

Variation No. 2 of Fingal
Development Plan 2023-2029
Screening for Appropriate Assessment (AA)

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**Brady Shipman
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1 Introduction

1.1 Overview

This is the Screening for Appropriate Assessment (SEA) of *Variation No. 2 of Fingal Development Plan 2023-2029* (hereafter referred to as “Variation No. 2”).

In accordance with Section 13 of the Planning and Development Act 2000, as amended, Fingal County Council has prepared Variation No.2 of the Fingal County Development Plan 2023-2029.

Fingal County Council commissioned Brady Shipman Martin (BSM) to carry out the Screening for Appropriate Assessment (AA) of Variation No.2 in accordance with Article 6(3) of the Habitats Directive (92/43/EEC of 21 May 1992¹) and Regulation 42 of the European Communities (Birds and Natural Habitats) Regulations 2011, as amended.

This document constitutes an Appropriate Assessment Screening Report prepared for this purpose.

European sites are also known as Natura 2000 Sites (Special Areas of Conservation (SAC) and Special Protection Areas (SPA), and are designated for nature conservation. The requirements for an Appropriate Assessment are set out under *Article 6 of the EU Habitats Directive (92/43/EEC)*, transposed into Irish law through the *European Union (Birds and Natural Habitats) Regulations 2011-2015* and the *Planning and Development Act, 2000* (as amended) (Refer also to **Appendix I** of this report).

This Report has been prepared by Namrata Kaile, Ecologist and Environmental Consultant with 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 a full member of Chartered Institute of Ecology and Environmental Management (MCIEEM) and has been working professionally in the field of environmental consultancy for the last six 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).

1.2 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

¹ https://environment.ec.europa.eu/topics/nature-and-biodiversity/habitats-directive_en

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by the *European Union (Birds and Natural Habitats) Regulations 2011 as amended*² (the “Birds and Natural Habitats Regulations”) and the *Planning and Development Act, 2000 as amended* (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:

- (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.

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 project, 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.

The Variation is not required for the management of any European Site and this AA Screening Report has been prepared in accordance with the requirements of the Birds Directive, the Habitats Directive, the Planning Acts and the Birds and Natural Habitats Regulations.

2 Methodology

2.1 Baseline data collection and field visit

A desk-based assessment was undertaken in November and December 2025 of the site at Barberstown Lane South, Barnhill, and the wider area. This focused on habitats and species that are listed as

² SI No. 477 of 2011

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Qualifying Interests (QI) (in the case of SACs) and Special Conservation Interests (SCI) (in the case of SPAs) in the designations for European sites.

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) and in September 2024 (V1.3).
- 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*.

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>).
- Recent and historical OSi mapping and aerial photography, 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, December 2025).
- Ireland's 4th National Biodiversity Plan 2023 – 2030 (Department of Housing, Local Government and Heritage, 2024).
- Fingal Development Plan 2023 – 2029, including the accompanying Appropriate Assessment documentation (Natura Impact Report).

The report takes full account of the details of the Variation and a detailed examination of all relevant elements was undertaken. This includes the following documents:

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- Strategic Flood Risk Assessment (JBA 2025);
- Strategic Environmental Assessment Screening Report (BSM 2025-2026).

Given the amount of information available, including from Fingal County Council, 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 Variation on the qualifying interests of the European sites.

3 Summary of Variation No.2

3.1 Overview and Background

Variation No. 2 to the Fingal Development Plan 2023 – 2029 adopts a formal land use zoning objective for lands known as Áras Mhuire Field, Barberstown Lane South, Barnhill, County Dublin.

The subject Lands comprises c.4.3 hectares southeast of Barberstown Lane, located within the Blanchardstown Development Boundary bounded by Royal Canal and the Irish Rail line to the east and an unnamed stream/river to the south and southwest. The site currently hosts 1no. dwelling house on the smaller of the two plots in southwestern corner with the larger plot appearing to be an agricultural field.

In 2023, the Fingal Development Plan 2023-2029 was the subject of a legal challenge by the landholder of the subject Lands. As a consequence of the subsequent court order the subject lands were unzoned and required to be zoned. This also necessitates the revision of the relevant flood mapping in the Strategic Flood Risk Assessment (SFRA) of the Fingal Development Plan 2023-2029 as this relates to the extent of the subject lands, in order to reflect the proposed zoning objective.

The zoning of the subject lands is considered in the context of the revised flood risk assessment carried out by JBA Consulting Ireland. The SFRA which is included as Appendix 3 to the Draft Variation is to ensure that flood risk is fully integrated into the Variation process regarding the subject lands.

The Court Order in effect quashed the ‘OS’ Open Space zoning objective attached to the subject lands in the Fingal Development Plan 2023-2029 rendering the subject lands ‘Unzoned land’ and quashed the relevant part of the Flood Maps in the Fingal Strategic Flood Risk Assessment (SFRA 2023) in the Fingal Development Plan 2023-2029 to the extent of the subject lands

The Planning Authority is of the view that the most appropriate zoning objective for these lands, is ‘OS’ – Open Space (refer to **Figure 3.1**). This Open Space zoning is considered appropriate for these lands, following the carrying out of a Strategic Flood Risk Assessment which indicates the lands are not suitable for vulnerable uses. The proposed zoning adheres to the current guidance contained within The Planning System and Flood Risk Management, OPW (2009) considering the extent of present-day flood risk, as established in Appendix 3 of the Variation. Furthermore, there is a requirement for the provision of open space lands across the County and these lands will form part of a larger open space which will provide an important amenity for the residents in Barnhill.

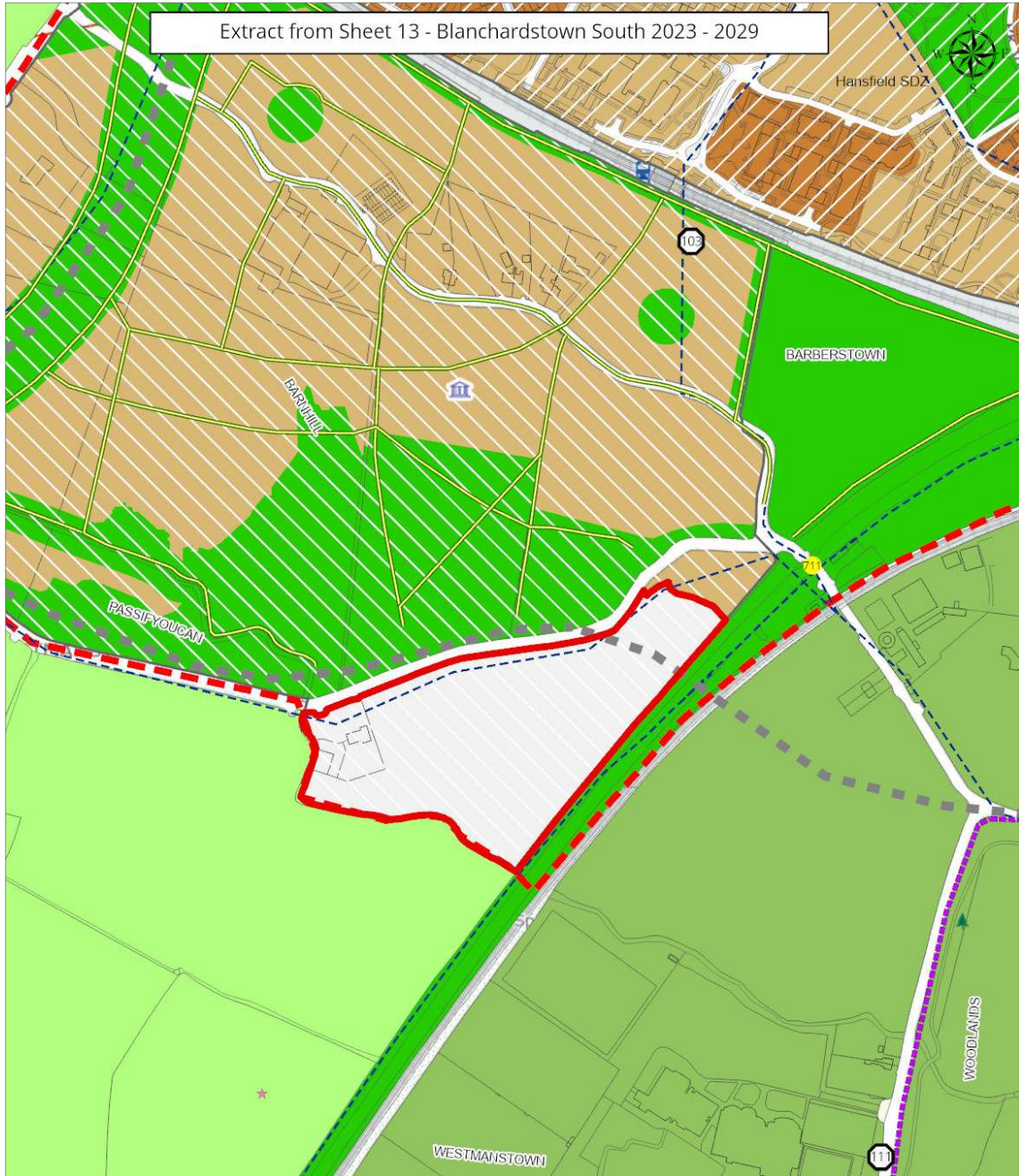


Figure 3.1: Extract from Sheet No.13 Blanchardstown South showing extent of the lands subject to Variation No.2 (white lands outlined in red).

3.2 Strategic Flood Risk Assessment (SFRA)

JBA Consulting was commissioned by Fingal County Council to undertake a Strategic Flood Risk Assessment for the subject lands informing Variation 2 to the Fingal Development Plan 2023-2029.

The SFRA notes (Section 7 Conclusion, JBA 2025), that the Barnhill Stream (which runs along the southern / southwestern boundary of the lands), while not included in the CFRAM project, is covered under the National Indicative Fluvial Mapping (NIFM), which indicates that most of the lands of the Variation lie within the 1% AEP and 0.1% AEP flood extents. Accordingly, the Fingal Development Plan

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Flood Zones classify much of the area as Flood Zone A/B. Previous hydraulic studies were reviewed but deemed unsuitable, as they do not fully reflect the post-development conditions of the Ongar Road Project or other structures and therefore cannot accurately assess flood risk to the Subject Lands. To address this, additional survey work and hydrological and hydraulic analysis were undertaken to produce a detailed Stage 3 Strategic Flood Risk Assessment that incorporates recent local infrastructure improvements/changes.

While including one residential property, the Variation lands are mainly undeveloped / pastoral and 95% of the area functions as a floodplain which also offers storage for residual risk culvert blockage events as well as future additional storage for climate change impacts. When considering the combination of the present day Flood Zones in addition to the scale of residual risk, climate change risk (which shows 99% of the land to be impacted) and the inability to effectively mitigate risk through design levels set by the SFRA (land raising) and the necessary Flood Compensatory Storage, the conclusion is that the proposed Open Space land use zoning is appropriate. Designation of the Subject Lands for more vulnerable uses would not be appropriate or in accordance with local, regional or national policy.

By prioritising avoidance of highly and less vulnerable uses in areas of highest risk and encouraging water-compatible uses the Variation ensures that flood risk management is fully integrated with spatial planning. This approach supports sustainable land use in accordance with the NPF, OPW Section 28 Guidelines and the Fingal Development Plan policy/objectives.

3.3 Screening for Strategic Environmental Assessment (SEA)

Variation No. 2 has been screened for Strategic Environmental Assessment (SEA) (BSM, 2025-2026) in accordance with the requirements of Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment and the requirements of Article 13K(1) of the Planning and Development Regulations 2001 as amended, and the SEA Regulations (S.I. 436/2004 as amended by S.I. 201/2011). It has been concluded that potential for likely significant effects on the environment will not arise and that Strategic Environmental Assessment (SEA), including the preparation of an Environmental Report (ER) is not required.

A submission / observation from the Development Applications Unit (DAU) of the Department of Housing, Local Government and Heritage (DoHLGH)³ in relation to consultation on SEA, considers that:

'no significant effects on flora, fauna or ecologically significant habitats should result from the re-zoning of the lands subject to proposed Variation No. 2',

...and that...

'retention of the Open Space zoning for the land concerned should help protect biodiversity in the adjacent Royal Canal proposed Natural Heritage Area (pNHA) by maintaining a buffer area of undeveloped land between the pNHA and lands to the north-west, mainly zoned to be developed for residential purposes and is, therefore, supported by the Department.'

³ Refer to Appendix B of the Draft Variation No.2 Screening for Strategic Environmental Assessment Report (BSM 2025)

4 Screening for Appropriate Assessment (AA)

4.1 Background

The first part of the AA process is the screening phase. Screening identifies the likely effects of the proposed Variation 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 Variation, as follows:

- To assess, in view of best scientific knowledge, if the Variation, 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 Variation, 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.

In addition to the foregoing, the Office of the Planning regulator (the OPR) Practice Note “*Appropriate Assessment Screening for Development Management*”, dated March 2021 – also details a number of key concepts relevant to AA Screening, including “*Best Scientific Knowledge/Information in the Field*” (pg.5), stating:

“The screening determination must be based on scientific information relevant to the likely effects on the conservation objectives of the relevant European sites. The information should be up-to-date and based on the best available techniques and methods to estimate the presence and extent of effects. This is because if there is any scientific uncertainty as to the absence of significant effects, the project must be screened in for appropriate assessment.

In the vast majority of cases the information provided by the applicant (including the project description) and publicly available information in relation to the European sites in question and information published by the NPWS, the EPA and others in relation to such sites, should provide a sufficient level of objective scientific information to allow the planning authority to make an informed decision on screening.”

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 development, either alone or in combination with other plans and projects, are likely, uncertain or unknown, then an Appropriate Assessment must be carried out. This is in accordance with established precedent and case law.

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

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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. In other words, the existence of a source, a pathway and a receptor does not necessarily mean that a significant effect is likely.

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

4.3 Study area and surrounding environment

4.3.1 Site location and European sites

Barnhill is located circa 3.5km from Blanchardstown Town Centre, 4.3km from Blanchardstown Main Street and 12.7km from O’Connell Street, Dublin. The subject lands are situated directly west of the Royal Canal and the Dublin-Maynooth railway line, south of Barberstown Lane South.

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The site is located in the Liffey sub-catchment of the Liffey and Dublin Bay catchment. There are no watercourses within the lands themselves⁴, but the Rusk (Barnhill) Stream borders the site to the south, and flows under the Royal Canal to the east and on through Luttrellstown Golf Course to the east.

The location of the lands subject to proposed Variation No.2 is shown in **Figure 3.1**.

4.3.2 European sites

There are three European sites located within a 15km radius of the subject site (see **Figure 2**). These are:

- **Special Areas of Conservation (SAC)**
 - Rye Water Valley/Carton SAC (site code 001398), c.3.5km to the west;
 - Glenasmole Valley SAC (site code 001209), c.14.7km to the south;
- **Special Protection Areas (SPA)**
 - South Dublin Bay and River Tolka Estuary SPA (site code 004024), c.14.5km to the east;

Beyond the 15km zone, there are a number of additional European sites:

- South Dublin Bay SAC (site code 000210), c.16.2km to the east;
- Wicklow Mountains (site code 002122), c.16.7km to the south;
- North Dublin Bay SAC (site code 000206), c.17.6km to the east;
- Malahide Estuary SAC (site code 000205), c.18.2km to the north east;
- Baldoyle Bay SAC (site code 000199), c.20.2km to the north east;
- Rogerstown Estuary SAC (site code 000208), c.21.0km to the north east;
- Red Bog, Kildare SAC (site code 000397), c.21.2km to the south west;
- Howth Head SAC (site code 000202), c.23.0km to the east;
- Ballynafagh Bog SAC (site code 000391), c.23.5km to the south west);
- Rockabill to Dalkey Island SAC (site code 003000), c.23.7km to the east;
- Ballynafagh Lake SAC (site code 001387), c.21.0km to the south west)
- Knocksink Wood SAC (site code 000725), c.24.4km to the south east;
- Ireland's Eye SAC (site code 002193), c.25.0km to the east;

- North Bull Island SPA (site code 004006), c.17.6km to the east;
- Malahide Estuary SPA (site code 004025), c.18.4km to the north east;
- Wicklow Mountains SPA (site code 004040), c.18.7km to the south;
- North-west Irish Sea SPA (site code 004236), c.20.0km to the east;
- Baldoyle Bay SPA (site code 004016), c.20.4km to the north east;
- Rogerstown Estuary SPA (site codes 004015), c.21.7km to the north east;

⁴ <https://gis.epa.ie/EPAMaps/>

5 Potential impacts from Variation No. 2, including in-combination effects

5.1 European sites and habitats with links to European sites

The subject site is not under any wildlife or conservation designation. Furthermore, no rare, threatened or legally protected plant species, as listed in the *Irish Red Data Book 1 – Vascular Plants (Curtis & McGough, 1988)*, the *Flora Protection Order, 2022* or the *EU Habitats Directive*, are known to occur within the site.

No features of any ecological significance in the context of European sites are present within the subject lands. No evidence of any habitats or species with links to European sites was recorded in the desk study or during any of the field surveys undertaken and no ‘reservoir’ type habitats (habitats which have the potential to support Qualifying Interest/Special Conservation Interest species in any European site) are present.

There will be no loss of any habitat or species listed as a Qualifying Interest or Special Conservation Interest of any designated site as a consequence of the implementation of the proposed Variation.

5.1.1 Surface and ground water

There is a potential water pathway between the subject lands and coastal European sites associated with Dublin Bay (the nearest of which, South Dublin Bay and River Tolka Estuary SPA, is over 14km to the east). Given the distances, there is no realistic groundwater pathway between the subject lands and the European sites should indirect discharges (i.e. spillages to ground) occur. The potential surface water pathway is via the Royal Canal along the eastern boundary of the site (highly unlikely) and the River Liffey, which is located to the south (linked to the site via minor streams). There is however no pathway between the subject lands and the nearest European site (Rye Water Valley/Carton SAC). This site is almost 4km to the west and entirely unconnected.

Despite the presence of these theoretical indirect pathways, the risk of contamination of any watercourses or groundwater by this variation is negligible. There is no possibility of any significant effects on any **offshore European sites**.

It is clear that there is no possibility of any significant effects on European sites via surface or ground water, arising out of the implementation of the Variation.

There is no possibility of any other potential direct, indirect or secondary impacts on any European site as a result of the proposed Variation. For example there will be no land-take from any European site and there will be no resource requirements such as water abstraction.

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

Details of the potential impacts of the proposed Variation on European sites are presented in **Table 5.1**.

5.2 Summary of potential impacts of the Variation

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 Variation. There is, therefore, no potential for the effects of habitat loss or fragmentation to occur.

In addition there is no possibility of any impacts on water, via either surface or foul water, as a result of the proposed Variation.

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

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- Land-take;
- Resource requirements such as water abstraction;
- Impacts to habitat structure;
- Mortality to species (such as roadkill);
- Noise pollution/vibration impacts;
- Light pollution;
- Air pollution.

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.

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Table 5.1 Lists relevant European sites and outlines their Qualifying Interests/Special Conservation Interests and Conservation Objectives*

European Site	Reasons for designation (information correct as of December 2025) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link and potential effects	Likely Effect?	Significant
Rye Water Valley/Carton SAC (site code 001398), c.3.5km to the west	<ul style="list-style-type: none"> [7220] Petrifying springs with tufa formation (<i>Cratoneurion</i>) [1014] <i>Vertigo angustior</i> (Narrow-mouthed Whorl Snail) [1016] <i>Vertigo moulinsiana</i> (Desmoulin's Whorl Snail) <p>According to this SAC's site Conservation Objectives document (Version 1, dated 22 December 2021), for each of the listed QIs, the Conservation Objective is to maintain or restore the favourable conservation condition of the Annex I habitat(s) for which the SAC has been selected.</p>	There is no realistic pathway between the subject lands at Barnhill and this SAC. 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 Variation.	No	
Glenasmole Valley SAC (site code 001209), c.14.7km to the south	<ul style="list-style-type: none"> 6210 Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>) (* important orchid sites) 6410 Molinia meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>) 7220 Petrifying springs with tufa formation (<i>Cratoneurion</i>)* <p>According to this SAC's site Conservation Objectives document (Version 1, dated 10 December 2021), for the listed QI, the Conservation Objective is to restore the favourable conservation condition of the Annex I habitat for which the SAC has been selected.</p>	There is no realistic pathway between the subject lands at Barnhill and this SAC. 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 Variation.	No	
South Dublin Bay SAC (site code 000210), c.16.2km to the south east	<ul style="list-style-type: none"> [1140] Mudflats and sandflats not covered by seawater at low tide 	There is no realistic pathway between the subject lands at Barnhill and this SAC. 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 Variation.	No	

Variation No. 2 of Fingal Development Plan 2023-2029

Screening for Appropriate Assessment (AA)

European Site	Reasons for designation (information correct as of December 2025) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link and potential effects	Likely Significant Effect?
	<p>The following habitats are listed as Qualifying Interests on the NPWS website, but are not included in the Conservation Objectives document:</p> <ul style="list-style-type: none"> ■ [1210] Annual vegetation of drift lines ■ [1310] Salicornia and other annuals colonising mud and sand ■ [2110] Embryonic shifting dunes) <p>According to this SAC's site Conservation Objectives document (Version 1, dated 22 August 2013), for the listed QI, the Conservation Objective is to maintain the favourable conservation condition of the Annex I habitat for which the SAC has been selected.</p>		
<p>Wicklow Mountains SAC (site code 002122), c.16.7km to the south</p>	<ul style="list-style-type: none"> ■ [3110] Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>) ■ [3130] Oligotrophic to mesotrophic standing waters with vegetation of the <i>Littorelletea uniflorae</i> and/or <i>Isoeto-Nanojuncetea</i> ■ [3160] Natural dystrophic lakes and ponds ■ [4010] Northern Atlantic wet heaths with <i>Erica tetralix</i> ■ [4030] European dry heaths ■ [4060] Alpine and Boreal heaths ■ [6130] <i>Calaminarian</i> grasslands of the <i>Violetalia calaminariae</i> ■ [6230] Species-rich <i>Nardus</i> grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) ■ [7130] Blanket bogs (* if active bog) 	<p>There is no realistic pathway between the subject lands at Barnhill and this SAC. 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 Variation.</p>	<p>No</p>

Variation No. 2 of Fingal Development Plan 2023-2029

Screening for Appropriate Assessment (AA)

European Site	Reasons for designation (information correct as of December 2025) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link and potential effects	Likely Significant Effect?
	<ul style="list-style-type: none"> ■ [8110] Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Galeopsietalia ladani</i>) ■ [8210] Calcareous rocky slopes with chasmophytic vegetation ■ [8220] Siliceous rocky slopes with chasmophytic vegetation ■ [91A0] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles ■ [1355] <i>Lutra lutra</i> (Otter) <p>According to this SAC's site Conservation Objectives document (Version 1, dated 31 July 2017), for each of the listed QIs, the Conservation Objective is to maintain or restore the favourable conservation condition of the Annex I habitat(s) for which the SAC has been selected.</p>		
North Dublin Bay SAC (site code 000206), c.17.6km to the 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] <i>Salicornia</i> and other annuals colonising mud and sand ● [1330] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) ● [1410] Mediterranean salt meadows (<i>Juncetalia maritimi</i>) ● [2110] Embryonic shifting dunes ● [2120] Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) 	There is no realistic pathway between the subject lands at Barnhill and this SAC. 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 Variation.	No

Variation No. 2 of Fingal Development Plan 2023-2029

Screening for Appropriate Assessment (AA)

European Site	Reasons for designation (information correct as of December 2025) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link and potential effects	Likely Significant Effect?
	<ul style="list-style-type: none"> • [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, 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>Malahide Estuary SAC (site code 000205), c.18.2km to the north east</p>	<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>Glauco-Puccinellietalia 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>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</p>	<p>There is no realistic pathway between the subject lands at Barnhill and this SAC. 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 Variation.</p>	<p>No</p>

Variation No. 2 of Fingal Development Plan 2023-2029

Screening for Appropriate Assessment (AA)

European Site	Reasons for designation (information correct as of December 2025) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link and potential effects	Likely Significant Effect?
	Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.		
Baldoye Bay SAC (site code 000199), c.20.2km to the north 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>Glauco-Puccinellietalia 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>	There is no realistic pathway between the subject lands at Barnhill and this SAC. 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 Variation.	No
Rogerstown Estuary SAC (site code 000208), c.21.0km to the north east	<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>Glauco-Puccinellietalia 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)* 	There is no realistic pathway between the subject lands at Barnhill and this SAC. 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 Variation.	No

Variation No. 2 of Fingal Development Plan 2023-2029

Screening for Appropriate Assessment (AA)

European Site	Reasons for designation (information correct as of December 2025) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link and potential effects	Likely Significant Effect?
	<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>Howth Head SAC (site code 000202), c.23.0km to the east</p>	<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 realistic pathway between the subject lands at Barnhill and this SAC. 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 Variation.</p>	<p>No</p>
<p>Rockabill to Dalkey Island SAC (site code 003000), c.23.7km to the east;</p>	<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 Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p>	<p>There is no realistic pathway between the subject lands at Barnhill and this SAC. 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 Variation.</p>	<p>No</p>
<p>South Dublin Bay and River Tolka Estuary SPA (site code</p>	<ul style="list-style-type: none"> ■ [A144] Sanderling (<i>Calidris alba</i>) ■ [A157] Bar-tailed Godwit (<i>Limosa lapponica</i>) ■ [A149] Dunlin (<i>Calidris alpina</i>) 	<p>There is no realistic pathway between the subject lands at Barnhill and this SPA. There will be no loss of habitat or species, fragmentation or</p>	<p>No</p>

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Screening for Appropriate Assessment (AA)

European Site	Reasons for designation (information correct as of December 2025) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link and potential effects	Likely Significant Effect?
004024), c.14.5km to the east	<ul style="list-style-type: none"> ■ [A162] Redshank (<i>Tringa totanus</i>) ■ [A179] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) ■ [A143] Knot (<i>Calidris canutus</i>) ■ [A192] Roseate Tern (<i>Sterna dougallii</i>) ■ [A046] Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) ■ [A141] Grey Plover (<i>Pluvialis squatarola</i>) ■ [A130] Oystercatcher (<i>Haematopus ostralegus</i>) ■ [A194] Arctic Tern (<i>Sterna paradisaea</i>) ■ [A193] Common Tern (<i>Sterna hirundo</i>) ■ [A137] Ringed Plover (<i>Charadrius hiaticula</i>) ■ [A999] Wetlands <p>According to this SPA's site Conservation Objectives document (Version 1, dated 9 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.</p>	disturbance to the special conservation interests of this SPA as a result of the proposed Variation.	
North Bull Island SPA (site code 004006), c.17.6km to the east	<ul style="list-style-type: none"> ■ [A046] Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) ■ [A048] Shelduck (<i>Tadorna tadorna</i>) ■ [A052] Teal (<i>Anas crecca</i>) ■ [A054] Pintail (<i>Anas acuta</i>) ■ [A056] Shoveler (<i>Anas clypeata</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>) 	There is no realistic pathway between the subject lands at Barnhill and this SPA. There will be no loss of habitat or species, fragmentation or disturbance to the special conservation interests of this SPA as a result of the proposed Variation.	No

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Screening for Appropriate Assessment (AA)

European Site	Reasons for designation (information correct as of December 2025) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link and potential effects	Likely Significant Effect?
	<ul style="list-style-type: none"> ■ [A144] Sanderling (<i>Calidris alba</i>) ■ [A149] Dunlin (<i>Calidris alpina</i>) ■ [A156] Black-tailed Godwit (<i>Limosa limosa</i>) ■ [A157] Bar-tailed Godwit (<i>Limosa lapponica</i>) ■ [A160] Curlew (<i>Numenius arquata</i>) ■ [A162] Redshank (<i>Tringa totanus</i>) ■ [A169] Turnstone (<i>Arenaria interpres</i>) ■ [A179] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) ■ [A999] Wetlands <p>According to this SPA's site Conservation Objectives document (Version 1, dated 9 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.</p>		
Malahide Estuary SPA (site code 004025), c.18.4km to the north east	<ul style="list-style-type: none"> ■ [A005] Great Crested Grebe (<i>Podiceps cristatus</i>) ■ [A046] Brent Goose (<i>Branta bernicla hrota</i>) ■ [A048] Shelduck (<i>Tadorna tadorna</i>) ■ [A054] Pintail (<i>Anas acuta</i>) ■ [A067] Goldeneye (<i>Bucephala clangula</i>) ■ [A069] Red-breasted (Merganser <i>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>) 	There is no realistic pathway between the subject lands at Barnhill and this SPA. There will be no loss of habitat or species, fragmentation or disturbance to the special conservation interests of this SPA as a result of the proposed Variation.	No

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Screening for Appropriate Assessment (AA)

European Site	Reasons for designation (information correct as of December 2025) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link and potential effects	Likely Effect?	Significant
	<ul style="list-style-type: none"> ■ [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>			
Wicklow Mountains SPA (site code 004040), c.18.7km to the south	<ul style="list-style-type: none"> ■ [A098] Merlin (<i>Falco columbarius</i>) ■ [A103] Peregrine (<i>Falco peregrinus</i>) <p>According to this SPA's Site Conservation Objectives document (Version 1, dated 16 July 2024), for each of the listed SCIs, the Conservation Objective is to maintain the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.</p>	There is no realistic pathway between the subject lands at Barnhill and this SPA. There will be no loss of habitat or species, fragmentation or disturbance to the special conservation interests of this SPA as a result of the proposed Variation.	No	
North-West Irish Sea SPA (site code 004236), c.20km 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>) ■ [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>) ■ [A862] Little Gull (<i>Hydrocoloeus minutus</i>) ■ [A188] Kittiwake (<i>Rissa tridactyla</i>) 	There is no realistic pathway between the subject lands at Barnhill and this SPA. There will be no loss of habitat or species, fragmentation or disturbance to the special conservation interests of this SPA as a result of the proposed Variation.	No	

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Screening for Appropriate Assessment (AA)

European Site	Reasons for designation (information correct as of December 2025) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link and potential effects	Likely Significant Effect?
	<ul style="list-style-type: none"> ■ [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 is to maintain or restore the favourable conservation condition of the species for which the SPA has been selected.</p>		
Baldoyle Bay SPA (site code 004016), c.20.4km to the north 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>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</p>	There is no realistic pathway between the subject lands at Barnhill and this SPA. There will be no loss of habitat or species, fragmentation or disturbance to the special conservation interests of this SPA as a result of the proposed Variation.	No

Variation No. 2 of Fingal Development Plan 2023-2029

Screening for Appropriate Assessment (AA)

European Site	Reasons for designation (information correct as of December 2025) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link and potential effects	Likely Significant Effect?
	<p>of the species and wetland habitat for which the SPA has been selected.</p>		
<p>Rogerstown Estuary SPA (site code 004015), c.21.7km to the north east</p>	<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 realistic pathway between the subject lands at Barnhill and this SPA. There will be no loss of habitat or species, fragmentation or disturbance to the special conservation interests of this SPA as a result of the proposed Variation.</p>	<p>No</p>
<p>Ireland's Eye SPA (site code 004117), c.22.5km to the east</p>	<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 site Conservation Objectives document (Version 1, dated 12 November 2024), for each of the listed SCIs, the</p>	<p>There is no realistic pathway between the subject lands at Barnhill and this SPA. There will be no loss of habitat or species, fragmentation or disturbance to the special conservation interests of this SPA as a result of the proposed Variation.</p>	<p>No</p>

Variation No. 2 of Fingal Development Plan 2023-2029

Screening for Appropriate Assessment (AA)

European Site	Reasons for designation (information correct as of December 2025) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link and potential effects	Likely Significant Effect?
	<p>Conservation Objective is to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.</p>		

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 sites⁵. 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.*

In relation to European sites, there will be no impacts capable of giving rise to any likely significant effects as a result of the proposed Variation. As set out in this report, it is certain that likely significant effects on European sites as a result of the proposed Variation can be excluded.

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

7 In-combination effects

It is a requirement of the Part XAB of the *Planning and Development Act 2000* 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 current or reasonably foreseeable plans and projects. 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 proposed Variation is in full compliance with all of the relevant policies and objectives of the Fingal Development Plan. The Development Plan was itself subject to Appropriate Assessment. No developments are proposed within the immediate vicinity of the site that would, in combination with the proposed Variation, give rise to significant effects.

Due to the location of the subject site and the nature of the proposed Variation, it is reasonable to conclude that there will be no in-combination effects arising.

On the basis of objective information it can be excluded that the implementation of the proposed Variation, individually or in-combination with other plans or projects, will have a significant effect on a European site.

⁵<https://curia.europa.eu/juris/document/document.jsf?text=&docid=274644&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=21723482>

8 Public Display and Adoption of Variation No.2

8.1 Public Display and Pre-adoption of Variation No.2

The proposed Variation No. 2 to the Fingal Development Plan 2023-2029 along with accompanying, Strategic Flood Risk Assessment, Development Plan Mapping, SEA, AA screening reports were placed on public display for inspection from Tuesday 23rd December 2025 to Thursday 29th January 2026 (both dates inclusive) during normal opening hours (Monday to Thursday 9am to 5pm and Friday 9am to 4.30pm) at

- Fingal County Council Offices at County Hall, Main Street, Swords, Co. Dublin,
- Fingal County Council Civic Offices, Grove Road, Blanchardstown, Dublin 15
- Fingal County Council's Offices, George's Square, Balbriggan, Co. Dublin,
- Fingal Branch Libraries during normal opening hours for each library. See www.fingal.ie for local library opening hours.

The documents were also available to be viewed on Fingal County Council's website at <https://consult.fingal.ie/en/browse>.

Twelve submissions were received on the Draft Variation, two of which were withdrawn.

Seven of the submissions, received from the Environmental Protection Agency (EPA), Office of the Planning Regulator (OPR); Office of Public Works (OPW (x2)); Uisce Éireann; Health and Safety Authority (HSA); and Transport Infrastructure Ireland (TII), either broadly supported the proposed zoning or stated that they had no specific comment.

Three further submissions were also received from local individuals / community campaigner.

No issues were raised relating to the Screening for AA.

8.2 Adoption of Variation No.2

The proposed Variation and its supporting documentation was brought to a meeting of Fingal County Council on the 30 March 2026 without any proposed amendments. Variation No.2 was formally adopted by the members of Fingal County Council on the 30 March 2026.

9 Screening Conclusion

Following review of Variation No. 2 of the Fingal Development Plan 2023-2029 against the Conservation Objectives of the relevant European sites, it is concluded that there is no possibility that the implementation of the Variation could result in any likely significant effects on European sites on its own or in combination with other plans and programmes.

In view of best scientific knowledge therefore, this report concludes that Variation No. 2 of the Fingal Development Plan 2023-2029, individually or in combination with another plan or project, is not likely to have a significant effect on European sites under Article 6 of the Habitats Directive (92/43/EEC) in light of their conservation objectives. The Variation No.2 does not require an Appropriate Assessment and the preparation of a Natura Impact Report.

Appendix I: Background

The European⁶ 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 is not directly connected with or necessary to the management of a European Site but may give rise to significant effects upon a European site.

In addition, it is a matter of law that candidate SACs (cSACs), candidate SPAs (cSPAs) and Sites of Community Importance (SCI) are considered in this process and treated the same as SACs and SPAs.

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 a 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 2011-2021* (hereafter referred to as the *Birds and Habitats Regulations*)⁷ and by the *Planning and Development Act 2000*, as amended.

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

Stages in the assessment

European Commission guidance (2021)⁸ sets out the principles on how to undertake decision making in applying the Habitats Directive. The requirements of the Habitats Directive comprise three distinct stages”:

⁶ 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 Natura 2000”

⁷ SI No. 477 of 2011 and subsequent amendments

⁸ [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 \(European Commission Environment Directorate-General, September 2021\)](#)

Stage one: screening. The first part of the procedure consists of a pre-assessment stage ('screening') to ascertain whether the plan or project is directly connected with, or necessary to, the management of a Natura 2000 site, and, if this is not the case, then whether it is likely to have a significant effect on the site (7) (either alone or in combination with other plans or projects) in view of the site's conservation objectives. Stage one is governed by the first part of the first sentence of Article 6(3).

Stage two: the appropriate assessment. If likely significant effects cannot be excluded, the next stage of the procedure involves assessing the impact of the plan or project (either alone or in combination with other plans or projects) against the site's conservation objectives, and ascertaining whether it will affect the integrity of the Natura 2000 site, taking into account any mitigation measures. It will be for the competent authorities to decide whether or not to approve the plan or project in light of the findings of the appropriate assessment. Stage two is governed by the second part of the first sentence and the second sentence of Article 6(3).

Stage three: derogation from Article 6(3) under certain conditions. The third stage of the procedure governed by Article 6(4). It only comes into play if, despite a negative assessment, the developer considers that the plan or project should still be carried out for imperative reasons of overriding public interest. This is only possible if there are no alternative solutions, the imperative reasons of overriding public interest are duly justified, and if suitable compensatory measures are adopted to ensure that the overall coherence of Natura 2000 is protected.

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 below⁹:

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, and
- 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, and
- the conservation status of its typical species is favourable as defined (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, and
- the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and
- there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

The 2019 Guidance from the European Commission¹⁰ indicates that the general objective of achieving FCS for all habitat types and species listed in Annexes I and II to the Habitats Directive needs to be translated into site-level conservation objectives.

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

1. ascertaining whether the plan or project is directly connected with or necessary to the management of a Natura 2000 site;
2. identifying the relevant elements of the plan or project and their likely impacts;
3. identifying which (if any) Natura 2000 sites may be affected, considering the potential effects of the plan or project alone or in combination with other plans or projects;
4. assessing whether likely significant effects on the Natura 2000 site can be ruled out, in view of the site's conservation objectives.

⁹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A01992L0043-20130701>

¹⁰ [Managing Natura 2000 sites: the provisions of Article 6 of the Habitats Directive 92/43/EEC. \(European Commission 2019\)](#)

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