	31,200 m <sup>3</sup>
Cooley Water Supply	250,000 m <sup>3</sup>	68,020 m <sup>3</sup>
<b>Total</b>	500,000 m <sup>3</sup>	99,220 m <sup>3</sup>

\* Based on 46 weeks per year

- 12.2 In the 12 month period from September 2012 to August 2013 the brewery used 500,000 m<sup>3</sup> of water per year, which was drawn equally from the main town supply and the Cooley water supply.
- 12.3 In contrast the distillery will use 99,220 m<sup>3</sup> of water per year, of which only 31,200 m<sup>3</sup> will be taken directly from the main town supply, with the remainder coming from the Cooley supply.

- 12.4 This represents a significant improvement in terms of the water capacity of Dundalk. The envisage water requirement of the distillery is less than 20% that of the brewery. We believe therefore that the proposed development will have a **significant positive** impact on Dundalk.

### 13.0 Impact on Cultural Assets

- 13.1 The Great Northern Brewery was established on the subject site circa 1846. An excerpt below from the historic 25 inch OS maps from circa 1897 – 1913 clearly shows the Great Northern Brewery on the site. At one stage the brewery was the second largest in Ireland, the largest being St James's Gate in Dublin.

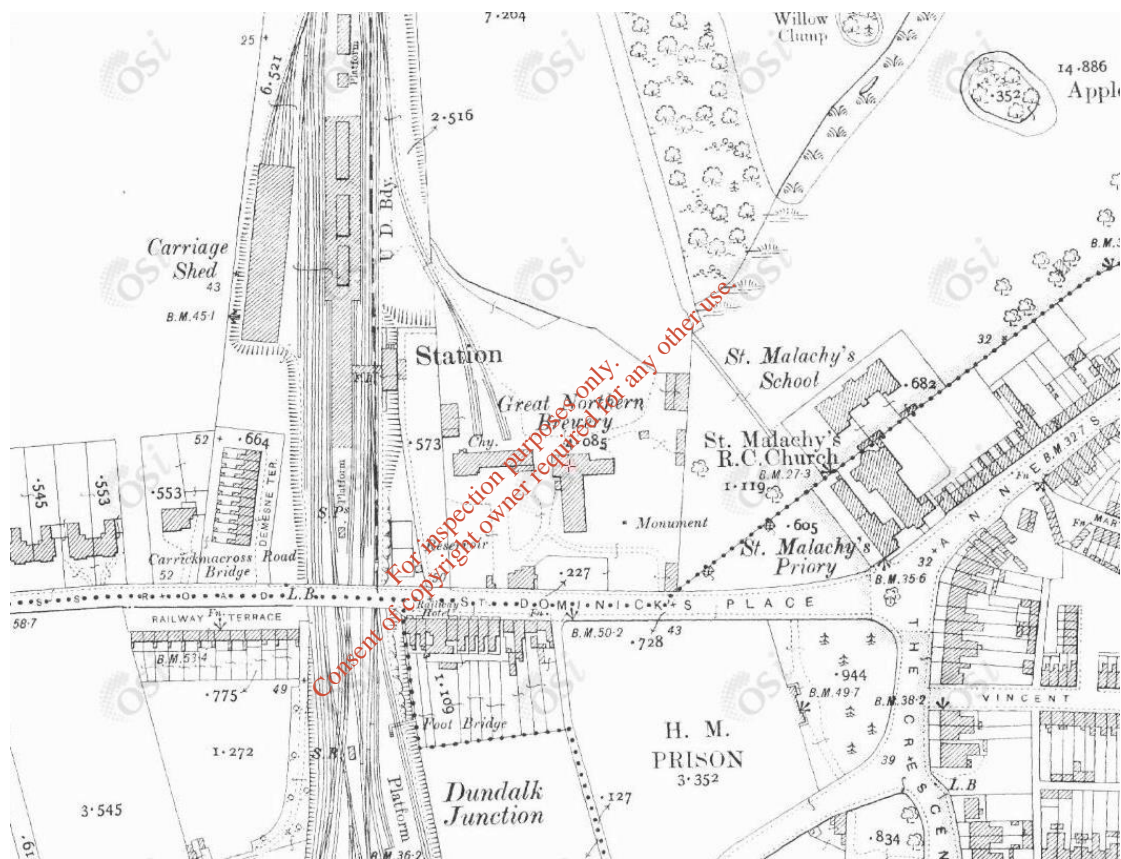


Figure 6: Historic 25inch Map of Site

- 13.2 Little remains on site of the original brewery, apart from the old office building which fronts onto Dominick's Place and is a protected structure (RPS No: D034). It is worth noting however that the main brewing buildings have remained in largely the same position over the 150 year history of the site.
- 13.3 Guinness's bought the site in the late 1950's to early 1960's and set about modernising production. The old brewhouse, located to the east of the site was constructed in the 1950's. The brewhouse, which is to become the main distillery building, was constructed in the 1960's with an extension added in the 1980's. The extension won an architectural award and all the buildings represent excellent examples of modern industrial architecture. The brewhouse which will house the main distillery building still contains a large amount of the original equipment including mash tuns, stills and control equipment. This will all be retained in situ, where practical, and where possible converted to distilling use.



- 13.4 The announcement by Guinness's (now Diageo) to close the brewery in late 2013 potentially signalled the end of alcohol production on the site and destruction of the important elements of industrial heritage it contains. The conversion of the brewery to a distillery represents a new phase in the life of the existing buildings, and will ensure that this important site in terms of Dundalk's modern industrial heritage will remain in an active, and economically beneficial manner. It is unlikely that any other use on site would be able to retain these industrial heritage elements as intact as is proposed on this occasion. Their size and layout make them potentially unsuited to any use other than the production of alcohol.
- 13.5 It should be noted that in Ireland there is a long history of breweries and distilleries being converted between one another, to meet fluctuations in demand for either product. The strong overlap in the equipment required for both permits this. The proposed distillery can be a distinctive use for the town in an ever growing niche market.
- 13.6 There are plans in the future, once the distillery is fully operational, to operate tours of the distillery and potentially to develop a visitor centre on site. Any such plans will be the subject of a separate and consequent planning application if and when required. They do not form part of the current proposals however.
- 13.7 The proposed use is therefore considered to have a significant, but positive impact in terms of cultural assets.

## 14.0 Impact on Human Beings

### **Employment**

- 14.1 Table 6 below sets out the historic and predicted future employment levels on the site. At its peak up to approximately 200 people were employed on site, though by the time the distillery closed in September 2013 this number had dropped to less than 100. The announcement therefore by Diageo to close the brewery represented a significant blow to Dundalk and its economy.

*Table 6: Employment Levels of Previous Use and Proposed Reuse*

	Previous Use: Brewery*	Proposed Use: Distillery
Numbers Employed on Site	100	32 -36

\*12 month period from September 2012 to August 2013

- 14.2 The proposed use offers a way to minimise that previous loss of employment and retain specialist employment skills related to alcohol production in the town. While the distillery will not employ quite as many as previously employed as Diageo on site, approximately only 32 -36, the site is currently vacant and employs no one. Additionally while employment numbers may be relatively low during the first few years of operation, as the distillery establishes itself there is potential for these numbers to increase.

- 14.3 Finally, due to the significant overlap in terms of process and equipment between lager and whiskey production, the proposed use represents an opportunity to rehire those skilled workers who may have lost their job upon closure of the brewery, with little or no requirement to up skill or retrain. In our opinion the proposed use shall have a **significant positive impact** on human beings in terms of employment.

***Health and Safety***

- 14.4 Over the past 5 years there has been <10 accidents on site which resulted in lost time, none of which were of a serious or debilitating nature.
- 14.5 It is not possible to forecast the number of accidents which may occur on site when the distillery begins operation. However it is felt that given adherence to best practice, recognised rules and regulations in this industrial sector, and the experience of the applicant, the proposed use does not represent a greater risk in terms of health and safety.
- 14.6 The applicant intends to put all required health and safety procedures in place and to ensure staff are regularly trained in regards to such procedures. The proposed use therefore presents **no significant impact** in terms of the health and safety to human beings.

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**ENVIRONMENTAL IMPACT ASSESSMENT (EIA) SCREENING STATEMENT  
FOR FLORA AND FAUNA**

**PROPOSED CHANGE OF USE OF BUILDINGS ON THE SITE OF THE FORMER GREAT  
NORTHERN BREWERY, DUNDALK, CO. LOUTH.**

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Rev.	Status	Author	Reviewed By	Approved By	Issue Date
R00	Final	AS	PS	PS	21/03/2014

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## 1 Introduction

This report, prepared by Scott Cawley Ltd. on behalf of Cunnane Stratton Reynolds, presents a record of the screening of the proposed development for Environmental Impact Assessment (EIA) with regard to flora and fauna. It provides information on, and assesses, the potential for the proposed distillery conversion of the brewery on the site of the former Great Northern Brewery, Dundalk, Co. Louth, to impact on flora and fauna.

## 2 Legislative Context

Under the *Planning and Development Regulations 2001-2012*, to enable a development to change use within the same class of use (in this case both a brewery and a distillery are included under Food Industry in Schedule 5, Part 2 (7) (d) in the Regulations) it must still satisfy the requirements of not being likely to have a significant effect on the environment under *Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment* (as amended) (hereafter referred to as the EIA Directive) nor having significant adverse effects on a European site under Article 6 of the *Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora* (as amended).

The conclusion of the Appropriate Assessment Screening Statement, in relation to the potential for significant adverse effects on European sites, is included as a separate report. This report concluded that the proposed development is not likely to result in any adverse effects on the conservation objectives, or site integrity, of any European sites.

## 3 Methodology

This report has been prepared with reference to the following information sources:

- Ordnance Survey of Ireland mapping and aerial photography available from [www.osi.ie](http://www.osi.ie);
- Online data available on Natura 2000 sites as held by the National Parks and Wildlife Service (NPWS) from [www.npws.ie](http://www.npws.ie);
- Biodiversity data available from <http://maps.biodiversityireland.ie/#/Map>;
- Information on the location, nature and design of the proposed development supplied by the applicant's design team.

Guidance which has been followed in determining whether impacts are likely to be significant includes:

- *Guidelines for Ecological Impact Assessment in the United Kingdom* (Institute of Ecology and Environmental Assessment, 2006);
- *Guidelines on the Information to be Contained in Environmental Impact Statements* (Environmental Protection Agency, 2002);
- *Advice Notes on Current Practice (in the preparation of Environmental Impact Statements)* (EPA, 2003).

### Field survey

A site visit was carried out on the 19<sup>th</sup> February 2014 to verify the baseline ecological environment recorded during the 2007 survey.

Flora and habitats within the study area were surveyed using the methodology outlined in the guidance document *Best Practice Guidance for Habitat Survey and Mapping* (Heritage Council, 2011). All habitat types were identified and classified using the *Guide to Habitats in Ireland* (Fossitt, 2000).

The survey methodology in relation to terrestrial mammal species involved a systematic search of all areas of the proposed development site for signs of mammal activity. Although direct observations of mammals are occasionally made, most Irish mammal species are nocturnal in habit the survey method relies on finding signs such as breeding or resting places, tracks, feeding signs and droppings which are generally distinctive for the species concerned.

The external inspection involved a systematic inspection of the external surfaces of the building (using binoculars to view the upper storeys) to identify potential roosting sites or access points into the interior of the building and roof space (e.g. cracks and crevices in brickwork, entrance points into the roof space along the eaves/fascia and soffit, or via cracked or missing roof slates/tiles) and search for evidence of bat presence/usage on the exterior

surface (e.g. staining around access points and/or droppings on window sills, window panes and walls), especially below potential access points.

The internal inspection of all accessible rooms in all buildings was carried out during daylight, aided with a high powered torch. Where accessible, all roof spaces were also systematically searched for bats and/or evidence of bat presence.

#### 4 Screening of Sub-threshold Development.

Schedule 7 of the *Planning and Development Regulations 2001-2012* stipulates that in determining whether a development would, or would not, be likely to have significant effects on the environment, the following criteria shall be assessed:

1. Characteristics of proposed development;
2. Location of proposed development; and,
3. Characteristics of potential impacts.

These are discussed below using the guidance provided by the Department of the Environment, Heritage and Local Government (2003).

##### 4.1 Characteristics of the Proposed Development

The entire Great Northern Brewery site comprises c.5ha and is made up of three distinct components (Figure 1):

- Area A: site of the former brewery activity on the southern part of the site on which the proposed distillery activity is to proceed;
- Area B: the former brewery area predominantly used for storage of kegs and loading onto departing vehicles which is not part of the current planning application; and,
- Area C: this relatively small area, in the context of the overall operation, to the north was used to facilitate effluent pH balancing and foul water discharge to the Town Council's sewerage system. This area will continue to function in this manner and will be largely unaffected by the proposed development. An unused well is also located here that will not be used in the distilling process.

The proposed development will involve the renovation and conversion of the buildings in Area A from their former use as a brewery, to a working distillery. The proposed distilling activities to be undertaken on site include the following: deposit of cereals; milling; mashing; fermentation; distillation in stills (wash still, wine still and spirit still); spent wash; centrifugation; collection and removal of spent grain; and, collection of whiskey by tanker for transportation to bonded warehouse.

Chemicals (caustic soda) will be used in the distilling process (to clean stills) in a manner similar to the brewing process. This chemical is to be discharged to the sewer network as trade effluent in the same manner as the former brewery. There is also no waste production from the distilling process and the residual material produced (other than whiskey) is a by-product used for agricultural purposes. It is not considered that there will be any additional waste produced in terms of its nature nor indeed in terms of quantity.

All surface water and foul water from the distillery will be sent to Dundalk WWTP via the existing combined surface water/foul sewer network.

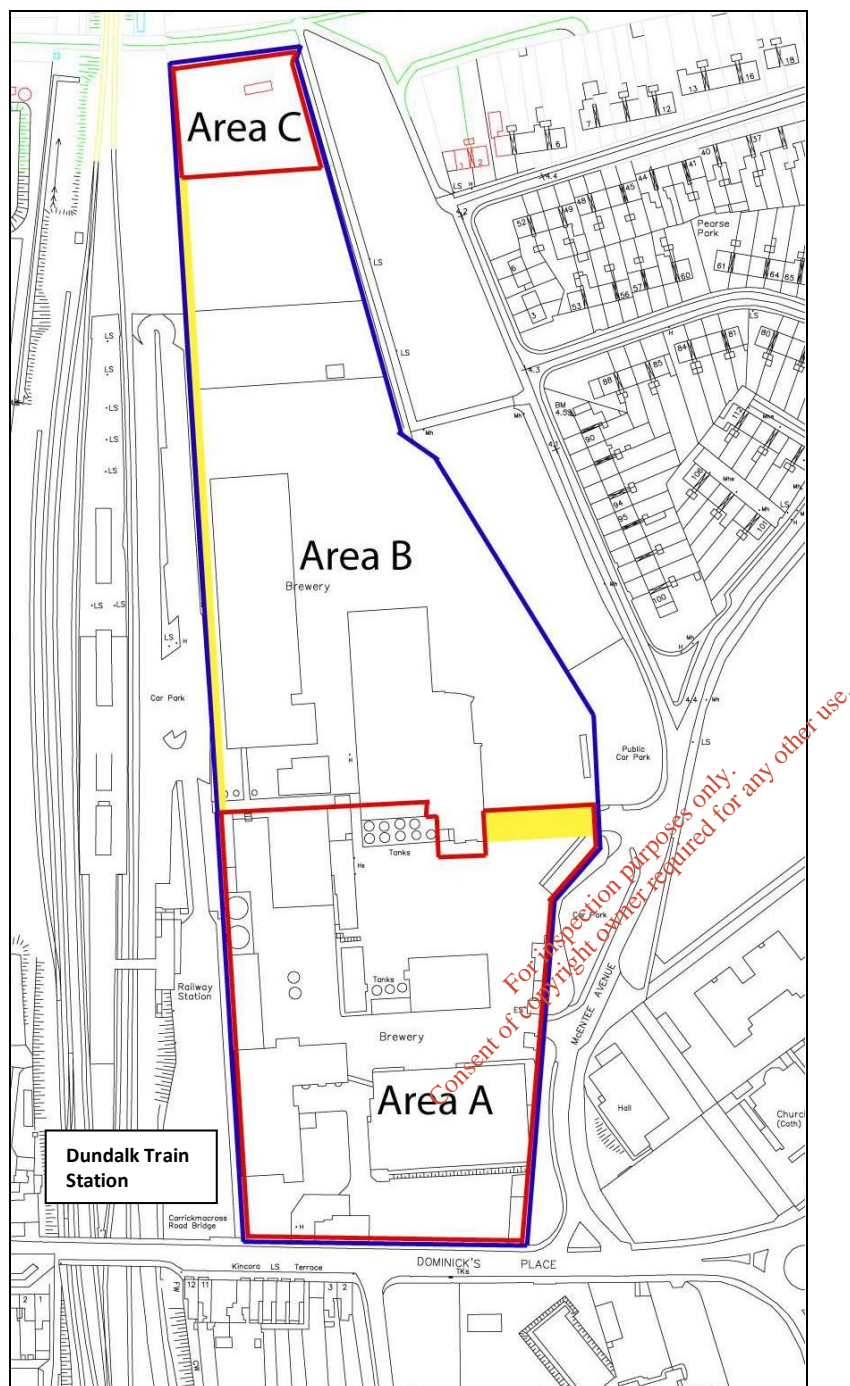
##### 4.2 Location of the Proposed Development

###### 4.2.1 Overview of location

The proposed development site is located within the grounds of the former Great Northern Brewery in Dundalk, Co. Louth (Figure 1). The site is bounded to the west by the car park of Dundalk Railway Station; to the south by St. Dominic's Place; and, to the east and north by McEntee Avenue and the amenity grassland and parkland between the site and local residential development.



**Figure 1: Location of the Proposed Development**



#### 4.2.2 Land zoning

The Great Northern Brewery site is zoned as Town Centre Mixed Use in the *Dundalk and Environs Development Plan 2009-2015*.

#### 4.2.3 Ecological designations and sensitivities

##### *Designated Sites for Nature Conservation*

Designated sites within 1km, 5km and 15km of the proposed development are listed in Table 1 and shown in Figures 2 and 3.

**Figure 2: European sites (cSACs and SPAs) within 15km of the proposed development**

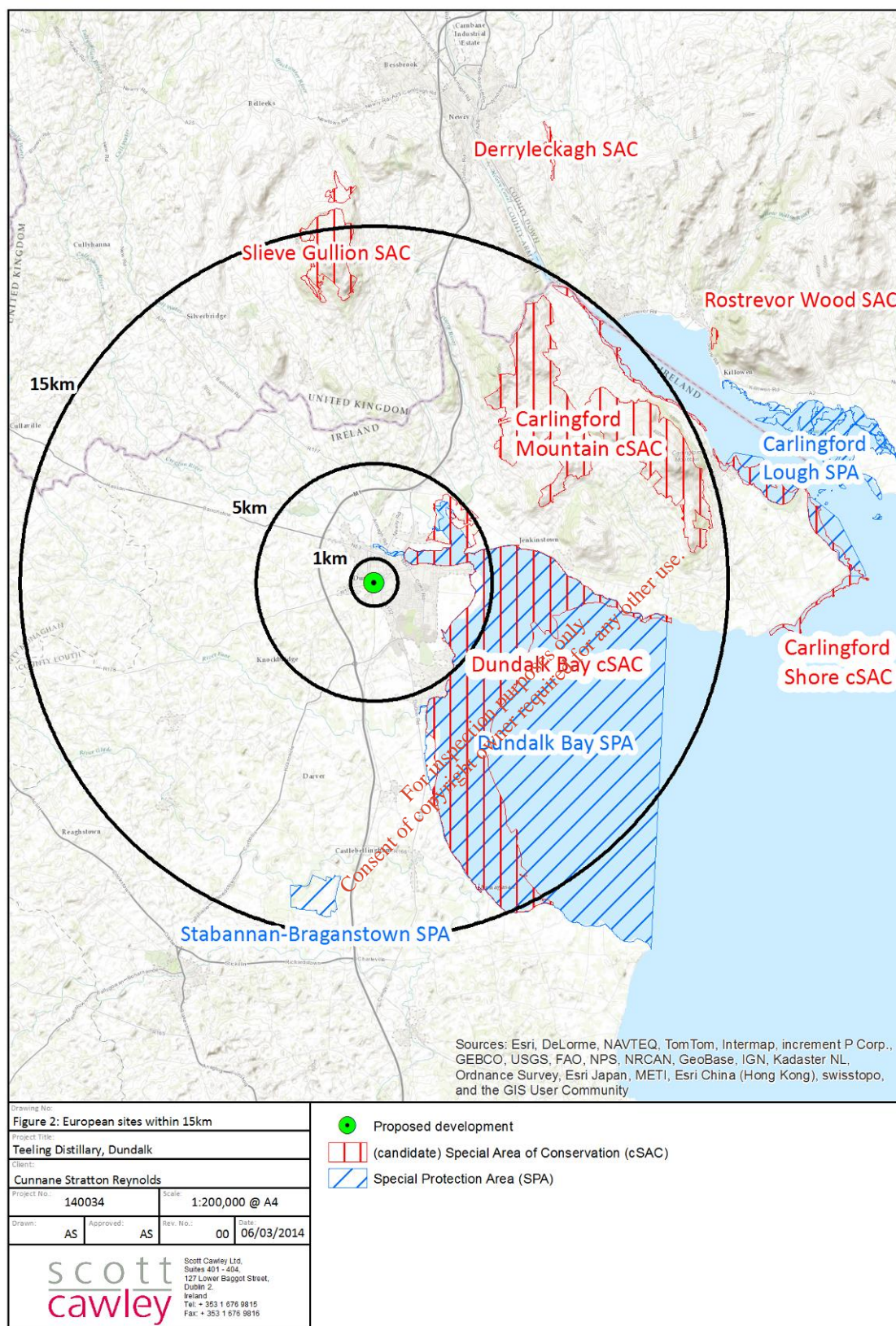






Table 1 Designated Areas for Nature Conservation within 15km of the Proposed Development Site (information downloaded from www.npws.ie in March 2014)		
Site name and code	Reasons for designation <sup>1</sup>	Do any potential source-pathway-receptor links exist between the proposed development and the ecologically designated site?
<b>candidate Special Areas of Conservation (cSAC)</b>		
Dundalk Bay cSAC [000455] 1.5km NE	<ul style="list-style-type: none"> <li>▪ [1130] Estuaries</li> <li>▪ [1140] Mudflats and sandflats not covered by seawater at low tide</li> <li>▪ [1220] Perennial vegetation of stony banks</li> <li>▪ [1310] <i>Salicornia</i> and other annuals colonizing mud and sand</li> <li>▪ [1330] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>)</li> <li>▪ [1410] Mediterranean salt meadows (<i>Juncetalia maritimi</i>)</li> </ul> <p>Source: NPWS (2011) <i>Conservation Objectives: Dundalk Bay SAC [000455] and Dundalk Bay SPA [004026]. Version 1.0.</i> Department of Arts, Heritage and the Gaeltacht.</p>	<p>The existing surface and foul water drainage network which on the proposed development site, drains to Dundalk WWTP where it is treated before discharging to Dundalk Bay. This is a potential impact pathway between the proposed development site and the European sites in Dundalk Bay.</p> <p>It is considered that foul and surface water discharges from the proposed development are not likely to result in any negative effects on water quality in Dundalk Bay that would adversely affect the Annex I estuarine and coastal habitats, or pose any significant risk to water quality through overloading the capacity of the WWTP (see assessed in Section 4.3.2).</p>
Carlingford Mountain cSAC [000453] 7.2km NE	<ul style="list-style-type: none"> <li>▪ [4060] Alpine and Boreal heaths</li> <li>▪ [8110] Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Galeopsietalia ladani</i>)</li> <li>▪ [8210] Calcareous rocky slopes with chasmophytic vegetation</li> <li>▪ [8220] Siliceous rocky slopes with chasmophytic vegetation</li> </ul> <p>Source: NPWS (2011) <i>Conservation objectives for Carlingford Mountain SAC [000453]. Generic Version 3.0.</i> Department of Arts, Heritage &amp; the Gaeltacht</p>	No, due to distance and the absence of any hydrological or other potential impact pathways between the proposed development and the European site.
Carlingford Shore cSAC	<ul style="list-style-type: none"> <li>▪ [1210] Annual vegetation of drift lines</li> </ul>	No, due to distance and the absence of any hydrological or

<sup>1</sup> Taken from the Site Synopses and Conservation Objectives documents (where available) for the Designated Areas for Nature Conservation: <http://www.npws.ie/protectedsites/>

<p>[002306] 13.5km NE</p>	<ul style="list-style-type: none"> <li>▪ [1220] Perennial vegetation of stony banks</li> </ul> <p>Source: NPWS (2013) <i>Conservation Objectives: Carlingford Shore SAC 002306. Version 1</i>. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht</p>	<p>other potential impact pathways between the proposed development and the European site.</p>
<p>Slieve Gullion SAC (UK 0030277) 11.8km N</p>	<ul style="list-style-type: none"> <li>▪ [4030] European dry heaths</li> </ul> <p>Source: <a href="http://jncc.defra.gov.uk/protectedsites/sacselection/sac.asp?EUCode=UK0030277">http://jncc.defra.gov.uk/protectedsites/sacselection/sac.asp?EUCode=UK0030277</a></p>	<p>No, due to distance and the absence of any hydrological or other potential impact pathways between the proposed development and the European site.</p>
<p><b>Special Protection Areas (SPA)</b></p>		
<p>Dundalk Bay SPA [004026] 1km NE</p>	<ul style="list-style-type: none"> <li>▪ Great Crested Grebe (<i>Podiceps cristatus</i>) [wintering]</li> <li>▪ Greylag Goose (<i>Anser anser</i>) [wintering]</li> <li>▪ Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [wintering]</li> <li>▪ Shelduck (<i>Tadorna tadorna</i>) [wintering]</li> <li>▪ Teal (<i>Anas crecca</i>) [wintering]</li> <li>▪ Mallard (<i>Anas platyrhynchos</i>) [wintering]</li> <li>▪ Pintail (<i>Anas acuta</i>) [wintering]</li> <li>▪ Common Scoter (<i>Melanitta nigra</i>) [wintering]</li> <li>▪ Red-breasted Merganser (<i>Mergus serrator</i>) [wintering]</li> <li>▪ Oystercatcher (<i>Haematopus ostralegus</i>) [wintering]</li> <li>▪ Ringed Plover (<i>Charadrius hiaticula</i>) [wintering]</li> <li>▪ Golden Plover (<i>Pluvialis apricaria</i>) [wintering]</li> <li>▪ Grey Plover (<i>Pluvialis squatarola</i>) [wintering]</li> <li>▪ Lapwing (<i>Vanellus vanellus</i>) [wintering]</li> <li>▪ Knot (<i>Calidris canutus</i>) [wintering]</li> <li>▪ Dunlin (<i>Calidris alpina</i>) [wintering]</li> <li>▪ Black-tailed Godwit (<i>Limosa limosa</i>) [wintering]</li> <li>▪ Bar-tailed Godwit (<i>Limosa lapponica</i>) [wintering]</li> </ul>	<p>The existing surface and foul water drainage network which on the proposed development site, drains to Dundalk WWTP where it is treated before discharging to Dundalk Bay. This is a potential impact pathway between the proposed development site and the European sites in Dundalk Bay.</p> <p>It is considered that foul and surface water discharges from the proposed development are not likely to result in any negative effects on water quality in Dundalk Bay that would adversely affect the qualifying interest bird species or the associated wetland habitats, or pose any significant risk to water quality through overloading the capacity of the WWTP (see assessed in Section 4.3.2).</p>

	<ul style="list-style-type: none"> <li>▪ Curlew (<i>Numenius arquata</i>) [wintering]</li> <li>▪ Redshank (<i>Tringa totanus</i>) [wintering]</li> <li>▪ Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [wintering]</li> <li>▪ Common Gull (<i>Larus canus</i>) [wintering]</li> <li>▪ Herring Gull (<i>Larus argentatus</i>) [wintering]</li> <li>▪ Wetlands &amp; Waterbirds [A999]</li> </ul> <p>Source:</p> <ul style="list-style-type: none"> <li>▪ NPWS (2011) <i>Conservation Objectives: Dundalk Bay SAC 000455 and Dundalk Bay SPA [004026]. Version 1.0.</i> Department of Arts, Heritage and the Gaeltacht.</li> </ul>	
Stabannan-Braganstown SPA [004091] 12.3km S	<ul style="list-style-type: none"> <li>▪ Greylag Goose (<i>Anser anser</i>) [wintering]</li> </ul> <p>Source:</p> <p>NPWS (2011) Conservation objectives for Stabannan-Braganstown SPA [004091]. Generic Version 4.0. Department of Arts, Heritage &amp; the Gaeltacht.</p>	No, due to distance and the absence of any hydrological or other potential impact pathways between the proposed development and the European site.
<b>proposed Natural Heritage Areas</b>		
Carlingford Lough pNHA [000452] 13.5 NE	see description of Carlingford Shore cSAC and also of importance for wintering bird species (also designated as Carlingford Lough SPA)	No, due to distance and the absence of any hydrological or other potential impact pathways between the proposed development and the European site.
Carlingford Mountain pNHA [000453] 7.6km NE	see description of Carlingford Mountain cSAC above	No, due to distance and the absence of any hydrological or other potential impact pathways between the proposed development and the European site.
Woodland at Oatmeath Park pNHA [001465] 13.4km NE	Semi-natural woodland	No, due to distance and the absence of any hydrological or other potential impact pathways between the proposed development and the European site.
Ravensdale Plantation pNHA [001805] 8.3km NE	Conifer woodland and broadleaved woodland	No, due to distance and the absence of any hydrological or other potential impact pathways between the proposed development and the European site.



Trumpet Hill (Louth) pNHA [001468] 5.9km NE	Mixed broadleaved woodland and outcropping rock	No, due to distance and the absence of any hydrological or other potential impact pathways between the proposed development and the European site.
Dundalk Bay pNHA [000455] 2.4km E	see description of Dundalk Bay cSAC and SPA above	No, see discussion above under Dundalk Bay cSAC/SPA
Drumcah, Toprass and Cortial Loughs pNHA [001462] 4.3km W	Complex of freshwater lakes and marsh	No, due to distance and the absence of any hydrological or other potential impact pathways between the proposed development and the European site.
Liscarragh Marsh pNHA [001451] 14km E	Freshwater lake and marsh	No, due to distance and the absence of any hydrological or other potential impact pathways between the proposed development and the European site.
Stephenstown Pond pNHA [001803] 5km SW	Artificial lake and associated aquatic vegetation and species	No, due to distance and the absence of any hydrological or other potential impact pathways between the proposed development and the European site.
Darver Castle Woods pNHA [001461] 8.8km SW	Mixed wet deciduous woodland	No, due to distance and the absence of any hydrological or other potential impact pathways between the proposed development and the European site.
Louth Hall and Ardee Woods pNHA [001616] 12.9km SW	Areas of mixed, planted and semi-natural deciduous woodland	No, due to distance and the absence of any hydrological or other potential impact pathways between the proposed development and the European site.
Stabannan-Braganstown pNHA [000456] 11.4km S	see description of Stabannan-Braganstown SPA above	No, due to distance and the absence of any hydrological or other potential impact pathways between the proposed development and the European site.
<b>Areas of Special Scientific Interest (Northern Ireland)</b>		
Carrickastickan ASSI [ASSI215] 7.3km N	Semi-natural grassland and lowland meadow	No, due to distance and the absence of any hydrological or other potential impact pathways between the proposed development and the European site.

Carlingford Lough ASSI [ASSI103] 14.5km NE	see description Carlingford Shore cSAC/pNHA and also of importance for wintering bird species (also designated as Carlingford Lough SPA)	No, due to distance and the absence of any hydrological or other potential impact pathways between the proposed development and the European site.
Cloghinny ASSI [ASSI293] 11km N	Designated for its geological interest	No, due to distance and the absence of any hydrological or other potential impact pathways between the proposed development and the European site.
Slieve Gullion ASSI [ASSI198] 12km N	Dry heath and fen complex	No, due to distance and the absence of any hydrological or other potential impact pathways between the proposed development and the European site.
Glendesha ASSI [ASSI292] 10.5km NW	Designated for its geological interest	No, due to distance and the absence of any hydrological or other potential impact pathways between the proposed development and the European site.
Mullaghbane ASSI [ASSI291] 12.1km NW	Designated for its geological interest	No, due to distance and the absence of any hydrological or other potential impact pathways between the proposed development and the European site.
Cashel Loughs ASSI [ASSI189] 14.2km NW	Lake, fen and wetland complex and associated heath, acid grassland, scrub and woodland	No, due to distance and the absence of any hydrological or other potential impact pathways between the proposed development and the European site.
Loughaveely ASSI [ASSI206] 11.2km NW	Wetland complex of standing water, swamp, fen, cutover bog, neutral grassland and scrub,	No, due to distance and the absence of any hydrological or other potential impact pathways between the proposed development and the European site.
Lurgan Lough ASSI [ASSI204] 12.4km NW	Wetland and fen complex	No, due to distance and the absence of any hydrological or other potential impact pathways between the proposed development and the European site.

## Desk Review

The National Biodiversity Data Centre does not hold any records of rare or protected flora or faunal species for the Great Northern Brewery site. The database does have records of the following species protected under the *Wildlife Acts 1976-2012* from within 1km of the proposed development site: Common frog *Rana temporaria*, Hedgehog *Erinaceus europaeus*, Pine marten *Martes martes*, Red squirrel *Sciurus vulgaris*, Goldfinch *Carduelis carduelis*, Robin *Erithacus rubecula* and House Sparrow *Passer domesticus*. Given the absence of any surface water features on the site the Common frog is not likely to occur and given the absence of any scrub or woodland cover on the site Pine marten and Red squirrel are not likely to occur.

The National Parks and Wildlife Service online database does hold any records for the Great Northern Brewery site or environs.

Scott Cawley carried out a Biodiversity Study of the Great Northern Brewery site in March 2007 (Scott Cawley, 2007) which included an assessment of the ecological value of the habitats and protected species present at that time. The habitats present were: Buildings and artificial surfaces (BL3); Stone walls and other stonework (BL1); Exposed sand, gravel or till (ED1); Spoil and bare ground (ED2); Recolonising bare ground (ED3); Amenity grassland (GA2); and, Flower beds and borders (BC4). The habitats on the site at that time were considered to be of a low ecological value with a relatively impoverished floral and faunal assemblage. Faunal species recorded during the survey were limited to the following common bird species of urban habitats: Magpie *Pica pica*, Woodpigeon *Columba palumbus*, Hooded crow *Corvus corone*, Blackbird *Turdus merula*, Song thrush *Turdus philomelos*, Robin *Erithacus rubecula*, Wren *Troglodytes troglodytes*, Blue tit *Parus caeruleus* and Starling *Sturnus roseus*. The buildings on the site were examined externally (with the tunnels underneath the main brewery, the office building and the ground floor room in the fermentation block examined internally) and no evidence of bat usage was found; though the buildings were considered to have good bat potential. Staff had reported at that time that Grey squirrel *Sciurus vulgaris*, Hedgehog and, on one occasion, Otter had been observed on the site.

The site as a whole was considered to be of a low biodiversity value due to the industrial nature of the site, the low habitat diversity, low species richness and low species abundance.

Water quality in Dundalk Harbour is classified by the EPA as a potentially eutrophic transitional and coastal water body, with the estuary and inner bay classified as Eutrophic. The Water Framework Directive risk status for the harbour area is "at risk of not achieving good status", with the inner estuary classified as "strongly expected to achieve good status".

## Site Visit

A site visit was carried out on the 19<sup>th</sup> February 2014 to verify the flora and fauna baseline on the site compared with the 2007 survey. The only noticeable change was in Area C, where the area formerly classified as *Recolonising bare ground* (ED3) is now an area of *Neutral grassland* (GS1). There was no evidence of any mammal activity on the site and no evidence of any bat usage of the buildings to be renovated under the proposed project. The flora and fauna present on the site were broadly consistent with that found in 2007 and as a whole, the site is considered to still be of a low ecological value.

## 4.3 Characteristics of Potential Impacts

The potential impact of the proposed development must be considered in terms of the construction works proposed to renovate the buildings to be converted into the proposed distillery and during operation.

### 4.3.1 Construction impacts

#### Designated Areas for Nature Conservation

The Screening for Appropriate Assessment concluded that the proposed development is not likely to result in any significant adverse effects on any European sites.

Similarly, there are no pathways by which the construction works could have any impact on any other designated areas for nature conservation – proposed Natural Heritage Areas, Natural Heritage Areas or Areas of Special Scientific Interest.

#### Other Sensitive Ecological Receptors

The works proposed to renovate the buildings will be confined to the renovation of the interior of the buildings in question and will include electrical works, machinery fitting and reconfiguring the internal building layouts. Given the nature of the works proposed it is considered extremely unlikely that they will pose a risk of any perceptible negative impacts to flora and fauna on the site.

It was noted that the buildings have some bat roosting potential. However, there has been no evidence of roosting bats on the site to date. Even in the unlikely event that individual bats occasionally roost on the site, the proposed works are unlikely to result in any significant impacts on the local bat population.

#### 4.3.2 Operational impacts

##### *Designated Areas for Nature Conservation*

With regard to designated areas for nature conservation, only those sites in Dundalk Bay (Dundalk cSAC/SPA/pNHA) have the potential to be affected by the operation of the proposed development given that the surface water and foul water from the site will be directed to Dundalk WWTP; which discharges to Dundalk Harbour at Soldier's Point, on the eastern edge of the town.

It is noted in the *Dundalk Waste Water Treatment Works 2012 Annual Environmental Report for EPA Waste Water Discharge Licence D0053-001* that the WWTP operated within capacity in 2012 with a residual organic capacity of 101,249PE (57%) and a peak loading of c.162,000PE (the treatment facility is licensed to cater for the organic load for a population of 179,107 PE/day with capacity to expand to 224,033 PE /day). This was at a time when the former brewery was in operation and accounting for in excess of 30% of the Biological Oxygen Demand (BOD) loading at the WWTP. The AER report also notes that the WWTP was non-compliant in 2012 for the TN (Total Nitrogen) and TP (Total Phosphorous) parameters, as the plant was not designed for nutrient removal.

In the case of the proposed distillery, the predicted waste water volumes (m<sup>3</sup>) will be 16% of that formerly produced by the brewery and in terms of mass loads (kg per year) predicted BOD loading will be c.47% and predicted Chemical Oxygen Demand (COD) loading will be c.41% of the limits formerly permitted at the brewery under their discharge licence. In terms of TN, the predicted mass load for the distillery is 1,716kg per year compared with the 277,298kg per year load that was treated by the WWTP in 2012 when the brewery was operational<sup>2</sup> (c.0.06% of the total treated load). Based on the reduction in biological and nutrient loadings to the WWTP predicted for the proposed distillery when compared with the former brewery on the site (which, from a review of the 2012 AER, was a major contributor to loadings at the WWTP), it is considered that foul and surface water discharges from the proposed development are not likely to result in any negative effects on water quality in Dundalk Bay that would adversely affect the Annex I estuarine and coastal habitats or the qualifying interest bird species, or pose any significant risk to water quality through overloading the capacity of the WWTP.

##### *Other Sensitive Ecological Receptors*

Operation of the proposed development will not have any significant negative impact on flora and fauna within, or adjacent to the boundary of the Great Northern Brewery site as there will not be any increase in indirect impacts (such as disturbance, noise etc. from industrial processes, human presence and haulage/distribution traffic) compared with the baseline ecological conditions when the site recently operated as a brewery.

There remains the possibility that bats may use the buildings on the site in the period up until the renovation works begin; therefore, an additional bat survey of the site will be carried out immediately prior to the works commencing to check for the presence of bats on the site.

Brendan McSherry of Louth County Council has requested that Swift *Apus apus* nest boxes are erected on the site; the details of which will be discussed with the local authority during the detailed design process.

As discussed above under Designated Areas for Nature Conservation, although the discharge of foul and surface water to Dundalk Bay via Dundalk WWTP is a pathway by which the proposed development could have negative effects on estuarine and marine flora and fauna, it is not likely to result in any perceptible effects on water quality in Dundalk Bay or on sensitive flora and faunal species therein.

<sup>2</sup> figure taken from Table 15 of the *Dundalk Waste Water Treatment Works 2012 Annual Environmental Report for EPA Waste Water Discharge Licence D0053-001*

## 5 Conclusion

It is considered, that an EIA would not be required for the proposed development from a flora and fauna perspective, as it is not likely to result in any significant impacts on the ecological environment given the low ecological value of the site as a whole, based on the habitats and faunal species present, and the predicted impacts the proposed development is likely to have.

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## References

**Department of the Environment, Heritage and Local Government** (2003) *Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development*. The Stationary Office, Dublin.

**Environmental Protection Agency** (2002) *Guidelines on the information to be contained in Environmental Impact Statement*. Environmental Protection Agency

**Environmental Protection Agency** (2003) *Advice Notes on Current Practice (in the preparation of Environmental Impact Statements)* Environmental Protection Agency

**Fossitt, J.A** (2000) *A Guide to Habitats in Ireland*. The Heritage Council, Kilkenny, Ireland

**Louth County Council** (2012) *Dundalk Waste Water Treatment Works 2012 Annual Environmental Report for EPA Waste Water Discharge Licence D0053-001*

**Smith, G.F., O'Donoghue, P., O'Hora, K. & Delaney, E.** (2011) *Best Practice Guidance for Habitat Survey and mapping*. The Heritage Council, Kilkenny, Ireland

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**B5.6 List of Planning Applications & Permissions**

Reference	Year	Description
55473	1967	Proposed erection of building for housing of keg filling and cleansing plant
55850	1970	Outline permission for extension to brewery. Full permission for Wort receiving/cooling room.
55880	1970	Illuminated signage
551006	1970	New carpark
551032	1970	New fermentation tank and storage block
551023	1971	New boiler house
551108	1971	New welfare building including locker room and canteen
551103	1971	Extension to keg plant building
551265	1972	Proposed two boiler fuel oil tanks
551454	1973	Erection of eight silos
552098	1976	Extension to dispatch office
552461	1977	Extension to keg building
552551	1977	Extension to offices
552580	1977	New entrance gate, office and boundary wall
552875	1978	Extension to plant room
5532495	1980	Generator building
553413	1981	Yeast block construction area
554166	1984	Extend existing storage block to house six additional vessels
554155	1984	New brewhouse at Harp
554516	1985	Extension to existing boiler house and stacks
554578	1983	Extension to plant room
554764	1987	Single storey extension and alterations to existing offices
555112	1989	Reconstruct tower and advertising sign above main brewery
555111	1989	Alter elevation of existing brewery building facing courtyard
555371	1990	New laboratory building and extension to existing old keg plant for new filter room
555744	1991	Erection of new brick cladding on east facade of keg plant building.
555709	1991	Replacement of boundary fence with new boundary wall
556092	1993	Extension to FV room No. 6
556310	1994	Permission for refrigeration plant building
95/8	1995	Plant/storage building to accommodate surface

Reference	Year	Description
		plant and liquid storage vessels associated with underground effluent
95/211	1995	New boundary wall, palisade fencing and two 10m lighting poles north of premises
96/268	1996	Canopy extension to existing tank station building

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