

Safe Routes to School – Pope John
Paul II National School, Malahide,
Co. Dublin

**APPROPRIATE ASSESSMENT
SCREENING REPORT**

Environmental
Assessment
**Built
Environment**

Client:

SYSTRA Ireland

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1 Introduction

1.1 Background

Brady Shipman Martin was appointed by SYSTRA on behalf of Fingal County Council (FCC) to prepare a report to assist FCC, as the Competent Authority, in undertaking a screening exercise for Appropriate Assessment (AA). It is proposed to promote increased walking and cycling to school under the 'Safe Routes to School' programme at Pope John Paul II National School (NS) at Inbhir Íde, Yellow Walls, Malahide, Co. Dublin.

The purpose of the screening exercise is to assess, in view of best scientific knowledge, if the proposed works, individually or in combination with other plans or projects, are likely to have a significant effect on European sites, taking into account their conservation objectives.

This document constitutes an Appropriate Assessment Screening Report ('AA Screening Report') prepared for this purpose.

A comprehensive desk study review and site visit were undertaken and the potential for significant effects on European sites, both as a result of the proposed works and in-combination with other plans and projects, are appraised in this report.

1.2 Expertise and Qualifications

This AA Screening Report has been prepared by Namrata Kaile, Ecologist and Environmental Consultant at Brady Shipman Martin. She holds a Bachelor's Degree (BSc) in Life Sciences from University of Delhi and a Master's Degree (MSc) with distinction in Environmental Sciences from Trinity College Dublin. She is an associate member of Chartered Institute of Ecology and Environmental Management (ACIEEM) and has been working professionally in the field of environmental consultancy for the last four years. Namrata is experienced in drafting and reviewing AA Screening Reports, EIA Screening Reports as well as in coordination of EIARs. She is also experienced in undertaking baseline ecological surveys and preparing Ecological Impact Assessments Reports (EclA).

A technical review of this document has been completed by Senior Ecologist and Associate, 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 20 years of experience in ecological and environmental consultancy, across a wide range of sectors. Matthew is a Chartered Environmentalist (CEnv) and a full member of the Chartered Institute of Ecology and Environmental Management (MCIEEM). Matthew has also completed an Advanced Diploma in Planning and Environmental Law, at King's Inns and is a member of the Irish Environmental Law Association (IELA).

1.3 Legal Requirement for Appropriate Assessment

European sites make up a network of sites designated for nature conservation under Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (the "Habitats Directive") and Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (the "Birds Directive"). The requirements for Appropriate Assessment are set out under Article 6 of the Habitats Directive, transposed into Irish law by the European Union (Birds and Natural Habitats) Regulations 2011 (as amended)¹ (the "Birds and

¹ SI No. 477 of 2011

Natural Habitats Regulations”) and the Planning and Development Act, 2000 - 2023 (the “Planning Acts”).

European sites are also known as ‘Natura 2000 Sites’ (Special Areas of Conservation (SAC) and Special Protection Areas (SPA)). As defined in section 177R of the Planning Acts, “European site” means:

- (a) a candidate site of Community importance,
- (b) a site of Community importance,
- (ba) a candidate special area of conservation,
- (c) a special area of conservation,
- (d) a candidate special protection area and
- (e) a special protection area.

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

“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.”

The first test is to establish whether, in relation to a particular plan or project, Appropriate Assessment is required. Sections 177U of the Planning Acts require that the AA screening test must be applied to the proposed works, as follows:

- To assess, in view of best scientific knowledge, if the development, individually or in combination with another plan or project is likely to have a significant effect on the European site;
- An Appropriate Assessment is required if it cannot be excluded, on the basis of objective information, that the development, individually or in combination with other plans or projects, will have a significant effect on a European site.

This AA Screening Report has been prepared in accordance with the requirements of the Birds Directive, the Habitats Directive, the Planning Acts, the Birds and Natural Habitats Regulations and all relevant legislations.

2 Methodology

2.1 Guidelines

This report takes the following guidance documents into account:

- Chartered Institute of Ecology and Environmental Management (CIEEM). *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine*, September 2018, updated in September 2019 (V1.1), further updated in April 2022 (V1.2);
- Department of Environment, Heritage and Local Government (DoEHLG) (2010a). *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities*;
- DoEHLG (2010b). *Circular NPW 1/10 & PSSP 2/10: Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities*;

- European Commission (2021). *Assessment of plans and projects in relation to Natura 2000 sites- Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC*;
- European Commission (2018). *Managing Natura 2000 sites: The Provisions of Article 6 of the Habitats Directive 92/43/EEC*;
- Directorate – General for Environment (European Commission), (2021). *Guidance document on the strict protection of animal species of Community Interest under the Habitats Directive*;
- National Roads Authority (NRA)² (2009). *Guidelines for Assessment of Ecological Impacts of National Road Schemes*;
- Office of the Planning Regulator (OPR) (2021). *Practice Note PN01 Appropriate Assessment Screening for Development Management*;
- National Parks and Wildlife Services (NPWS) (2021). *Guidance for Public authorities on the Application of Articles 12 and 16 of the EU Habitats Directive to development/works undertaken by or on behalf of a Public authority*;
- National Transport Authority (NTA) (2023). *Guidance for EIA and AA Screening of Active Travel Projects Funded by the NTA*.

2.2 Baseline Data Collection and Field Visits

A desk-based assessment was undertaken in October 2023 of the site of the proposed works and its environs. The appraisal focussed 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) for European sites.

In order to provide comprehensive baseline information on the local ecological environment, a walkover survey was undertaken at the site by Brady Shipman Martin on 11 June 2023. The works undertaken comprised habitat survey, invasive species survey, rare and/or protected species survey, mammal (including otters) survey, bird survey and day-time bat survey. Birds present on the site were recorded during the survey and an assessment of habitat suitability for species with links to European sites was undertaken, in order to appraise the potential for *ex-situ* effects on European sites.

An examination of available information from Bat Conservation Ireland (BCI) was made and data from neighbouring sites was also reviewed in order to compile a list of most likely species in the overall area in addition to the evaluation of the habitat for bats. There are no bat species listed as Qualifying Interests in any European sites within the Zone of Influence. However, Article 12 of the Habitats Directive requires Member States to take *requisite measures to establish a system of strict protection of animal species listed in Annex IV(a) in their natural range*. In addition to bats, otters are also protected under Article 12 of the Habitats Directive.

Information was collated from the organisations and websites listed below:

- 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 Housing, Local Government and Heritage (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 the Environment, Community and Local Government (<http://www.myplan.ie/en/index.html>);

² Now Transport Infrastructure Ireland (TII).

- Recent and historical OSi mapping and aerial imagery, including www.geohive.ie;
- Photographs taken at the site;
- 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 and Species in Ireland (Article 17 report) (NPWS, August 2019);
- Third National Biodiversity Plan 2017 – 2021 (Department of Culture, Heritage and the Gaeltacht, 2017);
- Draft for Public Consultation, Ireland's 4th National Biodiversity Action Plan (Department of Housing, Local Government and Heritage, 2022);
- Fingal County Development Plan 2023 – 2029, including the accompanying Appropriate Assessment documentation (Natura Impact Report).

This report takes full account of the design of the proposed works, and a detailed examination of all relevant elements of the proposal as it currently stands, was undertaken.

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 works on the QIs and SCLs of European sites.

3 Description of the Proposed Works

3.1 Site Location

The proposed safe route to school scheme includes works on Inbhir Íde Drive, Inbhir Íde, Sea Road, Caves Strand, Yellow Walls and Sonesta road in the vicinity of the Pope John Paul II National Catholic School, Malahide, Co. Dublin. The Broadmeadow / Malahide Estuary is to the north, north-west and east of the site. Refer to **Figure 3.1**.

As per the *Fingal Development Plan 2023-2029*, the school is zoned as 'CI – Community Infrastructure' and has an objective to 'Provide for and protect civic, religious, community, education, health care and social infrastructure.' The land surrounding the school is zoned as 'RS – Residential', with an objective to 'Provide for residential development and protect and improve residential amenity'. The area to the north, north-west and north-east of the school is zoned as 'HA – High Amenity' with the objective to 'Protect and enhance high amenity areas'.

Under the *Fingal Development Plan 2023-2029*, the section of Caves Strand Road and Sea Road and also Yellow Walls Road has a specific objective under Greater Dublin Area (GDA) Cycle Network Plan.

The Plan further has specific policies and objectives in relation to 'Safe Routes to School' as follows:

Policy CMP15 – Safe Routes to School

Promote walking and cycling for school trips through support and engagement with the 'Safe Routes to School' and the 'Green Schools Travel Programme'.

Objective CMO22 – Safe Routes to School Measures

Promote walking and cycling for school trips by implementing the following measures:

- *Identifying school sites that are as close as possible to the communities they serve.*
- *Ensuring new schools are designed with an emphasis on active travel and facilitation of same.*

- Ensuring that adequate and secure bicycle storage is provided within schools.
- Prioritising school routes for permeability projects including the potential for shorter and safer routes to schools by the removal of physical barriers to active movement and provision and enhancement of pedestrian and cycle ways.
- Supporting the use of a range of physical measures to provide improved safety for pedestrians and cyclists at and close to schools, including the implementation of the Safe Routes to School Programme
- Ensuring that suitable access points are provided to school sites for pedestrians and cyclists.

Figure 3.1 The proposed extent of the 'safe route to school' works at Inbhir Íde Road, Malahide, Co. Dublin



3.2 Description of Works

The 'Safe Routes to School' programme was developed in partnership with the National Transport Authority (NTA) and An Taisce's Green-Schools programme in 2020 to support schools in increasing walking and cycling to school. The works aim to enhance access routes to school by improving walking and cycling infrastructure in the vicinity. Pope John Paul II National School was selected by An Taisce from the list of schools that was issued to Fingal County Council (FCC) to form part of the County's Safe Routes to School (SRTS) Programme. The SRTS Programme acknowledges the ongoing need to facilitate improved active travel routes and infrastructure, mitigate existing road safety concerns at school, improve air quality around schools and facilitate modal shift towards active travel.

The works proposed as part of the proposed scheme include:

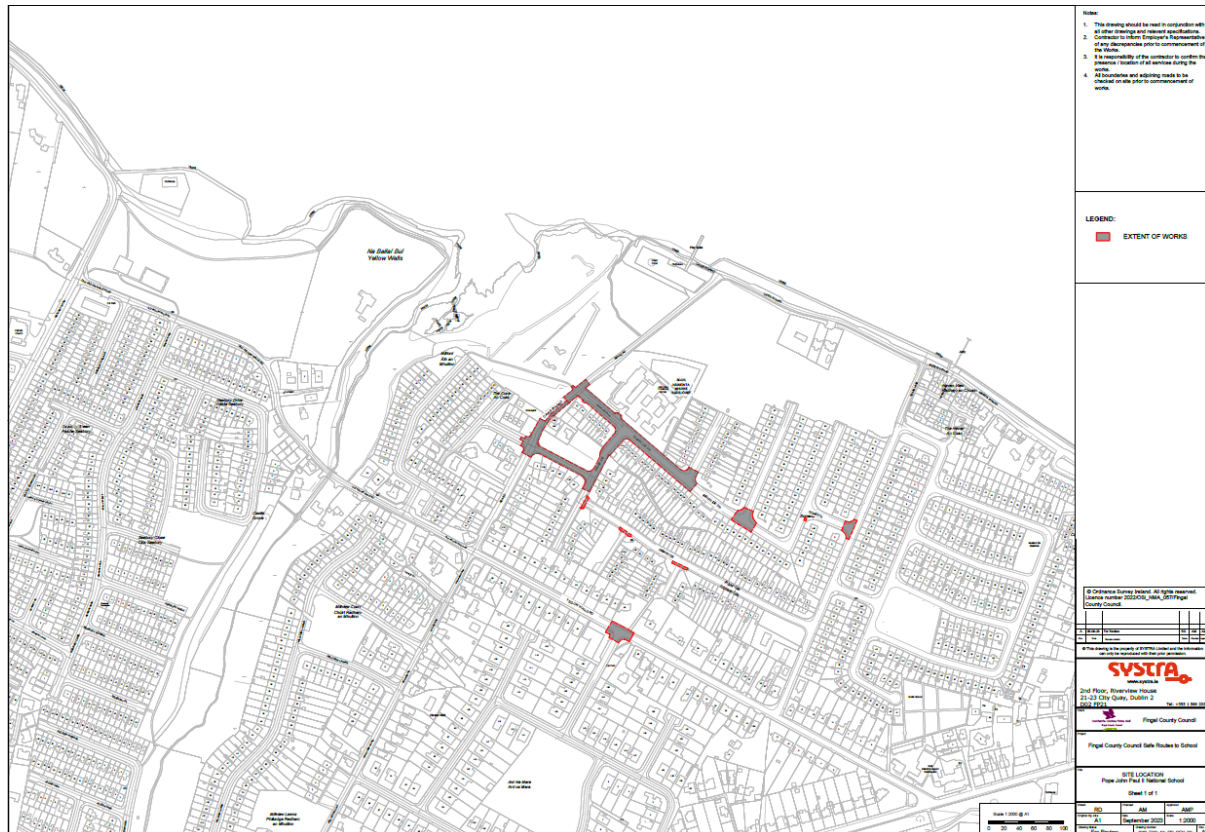
- Caves Strand / Sea Road:
 - Provide 4 uncontrolled crossings at Inbhir Íde / Caves Strand junction.
 - Build out footpath extension on Sea Road and Inbhir Íde.

- ☐ Formalise raised crossing point to a Zebra crossing i.e. provide zig-zag markings, red tactile paving and belisha beacons.
- ☐ Remove kissing gate at the start of the path on the west side of Caves Strand.
- Inbhir Íde (Sheet 1)
 - ☐ Road running in front of houses 109-101 – Road narrowing by building out footpath (2m) for first section, provide a ramp and at grade path separated of the carriageway by line markings and bollards.
 - ☐ Inbhir Íde Junction: junction tightening and provide uncontrolled crossing (buff tactile paving and dropped kerbs).
 - ☐ Road running in front of houses 84-82 - Road narrowing by building out footpath (2m) for first section, provide a ramp and at grade path separated of the carriageway by line markings and bollards.
- Inbhir Íde Drive - Front of School Works
 - ☐ Junction tightening and ramp to provide pedestrian priority at Inbhir Íde / Inbhir Íde Drive Junction. Pencil bollards at junction to prevent parking.
 - ☐ Coloured surface (buff) along entire School Zone/School Street area.
 - ☐ Western end to become a 'School Street' with no left turn from Inbhir Íde into Inbhir Íde Drive except residents during school pick up/drop off times – removable bollards to be provided.
 - ☐ Build a short ramp to enable cycling access to Inbhir Íde Drive.
 - ☐ Relocate disabled parking bays to the east side of the junction, closest to the school entrance, where the school bus bay currently is.
 - ☐ Shift school bus bay east along the same side of Inbhir Íde Drive. This will also prevent on-street parking on the north side of the road for most of the length.
 - ☐ Widen footway on east side of Caves Strand and north side of Inbhir Íde Drive.
 - ☐ Speed ramp to mark school zone.
 - ☐ Junction tightening and ramp at Inbhir Íde Close and Sonesta junctions.
- Other works
 - ☐ Provision of uncontrolled crossings at 3no. locations.
 - ☐ Provision of junction tightening, raised table and uncontrolled crossing at Ard Na Mara.
 - ☐ New road signs (no left turn) at Sonesta entrance.

For further details refer to the accompanying planning drawings prepared by SYSTRA (2023) and submitted as part of the application.

As part of the proposed works some minor surface water drainage works will be undertaken, this includes relocation and/or provision of new gullies and modifications to existing covers to align with the new path or road level. Refer to Drawing SYS_FCC_S4_DD_500_01 to 02 (prepared by SYSTRA) submitted as part of the application.

Figure 3.2 The proposed extent of the ‘safe route to school’ works at Inbhir Íde Road, Malahide, Co. Dublin (SYSTRA, 2023)



4 Screening for Appropriate Assessment

4.1 Background

The first part of the AA process is the screening phase. Screening identifies the likely effects of the proposed works 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.

In accordance with sections 177U and 177V of the Planning Acts, the AA screening test must be applied to the proposed works, as follows:

- To assess, in view of best scientific knowledge, if the scheme, individually or in combination with another plan or project is likely to have a significant effect on the European site;
- An Appropriate Assessment is required if it cannot be excluded, on the basis of objective information, that the scheme, individually or in combination with other plans or projects, will have a significant effect on a European site.

Screening must be undertaken without the inclusion of mitigation and it is in this context that this AA Screening Report is prepared.

Following screening therefore, if there is a possibility of there being a significant effect on a European site, this will generate the need for an appropriate assessment under section 177V of the Planning Acts for the purposes of compliance with 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 works, 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.

4.2 Potential Zone of Influence

This assessment is based on the source-pathway-receptor model, which dictates that, for an 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 two (such as a watercourse that links the construction site to the designated site). A construction site or completed development may also create a barrier to movement, for example, by preventing the migration of fauna along a river corridor, or by obstructing the migration of birds.

Identification of a potential effect 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 potential effect and the characteristics of the receptor. Although there may be a risk of an impact, it may not necessarily occur, and if it does occur, it may not be significant.

There are no set recommended distances for projects to consider European sites as being relevant for assessment. In 2010, DoEHLG stated that (pp. 31 – 32):

“The approach to screening is likely to differ somewhat for plans and projects, depending on scale and on the likely effects, but the following should be included:

- 1. Any Natura 2000 sites within or adjacent to the plan or project area*
- 2. Any Natura 2000 sites within the likely zone of impact of the plan or project. A distance of 15km is currently recommended in the case of plans, and derives from UK guidance (Scott Wilson et al., 2006). For projects, the distance could be much less than 15km, and in some cases less than 100m, but this must 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*
- 3. Natura 2000 sites that are more than 15km from the plan or project area depending on the likely impacts of the plan or project, and the sensitivities of the ecological receptors, bearing in mind the precautionary principle. In the cases of sites with water dependent habitats or species, and a plan or project that could affect water quality or quantity, for example, it may be necessary to consider the full extent of the upstream and/or downstream catchment.”*

The 2021 Office of the Planning Regulator (OPR) guidelines, *Practice Note PN01: Appropriate Assessment Screening for Development Management*, state that the Zone of Influence “should be established on a case-by-case basis using the Source-Pathway-Receptor framework and not by arbitrary distances (such as 15 km)” (p. 8).

Therefore, considering the nature, scale and location of the proposed works and in accordance with the source-pathway-receptor model, the potential Zone of Influence (Zol) for the proposed works has been defined as follows:

- Any site to which there is a pathway from the proposed works area during either the construction or operational phase of the development as set out in the following sections.

4.2.1 Natura 2000 Sites

The nearest Natura 2000 sites within the immediate vicinity of the proposed works at Inbhir Íde Road, Malahide, Co. Dublin are as follows (as shown in **Figure 4.1**):

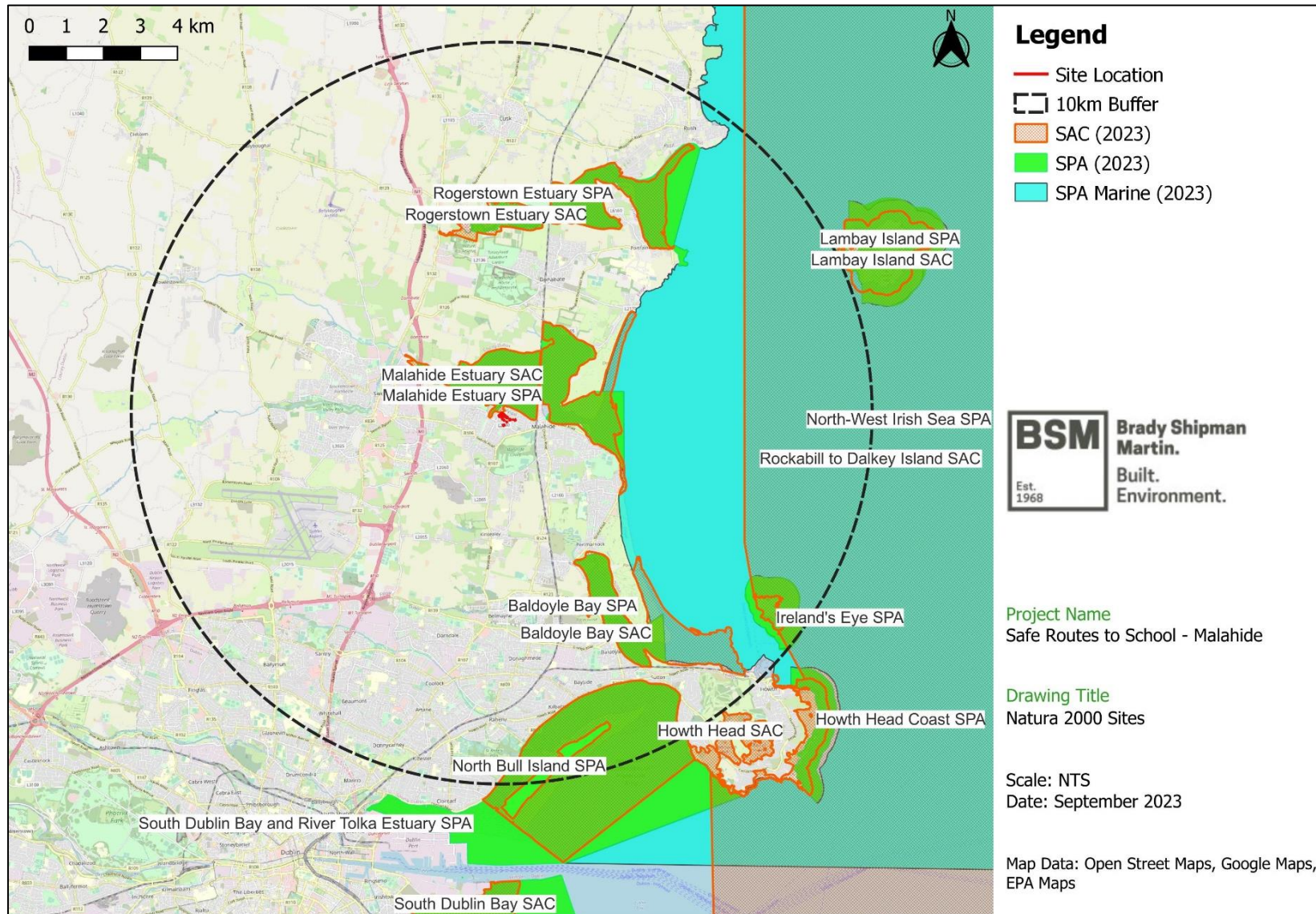
- Special Areas of Conservation (SAC):
 - Malahide Estuary SAC (site code 000205), adjacent to the north and east;
 - Baldoyle Bay SAC (site code 000199), c. 4.2km to the south-east;
 - Rogerstown Estuary SAC (site code 000208), c. 4.9km to the north;
 - Rockabill to Dalkey Island SAC (site code 003000), c. 6.4km to the east;
 - North Dublin Bay SAC (site code 000206), c. 7.8km to the south-east;
 - Ireland's Eye SAC (site code 002193), c. 8.2km to the south-east;
 - Lambay Island SAC (site code 000204), c. 9.7km to the north-east;
 - Howth Head SAC (site code 000202), c. 9.8km to the south-east.
- Special Protected Areas (SPA):
 - Malahide Estuary SPA (site code 004025), adjacent to the north and east;
 - North-West Irish Sea SPA (site code 004236), c. 3.1km to the east;
 - Baldoyle Bay SPA (site code 004016), c. 4.2km to the south-east;
 - Rogerstown Estuary SPA (site code 004015), c. 4.9km to the north;
 - North Bull Island SPA (site code 004006), c. 7.8km to the south-east;
 - Ireland's Eye SPA (site code 004117), c. 8.2km to the south-east;
 - Lambay Island SPA (site code 004069), c. 9.7km to the north-east;
 - Howth Head Coast SPA (site code 004113), c. 10.4km to the south-east.

Note that the above-listed distances are linear (i.e. 'as the crow flies').

The extents of the proposed works is not under any designation for nature conservation. The nearest European site is the Malahide Estuary SAC/SPA located adjacent to the north-east and east of the proposed works.

The Conservation Objectives of these Sites are to maintain the favourable conservation condition of the QIs / SCIs in question. Where specific conservation objectives have been set out by the NPWS, 'favourable conservation condition' is defined in respect of specific attributes and targets for the habitat or species in question. For further information, refer to Appendix II.

Figure 4.1 European sites within zone of influence of the proposed works. A 10km radius is shown for scale.



4.2.2 Other Designated Areas (other than European sites)

Designated sites other than European sites (i.e. proposed Natural Heritage Areas (pNHA) and designated Natural Heritage Areas (NHA)) within the potential Zone of Influence have been included in this assessment in order to address their potential to act as supporting sites for European sites. There are no fully designated Natural Heritage Areas (NHA) within the potential Zone of Influence. The pNHAs within the Zol are as follows:

- Proposed Natural Heritage Areas (pNHAs)
 - Malahide Estuary pNHA (site code 000205), adjacent to the north-east and east;
 - Rogerstown Estuary pNHA (site code 000208), c. 4.9km north;
 - Feltrim Hill pNHA (site code 001208), c. 2.0km south-west;
 - Sluice River Marsh pNHA (site code 001763), c. 3.5km south-east;
 - Portraine Shore pNHA (site code 001215), c. 4.5km north-east;
 - Baldoyle Bay pNHA (site code 000199), c. 4.2km south-east;
 - North Dublin Bay pNHA (site code 000206), c. 7.8km south-east;
 - Ireland's Eye pNHA (site code 000203), c. 8.2km to the south-east;
 - Lambay Island pNHA (site code 000204), c. 9.7km to the north-east.

Note that the above distances are as the crow flies (i.e. linear distances). No impacts are expected on Malahide Estuary pNHA or any other pNHA within the zone of influence.

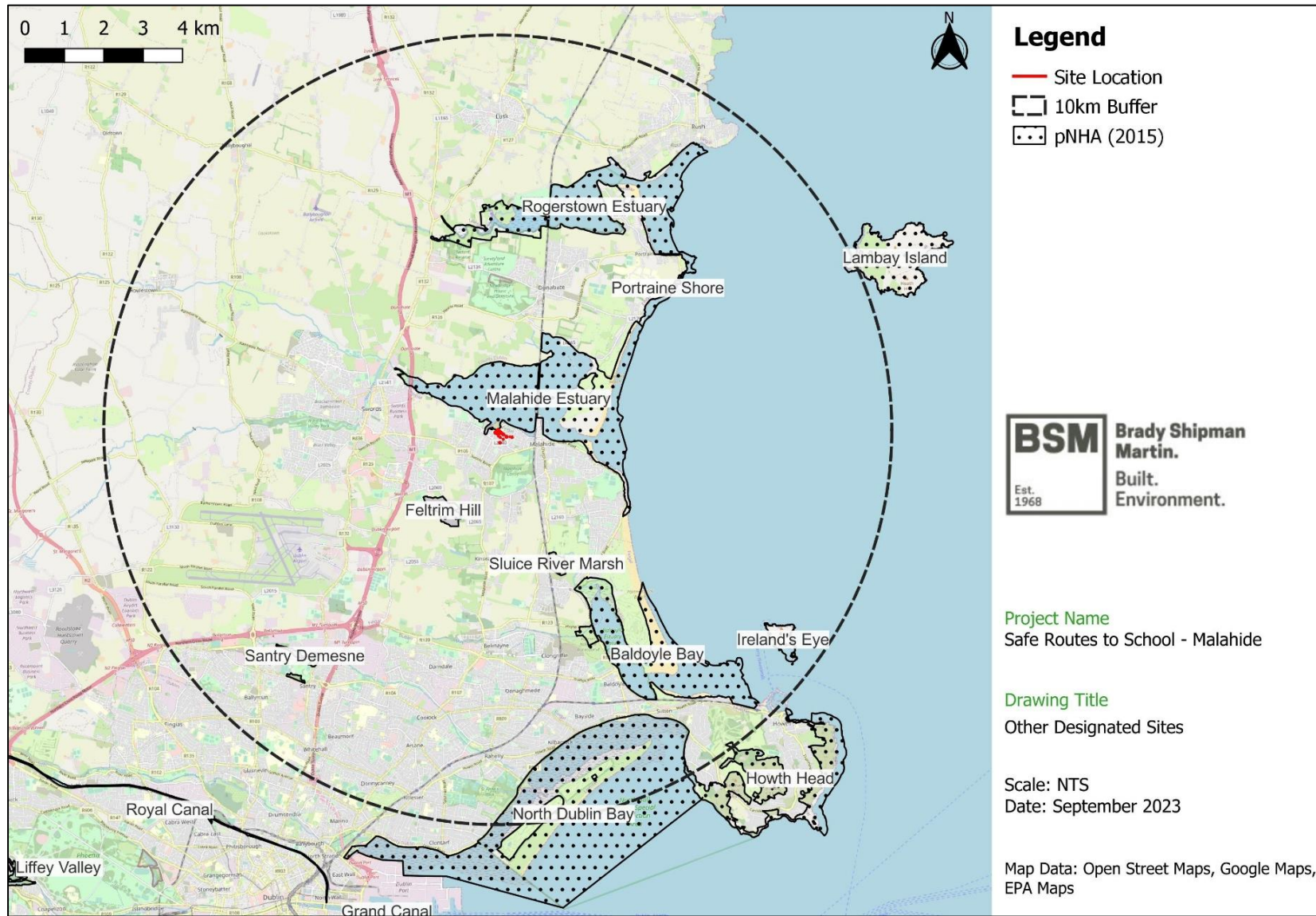
Broadmeadow Estuary Ramsar site (833) is located to the east of the site. The site includes an estuary cut off the sea by a large sand spit. The site includes well-developed saltmarshes, salt meadows, rocky shores, a well-developed outer dune ridge and sand mudflats exposed at low tide. Vegetation consists of a large bed of eelgrass (*Zostera noltii* and *Zostera angustifolium*) and extensive mats of green algae (*Enteromorpha* spp., *Ulva lactuca*). The estuary is an important wintering site for numerous species of waterbirds. The Brent goose population is of international importance. The high numbers of diving birds reflects the lagoon-type nature of the inner estuary.

Broadmeadow Estuary (Inner) (IE_EA_060_0100) is classified as a Nutrient Sensitive Estuary under the Urban Waste Water Treatment Directive Sensitive Area.

Malahide Shellfish area is c. 3.5km to the east of the site and 'All Beds' are classified for bivalve mollusc and species of interest include razor clams. The site has seasonal classification and is classified as Class A (1 September to 1 January) and then reverts to Class B at other times.

Figure 4.2 illustrates all of the pNHAs within the potential Zone of Influence (including those which overlap with European sites).

Figure 4.2 NHA and pNHA sites within zone of influence of the proposed works. A 10km radius is shown for scale.



4.3 Study Area and Surrounding Environment

4.3.1 Site Location and European Sites

The proposed works under the ‘Safe Routes to School’ programme are intended to promote active travel and safe access to schools. They include minor works on Inbhir Íde Drive, Inbhir Íde, Sea Road, Caves Strand, Yellow Walls and Sonesta road in the vicinity of the Pope John Paul II National Catholic School, Malahide, Co. Dublin. The works include the provision of uncontrolled crossings, extensions to footpaths, resurfacing of existing footpaths, new road markings, junction tightening, provision of bollards, provision of speed ramps, relocation and/or provision of new gullies and modifications to existing covers to align with the new path or road level.

No habitats of any significant ecological value are present within the proposed works areas. The site consists of the existing road, made up of hardstanding and artificial surfaces (Fossitt habitat code – **BL3** Buildings and artificial surfaces) and amenity grassland (Improved) (Fossitt habitat code – **GA2**) alongside pavements and at Inbhir Íde Green. No badgers or any other protected mammal species are known to be present and no evidence of such species was recorded within the site or in the immediate vicinity. Although otters are known from the Broadmeadow Estuary, the proposed development site is entirely unsuitable for use by the species. The site contains no features that could be used by roosting bats.

No species listed on the Third Schedule of the Habitats Regulations, such as giant hogweed (*Heracleum mantegazzianum*), Japanese knotweed (*Reynoutria japonica*), Himalayan balsam (*Impatiens glandulifera*) or three-cornered leek (*Allium triquetrum*) were recorded within the proposed works area during the survey undertaken in the preparation of this report.

The NBDC databases were reviewed for the species records in the 2 km grid square overlapping with the site of the proposed works (O24D). Of these, the rare and protected species recorded in the 2 km square are listed in **Table 4.1**; while the invasive alien species recorded are listed in **Table 4.2**. It should be noted that the 2 km grid square takes in a significantly wider area than the proposed site, and the presence of a species in the grid square is not necessarily indicative of its presence within the proposed site.

Table 4.1 Rare and protected species recorded in 2 km grid square O24D (NBDC, 2023)

Group	Species	Date ³	Designation & Status ⁴
Birds	Barn Swallow (<i>Hirundo rustica</i>)	13/09/2009	WA, BoCCI (Amber)
	Bar-tailed Godwit (<i>Limosa lapponica</i>)	28/12/2001	BD, WA, BoCCI (Amber)
	Black-headed Gull (<i>Larus ridibundus</i>)	31/12/2011	WA, BoCCI (Red)
	Black-legged Kittiwake (<i>Rissa tridactyla</i>)	31/12/2011	WA, BoCCI (Amber)
	Black-tailed Godwit (<i>Limosa limosa</i>)	31/12/2011	WA, BoCCI (Amber)
	Brent Goose (<i>Branta bernicla</i>)	31/12/2011	WA, BoCCI (Amber)
	Common Goldeneye (<i>Bucephala clangula</i>)	31/12/2011	BD, WA, BoCCI (Amber)
	Common Greenshank (<i>Tringa nebularia</i>)	31/12/2011	WA, BoCCI (Amber)
	Common Guillemot (<i>Uria aalge</i>)	31/12/2011	WA, BoCCI (Amber)
	Common Kingfisher (<i>Alcedo atthis</i>)	31/12/2011	BD, WA, BoCCI (Amber)
	Common Pochard (<i>Aythya ferina</i>)	31/12/2011	BD, WA, BoCCI (Amber)

³ Most recent record

⁴ ‘WA’ = Wildlife Acts; ‘HD’ = Habitats Directive (Annex II, IV or V); ‘BoCCI’ = Birds of Conservation Concern in Ireland 2020 – 2026 (Amber- or Red-listed); ‘BD’ = Birds Directive (Annex I, II or III)

Group	Species	Date ³	Designation & Status ⁴
	Common Redshank (<i>Tringa totanus</i>)	31/12/2011	WA, BoCCI (Red)
	Common Shelduck (<i>Tadorna tadorna</i>)	31/12/2011	WA, BoCCI (Amber)
	Common Snipe (<i>Gallinago gallinago</i>)	31/12/2011	BD, WA, BoCCI (Amber)
	Common Starling (<i>Sturnus vulgaris</i>)	19/05/2012	WA, BoCCI (Amber)
	Common Wood Pigeon (<i>Columba palumbus</i>)	19/05/2012	BD, WA
	Dunlin (<i>Calidris alpina</i>)	31/12/2011	BD, WA, BoCCI (Amber)
	Eurasian Curlew (<i>Numenius arquata</i>)	28/02/2020	BD, WA, BoCCI (Red)
	Eurasian Oystercatcher (<i>Haematopus ostralegus</i>)	31/12/2011	WA, BoCCI (Amber)
	Eurasian Teal (<i>Anas crecca</i>)	31/12/2011	BD, WA, BoCCI (Amber)
	Eurasian Tree Sparrow (<i>Passer montanus</i>)	28/12/2001	WA, BoCCI (Amber)
	Eurasian Wigeon (<i>Anas penelope</i>)	31/12/2011	BD, WA, BoCCI (Amber)
	European Golden Plover (<i>Pluvialis apricaria</i>)	28/12/2001	BD, WA, BoCCI (Red)
	European Shag (<i>Phalacrocorax aristotelis</i>)	31/12/2011	WA, BoCCI (Amber)
	Great Black-backed Gull (<i>Larus marinus</i>)	31/12/2011	WA, BoCCI (Amber)
	Great Cormorant (<i>Phalacrocorax carbo</i>)	31/12/2011	WA, BoCCI (Amber)
	Great Crested Grebe (<i>Podiceps cristatus</i>)	31/12/2011	WA, BoCCI (Amber)
	Greater Scaup (<i>Aythya marila</i>)	31/12/2011	BD, WA, BoCCI (Amber)
	Greylag Goose (<i>Anser anser</i>)	28/12/2001	BD, WA, BoCCI (Amber)
	Herring Gull (<i>Larus argentatus</i>)	19/05/2012	WA, BoCCI (Red)
	House Sparrow (<i>Passer domesticus</i>)	19/05/2012	WA, BoCCI (Amber)
	Lesser Black-backed Gull (<i>Larus fuscus</i>)	19/05/2012	WA, BoCCI (Amber)
	Little Egret (<i>Egretta garzetta</i>)	31/12/2011	BD, WA
	Little Grebe (<i>Tachybaptus ruficollis</i>)	31/12/2011	WA, BoCCI (Amber)
	Mallard (<i>Anas platyrhynchos</i>)	31/12/2011	BD, WA
	Mediterranean Gull (<i>Larus melanocephalus</i>)	31/12/2011	BD, WA, BoCCI (Amber)
	Mew Gull (<i>Larus canus</i>)	31/12/2011	WA, BoCCI (Amber)
	Mute Swan (<i>Cygnus olor</i>)	31/12/2011	WA, BoCCI (Amber)
	Northern Gannet (<i>Morus bassanus</i>)	31/12/2011	WA, BoCCI (Amber)
	Northern Lapwing (<i>Vanellus vanellus</i>)	31/12/2011	BD, WA, BoCCI (Red)
	Northern Pintail (<i>Anas acuta</i>)	28/12/2001	BD, WA, BoCCI (Red)
	Northern Shoveler (<i>Anas clypeata</i>)	28/12/2001	BD, WA, BoCCI (Red)
	Northern Wheatear (<i>Oenanthe oenanthe</i>)	14/05/2021	WA, BoCCI (Amber)
	Peregrine Falcon (<i>Falco peregrinus</i>)	31/12/2011	BD, WA
	Razorbill (<i>Alca torda</i>)	31/12/2011	WA, BoCCI (Amber)
	Red-breasted Merganser (<i>Mergus serrator</i>)	31/12/2011	BD, WA
	Ringed Plover (<i>Charadrius hiaticula</i>)	31/12/2011	WA, BoCCI (Amber)
	Ruff (<i>Philomachus pugnax</i>)	31/12/2011	WA, BD, BoCCI (Amber)
	Sand Martin (<i>Riparia riparia</i>)	31/12/2011	WA, BoCCI (Amber)
	Tufted Duck (<i>Aythya fuligula</i>)	31/12/2011	BD, WA, BoCCI (Amber)

Group	Species	Date ³	Designation & Status ⁴
	Yellowhammer (<i>Emberiza citrinella</i>)	19/01/2023	WA, BoCCI (Red)
Amphibian	Common Frog (<i>Rana temporaria</i>)	24/05/2020	HD, WA

Table 4.2 Invasive alien species recorded in 2 km grid square O24D (NBDC, 2023)

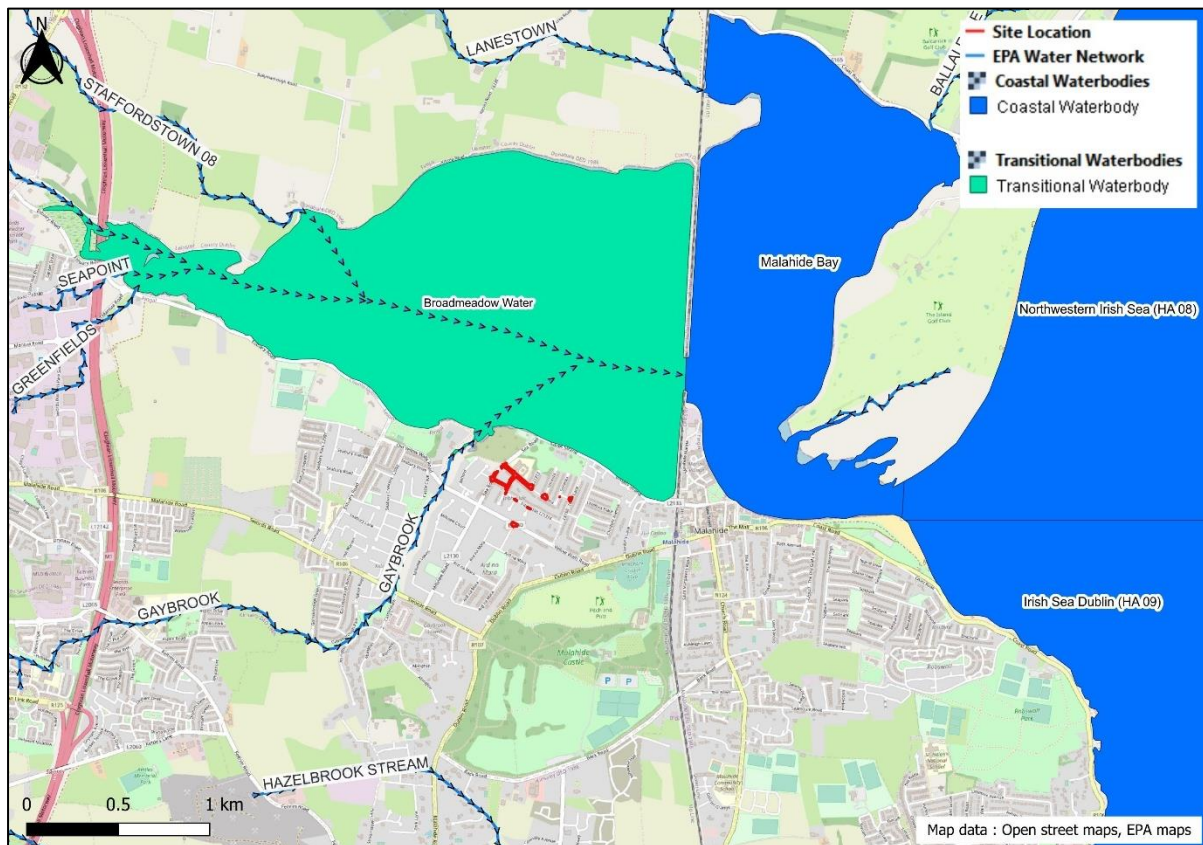
Group	Species	Date	Designation & Status ⁵
Mollusc	Jenkins' Spire Snail (<i>Potamopyrgus antipodarum</i>)	31/10/2017	Medium impact
Birds	Ruddy Duck (<i>Oxyura jamaicensis</i>)	02/01/2011	Third Schedule; high impact
Crustacean	<i>Elminius modestus</i>	31/10/2017	Medium impact

A review of the Environmental Protection Agency (EPA) web-tool indicates that Broadmeadow Estuary (IE_EA_060_0100) is c. 175m north of the school. The Gaybrook stream (IE_EA_08G080700) flows culverted underground the Old Yellow Walls Road (c. 250m north-west of the school) and discharges into the Broadmeadow Estuary. Refer to **Figure 4.3**. The transitional water of Broadmeadow Estuary flows into the coastal waters of Malahide Bay (IE_EA_060_0000) and then finally into the Northwestern Irish Sea (IE_EA_020_0000). Given the proximity of the site to the estuary there is a potential surface water link between the proposed works area and Malahide Estuary SAC/SPA via the transitional waters of Broadmeadow Estuary.

The site is located within the Liffey and Dublin Bay catchment (Catchment ID 09), Mayne_SC_010 sub catchment (Sub-catchment ID 09_17) and Gaybrook_010 river sub-basin.

⁵ Third Schedule of the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477/2011)

Figure 4.3 EPA waterbodies in the proximity of the proposed works



As per the WFD 2016-2021 status, the transitional waters of Broadmeadow Estuary are classified as 'Moderate' and they are 'At Risk' of failing to meet their WFD objectives by 2027. There is significant pressure on the Broadmeadow Estuary due to domestic waste water and urban waste water. The Gaybrook_010 stream is classified as 'Poor' as per the WFD 2016-2021 status and their risk status is under 'Review'. The Malahide Bay and Northwestern Irish Sea coastal waters are classified as 'Moderate' and 'Good' respectively and both are 'At Risk' of failing to meet their WFD objectives by 2027 under WFD 2016-2021 status.

5 Potential impacts from the proposed works including in-combination effects

5.1 European sites and habitats with links to European sites

No part of the proposed works area is 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*, 2022 or the EU Habitats Directive, are known to occur within the site and none were recorded.

No rare habitats or habitats of particularly high ecological value (i.e. International, National, County or Local Importance) are present at the site.

No evidence of any habitats or species with links to European sites was recorded on site during either the field survey or desk study undertaken.

No evidence of badgers, otters (protected under Article 12 of the Habitats Directive), amphibians or reptiles has been recorded within the proposed work area, and no bat roosts have been recorded.

There are no features suitable for roosting bats (also protected under Article 12 of the Habitats Directive) within the proposed works area.

Overall the proposed works area has **no ecological importance** 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)).

5.1.1 Potential impacts during construction

At any development site, construction activities may pose a potential risk to water as surface / ground 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.

The Broadmeadow Estuary is c. 175m north of the proposed works area. There is therefore a potential surface water link between the proposed works and Malahide Estuary SAC/SPA.

Given the location of the site in relation to the Broadmeadow Estuary, a theoretical potential surface water pathway exists between the proposed area and the two European sites i.e. Malahide Estuary SAC and Malahide Estuary SPA.

There is a possibility that contaminated surface water from the site could directly enter the Broadmeadow Estuary or enter the municipal surface water drainage network adjacent to the site and be indirectly discharged to surface waters via the drainage network (e.g. during extreme rainfall events), thereby creating a hydrological pathway linking the proposed works with Malahide Estuary SAC/Malahide Estuary SPA and North-West Irish Sea SPA and downstream European sites associated with the Irish sea. There is also a potential groundwater pathway between the proposed works and these European sites should indirect discharges (i.e. spillages to ground) occur, or should any contamination on the site enter the ground water.

However, despite the presence of these direct and indirect pathways, the risk of contamination of any watercourses or groundwater 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 European sites**, for the following reasons:

- The scale of the proposed works is very minor in nature and any pollution from the works would be minimal if not negligible in quantity;
- Any pollution from the construction works would be minimal in quantity and if it entered any watercourse it would be so diluted as to be undetectable by the time the water enters the estuary/sea. A significant level of dilution and mixing of surface and sea water would occur in any event. Upon reaching the estuary any pollutants would be even further diluted and dissipated by the receiving waters.;
- In addition, the construction of the proposed works will take place over a comparatively short period. There is no possibility of long-term impacts arising as a result of the construction elements of the proposed works, given the nature and scale of the proposed works.

During the construction phase, typical environmental effects associated with construction works of this nature and scale are predicted, including potential elevated levels of noise, emissions of dust, direct and indirect greenhouse gas emissions, etc. These effects will be short-term in duration and at most, temporary and reversible. There will also be environmental risks associated with the presence of potential pollutants typically stored and used on-site (e.g. hydrocarbons, solvents, cementitious materials).

There is no possibility of any other potential direct, indirect or secondary impacts on any European site during the construction phase. For example there will be no land-take from any European site and there will be no resource requirements such as water abstraction. Similarly there will be no emissions to air from construction vehicles that could remotely impact any European site. Dust, noise and vibration arising during construction will similarly be short term, temporary and do not have potential to impact the European sites.

There will be no loss, fragmentation, disruption or other change to any element of any European site as a result of the construction phase of the proposed works, and no interference with the key relationships that define the structure or function of any European site.

There is, further, no possibility of there being any significant effects on any European site resulting from disturbance to any bird species.

Significant effects arising as a result of the construction of the proposed works, on European sites or otherwise, can therefore be excluded.

5.1.2 Potential impacts during operation

During the operational phase, no significant environmental effects are predicted. Once operational the scheme will deliver 'Safe Route to School' to align with the *Fingal Development Plan 2023-2029*. It will provide better cyclist and pedestrian environment and reduce traffic volumes and direct and indirect greenhouse gas emissions. Overall, the works will provide for positive operational phase effects. It is noted that the works are proposed on the existing road network (with minor works on the amenity grassland at Inbhir Íde Green) and are located in an existing urban setting and the type of works proposed is appropriate to the site.

As part of the proposed works minor surface water drainage works will be undertaken, this includes relocation and/or provision of new gullies and modifications to existing covers to align with the new path or road level. The proposed scheme will not increase flood risk on the site or elsewhere.

Significant effects related to surface water management, and flooding, arising as a result of the operation of the proposed development, on European sites (or on proposed Natural Heritage Areas), can therefore be excluded. No foul water will arise and significant effects related to foul water management, arising as a result of the operation of the proposed development, on European sites (or on proposed Natural Heritage Areas), can therefore be excluded.

Significant effects related to surface water management, foul water management or flooding, arising as a result of the operation of the proposed works, on European sites or otherwise, can therefore be excluded.

There is no possibility of any other potential direct, indirect or secondary impacts on any European site once the proposed scheme is operational. There will be no loss, fragmentation, disruption, disturbance or other change to any element of any European site as a result of the operation of the proposed works, and no interference with the key relationships that define the structure or function of any European site.

A detailed discussion of the potential impacts of the proposed works on individual European sites within the potential Zone of Influence is presented in **Table 5.1**, below.

Table 5.1 Potential impacts on designated sites in the potential Zone of Influence

Site	Reasons for designation (information correct as of October 2023) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
Malahide Estuary SAC (site code 000205), adjacent to the north and east	<ul style="list-style-type: none"> ■ 1140 Mudflats and sandflats not covered by seawater at low tide ■ 1310 <i>Salicornia</i> and other annuals colonising mud and sand ■ 1320 <i>Spartina</i> swards (<i>Spartinion maritimae</i>) ■ 1330 Atlantic salt meadows (<i>Glaucopuccinellietalia maritimae</i>) ■ 1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>) ■ 2120 Shifting dunnes along the shoreline with <i>Ammophila arenaria</i> (white dunes) ■ 2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)* <p>*indicates a priority habitat under the Habitats Directive</p> <p>According to this SAC's site Conservation Objectives document (Version 1, dated 27 May 2013), for each of the listed QIs, the Conservation Objective is to maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p>	<p>No significant effects on water quality, and therefore on the site's QIs, are predicted.</p> <p>Surface/ground water arising during construction of the proposed works could contain pollutants (silt, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the ground or the local surface water drainage network or the Broadmeadow Estuary and from there, to Malahide Estuary SAC. However, it is considered that there will be very low amount of sediments displaced as a result of construction that may leave the immediate working area. No changes in the water quality of the neighbouring transitional waters or downstream watercourses are expected as a result. Dust, noise and vibration arising during construction will similarly be remote from any European site. Construction-related impacts as a result of the proposed works, on European sites or otherwise, can therefore be excluded. Given the nature, size and location of the proposed works, as described in Section 5.1.1 and 5.1.2, there would be no significant effects on the conservation objectives of the European site.</p> <p>Any pollution arising during construction would be so diluted as to be undetectable by the time the water enters the Malahide Estuary. Furthermore, the proposed works will take place over a comparatively short period and there is no possibility of long-term impacts arising as a result of the construction elements of the proposed scheme given the nature and scale of the proposed works, on an already developed site and its location within the existing residential and hardstanding areas.</p> <p>There will be no loss of habitat or species, fragmentation or disturbance to the qualifying interests of this site as a result of the proposed works.</p> <p>No operational impacts on this European site will occur as a result of the proposed scheme.</p>	No
Malahide Estuary SPA (site code 004025), adjacent	<ul style="list-style-type: none"> ■ A005 Great Crested Grebe (<i>Podiceps cristatus</i>) ■ A046 Brent Goose (<i>Branta bernicla hrota</i>) 	<p>No significant effects on water quality, and therefore on the site's SCIs, are predicted.</p> <p>Surface/ground water arising during construction of the proposed works could contain pollutants (silt, hydrocarbons and other chemicals). Such contaminated water could</p>	No

Site	Reasons for designation (information correct as of October 2023) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
to the north and east	<ul style="list-style-type: none"> ■ A048 Shelduck (<i>Tadorna tadorna</i>) ■ A054 Pintail (<i>Anas acuta</i>) ■ A067 Goldeneye (<i>Bucephala clangula</i>) ■ A069 Red-breasted (<i>Merganser Mergus serrator</i>) ■ A130 Oystercatcher (<i>Haematopus ostralegus</i>) ■ A140 Golden Plover (<i>Pluvialis apricaria</i>) ■ A141 Grey Plover (<i>Pluvialis squatarola</i>) ■ A143 Knot (<i>Calidris canutus</i>) ■ A149 Dunlin (<i>Calidris alpina alpina</i>) ■ A156 Black-tailed Godwit (<i>Limosa limosa</i>) ■ A157 Bar-tailed Godwit (<i>Limosa lapponica</i>) ■ A162 Redshank (<i>Tringa tetanus</i>) ■ A999 Wetlands <p>According to this SPA's site Conservation Objectives document (Version 1, dated 16 August 2013), for each of the listed SCIs, the Conservation Objective is to maintain the favourable conservation condition of the species and wetland habitat for which the SPA has been selected.</p>	<p>potentially discharge to the ground or the local surface water drainage network or the Broadmeadow Estuary and from there, to Malahide Estuary SPA. However, it is considered that there will be very low amount of sediments displaced as a result of construction that may leave the immediate working area. No changes in the water quality of the neighbouring transitional waters or downstream watercourses are expected as a result. Dust, noise and vibration arising during construction will similarly be remote from any European site. Construction-related impacts as a result of the proposed works, on European sites or otherwise, can therefore be excluded. Given the nature, size and location of the proposed works, as described in Section 5.1.1 and 5.1.2, there would be no significant effects on the conservation objectives of the European site.</p> <p>Any pollution arising during construction would be so diluted as to be undetectable by the time the water enters the Malahide Estuary. Furthermore, the proposed works will take place over a comparatively short period and there is no possibility of long-term impacts arising as a result of the construction elements of the proposed scheme given the nature and scale of the proposed works, on an already developed site and its location within the existing residential areas.</p> <p>There will be no loss of habitat or species, fragmentation or disturbance to the special conservation interests of this site as a result of the proposed works.</p> <p>No operational impacts on this European site will occur as a result of the proposed scheme.</p>	
North-west Irish Sea SPA (site code 004236), c. 25.8km to the east	<ul style="list-style-type: none"> ■ A065 Common Scoter (<i>Melanitta nigra</i>) ■ A001 Red-throated Diver (<i>Gavia stellata</i>) ■ A003 Great Northern Diver (<i>Gavia immer</i>) 	<p>No significant effects on water quality, and therefore on the site's SCIs, are predicted.</p> <p>Surface/ground water arising during construction of the proposed works could contain pollutants (silt, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the ground or the local surface water drainage network or the Broadmeadow Estuary and from there, to North-west Irish Sea SPA. However, it is</p>	No

Site	Reasons for designation (information correct as of October 2023) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	<ul style="list-style-type: none"> ■ A009 Fulmar (<i>Fulmarus glacialis</i>) ■ A013 Manx Shearwater (<i>Puffinus puffinus</i>) ■ A018 Shag (<i>Phalacrocorax aristotelis</i>) ■ A017 Cormorant (<i>Phalacrocorax carbo</i>) ■ A177 Little Gull (<i>Larus minutus</i>) ■ A188 Kittiwake (<i>Rissa tridactyla</i>) ■ A179 Black-headed Gull (<i>Chroicocephalus ridibundus</i>) ■ A182 Common Gull (<i>Larus canus</i>) ■ A183 Lesser Black-backed Gull (<i>Larus fuscus</i>) ■ A184 Herring Gull (<i>Larus argentatus</i>) ■ A187 Great Black-backed Gull (<i>Larus marinus</i>) ■ A195 Little Tern (<i>Sterna albifrons</i>) ■ A192 Roseate Tern (<i>Sterna dougallii</i>) ■ A193 Common Tern (<i>Sterna hirundo</i>) ■ A194 Arctic Tern (<i>Sterna paradisaea</i>) ■ A204 Puffin (<i>Fratercula arctica</i>) ■ A200 Razorbill (<i>Alca torda</i>) ■ A199 Guillemot (<i>Uria aalge</i>) <p>According to this SPA's site Conservation Objectives document (Version 1 - dated 19 September 2023), for each of the listed SCIs, the Conservation Objective maintain or restore the favourable conservation condition of the species for which the SPA has been selected.</p>	<p>considered that there will be very low amount of sediments displaced as a result of construction that may leave the immediate working area. No changes in the water quality of the neighbouring transitional waters or downstream watercourses are expected as a result. Dust, noise and vibration arising during construction will similarly be remote from any European site. Construction-related impacts as a result of the proposed works, on European sites or otherwise, can therefore be excluded. Given the nature, size and location of the proposed works, as described in Section 5.1.1 and 5.1.2, there would be no significant effects on the conservation objectives of the European site.</p> <p>Any pollution arising during construction would be so diluted as to be undetectable by the time the water enters the Irish Sea. Furthermore, the proposed works will take place over a comparatively short period and there is no possibility of long-term impacts arising as a result of the construction elements of the proposed scheme given the nature and scale of the proposed works, on an already developed site and its location within the existing residential area.</p> <p>There will be no loss of habitat or species, fragmentation or disturbance to the special conservation interests of this site as a result of the proposed works.</p> <p>No operational impacts on this European site will occur as a result of the proposed scheme.</p>	

Site	Reasons for designation (information correct as of October 2023) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
Baldoyle Bay SAC (site code 000199), c. 4.2km to the south-east	<ul style="list-style-type: none"> ■ 1140 Mudflats and sandflats not covered by seawater at low tide ■ 1310 <i>Salicornia</i> and other annuals colonising mud and sand ■ 1330 Atlantic salt meadows (<i>Glaucopuccinellietalia maritimae</i>) ■ 1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>) <p>According to this SAC's site Conservation Objectives document (Version 1, dated 19 November 2012), for each of the listed QIs, the Conservation Objective is to maintain the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p>	<p>There is no direct hydrological link or any other pathway between the proposed works and this SAC. It is approximately 4.2km distant and is unconnected via surface water pathway.</p> <p>There is a potential indirect hydrological pathway between the proposed works and European Sites in Irish Sea via Broadmeadow Estuary. However, as detailed above, it is considered that there will be very low amount of sediments displaced as a result of construction that may leave the immediate working area. No changes in the water quality of the neighbouring transitional waters or downstream watercourses are expected as a result. A significant level of dilution and mixing of surface water would occur in any event. Dust, noise and vibration arising during construction will similarly be remote from any European site. Construction-related impacts as a result of the proposed works, on European sites or otherwise, can therefore be excluded. Given the nature, size and location of the proposed works, as described in Section 5.1.1 and 5.1.2, there would be no significant effects on the conservation objectives of the European site. No operational phase impacts as a result of the proposed works are anticipated.</p> <p>Furthermore there will be no loss of species, fragmentation or disturbance to the QI's of this SAC as a result of the proposed works.</p>	No
Baldoyle Bay SPA (site code 004016), c. 4.2km to the south-east	<ul style="list-style-type: none"> ■ A046 Brent Goose (<i>Branta bernicla hrota</i>) ■ A048 Shelduck (<i>Tadorna tadorna</i>) ■ A137 Ringed Plover (<i>Charadrius hiaticula</i>) ■ A140 Golden Plover (<i>Pluvialis apricaria</i>) ■ A141 Grey Plover (<i>Pluvialis squatarola</i>) ■ A157 Bar-tailed Godwit (<i>Limosa lapponica</i>) ■ A999 Wetlands 	<p>There is no direct hydrological link or any other pathway between the proposed works and this SPA. It is approximately 4.2km distant and is unconnected via surface water pathway.</p> <p>There is a potential indirect hydrological pathway between the proposed works and European Sites in Irish Sea via Broadmeadow Estuary. However, as detailed above, it is considered that there will be very low amount of sediments displaced as a result of construction that may leave the immediate working area. No changes in the water quality of the neighbouring transitional waters or downstream watercourses are expected as a result. A significant level of dilution and mixing of surface water would occur in any event. Dust, noise and vibration arising during construction will similarly be remote from any European site. Construction-related impacts as a result of the proposed works, on European sites or otherwise, can therefore be excluded. Given the nature, size and location of the proposed works, as described in Section 5.1.1 and</p>	No

Site	Reasons for designation (information correct as of October 2023) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	According to this SPA's site Conservation Objectives document (Version 1 - dated 27 February 2013), for each of the listed SCIs, the Conservation Objective is to maintain the favourable conservation condition of the species and wetland habitat for which the SPA has been selected.	5.1.2, there would be no significant effects on the conservation objectives of the European site. No operational phase impacts as a result of the proposed works are anticipated. Furthermore there will be no loss of species, fragmentation or disturbance to the SCI's of this SPA as a result of the proposed works.	
Rogerstown Estuary SAC (site code 000208), c. 4.9km to the north	<ul style="list-style-type: none"> ■ 1130 Estuaries ■ 1140 Mudflats and sandflats not covered by seawater at low tide ■ 1310 <i>Salicornia</i> and other annuals colonising mud and sand ■ 1330 Atlantic salt meadows (<i>Glaucopuccinellietalia maritimae</i>) ■ 1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>) ■ 2120 Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) ■ 2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)* <p>*indicates a priority habitat under the Habitats Directive</p> <p>According to this SAC's site Conservation Objectives document (Version 1, dated 14 August 2013), for each of the listed QIs, the Conservation Objective is to maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p>	<p>There is no direct hydrological link or any other pathway between the proposed works and this SAC. It is approximately 4.9km distant and is unconnected via surface water pathway.</p> <p>There is a potential indirect hydrological pathway between the proposed works and European Sites in Irish Sea via Broadmeadow Estuary. However, as detailed above, it is considered that there will be very low amount of sediments displaced as a result of construction that may leave the immediate working area. No changes in the water quality of the neighbouring transitional waters or downstream watercourses are expected as a result. A significant level of dilution and mixing of surface water would occur in any event. Dust, noise and vibration arising during construction will similarly be remote from any European site. Construction-related impacts as a result of the proposed works, on European sites or otherwise, can therefore be excluded. Given the nature, size and location of the proposed works, as described in Section 5.1.1 and 5.1.2, there would be no significant effects on the conservation objectives of the European site. No operational phase impacts as a result of the proposed works are anticipated.</p> <p>Furthermore there will be no loss of species, fragmentation or disturbance to the QI's of this SAC as a result of the proposed works.</p>	No

Site	Reasons for designation (information correct as of October 2023) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
Rogerstown Estuary SPA (site code 004015), c. 4.9km to the north	<ul style="list-style-type: none"> ■ A043 Greylag Goose (<i>Anser anser</i>) ■ A046 Brent Goose (<i>Branta bernicla hrota</i>) ■ A048 Shelduck (<i>Tadorna tadorna</i>) ■ A056 Shoveler (<i>Anas clypeata</i>) ■ A130 Oystercatcher (<i>Haematopus ostralegus</i>) ■ A137 Ringed Plover (<i>Charadrius hiaticula</i>) ■ A141 Grey Plover (<i>Pluvialis squatarola</i>) ■ A143 Knot (<i>Calidris canutus</i>) ■ A149 Dunlin (<i>Calidris alpina alpina</i>) ■ A156 Black-tailed Godwit (<i>Limosa limosa</i>) ■ A162 Redshank (<i>Tringa tetanus</i>) ■ A999 Wetlands <p>According to this SPA's site Conservation Objectives document (Version 1 - dated 20 May 2013), for each of the listed SCIs, the Conservation Objective is to maintain the favourable conservation condition of the species and wetland habitat for which the SPA has been selected.</p>	<p>There is no direct hydrological link or any other pathway between the proposed works and this SPA. It is approximately 4.9km distant and is unconnected via surface water pathway.</p> <p>There is a potential indirect hydrological pathway between the proposed works and European Sites in Irish Sea via Broadmeadow Estuary. However, as detailed above, it is considered that there will be very low amount of sediments displaced as a result of construction that may leave the immediate working area. No changes in the water quality of the neighbouring transitional waters or downstream watercourses are expected as a result. A significant level of dilution and mixing of surface water would occur in any event. Dust, noise and vibration arising during construction will similarly be remote from any European site. Construction-related impacts as a result of the proposed works, on European sites or otherwise, can therefore be excluded. Given the nature, size and location of the proposed works, as described in Section 5.1.1 and 5.1.2, there would be no significant effects on the conservation objectives of the European site. No operational phase impacts as a result of the proposed works are anticipated.</p> <p>Furthermore there will be no loss of species, fragmentation or disturbance to the SCI's of this SPA as a result of the proposed works.</p>	No
Rockabill to Dalkey Island SAC (site code 003000), c. 6.4km to the east	<ul style="list-style-type: none"> ■ 1170 Reefs ■ 1351 Harbour Porpoise (<i>Phocoena phocoena</i>) <p>According to this SAC's site Conservation Objectives document (Version 1, dated 07 May 2013), for each of the listed QIs, the Conservation Objective is to maintain the favourable conservation condition of the</p>	<p>There is no direct hydrological link or any other pathway between the proposed works and this SAC. It is approximately 6.4km distant and is unconnected via surface water pathway.</p> <p>There is a potential indirect hydrological pathway between the proposed works and European Sites in Irish Sea via Broadmeadow Estuary. However, as detailed above, it is considered that there will be very low amount of sediments displaced as a result of construction that may leave the immediate working area. No changes in the water quality of the neighbouring transitional waters or downstream watercourses are</p>	No

Site	Reasons for designation (information correct as of October 2023) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.	<p>expected as a result. A significant level of dilution and mixing of surface water would occur in any event. Dust, noise and vibration arising during construction will similarly be remote from any European site. Construction-related impacts as a result of the proposed works, on European sites or otherwise, can therefore be excluded. Given the nature, size and location of the proposed works, as described in Section 5.1.1 and 5.1.2, there would be no significant effects on the conservation objectives of the European site. No operational phase impacts as a result of the proposed works are anticipated.</p> <p>Furthermore there will be no loss of species, fragmentation or disturbance to the QI's of this SAC as a result of the proposed works.</p>	
North Dublin Bay SAC (site code 000206), c. 7.8km to the south-east	<ul style="list-style-type: none"> ■ 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>Glaucopuccinellietalia maritima</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>) <p>According to this SAC's site Conservation Objectives document (Version 1, dated 06 November 2013), for each of the listed QIs,</p>	There is no hydrological link or any other pathway between the proposed scheme area and this SAC. It is over 7.8km distant and is completely unconnected. Furthermore there will be no loss of habitat or species, fragmentation or disturbance to the qualifying interests of this SAC as a result of the proposed scheme.	No

Site	Reasons for designation (information correct as of October 2023) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	the Conservation Objective is to maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.		
North Bull Island SPA (site code 004006), c. 7.8km to the south-east	<ul style="list-style-type: none"> ■ 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>) ■ A999 Wetlands <p>According to this SPA's site Conservation Objectives document (Version 1, dated 9</p>	There is no hydrological link or any other pathway between the proposed scheme site and this SPA. It is over 7.8km distant and is completely unconnected. Furthermore there will be no loss of habitat or species, fragmentation or disturbance to the SCI's of this SPA as a result of the proposed scheme.	No

Site	Reasons for designation (information correct as of October 2023) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	March 2015), for each of the listed SCIs, the Conservation Objective is to maintain the favourable conservation condition of the species and wetland habitat for which the SPA has been selected.		
Ireland's Eye SAC (site code 002193), c. 8.2km to the south-east	<ul style="list-style-type: none"> ■ 1220 Perennial vegetation of stony banks ■ 1230 Vegetated sea cliffs of the Atlantic and Baltic coasts <p>According to this SAC's site Conservation Objectives document (Version 1, dated 27 January 2017), for each of the listed QIs, the Conservation Objective is to maintain the favourable conservation condition of the Annex I habitat(s) for which the SAC has been selected.</p>	<p>There is no direct hydrological link or any other pathway between the proposed works and this SAC. It is approximately 8.2km distant and is unconnected via surface water pathway.</p> <p>There is a potential indirect hydrological pathway between the proposed works and European Sites in Irish Sea via Broadmeadow Estuary. However, as detailed above, it is considered that there will be very low amount of sediments displaced as a result of construction that may leave the immediate working area. No changes in the water quality of the neighbouring transitional waters or downstream watercourses are expected as a result. A significant level of dilution and mixing of surface water would occur in any event. Dust, noise and vibration arising during construction will similarly be remote from any European site. Construction-related impacts as a result of the proposed works, on European sites or otherwise, can therefore be excluded. Given the nature, size and location of the proposed works, as described in Section 5.1.1 and 5.1.2, there would be no significant effects on the conservation objectives of the European site. No operational phase impacts as a result of the proposed works are anticipated.</p> <p>Furthermore there will be no loss of species, fragmentation or disturbance to the QI's of this SAC as a result of the proposed works.</p>	No
Ireland's Eye SPA (site code 004117), c. 8.2km to the south-east	<ul style="list-style-type: none"> ■ A017 Cormorant (<i>Phalacrocorax carbo</i>) ■ A184 Herring Gull (<i>Larus argentatus</i>) ■ A188 Kittiwake (<i>Rissa tridactyla</i>) ■ A199 Guillemot (<i>Uria aalge</i>) ■ A200 Razorbill (<i>Alca torda</i>) <p>According to this SPA's First Order Site-specific Conservation Objectives document</p>	<p>There is no direct hydrological link or any other pathway between the proposed works and this SPA. It is approximately 8.2km distant and is unconnected via surface water pathway.</p> <p>There is a potential indirect hydrological pathway between the proposed works and European Sites in Irish Sea via Broadmeadow Estuary. However, as detailed above, it is considered that there will be very low amount of sediments displaced as a result of construction that may leave the immediate working area. No changes in the water</p>	No

Site	Reasons for designation (information correct as of October 2023) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	(Version 1.0, dated 12 October 2022), for each of the listed SCIs, the Conservation Objective is to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.	<p>quality of the neighbouring transitional waters or downstream watercourses are expected as a result. A significant level of dilution and mixing of surface water would occur in any event. Dust, noise and vibration arising during construction will similarly be remote from any European site. Construction-related impacts as a result of the proposed works, on European sites or otherwise, can therefore be excluded. Given the nature, size and location of the proposed works, as described in Section 5.1.1 and 5.1.2, there would be no significant effects on the conservation objectives of the European site. No operational phase impacts as a result of the proposed works are anticipated.</p> <p>Furthermore there will be no loss of species, fragmentation or disturbance to the SCI's of this SPA as a result of the proposed works.</p>	
Lambay Island SAC (site code 000204), c. 9.7km to the north-east	<ul style="list-style-type: none"> ■ 1170 Reefs ■ 1230 Vegetated sea cliffs of the Atlantic and Baltic coasts ■ 1364 Grey seal (<i>Halichoerus grypus</i>) ■ 1365 Harbour seal (<i>Phoca vitulina</i>) <p>According to this SAC's site Conservation Objectives document (Version 1, dated 22 July 2013), for each of the listed QIs, the Conservation Objective is to maintain the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p>	<p>There is no direct hydrological link or any other pathway between the proposed works and this SAC. It is approximately 9.7km distant and is unconnected via surface water pathway.</p> <p>There is a potential indirect hydrological pathway between the proposed works and European Sites in Irish Sea via Broadmeadow Estuary. However, as detailed above, it is considered that there will be very low amount of sediments displaced as a result of construction that may leave the immediate working area. No changes in the water quality of the neighbouring transitional waters or downstream watercourses are expected as a result. A significant level of dilution and mixing of surface water would occur in any event. Dust, noise and vibration arising during construction will similarly be remote from any European site. Construction-related impacts as a result of the proposed works, on European sites or otherwise, can therefore be excluded. Given the nature, size and location of the proposed works, as described in Section 5.1.1 and 5.1.2, there would be no significant effects on the conservation objectives of the European site. No operational phase impacts as a result of the proposed works are anticipated.</p> <p>Furthermore there will be no loss of species, fragmentation or disturbance to the QI's of this SAC as a result of the proposed works.</p>	No

Site	Reasons for designation (information correct as of October 2023) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
Lambay Island SPA (site code 004069), c. 9.7km to the north-east	<ul style="list-style-type: none"> ■ A043 Greylag Goose (<i>Anser anser</i>) ■ A200 Razorbill (<i>Alca torda</i>) ■ A184 Herring Gull (<i>Larus argentatus</i>) ■ A009 Fulmar (<i>Fulmarus glacialis</i>) ■ A204 Puffin (<i>Fratercula arctica</i>) ■ A183 Lesser Black-backed Gull (<i>Larus fuscus</i>) ■ A188 Kittiwake (<i>Rissa tridactyla</i>) ■ A199 Guillemot (<i>Uria aalge</i>) ■ A018 Shag (<i>Phalacrocorax aristotelis</i>) ■ A017 Cormorant (<i>Phalacrocorax carbo</i>) <p>According to this SPA's First Order Site-specific Conservation Objectives document (Version 1.0, dated 12 October 2022), for each of the listed SCIs, the Conservation Objective is to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.</p>	<p>There is no direct hydrological link or any other pathway between the proposed works and this SPA. It is approximately 9.7km distant and is unconnected via surface water pathway.</p> <p>There is a potential indirect hydrological pathway between the proposed works and European Sites in Irish Sea via Broadmeadow Estuary. However, as detailed above, it is considered that there will be very low amount of sediments displaced as a result of construction that may leave the immediate working area. No changes in the water quality of the neighbouring transitional waters or downstream watercourses are expected as a result. A significant level of dilution and mixing of surface water would occur in any event. Dust, noise and vibration arising during construction will similarly be remote from any European site. Construction-related impacts as a result of the proposed works, on European sites or otherwise, can therefore be excluded. Given the nature, size and location of the proposed works, as described in Section 5.1.1 and 5.1.2, there would be no significant effects on the conservation objectives of the European site. No operational phase impacts as a result of the proposed works are anticipated.</p> <p>Furthermore there will be no loss of species, fragmentation or disturbance to the SCI's of this SPA as a result of the proposed works.</p>	No
Howth Head SAC (site code 000202), c. 9.8km to the south-east	<ul style="list-style-type: none"> ■ 1230 Vegetated sea cliffs of the Atlantic and Baltic coasts ■ 4030 European dry heaths <p>According to this SAC's site Conservation Objectives document (Version 1, dated 06 December 2016), for each of the listed QIs, the Conservation Objective is to maintain the favourable conservation condition of the Annex I habitats for which the SAC has been selected.</p>	<p>There is no direct hydrological link or any other pathway between the proposed works and this SAC. It is approximately 9.8km distant and is unconnected via surface water pathway.</p> <p>There is a potential indirect hydrological pathway between the proposed works and European Sites in Irish Sea via Broadmeadow Estuary. However, as detailed above, it is considered that there will be very low amount of sediments displaced as a result of construction that may leave the immediate working area. No changes in the water quality of the neighbouring transitional waters or downstream watercourses are expected as a result. A significant level of dilution and mixing of surface water would occur in any event. Dust, noise and vibration arising during construction will similarly be remote from any European site. Construction-related impacts as a result of the</p>	No

Site	Reasons for designation (information correct as of October 2023) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
		<p>proposed works, on European sites or otherwise, can therefore be excluded. Given the nature, size and location of the proposed works, as described in Section 5.1.1 and 5.1.2, there would be no significant effects on the conservation objectives of the European site. No operational phase impacts as a result of the proposed works are anticipated.</p> <p>Furthermore there will be no loss of species, fragmentation or disturbance to the QI's of this SAC as a result of the proposed works.</p>	
Howth Head Coast SPA (site code 004113), c. 10.4km to the south-east	<p>■ A188 Kittiwake (<i>Rissa tridactyla</i>)</p> <p>According to this SPA's First Order Site-specific Conservation Objectives document (Version 1.0, dated 12 October 2022), for the listed SCI, the Conservation Objective is to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.</p>	<p>There is no direct hydrological link or any other pathway between the proposed works and this SPA. It is approximately 10.4km distant and is unconnected via surface water pathway.</p> <p>There is a potential indirect hydrological pathway between the proposed works and European Sites in Irish Sea via Broadmeadow Estuary. However, as detailed above, it is considered that there will be very low amount of sediments displaced as a result of construction that may leave the immediate working area. No changes in the water quality of the neighbouring transitional waters or downstream watercourses are expected as a result. A significant level of dilution and mixing of surface water would occur in any event. Dust, noise and vibration arising during construction will similarly be remote from any European site. Construction-related impacts as a result of the proposed works, on European sites or otherwise, can therefore be excluded. Given the nature, size and location of the proposed works, as described in Section 5.1.1 and 5.1.2, there would be no significant effects on the conservation objectives of the European site. No operational phase impacts as a result of the proposed works are anticipated.</p> <p>Furthermore there will be no loss of species, fragmentation or disturbance to the SCI's of this SPA as a result of the proposed works.</p>	No

5.2 Summary of potential impacts of the proposed scheme

There will be no loss of any habitat or species listed as a QI or SCI of any designated site as a consequence of the proposed works. There is, therefore, no potential for the effects of habitat loss or fragmentation to occur.

There will also be no significant effects on any European sites as a result of:

- Habitat loss and/or fragmentation;
- Land-take;
- Resource requirements such as water abstraction;
- Impacts to habitat structure;
- Mortality to species (such as roadkill);
- Noise pollution / vibration impacts;
- Light pollution;
- Emissions to air (including dust);
- Emissions to water.

No invasive plant species (*i.e.* those species listed on Schedule 3 of the *Birds and Habitats Regulations, 2011 (as amended)*), such as Japanese knotweed or giant hogweed) were identified on site.

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

6 Mitigation Specific to European Sites

This screening assessment is consistent with the judgment of the European Court in Case C-323/17, *People Over Wind & Sweetman v Coillte* (Judgment of the Court (Seventh Chamber) of 12 April 2018) and the recent case-law of the High Court, including *Heather Hill Management Company CLG v An Bord Pleanála* [2019] IEHC 450 and *Sweetman v An Bord Pleanála* [2020] IEHC 39.

It is also consistent with the judgment in *Eco Advocacy CLG v An Bord Pleanála* [2021] IEHC 265. In that case, *Humphreys J* confirmed the core legal principle, being that regard should not be had to mitigation measures at AA screening stage. *Humphreys J* decided in that case that clarification was required from the CJEU on the matter (as it related to the consideration of SUDs and whether these represented mitigation measures).

The CJEU, in its ruling on this case dated 15 June 2023 clarified issues defining mitigation in the context of European sites⁶. It confirmed that Article 6(3) of Directive 92/43 *must be interpreted as meaning that, in order to determine whether it is necessary to carry out an appropriate assessment of the implications of a plan or project for a site, account may be taken of the features of that plan or project which involve the removal of contaminants and which therefore may have the effect of reducing the harmful effects of the plan or project on that site, where those features have been incorporated into that plan or project as standard features, inherent in such a plan or project, irrespective of any effect on the site.*

As set out in this report, it is certain that likely significant effects on European sites as a result of both the construction and operation of the proposed works can be excluded.

No mitigation is necessary or proposed for the protection of European sites.

⁶<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62021CC0721>

7 In-combination Effects

It is a requirement of Section 177U of the Planning Acts that, when considering whether a plan or project will have a significant effect on a European site, the assessment must take into account in-combination effects with other plans and projects. The assessment should consider plans and projects that are completed, approved but uncompleted, or proposed (but not yet approved)⁷. 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.

The following sources were consulted to identify relevant other plans or projects:

- Fingal Development Plan 2023-2029 (FCC, 2022);
- The National Planning Application database (www.myplan.ie - accessed October 2023);
- An Bord Pleanála database (www.pleanala.ie – accessed October 2023); and
- EIA Portal (www.housinggov.ie/maps.arcgis.com – accessed October 2023).

The proposed works will be part of and potentially interact with the wider transportation network. No developments are proposed within the immediate vicinity of the site that would, in combination with the scheme under appraisal in this report, give rise to significant effects. This includes projects that are currently under construction, have recently been granted planning permission or are awaiting a decision, such as:

- Planning reference: ABP 304624, Permission granted for Broadmeadow Way greenway between Malahide Demesne and Newbridge Demesne. The greenway would travel along a linear site extending c.6km in length between Malahide Castle and Newbridge House and their surrounding parklands.
- There are a wide variety of other applications and permissions in the area. However, minor developments, such as one-off housing, erection of signage and other minor structures and extensions, have been excluded due to the exceedingly low likelihood of significant cumulative impacts.

The Fingal Development Plan 2023-2029 (FCC, 2022) have a series of objectives intended to protect and enhance the natural environment and also to promote active travel and safe access to schools. Fingal County Council has prioritised the promotion of active travel as part of our ongoing commitment to Climate Action and to support the decarbonisation of motorised transport and facilitate modal shift to walking, cycling and public transport and taking account of National and Regional policy and guidance, while supporting an efficient and effective transport system.

The proposed works will not impact on the flow of water through the area, nor increase potential flood impacts. It is in compliance with all of the relevant Plan objectives.

A number of other plans were considered when assessing in-combination effects, but it was determined that there would be no in-combination effects with these:

- The National Planning Framework (Project Ireland 2040);
- The Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019 – 2031 (The Eastern and Midland Regional Assembly);
- The Greater Dublin Strategic Drainage Study;
- Greater Dublin Area Transport Strategy 2022-2042;

⁷ 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)

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- Climate Action Plan 2023 (CAP 23 – Changing Ireland for the Better);
- Fingal County Council Draft Fingal Climate Action Plan 2024 – 2029 (public consultation documentation);
- National Biodiversity Action Plan 2017 – 2021.

It is considered that significant in-combination effects on European sites are not likely to occur as a result of the proposed development in combination with other plans or projects.

8 Screening Conclusion

In view of best scientific knowledge, this report concludes that the proposed works on Inbhir Íde Road in the vicinity of Pope John Paul II School, Malahide, Co. Dublin, to be carried out under the 'Safe Routes to School' programme, individually or in combination with another plan or project, will not have a significant effect on any European sites. This conclusion was reached without considering or taking into account mitigation measures or measures intended to avoid or reduce any impact on European sites.

It is considered that this report provides sufficient relevant information to allow Fingal County Council to carry out an Appropriate Assessment Screening, and reach a determination that the proposed scheme will not have any likely significant effects on European sites under Article 6 of the Habitats Directive in light of their conservation objectives.

9 References

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- DoEHLG (2010a). *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities*.
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- DoHLGH (2023). EIA Portal.
- European Commission (2021). *Assessment of plans and projects in relation to Natura 2000 sites- Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC*.
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- European Commission Environment Directorate-General (2021). *Guidance document on the strict protection of animal species of Community Interest under the Habitats Directive*.
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- NPWS (2021). Guidance for Public authorities on the Application of Articles 12 and 16 of the EU Habitats Directive to development/works undertaken by or on behalf of a Public authority.
- NPWS (2023). *Boundary data – Special Area of Conservation (SAC)*. [Update date 17/07/2023].
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- NPWS (2013). *Conservation objectives for Malahide Estuary SAC [000205] (Version 1)*.
- NPWS (2013). *Conservation objectives for Malahide Estuary SPA [004025] (Version 1)*.
- NPWS (2013). *Conservation objectives for Rogerstown Estuary SAC [000208] (Version 1)*.
- NPWS (2013). *Conservation objectives for Rogerstown Estuary SPA [004015] (Version 1)*.
- NPWS (2013). *Conservation objectives for Baldoyle Bay SPA [004016] (Version 1)*.
- NPWS (2012). *Conservation objectives for Baldoyle Bay SAC [000199] (Version 1)*.
- NPWS (2013). *Conservation objectives for Rockabill to Dalkey Island SAC [003000] (Version 1)*.
- NPWS (2013). *Conservation objectives for Lambay Island SAC [000204] (Version 1)*.
- NPWS (2022). *First Order Site-specific Conservation objectives for Lambay Island SPA [004069] (Version 1.0)*.
- NPWS (2022). *First Order Site-specific Conservation objectives for Ireland’s Eye SPA [004117] (Version 1.0)*.
- NPWS (2017). *Conservation objectives for Ireland’s Eye SAC [002193] (Version 1)*.
- NPWS (2016). *Conservation objectives for Howth Head Coast SAC [000202] (Version 1)*.
- NPWS (2022). *First Order Site-specific Conservation objectives for Howth Head Coast SPA [004113] (Version 1.0)*.
- NPWS (2013). *Conservation objectives for North Dublin Bay SAC [000206] (Version 1)*.
- NPWS (2015). *Conservation objectives for North Bull Island SPA [004006] (Version 1)*.
- NRA⁸ (2009). *Guidelines for Assessment of Ecological Impacts of National Road Schemes*.
- OPR (2021). *Practice Note PN01 Appropriate Assessment Screening for Development Management*.

⁸ Now Transport Infrastructure Ireland (TII).

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Appendix I: Background

The European⁹ 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 Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.

Where the site concerned hosts a priority natural habitat type and/or a priority species, the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.

The requirements of the Habitats Directive are transposed into Irish law by means of the European Union (Birds and Natural Habitats) Regulations 2011 (as amended) (hereafter referred to as the Birds and Habitats Regulations)¹⁰ and by the Planning and Development Act 2000, as amended.

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

⁹ 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”

¹⁰ SI No. 477 of 2011 and subsequent amendments

Stages in the Assessment

European Commission guidance (2021)¹¹ 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.

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.

¹¹ European Commission (2021) *Assessment of Plans and Projects in relation to Natura 2000 sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*

Appendix II: 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 Commission¹² 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;

Assess the likely significance of any effects on European sites.

¹² Managing Natura 2000 sites: the provisions of Article 6 of the Habitats Directive 92/43/EEC. (European Commission November 2018)

Brady Shipman Martin

DUBLIN

Mountpleasant Business Centre
Mountpleasant Avenue
Dublin 6

CORK

Penrose Wharf Business Centre
Penrose Wharf
Cork

LIMERICK

11 The Crescent
Limerick

+353 1 208 1900

mail@bradyshipmanmartin.com

www.bradysipmanmartin.com

