

Proposed Strategic Housing Development
at Churchview Road/Church Road, Killiney,
Co. Dublin
Information for Screening for Appropriate
Assessment

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**Brady Shipman
Martin**

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Client:

Strand Court Ltd

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1 Introduction and background

This document constitutes an Appropriate Assessment Screening Report. The purpose of the report is to provide the information required to assist An Bord Pleanála, the competent authority, to undertake a screening exercise for Appropriate Assessment (AA). This will determine the effects, if any, on European sites, also known as Natura 2000 Sites (Special Areas of Conservation (SAC) and Special Protection Areas (SPA), designated for nature conservation), of a proposed strategic housing development (SHD) at Churchview Road and Church Road, Killiney, Co. Dublin.

A desk study review and several site visits were undertaken and the potential impacts on European sites, both as a result of the proposed development and in-combination with other plans and projects, are appraised in this report.

The requirements for an Appropriate Assessment are set out under *Article 6 of the EU Habitats Directive (92/34/EEC)*, transposed into Irish law through the *European Union (Birds and Natural Habitats) Regulations 2011-2015* and the *Planning and Development Act, 2000* (as amended).

Brady Shipman Martin was commissioned to prepare this report. The work was carried out by consultant ecologist Matthew Hague BSc MSc Adv. Dip. Plan. & Env. Law CEnv MCIEEM. Matthew is a highly experienced and qualified ecologist, with a master's degree in Ecosystem Conservation and Landscape Management. He has over 17 years of experience in ecological and environmental consultancy, across a wide range of sectors. He is a Chartered Environmentalist (CEnv) and a full member of the Chartered Institute of Ecology and Environmental Management (MCIEEM). Matthew recently completed an Advanced Diploma in Planning and Environmental Law, at King's Inns.

2 Methodology

2.1 Baseline data collection and field visits

A desk-based assessment was undertaken of the site at Churchview Road/Church Road and the wider area. This focused on habitats and species that are listed as Qualifying Interests (QI) (in the case of SACs) and Special Conservation Interests (SCI) (in the case of SPAs) in the designations for European sites. Ecological surveys were undertaken at the site, including habitat, large mammal and day-time bat surveys, undertaken by the author on 3rd January and 15th May 2019. A dusk emergence survey (bat detector survey) was also undertaken by the author, on 15th May 2019. Birds present on the site were recorded during the surveys and an assessment of habitat suitability for European protected species and species with links to European sites was undertaken, in order to appraise the potential for *ex-situ* effects on European sites.

This report takes the following guidance documents into account:

- *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 NPWS 1/10 & PSSP 2/10;
- *Assessment of Plans and Projects Significantly Affecting European 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);
- *Managing Natura 2000 sites: The Provisions of Article 6 of the Habitats Directive 92/43/EEC*. Guidance issued by the European Commission (21st November 2018).

Information was collated from the organisations and websites listed below:

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- Data on European sites and rare and protected plant and animal species contained in the following databases:
 - The National Parks and Wildlife Service (NPWS) of the Department of Culture, Heritage and the Gaeltacht (www.NPWS.ie);
 - The National Biodiversity Data Centre (NDBC) (www.biodiversityireland.ie);
 - BirdWatch Ireland (www.birdwatchireland.ie);
 - Bat Conservation Ireland (www.batconservationireland.org).
- Information on land-use zoning from the online mapping of the Department of Housing, Planning and Local Government (<http://www.myplan.ie/en/index.html>);
- Recent and historical OSi mapping and aerial photography, including www.geohive.ie;
- Photographs taken at the site in 2019;
- Information on local watercourses from www.catchments.ie;
- Information on water quality in the area (www.epa.ie);
- Information on soils, geology and hydrogeology in the area (www.gsi.ie);
- Information on the status of EU protected habitats in Ireland (NPWS, 2013);
- Third National Biodiversity Plan 2017 – 2021 (Department of Culture, Heritage and the Gaeltacht, 2017);
- Dún Laoghaire Rathdown County Development Plan 2016 – 2022, including the associated Natura Impact Report.

The report has regard to the following legislative instruments:

- Planning and Development, Act 2000, as amended;
- European Commission (EC) Habitats Directive 92/43/EEC;
- European Commission (EC) Birds Directive 2009/147/EC;
- European Union (Birds and Natural Habitats) Regulations 2011-2015.

The report takes full account of the design of the proposed development and a detailed examination of all relevant elements of the proposal was undertaken. The following reports are of relevance to this document:

- Engineering Services Report for Residential Development at Churchview Road, Killiney, Dublin 18 (DBFL Consulting Structural and Civil Engineers Ltd) May 2019;

Given the amount of information available, including from the developer, NPWS and other sources, it has been possible to gather adequate information on the site and the adjacent area (in particular, the European sites), in order to make an informed, sound judgement as to the potential impacts of the proposed development on the qualifying interests of the European sites.

3 Screening for Appropriate Assessment

3.1 Background

The first part of the Appropriate Assessment process is the Screening phase. Screening identifies the likely effects of the proposed development on European sites that could arise, either alone or in combination with other plans or projects, and considers whether these impacts are likely to have a significant effect on the European site in view of the site's conservation objectives.

Following Screening, if there is a possibility of there being a significant effect on a European site, this will generate the need for an appropriate assessment for the purposes of Article 6(3) of the Habitats Directive. This means that if the conclusions at the end of the screening exercise are that significant effects 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 an Appropriate Assessment must be carried out. This is in accordance with established precedent and case law.

3.2 Potential zone of influence

For the risk of an adverse effect to occur there must be a 'source', such as a construction site; a 'receptor', such as a designated site for nature conservation; and a pathway between the source and the receptor, such as a watercourse that links the construction site to the designated site. Although there may be a risk of an impact it may not necessarily occur, and if it does occur, it may not be significant.

Identification of a risk means 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.

There are no set recommended distances for projects to consider European sites as being relevant for assessment. Rather, NPWS (2010) recommends that *'the distance should be evaluated on a case-by-case basis with reference to the nature, size and location of the project, and the sensitivities of the ecological receptors, and the potential for in combination effects'*. It is often considered appropriate to include all European sites within 15km.

However, in some instances where there are hydrological connections a whole river catchment or a groundwater aquifer may need to be included. Similarly where bird flight paths are involved the impact may be on an SPA more than 15 km away. Taking this into account, as a starting point a search was carried out for all European sites within 15km of the site at Churchview Road. This search was then extended in order to ensure that all European sites with any potential links to the proposed development were accounted for in the study.

3.3 Study area and surrounding environment

3.3.1 Site location and European sites

The proposed development site (see Figure 1) is located to the south west of the Graduate Roundabout and Church Road in Killiney, Co Dublin. It is approximately bounded by Churchview Road and the Fairhaven development to the south and by existing residential development to the north and west. The Auburn Lodge apartments, as well as Our Lady of Good Counsel School and Church, and a playing field, are located immediately to the west.

The site has a total area of c.1.59 hectares presently and accommodates 3 no. detached houses, known as Culgrenagh (in a state of significant disrepair), Briar Hill, and Hayfield. Briar Hill and Hayfield, the southern-most houses on the site, are surrounded by suburban gardens, with lawns and ornamental planting as well as scrub and mature trees and shrubs.

Culgrenagh, the most significant of the three properties, was formerly the site of a mature garden and trees. However the site was substantially cleared between 2013 and 2015 and is now dominated by recolonising bare ground, with pockets of scrub and re-establishing garden plants. A number of mature trees, including two significant blue cedars and a Monterey pine remain in the former garden of Culgrenagh. This property is separated from Briar Hill by a large stone wall (a townland boundary) and an associated line of mature trees (horse chestnut, Norway maple and sycamore) is located on the southern side of this wall. Both Briar Hill and its neighbour, Hayfield, are set in abandoned gardens, with areas of scrub, including bramble and laurel, developing. A mixed line of mature trees, mainly beech and eucalyptus, but including Norway maple, Lawson cypress and elm, is present along the western boundary of these two gardens.

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The nearest watercourse to the site, Kill-O-The-Grange Stream (EPA water features database¹), is located c.650m to the south west at its closest point. This stream discharges to the Irish Sea at Ballybrack, approximately 200m north of the mouth of the Shanganagh River. It does not drain directly into any European sites – Rockabill to Dalkey Island SAC and Dalkey Islands SPA are approximately 1.5km and 2.9km from the mouth of the stream respectively.



Figure 1: Location of proposed development site at Churchview Road/Church Road (red line shows indicative site area – refer to planning application documentation for full details)

¹ <https://gis.epa.ie/EPAMaps/>

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There are 17 European sites (11 SACs and 6 SPAs) located within a 15km radius of the proposed development (see **Figure 2**). These are:

- **Special Areas of Conservation (SAC)**
 - Rockabill to Dalkey Island SAC (site code 003000), c.3.0km to the east;
 - South Dublin Bay SAC (site code 000210), c.3.5km to the north;
 - Ballyman Glen SAC (site code 000713), c.6.8km to the south;
 - Knocksink Wood SAC (site code 000725), c.7.5km to the south;
 - Bray Head SAC (site code 000714), c.8.3km to the south;
 - North Dublin Bay SAC (site code 000206), c.8.9km to the north;
 - Wicklow Mountains SAC (site code 002122), c.9.4km to the south west;
 - Howth Head SAC (site code 000202), c.11.2km to the north;
 - Glen of the Downs SAC (site code 000719), c.13.6km to the south;
 - Baldoyle Bay SAC (site code 000199), c.14.1km to the north;
 - Glenasmole Valley SAC (site code 001209), c.14.8km to the west;
- **Special Protection Areas (SPA)**
 - Dalkey Islands SPA (site code 004172), c.3.0km to the east;
 - South Dublin Bay and River Tolka Estuary SPA (site code 004024), c.3.5km to the north;
 - North Bull Island SPA (site code 004006), c.8.8km to the north;
 - Wicklow Mountains SPA (site code 004040), c.9.4km to the south west;
 - Howth Head Coast SPA (site code 004113), c.11.8km to the north;
 - Baldoyle Bay SPA (site code 004016), c.14.1km to the north;

There are nine additional European sites (4 SACs and 5 SPAs) between 15km and 25km from the site:

- Ireland's Eye SAC (site code 002193), c.15.6km to the north;
- Carriggower Bog SAC (site code 000716), c.17.6km to the south;
- The Murrough Wetlands SAC (site code 002249), c.17.9km to the south east;
- Malahide Estuary SAC (site code 000205), c.18.7km to the north;
- Ireland's Eye SPA (site code 004117), c.15.2km to the north;
- The Murrough SPA (site code 004186), c.18.8km to the south east;
- Malahide Estuary SPA (site code 004025), c. 19.5km to the north;
- Lambay Island SPA (site code 004069), c.24.8km to the north;
- Rogerstown Estuary SPA (site code 004015), c.24.9km to the north.

Given the nature, scale and location of the proposed development, and the reasons for which these sites are designated, it is considered entirely unlikely that any of these sites (i.e. the sites over 15km from the site) will be impacted in any way by the proposed development and they are not discussed any further in this report.

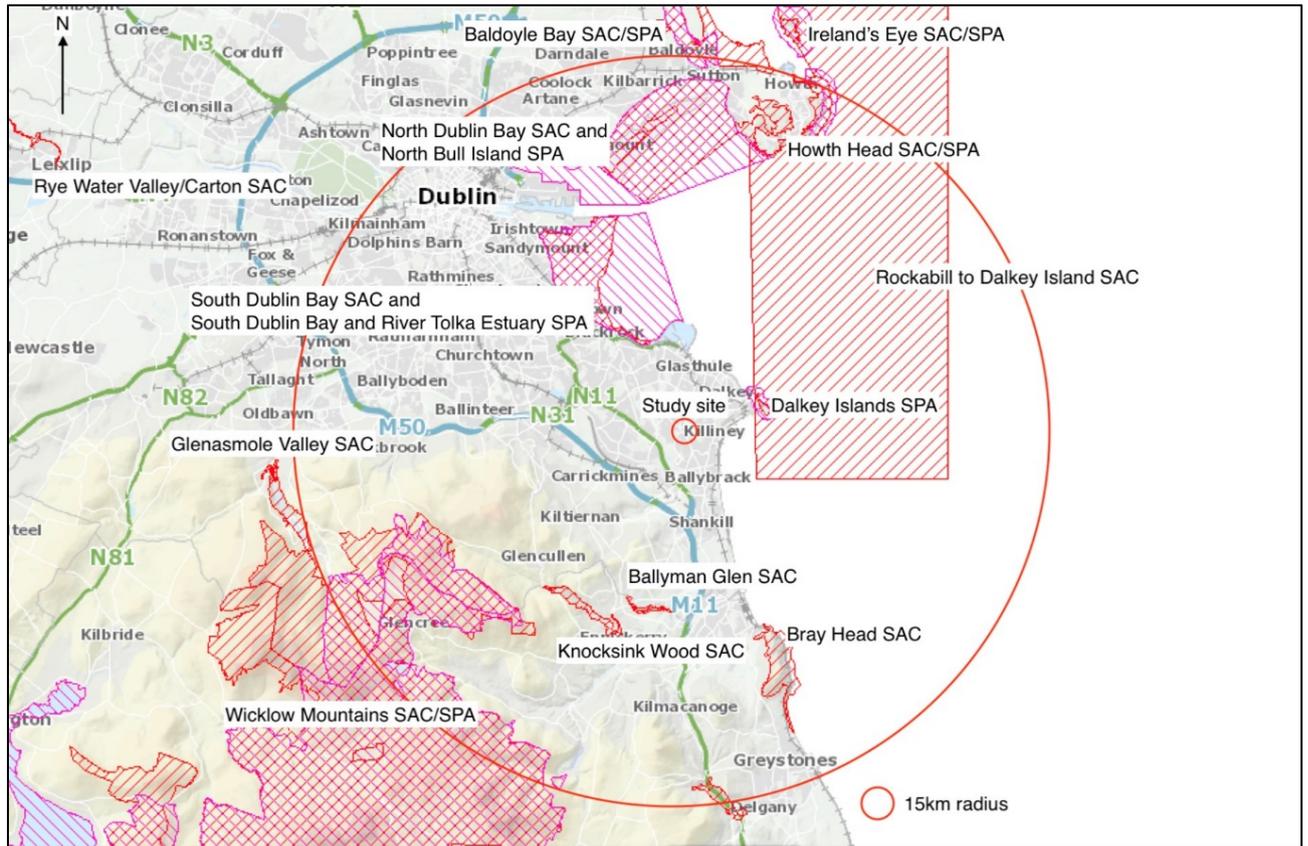


Figure 2: Study site at Churchview Road/Church Road showing European sites (with 15km radius from the site)

3.3.2 Other designated areas (other than European sites)

The nearest sites designated for nature conservation, not otherwise designated as European sites, are Dalkey Coastal Zone and Killiney Hill proposed Natural Heritage Area (pNHA site code 001206, c.700m to the east), Loughlinstown Woods pNHA (site code 001211, c.2.2km to the south), Dingle Glen pNHA (site code 001207, c.4.0km to the south west) and Fitzsimon’s Wood pNHA (site code 001753, c.6.4km to the west).

These sites are included in this report in order to appraise their potential to act in support of the European sites, for example by acting as stepping stones or feeding areas for species moving between the European sites.

4 Description of the proposed development

Strand Court Limited is seeking planning permission for a strategic housing development at Churchview Road and Church Road, Killiney, Co. Dublin. The site is located to the west of the Graduate Roundabout and Church Road, to the north of Fairhaven and Churchview Road, and to the east of an area of open space.

The proposed development will consist of:

- The demolition of 3 no. existing dwellings known as Culgrenagh, Briar Hill, and Hayfield;
- The construction of 210 no. residential units (apartments) in 3 no. blocks (A, B and C) ranging in height from 3 to 7 storeys, including lower ground floor / basement level, incorporating 27 no. 1-bed units, 160 no. 2-bed units and 23 no. 3 bed units;
- Apartment Block C includes a childcare facility with a gross floor area of 203 sq.m, with an adjacent external play area, and Apartment Block B includes a resident’s amenity facility with a gross floor area of 130 sq.m;

- A total of 227 no. car parking spaces are proposed to be provided, including 186 no. spaces at basement/undercroft level and 41 no. surface car parking spaces, including parking for visitors and set-down parking for the childcare facility. The development provides a total of 348 no. cycle parking spaces (surface and basement level). Bin storage and plant areas are also provided at basement level.

The associated site development and infrastructural works will include upgrade of the existing access from Churchview Road, which also serves the Fairhaven development, and provision of an internal access road, associated upgrade works to Churchview Road, foul and surface water drainage, attenuation tanks, open space areas, hard and soft landscaping, 1 no. electricity substation, boundary treatments and all ancillary works on a total site area of 1.59ha.

5 Links to European sites, including cumulative effects

5.1 Ecological appraisal of the site

The proposed development site is not under any wildlife or conservation designation. Furthermore, no rare, threatened or legally protected plant species, as listed in the *Irish Red Data Book 1 – Vascular Plants (Curtis & McGough, 1988)*, the *Flora Protection Order, 2015* or the *EU Habitats Directive*, are known to occur within the site.

An active fox earth, with two entrances, is located on the southern boundary of Culgrenagh and following an extended period of monitoring in January 2019, using a passive infrared camera, it was confirmed that there is no badger activity at the site.

A small artificial/garden pond, approximately 10-15cm in depth, and 1.5m² in area is present to the immediate north of Culgrenagh. The pond is partially filled with rubble and debris however a small number of frog tadpoles were noted in the pond in May 2019. Frogs are protected under the *Wildlife Act (1976)* and subsequent amendments. However, frogs are common and widespread and may spawn in any temporary water body. This pond dries out in the summer and is of transient importance for the local frog population.

Internal inspections of Briar Hill and Hayfield, including a comprehensive search of the attics of both houses, revealed no evidence of bat activity, such as bat droppings, staining or feeding remains. It is considered that bats are not roosting in these houses. Culgrenagh, unlike the other houses is in a significant state of disrepair, having been badly damaged by fire and vandalism. As such it is not possible to safely inspect the house internally for signs of bats, however, based on the internal and external inspections undertaken by the author and a review of a detailed photographic survey undertaken of all safely accessible areas it is concluded that there is a very low likelihood of roosting bats being present in the house. Furthermore, a full bat emergence survey, using bat detecting equipment, was undertaken on 15th May 2019. Full details are included in the accompanying Ecological Appraisal report, however the survey confirmed that no roosting bats are using the house. Overall, bat activity at the proposed development site is low and no bats were confirmed as roosting within the site.

No evidence of any other protected animal species such as lizards or hedgehogs, or rare or protected plants, was recorded during the surveys carried out, and the habitats present are not suitable for such species.

Overall, with the exception of the small pond, which has some local ecological value, the Churchview Road site has no key ecological receptors as defined by the ecological resource valuations presented in the National Roads Authority/Transport Infrastructure Ireland *Guidelines for Assessment of Ecological Impacts of National Road Schemes (NRA/TII, 2009 (Rev. 2))*.

5.2 European sites and habitats with links to European sites

No evidence of any habitats or species with links to European sites was recorded during either the field surveys or desk study undertaken and no 'reservoir' type habitats are present. There will be no loss of any habitat or species listed as a Qualifying Interest or Special Conservation Interest of any designated site as a consequence of the works.

There is, therefore, no potential for the cumulative effects of habitat loss or fragmentation to occur. There will be no significant effects on the European sites as a result of:

- Impacts to habitat structure;
- Mortality to species (such as roadkill);
- Noise pollution/vibration impacts;
- Light pollution;
- Air pollution.

A potential surface water pathway exists between the proposed development site and coastal European sites. This pathway is via the local surface water drainage network. It is noted however that the nearest watercourses, the Kill-O-The-Grange Stream and the Shanganagh River do not drain directly into any European sites – Rockabill to Dalkey Island SAC and Dalkey Islands SPA are approximately 1.5km and 2.9km from the mouth of the Kill-O-The-Grange Stream respectively.

5.2.1 Potential impacts during construction

All site clearance and construction activities pose a potential risk to watercourses as **surface water** arising at a site may contain contaminants. The main contaminants arising from construction activities may include suspended solids, hydrocarbons and concrete/cement products. If not properly managed, such pollutants could pose a temporary risk to surface water quality in the local surface water network during construction.

While theoretically there are potential links between the proposed development site and European sites via surface water run-off, no significant impacts on water quality are predicted during the construction phase.

The risk of contamination of any watercourses is extremely low, and even in the event of a pollution incident significant enough to impact upon surface water quality locally, it is reasonable to assume that **this would not be perceptible in the offshore European sites**, for the following reasons:

- The distance to the European sites, coupled with the fact that watercourses in the wider vicinity of the site, including the Kill-O-The-Grange Stream and the Shanganagh River (which are themselves at a significant remove from the site), do not discharge directly to any European site (these watercourses enter the sea at Ballybrack, a minimum of 1.5km from the nearest site - Rockabill to Dalkey Island SAC);
- The fact that a significant level of dilution and mixing of surface and sea water would occur.

No construction-related impacts, on European sites or otherwise (including both undesignated sites and pNHAs), are envisaged as a result of the proposed development, which will take place entirely within an already developed site.

5.2.2 Potential impacts during operation

There is an existing 225mm diameter concrete **surface water sewer** in Church Road to the east of the site which discharges in a north-west direction. Additionally, there is another existing 225mm diameter concrete surface water sewer in Church Road which discharges in a southerly direction and continues along Churchview Road. There is no existing public surface water sewage infrastructure within the proposed site.

Surface water management for the proposed development is designed to comply with the '*Greater Dublin Strategic Drainage Study (GSDS) Regional Drainage Policies Technical Document – Volume 2, New Developments, 2005*' and the '*Greater Dublin Regional Code of Practice for Drainage Works, V6.0 2005*'. CIRIA Design Manuals C753, C697 and C609 have also been used to design the surface water drainage system within the site.

It is proposed to use a sustainable urban drainage system (SuDS) approach to storm water management throughout the site. The overall strategy aims to provide an effective system to reduce run-off rates, volumes and frequency,

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reducing pollutant concentrations in storm water, contributing to amenity, aesthetics and biodiversity enhancement and allow for the maximum collection of rainwater for re-use where possible. In addition, SuDS features aim to replicate the natural characteristics of rainfall run-off for any site by providing control of run-off at source and this has been achieved by the current proposals.

SuDS are a requirement of Dun Laoghaire Rathdown County Council under their '*Regional Code of Practice for Drainage Works*' and '*The Greater Dublin Strategic Drainage Study*'. Additionally, these systems are recommended under the 2009 guidelines, '*The Planning System and Flood Risk Management*'.

Due to the large extent of development within the site it is not proposed to provide long-term storage. However, the modelling presented in the Engineering Services Report (DBFL Consulting Engineers) has concluded that the final combined discharge to sewer from the site will be kept at (or below) the total permissible discharge rate for the site, taking into account a 100 year return period for flood waters, including a 10% increase for climate change.

- None of the measures proposed are required for the purpose of mitigating any impacts on European sites. No operational impacts related to surface water management, on European sites or otherwise, are envisaged as a result of the proposed development.

There is an existing 225mm diameter **foul sewer** located in Churchview Road, approximately 200m to the south-west of the site, at the entrance to Auburn Drive. There is no existing public foul sewerage infrastructure within the proposed development site.

It is proposed to discharge the proposed foul water drainage from the development to the existing 225mm diameter foul sewer located in the footpath on Churchview Road. This connects to the 225mm sewer shown on Irish Water records at the entrance to Auburn Drive and ultimately discharges to the Shanganagh Wastewater Treatment Plant.

Foul sewers have been designed and will be constructed in accordance with the Irish Water's '*Standard Details for wastewater infrastructure*' and '*Code of practice for wastewater infrastructure*'. In addition, foul sewers have been designed to Building Regulations and specifically in accordance with the principles and methods set out in EN 752:2008 and DOE '*Recommendations for Site Development Works*'.

Foul sewage will be piped to Shanganagh Wastewater Treatment Works for treatment and ultimate discharge to the Irish Sea, which, according to information (coastal water quality data) provided by the EPA (<https://gis.epa.ie/EPAMaps/>), is classified as unpolluted.

Shanganagh Wastewater Treatment Works has been upgraded as part of the Shanganagh Bray Wastewater Project, to cater for existing and all projected future catchment development flows. It has the capacity to treat effluent from 186,000 population equivalent with the potential to increase capacity to 248,000 in the future.

The capacity available at Shanganagh Wastewater Treatment Works is sufficient to accommodate the inflow arising from the proposed development at Churchview Road, as well as other developments in the area and it will therefore be possible to maintain the unpolluted status of the coastal waters.

- There will be no operational phase impacts related to foul water management, on European sites or otherwise, as a result of the proposed development.

The Flood Risk Assessment for the proposed residential development (prepared by DBFL Consulting Structural and Civil Engineers and presented within the Engineering Services Report (Section 6) was undertaken in accordance with the requirements of the Planning System and "*Flood Risk Management Guidelines for Planning Authorities*", November 2009. Following the **flood risk** assessment stages, it was determined that the site is within Flood Zone C as defined by the Guidelines. Zone C is considered appropriate for development such as is proposed.

- There will be no operational phase impacts related to flooding, on European sites or otherwise, as a result of the proposed development.

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Table 1 lists all European Sites within 15km and outlines their reasons for designation*

European Site	Reasons for designation (information correct as of 28 th February 2019) (*denotes a priority habitat)	Source – Pathway – Receptor link
Rockabill to Dalkey Island SAC (site code 003000), c.3km to the east	1170 Reefs 1351 Harbour Porpoise (<i>Phocoena phocoena</i>)	<p>No.</p> <p>No significant effects on water quality, and therefore on the site’s QIs, are predicted. Surface water arising during the site clearance, construction and operation of the proposed development at Churchview Road could contain pollutants (foul water, silt, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the local surface water drainage network and from there, eventually, to the sea.</p> <p>However, there would be no significant effects on the conservation objectives of the European site should this occur, given the nature, scale, and location of the proposed development. Even in the event of a pollution incident significant enough to impact upon surface water quality locally, it is reasonable to assume that this would not be perceptible in Rockabill to Dalkey Island SAC.</p> <p>This is due to the significant separation between the proposed development site and the European site – the proposed development site is approximately 3km (straight line distance) from the SAC. In addition, significant dilution and mixing of surface and sea water would occur prior to any run-off from the site entering the SAC.</p> <p>Furthermore there will be no loss of habitat or species, or disturbance to the qualifying interests of this site as a result of the proposed development which, apart from the potential link via surface water, is completely unconnected to the European site.</p> <p>No operational impacts on this European site related to foul water management are envisaged as a result of the proposed development.</p>
South Dublin Bay SAC (site code 000210), c.3.5km to the north	1140 Mudflats and sandflats not covered by seawater at low tide The following habitats, though listed as features of interest in the SAC, do not form part of the Qualifying Interests for this SAC. They are not included in the site’s Conservation Objectives document (Version 1, dated 22 nd August 2013): <i>(1210 Annual vegetation of drift lines</i> <i>1310 Salicornia and other annuals colonising mud and sand</i> <i>2110 Embryonic shifting dunes)</i>	<p>No.</p> <p>No significant effects on water quality, and therefore on the site’s QIs, are predicted. Surface water arising during the site clearance, construction and operation of the proposed development at Churchview Road could contain pollutants (foul water, silt, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the local surface water drainage network and from there, eventually, to the sea.</p> <p>However, there would be no significant effects on the conservation objectives of the European site should this occur, given the nature, scale, and location of the proposed development. Even in the event of a pollution incident significant enough to impact upon surface water quality locally, it is reasonable to assume that this would not be perceptible in South Dublin Bay SAC.</p> <p>This is due to the significant separation between the proposed development site and the European site – the proposed development site is over 5km (straight line distance) from the SAC and is further</p>

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European Site	Reasons for designation (information correct as of 28 th February 2019) (*denotes a priority habitat)	Source – Pathway – Receptor link
		<p>separated from the SAC by the headland of Dalkey/Killiney Hill. In addition, significant dilution and mixing of surface and sea water would occur prior to any run-off from the site entering the SAC.</p> <p>Furthermore there will be no loss of habitat or species, or disturbance to the qualifying interests of this site as a result of the proposed development.</p> <p>No operational impacts on this European site related to foul water management are envisaged as a result of the proposed development.</p>
Ballyman Glen SAC (site code 000713), c.6.8km to the south	7220 Petrifying springs with tufa formation (Cratoneurion)* 7230 Alkaline fens	<p>No.</p> <p>There is no hydrological link or any other pathway between the proposed development site at Churchview Road and this SAC. Furthermore there will be no loss of, or disturbance to, the qualifying interests of this site as a result of the proposed development.</p>
Knocksink Wood SAC (site code 000725), c.7.5km to the south	7220 Petrifying springs with tufa formation (Cratoneurion)* 91E0 Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i> , <i>Alnion incanae</i> , <i>Salicion albae</i>)*	<p>No.</p> <p>There is no hydrological link or any other pathway between the proposed development site at Churchview Road and this SAC. Furthermore there will be no loss of, or disturbance to, the qualifying interests of this site as a result of the proposed development.</p>
Bray Head SAC (site code 000714), c.8.3km to the south	1230 Vegetated sea cliffs of the Atlantic and Baltic coasts 4030 European dry heaths	<p>No.</p> <p>No significant effects on water quality, and therefore on the site's QIs, are predicted. Surface water arising during the site clearance, construction and operation of the proposed development Churchview Road could contain pollutants (foul water, silt, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the local surface water drainage network and from there, eventually, to the sea.</p> <p>However, there would be no significant effects on the conservation objectives of the European site should this occur, given the nature, scale, and location of the proposed development. Even in the event of a pollution incident significant enough to impact upon surface water quality locally, it is reasonable to assume that this would not be perceptible in Bray Head SAC, which in any case comprises vegetated sea cliff and dry heath habitats.</p> <p>This is due to the significant separation between the proposed development site and the European site – the proposed development site is over 8km (straight line distance) from the SAC. In addition, significant dilution and mixing of surface and sea water would occur prior to any run-off from the site entering the SAC.</p> <p>Furthermore there will be no loss of habitat or species, or disturbance to the qualifying interests of this site as a result of the proposed development.</p>



Proposed Strategic Housing Development at Churchview Road/Church Road, Killiney, Co. Dublin

Information for Screening for Appropriate Assessment

European Site	Reasons for designation (information correct as of 28 th February 2019) (*denotes a priority habitat)	Source – Pathway – Receptor link
		No operational impacts on this European site related to foul water management are envisaged as a result of the proposed development.
North Dublin Bay SAC (site code 000206), c.8.9km to the north	1140 Mudflats and sandflats not covered by seawater at low tide 1210 Annual vegetation of drift lines 1310 Salicornia and other annuals colonising mud and sand 1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) 1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>) 2110 Embryonic shifting dunes 2120 Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) 2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)* 2190 Humid dune slacks 1395 Petalwort (<i>Petalophyllum ralfsii</i>)	No. No significant effects on water quality, and therefore on the site's QIs, are predicted. Surface water arising during the site clearance, construction and operation of the proposed development at Churchview Road could contain pollutants (foul water, silt, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the local surface water drainage network and from there, eventually, to the sea. However, there would be no significant effects on the conservation objectives of the European site should this occur, given the nature, scale, and location of the proposed development. Even in the event of a pollution incident significant enough to impact upon surface water quality locally, it is reasonable to assume that this would not be perceptible in North Dublin Bay SAC. This is due to the significant separation between the proposed development site and the European site – the proposed development site is approximately 9km (straight line distance) from the SAC and is further separated from the SAC by the headland of Dalkey/Killiney Hill. In addition, significant dilution and mixing of surface and sea water would occur prior to any run-off from the site entering the SAC. Furthermore there will be no loss of habitat or species, or disturbance to the qualifying interests of this site as a result of the proposed development. No operational impacts on this European site related to foul water management are envisaged as a result of the proposed development.
Wicklow Mountains SAC (site code 002122), c.9.4km to the south west	3110 Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>) 3160 Natural dystrophic lakes and ponds 4010 Northern Atlantic wet heaths with <i>Erica tetralix</i> 4030 European dry heaths 4060 Alpine and Boreal heaths 6130 Calaminarian grasslands of the <i>Violetalia calaminariae</i> 6230 Species-rich <i>Nardus</i> grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe)* 7130 Blanket bogs (* if active bog) 8110 Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Galeopsietalia ladani</i>) 8210 Calcareous rocky slopes with chasmophytic vegetation	No. There is no hydrological link or any other pathway between the proposed development site at Churchview Road and this SAC. Furthermore there will be no loss of, or disturbance to, the qualifying interests of this site as a result of the proposed development.



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Information for Screening for Appropriate Assessment

European Site	Reasons for designation (information correct as of 28 th February 2019) (*denotes a priority habitat)	Source – Pathway – Receptor link
	8220 Siliceous rocky slopes with chasmophytic vegetation 91A0 Old sessile oak woods with Ilex and Blechnum in the British Isles 1355 Otter (<i>Lutra lutra</i>)	
Howth Head SAC (site code 000202), c.11.2km to the north	1230 Vegetated sea cliffs of the Atlantic and Baltic coasts 4030 European dry heaths	No. There is no hydrological link or any other pathway between the proposed development site at Churchview Road and this SAC. Furthermore there will be no loss of, or disturbance to, the qualifying interests of this site as a result of the proposed development.
Glen of the Downs SAC (site code 000719), c.13.6km to the south	1A0 Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles	No. There is no hydrological link or any other pathway between the proposed development site at Churchview Road and this SAC. Furthermore there will be no loss of, or disturbance to, the qualifying interests of this site as a result of the proposed development.
Baldoyle Bay SAC (site code 000199), c.14.1km to the north	1140 Mudflats and sandflats not covered by seawater at low tide 1310 Salicornia and other annuals colonising mud and sand 1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) 1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>)	No. There is no hydrological link or any other pathway between the proposed development site at Churchview Road and this SAC. Furthermore there will be no loss of, or disturbance to, the qualifying interests of this site as a result of the proposed development.
Glenasmole Valley SAC (site code 001209), c.14.8km to the west	6210 Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>) (* important orchid sites) 6410 Molinia meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>) 7220 Petrifying springs with tufa formation (<i>Cratoneurion</i>)	No. There is no hydrological link or any other pathway between the proposed development site at Churchview Road and this SAC. Furthermore there will be no loss of, or disturbance to, the qualifying interests of this site as a result of the proposed development.
Dalkey Islands SPA (site code 004172), c.3.0km to the east	A194 Arctic Tern (<i>Sterna paradisaea</i>) A193 Common Tern (<i>Sterna hirundo</i>) A192 Roseate Tern (<i>Sterna dougallii</i>)	No. No significant effects on water quality, and therefore on the site's SCIs, are predicted. Surface water arising during the site clearance, construction and operation of the proposed development at Churchview Road could contain pollutants (foul water, silt, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the local surface water drainage network and from there, eventually, to the sea. However, there would be no significant effects on the conservation objectives of the European site should this occur, given the nature, scale, and location of the proposed development. Even in the event



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Information for Screening for Appropriate Assessment

European Site	Reasons for designation (information correct as of 28 th February 2019) (*denotes a priority habitat)	Source – Pathway – Receptor link
		<p>of a pollution incident significant enough to impact upon surface water quality locally, it is reasonable to assume that this would not be perceptible in Dalkey Islands SPA.</p> <p>This is due to the significant separation between the proposed development site and the European site – the proposed development site is approximately 3km (straight line distance) from the SPA. In addition, significant dilution and mixing of surface and sea water would occur prior to any run-off from the site entering the SPA.</p> <p>Furthermore there will be no loss of or disturbance to the special conservation interests of this site as a result of the proposed development.</p> <p>No operational impacts on this European site related to foul water management are envisaged as a result of the proposed development.</p>
<p>South Dublin Bay and River Tolka Estuary SPA (site code 004024), c3.5km to the north</p>	<p>A144 Sanderling (<i>Calidris alba</i>) A157 Bar-tailed Godwit (<i>Limosa lapponica</i>) A149 Dunlin (<i>Calidris alpina</i>) A162 Redshank (<i>Tringa totanus</i>) A179 Black-headed Gull (<i>Chroicocephalus ridibundus</i>) A143 Knot (<i>Calidris canutus</i>) A192 Roseate Tern (<i>Sterna dougallii</i>) A046 Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) A141 Grey Plover (<i>Pluvialis squatarola</i>) A130 Oystercatcher (<i>Haematopus ostralegus</i>) A194 Arctic Tern (<i>Sterna paradisaea</i>) A193 Common Tern (<i>Sterna hirundo</i>) A137 Ringed Plover (<i>Charadrius hiaticula</i>) Wetlands</p>	<p>No.</p> <p>No significant effects on water quality, and therefore on the site’s SCIs, are predicted. Surface water arising during the site clearance, construction and operation of the proposed development at Churchview Road could contain pollutants (foul water, silt, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the local surface water drainage network and from there, eventually, to the sea.</p> <p>However, there would be no significant effects on the conservation objectives of the European site should this occur, given the nature, scale, and location of the proposed development. Even in the event of a pollution incident significant enough to impact upon surface water quality locally, it is reasonable to assume that this would not be perceptible in South Dublin Bay and River Tolka Estuary SPA.</p> <p>This is due to the significant separation between the proposed development site and the European site – the proposed development site is approximately 3.5km (straight line distance) from the SPA and is further separated from the SAC by the headland of Dalkey/Killiney Hill. In addition, significant dilution and mixing of surface and sea water would occur prior to any run-off from the site entering the SPA.</p> <p>In addition the site is entirely unsuited to use by SCI birds, such as light-bellied Brent goose, even on an occasional basis.</p> <p>Furthermore there will be no loss of wetland habitat or species, or disturbance to the special conservation interests of this site as a result of the proposed development.</p> <p>No operational impacts on this European site related to foul water management are envisaged as a result of the proposed development.</p>



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European Site	Reasons for designation (information correct as of 28 th February 2019) (*denotes a priority habitat)	Source – Pathway – Receptor link
North Bull Island SPA (site code 004006), c.8.8km to the north	A160 Curlew (<i>Numenius arquata</i>) A149 Dunlin (<i>Calidris alpina</i>) A157 Bar-tailed Godwit (<i>Limosa lapponica</i>) A162 Redshank (<i>Tringa totanus</i>) A179 Black-headed Gull (<i>Chroicocephalus ridibundus</i>) A144 Sanderling (<i>Calidris alba</i>) A156 Black-tailed Godwit (<i>Limosa limosa</i>) A143 Knot (<i>Calidris canutus</i>) A169 Turnstone (<i>Arenaria interpres</i>) A054 Pintail (<i>Anas acuta</i>) A046 Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) A048 Shelduck (<i>Tadorna tadorna</i>) A052 Teal (<i>Anas crecca</i>) A141 Grey Plover (<i>Pluvialis squatarola</i>) A056 Shoveler (<i>Anas clypeata</i>) A130 Oystercatcher (<i>Haematopus ostralegus</i>) A140 Golden Plover (<i>Pluvialis apricaria</i>) Wetlands	No. The species for which the SPA is designated are potentially sensitive to direct disturbance due to noise and anthropogenic activity. However, such disturbance is not considered to be remotely likely as a result of the proposed development, which is almost 9km from the European site, and is completely unconnected to it.
Wicklow Mountains SPA (site code 004040), c.9.4km to the south west	A098 Merlin (<i>Falco columbarius</i>) A103 Peregrine (<i>Falco peregrinus</i>)	No. The species for which the SPA is designated are potentially sensitive to direct disturbance due to noise and anthropogenic activity. However, such disturbance is not considered to be remotely likely as a result of the proposed development, which is over 9km from the European site, and is completely unconnected to it.
Howth Head Coast SPA (site code 004113), c.11.8km to the north	A188 Kittiwake (<i>Rissa tridactyla</i>)	No. The species for which the SPA is designated is potentially sensitive to direct disturbance due to noise and anthropogenic activity. However, such disturbance is not considered to be remotely likely as a result of the proposed development, which is almost 12km from the European site, and is completely unconnected to it.
Baldoyle Bay SPA (site code 004016), c.14.1km to the east	A137 Ringed Plover (<i>Charadrius hiaticula</i>) A048 Shelduck (<i>Tadorna tadorna</i>) A140 Golden Plover (<i>Pluvialis apricaria</i>) A157 Bar-tailed Godwit (<i>Limosa lapponica</i>) A141 Grey Plover (<i>Pluvialis squatarola</i>) A046 Light-bellied Brent Goose (<i>Branta bernicla hrota</i>)	No. The species for which the SPA is designated are potentially sensitive to direct disturbance due to noise and anthropogenic activity.



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European Site	Reasons for designation (information correct as of 28 th February 2019) (*denotes a priority habitat)	Source – Pathway – Receptor link
	Wetlands	However, such disturbance is not considered to be remotely likely as a result of the proposed development, which is over 14km from the European site, and is completely unconnected to it.

*For completeness, this table includes all sites within 15km of the site, however, as confirmed in Section 5.1, only the offshore sites are linked in any way to the proposed development site. None of the other listed sites, and no sites further afield, are remotely linked to the proposed development site, by virtue of distance, lack of a pathway and the reasons for their designation.



6 Other issues

While no invasive plant species listed on Schedule 3 of the *Birds and Habitats Regulations, 2011* (such as Japanese knotweed or giant hogweed) are present on site, a number of these species are known from the wider area of south county Dublin. There is a risk that during construction such species could be introduced to the site. Avoidance of such risk will be managed during the construction period and no such species will be planted or deliberately imported to the proposed development area.

Additionally, for the reasons outlined in this report for the European sites, no impacts on any other designated sites including proposed Natural Heritage Areas, are likely.

7 Mitigation specific to European sites

In relation to European sites, there will be no impacts as a result of the proposed development. Therefore no mitigation is necessary or proposed for the protection of European sites.

8 In-combination effects

It is a requirement of the *Birds and Natural Habitats Regulations, 2011* that when considering whether a plan or project will adversely affect the integrity of a European site the assessment must take into account in-combination effects with other current or reasonably foreseeable plans and projects.

- If it can be clearly demonstrated that the plan or project will not result in any effects at all that are relevant to the integrity of a European site then the plan or project should proceed without considering the in-combination test, further;
- If there are identified effects arising from the plan or project even if they are perceived as minor and not likely to have a significant effect on the integrity of a European site alone, then these effects must be considered 'in-combination' with the effects arising from other plans and projects.

It is concluded in this report that there will be no likelihood of significant effects on any European sites during the construction or operation of the proposed development, in combination with other plans or projects.

Shanganagh Wastewater Treatment Works has been upgraded as part of the Shanganagh Bray Wastewater Project, to cater for existing and all projected future catchment development flows. It has the capacity to treat effluent from 186,000 population equivalent with the potential to increase capacity to 248,000 in the future.

The capacity available at Shanganagh Wastewater Treatment Works is sufficient to accommodate the inflow arising from the proposed development at Church Road as well as other developments in the area and it will therefore be possible to maintain the unpolluted status of the waters of Dublin Bay.

As appraised in this report the proposed development will not have any significant effects on any European sites. As such it can be concluded that the development either on its own or in-combination with other developments will have no impact on the European sites.

9 Screening conclusion

This report concludes on the best scientific evidence that it can be clearly demonstrated that no elements of the project will result in any likely significant effects on Qualifying Interests/Special Conservation Interests of any relevant European site, either on their own or in-combination with other plans or projects, in view of their conservation objectives.

The project will not adversely affect the integrity of any European site and as such no mitigation measures are required for the protection of these European sites.

Proposed Strategic Housing Development at Churchview Road/Church Road, Killiney, Co. Dublin

Information for Screening for Appropriate Assessment

It is considered that this report provides sufficient relevant information to allow the Competent Authority (An Bord Pleanála) to carry out an AA Screening, and reach a determination that the proposed development will not affect the integrity of any of the relevant European sites under Article 6 of the Habitats Directive (92/43/EEC) in light of their conservation objectives.

Appendix I: Background

The European² network is a Europe-wide network of ecologically important sites (SPAs and cSACs – also known as ‘European Sites’ or ‘Natura 2000 sites’) that have been designated for protection under either the EU Birds Directive (Council Directive 79/409/EEC on the Conservation of Wild Birds) or the EU Habitats Directive (Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Flora and Fauna).

The main aim of the Habitats Directive is “to contribute towards ensuring biodiversity through the conservation of natural habitats of wild fauna and flora in the European territory of the Member States to which the treaty applies”. Any actions taken must be designed to “maintain or restore, at a favourable conservation status, natural habitats and species of wild fauna and flora of Community interest”. Under Article 6 of the Habitats Directive, an assessment is required where a plan or project may give rise to significant effects upon a European site.

In addition, it is a matter of law that candidate SACs (cSACs) and Sites of Community Importance (SCI) are considered in this process;

Article 6 (paragraphs (3) and (4)) of the Habitats Directive states that:

(3) Any plan or project not directly connected with or necessary to the management of the site but likely to have significant effect thereon, either individually or in combination with other plans or projects, shall be subject to Appropriate Assessment of its implications for the site in view of the site’s conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.

(4) If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of social or economic nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of European is protected. It shall inform the Commission of the compensatory measures adopted.”

The requirements of the Habitats Directive are transposed into Irish law by means of the *European Union (Birds and Natural Habitats) Regulations 2011-2015* (hereafter referred to as the *Birds and Habitats Regulations*)³ and by the *Planning and Development Act 2000*, as amended.

In Ireland, the statutory agency responsible for the designated areas is NPWS.

Stages in the assessment

European Commission guidance (2001)⁴ sets out the principles on how to undertake decision making in applying the Habitats Directive. The requirements of the Habitats Directive comprise four distinct stages:

Stage 1: Screening is the process which initially identifies the likely significant effects upon a European site of a project or plan, either alone or in combination with other projects or plans, and considers whether these impacts may be significant. It is important to note that the burden of evidence is to show, on the basis of objective information, that there will be no significant effect; if the effect may be significant, or is not known, that would trigger the need for an Appropriate Assessment. There is European Court of Justice case law to the effect that unless the likelihood of a significant effect can be ruled out on the basis of objective information, then an Appropriate Assessment must be made.

² The EU Habitats Directive, Article 3.1, states “A Coherent European ecological network of Special Areas of Conservation and Special Protection Areas pursuant to Directive 79/409/EEC shall be set up under the title European”

³ SI No. 477 of 2011 and subsequent amendments

⁴ European Commission (2001) *Assessment of Plans and Projects Significantly Affecting European Sites: Methodological Guidance on the Provisions of Article 6 (3) and (4) of the Habitats Directive 92/43/EEC*

Stage 2: Appropriate Assessment is the detailed consideration of the impact on the integrity of the European site of the project or plan, either alone or in combination with other projects or plans, with respect to the site's conservation objectives and its structure and function. This is to determine with scientific certainty whether or not there will be adverse effects on the integrity of the site in light of its conservation objectives. This stage also includes the development of mitigation measures to avoid or reduce any possible impacts.

Stage 3: Assessment of alternative solutions is the process which examines alternative ways of achieving the objectives of the project or plan that would avoid impacts on the integrity of the European site, should avoidance or mitigation measures be unable to cancel out adverse effects.

Stage 4: Assessment where no alternative solutions exist and where adverse impacts remain. At Stage 4 an assessment is made with regard to whether or not the development is necessary for imperative reasons of overriding public interest (IROPI) and, if so, of the compensatory measures needed to maintain the overall coherence of the European network.

Conservation Objectives of European sites

The conservation objectives for a European Site are intended to represent the aims of the Habitats and Birds Directives in relation to that site. To this end, habitats and species of European Community importance should be maintained or restored to 'favourable conservation status' (FCS), as defined in Article 1 of the Habitats Directive below:

The conservation status of a natural habitat will be taken as 'favourable' when:

- Its natural range and the area it covers within that range are stable or increasing;
- The specific structure and functions which are necessary for its long term maintenance exist and are likely to continue to exist for the foreseeable future;
- Conservation status of typical species is favourable as defined in Article 1(i).

The conservation status of a species will be taken as favourable when:

- Population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats;
- The natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future;
- There is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

Guidance from the European Commission⁵ indicates that the Habitats Directive intends FCS to be applied at the level of an individual site, as well as to habitats and species across their European range. Therefore, in order to properly express the aims of the Habitats Directive for an individual site, the conservation objectives for a site are essentially to maintain (or restore) the habitats and species of the site at (or to) FCS.

The European Commission guidance recommends that screening should fulfil the following steps:

1. Determine whether the plan (or policy) is directly connected with or necessary for the management of European sites;
2. Describe the plan and describe and characterise any other plans or projects which, in combination, have the potential for having significant effects on European sites;
3. Identify the potential effects on European sites;
4. Assess the likely significance of any effects on European sites.

⁵ Managing European sites: the provisions of Article 6 of the Habitats Directive 92/43/EEC. (European Commission 2000)

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